

# Paternity and Adoption Leave Policy and Procedure

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## Policy

### Introduction

The Company is committed to ensuring that as far as possible employees are able to combine their career and family responsibilities. This policy sets out the company's policy for supporting this and for allowing employees their full rights.

You may, if eligible, share the remainder of their partner's maternity leave if their partner ends their maternity or adoption leave early. Full details can be found in the company's Shared Parental Leave and Pay Policy and Procedure..

## Procedure

### Eligibility for Leave

The employee must satisfy the following conditions, as well as the notification process, in order to qualify for either Paternity Leave. The employee must have been with the company for at least 26 weeks by either:-

- The end of the 15th week before the start of the week when the baby is due.
- The end of the week the employee is notified that they are matched with their child.

The employee must also be either the:-

- Biological father of the child.
- Mother's husband or partner (including same-sex relationships).
- Child's adopter.
- Husband or partner (including same-sex relationships) of the child's adopter.

### Leave Entitlement

Employees have the right to take either one or two week's paternity leave. This must be taken in one block only i.e. either lasting one or two consecutive weeks. Employees cannot take it as odd days or as two separate weeks.

A week is based on a usual working pattern. For example; if an employee only works Mondays and Tuesdays, a week would be two days or if you work Monday to Friday, a week would be five days.

### Failure to Qualify for Leave

If the employee does not qualify for Paternity Leave, the Company will make every effort to give the employee some time off either as unpaid leave or annual leave. The employee should follow the annual leave procedure in this case.

### Commencement Date

Paternity Leave can start on any day of the week but not before the baby is born. It has to finish within 56 days of the baby's birth. If the baby is born before the week it was due, it must finish within 56 days of the first day of that week. An employee can start Paternity Leave after a period of parental leave has ended.

In the case of adoption, Paternity Leave will commence from the date of placement for adoption.

The Company reserves the right to amend the dates of the paternity leave depending on the needs of the business. However, the Company will not act unreasonably in amending those dates and will ensure that paternity leave requested is fully completed by no later than fifty-six days after the birth or date of placement for adoption.

## Changing the Commencement Date

An employee can change the date that the Paternity Leave starts on the basis that 28 days' notice is provided.

## Paternity Pay

In addition to qualifying for Paternity Leave and in order to qualify for Paternity Pay the employee must:

- have continued to work for the Company without a break up to the date the child is born or placed for adoption
- be earning an average of at least the current Lower Earnings limit (before tax).

SPP will be paid at the prevailing statutory rate (or 90% of average weekly earnings if this is less than the prevailing statutory rate). SPP is paid for a maximum of 2 weeks.

Employees at head office level or above will be paid for the first week on full pay and the 2nd week will be paid at the prevailing statutory rate (if two weeks leave is taken). Senior Management and Directors will be paid on full pay. All other employees will be paid at a flat rate laid down by statute or 90% of average weekly earnings if this is less.

## Notification

In order to exercise the right to Paternity Leave an employee must make a request for paternity leave in writing either:

- At least 15 weeks before the beginning of the week when the baby's due, or
- Within seven days of being told by the adoption agency that the employee has been matched with a child.

The request should be in writing using a Statutory Paternity Pay/Paternity Leave form, available from the Human Resources Department and should confirm:

- The week the baby is expected, or the date the employee is matched for adoption.
- Whether the employee wishes to take one or two weeks' leave.
- When the employee want the leave to start.

## Failure to Provide Notification

If the employee fails to provide reasonable notice to the Company without a valid reason then the employee may be at risk of losing their entitlement.

## Grant of Leave

Upon receipt of a written request the Company will confirm with the employee by telephone the start and end dates of the employee's leave and pay.

In the case for Additional Paternity Leave, this confirmation will also be made in writing.

## Earlier Than Expected Childbirth

As long as the employee provides the initial required notice, provisions will be made within the Operations team to accommodate absence due to an early birth.

## Multiple Births

In the case of multiple births, the employee is only entitled to one period of Ordinary Paternity Leave.

## Death of a Baby During or After Birth

In unfortunate situations where the baby is stillborn after 24 weeks of pregnancy or born alive and then later dies the employee is still entitled to take Ordinary Paternity Leave.

## Antenatal Appointments

You have the right to take unpaid time off during working hours to accompany a pregnant woman to antenatal appointments where you:

- Are the pregnant woman's husband or civil partner.
- Live with the woman in an enduring family relationship (whether heterosexual or same-sex relationship) and are not a relative of the woman.
- Are the expected child's father.
- Are one of a same-sex couple who is to be treated as the child's other parent under the assisted reproduction provisions.
- Are the potential applicant for a parental order under surrogacy laws.

This time off is limited to:

- No more than two occasions.
- Each lasting no more than six and a half hours.

## Annual Leave

Employees cannot take annual leave during any period of paternity leave but may be able to extend their time off by taking a period of annual leave immediately before or after Paternity Leave.

## Return to Work

The employee will need to contact the Operations team a week before their return date to discuss rota allocation within a 28 days notice period.

If an employee resigns during paternity leave then notice should be given in line with the employment contract in writing to the HR department.

If an employee needs to take more time off to look after their child, they may be entitled to unpaid parental leave. Please refer to the Parental Leave procedure for more details.

## Contractual Benefits

The employee will be entitled to the benefit of their normal terms and conditions of employment during the period of Ordinary or Additional Paternity Leave, except for the terms relating to salary and wage.

## Employment Rights

You will not be subject to any detriment by the Company because you took or sought to take paternity leave.

It must be noted that the provision of false information claiming an entitlement to paternity leave which does not rightly exist, is likely to be treated as Gross Misconduct and could lead to dismissal. The Company reserves the right to require confirmation of the birth by inspecting the birth certificate or of adoption by inspecting the adoption agency papers.

## **Failure to Follow Procedure**

Any leave taken without following the stated procedure and not authorised by the manager will be considered as unauthorised absence. The employee may be suspended pending a full investigation that may result in formal disciplinary action being taken.

## **Appeals Procedure**

Managers should be advised that decision regarding paternity leave should be applied as consistently as possible. Any employee who believes that this policy is not being fairly applied may seek redress initially in writing to the Human Resources Department and thereafter through the Grievance Procedure.

## **Policy Review and Assessment**

This policy may be amended by Interr at any time in order to take into account changes in legislation and best practice.



Mick Tabori - CEO  
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