



## Paternity Policy

### Policy Statement

This policy sets out Little Elm's paternity policy and summarises the key statutory paternity rights. This policy aims to support working parents, enabling them to balance family responsibilities with personal career aspirations.

The summary of your statutory rights is not intended to be a complete or definitive statement of the law. If you have any questions or need further information, please speak to your Nursery Manager or HR Manager.

### Scope

The paternity policy applies to all employees of Little Elms who meet the qualifying requirements for Ordinary Paternity Leave (OPL), as detailed below. The paternity policy applies in cases of childbirth and adoption.

If you are the primary adopter of a child(ren), please refer to the Adoption policy.

If you are pregnant, please refer to the Maternity policy.

If you wish to take Shared Parental Leave, please refer to the Shared Parental Leave policy.

### Ante-natal Care and Pre-Adoption Appointments

You are entitled to accompany a pregnant woman on up to two **ante-natal appointments** without pay during working hours if you are:

- the baby's father
- the expectant mother's spouse or civil partner
- in a long-term relationship with the expectant mother
- the intended parent (if you're having a baby through a surrogacy arrangement)

You are entitled to attend up to two **pre-adoption appointments** without pay during working hours if you are the primary adopter's partner.

The maximum time off for each appointment is six and a half hours. You may be required to produce an appointment card or other document showing that each appointment has been made. You should give as much notice to us as possible of your appointments, take no more time off than is reasonable and arrange your appointments to cause the minimum disruption to your work as possible. Where possible, appointments should be arranged for times /days when you would not otherwise be at work, including rota days if you are a full-time employee.

### Paternity Leave

To qualify for Paternity Leave employees must:

- have at least 26 weeks continuous service with Little Elms by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week'). In cases of adoption, you must have at least 26 weeks continuous service with Little Elms at the end of the week in which the child's adopter is matched with the child for a UK adoption
- give the correct notice for their paternity leave to commence
- have or expect to have responsibility for the upbringing of the child
- be the biological father of the child, be married to or are the partner of the child's mother. In cases of Adoption, you must not be taking adoption leave in respect of the child and you must be married to or are the partner of the child's adopter.

Employees that meet the above criteria can choose to take either one or two consecutive weeks paternity leave. This leave must be taken in one go. This leave cannot start before the birth of the child or the day the child is placed with the adopter and must end within 56 days of the birth of the child / the child being placed with the adopter.

## Notification

You must tell your Manager, in writing, of your intention to take paternity leave, at least 15 weeks before the expected week of childbirth (EWC) or in cases of adoption, no later than seven days after the date on which the adopter is notified of having been matched with the child for adoption. You need to tell your Manager:

- the baby's due date / the expected date the child will be placed with the adopter
- when you would like to start your leave
- how much leave you want

## Statutory Paternity Pay

You will be entitled to receive Statutory Paternity Pay (SPP) if:

- you qualify to take Paternity Leave, and
- your average earnings were above the National Insurance lower earnings limit during the relevant period (eight weeks up to and including the 15<sup>th</sup> week before the EWC)

Statutory Paternity Pay is paid at either the rate of SPP as currently specified by the government or 90% of average weekly pay, whichever is the lower amount. Your Manager will be able to liaise with payroll to confirm the current SPP rate and advise you if you qualify to receive it.

SPP is paid in the same way as your normal salary and is subject to normal statutory deductions (e.g. Income Tax and National Insurance contributions).

## Terms and Conditions on Paternity Leave and Upon your Return

Normal Terms and Conditions continue throughout any paternity leave, except for salary. At the end of any paternity leave an employee is guaranteed the right to return to the same job as before on the same Terms and Conditions of Employment.

You do not have the right to return to work into a role with less hours than you were employed to so before your paternity leave. You do have the right to make a Flexible Working Application and Little Elms will, wherever possible and if business needs can be met, accommodate your request for flexibility in your working pattern.

You will continue to receive contractual benefits during paternity leave such as holiday entitlement. For as long as you are receiving SPP, pension contributions will continue to be made.

## *Associated Documents:*

- *Adoption Policy*
- *Shared Parental Leave Policy*
- *Leave Arrangements Policy (containing Parental Leave information)*
- *Flexible Working Policy*