



St Stephen in Brannel Parish Council

Mrs Linda Ranger - Clerk and RFO
E-mail: clerk@ststepheninbrannel-pc.org.uk
www.ststepheninbrannel-pc.org.uk

Office 2, Brannel Room
22 Fore Street, St Stephen
St Austell, PL26 7NN
Tel: 01726 823003
Fax: 01726 821233

Paternity Policy¹

This policy sets out the statutory rights and responsibilities of employees who wish to take paternity leave.

St Stephen in Brannel Parish 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

An employee has a statutory entitlement to take paternity leave for the purpose of caring for a child or supporting the child's mother in the first few weeks following the birth.

Ordinary Paternity Leave (OPL)

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' ordinary paid 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.

Ordinary paternity leave is 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 ordinary paternity leave where the other adoptive parent has elected to take adoption leave. A separate policy is available in respect of adoption leave.

Ordinary paternity leave is also available to parents in a surrogacy situation and approved prospective adopters who look after children as part of a "fostering to adopt" arrangement.

To qualify for ordinary 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.

Ordinary paternity leave is granted in addition to an employee's normal annual holiday entitlement. Ordinary paternity leave must be taken in a single block of one

¹ Adopted by Full Council at the meeting held on Wednesday 15 July 2020 under Minute Number FPC168/20. Due for review in 2023.

or two weeks within 56 days (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. Ordinary 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.

Notification of Ordinary Paternity Leave

Where an employee wishes to request ordinary paternity leave in respect of a birth child, he/she must give the Clerk 15 weeks' written notice of the date on which his/her partner's baby is due, the length of ordinary 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 ordinary 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 ordinary paternity leave, the length of the intended ordinary 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 ordinary paternity leave, he/she must give 28 days' written notice of the new dates.

Ordinary Statutory Paternity Pay

Pay during ordinary paternity leave will be at a standard rate in force at the time, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than standard rate. However, employees whose average weekly earnings are below the lower earnings limit for national insurance contributions will not be eligible for ordinary 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 paid.

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 or in a "foster to adopt" arrangement.

In a surrogacy arrangement the employee will also be entitled to take paid time off to attend the antenatal appointment with the woman carrying the 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.

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

The employee should endeavour to give the Clerk 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.

Additional Paternity Leave (APL)

Additional Paternity Leave has been replaced by Shared Parental Leave for children as from 5th April 2015.

Additional Statutory Paternity Pay

This has been replaced by Shared Paternity Pay for children as from 5th April 2015.