

Paternity Leave Policy

Transformation & Human Resources

Issued by HR Policy Team

Effective from 5 April 2015

**PATERNITY LEAVE**

1. **Introduction**
   1. Paternity leave is partially a statutory entitlement and partially a local agreement that allows an eligible employee to take up to two weeks’ paid leave to care for a new baby or adoptive child and to support the child’s mother.
   2. Applications for paternity leave must be made on the ‘Paternity Form’ available on the Council’s intranet.

**2 Entitlement**

Ordinary and Occupational Paternity Leave

* 1. Under the Council’s Occupational Paternity Leave arrangements, all employees, whose partners have recently given birth to or adopted a child, are entitled to 2 weeks’ ordinary paternity leave (OPL).
  2. To be eligible to take ordinary paternity leave an employee must:-

1. Either be the child’s father or be the spouse, partner[[1]](#footnote-1) or civil partner (male or female) of the child’s mother or be the partner of an individual who is adopting a child, or be a member of a couple adopting jointly where the other member has elected to take adoption leave; and
2. Have, or be expected to have, the main responsibility for the child’s upbringing (apart from any responsibility of the mother); and
3. Have submitted the ‘Paternity Leave Form’ in order to provide formal notification of the date on which they intend to take paternity leave.

## Pay

## For the first week of OPL, all employees, regardless of length of service, will receive Occupational Paternity Pay. This is an amount equal to the employee’s normal salary, offset against any statutory payments, and is paid instead of normal salary.

## Employees who wish to take a second week of OPL may or may not be entitled to further payment depending on their length of service, as set out below:

1. Employees with 26 weeks’ continuous service with Hounslow Council either at the end of the 15th week before their baby is expected to be born or by the end of the week in which they are notified by their adoption agency that they have been matched with a child, will receive Statutory Paternity Pay for the second week. Further information on Statutory Paternity Pay can be found on the DirectGov website at: www.directgov.uk.
2. Employees with less than 26 weeks’ continuous service with Hounslow Council either at the end of the 15th week before their baby is expected to be born or by the end of the week in which they are notified by their adoption agency that they have been matched with a child, are not entitled to receive payment for the second week of paternity leave. Instead the week must be taken as unpaid leave.

**3 Timing of Paternity Leave**

3.1 Paternity leave can start on any day of the week.

3.2 Paternity leave must be taken in multiples of a week and must be taken as one continuous period. These weeks cannot be split and the leave cannot be taken as odd days.

3.3 Only one period of paternity leave can be taken irrespective of whether more than one child is born as the result of the same pregnancy or is adopted at the same time.

3.4 An employee may change the date on which they intend to start their

paternity leave provided they inform their line manager of the amended start date at least 28 days before the original date or as soon as is reasonably practicable.

3.5 With the agreement of their line manager an employee can take a period of annual leave, immediately before or after taking paternity leave.

## 3.6 Paternity leave must be taken between the child’s date of birth / adoption and 56 days after the birth / adoption.

3.7 Employees may also be able to take shared parental or parental leave (providing they are eligible to do so) after a period of paternity leave. For further information employees are referred to the Shared Parental Leave and Parental Leave policies on the intranet.

**4 Notice Requirements**

* 1. An employee must provide their manager with notice of their intention to take ordinary paternity leave no later than the end of the 15th week before the week in which the child is expected to be born. An employee should give notice by submitting a completed ‘Paternity Leave Form’.
  2. The employee must inform their manager of the date on which the child is actually born / placed for adoption as soon as is reasonably practicable afterwards.

**5 Shared Parental Leave**

5.1 Additional paternity leave which enabled the mother to return to work before the end of her maternity leave, allowing the father/partner to take up to 26 weeks additional paternity leave will no longer be available.

5.2 In its place shared parental leave has been introduced and applies to babies due on or after 5 April 2015.

5.3 Shared parental leave gives working parents more flexibility than additional paternity leave over how they share childcare during the first year of the child’s life or placement. Full details of shared parental leave are available in the Shared Parental Leave Policy which can be accessed on the intranet.

5.4 A period of paternity leave must be take place prior to any period of shared parental leave.

**6 Terms and conditions during paternity leave**

6.1 An employee’s contract of employment continues throughout their paternity leave and pension contributions continue to be deducted from paternity payments.

6.2 Annual leave is accrued during paternity leave.

1. "partner" in relation to a child's mother, means a person (whether of the same or the opposite sex) who lives with the mother and the child in an enduring family relationship, but is not the mother's father, mother, grandfather, grandmother, sister, brother, aunt or uncle. [↑](#footnote-ref-1)