

# PATERNITY/PARTNER POLICY

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## 1. POLICY STATEMENT

- 1.1 This policy outlines employees' entitlement to Paternity Leave and sets out the arrangements for taking it. It applies to employees who are
  - a) expectant fathers, or
  - b) partners of pregnant women or people
- 1.2 For details of entitlement to Paternity Leave in adoption or surrogacy situations, please refer to our separate Paternity Policy for adoption and surrogacy.
- 1.3 This policy does not form part of any employee's contract of

employment and it may be amended at any time. We may also vary elements, such as any time limits, as appropriate in any case.

## 2. WHO IS COVERED BY THIS POLICY?

2.1 This policy applies to all employees. It does not apply to workers, agency workers, consultants or contractors.

2.2 We are inclusive of all parents, irrespective of the means of becoming a parent, sexual orientations and gender identities. See our Adoption Policy for support available for adoptive parents.

## 3. DEFINITIONS

3.1 The definitions in this section apply in this policy.

**Partner:** spouse, civil partner or someone (whether of a different sex or the same sex) living with you in an enduring family relationship, but not a sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

**Expected Week of Childbirth:** the week, beginning on a Sunday, in which their doctor or midwife expects your Partner to give birth.

## 4. WHO IS RESPONSIBLE FOR THIS POLICY?

4.1 While we ask all managers to take responsibility for making sure this policy is complied with, its successful operation also depends on you. Please take the time to read and understand it, and to go back to your manager with any questions you may have. We also ask you to support colleagues using this policy, to ensure its success.

## 5. TIME OFF FOR ANTENATAL CARE

5.1 As an expectant father or Partner of a pregnant woman or person, you are entitled to unpaid time off to accompany the pregnant woman or person to up to two antenatal appointments. Each appointment can be up to a maximum of six and a half hours including travel and waiting time.

5.2 We may require you to confirm in writing:

- a) that you are entitled to take such time off in accordance with section 5.1 above,
- b) that the purpose of the time off is to accompany the pregnant woman or person to the antenatal appointment,
- c) that the appointment has been made on the advice of a doctor, midwife or nurse, and
- d) the date and time of the appointment.

## 6. ENTITLEMENT TO PATERNITY LEAVE

6.1 Paternity Leave is available to employees of any gender for the purpose of caring for a child, or supporting the child's other parent, on the birth of a child, where either:

- a) you are the biological father and expect to have some responsibility for the child's upbringing, or

- b) you are the mother's Partner and you expect to have main responsibility with the mother for the child's upbringing.
- 6.2 To qualify for Paternity Leave you must have been continuously employed by us for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth.
- 6.3 You cannot take Paternity Leave if you have already taken Shared Parental Leave in respect of the same child. You may be eligible to take Shared Parental Leave after Paternity Leave (see our Shared Parental Leave Policy).

## **7. TIMING AND LENGTH OF PATERNITY LEAVE**

- 7.1 Paternity Leave must be taken as a period of either one week or two consecutive weeks. It cannot be taken in instalments.
- 7.2 Paternity Leave can be taken from the date of the child's birth, or a later date of your choosing, but it must end within 56 days (eight weeks) of the child's birth or, if they were born early, within 56 days of the first day of the Expected Week of Childbirth.

## **8. NOTIFICATION**

- 8.1 If you wish to take Paternity Leave in relation to a child's birth, you must give us notice in writing of your intention to do so and confirm:
- a) the Expected Week of Childbirth,
  - b) whether you intend to take one week's leave or two consecutive weeks' leave, and
  - c) when you would like to start your leave. You can state that your leave will start on:
    - (i) the day of the child's birth,
    - (ii) a day which is a specified number of days after the child's birth, or
    - (iii) a specific date later than the first date of the Expected Week of Childbirth.

This can be done using our Paternity Leave (Birth) Request Form.

- 8.2 You must give notice under section 8.1 by the end of the 15th week before the Expected Week of Childbirth (or, if this is not possible, as soon as you can).
- 8.3 We may require a signed declaration from you that you are taking Paternity Leave for a purpose for which it is intended, namely, to care for the child or to support your Partner in caring for the child.

## **9. CHANGING THE DATES OF PATERNITY LEAVE**

- 9.1 You can give us written notice to vary the start date of your Paternity Leave as follows:
- a) where you wish to start your leave on the day of the child's birth, please tell us at least 28 days before the first day of the Expected Week of Childbirth,

- b) where you wish to start your leave on a day which is a specified number of days after the child's birth, please tell us at least 28 days (minus the specified number of days) before the first day of the Expected Week of Childbirth, or
- c) where you wish to start your leave on a specific date that is different to the original start date you informed us of, please tell us at least 28 days before that date.

9.2 If you are unable to give us 28 days' written notice as set out above, you should give us written notice of the change as soon as you can.

## **10. STATUTORY PATERNITY PAY**

- 10.1 In this section, Relevant Period means the eight-week period ending with the 15th week before the Expected Week of Childbirth.
- 10.2 If you take Paternity Leave in accordance with this policy, you will be entitled to Statutory Paternity Pay (SPP) if, during the Relevant Period, your average weekly earnings are not less than the lower earnings limit set by the Government.
- 10.3 SPP is paid at a prescribed rate which is set by the Government for the relevant tax year, or at 90% of your average weekly earnings calculated over the Relevant Period if this is lower. For details of the current prescribed rate, please contact your manager.

## **11. TERMS AND CONDITIONS DURING PATERNITY LEAVE**

- 11.1 All the terms and conditions of your employment remain in force during Paternity Leave, except for the terms relating to pay. In particular:
  - a) benefits in kind shall continue,
  - b) annual leave entitlement under your contract shall continue to accrue (see section 12), and
  - c) pension benefits shall continue (see section 13).

## **12. ANNUAL LEAVE**

- 12.1 During Paternity Leave, annual leave will accrue at the rate provided under your contract.
- 12.2 Any annual leave for the year that cannot reasonably be taken before starting your Paternity Leave can be carried over to the next holiday year and must be taken immediately before returning to work, unless your manager agrees otherwise. You should try to limit carry-over to one week's holiday or less. Carry-over of more than one week is at your manager's discretion.
- 12.3 Please discuss your holiday plans with your manager in good time before starting your Paternity Leave. All holiday dates are subject to approval by your manager.

## **13. PENSIONS**

- 13.1 During Paternity Leave we shall continue to make any employer contributions that we usually make into the relevant pension scheme

applicable to your employment based on what your earnings would have been if you had not been on Paternity Leave, provided that you continue to make contributions based on the SPP you are receiving. If you wish to increase your contributions to make up any shortfall, you should let your manager know.

## 14. REDUNDANCIES DURING PATERNITY LEAVE

- 14.1 In the event that your post is affected by a redundancy situation occurring during Paternity Leave, we shall write to inform you of any proposals and shall invite you to a meeting before any final decision is reached regarding your continued employment.

## 15. RETURNING TO WORK

15.1 We do not tolerate discrimination in the workplace against people who have taken parental or carers' leave.

15.2 Support will be offered during the leave period to maintain contact, facilitate returning to work and ensure employees do not face discrimination or disadvantage for future career advancement.

~~15.1~~15.3 You are normally entitled to return to work following Paternity Leave to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

15.4 However, if you have taken Paternity Leave straight after or straight before a period of parental leave of more than four weeks, and it is not reasonably practicable for us to allow you to return to the same job, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

~~15.2~~15.5 You may take reasonable paid leave during work hours to attend post-natal appointments as necessary. You should try to give us as much notice as possible of your appointments.

## 16. MONITORING AND REVIEW OF THE POLICY

16.1 We will monitor staff usage of leave and analyse leave usage by gender.

~~16.1~~16.2 We will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives.