

PATERNITY LEAVE AND PAY POLICY

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INTRODUCTION

With the intention of helping working parents achieve a more balanced work and family life, the Paternity Policy aims to ensure employees are aware of the benefits and entitlements available to new fathers.

DEFINITION OF TERMS

Paternity Leave

Paternity Leave is the period of time away from work to care for a new child and/or its mother after the birth and it may be taken at any time from the birth of a child within a 56-day period.

Additional Paternity Leave

Additional paternity leave (ASPL) is the period where an eligible employee takes up to 26 weeks to care for their new child instead of the mother taking additional maternity leave. This can only commence 20 or more weeks after the child's birth or after the child is placed for adoption or for children who are placed for adoption on or after that date.

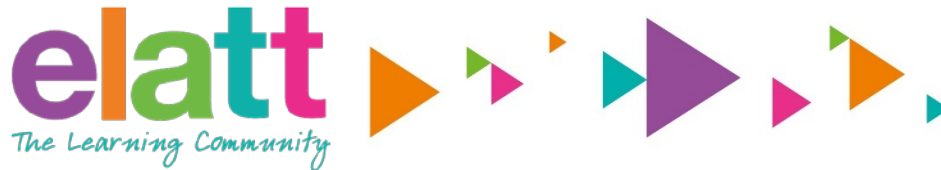
Paternity Pay Period (PPP)

The Paternity Pay Period (PPP) is the period during which SPP is payable to an eligible employee. The length of PPP will depend on whether the employee chooses to take one or two weeks' leave, or additional paternity leave in line with the new regulations for babies born after 3rd April 2011.

Statutory Paternity Pay (SPP)

Statutory Paternity Pay (SPP) is payable to eligible employees.

SPP, less tax and National Insurance Contributions, if applicable, will be paid in line with the normal payroll arrangements. SPP is payable only for complete weeks.



Additional Statutory Paternity Leave Pay (ASPLP)

Additional Statutory Paternity Leave Pay is payable to eligible employees in line with the new regulations for babies born after 3rd April 2011.

Additional paternity leave and pay will no longer be available for babies due on or after the 5th April 2015. Request for additional leave (and pay) will instead come under the Shared Parental Leave Policy which come into force for babies due to be born on or after the 5th April 2015.

Expected Week of Childbirth (EWC)

The Expected Week of Childbirth (EWC) is the week in which the baby is due to be born as certified by the mother's doctor or midwife on the Maternity certificate (MATB1).

Qualifying Week (QW)

The Qualifying Week (QW) is the 15th week before the Expected Week of Childbirth (EWC) for SPP purposes.

Self-Certification

This is a completed declaration from the employee given to the employer as evidence of their entitlement to SPP and SPL; it should include their eligibility and details of leave.

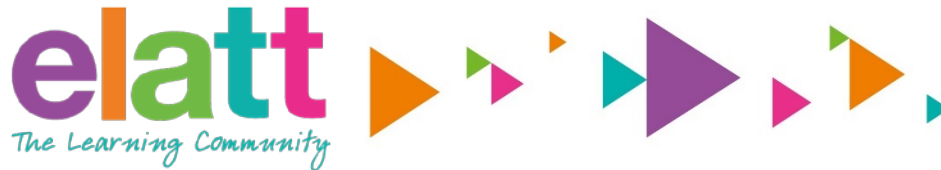
Adopter

In relation to a child, the adopter refers to a person who has been matched with the child for adoption.

Adoptive Paternity Leave

Adoptive Paternity Leave is the period of time away from work to care for a new child and/or its adopter after the placement and it may be taken at any time from the placing of a child within a 56-day period.

Matching Certificate



The Matching Certificate is issued by the adoption agency to verify that a child has been successfully matched with adopter parents; it includes basic information on matching and expected placement dates.

Partner

Where reference is made to “the partner” it refers to the person married to or the partner of the mother, or other adopter.

Placement

This is when the child actually starts living with their new family. Formal adoption takes place later.

SCOPE

This procedure applies to all eligible employees, full-time or part-time.

TYPES OF PATERNITY LEAVE

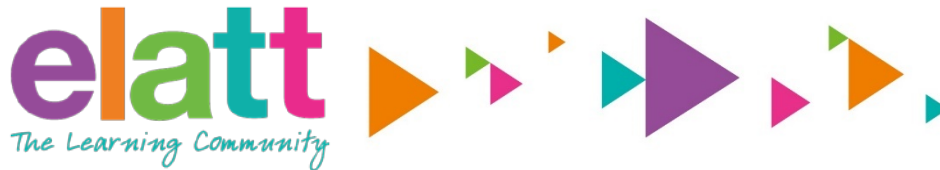
Paternity Leave – An employee’s entitlement to leave from work for the purpose of caring for a child or supporting the mother following birth.

Adoptive Paternity Leave – An employee’s entitlement to leave from work for the purpose of caring for an adopted child or supporting the adopter. If a couple jointly adopt a child they have the option to choose which member of the couple will take the full entitlement to adoption leave and pay and which member will take this less extensive paternity (adoption) pay and leave.

New regulations came into force on 6th April 2010 in relation to additional paternity leave and pay rights. These will become applicable when the EWC is on or after 3 April 2011 (or matching for adoption)

For children who are placed for adoption on or after the 5th April 2015 parents may wish to consider joint care for the child(ren) and so could consider Shared Parental Leave and should refer to that policy for more information.

Additional Paternity Leave – An employee’s entitlement to have any remaining period of maternity or adoption leave to be transferred from the mother or primary adopter, to the father or partner. This will allow the employee to take up to 26 weeks’ leave to care for the child. This will be instead of the mother if the couple opt for this choice.



Additional paternity leave and pay will no longer be available for babies due on or after the 5th April 2015. Request for additional leave will instead come under the Shared Parental Leave Policy which come into force for babies due to be born on or after the 5th April 2015, or for children who are placed for adoption on or after that date.

ELIGIBILITY

Eligible employees are entitled to take paternity leave if they:

- Have been continuously employed by ELATT for 26 weeks in the 15th week before the baby is due (EWC) or date of placement if adopted; and
- Have or expect to have responsibility for a child's upbringing (born/adopted); and
- Be the biological father of the child or the mother's husband or partner; or
- Be the adopter's spouse or partner; or
- Be a female partner in a same sex couple

Still Birth

The definition of childbirth is the birth of a child either living or dead, after 24 weeks of pregnancy. A father whose baby is stillborn after this time will be entitled to paternity leave and pay in line with his length of service.

Early Birth

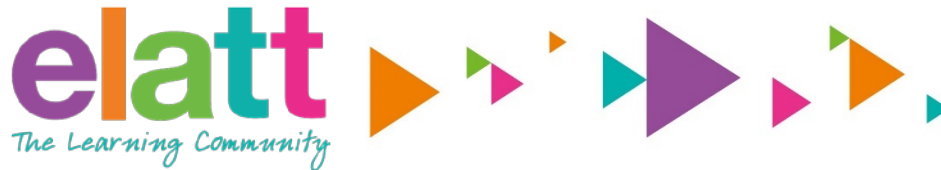
An employee will be entitled to paternity leave if the baby is born earlier than the 14th week before the EWC, if he would have satisfied the eligibility criteria, and was still employed, in the 15th week before the EWC.

Multiple Births

An employee's entitlement to paternity leave will not be increased by the birth, expected birth, or placement of more than one child as a result of the same pregnancy or placement.

STATUTORY PATERNITY PAY AND ADOPTIVE PATERNITY PAY

Eligible employees are entitled to receive up to 2 weeks paternity pay at the current statutory rate, or 90% of average weekly earnings if this is less than the current rate.



Where their partner is due to give birth after 3rd April 2011 eligible employees will be entitled to up to 26 weeks ASPLP where their partner opts to return to work after 20 weeks and during ordinary maternity leave.

Additional paternity leave and pay will no longer be available for babies due on or after the 5th April 2015. Request for additional leave (and pay) will instead come under the Shared Parental Leave Policy which come into force for babies due to be born on or after the 5th April 2015.

ENTITLEMENT TO TAKE LEAVE

Employees are entitled to choose to take either one week or two consecutive weeks' paternity leave.

This may be taken any time between the day the baby is born, or placed, and ends 56 days later.

Additional paternity leave can be taken from 20 weeks after the child is born. (Applicable only to births after 3rd April 2011 and before 5th April 2015). Parents of children due on or after the 5th April 2015 should refer to the Shared Parental Leave Policy for more information regarding entitlement to take additional leave.

NOTICE REQUIREMENTS FOR PATERNITY LEAVE

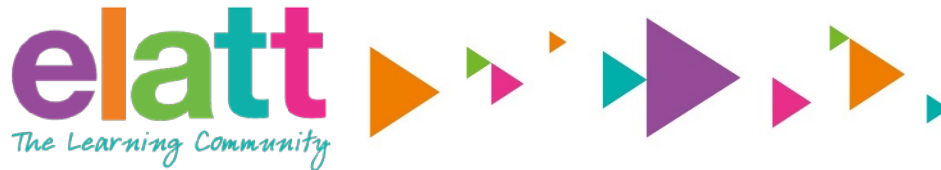
An employee must give written notice of his intention to take leave in, or before, the 15th week before the EWC, or where that is not possible as soon as is reasonably practicable. His notice must specify:

- The baby's EWC
- Length of leave the employee has chosen to take
- The date the employee has chosen to begin his leave in respect of the options available

An employee may vary the specified start date by giving 28 days' notice, or if this is not possible as soon as is reasonably practicable. This applies to all the options in 8.0 below.

An employee must notify his employer as soon as is reasonably practicable after the baby's birth what the date of birth was.

NOTICE REQUIREMENTS FOR ADDITIONAL PATERNITY LEAVE



An employee must give written notice of his intention to take ASPL eight weeks before they wish their ASPL to start. The employee must provide the employer with:

- notice of when they wish their leave to start
- a declaration stating that they are taking the leave to care for the child
- a declaration from the mother or other adoptive parent stating certain information

If they are also eligible for ASPL, the employee will also have to state when they expect their ASPL period to begin and end.

Employees of children due on or after the 5th April 2015 should refer to the Shared Parental Leave Policy for more information regarding notice requirements for entitlement to take additional leave.

NOTICE REQUIREMENTS FOR ADOPTIVE PATERNITY LEAVE

If employees are adopting a child they must inform their manager within seven days of being notified of a match with a child, of their intention to take adoption leave, unless this is not reasonably practicable. This notification must be in writing and include the date when the child is to be placed, the date when the employee intends to start their adoption leave and whether they wish to take one or two consecutive weeks' leave.

An employee may vary the start date of adoptive paternity leave by providing their employer with 28 days' notice, unless this is not reasonably practicable.

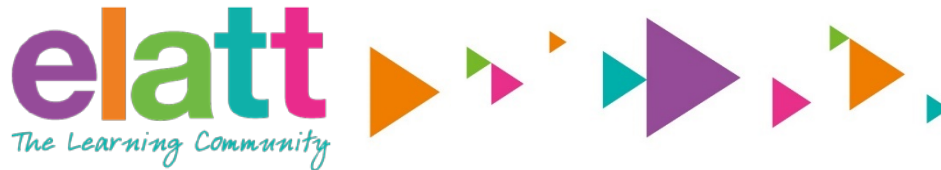
NOTICE REQUIREMENTS FOR ADDITIONAL ADOPTIVE PATERNITY LEAVE

These will be as detailed in section 6.1.

The remainder of this policy applies to all employees on paternity leave and adoptive paternity leave

SELF CERTIFICATION

Employees should complete an application for paternity leave form; this includes a self-certification section which the employee needs to sign as evidence of their entitlement to paternity leave and pay. The self-certificate must include a declaration that the employee meets the eligibility criteria and provide the



information as specified for notice requirements. Employees will not need to hand in a separate notice letter.

START DATE OF PATERNITY LEAVE

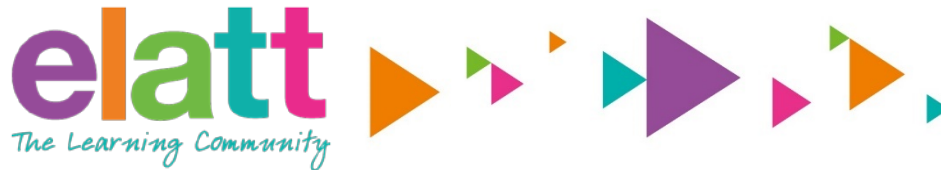
An employee may choose from the following options:

1. The date on which the child is born; if he is at work on this day then leave begins on the following day.
2. A number of days after the date on which the child is born as specified by the employee.
3. A predetermined date (provided that he complies with 28 days' notice requirement and provided this date is confirmed by the 15th week before EWC), which is later than the first day of the expected week of the child's birth.
4. In the event that the baby is not born around the predetermined date the employee can vary their leave date by confirming a new date giving as much notice as is practicable.
5. The date on which the child starts living with the adopter.
6. A number of days after the date on which the child starts living with the adopter as specified by the employee.
7. A predetermined date which is later than the first day of the expected date on which the child will start living with the adopter.

START DATE OF ADDITIONAL PATERNITY LEAVE

For children due before the 5th April 2015 or due to be placed for adoption before this date, the employee will only be able to start their ASPL:

- 20 or more weeks after the child's birth or after the child is placed for adoption
- once their partner has returned to work from statutory maternity or adoption leave



For children due on or after the 5th April 2015 or due to be placed for adoption on or after this date, please refer to the Shared Parental Leave Policy.

CONTRACTUAL ARRANGEMENTS DURING PATERNITY LEAVE

While on paternity leave an employee continues to be employed by ELATT. He is entitled to all the terms and conditions of his employment which would apply to him if he were not absent, with the exception of remuneration, unless the contract of employment confirms otherwise. The employee continues to be bound by their contractual undertakings to ELATT.

RETURN TO WORK AFTER STANDARD PATERNITY LEAVE

- Employees are entitled to return to the same job as before, on remuneration and benefits no less favourable than if they had not been absent, if they return from paternity leave followed immediately by a period of parental leave of no more than four weeks.
- In the unusual circumstance that an employee were to take more than four weeks parental leave following their paternity leave they would return to the same job unless this was not practicable, when they would be given a job which has the same or equivalent status and terms and conditions as their original job.

RETURN TO WORK AFTER ADDITIONAL PATERNITY LEAVE

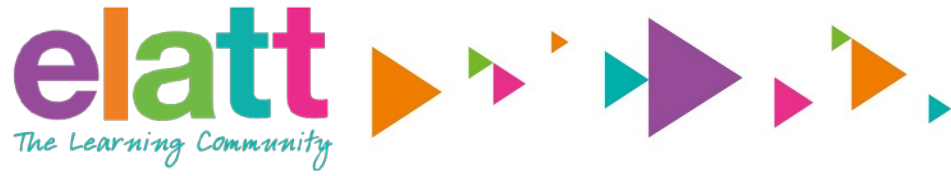
The employee's ASPL will have to end by the point at which their partner's additional maternity or adoption leave would have ended, i.e. the end of the 52nd week after their partner's statutory maternity or adoption leave began.

A father taking ASPL will be entitled to return to the same job on the same terms and conditions as before ASPL began.

For fathers of children due or placed for adoption on or after the 5th April 2015 please refer to the Shared Parental Leave policy.

FAILURE TO RETURN

If an employee fails to return after a statutory period of absence, and fails to notify ELATT of their absence, then disciplinary action may be taken.





APPENDIX A

APPLICATION FOR PATERNITY LEAVE FORM

- a) For standard paternity leave this form must be returned by the end of the 15th week before the EWC, or as soon as is reasonably practicable. Employees must give **as much notice** as possible of absence dates proposed (28 days as a minimum).
- b) Complete this form and give it to your Line Manager for approval. He/she will forward a copy to [Name] for record keeping purposes, and will notify payroll. Any changes to this request should be updated on both your copies.
- c) For additional paternity leave a minimum of 8 weeks' notice must be provided, or for children due, or to be placed for adoption, on or after the 5th April 2015 please refer to the Shared Parental Leave policy for more information.

PART 1

Name:	
Amount of leave requested: (Standard)	
<i>(Maximum 2 consecutive weeks paternity leave, may be taken from the date of birth and within 56 days of the birth)</i>	
Total working days absent:	Return to work date:



PART 2

Start of the week in which baby is due:

(Enter the Sunday at the start of the week the doctor has advised)

PART 3

Choose one of the following:

Start date for Paternity leave and pay:

- On the day the baby is born

- A set number of days after the baby is born, please specify

- On a predetermined date, which is after the EWC, please specify

PART 4

Please complete if changing Paternity Leave start date

28 days notice given if reasonably practicable: Yes/No



Date changed to:.....

PART 5 – For use by employees whose children are due, or are to be placed for adoption, before the 5th April 2015. In all other cases please refer to the Shared Parental Leave policy for more information.

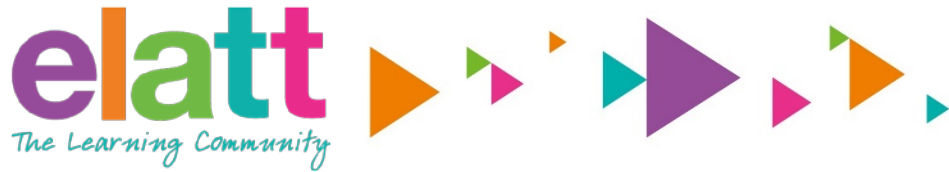
Additional Paternity Leave only:

(Maximum 26 weeks may be taken from 20 weeks after the child's birth or after the child is placed for adoption)

Start date for paternity leave and pay:

Return to work date:

Number of weeks ASPL:



I request authorisation for the above Paternity Leave application.

YOUR DECLARATION

Surname _____

First Name(s)

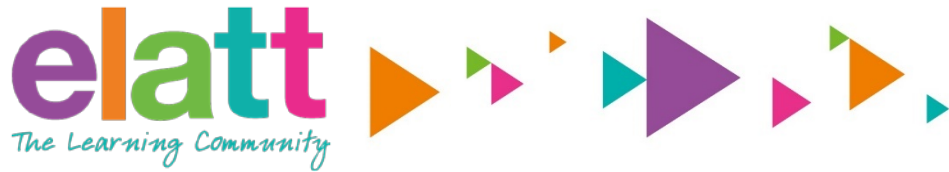
National Insurance number (NI) _____

I declare that:

- I am the father of the baby or the partner to the baby's mother.
- I will be responsible for the child's upbringing.
- I will be taking time off to support the child's mother, or care for the child.

Signature

Date



PART 5 - To be completed by the Employer

Checked and approved by Line Manager:

Self-Certification received: Date	
Correct notice given (28 days and or/8 WEEKS):	Yes/No
Has payroll been notified:	Yes/No
Name (Block Capitals)	
Signature.....	Date.....



APPENDIX B

APPLICATION FOR ADOPTIVE PATERNITY LEAVE FORM

- a) This form must be returned within 7 days of being notified by the adoption agency of the match with an adoptive child, or as soon as is reasonably practicable. Employees must give **as much notice** as possible of absence dates proposed.
- b) Complete this form and send it to your line manager for approval. He/she will forward a copy to [Name] for record keeping purposes and will notify payroll. Any changes to this request should be updated on both your copies.
- c) Please attach a copy of the necessary documentation to support your request.
- d) For additional adoptive paternity leave a minimum of 8 weeks' notice must be provided

PART 1

Name:	
Amount of leave requested:	
<i>(Maximum 2 consecutive weeks, starting with the day the child is placed and within 56 days of placement)</i>	
Total working days absent:	Return to work date:



PART 2

Date on which placement is expected:

(Enter the Sunday at the start of the week you have been advised)

Copy of the notification letter of a match with a child from adoption

Agency that includes possible placement dates Yes/No

(If no please provide this as soon as possible.)

PART 3

Choose one of the following:

Start date for Adoptive Paternity leave and pay:

On the day the child is placed

A set number of days after the child is living with you, please specify

.....

On a predetermined date, which is after the placement date, please specify

.....

PART 4

Please complete if changing Adoptive Paternity Leave start date

28 days notice given if reasonably practicable: Yes/No



Date changed to:.....

PART 5 - For use by employees whose children are due, or are to be placed for adoption, before the 5th April 2015. In all other cases please refer to the Shared Parental Leave policy for more information.

Additional Adoptive Paternity Leave only:

*(Maximum 26 weeks may be taken from 20 weeks after the child's birth or after the child is placed for adoption)***Choose one of the following:**

Start date for Adoptive Paternity Leave and Pay:

Return to work date:

Number of weeks ASAPL:

I request authorisation for the above Adoptive Paternity Leave application. I have provided all the necessary documents.



YOUR DECLARATION

Surname _____

First Name(s)

National Insurance number (NI) _____

My spouse/partner and I are adopting the child jointly and I want to receive SPP and/or SPL rather than statutory Adoption Pay and/or Statutory Adoption Leave.

(Please tick)

I have attached a copy of the matching certificate to my application

I declare that:

- I am to be the father of the child or the partner to the child's mother.
- I will be responsible for the child's upbringing.



- I will be taking time off to support the child's mother, or care for the child.

SignatureDate

PART 5 –To be completed by the employer

Checked and approved by Manager: **[Name]**

Matching certificate received: Date.....	
Self –Certification received: Date.....	
Correct notice given (28 days and /or 8 weeks):	Yes/No
Has payroll been notified:	Yes/No
Signature.....	Date.....

