

AGE UK EXETER

Controlled Document

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Document Description

This document outlines when an employee may be entitled to paternity leave and paternity pay, and sets out the arrangements for taking it.

Implementation & Quality Assurance

Implementation is immediate and this framework shall stay in force until any alterations are agreed.

All aspects of this document shall be open to review at any time. If you have any comments or suggestions on its content please contact Chief Executive Officer at info@ageukexeter.org.uk

Paternity policy

1. ABOUT THIS POLICY

- 1.1 This policy outlines when an employee may be entitled to paternity leave and paternity pay, and sets out the arrangements for taking it.
- 1.2 This policy does not form part of any employee's contract of employment and we may amend it at any time.
- 1.3 You may be entitled to time off to accompany your partner to antenatal appointments or to attend adoption appointments. For more information see the Time Off For Antenatal Appointments Policy or the Time Off For Adoption Appointments Policy.
- 1.4 In some cases you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. This applies if your child's Expected Week of Childbirth (the week, beginning on a Sunday, in which your doctor or midwife expects your child to be born) is on or after 5 April 2015, or if the child is placed with you for adoption on or after that date. SPL replaces the right to take additional paternity leave (**APL**). This does not affect your right to take two weeks' ordinary paternity leave (**OPL**) around the time of birth or placement. For information about SPL, see our Shared Parental Leave (Birth) and Shared Parental Leave (Adoption) Policies.

2. ENTITLEMENT TO PATERNITY LEAVE

- 2.1 Paternity leave is available on the birth of a child if you have been continuously employed by us for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth and either:
 - (a) you are the biological father and will have some responsibility for the child's upbringing; or
 - (b) you are the husband, civil partner or cohabiting partner of the biological mother and will have the main responsibility (with the mother) for the child's upbringing.
- 2.2 Paternity leave is available where a child is placed with you for adoption by an adoption agency, if you have been continuously employed by us for at least 26 weeks ending with the week in which the agency notifies you that you have been matched with a child. In such cases you may be entitled to take adoption leave instead (see our Adoption Policy). However, adoption leave may only be taken by one adoptive parent. Paternity leave is available to the other adoptive parent (of either sex).

3. TAKING PATERNITY LEAVE

- 3.1 Paternity leave** is a period of one or two weeks' consecutive leave taken when a child is born or placed with you for adoption. You can start your leave on the date of birth or placement, or later, provided it is taken within eight weeks (56 days) of the birth or placement. (If the baby is premature the period ends eight weeks after the start of the Expected Week of Childbirth.)
- 3.2** To take paternity leave you must give us written notice by the end of the 15th week before the Expected Week of Childbirth (or no more than seven days after the adoption agency notified of being matched with a child), or as soon as you reasonably can, stating:
- (a) the Expected Week of Childbirth;
 - (b) whether you intend to take one week or two weeks' leave; and
 - (c) when you would like your leave to start.
- 3.3** You can change the intended start date by giving us 28 days' notice or, if this is not possible, as much notice as you can.

4. PATERNITY PAY

- 4.1** Statutory paternity pay (**SPP**) is payable during paternity leave provided you have at least 26 weeks' continuous employment ending with the Qualifying Week (the 15th week before the Expected Week of Childbirth or the week in which the adoption agency notified you of a match) and your average earnings are not less than the lower earnings limit set by the government each tax year. The rate of SPP is set by the government each tax year.
- 4.2** You will qualify for company paternity pay if you have been continuously employed during the 12 month period ending with the Qualifying Week and have not received any company paternity pay, maternity pay, adoption pay or shared parental pay from our employment during the 12 month period ending with the Qualifying Week. This is paid at the rate of your normal basic salary during paternal leave and includes any SPP that may be due for that period.

5. DURING PATERNITY LEAVE

- 5.1** All the terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay.
- 5.2** Holiday entitlement will continue to accrue during paternity leave. If your paternity leave will continue into the next holiday year, any holiday entitlement that is not taken **OR** 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. 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.

- 5.3** If you are a member of the pension scheme, we shall make employer pension contributions during paternity leave, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any paternity pay you are receiving, unless you inform the Finance Department that you wish to make up any shortfall.

6. RETURNING TO WORK

- 6.1** You may be able to return later than the expected return date if you request annual leave or parental leave, which will be at our discretion.
- 6.2** You are normally entitled to return to work following OPL 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. However, if you have combined OPL with another type of family-related leave please see the relevant policy as the position may be slightly different.
- 6.3** If you want to change your hours or other working arrangements you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.
- 6.4** If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

Revision History

Revision date	Summary of Changes	Other Comments
29.12.2021	New document using the HR Express template	Approved by the Board of Trustees on 10 February 2022. Next review due January 2024.