



RIGHT TO PATERNITY LEAVE POLICY

POLICY STATEMENT

In accordance with the Employment Act 2002, eligible employees are entitled to take Statutory Paternity Leave of one or two weeks in order to care for a new-born baby, or adoptive child, or give support to the mother or adoptive parent. This Policy is a guide to Paternity Leave (and pay) and sets out the amount of Paternity Leave and pay an employee is entitled to.

Eligibility

In order to qualify for Statutory Paternity Leave an employee, whether on an established or fixed term contract, must have been continuously employed by the Company for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth.

An employee who would have satisfied this condition, but for the child being born prematurely, is entitled to the leave.

The employee must also either:

- Be the child's biological father and have or expect to have responsibility for the child's upbringing; or
- Be married to/be the partner of the child's mother and have the main responsibility (apart from any responsibility of the mother) for the upbringing of the child.

'Partner' is defined as a person, whether of the same or different sex, who lives with the mother in an enduring family relationship but is not a relative. This means that Paternity Leave will be available to women as well as men if they meet this definition.

Paternity leave is also available to the partner of a person adopting a child.

The right to Paternity Leave also applies for stillbirths if born after 24 weeks of pregnancy.

Duration of Paternity Leave

- Eligible employees can choose to take either one or two consecutive weeks Paternity Leave as a single block. Employees may not take two non-consecutive weeks or odd days.
- Paternity leave can commence on any day on or following the child's birth, and must be completed within 56 days of the date of birth or the first day of the Expected Week or Childbirth, whichever is later.
- If the birth is premature, the leave can be taken at any time between the birth and 56 days of the first day of the *expected* date of childbirth.
- An employee can elect for the leave period to begin on the date of birth.
- Only one period of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy.

Notification

The employee must inform the Company of his or her intention to take Paternity Leave in or before the 15th week before the Expected Week of Childbirth, or within seven days of matching in the case of adoption.

The notice must be in writing and must include:

- Intention to take leave;
- The Expected Week of Childbirth/or child's placement if adopting;
- The length of leave (i.e. one or two weeks);
- The date from which leave is to start.

Employees wishing to change any of these details must give 28 days' notice (or, if this is not reasonably practicable, as soon as is reasonably practicable thereafter).

To receive Paternity Pay, employees must tell the Company the date they expect any payments of SPP to start at least 28 days in advance.

Employees who are entitled to Paternity Leave must give the Company, on request, a self-certificate as evidence of their entitlement to leave (and to Statutory Paternity pay). The self-certificate will contain a declaration by the employee stating that they meet the requirements as to the relationship with the child and with the child's mother.

Employees must give the Company further notice, as soon as is reasonably practicable after the child's birth, of the date on which the child was born.

Statutory Paternity Pay (SPP)

Entitlement to SPP is conditional on the employee satisfying prescribed conditions as set out above.

The rate of SPP is currently £100 per week, or 90% of each person's weekly earnings if lower. Employees who have average weekly earnings below the lower earnings limit for NI purposes will not qualify for SPP.

Return to Work

Employees are entitled to return to the same job upon completion of the leave. During the leave, normal terms and conditions of employment continue other than those relating to remuneration.