



PARENTAL LEAVE POLICY

(including paternity and maternity support leave)

This policy sets out employees' rights in relation to Shared Parental Leave, Ordinary Paternity Leave and Maternity Support Leave.

We recognise that, from time to time, employees may have questions or concerns relating to their rights. It is our policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As these provisions are complex, employees should clarify the relevant procedures with their Line Manager or a People Services Advisor to ensure that they are followed. This policy will ensure consistency in making and responding to notifications regarding leave.

This procedure applies to all employees of Boston Borough Authority.

Principles

This policy incorporates the following principles.

- **Good faith**
This policy and procedure will be applied in a consistent manner and without discrimination.
- **Fairness**
Any action taken will be reasonable and necessary. Members of staff involved are entitled to be heard with courtesy and respect.
- **Confidentiality**
Information relating to Parental, Paternity and Maternity Support Leave will only be shared with individuals who have a need to know.
- **Representation**
If issues arise within these procedures and a formal approach is required to deal with them, employees will be entitled to be accompanied by a trade union representative or by a work colleague.

Version History

Version	Author	Reason For Issue
2004	People Services	Review of 1998 policy
June 2005	People Services	Review of 2004 policy
April 2007	People Services	Review of 2005 policy
August 2012	People Services	Review 2007 policy. Legislative change to entitlement to paternity leave
March 2015	People Services	Review of 2012 policy and legislative change to shared parental leave

Document Distribution

Name	Role
JCC	For consideration of amendments for policy
CMT	For approval of amendments to policy
HOST	For implementation.
All staff	Revised scheme/ staff benefit.

TABLE OF CONTENTS

1. Who does this policy cover?.....	5
2. When can mothers be accompanied at antenatal appointments?.....	5
3. What is Shared Parental Leave?.....	5
4. How do I know what notifications to make?	5
5. What happens to Maternity/Paternity and Adoption Leave?	6
6. What is the SPL process?	6
7. What is the Shared Parental Leave entitlement?	7
8. How can periods of leave be taken?	7
9. How do I qualify for Shared Parental Leave?.....	7
10. Who is responsible for checking eligibility for SPL?	9
11. What is Ordinary Paternity Leave?	9
12. What is Maternity Support Leave?	10
13. How does this leave affect my annual leave?	10
14. Who can authorise my leave?.....	10
15. How do I claim Shared Parental leave Pay?	10
16. What will I get paid while I am on leave?	11
17. How much notice of ordinary paternity leave (OPL) or Maternity Support Leave (MSL) should I give?	11
18. What notification is required for shared parental leave?	11
19. What if I want to change my dates for leave once it's authorised?.....	12
20. What is the effect on SPL of early birth?.....	13
21. What if the child dies before/during birth or within the first year?	13
22. What if a parent dies during the child's first year?.....	14
23. What if I am a parent no longer caring for the child?.....	14
24. What if there is a multiple birth/adoption?	14
25. What contact will my manager make during my leave?	14
26. How do shared parental leave in touch (SPLIT days) work?	15
27. How will I know when to return after shared parental leave?	15
28. Can I return earlier than I originally wanted to?	15
29. What if I decide not to return?	15
30. What are my rights on and after return to work?	15
APPENDIX A	17
APPENDIX B	18
APPENDIX C	19
APPENDIX D	20
APPENDIX E	21
APPENDIX F.....	22
APPENDIX G	23
APPENDIX H	26
APPENDIX i.....	30
APPENDIX J	31
APPENDIX k.....	32
APPENDIX l.....	33

GLOSSARY OF KEY TERMS AND ABBREVIATIONS

APL	Additional Paternity Leave
KIT	Keeping-in-touch
MSL	Maternity Support Leave
OPL	Ordinary Paternity Leave
ShPP	Statutory Shared Parental Pay
SPL	Shared Parental Leave
SPP	Statutory Paternity Pay

Continuous Leave: A period of leave taken in one block e.g. 4 weeks leave.

Curtail: Where an eligible mother brings their maternity/adoption leave and, if appropriate, pay or allowance entitlement to an end early. This is sometimes referred to as reducing the maternity/adoption leave period, or reducing the maternity/adoption pay or Maternity Allowance period.

Discontinuous Leave: A period of leave that is arranged around weeks where the employee will return to work e.g. an arrangement where an employee will work every other week for a period of three months.

Expected week of childbirth: The week, starting on a Sunday, during which the mother's doctor or midwife expects her to give birth.

Match: When an adopter is approved to adopt a named child or children.

Mother: The woman who gives birth to a child or the adopter (the adopter means the person who is eligible for adoption leave and/or pay. They can be male or female.

Partner: The child's biological father or the partner of the mother/adopter. This includes someone, of either sex, who lives with the mother and the child in an enduring family relationship but who is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

SPLIT day Shared Parental Leave in Touch Day

Unpaid Parental Leave: separate to SPL. Entitles employees to take up to 18 weeks off work to look after a child's welfare: This leave is normally unpaid.

1. Who does this policy cover?

All Boston Borough Council employees, except casual/relief workforce. Casual/Relief workers are those who have no contract of employment and who may work on an occasional basis but have no contract to provide work or to attend work on a regular basis exists. Where appropriate, employees leave entitlement is determined by Conditions of Service and will be included in their terms and conditions document.

2. When can mothers be accompanied at antenatal appointments?

Since 1st October 2014 the partner of a pregnant woman has been entitled to take unpaid time off work to attend antenatal appointments with her. This is capped at 2 appointments with a limit of 6.5 hours per appointment. There is no qualifying period for this.

A 'partner' could be the baby's father, or the mother's spouse, civil partner, or partner in an enduring relationship. It could also be the parents of a child in a surrogacy arrangement.

Whilst we will not ask for evidence of antenatal appointments, you will be required to complete a declaration confirming your relationship with the mother and details about appointments.

3. What is Shared Parental Leave?

The shared parental leave regulations provide an opportunity for parents to take advantage of additional flexibility in the way they chose to share childcare between them during the first year of the child's life. If they reduce their maternity/adoption leave entitlement, they and/or their partner will be able to opt into the SPL system, having periods of SPL to care for the child: this means that their partner could begin to take SPL while the mother is still on maternity/adoption leave.

A mother who meets the eligibility criteria can bring her maternity leave to an end and choose to take shared parental leave with her partner. The mother's partner must also meet eligibility criteria. Shared parental leave will apply in relation to babies due on or after 5th April 2015. The actual date of birth is not relevant for the purposes of eligibility for shared parental leave. Similar arrangements will apply for adoptive parents, in relation to children placed for adoption on or after 5th April 2015. Shared parental leave cannot be taken until after the birth/placing of the child.

4. How do I know what notifications to make?

Leave provisions relating to family care within this policy assume a 5-day working week. Employees working less than a 5-day week will be granted leave for family care on a pro-rata basis

This policy applies in relation to employees of the Authority, whether they are the mother or the partner. If it is the mother who is employed by the Authority, her partner must (where relevant) submit any notifications to take shared parental leave set out in this policy to their own employer, which may have its own shared parental leave policy in place, if they want to take a period of shared parental leave.

Similarly, if it is the partner who is employed by the Authority, the mother must (where relevant) submit any notifications to take shared parental leave to her own employer.

The mother and the partner should ensure that they are each liaising with their own employer to ensure that requests for shared parental leave are handled as smoothly as possible.

Templates for you to make the required notifications are contained within this policy for ease.

5. What happens to Maternity/Paternity and Adoption Leave?

Eligible mothers or adopters may now choose to reduce their maternity/adoption leave early and opt into SPL: However, parents will retain their entitlement to take maternity, paternity and adoption leave.

6. What is the SPL process?

At a glance this is the process: additional details are within this policy:

<u>Step One</u> Becoming aware of a pregnancy or match	Employee Is SPL suitable? Considering what leave arrangements work best	Employer (if aware) Discussing intentions and other leave options
<u>Step Two</u> Choosing SPL and notification of entitlement	Employee Notifying the employer of eligibility	Employer Discussing early intentions Making early preparations and plans
<u>Step Three</u> Notification of a leave booking	Employee Notifying the employer of a leave booking	Employer Considering the impact of a leave booking Discussing a leave booking
<u>Step Four</u> Outcome	Employee Leave begins or the request is withdrawn	Employer Confirm and communicate outcome

7. What is the Shared Parental Leave entitlement?

The amount of leave available is calculated using the mother's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. A birth mother must take at least 2 weeks maternity leave following the birth of a child, therefore eligible parents will be able to share the remaining weeks leave once the curtailment notice has been correctly submitted. There is an entitlement for 39 weeks statutory pay for the purpose of caring for a child within the first year of the child's life or in the year after the child is placed for adoption.

8. How can periods of leave be taken?

All leave must be taken within 52 weeks following the birth of the child; however the mother of the child *must* take the first two weeks. However, the mother's partner can begin a period of shared parental leave at any time from the date of the child's birth (but the partner should bear in mind that they are entitled to take up to two weeks' ordinary paternity leave following the birth of their child, which they will lose if shared parental leave is taken first).

You don't have to take shared parental leave in one continuous block but it does have to be taken in complete weeks. You can request to take shared parental leave in one continuous block (in which case the Authority is required to accept the request as long as you meet the eligibility and notice requirements)

You could alternatively request leave as a number of discontinuous blocks of leave (in which case you need the Authority's agreement).

A maximum of three requests for leave per pregnancy can normally be made by each parent, and three withdrawal notices can be submitted. Any periods of leave that are declined do not count towards these totals.

As long as both parents qualify for shared parental leave, you can choose to take leave at the same time as your partner or you can take your leave separately.

9. How do I qualify for Shared Parental Leave?

This is a two stage-test for entitlement, which means that you must be eligible in your own right and your partner must also meet certain criteria.

For employees to be eligible to take shared parental leave, both parents must meet certain eligibility requirements.

Mother's eligibility for shared parental leave

The mother is eligible for shared parental leave if she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the Authority until the week before any period of shared parental leave that she takes;
- has, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- is entitled to statutory maternity leave in respect of the child; and
- complies with the relevant maternity leave curtailment requirements (or has returned to work before the end of statutory maternity leave), and shared parental leave notice and evidence requirements.

In addition, for the mother to be eligible for shared parental leave, the partner must:

- have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold [currently £30] for any 13 of those 66 weeks; and
- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child.

Partner's eligibility for shared parental leave

The partner is eligible for shared parental leave if he/she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the Authority until the week before any period of shared parental leave that he/she takes;
- has, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- complies with the relevant shared parental leave notice and evidence requirements.

In addition, for the partner to be eligible for shared parental leave, the mother must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold [currently £30] for any 13 of those 66 weeks;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- be entitled to statutory maternity leave, statutory maternity pay or maternity allowance in respect of the child; and
- comply with the relevant maternity leave or pay curtailment requirements (or have returned to work before the end of statutory maternity leave).

10. Who is responsible for checking eligibility for SPL?

It is the employee's responsibility to check that they are eligible for SPL and Shared Parental leave Pay (ShPP) and the Authority will grant leave and pay based on the information and declarations provided by you.

If it is subsequently discovered that ShPP was incorrectly paid, the Authority will correct their records and will seek to recover any incorrectly paid ShPP as an overpayment of wages.

The Authority may, within 14 days of the SPL entitlement notification being given, request:

- the name and business address of the partner's employer (where the employee's partner is no longer employed or is self employed their contact details must be given instead)
- in the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth).
- in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption

In order to be entitled to SPL, the employee must produce this information within 14 days of the employer's request.

11. What is Ordinary Paternity Leave?

Ordinary Paternity Leave (OPL) allows you to take one or two weeks OPL within the first 56 days following the child's birth once shared parental leave is in force. However if an employee is planning on taking both OPL and SPL they must take OPL first.

- a) To be eligible for Ordinary Paternity Leave for a birth child you must have 26 weeks' continuous service by the end of the 15th week before the week in which the child is expected and your wife, civil partner or partner will give birth to a child, or you will be the biological father of the child.
- b) In relation to adoption, OPL is available to adoptive parents where the child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take OPL where the other adoptive parent has elected to take adoption leave. You must have 26 weeks continuous service by the week in which the child's adopter is notified of having been matched with the child for adoption.

With both (a) and (b) above, you must have or expect to have responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother. For all forms relating to adoption leave and pay please refer to the Adoption Policies (HR057/8)

Shared parental leave should not be confused with ordinary parental leave, which is unaffected by SPL. This entitlement is detailed in our Parental Leave Policy (HR061).

12. What is Maternity Support Leave?

Maternity Support Leave (MSL) is a discretionary leave given by the Authority as a benefit to employees, it is a maximum entitlement of a week's leave in any 12-month period. This leave is for the nominated carer of an expectant mother at or around the time of the birth. The purpose of granting MSL is to meet the needs of employees in addressing commitments outside work. In most cases the partner would provide such care and support; however, a relative or someone who has a caring relationship with the mother and/or child may otherwise fulfil the role. There are no service/pay criteria for eligibility.

13. How does this leave affect my annual leave?

SPL, MSL and OPL are granted in addition to your normal annual holiday entitlement.

Contractual annual leave entitlement will continue to accrue whilst you are on leave; You are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during any period of shared parental leave, you should take your outstanding entitlement before starting any period of shared parental leave.

14. Who can authorise my leave?

All arrangements will need to be agreed with your Manager on the relevant forms, as in appendices A – M as appropriate

15. How do I claim Shared Parental leave Pay?

If either the mother or partner wishes to claim ShPP then the mother must also give notice to reduce or end their maternity/adoption pay or allowance entitlement.

Notice must be given, which must include:

How much ShPP both parents are entitled to take

How much ShPP each parent intends to take

When they expect to take ShPP

A declaration from the employee's partner confirming their agreement to the employee claiming their amount of ShPP

These notifications can be made using Appendix G

16. What will I get paid while I am on leave?

Statutory shared parental pay is available for eligible parents to share between them while on shared parental leave. The number of weeks' statutory shared parental pay available to the parents will depend on how much statutory maternity or adoption pay has been paid when his/her maternity/ adoption pay period ends. A total of 39 weeks' statutory pay is available to the parent. As maternity/ adoption leave cannot be curtailed for the first two weeks of leave, the parent can share up to 37 weeks' statutory shared parental pay with his/her partner.

Any statutory shared parental pay due during shared parental leave will be paid at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.

It is up to the parents to determine as to who is paid any statutory shared parental pay and how it is apportioned between them.

17. How much notice of ordinary paternity leave (OPL) or Maternity Support Leave (MSL) should I give?

Where you wish to request OPL in respect of a birth child, you must give your line manager 15 weeks' written notice of the date on which your partner's baby is due, the length of OPL you wish to take and the date on which you wish the leave to commence. Please use Appendix B for this purpose. You should give the same notice for MSL, using form A to apply for it.

If you subsequently wish to change the timing of this leave, you must give 28 calendar days written notice of the new dates.

In the case of an adopted child, you must give written notice of your intention to take OPL no later than 7 calendar days after the date on which the notification of the match with the child was given by the adoption agency. Please use appendix K or L for this purpose.

18. What notification is required for shared parental leave?

The notices that the parents must give to the relevant employer to be able to take shared parental leave are made up of three elements. They are:

- a "maternity leave curtailment notice" (Appendix F) from the mother setting out when she proposes to end her maternity leave (unless the mother has already returned to work from maternity leave);
- a "notice of entitlement and intention" (Appendix G) from the employee giving an initial, non-binding indication of each period of shared parental leave that they are requesting; and

- a "period of leave notice" (Appendix K or L) from the employee setting out the start and end dates of each period of shared parental leave that they are requesting.

The notice periods set out below are the minimum required by law. However, the earlier you inform the Authority of your intentions, the more likely it is that we will be able to accommodate your request for leave, particularly if you want to take periods of discontinuous leave.

Employees are advised that, if they have already decided the pattern of shared parental leave that they would like to take, they can provide more than one type of notice at the same time. For example, the mother could provide a maternity leave curtailment notice, notice of entitlement and intention and period of leave notice at the same time. Similarly, the partner could provide their notice of entitlement and intention and period of leave notice at the same time.

Before the mother or partner can take shared parental leave, the mother must either return to work before the end of her maternity leave (by giving the required eight weeks' notice of her planned return) or provide the Authority with a maternity leave curtailment notice (Appendix F). This notice must be in writing and state the date on which maternity leave is to end. That date must be:

- after the compulsory maternity leave period, which is the two after birth;
- at least eight weeks after the date on which the mother gave the maternity leave curtailment notice to her employer; and
- at least one week before what would be the end of the additional maternity leave period.

The mother must provide her maternity leave curtailment notice at the same time she provides either her notice of entitlement and intention or a declaration of consent and entitlement signed by the mother confirming that her partner has given his/her employer a notice of entitlement and intention

19. What if I want to change my dates for leave once it's authorised?

You can withdraw your maternity leave curtailment notice in certain circumstances, if: it is discovered that neither you or your partner are entitled to shared parental leave or statutory shared parental pay. You must withdraw your maternity leave curtailment in writing and within eight weeks of the date on which the notice was submitted your maternity leave curtailment notice was given before the birth of your child and you withdraw your maternity leave curtailment notice within six weeks of the birth of your child your partner has died

If you wish to change the timing for MSL / OPL you must give 28 days written notice of the new dates. You must also, if requested by your manager, complete and sign a self-certificate declaring that you are entitled to OPL and Ordinary Statutory Paternity pay. Please use Appendix E for this purpose.

You are permitted to bring forward your additional paternity leave start date, provided that you advise the Authority in writing at least six weeks before the new start date or, if that is not possible, as soon as reasonably practicable. You may also postpone your additional paternity leave start date, or cancel the additional paternity leave altogether, provided that you advise the Authority in writing at least six weeks before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

The Authority will formally respond in writing to your notification of your additional paternity leave plans within 28 days, confirming the relevant start and end dates of additional paternity leave and pay.

20. What is the effect on SPL of early birth?

There are occasions where your rights as an employee to take SPL change.

If the child is born before their expected due date and you had booked to take SPL within the first 8 weeks of the due date, you may take the same period of time off after the actual birth without having to provide 8 weeks notice, by submitting a notice to vary your leave as soon as is reasonable practicable. Unlike most other variation notices, this would not count as one of the employee's three notifications. Any leave arranged after this first 8 weeks of the due date is still bound by the required 8 week notice period.

If the child is born more than 8 weeks before the due date and the notice of entitlement to SPL and/or a notice to book SPL have not yet been given, then there is no requirement to give 8 weeks notice before the period of leave starts. The notices should be given as soon as is reasonably practicable after the actual birth.

21. What if the child dies before/during birth or within the first year?

A qualifying condition of opting into SPL is caring for a child. Therefore if the notice of entitlement to take SPL has not been submitted you cannot opt into SPL. The mother will remain entitled to maternity leave and the partner could still qualify for statutory paternity leave.

If both parents have opted into SPL and they have booked leave they will still be entitled to take the booked leave. No further notice booking leave can be submitted and only one variation notice can be given to reduce a period of leave or to rearrange a discontinuous leave arrangement into a single block of leave.

An employee who is absent on SPL may cancel agreed SPL and return to work by giving their employer 8 week's notice of their return to work.

22. What if a parent dies during the child's first year?

If either parent dies and the other parent is taking, or is entitled to SPL then they will continue to be eligible. Any SPL that was due to be taken by the deceased parent may be transferred to the other parent if the other parent is eligible for SPL.

Should it be necessary for the other parent to take a further period of SPL or to vary the pre-agreed leave, then notice may be given as soon as is reasonably practicable if 8 week's notice cannot be given. If they have already given three notices to take leave they must be allowed to submit one further notice to book/amend SPL.

23. What if I am a parent no longer caring for the child?

If your circumstances change when you have booked SPL so that you are no longer responsible for caring for the child (unless it is because the child has died), your entitlement to both SPL and ShPP will immediately cease and you must notify People Services immediately.

If you have any SPL arranged within 8 weeks of your entitlement ceasing, the Authority can still require you to take the SPL if it is not reasonably practicable for you to attend work e.g. cover is in place which cannot be changed. Any weeks of SPL arranged after 8 weeks of your entitlement ceasing must be cancelled.

If the remaining parent will be continuing to care for the child then they will still be eligible to take their SPL entitlement. If the other parent, who is no longer caring for the child has any SPL leave entitlement outstanding, the remaining parent will only be able to transfer it to their own entitlement if they can get the signed agreement of the other parent to a notice confirming a variation of leave entitlement.

24. What if there is a multiple birth/adoption?

You are not entitled to take any extra SPL or ShPP if you are expecting more than one child. The entitlements, like maternity leave, are the same as if you were expecting one child. This also applies to multiple adoptions that occur in a single placement

25. What contact will my manager make during my leave?

Shortly before your leave starts, the Authority will discuss the arrangements for you to keep in touch during your leave, should you wish to do so. The Authority reserves the right in any event to maintain reasonable contact with you from time to time, particularly during any period of extended leave. This may be to discuss your plans for return to work, to discuss any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence.

26. How do shared parental leave in touch (SPLIT days) work?

You can agree to attend for the Authority (or to attend training) for up to 20 days during shared parental leave without that work bringing the period of your shared parental leave and pay to an end. These are known as "shared-parental-leave-in-touch" (SPLIT) days.

The Authority has no right to require employees to carry out any work and employees have no right to undertake any work during their shared parental leave. Any work undertaken, and the amount of salary paid for any work done on SPLIT days, is entirely a matter for agreement between employees and the organisation.

Pay for each SPLIT day worked will be paid at your current hourly rate less the total amount of any statutory pay due on that date. The amount of weekly pay for a week in which you worked a SPLIT day will not be lower than the weekly rate of statutory pay to which you are entitled. Any such days worked do not extend the period of shared parental leave.

27. How will I know when to return after shared parental leave?

You will have been formally advised in writing by the Authority of the end date of shared parental leave. You are expected to return on the next working day after this date, unless you notify the Authority otherwise. If you are unable to attend work at the end of shared parental leave due to sickness or injury, the Authority's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

28. Can I return earlier than I originally wanted to?

If you wish to return to work earlier than the expected return date, you must give the Authority at least six weeks' notice of their date of early return, preferably in writing. If you fail to do so, the Authority may postpone your return to such a date as will give the Authority six weeks' notice, provided that this is not later than the expected return date.

29. What if I decide not to return?

If you decide not to return to work after MSL/OPL or SPL, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after your approved leave would end, the Authority may require you to return to work for the remainder of the notice period.

Pay for MSL or paternity leave is payable whether or not you intend to return to work after your period of leave

30. What are my rights on and after return to work?

For SPL, if the period of leave:

- totals more than 26 weeks when added to a period of statutory maternity, paternity or adoption leave taken in relation to the same child; or
- was the last of two or more consecutive periods of statutory leave that included a period of ordinary parental leave of more than four weeks, a period of additional maternity or a period of additional adoption leave then you have the right to return to the same job unless it is not reasonably practicable.
In these circumstances, if it is not reasonably practicable for the Authority to permit a return to the same job, you have the right to return to another job that is suitable and appropriate for you.

On resuming work after both MSL / OPL you are entitled to return to the same job as you occupied before commencing leave on the same terms and conditions of employment as if you had not been absent.

APPENDIX A

Name..... **Dept:**

I wish to apply for Maternity Support Leave. I am aware this leave will not be paid unless People Services are supplied with this fully completed form with the appropriate declarations.

I confirm that I am: *the biological father of the child/ am married to/ partner/ main support of the child's mother and expect to have responsibility for the upbringing of the child.

I can advise that the Expected Date of Childbirth is :

I am applying to take leave from: to:
(maximum 1 week)

I confirm that I have not applied for MSL for a period within 12 months of the leave dates applied for as above. I am aware that a false declaration may lead to disciplinary action

Signed:..... Print Name:

Dated:

I confirm I am the mother of the child for which the Maternity Support Leave has been requested and that(name of Boston Borough Authority employee requesting the leave) is the "prime provider of care".

Signed: Dated:.....

Please print name:

*delete as applicable

APPENDIX B

Application for Ordinary Paternity Leave

Name of employee		
Department		
Expected week of child's birth (the Sunday at the beginning of the week in which the child is expected to be born)		
Actual date of child's birth (if applicable)		
I hereby give notice of my intention to take (one week/two consecutive weeks) ordinary paternity leave starting	Please tick as appropriate	
On the date on which the child is born OR		
() days after the child is born OR		
On (date:.....) a date later than the child's expected week of birth		
I DECLARE THAT	Please tick as appropriate	
I am the child's natural father OR		
I am married to the child's mother OR		
I am the civil partner of the child's mother OR		
I am the cohabiting partner of the child's mother		
AND		
I will have responsibility for the child's upbringing		
AND		
I will be absent from work for the purpose of caring for the child or supporting the child's mother		
SIGNED:	Date:	

APPENDIX C

This self-certification form is used to ensure that an employee who requests additional paternity leave makes the required "employee declaration" of his or her eligibility to take additional paternity leave in respect of a birth child and, if applicable, to receive additional statutory paternity pay.

Name of employee	
Department	
Date of commencement of employment	
In respect of my written request to take additional paternity leave and receive additional statutory paternity pay (if applicable) dated..... I confirm that (please tick one box)	
I am the child's father	
I am not the child's father, but am married to, the partner or the civil partner of the child's mother	
In addition, I confirm that (please tick each box that applies):	
I have, or expect to have, the main responsibility (apart from the mother's responsibility) for the upbringing of the child	
The purpose of the period of my additional paternity leave will be to care for the child, and I intend to care for the child during the additional statutory paternity pay period	
The information that I have provided in my written request to take additional paternity leave, and to receive additional statutory paternity pay (if applicable), dated [.....] is correct	
Signed	
Dated	
<p>Notes</p> <p>To qualify for additional paternity leave and pay, the employee must return this form to their Line Manager not less than eight weeks before the start date chosen by him/her for additional paternity leave and pay.</p> <p>A partner is a person, whether of a different sex or the same sex, who lives with the mother and the child in an enduring family relationship but is not a relative of the mother. A "relative" for these purposes includes the mother's parents, grandparents, sisters, brothers, aunts and uncles.</p>	

APPENDIX D

Employees who have requested ordinary paternity Leave should use this form to notify Boston Borough Authority in writing of the actual date of birth of the child in respect of who the leave was requested.

Name of Employee	Department
I previously gave notification of my intention to take one week/two weeks consecutive (paid/unpaid) ordinary paternity leave starting	Please tick as appropriate
On the date on which the child is born OR	
..... days after the child is born OR	
On(a date later than the first day of the child's expected week of birth)	
I wish to inform you that my wife/partner gave birth to the child in respect of whom I have requested ordinary paternity leave on	Date of child's birth
Signed	Date

APPENDIX E

This form is for an employee who has requested MSL or OPL the means to notify Boston Borough Authority that they wish to change the dates of the leave

Name of employee	
Department	
I previously gave notice of my intention to take (¹ one/two) consecutive weeks *MSL / OPL leave starting:	Please tick as appropriate
() days after the child is born OR	
On the date on which the child is born OR	
On () (a date later than the first day of the child's expected week of birth)	
I wish to notify you that I now want to vary the dates of my *MSL / OPL. I now wish to take (¹ one/two) weeks starting:	Please tick as appropriate
On the date on which the child is born OR	
() days after the child is born OR	
On () (a date later than the first day of the child's expected week of birth)	
SIGNED	DATE
Please return this form to your Manager at least 28 calendar days before you wish to now start your Ordinary Paternity Leave	

*delete as applicable

¹For MSL only 1 week is permitted

APPENDIX F

Maternity Leave Curtailment Notice

Shared parental leave: maternity leave curtailment notice	
Name of employee:	
Job title:	
<p>I wish to bring my [ordinary/additional] maternity leave [and statutory maternity pay] to an end to be able to take shared parental leave. I have also completed a [form providing a notice of entitlement and intention to take shared parental leave/declaration that my partner has provided a notice of entitlement and intention to take shared parental leave to his/her employer and that I consent to the amount of leave that he/she intends to take].</p>	
I wish to end my [ordinary / additional] maternity leave on:	
I wish my statutory maternity pay period (if applicable) to end on:	
Signed:	
Dated:	
<p>Notes You should complete and submit this form alongside the APPENDIX H: notice of entitlement and intention to take shared parental leave or the declaration that your partner has provided a notice of entitlement and intention to take shared parental leave to his/her employer and that you consent to the amount of leave that he/she intends to take.</p> <p>Please think very carefully before you submit this form. Once the form is submitted, you can withdraw your maternity leave curtailment notice only in limited circumstances.</p> <p>The date on which you end your maternity leave must be at least:</p> <ul style="list-style-type: none">• eight weeks after the date on which you provide this notice to the Authority;• two weeks [or four weeks for factory workers] after you give birth; and• one week before what would have been the end of your additional maternity leave.	

APPENDIX G

Shared parental leave: notice of entitlement and intention (mother)	
Name of employee:
Employee Number:
I wish to provide Boston Borough Authority with an initial indication of my proposed shared parental leave, as well as the required declarations from myself and my partner.	
Section A: information to be provided by employee	
My partner's name is (please print):	
My maternity leave [started/is expected to start] on:	
My maternity leave [ended/is expected to end] on:	
My [child's expected week of birth is/child was born on]:	
The total amount of shared parental leave my partner and I have available is:	
I intend to take the following number of weeks' shared parental leave:	
My partner intends to take the following number of weeks' shared parental leave:	
I intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you intend to take):	
The total amount of shared parental pay (if applicable) my partner and I have available is:	
I intend to take the following number of weeks' shared parental pay (if applicable):	
My partner intends to take the following number of weeks' shared parental pay (if applicable):	

I intend to take shared parental pay on the following dates (if applicable):	
Section B: declaration to be completed by employee	
I [satisfy/will satisfy] the following eligibility requirements to take shared parental leave (please initial EACH box as confirmation you have read and agreed the statement to the left):	
I [have/will have] 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and, by the week before any period of shared parental leave that I take, I will have remained in continuous employment with the Authority	
At the date of the child's birth, I [have/will have] the main responsibility, apart from my partner, for the care of the child	
I am entitled to statutory maternity leave in respect of the child	
I have [complied with the Authority's maternity leave curtailment requirements/returned to work before the end of my statutory maternity leave period], and will comply with the Authority's shared parental leave notice and evidence requirements	
The information that I have provided is accurate	
I will immediately inform People Services if I cease to care for the child	
Section C: declaration to be completed by employee's partner	
My name is:	
My address is:
(a) My national insurance number is:	(a).....
(b) I do not have a national insurance number:	(b)(initial here)

I [satisfy/will satisfy] the following eligibility requirements to enable the mother to take shared parental leave (please initial EACH box as confirmation you have read and agreed the statement to the left): :

I have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth	
I have average weekly earnings of at least £30 for any 13 of those 66 weeks	
At the date of the child's birth, I [have/will have] the main responsibility, apart from the mother, for the care of the child	
I am the father of the child, or am married to, the civil partner of, or the partner of, the mother	
I consent to the amount of shared parental leave that the mother intends to take	
I consent to Boston Borough Authority processing the information provided in this form	

Section D: signatures

Signed and Dated (mother):	
Signed and dated (partner):	

Notes

The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week.

This notice is to allow Boston Borough Authority to check that you are entitled to shared parental leave and to provide them with an initial indication of the shared parental leave pattern that you wish to take. The notice is not binding and you must give Boston Borough Authority a period of leave notice at least eight weeks before the first period of shared parental leave in that notice that you wish to take. Any periods of shared parental leave that you indicate in this notice can be changed at a later date by giving Boston Borough Authority a variation notice.

APPENDIX H

Shared parental leave: notice of entitlement and intention (partner)	
Name of employee:
Employee Number:
I wish to provide Boston Borough Authority with an initial indication of my proposed shared parental leave, as well as the required declarations from myself and the mother.	
Section A: information to be provided by employee	
The mother's name is:	
The mother's maternity leave [started/is expected to start] on:	
The mother's maternity leave [ended/is expected to end] on:	
The mother [received/is expected to receive] the following periods of [statutory maternity pay/maternity allowance]:	
My [child's expected week of birth is/child was born on]:	
The total amount of shared parental leave the mother and I have available is:	
I intend to take the following number of weeks' shared parental leave:	
The mother intends to take the following number of weeks' shared parental leave:	
I intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you intend to take):	
The total amount of shared parental pay (if applicable) the mother and I have available is:	

I intend to take the following number of weeks' shared parental pay (if applicable):	
The mother intends to take the following number of weeks' shared parental pay (if applicable):	
I intend to take shared parental pay on the following dates (if applicable):	
Section B: declaration to be completed by employee	
I declare that I [satisfy/will satisfy] the following eligibility requirements to take shared parental leave (please initial EACH box as confirmation you have read and agreed the statement to the left)::	
I [have/will have] 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and, by the week before any period of shared parental leave that I take, I will have remained in continuous employment with Boston Borough Authority	
At the date of the child's birth, I [have/will have] the main responsibility, apart from the mother, for the care of the child	
I will comply with the Authority's shared parental leave notice and evidence requirements	
The information that I have provided is accurate	
I am the father of the child, or am married to, the civil partner of, or the partner of, the mother	
I will immediately inform People Services if I cease to care for the child or if the child's mother informs me that she has revoked the curtailment of her maternity leave or pay period	
Section C: declaration to be completed by the mother	
My name is:	
My address is:

(a) My national insurance number is:	(a).....
(b) I do not have a national insurance number:	(b)(initial here)
<p>I [satisfy/will satisfy] the following eligibility requirements to enable my partner to take shared parental leave (please initial EACH box as confirmation you have read and agreed the statement to the left):</p>	
I have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth	
I have average weekly earnings of at least £30 for any 13 of those 66 weeks	
At the date of the child's birth, I [have/will have] the main responsibility, apart from my partner, for the care of the child	
I am entitled to statutory maternity leave, statutory maternity pay or maternity allowance in respect of the child	
I have [curtailed my maternity leave/returned to work before the end of my statutory maternity leave period]	
I consent to the amount of shared parental leave that my partner intends to take	
I will immediately inform my partner if I no longer meet the requirements to curtail my maternity leave (and pay, if applicable)	
I consent to Boston Borough Authority processing the information provided in this form	
Section D: signatures	
Signed and Dated (partner):	
Signed and dated (mother):	
Notes	

The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week.

This notice is to allow the Authority to check that you are entitled to shared parental leave and to provide the Authority with an initial indication of the shared parental leave pattern that you wish to take. The notice is not binding and you must give the Authority a period of leave notice at least eight weeks before the first period of shared parental leave in that notice that you wish to take. Any periods of shared parental leave that you indicate in this notice can be changed at a later date by giving the Authority a variation notice.

APPENDIX I

Shared parental leave: variation of notice of entitlement and intention	
Name of employee:	
Job title:	
<p>I previously provided the Authority with an initial indication, in my notice of entitlement and intention dated [], of my proposed shared parental leave dates. I now wish to amend my proposed shared parental leave dates. My partner and I agree to this change.</p>	
<p>I now intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you now intend to take):</p>	
<p>I have already notified Boston Borough Authority in any period of leave notice or a variation of period of leave notice (if applicable) that I will be taking the following periods of shared parental leave:</p>	
<p>My partner has already notified their employer in any period of leave notice or a variation of period of leave notice (if applicable) that they will be taking the following periods of shared parental leave:</p>	
<p>I have already notified Boston Borough Authority of the following periods of statutory shared parental pay (if applicable):</p>	
<p>My partner has already notified their employer of the following periods of statutory shared parental pay (if applicable):</p>	
<p>Signed and dated (mother):</p>	
<p>Signed and dated (partner):</p>	
<p>Notes This variation of notice of entitlement and intention is not binding. You must still provide a period of leave notice in relation to the period of leave that you are seeking to change. There is no limit on the number of variations of notice of entitlement and intention that you can make, although you can give a maximum of three period of leave notices.</p>	

APPENDIX J

Shared parental leave: revocation of maternity leave curtailment notice	
Name of employee:	
Job title:	
Date of maternity leave curtailment notice:	
I previously notified you that I wished to end my maternity leave on:	
I no longer wish to end my maternity leave and would like to revoke my maternity leave curtailment notice. [I would also like to revoke my maternity pay period curtailment notice.]	
Signed:	
Dated:	
Notes You can withdraw your maternity leave curtailment notice only if: <ul style="list-style-type: none">• it is discovered that neither you nor your partner are entitled to shared parental leave or statutory shared parental pay and you withdraw your maternity leave curtailment notice within eight weeks of providing your maternity leave curtailment notice;• you gave the maternity leave curtailment notice before the birth of your child and you withdraw your maternity leave curtailment notice within six weeks of your child's birth; or• your partner has died (if this is the case, please state the date of death here:).	

APPENDIX K

Shared parental leave: period of leave notice (adoption within the UK)	
Name of employee:	Employee No:
I wish to take the following period(s) of shared parental leave. Please complete <u>either</u> section A <u>or</u> section B.	
Section A: please fill out if the child has already been placed for adoption or if you know the exact dates on which you would like to take shared parental leave.	
I intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you intend to take):	
Section B: please fill out if the child has not yet been placed for adoption and you wish your shared parental leave to start either on the day on which the child is placed for adoption, or a specified number of days after the day on which the child is placed for adoption.	
I wish my shared parental leave to start [on the day on which the child is placed for adoption/the following number of days after the date on which the child is placed for adoption:	
I wish my shared parental leave to end the following number of days after the date on which the child is placed for adoption:	
Signed:	Date:
<p>Notes: You can request to take shared parental leave in one continuous block (in which case the Authority is required to accept the request as long as you meet the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case you need the Authority's agreement). The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week. This notice is to confirm to the Authority the shared parental leave that you intend to take. You must have already submitted a notice of entitlement and intention before using this form. The authority recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your shared parental leave before submitting this form, as opportunities to amend requests for shared parental leave are limited. Apart from exceptional circumstances, you can submit a period of leave notice or a notice that you have changed your mind about shared parental leave dates on a combined total of just three occasions. You and your partner must take any shared parental leave within 52 weeks of the date of placement for adoption of the child.</p>	

APPENDIX L

Shared parental leave: period of leave notice (adoption from overseas)	
Name of employee:	Employee No:
I wish to take the following period(s) of shared parental leave. Please complete <u>either</u> section A <u>or</u> section B.	
Section A: please fill out if the child has already entered Great Britain or if you know the exact dates on which you would like to take shared parental leave.	
I intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you intend to take):	
Section B: please fill out if the child has not yet entered Great Britain and you wish your shared parental leave to start either on the day on which the child enters Great Britain, or a specified number of days after the day on which the child enters Great Britain.	
I wish my shared parental leave to start [on the day on which the child is enters Great Britain/the following number of days after the date on which the child enters Great Britain]:	
I wish my shared parental leave to end the following number of days after the date on which the child enters Great Britain:	
Signed:	Dated:
<p>Notes: You can request to take shared parental leave in one continuous block (in which case the Authority is required to accept the request as long as you meet the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case you need the Authority's agreement).</p> <p>The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week. This notice is to confirm to the Authority the shared parental leave that you intend to take. You must have already submitted a notice of entitlement and intention before using this form.</p> <p>The Authority recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your shared parental leave before submitting this form, as opportunities to amend requests for shared parental leave are limited. Apart from exceptional circumstances, you can submit a period of leave notice or a notice that you have changed your mind about shared parental leave dates on a combined total of just three occasions.</p> <p>You and your partner must take any shared parental leave within 52 weeks of the date of the child's entrance into Great Britain.</p>	

This policy has been agreed by Boston Borough Authority:

Signed: **Date:**

Chief Executive: