



Shared Parental Leave Policy – Adoption

Document Status: Final

Document Ref: HRPOL - 009

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Version: 01.01.01

Date: October 2022

Approved by Corporate Management Team / Appointments and Staffing

Classification: SEC1 - Routine

Document Location

This document is held by Tamworth Borough Council, and the document owner is the HR manager.

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Revision History

Revision Date	Version Control	Summary of changes
01.01.01	First Draft	Shared parental Leave for adoptive parent

Approvals Creation and Major Change

Name	Title	Approved
TULG	Approved for statutory compliance	September 2022

Approvals Minor Change and Scheduled Review

Name	Title	Approved

Approval Path

Major Change

Originator

Owner

TULG

CMT

Apts & Staffing Committee

Action

HR

Head of Paid Service

Consultative Group

Corporate Approval

Council Approval

Minor Change

HR

TULG

Director

Submission

Consultative Group

Delegated Approval

Document Review Plans

This policy/ procedure will be reviewed on a 3 yearly basis unless it has:

- A monetary value included within it, in which case an annual review will be required, and/ or
- A legislative change is required as directed by government.

Distribution

The document will be distributed through Astute and will also be available on the Intranet and paper based copies.

Security Classification

This document is classified as SEC 1 Routine with access restricted to Tamworth Borough Council Staff and business partners.

1.0 Policy

This policy sets out the rights of employees adopting a child to shared parental leave and pay.

Shared parental leave is a type of leave that is available to employees having a child placed for adoption with them. Shared parental leave enables adopters to commit to ending their adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from adoption leave and opt in to shared parental leave and pay at a later date. The organisation provides a separate policy on shared parental leave for parents in a birth situation. Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave. Ordinary parental leave is the entitlement to up to 18 weeks' unpaid leave (Parental Leave policy refers).

Tamworth Borough Council (TBC) recognises that, from time to time, employees may have questions or concerns relating to their shared parental leave rights. It is TBC's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the shared parental leave provisions are complex, if an employee wishes to take shared parental leave, he/she should clarify the relevant procedures with Human Resources to ensure that they are followed correctly.

2.0 Definitions under this shared parental leave policy

The following definitions are used in this policy:

“Adopter” means the person with whom the child is, or is expected to be placed for adoption, or, in a case where two people have been matched jointly, whoever has elected to be the child's adopter for the purposes of Adoption Leave. “Partner” means the person who is married to, the civil partner of, or the partner of the adopter. This includes someone, of either sex, who lives with the adopter and the child in an enduring family relationship but who is not the adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

“Matched for adoption” means an adoption agency deciding that a person would be a suitable adoptive parent for a child either individually or jointly with another person. A person is notified of having been “matched for adoption” with a child on the date on which the person receives the notification of the adoption agency's decision

“Placed for adoption” means placed for adoption under UK adoption laws, including placement with a local authority foster parent who is also a prospective adopter (foster to adopt).

“Official notification” means written notification issued by or on behalf of the relevant central authority, that it is prepared to issue a certificate to the overseas authority concerned with the adoption if a child is overseas, or that it has issued a certificate and sent it to that authority, confirming in either case, that the adopter is eligible to adopt, and has been assessed and approved as being a suitable adoptive parent.

3.0 Scope of this shared parental leave policy

This policy applies in relation to employees of the organisation, whether they are the adopter or the partner. If it is the adopter who is employed by TBC, their 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 TBC, the adopter must (where relevant) submit any notifications to take shared parental leave to their own employer.

The adopter 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. Permission will be sought by TBC to contact the other employer to confirm rights and entitlements for the partner or mother as appropriate (e.g. to confirm curtailment by the adopter).

4.0 Amount of shared parental leave available

The amount of shared parental leave to which an individual is entitled will depend on when the adopter brings their leave period to an end and the amount of leave that the other adoptive parent takes in respect of the child.

Shared parental leave must be taken in **blocks of at least one week**. The employee can request to take shared parental leave in **one continuous** block (in which case the organisation is required to accept the request as long as the employee meets the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case the employee needs the organisation's agreement). A **maximum of three requests for leave per adoptive placement can normally be made by each adoptive parent**.

The employee can begin a period of shared parental leave at any time from the date on which the child is placed for adoption (for adoptions from overseas, at any time from the date on which the child enters Great Britain) or, where more than one child is placed for adoption through a single placement, the date of placement of the first child (for adoptions from overseas, at any time from the date on which the first child enters Great Britain). However, employees should bear in mind that the adopter's partner will lose their entitlement to take up to two weeks' paternity leave following the adoption of their child if shared parental leave is taken first. The employee must take any shared parental leave within 52 weeks of the date on which the child is placed for adoption (for adoptions from overseas, within 52 weeks of the date on which the child enters Great Britain).

5.0 Eligibility for shared parental leave

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

5.1 Adopter's eligibility for shared parental leave

The adopter is eligible for shared parental leave if they:

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which they receive official notification in relation to an adoption from overseas) and remains in continuous employment with the organisation until the week before any period of shared parental leave that they take
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child;
- are entitled to statutory adoption leave in respect of the child; and
- comply with the relevant adoption leave curtailment requirements (or have returned to work before the end of statutory adoption leave), and shared parental leave notice and evidence requirements.

In addition, for the adopter 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 week in which the adopter is notified of having been matched for adoption with the child (or the week in which the child enters Great Britain in relation to an adoption from overseas);
- 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 at which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the adopter, for the care of the child.

5.2 Partner's eligibility for shared parental leave

The partner is eligible for shared parental leave if they:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remain in continuous employment with the organisation until the week before any period of shared parental leave that they take;
- have, at the date of the child's birth, the main responsibility, apart from the adopter, for the care of the child; and
- comply with the relevant shared parental leave notice and evidence requirements.

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

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the week in which the adopter is notified of having been matched for adoption with the child (or the week in which the child enters Great Britain in relation to an adoption overseas);
- have average weekly earnings of at least the maternity allowance threshold (currently £30) for any 13 of those 66 weeks;

- have, at the date the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child;
- be entitled to statutory adoption leave or statutory adoption pay respect of the child; and
- comply with the relevant adoption leave or pay curtailment requirements (or have returned to work before the end of statutory adoption leave).

6.0 Notice requirements for shared parental leave

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

- an "adoption leave curtailment notice" from the adopter setting out when they propose to end their adoption leave (unless the adopter has already returned to work from adoption leave);
- a "notice of entitlement and intention" 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" 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 the employee informs the organisation of their intentions, the more likely it is that the organisation will be able to accommodate the employee's wishes, particularly if they 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 adopter could provide an adoption 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. **Appendix 1** (for employees who are adopters) and **Appendix 2** (for employees who are partners) set out all requirements at once, but can be resubmitted if intentions change, subject to sufficient notice and eligibility.

6.1 Adopter's notice curtailing maternity leave

Before the adopter or partner can take shared parental leave, the adopter must either return to work before the end of their adoption leave (by giving the required eight weeks' notice of their planned return) or provide their employer with an adoption leave curtailment notice. The adoption leave curtailment notice must be in writing and state the date on which adoption leave is to end. That date must be:

- two weeks after the first day of the adopter's ordinary adoption leave period;
- at least eight weeks after the date on which the adopter gave the adoption leave curtailment notice to their employer; and

- at least one week before what would be the end of the additional adoption leave period.

The adopter must provide their adoption leave curtailment notice at the same time they provide either their notice of entitlement and intention or a declaration of consent and entitlement signed by the adopter confirming that their partner has given their employer a notice of entitlement and intention.

6.2 Revocation of adoption leave curtailment notice

The adopter can withdraw their notice curtailing their adoption leave in limited circumstances. The withdrawal of an adoption leave curtailment notice must be in writing and can be given only if the adopter has not returned to work. The adopter can withdraw their adoption leave curtailment notice if:

- it is discovered that neither the adopter nor the partner are entitled to shared parental leave or statutory shared parental pay and the adopter withdraws their adoption leave curtailment notice within eight weeks of the date on which the notice was given;
- the partner has died.

6.3 Employee's notice of entitlement and intention

- The employee, whether the adopter or the partner, must provide their manager with a non-binding notice of entitlement and intention. The employee's notice of entitlement and intention, which must be in writing and provided at least eight weeks before the start date of the first period of shared parental leave to be taken by the employee. **Appendix 1** Details the notice required if the Tamworth Borough Council employee is the adopter, and **Appendix 2** details the notice and declaration required if the Council employee is the partner.

6.4 Organisational response

Within 14 days of receiving a notice of entitlement and intention from the employee, whether the adopter or partner, the manager can request from the employee:

- in relation to adoptions within the UK, documentary evidence from the adoption agency of:
 - the name and address of the adoption agency;
 - the date on which the adopter was notified of having been matched for adoption with the child; and
 - the date on which the adoption agency expects the child to be placed for adoption with the adopter; and
- in relation to adoptions from overseas, a copy of the official notification; and
- whether a UK or overseas adoption, the name and address of the other adoptive parent's employer (or a declaration that the other adoptive parent has no employer).

The employee has 14 days from the date of the request to send the organisation the required information.

6.5 Variation or cancellation of notice of entitlement and intention

The employee can vary or cancel their proposed shared parental leave dates following the submission of a notice of entitlement and intention, provided that they provide the organisation with a written notice. The written notice must contain:

- an indication as to when the employee intends to take shared parental leave (including the start and end dates for each period of leave);
- details of any periods of shared parental leave that have been notified through a period of leave notice;
- details of any periods of statutory shared parental pay that have been notified in relation to periods where shared parental leave was not to be taken; and
- a declaration signed by the adopter and the partner that they agree to the variation.

Any indication of leave intended to be taken that the employee provides in a variation of notice of entitlement and intention is non-binding until they provide a period of leave notice in relation to that period of leave. There is no limit on the number of variations of notice of entitlement and intention that the employee can make. **Appendix 3** provides the relevant notifications should the employee wish to use this.

6.6 Employee's period of leave notice

To take a period of shared parental leave, the employee must provide their manager with a written notice setting out the start and end dates of each period of shared parental leave requested in that notice.

A period of leave notice must be given not less than eight weeks before the start date of the first period of shared parental leave requested in the notice. The notice may be given at the same time as a notice of entitlement and intention and can be a request for a continuous period of leave or discontinuous periods of leave.

6.7 Variation or cancellation of period of leave notice

The employee can vary or cancel their proposed shared parental leave dates following the submission of a period of leave notice, provided that they provide their employer with a written notice not less than eight weeks before any period of leave varied or cancelled by the notice is due to commence. The written notice can:

- vary the start date or the end date of any period of shared parental leave or cancel a request for leave;
- request that a continuous period of leave become discontinuous periods of leave; or
- request that discontinuous periods of leave become a continuous period of leave.

6.8 Limit on number of requests for leave

The employee can provide a combined total of up to three periods of leave notices or variations of period of leave notices per adoption, although the organisation may waive this limit in some circumstances.

7.0 Continuous period of shared parental leave

If the employee submits a period of leave notice requesting one continuous period of leave, they will be entitled to take that period of leave.

8.0 Discontinuous periods of shared parental leave

The employee may submit a period of leave notice requesting discontinuous periods of leave. For example, the adopter and partner could request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

If the employee submits a period of leave notice requesting discontinuous periods of leave, the organisation, in the two weeks beginning with the date the period of leave notice was given, can:

- consent to the pattern of leave requested;
- propose an alternative pattern of leave; or
- refuse the pattern of leave requested.

If agreement is reached within those two weeks, the employee is entitled to take the leave on the dates agreed.

If no agreement has been reached within that two-week discussion period, the employee is entitled to take the leave as one continuous period of leave. In that event, the employee must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. The employee must notify the organisation of that date within five days of the end of the two-week discussion period. If the employee does not choose a start date within five days of the end of the two-week discussion period, the period of continuous leave will start on the date of the first period of leave requested in the period of leave notice.

Alternatively, if TBC has refused the request or no agreement has been reached during the two-week discussion period, the employee may withdraw a period of leave notice requesting discontinuous periods of leave. The employee can withdraw a period of leave notice at any time on or before the 15th day after the period of leave notice was given. A notice for discontinuous leave that has been withdrawn before it is agreed does not count towards the total number of requests for leave that an employee can make.

9.0 Amount of shared parental pay available

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 adoption pay or adoption allowance the adopter has been paid when their adoption leave or pay period ends.

A total of 39 weeks' statutory adoption pay is available to the adopter. As there is a compulsory adoption leave period of two weeks, this means that an adopter who ends their adoption leave at the earliest opportunity could share up to 37 weeks' statutory shared parental pay with their 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 as to who is paid the statutory shared parental pay and how it is apportioned between them.

10.0 Eligibility for statutory shared parental pay

For employees to be eligible for statutory shared parental pay, both parents must meet certain eligibility requirements.

10.1 Adopter's eligibility for statutory shared parental pay

The adopter is eligible for statutory shared parental pay if they:

- has at least 26 weeks' continuous employment ending by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which they receive official notification in relation to an adoption from overseas) and remain in continuous employment with TBC until the week before any period of shared parental pay that they take;
- has normal weekly earnings for a period of eight weeks ending with the week in which the adopter is notified of having been matched for adoption with the child (or the week in which they receive official notification in relation to an adoption from overseas) of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child;
- is absent from work and intends to care for the child during each week in which they receive statutory shared parental pay; and
- is entitled to statutory adoption pay in respect of the child, but the adoption pay period has been reduced.

In addition, for the adopter to be eligible for statutory shared parental pay, the partner must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week in which the adopter is notified of having been matched for adoption with the child (or the week in which they receive official notification in relation to an option from overseas);

- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the adopter, for the care of the child; and
- have average weekly earnings of at least the maternity allowance threshold [currently £30] for any 13 of those 66 weeks.

10.2 Partner's eligibility for statutory shared parental pay

The partner is eligible for statutory shared parental pay if they:

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which they receive official notification in relation to an adoption from overseas) and remain in continuous employment with their employer until the week before any period of shared parental pay that they get;
- has normal weekly earnings for eight weeks ending with the week in which the adopter is notified of having been matched for adoption with the child (or by the week in which they receive official notification in relation to an adoption from overseas) of at least the lower earnings limit for national insurance contribution purposes;
- has, at the date on which the child is placed for adoption (or enters Great Britain if the child is adopted from overseas), the main responsibility, apart from the mother, for the care of the child; and
- is absent from work and intends to care for the child during each week in which he/she receives statutory shared parental pay.

In addition, for the partner to be eligible, the adopter must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the week in which the adopter is notified of having been matched for adoption with the child (or the week in which they receive official notification in relation to an adoption from overseas);
- have average weekly earnings of at least the maternity allowance threshold [currently £30] for any 13 of those 66 weeks;
- have, at the date on which the child is placed for adoption (or enters Great Britain or the child is adopted from overseas), the main responsibility, apart from the partner, for the care of the child; and
- be entitled to statutory adoption pay in respect of the child, but the adoption pay period or adoption allowance period has been reduced.

11.0 Rights during shared parental leave

During shared parental leave, all terms and conditions of the employee's contract except normal pay and allowances will continue. Salary including allowances will be replaced by statutory shared parental pay if the employee is eligible for it.

This means that, while sums payable by way of salary will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue. Pension contributions will continue to be paid. The employee will remain in the company paid health care scheme. First aid payments, essential car user allowance and home working allowance (if a home or hybrid worker) will continue to be paid.

Employees will need to make separate arrangements for any deductions normally made from their salary (e.g., Trade Union deductions, BHSF, top up for UK Healthcare, car loan or Council Tax) during any period of no-pay or where the earnings are insufficient to cover these amounts.

12.0 Pre-shared Parental Leave Interviews

No later than 2 weeks prior an employee taking Shared Parental Leave an interview will be conducted with their line manager. The purpose of the pre-shared parental leave interview is to discuss the practicalities of the employee's shared parental leave. The employee should already have been informed by this stage of their shared parental leave and pay entitlement. Pre-shared parental leave interviews will be arranged as a matter of course only for employees leaving work to go on shared parental leave. A pre-shared parental leave interview will not normally be arranged for employees already on adoption leave who are switching to shared parental leave.

The purpose of the interview will be to discuss the final arrangements for the employee's shared parental leave and it will also be an opportunity for them to raise any other issues that they would like to discuss.

The interview will be an opportunity to discuss with the employee how their work will be covered during the shared parental leave, including who will take over the employee's tasks, how the handover will be managed and any other practicalities that arise.

Discussions will be held regarding the employee's right to shared-parental-leave-in-touch (SPLIT) days and whether or not they might be interested in exercising this right. The interview will also be an opportunity to agree how to keep in touch with while they are on shared parental leave, what information he/she might expect to receive and by what means.

One other important issue that will be discussed is how the employee's holiday entitlement will be managed while they are on shared parental leave. It is TBC's usual policy to require the employee takes any outstanding holiday before commencing shared parental leave. However, the holiday arrangements for employees on shared parental leave may vary depending on the circumstances and will be discussed during the meeting.

13.0 Contact during shared parental leave

The organisation reserves the right to maintain reasonable contact with employees during shared parental leave. This may be to discuss employees' plans for their return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

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

TBC 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. In most cases, SPLIT days will be accrued hours upon return to normal duties. For those employees covered by the flexitime scheme, or where this will cause significant operational difficulties, employees may be offered time off in lieu or paid at plain time for those hours worked upon their return.

14.0 Returning to work following shared parental leave

The employee has the right to resume working in the same job when returning to work from shared parental leave if the period of leave, when added to any other period of shared parental leave, statutory adoption leave or statutory paternity leave taken by the employee in relation to the same child, is 26 weeks or less.

If the employee is returning to work from shared parental leave and the period of leave taken is more than 26 weeks, when added to any other period of shared parental leave, statutory maternity or paternity 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, or a period of additional adoption leave, the employee has the right to return to the same job unless this is not reasonably practicable. In these circumstances, if it is not reasonably practicable for the organisation to permit a return to the same job, the employee has the right to return to another job that is suitable and appropriate for them.

15.0 Relationship to other policies and statutes

- Children and Families Act 2014
- Shared Parental Leave Regulations 2014 (SI 2014/3050)
- Statutory Shared Parental Pay (General) Regulations 2014 (SI 2014/3051)
- Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations 2014 (SI 2014/3052)
- Statutory Maternity Pay and Statutory Adoption Pay (Curtailed) Regulations 2014 (SI 2014/3054)
- Maternity Policy
- Paternity Policy
- Adoption Leave Policy

16.0 Penalties

Employees who abuse the scheme may be liable to disciplinary action under the Council's Capability and Conduct Policy.

Tamworth Borough Council

Appendix 1

Shared Paternity Leave Non-binding notice of Entitlement and Intention

Employees Declaration - Adopter

Employee Name :

Current Address:

National Insurance Number:

Payroll No:

I confirm:

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which they receive official notification in relation to an adoption from overseas) and remain in continuous employment with their employer until the week before any period of shared parental leave that they take;
- have normal weekly earnings for a period of eight weeks ending with the week in which the adopter is notified of having been matched for adoption with the child (or by the week in which they receive official notification in relation to an adoption from overseas) of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child;
- are absent from work and intend to care for the child during each week in which they receive statutory shared parental pay; and
- are entitled to statutory adoption pay in respect of the child, but the adoption pay period has been reduced.

I have taken or intend to take statutory adoption leave from _____ to _____,

I have taken or intend to claim, occupational adoption pay from _____ to _____ or statutory adoption pay/adoption allowance from _____ to _____;

The total amount of shared parental leave available (following curtailment of adoption leave) _____ weeks;

The date on which the adopter was notified of having been matched for adoption with the child (or receives official notification in relation to an adoption overseas)

The date on which the child is expected to be placed for adoption with the adopter and the date for the placement, or the date on which the child enters Great Britain

_____;

How much shared parental leave the mother and partner each intend to take (in whole week blocks)?

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the adopter _____ weeks (start date) _____

I declare that:

I satisfy, or will satisfy, the above eligibility requirements to take shared parental leave; the information I give in the notice of entitlement and intention is accurate; and I will immediately inform the organisation if I cease to care for the child. I will also inform my partner should any of my intended dates change.

Signed:

Dated:

I consent for information provided for this declaration to be processed by TBC and provided and discussed with my partner's employers upon their request.

Signed:

Dated:

I have curtailed/intend to curtail my Adoption leave to _____ weeks, with _____ weeks remaining for my partner to use.

Partner Details to be completed by the non TBC employee

Name :

Current Address:

National Insurance Number:

Current Employer:

Employers Address:

Employers Contact Details

I confirm

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which they receive official notification in relation to an adoption from overseas) and remain in continuous employment with their employer until the week before any period of shared parental leave that they take;
- have normal weekly earnings for a period of eight weeks ending with the week in which the adopter is notified of having been matched for adoption with the child (or by the week in which they receive official notification in relation to an adoption from overseas) of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the adopter, for the care of the child; and
- are absent from work and intends to care for the child during each week in which they receive statutory shared parental pay.

I declare that:

I satisfy, or will satisfy, the conditions eligibility requirements to take shared parental leave; the information I give is accurate; and I will immediately inform Tamworth Borough Council if the mother informs me that they no longer meet the requirement to have curtailed their maternity leave or pay period set out above.

I am * the father of the child/ married to/ the civil partner/ the partner of, the adopter; I consent to the amount of leave that the adopter intends to take; and give my consent to the adopter's employer processing the information in the partner's declaration.

Signed:

Dated:

I consent to information provided for this declaration to be provided and discussed by the above named employer on request.

Signed:

Dated:

- please delete as appropriate

Tamworth Borough Council

Appendix 2

Shared Paternity Leave Non-binding notice of Entitlement and Intention

Employees Declaration - Partner

To be provided at least eight weeks before the start date of the first period of shared parental leave to be taken by the employee.

Employee Name:

Current Address:

National Insurance Number:

Payroll No:

I confirm:

I have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which they receive official notification in relation to an adoption from overseas) and remain in continuous employment with their employer until the week before any period of shared parental leave that they take

I will remain in continuous employment with Tamworth Borough Council until the week before any period of shared parental leave I intend to take;

The adopter lives with me at the above address and we are in an enduring family relationship;

I have taken or intend to take statutory paternity leave from _____ to _____,

- the total amount of shared parental leave available (following curtailment of adoption leave) _____;
- the date on which the adopter was notified of having been matched for adoption with the child (or receives official notification in relation to an adoption from overseas);
- the date on which the child is expected to be placed for adoption with the adopter and the date of the placement, or the date on which the child is expected to enter Great Britain in relation to an adoption from overseas (although, if the child has not yet been placed for adoption or entered Great Britain, the date of placement for adoption or entry into Great Britain must be

provided as soon as reasonably practicable after the placement or entry, and before the first period of shared parental leave to be taken by the adopter);

- _____;
- how much shared parental leave the mother and partner each intend to take (in whole week blocks);

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the adopter _____ weeks (start date) _____

Amount to be taken by the partner _____ weeks (start date) _____

Amount to be taken by the partner _____ weeks (start date) _____

Amount to be taken by the partner _____ weeks (start date) _____

I declare that:

I satisfy, or will satisfy, the conditions set out above ; that I am * the father of the child/ married to/ the civil partner/ the partner of, the adopter; I consent to the amount of leave that the mother intends to take; and give my consents to the adopter's employer processing the information in the partner's declaration.

Signed:

Dated:

* delete as appropriate

I consent for information provided for this declaration to be provided and discussed with the adopter's employers.

Signed:

Dated:

Adopter's Details to be completed by the non-TBC Employee

Adopter's Name:

Current Address:

National Insurance Number:

Current Employer:

Employers Address:

Employers Contact Details:

I confirm:

I am entitled to statutory adoption leave, statutory adoption pay or adoption allowance in respect of this child;

I will comply with the relevant adoption leave curtailment notice (8 weeks);

I have been employed or self-employed in at least 26 weeks continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which they receive official notification in relation to an adoption from overseas) and remain in continuous employment with their employer until the week before any period of shared parental leave that they take proceeding the expected week of childbirth;

I have average weekly earnings of at least the adoption allowance threshold (currently £30) for any 13 of those 66 weeks; and

I will have the main responsibility, apart from the partner for the care of the child I have taken or intend to claim statutory adoption pay from

_____ to _____;

I declare that:

I satisfy, or will satisfy, the above eligibility requirements to take shared parental leave; the information I give in the notice of entitlement and intention is accurate; and I will also inform my partner should any of my intended dates change or if I no longer qualify.

Signed:

Dated:

I consent to my details be used by Tamworth Borough Council for the purposes of processing my partners shared parental leave.

I consent to information provided for this declaration to be provided and discussed with my employer upon request.

I have curtailed/intend to curtail my Adoption leave to _____ weeks, with _____ weeks remaining for my partner to use.

Signed:

Dated:

Tamworth Borough Council

Appendix 3

Shared Paternity Leave Variation/Cancellation Notice

Employee Name :

Current Address:

National Insurance Number:

Payroll No:

I intend/no longer intend* to take shared parental leave *from _____ to _____,

This overrides my previous notification of intention of _____ to _____

- request that a continuous period of leave become discontinuous periods of leave; or
- request that discontinuous periods of leave become a continuous period of leave.

I attach details of the statutory shared parental pay we have been notified which will now not be relevant for the new variation

We declare that we are eligible and agree to this variation:

Signed: _____

Adopter Dated:

Signed: _____ Partner Dated:

This form must be provided at least 8 weeks before the variation takes effect.

*Delete as appropriate



Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Shared Parental Leave Policy – Adoption	
Date Conducted	12 May 2022	
Name of Lead Officer and Service Area	Jackie Noble HR	
Commissioning Team (if applicable)	N/A	
Director Responsible for project/service area	Anica Goodwin	
Who are the main stakeholders	Employees	
Describe what consultation has been undertaken. Who was involved and what was the outcome	CMT TULG Members	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)		
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/>
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/>
	Existing	<input checked="" type="checkbox"/>
	Being reviewed	<input checked="" type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

To ensure all TBC employees are treated fairly regardless of their protected characteristics in their entitlement to shared parental leave.
Who will be affected and how? All employees who wish to apply for shared parental leave. This policy provides guidance on the process and entitlements for shared [parental leave and pay.
Are there any other functions, policies or services linked to this impact assessment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If you answered 'Yes', please indicate what they are? All employees

Part 3 – Impact on the Community			
Thinking about each of the Areas below, does or could the Policy function, or service have a <u>direct</u> impact on them?			
Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of age
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of disability
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of gender reassignment
Marriage & Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of marital status
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of pregnancy and maternity
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of race
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of religion or belief
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of sexual orientation
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of sex
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Caring/Dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of an employee being a carer
Those having an offending past	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor

Children	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Drug or Alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Mental Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Physical Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Other (Please Detail)	<input type="checkbox"/>	<input type="checkbox"/>	

Part 4 – Risk Assessment
From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk
<i>Eg: Families</i>	<i>Families no longer supported which may lead to a reduced standard of living & subsequent health issues</i>	<i>Signposting to other services. Look to external funding opportunities.</i>

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
	Outcomes and Actions entered onto Covalent			

Date of Review (If applicable)

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