

## **Paternity leave policy**

### **Policy statement**

If your partner becomes pregnant or you are jointly adopting a child with another person and have designated yourself as the secondary adopter, you may be entitled to take time off work for various reasons, and this policy explains what your rights are.

### **Antenatal/adoption appointments**

You have the right to take time off to accompany your partner to antenatal appointments or adoption appointments. This applies from the start of your employment.

In relation to a birth, you must be the father of the child, or the husband, civil partner or partner of the mother. An antenatal appointment is one which has been made on the advice of a registered medical practitioner, nurse or midwife.

In relation to an adoption, you must be adopting the child jointly with another person. If you are a sole adopter, you may have separate rights to time off for appointments.

Under this right, you are entitled to take time off to attend a maximum of two antenatal/adoption appointments, to a maximum of 6.5 hours per appointment. This time is unpaid.

You may be asked to provide confirmation of the appointment, time, location etc.

The right applies whether the baby was conceived naturally or via donor insemination.

### **Eligibility for paternity leave**

You must have been continuously employed by us for a period of at least 26 weeks by the end of the 15th week before the expected week of the child's birth or, in the case of an adopted child in Great Britain, for at least 26 weeks leading into the week in which the adopter is notified of being matched with a child or, for overseas adoptions, for at least 26 weeks leading into either the week the child enters Great Britain or the week you want your pay and/or leave to start.

You must be the father of the child, or be married to, or the civil partner or "partner" of, the child's mother or adopter. "Partner" in relation to a child's mother or adopter means a person, whether of a different sex or the same sex, who lives with the mother, or adopter, and the child in an enduring family relationship but is not a relative of the mother or adopter (a relative is defined as a parent, grandparent, sister, brother, aunt or uncle).

You must have, or expect to have, responsibility for the upbringing of the child.

Only one period of leave is available even if more than one child is born as a result of the same pregnancy or adopted as part of the same arrangement.

### **Commencement and duration of leave**

The period during which you can take leave begins on the date of the child's birth or placement, or the date the child arrives in Great Britain for overseas adoptions, and ends 52 weeks after that date.

Subject to the above, you can choose to begin your leave:

- on the date on which the child is born/placed with the adopter
- from a specified chosen number of days after the date of the child's birth/placement (whether this is earlier or later than expected)

- from a specified predetermined date which is later than the first day of the expected week of the child's birth/expected date of placement.

Leave can start on any day of the week, and you can choose to take:

- one week of leave
- two consecutive weeks of leave
- two non-consecutive single weeks of leave.

During paternity leave you are entitled to the benefit of your normal terms and conditions of employment, except wages or salary, and you are bound by any obligations arising under those terms and conditions except in so far as they are inconsistent with the right to paternity leave.

Where possible, you should book and take your annual leave entitlement in the current holiday year. However, if you are unable to take all of your statutory minimum entitlement to annual leave because you were on paternity leave, you are entitled to carry over untaken annual leave into the following leave year.

## **Notification requirements**

### **Birth — Notice of entitlement**

First, you must give us notice of your entitlement to take paternity leave in or before the 15th week before the expected week of the child's birth.

The notice must specify the expected week of birth and must include a signed declaration that:

- you are either the father of the child, or married to or the partner of the child's mother, but not the child's father
- if you are the father, that you have or expect to have responsibility for the upbringing of the child
- if you are married to or the partner of the child's mother but not the child's father, the main responsibility (apart from any responsibility of the mother) for the upbringing of the child.

### **Birth — Notice of leave**

You are required to give us a further notice, in writing, of:

- when you want your leave to start
- the length of leave you want to take.

You must also give us a signed declaration that you are taking leave for the purpose of caring for a child or supporting the child's mother.

A form that you can use for this notification is available from HR.

If you want to take leave starting on the date of birth, you need to give us the notice of leave at least 28 days before the first day of the expected week of the child's birth.

If you want to start your leave a number of days after the birth rather than giving an actual date, you need to give us the notice of leave at least 28 days before the day that falls that number of days after the first day of the expected week of birth. For example, if you want to start paternity leave four days after the birth of the child, you need to give us the notice of leave 28 days before the fourth day after the first day of the expected week of childbirth.

If you want your leave to start on a predetermined date after the first day of the expected week of the

child's birth, you need to give us the notice of leave at least 28 days before that predetermined date.

Where it is not reasonably practicable for you to give notice as set out below, it should be given as soon as is reasonably practicable.

### **Adoption in Great Britain — Notice of entitlement**

First, you must give us notice of your entitlement to take paternity leave no more than seven days after the date on which you were notified of having been matched with a child.

The notice must specify:

- the date on which you were notified of having been matched with the child
- the date on which the child is expected to be placed with you or, where the child has already been placed for adoption, the date of placement.

You must also give us a signed declaration that:

- you are either married to or the partner of the child's adopter
- you have, or expect to have, the main responsibility (apart from the responsibility of the adopter) for the upbringing of the child.

### **Adoption in Great Britain — Notice of leave**

You are required to give us a further notice, in writing, no more than seven days after the date on which you were notified of having been matched with a child of:

- when you want your leave to start
- the length of leave you want to take.

You must also give us a signed declaration that you are taking leave for the purpose of caring for a child or supporting the child's adopter.

Forms that you can use for the various notification requirements are available from HR.

### **Adoption from overseas — Notice of entitlement**

First, you must give us notice of your entitlement to take paternity leave within 28 days of either the date of the official notification or the date you complete 26 weeks' service, whichever is later.

The notice must specify:

- the date the child's main adopter received official notification of the adoption
- the date on which the child is expected to enter Great Britain, or if they have already entered Great Britain, the date they entered.

You must also give us a signed declaration that:

- you are either married to or the partner of the child's main adopter
- you have, or expect to have, responsibility (apart from the responsibility of the main adopter) for the upbringing of the child
- the child's main adopter has received an official notification of the adoption.

### **Adoption from overseas — Notice of leave**

You are required to give us a further notice, in writing, at least 28 days before you want your paternity

leave to start, confirming:

- when you want your leave to start
- the length of leave you want to take.

You must also give us a signed declaration that you are taking leave for the purpose of caring for the child or the child's main adopter.

Forms that you can use for the various notification requirements are available from HR.

### **Changing your mind about dates of leave — birth and adoption**

You may change your mind about the date on which you want your leave to start or end, or cancel the period of leave chosen, providing you notify us in writing. The notice must be given by whichever is the earlier of at least 28 days before the original date of leave or the new date of leave, unless this is not reasonably practicable. If you give us notice to vary a period of paternity leave, you must also give us a signed declaration as to the purpose of the absence.

### **Required changes to dates of leave — birth and adoption**

If you have chosen to start a period of paternity leave on a particular predetermined date, and the child has not been born/is not placed with the adopter on or before that date, you must change the date you want paternity leave to start and give us notice of the new date.

### **Telling us the date of birth/placement**

You must let us know, in writing, as soon as is reasonably practicable after the child's birth or placement for adoption, of the date on which the child was born or placed, if the date of placement was not provided in the notice of intention to take paternity leave.

### **Paternity pay**

You may be entitled to Statutory Paternity Pay (SPP) if you meet the eligibility criteria. SPP will be paid at the standard rate.

The Company will enhance your paternity pay to 100% of your usual basic salary, if you have a minimum of 52 weeks service at the time of the birth or placement of the child.

Enhanced Paternity Pay is not a contractual benefit, and the Company reserves the right to amend or remove the EPP scheme at any time.

### **Eligibility**

You will qualify for SPP if you meet the following criteria.

- You have been continuously employed with us for at least 26 weeks continuing into the 15th week before the week the baby is due/the week in which you were notified of having been matched with a child and remain employed by us at the date of birth/placement.
- Your average weekly earnings are not less than the lower earnings limit relevant for National Insurance purposes.
- You have the prescribed relationship with the child and the mother/adopter.
- You intend at the start of the paternity pay period to care for the child or support the mother.

### **Eligibility — overseas adoptions**

The following criteria apply for overseas adoptions:

- you are married to or the partner of the child's main adopter
- you have or expect to have the main responsibility with the main adopter for the child's upbringing
- you have given us notice within seven days of being notified that you have been matched with a child
- you have at least 26 weeks' continuous service either ending with the week the main adopter received official notification from the authority in the UK responsible for the adoption or starting with the week your employment commenced.

For overseas adoptions, you must give us notice in writing of the following within 28 days of either receiving the official notification or the date you have 26 weeks' continuous service, whichever is later:

- the date the child's main adopter received the official notification
- the date the child is expected to enter Great Britain
- when you want to start your paternity leave
- how much paternity leave you want to take.

For overseas adoptions, you must also confirm in writing the date the child actually entered Great Britain within 28 days of their arrival.

### **Length of pay period**

The paternity pay period is a maximum of two weeks to be payable for the duration of your paternity leave.

### **Returning to work**

If you return to work following an isolated period of paternity leave, or a period of parental leave of no more than four weeks, you are entitled to return to the job in which you were employed before the absence. In addition, seniority, pension and similar rights should be as they would have been had the absence not occurred, and other terms and conditions should not be less favourable than those which would have applied had the absence not occurred.

### **Shared parental leave**

You may be entitled to take shared parental leave if both you and your partner meet the eligibility criteria. Shared parental leave enables you and your partner to divide almost a year's leave between you after the child is born/adopted and gives you more flexibility over who will take leave and when. If you choose to take shared parental leave, you are still entitled to take paternity leave.

If you would like more information on shared parental leave, please speak with your line manager.

### **Stillbirth and miscarriage**

If you experience a miscarriage before 24 weeks of pregnancy, you will no longer be entitled to take paternity leave. You may need some time off work in these circumstances, please speak to your Line Manager and HR to discuss the options for leave.

If you suffer a stillbirth after 24 weeks of pregnancy, your entitlement to paternity leave and pay will not be affected if you were otherwise eligible to take it and you will still be able to take the time off, and receive pay, as planned.

Parental bereavement leave is also available for employees who suffer a stillbirth after 24 weeks of pregnancy. You can read more information on this entitlement in our separate policy on parental bereavement leave.