

# **Paternity Leave Handbook**

This handbook has been written for the guidance of employees and for the information of managers.

It sets out entitlements to paternity pay and leave and the procedure an employee should follow.

If you require further information please contact Human Resources.

The Mother / Adopter may also decide to share their additional maternity leave with their partner. The eligibility criteria, pay and policy can be found on Dennis > Employment Handbook > Section 10 > Shared Parental Leave Policy

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# Paternity Leave and Pay

## 1. Paternity Leave – Birth

Eligible employees are entitled to two week's paid leave (The first week will be paid at full pay and the second week will be paid at the same rate as Statutory Maternity Pay). Employees may also be entitled to Shared Parental Leave, for further information please see Dennis.

### 1.1. Eligibility

To qualify for the 2 weeks paid leave you must:

- Have 26 weeks continuous service by the end of the 15th week before the expected week of childbirth (qualifying week)
- Be the father, or married to or the partner of the child's mother
- Expect to have responsibility for the upbringing of the child

A partner is defined as a person (whether of a different sex or the same sex) who lives with the mother and the child in an enduring family relationship, but is **not** a relative of the mother i.e. a parent, grandparent, sister, uncle.

There is an entitlement to only one period of paternity leave regardless of the number of children born as a result of the pregnancy.

You would still qualify for Paternity Leave in the sad event of a stillbirth after 24 weeks of pregnancy or if the child dies.

It is not necessary for us to have a copy/see a copy of the Mothers MATB1 certificate because this relates specifically to the entitlements of the mother, not the father/partner.

### 1.2. Entitlement

You are entitled to take a maximum of two weeks Paternity Leave. You are **not** entitled to Maternity Support Leave in addition to Paternity Leave (the DBC Maternity Handbook provides advice regarding Maternity Support Leave). Leave may be taken consecutively or within 56 days of the child being born.

### 1.3. Premature Birth

If you qualify for paternity leave and your baby is born before 37 weeks, you will be entitled to an additional two weeks of Premature Baby leave and pay. The pay rate will be the equivalent of the Statutory Paternity Pay figure in place at the time. The leave must be taken within the period from the actual birth up to 56 days after the first day of the expected week of birth.

It is important for line managers to advise HR and Payroll of the premature birth so that the necessary arrangements for the pay and leave can be put into place.

## 1.4. Taking leave

You may choose to start your leave on:

- The date your child is born (whether this is earlier or later than expected); or
- A chosen number of days or weeks after your child is born; or
- A chosen date later than the first day of the week in which your baby is expected to be born

## 1.5. Notice

You are required to give notice, in writing using the attached paternity leave notification form, of the following:

- The expected week of childbirth
- The length of leave you wish to take
- when you wish your leave to start

Notice should be given before the end of the 15<sup>th</sup> week before the expected week of childbirth, or as soon as reasonably practicable.

If you change your mind about the date you wish Paternity Leave to start you will need to give 28 days notice of any change, unless this is not reasonably practicable.

**You should notify your manager of the date your child is born/the date your paternity leave commences, urgently, in order for HR and Payroll to be informed, and for your leave record to be updated by your manager.**

## 1.6. Start of leave

Your Paternity Leave will start on the date specified in your last notification to your manager.

If you are at work on the day your child is born and you have chosen to start Paternity Leave from this date, the first day of your Paternity Leave will be counted from the following day.

## 2. Paternity Leave – Adoption

Paternity leave is also available for adopters. It mirrors the above scheme except for the following variations:-

- It applies from the date you receive a letter from an approved adoption agency stating that you have been matched with a child.
- Leave is available for the purpose of caring for your child or supporting your child's adopter.

### 2.1. Eligibility

- You must have 26 week's continuous service by the end of the notification week
- You must be married to or be the partner of the child's adopter
- You must expect to have responsibility for the upbringing of the child

## **2.2. Entitlement**

There is an entitlement to only one period of paternity leave regardless of the number of children adopted on any one occasion.

You may take either one week's leave or two consecutive week's leave. Leave must be taken within 56 days of the child being placed.

## **2.3. Taking leave**

You may choose to start your leave on:

- The date the child is placed with you (whether this is earlier or later than expected); or
- A chosen number of days or weeks after the child is placed with you; or
- A chosen date later than the date the child is expected to be placed

## **2.4. Notice**

You will need to notify your manager, no more than 7 days after you have been notified that you have been matched with a child (or as soon as reasonably practicable) of the following:

- The date you were notified that you have been matched with a child
- The date the child is expected to be placed
- The length of leave you would like to take
- The date you would like your leave to begin

If you change your mind about the date you wish Paternity Leave to start you will need to give 28 days notice of any change, unless this is not reasonably practicable.

If you choose to start your leave on a predetermined date and the child has not been placed by that date you will need to give your manager notice as soon as reasonably practicable of another date.

## **2.5. Start of leave**

Your Paternity Leave will start on the date specified in your last notification to your manager.

If you have chosen to start your leave on the date the child is placed with you and you are at work on that day, the first day of your Paternity Leave will be counted from the following day.

## **2.6. Terms and conditions of service during Paternity leave**

You are entitled to the same terms and conditions that would apply if you were at work except in respect of pay. The first week of Paternity Leave will be paid at full pay and the second week will be paid at the same rate as Statutory Maternity Pay.

You are entitled to return to the same job, or if this is not reasonably practicable, a job on the same terms and conditions that are considered both suitable and appropriate in the circumstances.

Service continues to accrue during Paternity Leave.

### **3. Unpaid Time Off to Attend Appointments**

There are no qualifying periods in relation to this right.

#### **3.1. Unpaid Time off for Ante – natal appointments**

Employees have the right to take unpaid leave to attend ante-natal appointments. The right is to unpaid time off of up to six and a half hours on no more than two occasions.

The appointments should be recorded on EIS by your manager and Payroll must be informed.

You are eligible if they have a qualifying relationship with the pregnant woman or the expected child. The following people are covered:

- the husband or civil partner of the pregnant woman;
- the partner, including same sex partners, who live with the woman;
- the father of the expected child;
- a parent of the expected child by virtue of section 42 or 43 of the Human Fertilisation and Embryology Act 2008 (HFEA) (same sex partner treated as parent in case of assisted reproduction); or
- a potential applicant for a parental order under section 54 of HFEA in respect of the expected child (surrogacy cases).

You need to put your request in writing stating:

- that you have a qualifying relationship with a pregnant woman or her expected child;
- the purpose of taking time off is to accompany a woman to an ante-natal appointment;
- the appointment has been made on the advice of a registered medical practitioner, registered midwife or registered nurse; and
- the date and time of the appointment.

#### **4. Procedure to qualify for Paternity Leave & pay**

1. You must notify your manager, by completing the notification form (Appendix 1), of your intention to take paternity leave. This must be received by HR before the end of the 15<sup>th</sup> week before the expected week of childbirth or within 7 days of being notified by the adoption agency that your partner has been matched with a child.
2. Your manager may wish to discuss your request with you prior to agreeing it.
3. When your manager has approved your leave s/he will sign the notification form and send a copy to Human Resources and Payroll.
4. If you change your mind about the date you wish to start paternity leave you need to give your manager 28 days notice in writing and s/he will need to notify Human Resources and Payroll accordingly.

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### Paternity Leave Notification Form

Please complete this form and pass to your manager to sign. Your manager may wish to discuss your request for leave with you prior to agreeing it. If you have any queries please call HR.

Please answer the following questions carefully (refer to Paternity Handbook if necessary)

<b>Your Details</b>			
Full Name		Telephone	
Address			
Job Title		Service unit	
CS* Date with DBC		CS* Date with Local Government	
Manager's Name		Manager's Telephone number	
You must ensure that we hold your correct Telephone number and address. If these details change please notify HR ASAP. This is to ensure the provide you with important information regarding your Paternity Leave			
<b>Statements to Receive Paternity Leave and Pay</b>			
<b>1. You must tick all 4 boxes below to get Paternity Pay and Leave.</b>			
a. I have at least 26 weeks continuous service as at the qualifying/notification week			
b. I am			
<ul style="list-style-type: none"> <li>• the baby's biological father; or</li> <li>• married to the mother; or</li> <li>• living with the mother in an enduring family relationship, but I am not an immediate relative</li> </ul>			
c. I have responsibility for the child's upbringing			
d. I will take time off work to support the mother/care for the child			

\*CS stands for Continuous Service



<b>Dates</b>			
<b>2. Please complete a) if your partner is expecting a baby; or b) if your partner is adopting a child</b>			
a. Date of qualifying week			
b. Date notified of match with child			
<b>Paternity Leave</b>			
Expected date of baby's birth			
Date you would like to start Paternity Leave			
I would like to be away from work for .....		1 week / 2 weeks	
*Please delete as appropriate			
<b>Signature</b>			
I understand that all the above information is correct:			
Employee Signature			
Employee Name		Date	
Manager's Signature			
Manager's Name		Date	

\*CS stands for Continuous Service