PORINGLAND PARISH COUNCIL

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Paternity Policy

Policy Reference	PPC 42
Version Number	2
Associated Documents	• PPC41 Maternity Policy • PPC45 Shared Parental Leave Policy • PPC22 Absence Management Policy • PPC27 Adoption Leave Policy • PPC15 Dignity at Work Policy • PPC20 Disciplinary Policy • PPC11 Equality and Diversity Policy • PPC36 Flexible Working Policy • PPC17 Health and Safety Policy • PPC23 Performance Management and Appraisal Policy • PPC43 Redundancy Policy • PPC8 Code of Conduct - Staff
Last Review Date	October 2025
Frequency of Review	Three Years
Approved by	Full Council
Date for Next Review	October 2028

This is a non-contractual policy that does not require approval from employees before changes are made. Staff will remain bound by amended non-contractual policies.

PATERNITY POLICY

Introduction

This policy sets out the statutory rights and responsibilities of employees who wish to take paternity leave. The Council recognises that, from time to time, employees may have questions or concerns relating to their paternity rights. It is the Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the paternity provisions are complex, employees should clarify the relevant procedures with their Manager or the Parish Clerk to ensure that they are followed.

Paternity leave

An employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is entitled to two weeks' paternity leave provided that he/she has 26 weeks' continuous service by the end of the 15th week before the week in which the child is expected. From April 2025, changes to paternity leave, now allow fathers to split their entitlement of two weeks of Statutory Paternity Leave (SPL) into two separate one-week blocks, to be taken within the child's first year. The aim is to increase flexibility for new parents and encourage shared parenting roles.

Paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take paternity leave where the other adoptive parent has elected to take adoption leave. A separate policy is available in respect of adoption leave. (PPC27) To be eligible for paternity leave, the employee must have 26 weeks' continuous service ending with the week in which the child's adopter is notified of having been matched with the child for adoption.

To qualify for paternity leave, the employee must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother.

Paternity leave is granted in addition to an employee's normal annual holiday entitlement. Paternity leave must be taken in a single block of one or two weeks within eight weeks of the birth or adoption of the child. If the child is born early, it must be taken from the time of the birth but within eight weeks of the expected date of childbirth. Paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

Employees who wish to take both paternity leave and shared parental leave must take their period of paternity leave first. An employee cannot take paternity leave if he/she has already taken a period of shared parental leave in relation to the same child.

Notification of paternity leave

Where an employee wishes to request paternity leave in respect of a birth child, he/she must give his/her line manager at least 28 days written notice of the date on which his/her partner's baby is due, the length of paternity leave he/she wishes to take and the date on which he/she wishes the leave to commence.

In the case of an adopted child, the employee must give written notice of his/her intention to take paternity leave no later than seven 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 the child is expected to be placed for adoption, the date the employee intends to start paternity leave, the length of the intended paternity leave period and the date on which the adopter was notified of having been matched with the child.

If an employee subsequently wishes to change the timing of the paternity leave, he/she must give 28 days' written notice of the new dates. The employee must also, if so requested, complete and sign a self-certificate declaring that he/she is entitled to paternity leave and statutory paternity pay.

Neonatal Leave (from April 2025)

From April 6th 2025, The Neonatal Care (Leave and Pay) Act came into effect.

For babies born on or after April 6th 2025, and require neonatal care, eligible parents can take up to 12 weeks of leave which can include pay, to care for their baby.

Eligibility and pay:

- Baby born on or after April 6, 2025
- Baby spends 7 days or more: in a row in neonatal care
- Parent or partner of the baby's mother: with caring responsibilities
- Employee status: with a minimum of 26 weeks' continuous employment with an employer

How Leave Works:

- One week of leave for each qualifying week: of neonatal care the baby receives, up to a maximum of 12 weeks.
- Tier 1 Period: Leave can be taken after the first 7 days of care, which begins after the first 24 hours.
- Tier 2 Period: Leave can be taken from the end of the first 7-day period until 68 weeks after the baby's birth, but must be taken in one continuous block.

Pay Entitlement:

- Statutory Neonatal Care Pay (SNCP): is available for eligible parents who meet a minimum earnings threshold.
- The pay rate is the statutory prescribed rate (initially £187.18 from April 2025) or 90% of average weekly earnings, whichever is lower.

Key Protections for Parents:

- Protection from detriment and unfair dismissal: while on leave.
- Right to return to: the same or a suitable alternative job.
- Priority rights in redundancy: situations if you take at least six consecutive weeks of leave.

Statutory paternity pay
Pay during paternity leave will be at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate. However, employees whose average weekly earnings are below the lower earnings limit for national insurance contributions will not be eligible for statutory paternity pay.

Statutory paternity pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

Statutory paternity pay can start from any day of the week in accordance with the date the employee starts his/her paternity leave.

Time off for antenatal care
Employees have the right to take time off to accompany a pregnant woman with whom they are having a child at up to two antenatal appointments. This time off will be unpaid.

To be eligible to take this form of time off, the employee could be the husband or civil partner of the pregnant woman, or could be living with the pregnant woman in an enduring family relationship. In addition, the employee will be eligible for the time off if he is the biological father of the expected child. The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse. The Council expects that normally no more than half a day is needed for an antenatal appointment, but the employee's leave includes the time needed to travel to the appointment and any waiting time needed at the appointment, and can be for a maximum of six-and-a-half hours on each occasion.

Employees who would like to make a request for time off to accompany someone at an antenatal appointment should in the first instance speak to the Parish Clerk.

The employee should endeavour to give his/her line manager as much notice as possible of when he/she needs the time off for the antenatal appointment and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

Shared parental leave (PPC45)
Shared parental leave enables mothers or adopters to commit to ending their maternity or adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner.

An employee can choose to take both paternity leave and shared parental leave, but the period of paternity leave must come first. An employee cannot take paternity leave if he/she has already taken a period of shared parental leave in relation to the same child.

Shared parental leave must be taken in blocks of at least one week. Individuals can request to take shared parental leave in one continuous block (in which case the Council is required to accept the request as long as the individual meets the eligibility and notice requirements), or as a number of separate blocks of leave (in which case the individual needs the Council's agreement).

To be able to take shared parental leave, an employee and his/her partner must meet various eligibility requirements and have complied with the relevant curtailment, notice and evidence requirements. This includes the mother curtailing her maternity leave, or adopter curtailing his/her adoption leave.

Employees can refer to the Council's policy on shared parental leave, where they will find full details of the eligibility requirements, as well as instructions as to how the mother's maternity leave can be curtailed. The Council's policy on shared parental leave sets out the notice periods with which employees must comply and what evidence they must provide to the Council.

The mother/adopter and the partner should ensure that they are each liaising with their own employer when making requests for shared parental leave.