

Paternity Leave Policy

Table of Contents

Introduction	1
Scope	2
Time off to accompany to ante-natal appointments	2
Paternity Leave	3
Paternity Leave for Births	3
Eligibility	3
Notification	3
Paternity Leave for Adoptions	4
Eligibility	4
Notification	5
Pay during Paternity Leave (Births & Adoptions)	5
Changing the dates of Paternity Leave (Births & Adoptions)	5
Multiple Children per Birth/Adoption	5
Responsibilities	6
Rights during Leave	6
List of appendices	7
Links / Other resources	6

Introduction

1. Through the provision of Paternity Leave, the City of London Corporation is pleased to support employees if their partner is having a baby or if they are adopting a child or having a baby through a surrogacy arrangement.

2. Paternity Leave is provided to eligible employees for the purpose of supporting the mother/birth parent, the primary adopter or having a baby through a surrogacy arrangements and caring for a child.
3. Employees seeking Paternity Leave must complete the appropriate forms within the timeframes prescribed within this policy. All forms have been provided by Her Majesty's Revenue and Customs (HMRC).
4. Paternity Leave provisions are provided in line with the *Paternity and Adoption Leave Regulations 2002* as amended from time to time.

Scope

5. The Paternity Leave Policy applies to all City of London Corporation employees regardless of sexual orientation or gender identity who meet the eligibility requirements for Paternity Leave.
6. This policy does not form part of any employee's contract of employment and it may be amended at any time.
7. This policy does not apply to agency workers, consultants or other workers providing services to the City of London Corporation.

Time off to accompany to ante-natal appointments

8. Employees who have a qualifying relationship with the pregnant mother/birth parent or the expected child are eligible for unpaid time off to attend up to two ante-natal appointments capped at six and a half hours per appointment. A qualifying relationship would be:
 - the spouse or civil partner of the pregnant mother/birth parent;
 - the partner of the mother/birth parent, of their sexual orientation or gender identity who live with themother/birth parent;
 - the father/second parent of the expected child;
 - a parent of the expected child by virtue of section 42 or 43 of the Human Fertilisation and Embryology Act 2008 (HFEA) (same gender partner treated as parent in case of assisted reproduction)
 - a potential applicant for a parental order under section 54 of HFEA in respect of the expected child (surrogacy cases).
9. Employees wishing to take time off to attend ante-natal appointments should provide a signed declaration confirming they have a qualifying relationship with the pregnant woman/birth parent or expected child as well as details about the appointment to their line manager in the first instance or follow their department's procedure if/where one exists.

Paternity Leave

Paternity Leave for Births

10. For the purpose of caring for a newborn child and supporting the child's mother/birth parent, eligible employees may choose to take either one week or two consecutive week's Paternity Leave.

The Paternity Leave must be taken:

- anytime up to 8 weeks after the date of birth, or
- if the baby was born early, any time between the date of birth and the end of the 8 week period from the day after the Sunday of the week the baby was originally due.

Eligibility

11. To be eligible for Paternity Leave, an employee must:

- be continuously employed by their current employer for at least 26 weeks by the end of the 15th week before the expected week of childbirth. The City of London Corporation will allow employees to include their continuous service with public bodies covered by the Local Government Modification Order;
- continue to work for the City of London Corporation up until the date the baby is born;
- Have responsibility for the child's upbringing and be:
 - the child's biological father/second parent
 - the spouse or civil partner of the of the mother/birth parent (or adopter), regardless of sexual orientation or gender identity
 - the child's adopter,
 - or the intended parent (if you are having the baby through a surrogacy arrangement);
- formally notify the City of London Corporation of their request for Paternity Leave in writing via HMRC Form SC3.

Notification

12. Employees who wish to take Paternity Leave must complete HMRC Form SC3. Employees must provide the completed form to their line manager by the end of the 15th week before the mother's/birth parent's expected week of childbirth.

13. Employees are encouraged to provide as much notice as possible as this will assist the City of London Corporation with staffing plans.
14. Human Resources will formally respond in writing to the employee's notification of their Paternity Leave plans within 28 days of receipt, confirming the relevant start and end dates for paternity leave.
15. If an employee does not qualify for Statutory Paternity Pay (SPP), the Pay Office will complete an SPP1 form on receipt of the Paternity Leave request. The SPP1 form will be sent directly to the employee.

Paternity Leave for Adoptions

16. For the purpose of caring for an adopted child or supporting the child's adopter, eligible employees may choose to take either one week or two consecutive week's Paternity Leave.
17. For adoptions within the UK, Paternity Leave must be taken within 8 weeks of the date on which the child was placed for adoption. The employee may choose to begin leave from the date of the child is placed for adoption or from a predetermined date or timeframe after the child has been placed (but within the 8 week period).
18. For adoptions from abroad, Paternity Leave must be taken within 8 weeks of the date on which the child entered the UK. The employee may choose to begin leave from the date the child enters the UK or from a predetermined date or timeframe after the child has been placed (but within the 8 week period).

Eligibility

19. To be eligible for Paternity Leave for adoptions, an employee must:
 - be continuously employed by their current employer for at least 26 weeks by the end of the week in which the child's adopter is formally notified that he or she has been matched with a child for adoption. The City of London Corporation will allow employees to include their continuous service with public bodies covered by the Local Government Modification Order. continue to work for the City of London Corporation up until the date the child is placed with the adopter;
 - be married to, or is the civil partner of, or the partner of the child's adopter, regardless of sexual orientation or gender identity and have the main responsibility for the child's upbringing;
 - formally notify the City of London Corporation of their request for Paternity Leave in writing via HMRC Form SC4 for adoptions within the UK, or HMRC Form SC5 for adoptions from abroad.

Notification

20. Employees who wish to take Paternity Leave for adoptions must provide a completed HMRC Form SC4 or SC5 to their line manager within 7 days, or as soon as is reasonably practical, after being notified of an adoption match.
21. Employees are encouraged to provide as much notice as possible as this will assist the City of London Corporation with staffing plans.
22. Human Resources will formally respond in writing to the employee's notification of their Paternity Leave plans within 28 days of receipt, confirming the relevant start and end dates for paternity leave.
23. If an employee does not qualify for Statutory Paternity Pay (SPP), the Pay Office will complete an SPP1 form on receipt of the Paternity Leave request. The SPP1 form will be sent directly to the employee.

Pay during Paternity Leave (Births & Adoptions)

24. During Paternity Leave employees have no statutory right to be paid their normal wages or salary during their leave period however at the City of London Corporation, the first week and second week will be paid at normal pay.

Changing the dates of Paternity Leave (Births & Adoptions)

25. If an employee has requested Paternity Leave and wishes to change the dates requested, they must advise their manager of this in writing with 4 weeks' notice of their intended dates. There is flexibility for less notice to be accepted depending on the circumstances.
26. Employees may take either one week or two continuous weeks Paternity Leave. There is no provision for an employee to take less than one week or to interrupt a period of Paternity Leave.

Multiple Children per Birth/Adoption

27. An employee may take just one period of paternity leave per pregnancy or adoption, regardless of the number of children born as a result of the pregnancy or the number of children placed under the same adoption arrangement.

Rights during Leave

28. During Paternity Leave, the employee's contract of employment continues in force for the remaining terms and conditions and the employee will remain entitled to receive all contractual benefits.

Support for Parents with Premature Babies

29. The City Corporation wishes to support parents when their baby is born prematurely (the NHS defines premature babies as those born before 37 weeks). In order to minimise financial pressures for employees whose baby is born before 37 weeks they are entitled to receive two additional week's paid Premature Baby Leave. Employees can choose if they wish this period of leave to run consecutively with their period of paternity leave or if they wish to have two separate periods of leave.
30. If the baby has been born prematurely, before the correct HMRC form is completed managers should remind the employee in their early conversations to forward this to them as soon as possible. Managers will also discuss with the employee what they would like their colleagues to be told about the situation, and what contact they may / may not want.

Responsibilities

31. Employees are responsible for ensuring they adhere to this policy and provide adequate notice in the correct format when requesting Paternity Leave or changes to Paternity Leave dates.
32. Line Managers are responsible for sending paternity leave requests to Human Resources.
33. Human Resources are responsible for responding in writing to the employee's notification of their Paternity Leave plans within 28 days of receipt, confirming the relevant start and end dates for paternity leave.
34. The Pay Office are responsible for completing an SP11 form if an employee does not qualify for Statutory Paternity Pay (SPP), on receipt of the Paternity Leave request which they will send directly to the employee.

Links / Other resources

35. For further information regarding Paternity Leave, employees are advised to contact their line manager or Human Resources.
36. Legislation.gov.uk – For relevant legislation referred to within this policy.
37. HMRC.gov.uk - Application Forms for Paternity Leave:
- SC3 – Paternity Leave
Use form SC3 to request Paternity Leave and/or Statutory Paternity Pay (OSPP) if you're a baby's birth parents - including female partner in a same-gender couple.
 - SC4 - Paternity - becoming an adoptive parent (adopting within the UK)
Use form SC4 to request Paternity Leave and/or Statutory Paternity Pay if you are becoming an adoptive parent and the child is being adopted from within the UK
 - SC5 - Paternity Leave - becoming an adoptive parent (adopting from abroad)
Use form SC5 to request Paternity Leave and/or Statutory Paternity Pay if you're becoming an adoptive parent and the child is being adopted from abroad

List of appendices

None