



Paternity and Parental Leave Policy

Summary

This policy explains the qualifying criteria for Paternity and Parental Leave and the procedures that will apply.

What is Paternity Leave and do I qualify?

When your partner has a baby or when you adopt a child, you may be entitled to **Ordinary** and **Additional Paternity Leave**.

To qualify for both types of leave, you will need to give the correct notice and have 26 weeks continuous service by the end of the 15th week before the expected week of childbirth or by the end of the week you are matched with a child for adoption.

You will also need to have, or expect to have, responsibility for the child's upbringing and be the;

- Baby's biological father **or**
- Mother's husband or partner (including same sex relationships) **or**
- The child's adopter, or husband or partner of the child's adopter

Ordinary Paternity Leave

If you meet the above criteria, you are entitled to 2 weeks' ordinary paternity leave to support the mother or care for your child.

Your leave can be taken as a single week or two consecutive weeks (not odd days or separate weeks), within 56 days of your child's birth or placement date.

Ordinary Paternity Leave Pay

The first week of Ordinary Paternity Leave is paid at your normal weekly salary (inclusive of statutory paternity pay). The second week is paid at the statutory paternity rate set by the Government or at 90% of your average weekly earnings (whichever is lower).

To qualify for statutory paternity pay, your earnings during the qualifying period (the 8 weeks up to and including the 15th week before the expected week of childbirth or

week that you are matched with a child), must be not less than the lower earnings limit.

If you are adopting a child your manager will need a copy of your matching certificate or a letter from the adoption agency. We may also ask for a copy of the mother's MATB1 certificate.

Applying for Ordinary Paternity Leave

You will need to submit a paternity notification form (available on compass) to your manager;

- By the end of the 15th week before the expected week of childbirth, or
- Within 7 days of being told that you have been matched with a child

Paternity leave can only start when your child is born or placed with you for adoption. You will need to change your leave start date if your baby is born on a different date to the one you told us.

You can change the dates of your leave by giving 28 days' written notice to your manager.

Additional Paternity Leave

If you meet the qualifying conditions for Ordinary Paternity Leave, you may also be eligible to take Additional Paternity Leave to care for your child, subject to your child's mother or adopter;

- Qualifying for statutory maternity/adoption pay or maternity allowance **and**
- Returning to work and stop claiming the above payments **and**
- Have at least 2 weeks unexpired statutory pay period remaining

If you qualify, you can take between 2 – 26 weeks additional paternity leave, from 20 weeks after your child's birth or placement up to their 1st birthday or the anniversary of their adoption.

Additional Paternity Leave Pay

You will receive Additional Statutory Paternity Pay for the duration of your partner's unexpired statutory pay period. Any leave taken after your partner's 39 week statutory pay period has ended will be unpaid. (See Ordinary Paternity Pay for qualifying conditions).

You have the right to take unpaid Additional Paternity Leave if you meet the eligibility criteria for leave but not pay.

Applying for Additional Paternity Leave

You will need to submit an additional paternity notification form (available on compass) to your manager at least 8 weeks before you want to start leave. You will also be asked to provide;

- A copy of the child's birth certificate or adoption matching certificate
- The employment details of the mother or adopter that has taken maternity or adoption leave

Once this information is received we will write to you within 28 days to confirm the start and end dates of your leave. You will need to give your manager at least 6 weeks' notice if you wish to change the dates.

Your rights during Additional Paternity Leave

You have the right to return to your job after a period of Ordinary or Additional Paternity Leave. This protection also applies where you take up to 4 weeks' parental leave following Additional Paternity Leave. If it is not possible for you to return to your original job, we will offer you suitable alternative work.

Throughout Additional Paternity Leave you will build up all your usual entitlement to paid holiday.

What is Parental Leave?

Parental leave is unpaid time off work to look after your child's welfare. For example; to spend more time with your child in their early years, review new schools and/or settle your child into a new care arrangement.

Do I qualify?

To qualify for parental leave you need to;

- Have more than 1 year's continuous service
- Be the parent named on your child's birth or adoption certificate
- Have or expect to have parental responsibility

How much Parental Leave am I entitled to?

Both parents are entitled to 18 weeks' unpaid parental leave, for each child. Your leave needs to be taken before;

- Your child's fifth birthday (or eighteenth birthday if your child is disabled), or
- The fifth anniversary of your child's adoption or their eighteenth birthday,

whichever comes first

You can take up to four weeks' parental leave for each child in a calendar year. This can be taken in blocks of one or more weeks. If your child is disabled you can take one or more days at a time. Your entitlement will be in proportion to the number of hours/days you work.

Any parental leave taken with a previous employer will count towards your overall 18 week entitlement per child.

Applying for Parental Leave

Your manager will need 21 days' written notice of any dates you wish to take as parental leave.

If the timing of your leave will seriously disrupt the business your manager may delay your request. You will receive a letter within 7 days of your request, explaining the reasons for delaying your leave and suggesting alternative dates within 6 months of the original date.

We will not postpone your parental leave request;

- If you have given the correct notice and wish to take this on the birth or adoption of your child or
- It would mean that you no longer meet the eligibility criteria e.g. after your child's 5th birthday

Monitoring and reviewing this policy

This Policy does not form part of your contract of employment and it may be amended at our discretion. Responsibility for this policy: Employee relations team.

You can get advice on any part of this policy from askHR 0845 694 6635.