



## Shared Parental Leave Policy – Birth of a Child

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**Approved by Corporate Management Team / Appointments and Staffing**

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Classification: SEC1 - Routine

## Document Location

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

Printed documents may be obsolete; an electronic copy will be available on Tamworth Borough Councils Intranet. Please check for current version before using.

## Revision History

Revision Date	Version Control	Summary of changes
01.01.02	First Draft	
01.01.02	Draft for approval following consultation with TU and internal circulation	Added in pre interview for SPL and refined form to include curtailment notice and variation notice
September 17	01.01.02	New format, review period, clarification, new CIA
July 2022	01.01.03	Minor amendments to add in new health scheme and home working allowance

## Approvals Creation and Major Change

Name	Title	Approved
TULG	Approved for statutory compliance	15/01/15
TULG		September 2022

## Approvals Minor Change and Scheduled Review

Name	Title	Approved
A. Goodwin	Director of Transformation & Corporate Performance	19/05/17

## 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 to shared parental leave and pay.

Shared parental leave enables mothers to commit to ending their maternity 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 maternity leave and opt in to shared parental leave and pay at a later date. Tamworth Borough Council (TBC) has a separate policy on shared parental leave for employees who are adopting children.

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).

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, they 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:

"Mother" means the mother or expectant mother of the child.

"Partner" means the father of the child, or the person who, at the date of the child's birth, is married to, the civil partner of, or the partner of the mother. 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.

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

## 3.0 Scope

This policy applies in relation to employees of TBC, whether they are the mother or the partner. If it is the mother 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 the organisation, the mother must (where relevant) submit any notifications to take shared parental leave to their 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. Permission will be sought by the Council to contact the other employer to confirm rights and entitlements for the partner or mother as appropriate (e.g. to confirm curtailment of Maternity Leave by the mother).

#### **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 mother brings their maternity leave period to an end and the amount of leave that the other 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 pregnancy can normally be made by each parent**.

The first two weeks following birth are the compulsory maternity leave period and are reserved for the mother. This means that the mother cannot curtail their maternity leave to take shared parental leave until two weeks after the birth and the maximum period that the parents could take as shared parental leave is 50 weeks between them (although it will normally be less than this because of the maternity leave that mothers usually take before the birth).

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). The mother and partner must take any shared parental leave within 52 weeks of birth.

#### **5.0 Eligibility**

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

##### **5.1 Mother's eligibility for shared parental leave**

The mother 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 remains 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 partner, for the care of the child;
- are entitled to statutory maternity leave in respect of the child; and
- comply with the relevant maternity leave curtailment requirements (or have 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.

## **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 TBC 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 mother, 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 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).

## **6.0 Notice requirements**

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" from the mother setting out when they propose to end their maternity leave (unless the mother has already returned to work from maternity 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 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. Appendix 1 (for employees who are mothers) 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 Mother's notice curtailing maternity leave**

Before the mother or partner can take shared parental leave, the mother must either return to work before the end of their maternity leave (by giving the required eight weeks' notice of their planned return) or provide her employer with a maternity leave curtailment notice. The maternity leave curtailment 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 weeks after birth;
- at least eight weeks after the date on which the mother gave the maternity leave curtailment notice to their employer; and
- at least one week before what would be the end of the additional maternity leave period.

The mother must provide their maternity 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 mother confirming that their partner has given their employer a notice of entitlement and intention.

### **6.2 Revocation of maternity leave curtailment notice**

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

- it is discovered that neither the mother nor the partner are entitled to shared parental leave or statutory shared parental pay and the mother withdraws their maternity leave curtailment notice within eight weeks of the date on which the notice was given;
- the maternity leave curtailment notice was given before the birth of the child and the mother withdraws their maternity leave curtailment notice within six weeks of the child's birth; or
- the partner has died.

### 6.3 Employee's notice of entitlement and intention

- The employee, whether the mother or the partner, must provide the organisation 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 mother, 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 mother or partner, TBC can request from the employee:

- a copy of the child's birth certificate (or, if the child has not been born, a copy of the birth certificate within 14 days of the birth - if the birth certificate has yet to be issued after this period, a signed declaration stating the date and location of the child's birth will suffice); and
- the name and address of the other parent's employer (or a declaration that the other parent has no employer)

The employee has 14 days from the date of the request to send their manager 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 mother 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 TBC 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 pregnancy, although the Council 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 mother 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 TBC 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 maternity pay or maternity allowance the mother has been paid when their maternity leave or pay period ends.

A total of 39 weeks' statutory maternity pay or maternity allowance is available to the mother. As there is a compulsory maternity leave period of two weeks, this means that a mother who ends their maternity leave at the earliest opportunity could share up to 37 weeks' statutory shared parental pay with their partner (although it will normally be less than this because of the maternity leave that the mother would usually take before the birth).

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 Mother's eligibility for statutory shared parental pay**

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

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with their employer until the week before any period of shared parental pay that they get;
- have normal weekly earnings for a period of eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- have at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- are absent from work and intends to care for the child during each week in which they receive statutory shared parental pay; and
- are entitled to statutory maternity pay in respect of the child, but the maternity pay period has been reduced.

In addition, for the mother 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 of childbirth;
- have, at the date of the child's birth, the main responsibility, apart from the mother, 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 ending with the 15th week before the expected week of childbirth and remains in continuous employment with their employer until the week before any period of shared parental pay that they get;
- have normal weekly earnings for eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date of the child's birth, the main responsibility, apart from the mother, 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.

In addition, for the partner to be eligible, 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; and
- be entitled to statutory maternity pay or maternity allowance in respect of the child, but the maternity pay period or maternity 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 to an employee taking Shared Paternity 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 maternity or 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 they 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 the Council's usual policy to require the employee to take 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.

The organisation 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 maternity 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 maternity 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 Council 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 (Curtailment) 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 Disciplinary Policy.

**Tamworth Borough Council**

**Appendix 1**

**Shared Paternity Leave Non-binding notice of Entitlement and Intention**

**Employees Declaration - Mother**

Employee Name :

Current Address:

National Insurance Number:

Payroll No:

I confirm:

- I have at least 26 weeks' continuous employment ending with the 15<sup>th</sup> week before the expected week of childbirth;
- I will remain in continuous employment with Tamworth Borough Council until the week before any period of shared parental leave I intend to take;
- That at the date of the child's birth I will have the main responsibility, apart from the partner for the care of the child;
- I am entitled to statutory maternity leave in respect of this child;
- I will comply with the relevant maternity leave curtailment notice (8 weeks) and am giving at least 8 weeks notice of my intention to take shared parental leave;
- My partner lives with me at the above address and we are in an enduring family relationship;
- My partner is not my child, parent, grandparent, grandchild, sibling, aunt, uncle, niece or nephew;

I have taken or intend to take statutory maternity leave from \_\_\_\_\_ to \_\_\_\_\_,

I have taken or intend to claim, occupational maternity pay from \_\_\_\_\_ to \_\_\_\_\_ or statutory maternity pay/maternity allowance from \_\_\_\_\_ to \_\_\_\_\_;

The total amount of shared parental leave available (following curtailment of maternity leave) \_\_\_\_\_ weeks;

The child's expected week of birth or the child's date of birth \_\_\_\_\_;

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

Amount to be taken by the mother \_\_\_\_\_ weeks (start date) \_\_\_\_\_

Amount to be taken by the mother \_\_\_\_\_ weeks (start date) \_\_\_\_\_

Amount to be taken by the mother \_\_\_\_\_ 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 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 Maternity 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:

- I have been employed or self employed in at least 26 of the 66 weeks preceding the expected week of childbirth;
- I have average weekly earnings of at least the maternity allowance threshold (currently £30) for any 13 of those 66 weeks; and
- At the date of birth of the child, I have the main responsibility, apart from the mother, to care for the child.

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 mother; I consent to the amount of leave that the mother intends to take; and give my consent to the mother'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

The Council will require a copy of the MATB1 certificate and following the birth, the child's birth certificate within 40 days of the delivery.

**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 ending with the 15<sup>th</sup> week before the expected week of childbirth;

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

At the date of birth of the child, I have the main responsibility, apart from the mother, to care for the child.

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

- the total amount of shared parental leave available (following curtailment of maternity leave) \_\_\_\_\_;
- the child's expected week of birth or the child's date of birth \_\_\_\_\_;
- how much shared parental leave the mother and partner each intend to take (in whole week blocks);

Amount to be taken by the mother \_\_\_\_\_ weeks (start date) \_\_\_\_\_

Amount to be taken by the mother \_\_\_\_\_ weeks (start date) \_\_\_\_\_

Amount to be taken by the mother \_\_\_\_\_ 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 mother; I consent to the amount of leave that the mother intends to take; and give my consents to the mother'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 Mother's employers.

Signed:

Dated:

**Mother's Details to be completed by the non TBC Employee**

Mother's Name:

Current Address:

National Insurance Number:

Current Employer:

Employers Address:

Employers Contact Details:

I confirm:

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

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

I have been employed or self employed in at least 26 of the 66 weeks preceding the expected week of childbirth;

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

That at the date of the child's birth I will have the main responsibility, apart from the partner for the care of the child;

I have taken or intend to claim statutory maternity pay/maternity allowance 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 Maternity leave to \_\_\_\_\_ weeks, with \_\_\_\_\_ weeks remaining for my partner to use.

Signed:

Dated:

The Council will require a copy of the MATB1 certificate and following the birth, the child's birth certificate within 40 days of the delivery.

**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: \_\_\_\_\_ Mother Dated: \_\_\_\_\_

Signed: \_\_\_\_\_ Partner Dated: \_\_\_\_\_

This 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	
Date Conducted	11 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  No

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 direct 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 &amp; 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) .....