

PATERNITY LEAVE POLICY (BIRTH)

1. Introduction

- 1.1 It is the policy of <<Company>> to ensure that as far as possible our employees can combine their career and family responsibilities. We recognise that it is important for employees to support their partners following the birth of a child.
- 1.2 Please note that antenatal leave is available only in respect of babies due before 1 January 2020. Leave will apply in respect of Shared Parental Leave from 1 January 2020 or after that date. Please see the separate [Shared Parental Leave Policy](#) for full details.

2. Aims of the Policy

- 2.1 To provide employees with the support they need to care for their new-born child and support their partner.
- 2.2 To comply with [and to exceed] the *Company's Paternity Leave Policy* beyond the statutory provision for [Statutory Paternity Leave (SPL)] the obligations imposed on the Company by law.

3. Antenatal Appointments

- 3.1 Employees have the right to request time off from the Company a pregnant woman to up to two antenatal appointments. If the employee is the father of the baby, or the partner of the pregnant woman, there is no right to be paid for this time off and the maximum of six and a half hours for each appointment.

4. Ordinary Paternity Leave

- 4.1 The employee is entitled to 2 consecutive weeks' (although employees can elect to take 1 week) of Ordinary Paternity Leave if they:
 - 4.1.1 Have or expect to have a child; and
 - 4.1.2 Are the biological father of the child or the mother's husband or partner; and
 - 4.1.3 Have worked for the Company for at least 26 weeks ending with the week in which the baby is due; and
 - 4.1.4 Can provide evidence that the above criteria have been met.
- 4.2 Ordinary Paternity Leave is paid at the employee's normal rate of pay.

- 4.2.1 from the date of the birth or whether earlier or later than expected;
- 4.2.2 from a child's date of birth or weeks after the date that the baby is born;
- 4.3 Ordinary Paternity Leave must be taken on a full day of the week on or following the birth but must be taken:
 - 4.3.1 within 56 weeks of the baby's birth; or
 - 4.3.2 if the baby is born prematurely, the period from the actual date of the birth to the first day of the expected week of birth.
- 4.4 Only one Ordinary Paternity Leave day is available to the employee if the baby is born as a result of the same pregnancy.

5. Provision for Ordinary Paternity Leave in the event of death of the baby

- 5.1 If the employee's wife dies before the birth of a stillborn baby, the employee is entitled to Ordinary Paternity Leave if the stillbirth happens after 24 weeks of pregnancy. If the stillbirth happens before the end of the 24th week of pregnancy, the employee is entitled to compassionate leave, at the discretion of the <<Individual/Title>> Human Resources Manager>>.
- 5.2 If the baby is born alive but dies before the employee is still entitled to Ordinary Paternity Leave.

6. Procedure for Ordinary Paternity Leave

- 6.1 The employee must notify the <<Individual/Title>> of the employee's intention to take Ordinary Paternity Leave at least 15 weeks before the 15th week before the baby is expected, unless this is not practicable. The employee will be required to supply the following information:
 - 6.1.1 The week of the expected birth;
 - 6.1.2 Whether the employee wants to take two weeks' leave; and
 - 6.1.3 When the employee expects to return to work.
- 6.2 The employee can choose the date on which they want their leave to start provided that they notify the <<Individual/Title>> in writing at least 28 days in advance.
- 6.3 The employee must notify the <<Individual/Title>> in writing of the date they expect Ordinary Paternity Leave to start at least 28 days in advance.
- 6.4 <<Individual/Title>> may request further details, write to the employee to confirm the details and to agree the leave.
- 6.5 The employee does not have to give notice of their return to work unless they wish to return to work. If they must give notice to <<Individual/Title>>.

Provisions covering Ordinary

7. Ordinary Paternity Pay

- 7.1 [Where the employee is eligible for Statutory Paternity Leave they may also be eligible for Statutory Paternity Pay.]
- 7.2 Ordinary Statutory Paternity Pay will be paid for up to 2 weeks for Ordinary Paternity Leave as chosen and will be paid at the Prescribed Weekly Rate (*see [HMRC website for current rate](#)*) or 90% of the employee's normal earnings if they are less than the Prescribed Weekly Rate.
- 7.3 Employees who receive earnings below the lower earnings limit for National Insurance Contributions qualify for Statutory Paternity Pay ("SPP"). Employees who are normally low paid may be able to qualify for SPP, or who are normally low paid on Ordinary and/or Additional Paternity Leave. Additional support may be available through Housing Benefit, Council Tax Credits or a Sure Start Maternity Grant. Further information is available from a local Jobcentre Plus Office or Benefits Agency.]
- OR
- 7.4 [The Company's Paternity Policy provides full pay for Ordinary Paternity Leave.]

8. Rights during Ordinary

- 8.1 All employees have the right to be absent on Ordinary Paternity Leave:
- 8.1.1 The employee's employment subsists throughout their absence on Ordinary Paternity Leave and they will continue to benefit from all the conditions of employment, except for those which are directly related to the right to be absent on Ordinary Paternity Leave.
- 8.1.2 Before the employee commences their Ordinary Paternity Leave the employee must make arrangements for covering their work and must agree such arrangements with the Company whilst they are on leave. Such arrangements will be agreed with the employee, who will be reasonably satisfied with the temporary reporting arrangements for Ordinary Paternity Leave.
- 8.1.3 All employees on Ordinary Paternity Leave will remain on the company's intranet and other documents and will be invited to attend work-related social events as if they were working. Where appropriate, if the employee has any other responsibilities we will try to ensure that they are able to fulfil them.

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9. Shared Parental Leave

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This document has been approved & authorised by:

Name: <<Insert Name>>

Position: <<Insert Position>>

Resources Manager>>

Date: <<Date>>

Signature: