

Paternity Leave Policy

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Owner:	Walter Kane	Job Title:	Head of Organisational Development
To be issued to:		Board of Management ARK Management Unite All Staff	
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Version Control

Date	Owner	Version	Reason for Change
November 2020	As above	Insert No. 2	Update

Summary of Changes

Section	Change
Introduction	The content is broadly similar but the wording has been condensed and had been transferred to the new template.
Antenatal / Pre Adoption appointments	Added in a section confirming the time off that can be taken for appointments
Occupational Paternity Leave and Pay	Reduced leave and pay offered where employee does not meet statutory requirements
Additional Paternity Leave / Pay	Removed as replaced by shared parental leave and pay.

Paternity Leave Policy

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1.0 ARKs Values

Our organisational values are the basis for everything that we do, from providing housing, care and support to tenants and service users to ensuring that staff have clear standards of performance set. ARK believes that everyone should have the opportunity to lead a happy, healthy and safe life. We value:

- The worth of each person
- Trusting relationships
- Understanding difference
- Challenging oppression
- Personal and organisational accountability
- Caring for our physical environment
- Enjoyment

All Ark policies and procedures are underpinned by our values and we will ensure that our employees are treated fairly, consistently and in line with our values.

2.0 Purpose

Ark recognises that more and more employees want to be involved in supporting their partner around the time of their child's birth or, in the case of adoption, the child's placement. Paternity leave gives employees the opportunity both to spend time with their partner and get to know their new child.

3.0 Policy Statement

This policy informs Ark employees who are new and expectant parents of their rights and responsibilities.

4.0 Scope

This policy applies to all Ark employees applying for paternity leave.

5.0 Legal/Regulatory Framework

The relevant legislation relating to paternity leave and pay is:

- Employment Rights Act 1996
- Employment Relations Act 1999
- Employment Act 2002
- Work and Families Act 2006, the Children and Families Act 2014

6.0 Responsibilities

6.1 Board of Management

Ark's Board of Management is responsible for consideration and approval of this policy.

6.2 Executive Team

Ark's Executive Team is responsible for ensuring that this policy is reviewed in accordance with ARK's schedule for review of policies, or sooner if required.

6.3 Senior Leadership Team

Ark's Senior Leadership Team is responsible for review of the policy, and for ensuring that relevant measures are put in place in order to implement its requirements.

6.4 Managers

Ark Managers are responsible for the effective implementation of this policy when supporting employees who are new or expectant parents.

6.5 All Staff

Ark employees who are new and expectant parents and who wish to use paternity leave are required to familiarise themselves with this policy and supporting procedure to ensure they understand what their entitlement to paternity leave & pay is and to ensure they comply with the requirements.

7.0 Paternity Leave

Paternity leave is the period of leave an employee can take off if they are the father of the child or a qualifying partner when the mother gives birth or the primary (main) adopter is matched with a child.

Before the Birth or Adoption

You may wish to accompany the mother or main adopter to antenatal or adoption appointments. Where possible these appointments should be outside work time or at the very start or very end of a shift. However if this is not possible you may take unpaid time off work to attend up to 2 appointments. You must give your manager as much notice as possible of the time and date of the appointment and, if requested, you must provide documentation confirming that you are pregnant and confirming the appointment, such as an appointment card.

Please note that time off may be refused if this cannot reasonably be accommodated.

Paternity Leave

If you are the father or a qualifying partner you can take up to two weeks paternity leave per birth or adoption.

Paternity leave must be taken in blocks of one or two consecutive weeks.

To be eligible for paternity leave:

- Have at least 26 weeks continuous employment at the qualifying week (this is the 15th week before the expected week of childbirth) or by the matching week where it is an adoption.
- Be the father of the child or the partner of the mother or main adopter.
- Be using leave to care for the child
- Have given the correct notification to your line manager of your intention to take paternity leave, when you wish the leave to start, duration of leave and the expected date of the birth or placement of the child. You can use **appendix 1** to do this.
 - For births you must give written notice by the qualifying week.
 - For adoptions within the UK written notice must be given no later than 7 days after the main adopter has been notified of the match.
 - For adoptions overseas you must give written notification within 28 days of the main adopter receiving their adoption date and within 28 days of the child entering the UK

Your full paternity entitlement must be taken by 56 days after the birth or placement of the child.

Paternity Pay

You may be eligible to receive statutory paternity pay (SPP) provided you meet the eligibility criteria and have given the correct notification.

To be eligible for SPP you must meet the criteria set out above for paternity leave. In addition you must meet the lower earnings limit.

SPP is paid at a rate set by the Government.

Occupational Paternity Pay

If you do not meet the eligibility criteria for statutory paternity leave and pay, Ark offer 3 days paternity leave and pay (up to a maximum of the limit set by statutory pay) regardless of length of service. This must be taken as 3 consecutive days and you must notify Ark of your intention to take this leave 15 weeks before the baby is due OR 28 days before the child is due to be placed in the case of adoption using appendix 1.

Terms and Conditions

During paternity leave your pay will be replaced by paternity pay if eligible. This may impact on your pension contributions, please see payroll for further information on this.

Although your annual leave will accrue as normal you cannot take annual leave during a period of paternity leave. You can request to take annual leave immediately before or after paternity leave and this should be requested and authorised by your line manager as normal.

All other terms and conditions of employment remain.

Return to Work

After a period of paternity leave you will return to the same job.

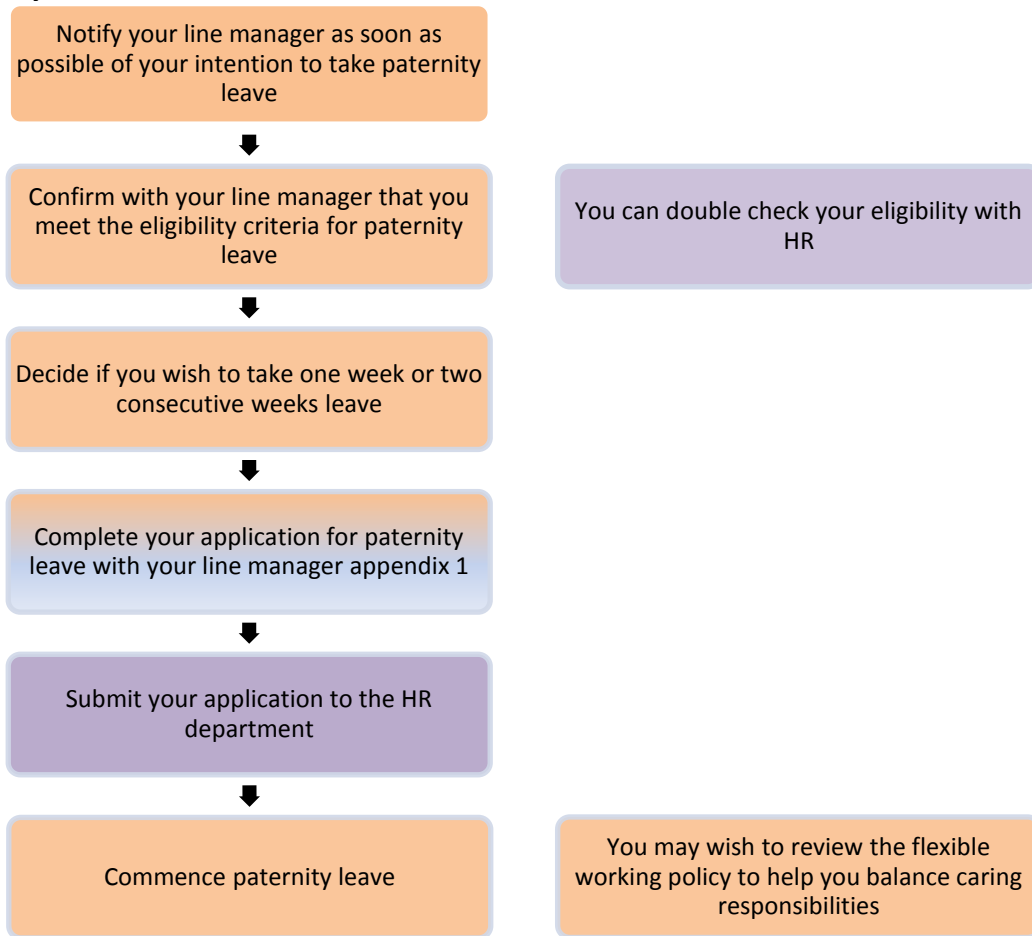
If you decide that you do not wish to return work after paternity leave you can do so by giving the appropriate notice as set out in your contract of employment.

Related Policies and Procedures

There are options to help parents balance work and caring for their child and you may wish to look at flexible working on or before your return to work.

We also have a shared parental leave policy.

Paternity Leave Flowchart



8.0 Related Policies & Procedures

Shared Parental Leave

9.0 Equality Impact Assessment (EIA)

No potential equalities issues have been identified in relation to the development of this policy, and consequently an EIA has not been completed.

10.0 Data Protection Impact Assessment (DPIA)

A DPIA has been completed in relation to the development of this policy

11.0 Stakeholder Consultation

In developing this policy the following groups were consulted:

- ARK Board of Management;
- ARK Executive Team; and
- ARK Senior Leadership Team
- Unite the Union

12.0 Monitoring and Review

This policy will be reviewed within 3 years from the date of approval by our Board of Management, in accordance with ARK's policy review framework.

12.1 Monitoring

ARK's Executive and Senior Leadership Teams will monitor implementation of this policy on an ongoing basis.

12.2 Review

This policy will be reviewed within 3 years from the date of approval by our Board of Management, in accordance with ARK's policy review framework.

Appendix 1

Application for Paternity Leave and Pay

Please return this form to the HR Team no later than 15 weeks before the baby is due OR 28 days before the child is due to be placed in the case of adoption.

I wish to inform you that I am pregnant and of my intention to take maternity leave.

Employee Name:

Employee Number:

<p>The baby is due / the child is due to be placed on: <i>In order to be eligible for paternity weeks you must have at least 26 weeks continuous employment at the qualifying week (this is the 15th week before the expected week of childbirth) or by the matching week where it is an adoption.</i></p>	
<p>My first day of paternity leave will be: <i>Your paternity leave will start the day after your last day of work. Annual leave is considered a working day for paternity purposes.</i></p>	
<p>My last day of paternity leave will be: <i>You can change this date provided you give 8 weeks' notice in writing</i></p>	
<p>I intend to return to work after my paternity leave</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>I confirm:</p> <p>I am the baby's biological father OR the spouse or partner of the mother or adopter OR the adoptive parent OR the intended parent (if you're having a baby through a surrogacy arrangement):</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>I have responsibility for the child's upbringing and am taking time off work to care for the child or support the child's mother/primary adopter <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Employee Signature: _____ Date: _____</p>	
<p>Line Manager Signature: _____</p>	<p>Date: _____</p>