

Viking Academy Trust



Shared Parental Leave Policy for Teachers and Support Staff

The VIKING ACADEMY TRUST 'Shared Parental Leave Policy' has been written using advice from ACAS and CIPD.

Approved by the Trust: Term 1 2023

Reviewed annually: Term 1

Last review date: N/A

Signed:



Chair of Trustees



VIKING ACADEMY TRUST

‘Empowering children through education: One Childhood One Chance’

GENERAL POLICY STATEMENT

All staff, governors and Trustees make the education of pupils at the Viking Academy Trust their first concern and are accountable for achieving the highest possible standards in work and conduct.

All staff, governors and Trustees act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.

Schools in the Viking Academy Trust (VAT)

- Chilton Primary School
- Ramsgate Arts Primary School
- Upton Junior School

This ‘Shared Parental Leave’ is for all the aforementioned schools.

SHARED PARENTAL LEAVE POLICY

Shared Parental Leave (SPL) and Shared Parental Pay (ShPP) offers you and your partner increased flexibility on taking time off to be with your baby/adopted child. If you are eligible (see eligibility section for further information) you will have more options on how you wish to share the available time off and payments.

As an expectant new mother or adopter, unless you specifically request to end your maternity/adoption leave, you will continue to receive the normal maternity/adoption provisions (as set out in the Maternity and Adoption information packs).

For SPL arrangements to apply you will need to:

- 1) Have already returned to work from your maternity/adoption leave (and have not taken all 52 weeks of your leave).

Or

- 2) Give notice of your intention to reduce your maternity adoption leave period and confirm when it will come to an end.



If you are the partner of the mother/adopter, the statutory paternity leave provision, i.e., up to two weeks of paternity leave with statutory paternity pay, will also continue to be available for you to use. However, the introduction of SPL and ShPP means that additional maternity / paternity support leave and additional statutory paternity pay will no longer be available.

PART-TIME EMPLOYEES

SPL and ShPP rights apply equally to full and part-time employees regardless of how many hours are worked, provided the qualifying conditions are satisfied (please refer to the eligibility section).

ENTITLEMENT

You are entitled to take up to 52 weeks maternity / adoption leave. To take SPL, you need to either return to work or give notice of your intention to end your maternity leave early. The amount of remaining maternity / adoption leave can then be used as SPL by you and your partner. In view of the compulsory maternity leave requirements (i.e., the first two weeks following the birth of the baby) the maximum amount of SPL available is 50 weeks.

SPL can:

- Start on any day of the week.
- Only be taken in complete weeks (the minimum amount of leave being one week).
- End at the date chosen by you to allow you to return to work; you can then later take further periods of SPL (you can submit up to 3 notifications to book periods of SPL).
- Be taken by you and your partner between your baby's birth and their first birthday (or within a year where a child is adopted).
- Be taken by your partner whilst you are still on maternity/adoption leave providing that you have given notice that you will be ending your maternity/adoption leave early.
- Be taken by a partner immediately following the birth/placement of the child. A partner may first choose to exhaust any paternity leave entitlements. It should be noted that once SPL has been taken an employee cannot take paternity leave.

ELIGIBILITY

If you are the mother of the baby (or are the adopter) you will qualify for SPL if you:

- Have a partner.
- Are entitled to either maternity/adoption leave or to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance.
- Have ended, or given notice to reduce, your maternity/adoption leave, or your SMP/SAP/Maternity Allowance.



If you are intending to take SPL, you must:

- Share the primary responsibility for the child with the other parent at the time of the birth or placement for adoption.
- Have properly notified your Head of School of your entitlement to SPL and have provide the necessary declaration and evidence.

To qualify for SPL, you must meet the following criteria:

THE MOTHER:

- You must meet the 'continuity of employment test'. This means you must satisfy the following conditions:
- Be continuously employed by Viking Academy Trust for 26 weeks up to and including the 15th week before the week in which your baby is due to be born.
- Still be employed by the Viking Academy Trust in the week before any Shared Parent Leave is due to start.

If you meet the continuity of employment test you will be able to use SPL in order to take your leave in separate blocks even if your partner is not eligible to share the leave with you.

THE ADOPTER:

If you are adopting, you will meet the continuity of employment test if:

- You have been continuously employed by Viking Academy Trust for 26 weeks in the week in which you are notified of having been matched with a child for adoption and are still employed by Viking Academy Trust before any SPL is due to start.
- You are still employed by Viking Academy Trust in the week before any SPL is due to start.

THE PARTNER:

If you are the partner of the mother or adopter, for you and your partner to qualify for SPL you will need to meet the 'employment and earnings test'. This means that you must:

- Have been an employed or self-employed earner in Great Britain for a total of 26 weeks (not necessarily continuously) in the period of 66 weeks leading up to the week in which the child is due (or matched for adoption).
- Have earned at least £390 in total in 13 of the 66 weeks (not necessarily continuously).



If both you and your partner meet the qualifying criteria set out above and your partner does not work for the Viking Academy Trust, your partner is advised to consult with their employer to confirm their entitlement to SPL.

There may be circumstances where your partner may not qualify for SPL (for example they are self-employed). However, if you meet the employment and earning test you may still qualify for SPL and ShPP.

NOTIFICATION AND EVIDENCE

All the requirements regarding notifying your Head of School of pregnancy (as set out in the Maternity Information Pack) still apply.

If you wish to take SPL (and you meet the required eligibility criteria) you will need to provide your Head of School with a written notice of your entitlement to SPL eight weeks before you intend to take a period of SPL.

In the case of SPL following adoption, you will need to notify your Head of School within 7 days of the date the adoption agency notifies you that you have been matched with a child (or if this is not possible as soon as reasonably practicable). You should let your Head of School know when your child is expected to be placed with you and when you want your leave to start. If adopting from overseas, please note you may be required to give up to 28 days' notice.

In the notice you will need to provide information about when your maternity/adoption leave commences and when you want it to end. When you give notice to end your maternity leave this is binding. However, there are a few circumstances where it is possible to withdraw your notice to end your maternity/adoption leave (these are set out further in this section).

If you are the partner of the mother/adopter, you will also need to complete a notice of entitlement and give this to your Head of School. The notice will need to include details of your partner's maternity leave, i.e., the start and end date.

The '**Notification and Evidence Checklist Appendix 1**' sets out the information that you must include in the notice.

EVIDENCE OF ENTITLEMENT

Following receipt of your notice of entitlement, your line manager can, within 14 calendar days, request for you to provide a copy of your child's birth certificate (if one is available).

Your line manager may also request the contact details of your partner's employer. If your line manager requests these details, you must provide them within 14 calendar days.



NOTIFICATION FOR BOOKING SPL

If you are planning to request SPL, you should discuss this with your line manager at the earliest opportunity. This will provide an opportunity to talk through the time off that you are seeking to take and will allow your manager the opportunity to have a longer period to consider options on how your work can be covered whilst you are SPL. This may be particularly beneficial where leave is requested on a discontinuous basis.

When you want to book SPL, if you are the mother/adopter or partner you must submit a written notification to your line manager. The notification must be submitted at least 8 weeks before the date you wish the SPL to begin. You can give notice of booking your SPL at the same time as giving notice of your entitlement if you wish to do so.

The notification needs to set out clearly the leave that you wish to take. The SPL you request on the notification can be for either a continuous block or discontinuous block of leave.

CONTINUOUS LEAVE

This is a period of leave that is taken in an unbroken block, i.e., taking 6 months off following the birth of your baby/placement of your child. If you make a request of a period of continuous SPL it must be granted by your line manager, (providing you have given the appropriate notice and the required information – set out in the Notification and Evidence section appendix 1).

DISCONTINUOUS LEAVE

This is where the SPL you request is not being taken as a continuous block but as several separate periods. By requesting discontinuous leave, it means that you will return to work between periods of SPL. For example, you wish to have six months off in total, but you don't want this as a continuous block of leave. Instead, you may wish to take off two months of SPL and then return to work for three months before taking off another four months of SPL.

If you make a request for discontinuous service, your line manager will consider the needs of the business when considering your request. If the Head of School believes that your request does not fit with the needs of the business, they do not have to give agreement to it.

NOTIFICATION REQUESTS

Notifications are the requests that you make to book SPL. On the notification you can request either a continuous block of SPL or discontinuous leave. You can submit up to 3 notifications for separate blocks of SPL (either continuous or discontinuous).



For example, you may initially just want to take off 3 months and this is what you set out in your original SPL notification, but having returned to work you then decide that you would like to take a further period of SPL. You will then be able to submit a second notification requesting a further period of SPL. If you still have some SPL remaining, you will have the option of submitting a further notification to request a period of leave.

CONSIDERING REQUESTS FOR DISCONTINUOUS LEAVE

You will be advised of the outcome of your request to take discontinuous leave within 14 calendar days.

If your line manager is, for reasons relating to the needs of the business, unable to agree to your request for discontinuous leave they will arrange to meet with you to discuss this further. As part of the discussion, your line manager may, if the needs of the business allow, be able to look at alternative arrangements. Alternatively, your line manager may discuss with you about amending your SPL to become a continuous block.

If you are unable to agree an alternative SPL arrangement with your line manager, you will have the following options:

- You can choose to withdraw your request for SPL (this withdrawal will not count as one of your three booking notifications) – in this event you will be able to take maternity leave as normal.
- You can submit a new revised request for SPL.

If within 15 calendar days of your original notification you have not withdrawn your SPL request, the request will default to being a continuous block of SPL. The continuous block of SPL will commence on the date identified in your original notification.

Providing you make the request within 19 calendar days of your original notification you can choose to commence your continuous block of SPL from a different date (but it cannot start sooner than 8 week is from the date of the original notification was given).

VARYING OR CANCELLING A REQUEST FOR SPL

If you have booked SPL via a notification to your line manager, it is possible for this to be either cancelled or for you to request a different SPL arrangement. In either case you need to submit a variation notification to your manager (your partner will also need to do this with their manager). You will need to give at least eight weeks' notice of the variation and the notification will need to set out:

- Details of the arrangement that you and your partner had originally intended to take.
- That you wish to change the leave arrangement.



- Details of the new SPL arrangement that you and your partner wish to take.

Both you and your partner must sign the variation notification to confirm you agree to what is being requested.

It should be noted that notice to vary booked SPL counts as one of your three notifications of SPL.

WITHDRAWING NOTICE TO END A PERIOD OF MATERNITY/ADOPTION LEAVE.

If you decide that you do not want to end your period of maternity/adoption leave you will be able to do this only if you have not returned to work; the identified maternity leave end date has not passed and one of the circumstances below apply:

- Where, within the 8 weeks following your notice, you or your partner discover that neither of you has any entitlement to SPL or ShPP.
- In the unfortunate event of the death of your partner.
- If the notice was given before the birth, and you withdraw your notice to end your maternity leave in the six weeks following the birth.

CHANGES IN CIRCUMSTANCES

PREMATURE BIRTHS

If your baby is born before their expected due date and you had booked to take SPL within the first eight weeks of the due date, you may take the same period off after actual birth without having to provide eight weeks' notice. You will need to submit a notification to vary your leave as soon as you can. Unlike most other variation notifications, this will not count as one of your three notifications of booking SPL.

If you have booked SPL after the first eight weeks of the due date, you will need to give eight weeks' notice in order to vary the date of your SPL.

If your baby is born more than eight weeks before their due date and you have not submitted a notice of entitlement and/or a notification to book SPL, there will be no requirement for you to give eight weeks' notice before your period of SPL can start. The notification to book SPL should be made as soon as you can after the actual birth.

MISCARRIAGE, STILLBIRTH OR DEATH OF THE CHILD DURING THE FIRST YEAR

In the unfortunate event of the death of the child before you have been able to submit a notice of entitlement, you will not be able to opt into SPL. You will remain entitled to maternity leave and your partner may still qualify for statutory paternity leave.



If you had already opted into SPL and have booked leave, you will still be entitled to take the leave. However, it won't be possible for you to submit any further notifications to book SPL and only one variation notification can be given to reduce a period of leave or rearrange a discontinuous arrangement into a single continuous block of leave.

If you are taking a period of SPL, you can cancel this and return to work by giving eight weeks' notice to your line manager of your return to work.

PARTNER NO LONGER CARING FOR THE CHILD

If your partner will no longer be responsible for providing care to your child and, consequently, loses their right to SPL, you will still be eligible to take your SPL entitlement. If your partner had any SPL entitlement outstanding this can only be transferred to you if they give a signed agreement confirming a variation of leave entitlement.

If you are the partner of mother/adopter please be aware you will need to notify your Head of School immediately if you no longer have caring responsibilities for the child.

DEATH OF A PARTNER DURING THE CHILD'S FIRST YEAR

In the unfortunate event that either you or your partner die any SPL that was due to be taken by you or your partner may be transferred.

If it is necessary for you to take a further period of SPL or to vary a pre-agreed period of leave you should give as much notice as possible if you are not able to give the normal notice (8 weeks). Even if you have already submitted three notifications to book SPL, you will be able to submit a further notification.

SHARED PARENTAL LEAVE PAY

Qualifying employee may have an entitlement to both Statutory Shared Parental Pay and Contractual Shared Parental Pay, whether they are the mother/adopter or partner. To qualify for both statutory and contractual shared parental pay you must meet the qualifying requirements for SPL and have a partner who meets the 'employment and earnings test'.

STATUTORY SHARED PARENTAL PAY

To qualify for ShPP you will also need to have average earnings not less than the lower earning limit for National Insurance purposes. Statutory ShPP is paid at the same flat rate as SMP (at the current time £172.48 or 90% of your average weekly earning whichever is lower).



In order to receive ShPP you need to give notice to your line manager that you will be reducing your SMP/SAP entitlement.

If you give this notice before you have received your SMP/SAP for 39 weeks, any remaining weeks can then be used as ShPP. For example, if you reduce your SMP/SAP entitlement after 26 weeks this would mean that you would have 13 weeks of ShPP available. You and your partner (providing they meet the 'employment and earning test') will be able to look at how you wish to use the available ShPP.

It is your responsibility to check that you are eligible for SPL and or ShPP.

CONTRACTUAL SHARED PARENT PAY

To qualify for contractual ShPP you must:

- Have at least 1 years' continuous service with Viking Academy Trust at the beginning of the 11th week prior to the EWC.
- Continue to be employed immediately before your SPL starts.
- Additionally, if you are the mother – you must have already followed the process for notifying your line manager of your pregnancy.

Please note, that the rate at which ShPP is paid is determined by the week in which leave is taken following the start of the combined period of maternity and SPL.

CONTRACTUAL SHPP FOR SUPPORT STAFF IS MADE UP OF:

- Six weeks of 90% of Average Weekly Earnings (this will be paid during weeks three to six of the leave period*)
- Twelve weeks at half pay (if you intend to return to work) in addition to ShPP – total amount not exceeding full pay (this will be paid during weeks seven to eighteen of the leave period). Twenty-one remaining weeks ShPP entitlement at the standard rate (payable from week nineteen of the leave period onwards*)

CONTRACTUAL SHPP FOR TEACHERS IS MADE UP OF:

- Two weeks at full pay (90% is made up from ShPP) (payable between weeks three to four of the leave period following two weeks compulsory maternity leave*)
- Two weeks at 90% of contractual pay or ShPP at the earnings-related rate whichever is the greater (payable between weeks five to six of the leave period)



- Twelve weeks at half pay (payable only where the Employee intends to return to work) in addition to ShPP entitlement* (payable between weeks seven and eighteen of the leave period*)
- Twenty-one remaining weeks ShPP entitlement at the standard rate (payable from week 19 of the leave period onwards*)

**Contractual half pay plus ShPP should not exceed normal weekly earnings.*

CONDITIONS RELATING TO THE PAYMENT OF CONTRACTUAL HALF PAY

You will not be entitled to contractual pay where at the outset you indicate that you 'do not intend to return' to work following shared parental leave.

If you indicate that you 'may' return to work, contractual half pay will be payable once you have return to work for 13 weeks following your shared parental leave.

Where you indicate that you 'will' return to work contractual half pay will be paid during your period of shared parental leave.

If you are a member of support staff, you must return to work for at least 13 weeks following your shared parental leave to retain your contractual half pay.

If you are a teacher you must return to work for at least 13 weeks, or the equivalent, following your shared parental leave to retain your contractual half pay. Should your employer agree to you returning to your teaching role on a part-time basis, the period must equate to 13 weeks full time service. Similarly, where the employer agrees, a part-time teacher may return to work on different part-time basis for a period which equates to 13 weeks part-time service under the previous contract.

The qualifying period of return includes school closure periods.

You must return to the same school you were employed at prior to your period of leave.

Please be aware that if you do not return to work for the required period your employer is employed to reclaim the contractual half pay you have received.

If you are the partner of the mother, you will need to meet the same return to work requirements to receive the contractual half pay.

The average week earnings are calculated on the basis of the eight-week period immediately preceding the 15th week before your EWC.



HOW ShPP IS PAID

The rate of ShPP received is determined by the week in which the leave is taken following the start of the combined period of maternity and SPL. For example,

- The mother (a member of support staff) takes compulsory maternity leave for weeks one and two at 90% of her average weekly earnings.
- The mother begins a period of SPL in week three, for four weeks and is paid at 90% of her average weekly earnings.
- At the end of the sixth week the mother returns to work.
- The partner, a Viking employee then begins a twelve-week period of SPL in week seven and receives contractual half pay from week seven to week eighteen.

The arrangements for paying ShPP can be complex, and you are advised to discuss the precise breakdown of payments with your school.

If both you and your partner are employed in schools and you choose to take SPL at the same time, the entitlement to twelve weeks of contractual half pay will be shared equally between the two of you, i.e. you both receive the appropriate amount for six weeks.

Both ShPP and contractual ShPP are subject to PAYE tax, National Insurance and Pension contributions. If you have a period of unpaid leave, you may be eligible for a tax refund at the end of the tax year.

MATERNITY ALLOWANCE (MA)

If you are not entitled to ShPP, you may be able to claim up to 26 weeks of maternity allowance via the Job Centre.

CONTACT DURING SPL

Your line manager can contact you (and vice versa) whilst you are on SPL, if the amount and type of contact is not unreasonable. You should talk to your manager to agree what kind of contact you will have with your team during leave. This contact is necessary to ensure that discussions take place regarding any return-to-work plans and to ensure you are kept up to date on important developments within the workplace including any job opportunities or promotions that arise.



SHARED PARENTAL LEAVE IN TOUCH (SPLIT) DAYS

You may work up to 20 SPLIT days, for which you will be paid, without affecting your statutory pay or leave. These are intended to assist you in keeping up to date with the work environment, attend training or development activities. You should discuss and agree mutually appropriate SPLIT days with your Head of School in advance.

If you are in the paid part of your leave, the SPLIT days will be offset against any pay you are currently receiving. This means that unless the pay for the hours you work in that week exceeds the pay you are currently receiving, there will be no change in your pay. If you are currently in the unpaid part of your leave you will receive your contractual pay for hours worked.

Any SPLIT days are in addition to an employee's entitlement to KIT days granted under maternity / adoption leave provisions.

ENTITLEMENTS DURING SPL

ANNUAL LEAVE

For all-year-round support staff, your annual leave accrues during SPL leave, and can be taken all or in part before returning to work. When SPL spans two annual leave periods, the whole of the accrued leave should be transferred to the new leave year.

For term-time only employees, your leave is expected to be taken during a period of school closure and payment for your leave entitlement is included in your salary. If, as a result of your SPL, you do not receive your correct proportion of holiday pay entitlement, you should make enquiries with the Viking Trust HR Director.

PENSIONS

When you start your SPL and whilst you are receiving ShPP, you will be required to pay pension contributions, and these will be deducted from your salary in the normal way. You will be required to pay pension contributions for the period of paid maternity leave based on the actual amount you are paid, so will be less than you normally pay.

SUPPORT STAFF

As a member of the Local Government Pension Scheme, when you return to work you will have the option to pay pension contributions for the period of unpaid absence, where applicable. If you wish to pay these additional pension contributions, please inform your school. Our HR Department will write to you providing you with the details of the arrears so that you can decide whether to pay or not. Contributions will be based on the value of your statutory maternity pay so will be less than you normally



pay but your membership of the scheme will be credited at the normal length. If you decide not to pay for your period of unpaid maternity leave this will not count in any way for pension purposes.

TEACHERS

As a member of the Teachers Pensions Scheme, if you do not qualify for SMP or CMP or where maternity pay ends, you will cease to be a member of the scheme for the unpaid period and you will not be able to pay arrears for this period. Contributions will begin upon your return to work.

If you have SPLIT days during a period of SPL, you will pay pension contributions for the day(s) you are paid.

RETURNING TO WORK

You must notify your Head of School of the date you intend to return to work.

If you are returning to work after a period of leave of 26 weeks or less you have the right to return to the same job. If you return to work after 26 weeks of leave you have the right to return to the same job or, if not, reasonably practical, an appropriate alternative job.

If you do not return by the latest date of return, you risk losing the right to return.

You should let your line manager know if you are breastfeeding before you return to work as we will need to review any arrangements you might require ensuring your health and safety.

SICKNESS

If you are unable to return to work due to illness, the SPL period is not extended but normal sickness procedures apply.

REQUESTS TO WORK FLEXIBLY

You may wish to request to change your work patterns/hours (flexible working arrangements) on your return from SPL. You should discuss this with the Viking Trust HR Director in the first instance and make a formal request under Viking Academy Trust's Flexible Working Policy.

Your Head of School will need to consider your request carefully and should provide you with specific business reasons if this cannot be accommodated.

Guidance on your right to request flexible working can be found in the Trust's Flexible Working Policy (please see our website).



LEAVING VIKING ACADEMY TRUST

If you decide not to return to work, you must formally resign giving contractual notice. Your contract will terminate at the end of your contractual notice period, or, at the end of your ShPP period, whichever is greater. If you return to work and then decide to resign, you must give contractual notice.

SUSPECTED FRAUDULENT CLAIMS

Where it is suspected that fraudulent information relating to you or your partner has been provided in relation to your application for SPL or where Trust is informed by the HMRC that a fraudulent claim has been made, this may be addressed through the Trust's disciplinary procedure.



APPENDIX ONE: NOTICE OF ENTITLEMENT CHECKLIST

You will need to submit the notice of entitlement at least eight weeks before you intend to take a period of SPL.

In the notice you must give the following information to the Viking Trust HR Director:

Details:



Your Name

Your Partner's Name

The start date of statutory maternity / adoption leave

The end date of statutory maternity / adoption leave

The total number of weeks maternity / adoption leave remaining that may be taken as SPL (max 50 weeks)

The child's expected week of birth (or the actual date of birth if the baby has already been born or date of placement)

How much SPL you and your partner intend to take

An indication of when you intend to take SPL

If you are the mother/adopter, you must include a signed declaration that:

- You will be sharing responsibility for the care of the child.
- You have given notice to end your maternity entitlement.
- You meet the 'continuity of employment' test.
- The information you have provided is accurate.
- If you cease to be eligible for SPL, you will immediately inform your line manager or the Viking Academy Trust HR Director

If you are the mother/adopter, you must include a signed declaration regarding your partner that states:

- Their name, address, and national insurance number
- **That they are the father of the child, or they are your partner.**
- **They meet the criteria for the 'employment and earnings' test.**
- **That at the time of the birth or placement they share the responsibility for the care of the child with you**
- They consent to you taking SPL and to you sharing with your line manager (so the information can be processed) the details contained in the notice of entitlement declarations

If you are the partner of the mother/adopter, you must include a signed declaration that:

- **You have been working for Viking Academy Trust for 26 weeks by the end of the 15th week before the baby's due date.**
- **You will have the main caring responsibility for the baby (along with your partner (the mother/adopter)) and will inform your line manager immediately if this changes.**



- You are the father of the child or the spouse, civil partner or partner of the mother
- You will inform your line manager if your partner chooses to withdraw her notice to end her maternity/adoption leave.
- The information provided is accurate.
- You will immediately inform your line manager if you cease to be eligible for SPL

If you are the partner of the mother/adopter, you must also include a declaration signed by your partner (the mother) which states:

- Her name, address, and National Insurance number
- She has worked for 26 weeks out of 66 weeks up to the expected due date and has earned during 13 of those weeks an average of a specified amount (determined by annually by Government)
- She is entitled to statutory maternity/adoption leave, SMP/SAP or maternity allowance.
- She will have the main caring responsibility for the baby (along with you)
- She has ended her statutory maternity/adoption leave and SMP/SAP by returning to work or by giving notice of ending her leave.
- She will inform you immediately if she chooses to withdraw her notice to end her maternity/adoption leave and pay.
- She consents to your manager receiving the declaration to process the information it contains.



APPENDIX TWO: NOTICE OF ENTITLEMENT AND INTENTION TO TAKE SHARED PARENTAL LEAVE

To take shared parental leave (SPL), eligible employees must complete this form and give it to the Viking Academy Trust HR Director. Employees should note that the Viking Academy Trust requires at least eight weeks' notice of an intention to take a period of SPL and employees should bear this in mind to ensure that SPL can be taken. The Viking Academy Trust shared parental leave policy will provide more information on the operation of SPL.

Eligibility

SPL is available to employees who:

- Are the mother, father, or main adopter of the child, or the partner of the mother or main adopter (known, in this form, as a parent)
- Have (or share with the other parent) the main responsibility for the care of the child
- Have at least 26 weeks' continuous service at the 15th week before the expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week')
- Still be working for the Company into the week before any SPL is taken.

The employee's partner must also meet a separate eligibility and earnings test for the employee to take leave. The partner must have:

- At least 26 weeks' employment (employed or self-employed) out of the 66 weeks prior to the relevant week and
- Average weekly earnings of at least £30 during at least 13 of those weeks.

Section 1 – Basic details

Your name	
Your partner's name	
Expected week of childbirth/date of placement for adoption	
Actual date of childbirth/date of placement for adoption (if known)	
Date maternity/main adopter's adoption leave (or pay period*) started or is to start	
Date maternity/main adopter's adoption leave (or pay period*) ended or is to end	



* If the mother/main adopter is not entitled to maternity leave/adoption leave, then the dates of the pay periods should be given.

Section 2 – Employee notice of curtailment of maternity/adoption leave (To be completed by the mother/main adopter)

I confirm that I intend to curtail my maternity/adoption leave on _____ (insert date).

Note to employee: Please be aware that you are required to give the Company at least eight weeks’ notice of your curtailment date. Curtailment of maternity leave is not permitted to take place in the compulsory maternity leave period ie the two week period immediately after childbirth (or a four weeks period if you work in a factory).

Section 3 – Non-binding indication of shared parental leave

Please set out below the number of periods/dates of SPL you intend to take. This indication is not binding, and you may change your mind until you submit a formal notice of your intention to take a period of SPL.

The total amount of SPL available to you is 50 weeks if your compulsory maternity leave period is two weeks or 48 weeks if your compulsory maternity leave period is four weeks.

Total number of weeks available:			
Start date	End date	Who is taking the leave? Mother/main adopter or partner or both?	Are you allocating SHPP to this period? If so, how many weeks?



Please continue on a separate sheet if necessary.

Section 4 – Employee declaration

I confirm that:

- I am the mother, father, or main adopter of the child, or the partner of the mother or main adopter.
- I have been employed by the company for at least 26 weeks by the 15th week before the Expected Week of Childbirth/Placement
- I have the main responsibility for caring for the child (along with my partner) and will inform the company immediately of any changes to this.
- I am entitled to statutory maternity/adoption leave.
- I have returned to work before my maternity/adoption leave has ended OR I commit, in this notice, to ending my maternity/adoption leave early.
- (If I am claiming shared parental pay) I have average weekly earnings equal to or above the lower earnings limit over the eight-week period ending with the relevant week.

All the information provided in this notice is accurate to the best of my knowledge. I am aware that, should I have intentionally provided any misleading information in this notice, this may be a disciplinary offence. I understand that I must inform the Viking Academy Trust if any information I have given in this form changes meaning I am no longer eligible for SPL.

Signature	
Date	

Section 5 – Declaration of the other parent

Name	
Address	
National Insurance Number	
If you have no National Insurance Number, please mark this box to the right	

I confirm that:

- I am one of the following:
 - The father of the child



- The mother of the child
- The civil partner of the mother of the child
- The partner of the mother of the child
- I have worked in Great Britain for at least 26 in the 66 weeks leading up to the expected week of childbirth/placement.
- I have earned on average £30 in any 13 of those weeks.
- I will have the main responsibility for caring for the child (along with the child’s mother/main adopter)
- I consent to my partner taking the number of weeks shared parental leave and pay specified in this notice.
- I consent to you processing the information I have provided.

If you are the mother/main adopter:

I have curtailed my maternity leave and pay/adoption leave and pay/maternity allowance or will have done so by the time your employee starts shared parental leave.

I consent to you processing the information contained in this declaration.

Signature	
Date	

