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<b>Paternity Leave</b>		<b>(from Overseas)</b>
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**1. Introduction**

- 1.1 It is the policy of (<< the Company”) to ensure that as far as possible our employees can combine their career and family responsibilities. We want to provide support for employees to support their partners following the birth of their children.
- 1.2 This policy is applicable to employees who are married to, or the civil partner or partner of, an adoptive parent who is domiciled in Great Britain on or after 3 April 2011.
- 1.3 This policy applies to employees who have been recruited from outside the U.K. and the policy is not applicable to employees recruited from within Great Britain.
- 1.4 In this policy references to “the adopter” refer to the person who has adopted or is adopting the child for whom leave is being taken. If two people jointly take leave to care for the child, both are referred to as “the adopter” who is married to, or the civil partner of, an adoptive parent who wishes to take a period of paternity leave. References to “official notification” refer to the notification that is issued by the Welsh Ministers, Scottish Ministers or the relevant overseas authority confirming that the adoptive parent has been approved as being eligible to care for the child.

**2. Aims of the Policy**

- 2.1 To provide employees who are eligible to care for their adopted child and support their partners.
- 2.2 To comply with [and to exceed] the obligations imposed on the Company by law. *Phrase can be used if you want the policy to go beyond the statutory provision for paternity leave.*

**3. Ordinary Paternity Leave**

- 3.1 The employee is eligible to take a period of 2 consecutive weeks (they can elect to take one) Ordinary Paternity Leave if they:
  - 3.1.1 Have or expect to have the main responsibility for the child’s upbringing (the primary responsibility of the adopter); and
  - 3.1.2 Are either married to, or the civil partner of, the adopter; and
  - 3.1.3 The child’s adoptive parent has provided an official notification; and

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3.1.4 Have worked for the Company for at least 26 weeks ending with the date on which official notification is received; and

3.1.5 On the Company provide a declaration signed by the employee that the requirements have been met and confirming that the purpose of the Ordinary Paternity Leave is to care for the child or to support the child's development.

3.2 Ordinary Paternity Leave shall be granted to an employee who is employed on the date that the child enters Great Britain; or

3.2.1 From the date that the child enters Great Britain; or

3.2.2 From a chosen date on which the child enters Great Britain.

3.3 Ordinary Paternity Leave shall be granted within 56 days of the date that the child enters Great Britain.

**4. Procedure for Ordinary Paternity Leave**

4.1 The employee must notify the employer in writing of the employee's intention to take Ordinary Paternity Leave within 7 days after the adopter has been notified of having been matched with the child, unless this is not reasonably practical. The employee is required to supply the following information:

4.1.1 The date on which the employee is notified of having been matched with the child;

4.1.2 The date on which the child is expected to be placed with the adopter; and

4.1.3 Whether the employee wishes to take 1 or 2 weeks leave; and

4.1.4 When they wish to return to work.

4.2 The employee can request that the date on which they want their leave to start provided that they notify the employer in writing at least 28 days in advance.

4.3 The employee must notify the employer in writing of the date they expect Ordinary Paternity Leave to start at least 28 days in advance.

4.4 <<Individual/Title>> must provide details, write to the employee to confirm the details of the child's placement.

4.5 The employee must notify the employer as soon as reasonably practicable of placement to the employer as soon as the child has been placed with the adopter. 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 the employer, they must give notice to the employer in writing at least 28 days in advance.

**5. Ordinary Paternity Leave**

5.1 [Where the employee is eligible for Statutory Paternity Leave they may also be eligible for Ordinary Paternity Leave.]

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5.2 SPP will be paid for Ordinary Paternity Leave. SPP will be paid at the Prescribed Weekly Rate (or 90% of the employee's weekly earnings if they are less than the Prescribed Weekly Rate).

5.3 Employees who receive a weekly earnings below the lower earnings limit for National Insurance will not qualify for SPP, or will only qualify for SPP if they are supported while on Ordinary Paternity Leave. Additional financial support may be available through the Sure Start Maternity Grant, Council Tax Benefit, Tax Credits or a Jobcentre Plus Office.

OR

5.4 [The Company's Paternity Leave Policy provides full pay for Ordinary Paternity Leave beyond the statutory provision and for Ordinary Paternity Leave.]

## 6. Rights during Ordinary Paternity Leave

6.1 All employees have the right to return to the same job on the same terms and conditions when they return from Ordinary Paternity Leave:

6.1.1 The employee's employment subsists throughout their absence for Ordinary Paternity Leave and they will continue to benefit from their terms and conditions of employment, except for the right to remuneration.

6.1.2 Before the start of Ordinary Paternity Leave the employee will be informed of the arrangements for covering their work and for any temporary replacement whilst they are on leave. As far as possible these arrangements will be finalised in consultation with the employee, who will be involved in decisions relating to the temporary replacement to cover their Paternity Leave.

6.1.3 All employees on Ordinary Paternity Leave will remain on circulation lists for internal communications and will be included in invitations to meetings and events as if they were still at work. Where appropriate, the employee will be given the opportunity to exercise executive/managerial/supervisory responsibilities and to be involved in key decisions taken in their absence.

6.1.4 [As far as reasonable, the Company will seek to defer key decisions until the employee returns from Ordinary Paternity Leave.]

6.1.5 The employee will return to the same job on the same terms and conditions when they return from Ordinary Paternity Leave.

## 7. Shared Parental Leave

7.1 Shared Parental Leave allows both parents to commit to ending their maternity leave and Ordinary Paternity Leave and to share the untaken balance of leave and pay as shared parental leave. [For further details, see the Company's Shared Parental Leave Policy.]

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7.2 Employees can choose ordinary paternity leave and shared parental leave, but if an employee cannot take ordinary paternity leave if he/she has already taken a period of shared parental leave.

7.3 SPL must be taken within 12 weeks.

7.4 In order to take SPL the employee's partner must meet various eligibility requirements, including the relevant curtailment, notice and evidence requirements. If the partner is a mother curtailing her maternity leave.

**8. [Post-Paternity Leave]**

8.1 On the employee's return from Ordinary Paternity Leave, they will be provided with the opportunity to request flexible working arrangements, whether they wish to be considered for flexible working.

8.2 The opportunities for flexible working will depend on the needs of the business but we will consider requests for flexible working arrangements after their return from Ordinary Paternity Leave. We will make reasonable efforts to accommodate requests for flexible working arrangements, provided they can be safely and effectively carried out on such a basis.]

8.3 [Where the demands of its managerial or other duties make it possible for two suitably qualified people to carry out the duties on a job-share basis in accordance with statutory requirements and consider whether such arrangements can be safely and effectively carried out on such a basis will be offered appropriately taking into account their new terms and conditions. Their continuity of employment will be preserved.]

8.4 [Employees who do not wish to postpone a return from Ordinary Paternity Leave or request a period of Parental Leave of <<Specify number of Months or Years>> duration. D

ordinary paternity leave and shared parental leave must come first. An employee cannot take ordinary paternity leave if he/she has already taken a period of shared parental leave.

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Employees who do not wish to postpone a return from Ordinary Paternity Leave or request a period of Parental Leave of <<Specify number of Months or Years>> duration. D

This policy has been approved and signed by:

**Name:** <<Insert Name>>

**Position:** <<Insert Position, e.g. HR Resources Manager>>

**Date:** <<Date>>

**Signature:**