

**CONTROLLED DOCUMENT**

## New Parent Support (Paternity) Leave Procedure

<b>CATEGORY:</b>	Procedure
<b>CLASSIFICATION:</b>	Human Resources
<b>PURPOSE</b>	This document outlines the procedure for the management of new parent support (paternity) leave.
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## 1. Introduction

The purpose of this procedure is to provide information to staff and managers about New Parent Support (paternity) Leave following the birth or adoption of a child and the processes that should be followed. Further advice can be provided by Human Resources First Contact and information is also available on the HR section of the intranet

## 2. Eligibility Criteria

2.1 New parent support leave available where the member of staff is:

the father;

the husband or partner of the mother/ person giving birth (or adopter)  
- this includes same-sex partners;

the child's adopter where the other adoptive parent has taken adoption leave;

the intended parent (where the member of staff is having a baby through a surrogacy arrangement)

2.2 To qualify for this leave the member of staff 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 their partner.

2.3 The member of staff must have been continuously employed by the Trust or other NHS organisation for at least 26 weeks up to any day in the 'qualifying week' or 'matching week'.

2.4 The 'qualifying week' for births is the 15<sup>th</sup> week before the baby is due.

2.5 The 'matching week' for UK adoptions is the end of the week that the parents are matched with the child. For overseas adoptions it is the date the child enters the UK or when the parents want the pay to start.

## 3. Leave and Pay Entitlements

3.1 Eligible staff can have either 1 or 2 weeks of new parent support leave. A week is the normal contracted hours/days that the member of staff works. The leave must be taken in one go i.e. the weeks cannot be split. It can start on any day of the week.

3.2 There is no additional entitlement for multiple births or where more than one child is adopted at the same time.

3.3 For births the leave cannot be taken prior to the birth and must be taken within 56 days of the birth of the child.

- 3.4 For adoptions the leave can start on the date of placement or the date the child arrives in the UK or an agreed number of days after the placement. It must be taken within 56 days of the start of the placement or the date the child arrived in the UK.
- 3.5 For surrogate parents the leave can start the day the child is born or the day after if the member of staff is working that day. It must be taken within 56 days of the birth of the child.
- 3.6 Pay is determined by the member of staff's continuous NHS service with this or any other Trust. Staff who have 12 months or more continuous service with the Trust or any other NHS organisation before they take the leave are entitled to full pay less any statutory paternity pay for the period of their new parent support leave. This is calculated on the basis of the average weekly earnings rules.
- 3.7 Staff who have 26 weeks' continuous service with the Trust or any other NHS organisation in the qualifying or matching week will be eligible for either statutory paternity pay or 90% of their weekly earnings (whichever is lower). Statutory paternity pay rates change each April. The most up to date amount can be found at <https://www.gov.uk/paternity-pay-leave/pay>
- 3.8 Staff who have fewer than 26 weeks' service continuous service with the Trust or any other NHS organisation in the qualifying or matching week can take annual leave or unpaid leave if they have exhausted their annual leave entitlement.
- 3.9 Staff on bank only contracts may be entitled to statutory paternity leave and pay if they fulfil the minimum eligibility criteria which are detailed on the Government's website <https://www.gov.uk/paternity-pay-leave/pay>

#### **4. Applying for New Parent Support Leave and Pay**

- 4.1 The member of staff should notify their line manager in writing of their intention to take the leave as soon as possible using the form in Appendix 1, but at least 15 weeks before the expected week of childbirth for births or surrogacy or within 7 days of the primary adopter or partner being matched with a child for adoption.
- 4.2 The member of staff is required to complete the appropriate statutory paternity pay form as follows:  
  
SC3 – birth parent  
SC4 – UK adoptions or parental order parents following surrogacy  
SC5 – overseas adoptions  
  
The most up to date version of these forms can be found at [www.gov.uk](http://www.gov.uk)
- 4.3 On receipt of this notification the line manager should complete an amendment form for Payroll purposes, and forward a copy of the New

Parent Support (Paternity) Leave Application Form to Payroll in order that the application can be processed.

- 4.4 The line manager will confirm in writing (using the template on the HR section of the intranet) to the member of staff with a copy kept on the personal file of their intention to take New Parent Support (Paternity) Leave.
- 4.5 Staff can change the start date of their leave providing they give at least 28 days' notice.

## **5. Antenatal Provisions**

- 5.1 Staff can take paid leave to attend 2 antenatal appointments if they are:
  - the baby's father;
  - the expectant mother's/ person giving birth's spouse or civil partner;
  - in a long-term relationship with the expectant mother/ person giving birth;
  - the intended parent (if they are having a baby through a surrogacy arrangement).
- 5.2 The member of staff may be requested to provide written evidence by their line manager, for example, by providing an appointment card.
- 5.3 Any further time off will have to be agreed with the line manager and may be unpaid or the member of staff may use annual leave.

## **6. Pre-adoption Meetings**

Staff being assessed for adoption have the right to reasonable paid time off for essential meetings. The member of staff may be requested to provide written evidence by their line manager, for example, by providing an appointment letter.

## **7. Still Birth**

In the event of a still birth after the end of the 24th week of pregnancy, the member of staff is entitled to New Parent Support Leave and Pay if eligible for pay.

## **8. Breakdown of adoption**

In the event of the adoption breaking down, the member of staff is entitled to New Parent Support Leave and Pay if eligible for pay.



**Application Form for New Parent Support (Paternity) Leave**

**Full Name:** ..... **Payroll Number:** .....

**Job Title** .....

**Dept/Ward:** .....

**Home Address:** .....

.....

**Date of commencement of Employment with the Trust:** .....

**Date of commencement of Employment with the NHS:** .....

**Expected Week of Childbirth:** .....

Or

**Date of Adoption Matching Week:** .....

**I would like to take one/two weeks of New Parent Support (Paternity) Leave\***

**I would like to commence my New Parent Support (Paternity) Leave on:**

.....

**I declare that I am the child's biological father/ married to or partner of the child's mother/ person giving birth or primary adopter/ living with the child's mother/person giving birth in an enduring family relationship/ the child's adopter/ the intended parent (if you're having a baby through a surrogacy arrangement) \* and will have responsibility for the child's upbringing.**

**Signature:** ..... **Date:** .....  
**(Employee)**

**\*Delete as appropriate**

**This application meets the relevant conditions and has been copied as below. I confirm that the applicant's date of return will be..... I have also notified Payroll of the applicant's New Parent Support (Paternity) Leave via an amendment form.**

**Manager's Name (Print):** .....

**Manager's Work Address:** .....

**Signature:** ..... **Date:** .....  
**(Manager)**

**Copies of the application form and supporting information are required as follows:**

- 1. Member of staff**
- 2. Member of staff's Personal File**