

Paternity Leave and Paternity Pay

Eligibility

Employees must satisfy the following conditions in order to qualify for paternity leave. They must:

- Have or expect to have responsibility for the child's upbringing;
- Be the biological father of the child or the mother's husband or partner ("partner" may include a female partner in a same sex couple);
- Have worked continuously for the Council for 26 weeks ending with the 15th week before the baby is due;
- Remain in continuous employment with the Council up to the date of birth of the child.

Leave

Eligible employees can choose to take either one week or two consecutive weeks' paternity leave (not odd days). Leave can only be taken in whole weeks.

Leave can start on any day of the week on or following the child's birth but must be completed within 56 days of the actual date of birth of the child.

Only one period of leave may be taken, irrespective of whether more than one child is born as the result of the same pregnancy.

Notification of intention to take paternity leave

Employees should notify the Council in writing when they expect to stop work by the Saturday of the 15th week before the week the baby is due. If they do not provide the date soon enough, without good reason, the Council is entitled to delay the start of leave and the pay period until it has had 28 days notice.

The notification should include:

- The week the baby is due;
- Whether the employee wishes to take one or two weeks' leave;
- When the employee wishes the leave to start.

The employee may be required to confirm the date of birth in writing.

Pay

Employees who take paternity leave are required to complete an Inland Revenue Form SC3 (available from HR).

Paternity leave is paid as Statutory Paternity Pay (SPP). For current rates, contact the Policy Advisor (Welfare) on extension 6015, or look on the

Department of Work and Pensions website at
www.dwp.gov.uk/lifeevent/benefits/statutory_paternity_pay.asp.

Employees whose average weekly earnings are below the Lower Earnings Limit for National Insurance purposes do not qualify for SPP. Such employees may be able to get Income Support while on paternity leave. Additional financial support may be available through Housing Benefit, Council Tax Benefit, Tax Credits or a Sure Start Maternity Grant. Further information is available from Jobcentre Plus office or Social Security.

Dependency Leave

Employees whose earnings are greater than SPP may wish to request that up to five days of their paternity leave be classed as Dependency Leave (which is paid at the employee's normal rate). However, note that a maximum of five days Dependency Leave may be taken in any twelve-month period (pro rata for part-time employees).

Maternity Support Leave

Maternity Support Leave of up to 5 days with pay may be granted to the father, partner, or nominated carer of an expectant mother at or around the time of the birth of her baby.

Any expectant mother who wishes to nominate an employee of the Council as her nominated carer should write a letter stating why they wish to nominate this person enclosing a copy of her MatB1 certificate.

Note that an employee will not normally be allowed to claim Maternity Support Leave in addition to the existing right to 5 days Dependency Leave in any 12 months.

Change History

Issue 1: February 2004 Included SPP rates as at 6 April 2003.

Issue 2: April 2004. For current SPP rates, refer to Policy Advisor (Welfare) or DWP website.