



Paternity Policy

Stretton Preschool implements the paternity leave rights set out in legislation. Paternity leave is additional to parental leave (see Parental Leave Policy). It is also additional to paid annual leave entitlement.

Data Protection

In the implementation of this policy, Stretton Pre-School may process personal data and/or special category personal data collected in accordance with its GDPR and data protection policy. Data collected from the point at which this policy is invoked will only inform Stretton Pre-School for the benefit of implementing this policy. All data is held securely and accessed by, and disclosed to, individuals only for the purposes of this policy. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with Stretton Pre-School's GDPR and data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under Stretton Pre-School's disciplinary procedure.

1. PATERNITY RIGHTS

Paternity rights fall into two main categories:

- Paternity leave
- Paternity benefit (pay)

2. PATERNITY LEAVE

Ordinary Paternity Leave (OPL)

In order to qualify for the right to take paternity leave, you must have worked for Stretton Preschool for a continuous period of 26 weeks by the week that falls 15 weeks before the week in which the child is expected to be born. In respect of an adopted child, the period is calculated as at the week in which the child's adopter is notified of having been matched with the child for adoption. You must also meet each of the following eligibility criteria:

- You have, or expect to have, responsibility for the upbringing of the child.
- You are either the biological father or adopter of the child or you are married to or the cohabiting partner of the child's mother or adopter.
- You are making the request to help care for the child or support the child's mother.

Assuming you are eligible, you are able to take up to two weeks' paid paternity leave. You can take this in a single block of either one or two weeks. Odd days cannot be taken. Paternity leave can start either from the date the child is born or from a chosen number of days or weeks after the date of childbirth (or, in respect of an adopted child, from the date of placing for adoption). It can start on any day of

the week, but it must be completed within eight weeks (56 days) of the date of childbirth (or date of placement for adoption). If the child is born early, it must be completed within the period from the date of childbirth up to eight weeks (56 days) after the expected date of childbirth.

In the case of multiple births, for example, twins, note that only one period of paternity leave is available.

Shared Parental Leave

Employees, whose babies are born after 5th April 2015 and meet the eligibility criteria, have the right to end their maternity leave period early and opt into shared parental leave. This allows employees to share the period of leave and pay between the parents and to take time off in up to three blocks at a time, up to the child's 1st birthday. For more information refer to *Shared Parental Leave Policy*.

3. PATERNITY BENEFIT

During paternity leave, most employees will be entitled to Statutory Paternity Pay (SPP). The weekly rate of SPP is set by the Government for the relevant tax year, or it is 90% of your average weekly earnings if this is lower than the Government's set weekly rate.

Employees whose average weekly earnings are less than the lower earnings limit for National Insurance contributions are not eligible to receive SPP.

SPP is treated as earnings and is therefore subject to PAYE and National Insurance deductions.

In the case of a multiple birth or adoption placement entitlement to SPP is exactly the same as if there was one child.

If you are not entitled to SPP you can apply to the Department of Work and Pensions via Jobcentre Plus for any other benefits that you may be entitled to.

4. NOTIFICATION OF PATERNITY

If you wish to request to take paternity leave, you must inform the Preschool Manager in writing of your request no later than the 15th week before the expected week of childbirth. You must provide written details of when the child is due, whether you wish to take one or two weeks' paternity leave and when you want your paternity leave to start. A Paternity Leave Request form must be completed.

In the case of an adopted child, you must give written notice of your intention to take paternity leave no later than seven days after the date on which notification of the match with the child is given by the adoption agency. The notice must specify the date on which the adopter was notified of having been matched with the child, the date the child is expected to be placed for adoption, whether you wish to take one or two weeks' paternity leave and when you want your paternity leave to start.

You are able to change your mind about the date on which you want your paternity leave to start provided you give at least 28 days' written notice of the new date to the Preschool Manager.

5. YOUR RIGHTS DURING PATERNITY LEAVE

Employees are entitled to the benefit of their normal terms and conditions of employment during any period of paternity leave. The exception to this is normal wages or salary.

Annual leave continues to accrue throughout any period of paternity leave.

6. RETURNING TO WORK AFTER PATERNITY LEAVE

Any member of staff who takes paternity leave is expected back on the return date they have indicated.

Employees who return to work after taking **Shared Parental Leave** for a period up to 26 weeks are entitled to return to the same job. After 26 weeks shared Parental leave has been taken it is not reasonably practical for the employee to resume their original role the employee is entitled to return to another job, which is both suitable and appropriate in the circumstance. (See **Shared Parental Leave Policy**)

7. SICKNESS DURING PATERNITY LEAVE

You are not entitled to sick pay whilst on paternity leave although you may be able to claim Incapacity Benefit from the Department of Work and Pensions via Jobcentre Plus. If you are sick before you start your paternity leave you may postpone it and the Sickness Absence Policy will apply. However, the 56-day limit on taking your paternity leave will not be extended.

8. FLEXIBLE WORKING

You will have the right to apply for flexible working. Further details, including the procedure to be followed, can be obtained from the Preschool Manager. If you would like this option to be considered, you should complete a Flexible Working Application form and forward to the Preschool Manager as far in advance as possible, so that there is adequate time for full consideration of your request.

PATERNITY NOTIFICATION FORM

| | |
|------------|--|
| Name: | |
| Job Title: | |

I wish to apply for paternity leave and/or paternity pay. I have read and understood Stretton Preschool's Paternity Policy and I confirm the following:

Please ✓

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|---|--|
| I am: | |
| <ul style="list-style-type: none"> • The baby's biological father, or • Married to the mother of the baby, or • Living with the mother in an enduring family relationship, but am not an immediate relative. | |
| I have responsibility for the child's upbringing. | |
| I will take time off work to support the mother or take care of the child. | |

(You must be able to tick all three boxes to be eligible for paternity leave/pay.)

Or in the case of adoption:

Please ✓

| | |
|---|--|
| I am: | |
| <ul style="list-style-type: none"> • Married to the person adopting the child, or • Living with the person adopting the child in an enduring family relationship, but am not an immediate relative. | |
| I will have responsibility for the child's upbringing. | |
| I will take time off work to support the person adopting the child or take care of the child. | |

(You must be able to tick all three boxes to be eligible for paternity leave/pay.)

| | | |
|---|---|--|
| My baby is due on/My placement date is: | | |
| I would like my paternity leave/pay to start on: (As in the case of a birth, timing the specific arrival of a baby is difficult; this is just an indication at this stage. We will keep in touch with your line manager to make sure you are paid correctly.) | Week 1 | |
| | Week 2 (if taking non-consecutive weeks) | |
| I want to be away from work for: | One/two * weeks (*delete as applicable) | |

Please sign this form and return to the Office.

| | |
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| Signed: | |
| Dated: | |

This policy was adopted by

Stretton Pre-School

On

30 November 2022

Date to be reviewed

Annually

Signed on behalf of the provider

E. Greenfield

Name of signatory

Emily Greenfield

Role of signatory

Chair person

