

Paternity Leave Policy

Ben's Centre for Vulnerable People (Sheffield)
Charity Number: 1087606.

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Introduction

This policy sets out the rights of employees to paternity leave and pay. We are committed to supporting a positive work-life balance for all our employees and recognise that time with your children is important.

This policy does not form part of an employee's contract of employment, and we reserve the right to amend or withdraw it at any time.

Scope

This policy applies to employees. It does not apply to contractors, consultants or any self-employed individuals working for or on behalf of us.

Who can take paternity leave

You can take paternity leave if you:

- have at least 26-weeks' continuous employment ending with the fifteenth week before the expected week of childbirth;
- are the biological father of a child, or the spouse, civil partner, or partner of the child's mother;
- and you have, or expect to have, the main responsibility, apart from any responsibility of the mother, for the child's upbringing.

This means that paternity leave is available to an eligible female employee who is married to, or is the civil partner or partner of, the child's mother.

Paternity leave is also available to the spouse, civil partner or partner of an individual who has adopted a child. Where a couple adopt a child jointly, one may take adoption leave and the other paternity leave. They are entitled to choose for themselves which adoptive parent takes which type of leave. To be eligible for paternity leave for a child adopted within the UK, you must have at least 26-weeks' continuous employment by the end of the week in which the adoption agency formally notifies the adopter that they have been matched with the child.

Length and timing of paternity leave

An eligible employee can take either 1 week's leave or 2 consecutive weeks' leave. You cannot take paternity leave in instalments, for example as part weeks or individual days. You can take just one period of paternity leave per pregnancy or adoption, regardless of the number of children born as a result of the pregnancy or the number of children placed under the same adoption arrangement.

You must take paternity leave within 56-days of the child's birth or, if the child is born earlier than the expected week of birth, within 56-days of the first day of the expected week of birth.

For an adopted child, you must take the leave within 56-days of the child's placement for adoption with you, or in the case of a child adopted from overseas, within the period of 56 days beginning with the date the child entered Great Britain.

If you wish to take shared parental leave, you must take your paternity leave first. You cannot take paternity leave if you have already taken a period of shared parental leave in relation to the same child.

Notice to take paternity leave

To take paternity leave for a birth child, you need to give your line manager at least 15-weeks' written notice of:

- the date on which your partner's baby is due;
- the length of paternity leave you wish to take; and
- the date on which you wish your paternity leave to start.

To take paternity leave for an adopted child, you need to give your line manager written notice of your intention to take paternity leave no later than 7-days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify:

- the date on which the adopter was notified of having been matched with the child;
- the date on which the child is expected to be placed for adoption;
- the length of paternity leave you wish to take; and
- the date on which you wish your paternity leave to start.

Changing your paternity leave plans

If you wish to change the timing of your paternity leave, you must give your line manager at least 28-days' notice of the revised start date.

Rights during paternity leave

During your leave, all the terms and conditions of your contract, except normal pay, will continue. Your wages will be replaced by statutory paternity pay if you are eligible for it.

This means while sums payable by way of wages will cease all other benefits will remain in place. For example, holiday entitlement continues to accrue and pension contributions will continue to be paid.

Returning to work after paternity

Following your leave, you have the right to resume working in the same job as before on terms and conditions that are no less favourable to the terms that applied prior to your paternity leave. Your continuity of employment is not affected.

Time off for antenatal care

In addition to your paternity leave, you have the right to take time off to accompany a pregnant woman with whom you are having a child at up to two antenatal appointments. This time off will be unpaid.

This could be if you are the husband or civil partner of the pregnant woman, or you could be living with the pregnant woman in an enduring family relationship. In addition, you will be eligible for the time off if you are the biological father of the expected child.

To make a request for time off to accompany someone at an antenatal appointment, you should contact your line manager. To declare that you are eligible, you will be asked to complete a declaration form for requesting time off to accompany at an antenatal appointment.

Review

This policy may be reviewed at any time at the request of any member of staff, but it will be automatically reviewed 2-years after initial approval and thereafter on a triennial basis unless organisational changes, legislations, guidance, or non-compliance prompt an earlier review.

Definitions

Ben's Centre ("we", "us", "our")

The Employee ("you")