

**Child through surrogacy arrangement: Partner’s** notices and declarations for Shared Parental Leave and Pay

**Instructions**

These are the forms you need to complete to take Shared Parental Leave (SPL). If your employer has their own forms these can be used instead. There are 3 sections in this form. You may submit sections 1 and 2 to your employer before issuing your period of leave notice(s), or you may choose to submit these sections along with your first period of leave notice.

1. **Father/Partner’s notice and declaration for Shared Parental Leave & Parental Order Parent’s declaration**
2. **Father/Partner’s notice and declaration for Shared Parental Pay & Parental Order Parent’s declaration**

**Period of leave notice(s)** this noticemust be provided to your employer at least 8 weeks before your first period of Shared Parental Leave starts.

**Section 1: Partner’s notice for Shared Parental Leave to their employer**

|  |  |
| --- | --- |
| **You (the partner)** | **Parental Order Parent** (the person eligible for Adoption leave and/or pay). |
| Surname: | Surname: |
| First names(s): | First names(s): |
| **Child** | |
| If the parental order has been granted the date on which is was granted  \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_  What is the child’s expected date of birth/actual date of birth (delete as appropriate)?  \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_ | |

|  |  |
| --- | --- |
| **Adoption Leave** | |
| Date Parental Order Parent’s Adoption Leave will start  \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_ | Date Parental Order Parent’s Adoption Leave will end  \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_ |
| **Shared Parental Leave** | |
| Number of weeks of Shared Parental Leave available[[1]](#footnote-1) | Number of weeks of Shared Parental Leave the partner intends to take |
|  | Number of weeks of Shared Parental Leave the Parental Order Parent intends to take  (if any) |

**Section 1 continued: Partner’s notice for Shared Parental Leave to their employer**

**Non-binding indication of when you plan to take Shared Parental Leave (SPL)**

At the date of this notice I intend to take Shared Parental Leave between the following weeks:

|  |  |
| --- | --- |
| Week commencing (Sunday) | Week ending (Saturday) |

**My blocks of leave will typically start on a:**

Mon Tue Wed Thu Fri Sat Sun

**Section 1 continued: Partner’s declaration to their employer for Shared Parental Leave**

I am entitled and intend to take Shared Parental Leave.

I have worked for the same employer for at least 26 weeks by the end of the 15th week before the child is due. I will remain employed with my employer until any period of Shared Parental Leave that I intend to take.

I was (or will be) the other Parental Order Parent’s: spouse; civil partner; or a partner living with them and the child in an enduring family relationship.

I had (or will have) the main responsibility for the care of the child at the time of the child’s birth (along with the other parental order parent who has made the declaration in this section).

I have given my employer the parental statutory declaration/statement of truth[[2]](#footnote-2) and/or I am a parental order parent and have provided a copy of the parental order made in respect of the child.

I will provide additional evidence to my employer (on request) if my employer asks for this within 14 days of the date of this notice.

I will inform my employer immediately if I cease to care for the child, or if the other parental order parent informs me that they have ceased to be eligible for Shared Parental Leave because they cease to be entitled to adoption leave or adoption pay.

I confirm that the information provided in this section is correct.

**Parental Order parent’s signature**

Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

**Section 1 continued: Parental Order Parent’s declaration to Partner’s employer**

I had (or will have) the main responsibility for the care of the child at the time of the child’s birth (along with my partner).

I am the other parental order parent and the: spouse, civil partner; or a partner living with the parental order parent and the child in an enduring family relationship. I have been (or will have been) employed or self-employed in England, Scotland, or Wales in 26 weeks of the 66 weeks before the expected week of birth.

During 13 of those 66 weeks, I had, or will have, weekly earnings that are not less than the 'lower earnings limit'.

The Parental Order parent and I are the parental order parents of the child. I consent to my partner taking the period or periods of Shared Parental Leave that they have indicated in this section.

I will immediately inform my partner’s employer if I cease to be eligible for Shared Parental Leave because I cease to care for the child, or I cease to be entitled to adoption Leave, or adoption pay.

I consent to the partner’s employer processing the information about me provided in their Notice of Entitlement and Intention (see Section 1) and in this Declaration (this section).

I confirm that the information provided in this section is correct.

**Parental Order Parent’s National Insurance Number (or if no National Insurance number confirmation that is the case)**

**Parental Order Parent’s home address**

**Parental Order Parent’s signature**

Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

**Section 2: Partner’s notice to their employer for Shared Parental Pay**

**Non-binding indication of when you plan to take Statutory Shared Parental Pay (ShPP)**

I am entitled to a total of **[         ]** weeks of Statutory Shared Parental Pay. Of this total amount

* the number of weeks in respect of which I intend to claim Statutory Shared Parental Pay is **[         ]**.
* the number of weeks in respect of which the other parental order parent intends to claim Statutory Shared Parental Pay is **[         ]**.

At the date of this notice I intend to take Statutory Shared Parental Pay between the following weeks:

|  |  |
| --- | --- |
| Week commencing (Sunday) | Week ending (Saturday) |

**My blocks of pay will typically start on a:**

Mon Tue Wed Thu Fri Sat Sun

**Section 2: Partner’s declaration to their employer for Shared Parental Pay**

I am entitled to Shared Parental Pay.

I have (or will have) worked for the same employer for at least 26 weeks by the end of the 15th week before the child is due. I will (or have been) in ‘employed earners employment’[[3]](#footnote-3) in this period.

For the last eight weeks of that 26-week period, my normal weekly earnings were at least equal to the ‘lower earnings limit’.

I will remain employed with this employer until any period of Shared Parental Leave I intend to take.

I intend to care for the child during each week in respect of which Shared Parental Pay is paid to me.

I will be absent from work during each week in respect of which shared parental pay is paid to me, except where I have arranged to work a shared parental leave keeping in touch day.

I will immediately inform the employer if, during or between any periods in which I claim shared parental pay, the adoption pay period in respect of the child is no longer reduced.

I will be on shared parental leave during each week in respect of which shared parental pay is paid to me.

**Father/Partner’s signature**

Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

**Section 2 continued: Parental Order Parent’s declaration to Partner’s employer**

I consent to the overall amount of Shared Parental Pay to which my partner intends to claim and the period or periods during which he or she intends to claim it as set out in section 2 above.

I consent to the adopter’s employer processing the information about me provided in this section.

I will immediately inform my employer if the adoption pay period ceases to be reduced.

**Complete the following section if eligible for Adoption Pay:**

I am entitled to statutory adoption pay in respect of the child.

Before any shared parental pay is claimed by me or my Partner, I have reduced (or will have) reduced the adoption pay period in respect of the child.

I have reduced (or will have) reduced the adoption pay period by giving an adoption entitlement curtailment notice to my employer that fixes the date on which the adoption pay period will end.

The adoption pay period will remain reduced after the submission of that curtailment notice.

**The adoption pay period:**

Began (or will begin) on: Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

Is (or will be) reduced by: Number of weeks 

**Parental Order Parent’s National Insurance Number (or if no National Insurance number confirmation that is the case)**

**Parental Order Parent’s home address**

**Parental Order Parent’s signature**

Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

**For employers only**: for guidance on statutory pay collections visit [**https://www.gov.uk/government/collections/statutory-pay**](https://www.gov.uk/government/collections/statutory-pay)

**Period of Leave Notice 1 of 3**

**Instructions**

When you have decided your Shared Parental Leave date are final, you must ‘book’ your leave by submitting this Period of Leave notice to your employer not less than 8 weeks before your first week of leave is due to start.

You are entitled to submit up to 3 Period of Leave notices to your employer, with each notice requesting one continuous period of leave. The minimum amount of leave you can request is one week.

One booked, you can change your dates, but you will have to give another Period of Leave notice which will count towards your limit of 3 Period of Leave notices.

**Period of Leave**

|  |  |
| --- | --- |
| **Shared Parental Leave start date** | **Shared Parental Leave end date** |

**If you want to submit a notice which requests discontinuous periods of leave (the rows below), approval will be at your employer’s discretion.** Your employer has 2 weeks from the date that the notice was given to agree to the periods of leave requested, to propose alternative dates for the periods of leave or to refuse the periods of leave requested without proposing alternative dates. If your employer refuses your leave dates or you don’t agree with their alternative dates proposed, you will still be entitled to take the total amount of leave you’ve requested but as a single continuous period of leave.

**If you do not know your exact start and end dates because your child has not yet been born, complete the sentence below:**

I will take weeks of Shared Parental Leave. It will start weeks after my child’s expected due date.

**Notice to employer:**

Please accept this as a binding notice to take Shared Parental Leave on the date or the week specified above.

**Partner’s signature**

Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

**Period of Leave Notice 2 of 3**

**Instructions**

When you have decided your Shared Parental Leave date are final, you must ‘book’ your leave by submitting this Period of Leave notice to your employer not less than 8 weeks before your first week of leave is due to start.

You are entitled to submit up to 3 Period of Leave notices to your employer, with each notice requesting one continuous period of leave. The minimum amount of leave you can request is one week.

One booked, you can change your dates, but you will have to give another Period of Leave notice which will count towards your limit of 3 Period of Leave notices.

**Period of Leave**

|  |  |
| --- | --- |
| **Shared Parental Leave start date** | **Shared Parental Leave end date** |

**If you want to submit a notice which requests discontinuous periods of leave (the rows below), approval will be at your employer’s discretion.** Your employer has 2 weeks from the date that the notice was given to agree to the periods of leave requested, to propose alternative dates for the periods of leave or to refuse the periods of leave requested without proposing alternative dates. If your employer refuses your leave dates or you don’t agree with their alternative dates proposed, you will still be entitled to take the total amount of leave you’ve requested but as a single continuous period of leave.

**If you do not know your exact start and end dates because your child has not yet been born, complete the sentence below:**

I will take weeks of Shared Parental Leave. It will start weeks after my child’s expected due date.

**Notice to employer:**

Please accept this as a binding notice to take Shared Parental Leave on the date or the week specified above.

**Partner’s signature**

Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

**Period of Leave Notice 3 of 3**

**Instructions**

When you have decided your Shared Parental Leave date are final, you must ‘book’ your leave by submitting this Period of Leave notice to your employer not less than 8 weeks before your first week of leave is due to start.

You are entitled to submit up to 3 Period of Leave notices to your employer, with each notice requesting one continuous period of leave. The minimum amount of leave you can request is one week.

One booked, you can change your dates, but you will have to give another Period of Leave notice which will count towards your limit of 3 Period of Leave notices.

**Period of Leave**

|  |  |
| --- | --- |
| **Shared Parental Leave start date** | **Shared Parental Leave end date** |

**If you want to submit a notice which requests discontinuous periods of leave (the rows below), approval will be at your employer’s discretion.** Your employer has 2 weeks from the date that the notice was given to agree to the periods of leave requested, to propose alternative dates for the periods of leave or to refuse the periods of leave requested without proposing alternative dates. If your employer refuses your leave dates or you don’t agree with their alternative dates proposed, you will still be entitled to take the total amount of leave you’ve requested but as a single continuous period of leave.

**If you do not know your exact start and end dates because your child has not yet been born, complete the sentence below:**

I will take weeks of Shared Parental Leave. It will start weeks after my child’s expected due date.

**Notice to employer:**

Please accept this as a binding notice to take Shared Parental Leave on the date or the week specified above.

**Partner’s signature**

Date \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

1. This number is 52 minus the number of weeks of Adoption Leave or Statutory Pay the Parental Order Parent have taken when their Adoption leave or Statutory Adoption Pay ends. A minimum of 2 weeks Adoption Leave and/and or Pay must be taken. [↑](#footnote-ref-1)
2. Your employer may request a parental statutory declaration/statement of truth that needs to be signed in the presence of a solicitor, confirming that you intend to apply for a Parental Order within the 6 month time limit for making adoption. [↑](#footnote-ref-2)
3. by which I mean I work for my employer in a capacity in relation to which class 1 National Insurance Contributions must be paid [↑](#footnote-ref-3)