

Paternity Leave Procedure

1. Introduction

Employees are entitled to Paternity Leave and pay provided they meet the minimum requirements.

2. Qualification for Paternity Leave

To qualify for paternity leave, you will need to satisfy the following conditions; you must:

- a) Have worked continuously for Canvey Island Town Council for 26 weeks or more ending with the 15th week before the baby is due.
- b) Have or expect to have responsibility for the child's upbringing.
- c) Be the biological father of the child or **your partner is having a baby, adopting a child or having a child through surrogacy.**
- d) Have average weekly earnings which are not less than the 'lower earnings limit'.

Only one period of leave is available to you irrespective of the number of children born as the result of the same pregnancy.

3. Length of Paternity Leave

You are entitled to take either one or two consecutive weeks' paternity leave (not odd days) and can start your leave:

- a) From the date of the child's birth (whether this is earlier or later than expected) or;
- b) From a chosen date within the 56-day period detailed below.

Leave can start on any day of the week on, or following the child's birth but must be completed:

- a) Within 56 days of the actual date of birth of the child or;
- b) If the child is born early, within the period from the actual date of birth up to 56 days after the expected week of birth.

4. Payment of Paternity Leave

You are not entitled to receive your normal salary during paternity leave but are entitled to Statutory Paternity Pay (SPP) provided your average weekly earnings is equal to or greater than the current Lower Earnings Limit for National Insurance contributions purposes or 90% of your average weekly earnings at the time, whichever is the lower of these two amounts.

5. Notice of Intention to take Paternity Leave

You will be required to inform the Town Clerk of your intention to take paternity leave before the 15th week before the expected week of childbirth (EWC) utilising a Paternity Leave Request Form. This form will enable you to satisfy both the notice and evidence conditions for paternity leave and pay.

You will need to confirm:

- a) The week the baby is due.
- b) Whether you wish to take one or two weeks' leave.
- c) When you want your leave to start.

You will be able to change your mind about the date on which you want your leave to start providing you notify the Town Clerk at least 28 days in advance (unless this is not reasonably practicable). Utilise a Paternity Leave Request Form to change the requested period of leave.

5. Further Information

For further information Paternity Leave contact the Town Clerk

Adopted April 2013 - *Note: This policy has been based on advice from the Society of Local Council Clerks and their understanding of the law and practice at the time and ACAS guidance www.acas.org.uk*

– Amended May 2020

PATERNITY LEAVE REQUEST FORM

1. Provide as much notice as possible of your proposed absence dates – **No later than the 15th week before the baby is due**
2. This form must be returned to the Town Clerk.
3. Please attach a copy of the necessary documentation to support your request **(SC3)**.

Name	
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Part A – Leave Application

Amount of leave requested (Minimum 1 week, or 2 weeks.	
The week the baby is due	
Commencement date for Paternity Leave	
Date of return to work	

Part B - Declaration

I request authority for the above Paternity Leave and I accordingly authorise deduction of pay from my salary for the agreed period of unpaid absence.

I understand that I may be requested to provide additional documentary evidence.

Signature		Date	
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For Council Use

Date request form received		Qualifies (one year's service) Yes or No	
Correct notice given		Payroll / Finance Notified	
Employee notified			

Notes: