

# Paternity and Maternity Parental Support Policy

*We will provide this policy on request at no cost,  
in large print, in Braille, on tape or in another  
non-written format.*

We can produce information on request in large print, Braille, tape and on disk. It is also available in other languages. If you need information in any of these formats please contact us on Freephone 0800 479 7979.

如果你向我們提出要求，我們可以為你提供本資訊的其他語言的版本，或者是盲文或磁帶。如果你需要本資訊的任何一種這些版式的版本，請聯繫我們，電話號碼是 0800 479 7979。

Si vous nous le demandez, nous pouvons vous remettre ces informations en d'autres langues, en braille ou sur cassette. Si vous souhaitez que ces informations vous soient fournies sous l'un de ces formats, contactez-nous en composant le 0800 479 7979.

چنانچه مایل باشید می‌توانید این مطالب را به فارسی یا زبان‌های دیگر و همچنین بریل و یا بر روی نوار کاست دریافت دارید. در صورت نیاز خواهشمندیم با شماره تلفن 0800 479 7979 با ما تماس بگیرید.

ਜੇ ਤੁਸੀਂ ਸਾਨੂੰ ਬੇਨਤੀ ਕਰੋ ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਇਹ ਜਾਣਕਾਰੀ ਹੋਰ ਭਾਸ਼ਾਵਾਂ, ਬ੍ਰੇਲ (ਨੋੜਹੀਣਾਂ ਲਈ ਭਾਸ਼ਾ) ਵਿੱਚ, ਜਾਂ ਟੇਪ ਉੱਪਰ ਦੇ ਸਕਦੇ ਹਾਂ। ਜੇ ਤੁਹਾਨੂੰ ਇਨ੍ਹਾਂ ਵਿੱਚੋਂ ਕਿਸੇ ਰੂਪ ਵਿੱਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ 0800 479 7979 ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ।

Na Pana/Pani życzenie możemy zapewnić te informacje w innych językach, alfabetem Braille'a lub na kasecie. Jeśli chciał(a)by Pan(i) uzyskać te informacje w którejś z tych form, prosimy skontaktować się z nami pod numerem telefonu 0800 479 7979.

Haddii aad na weydiisato waxaanu warbixintan kugu siin karaa iyadoo ku qoran luuqad kale, farta ay dadka indhaha la' akhriyaan ama cajalad ku duuban. Haddii aad jeclaan lahayd in warbixintan lagugu siiyo mid ka mid ah qaababkaas, fadlan nagala soo xidhiidh telefoonka 0800 479 7979.

По вашей просьбе данная информация может быть предоставлена на других языках, шрифтом Брайля или в аудиозаписи. Если вам требуется информация в одном из этих форматов, позвоните нам по номеру 0800 479 7979.

Approval body	<i>Executive Team</i>
Date of approval	<i>27 September 2022</i>
Review Year	<i>October 2025</i>
Customer engagement required	<i>No</i>
Trade union engagement required	<i>Yes - For Consultation</i>
Equality Impact Assessment	<i>No</i>

## INTRODUCTION

This policy is designed to inform Wheatley Homes South Limited (WHS) employees of their statutory entitlement to paternity leave; entitlement to enhanced paternity leave (for eligible employees); and entitlement to Maternity Support Leave (which is not a legislative requirement).

## SCOPE

This Policy and Procedure applies to all employees but does not apply to workers, or self-employed contractors or consultants.

This Policy and Procedure is non-contractual and may be amended or withdrawn at any time at the discretion of WHS, following consultation with the Trades Unions.

## BASIC PRINCIPLES

It is WHS's policy to comply with current legislation on paternity leave.

This policy is for guidance only and does not form part of an employee's contract of employment. WHS may alter the terms of this policy from time to time and details of any alterations or additions will be notified to employees.

In circumstances where there has been a legislative update that is not reflected in this policy, the statutory position will prevail and apply to employees.

## RESPONSIBILITIES

General responsibilities are outlined in this section for:

### *Responsibilities of EMT and / or Board*

The Board and Executive Management Team's responsibilities include, but are not to be limited to:

- Reviewing this Policy in line with the policy review dates and ensuring that it is reflective of WHS values and practice

### *Responsibilities of the Line Managers*

The line managers' responsibilities may include, but will not be limited to:

- Bringing any breach of this policy to the attention of the Human Resources department and forwarding any queries about this policy to the Human Resources department (as required).

### *Responsibilities of the Employees*

The employees' responsibilities may include, but will not be limited to:

- Bringing any behaviour in breach of this policy to the attention of the line manager or where appropriate to the Human Resources department

## POLICY

### **Policy Summary**

This policy has been developed to provide employees with guidance and the procedures to follow if requesting entitlement to paternity leave or pay and maternity support leave.

Eligible employees who have completed 26 weeks' service prior to the 15th week before the baby is due, will be entitled to up to two weeks' Paternity Leave. This may be taken in a block of either one week or two weeks' leave and must be taken in one go. Employees who are eligible to take Paternity Leave will be paid in accordance with their contractual salary for the period of leave taken.

Eligible employees will also have the right to take time off to accompany a pregnant woman with whom they are having a child at up to two antenatal appointments. This time will be unpaid.

Eligible employees who have not taken any Paternity Leave may take one-week Maternity Support Leave. This will be paid at one week's full salary.

Paternity Leave can be taken, and paternity pay paid when a child is born and when a child is adopted. For the rules relating to entitlement to take Paternity Leave when adopting please also refer to WHS's Adoption Leave and Pay Policy.

Employees who are eligible to take Paternity Leave may also be eligible to take Shared Parental Leave. Please see WHS's Shared Parental Leave and Pay Policy for further details.

The principles in this policy also apply to surrogate parents. Please contact the HR Department for further details in this respect.

### **Paternity Leave & Pay**

To be eligible for Paternity Leave employees must have or are expected to have responsibility for the child's upbringing and be:

- The biological father of the child or the mother's husband or partner, or an adopting partner or the intended parent (if having the child through a surrogacy arrangement); and
- Have 26 weeks' continuous service ending with the 15th week before the baby is due; or
- In respect of an adopted child, have 26 weeks' continuous service by the week in which the child's adopter is notified of having been matched with the child for adoption.

These rights apply to employees regardless of the hours they work, provided they satisfy the qualifying conditions, however, employees must give the correct notice.

If the baby is born earlier than the fourteenth week before it is due and, but for the birth occurring early, the employee would have been employed continuously for the twenty-six weeks, then they will be deemed to have the necessary length of service.

In the unfortunate circumstances that the baby is stillborn after twenty-four weeks of pregnancy a qualifying employee will be entitled to Paternity Leave in the usual way.

If the baby is born alive at any point in the pregnancy but unfortunately dies later, the employee will be entitled to Paternity Leave in the usual way.

Employees can choose to take either one week or two consecutive weeks' Paternity Leave within eight weeks of the birth or adoption of the child. It cannot be taken as odd days or as two separate weeks.

Employees can take only one period of leave even if more than one baby is born as the result of the same pregnancy.

Paternity Leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date. But it must be taken within eight weeks of the birth or adoption of the child.

If an employee specifies the date of birth as the day, they wish to start their leave and they are at work on that day, their leave will begin on the next day. The employee would be entitled to take emergency dependants leave for the day of the birth.

Paternity Leave can start on any day of the week if the employee has given the required notice. It must be completed:

- Within 8 weeks from the actual date the child is born or placed for adoption; or
- If the child is born earlier than expected, between the birth and 8 weeks from the first day of the expected week of birth.

### **Time Off For Antenatal Care**

Employees have the right to take time off to accompany a pregnant woman with whom they are having a child at up to two antenatal appointments. This time will be unpaid.

To be eligible for this form of time off, you could be the spouse or civil partner of the pregnant woman or could be living with the pregnant woman in an enduring family relationship. In addition, you would be eligible for the time off if you are the biological father of the expected child or are the intended parent (if having a baby through a surrogacy arrangement). The antenatal visits must be made on the advice of a registered medical practitioner, midwife, or nurse. The leave includes time to travel to and from the appointment, any waiting time at the appointment and attendance at the appointment, but it cannot be for longer than six and a half hours on each occasion.

If you would like to make a request for time off to accompany someone to an antenatal appointment, in the first instance, contact your line manager or the HR department

### **Notification and Evidence Required for Paternity Leave Birth**

To qualify for Paternity Leave, an employee must inform their line manager of their intentions and provide the HR Department with written notification that they intend to

take to Paternity Leave as soon as possible but by no later than the end of the fifteenth week before the week the baby is due, or if that is not reasonably practicable, as soon as is reasonably practicable.

To take Paternity Leave the employee must include the following information in their written notification:

- The expected week of the baby's birth;
- Whether they wish to take one week or two weeks' leave;
- The date they have chosen to start their leave;
- The employee is taking leave to care for the child and/or to support the child's mother;
- The employee is the biological father, is married to or is the partner of the child's mother; and the employee has, or expects to have, the main responsibility (apart from the mother's responsibility) for the upbringing of the child.

The Self-Certificate Becoming a Parent (SC3) will be sufficient for this purpose and can be obtained from HMRC at <http://www.hmrc.gov.uk/forms/sc3.pdf> If the employee's baby is born before it is due, they may not be able to give the HR Department the required written notice of their leave. However, if they wish to take Paternity Leave, they should still give the written information and declaration required on the SC3 form as soon as is reasonably practicable. The paternity leave must be taken within eight weeks of the first day of the expected week of childbirth.

An employee cannot take Paternity Leave before the birth of their baby. If the baby is not born by the date they specified, then they must change the date and choose to take leave from the actual date of birth or within 8 weeks of the birth. Whatever they choose to do, they must provide the HR Department with written notice as soon as possible.

## **Adoption**

In the case of an adopted child, the employee must provide the HR Department with written notice of their intention to take Paternity Leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency, or, if that is not reasonably practicable, as soon as it is reasonably practicable.

To be eligible to take Paternity Leave when adopting a child an employee must:

- must take the leave to care for the child and/or to support the child's primary adopter;
- be married to or be the partner of the child's adopter;
- Have 26 weeks continuous employment ending with the week in which the adopter is notified of having been matched with a child;
- has, or expects to have, the main responsibility (apart from the primary adopter's responsibility) for the upbringing of the child. The Self-Certificate Becoming an Adoptive Parent (SC4) will be sufficient for this purpose and can be obtained from the Inland Revenue at <http://www.hmrc.gov.uk/forms/sc4.pdf>; and
- Satisfy the notification requirements set out at clause 5.4.7 below.

To claim Paternity Leave when adopting a child, the employee must include the following information in their written notification:

- The date on which the adopter was notified of having been matched with the child;
- The date on which the child is expected to be placed for adoption;
- Whether they wish to take one week or two weeks' leave;
- The date they have chosen to start their leave.

The principles set out in clauses 5.4.6 and 5.4.7 above also apply to surrogate parents. Please contact the HR Department for further details in this respect.

### **Changing the date of Paternity Leave**

An employee can change the date on which they want their Paternity Leave to start (but not the length of leave they are taking) as long as they provide the HR Department with 28 days written notice of the new date. If this is not possible then the employee should tell WHS as soon as is reasonably practicable. If an employee changes their mind, they should fill in a new self-certificate.

### **Terms and conditions during a period of Paternity Leave**

During Paternity Leave, employees will continue to be entitled to the benefits of all of their contracts of employment which will continue to remain in force and will continue to be bound by those duties arising under their contracts of employment which are not inconsistent with being absent from work on Paternity Leave.

Annual Leave entitlement will continue to accrue in the normal way during Paternity Leave and employees have the right to return to the job they were doing before taking the leave, and to no less favourable conditions of employment as they had before they took the leave.

### **Adoptions from Overseas**

If an employee has adopted a child from overseas, they may be entitled to Paternity Leave. For further information, please see WHS Adoption leave Policy.

### **Shared Parental Leave**

Shared Parental Leave may also be available to an employee taking Paternity Leave.

An employee can choose to take both Paternity Leave and Shared Parental Leave, but the period of Paternity Leave must come first. An employee cannot take Paternity Leave if they have already taken a period of Shared Parental Leave in relation to the same child. Full details can be found in WHS's Shared Parental Leave and Pay Policy.

### **Maternity Support Leave**

In addition to Maternity Leave and Pay, Paternity Leave and Pay, and Shared Parental leave and Pay, WHS also offer Maternity Support Leave. Please note you cannot choose to take Maternity Support Leave in conjunction with any Paternity Leave. Employees must choose to take one or the other.

Maternity Support Leave provides 5 days leave, with pay, to employees who are:

- the child's father; or
- the mother's partner (including civil partner or same sex partner); or

- the 'nominated carer' of the expectant mother

The purpose of Maternity Support Leave is to help the mother at or around the time of the birth. Where there are extenuating circumstances, however, such as a baby in special care, every consideration will be given to requests for taking leave at a later date.

The definition of a nominated carer is:

"the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of birth"

Leave will only be granted to a nominated carer who is not the child's father or mother's partner where there is no other person able to provide support to the mother e.g., where the father or mother's partner is not in contact with the mother (for example as a result of divorce or separation) or where they are unable to provide adequate support.

Applications for Maternity Support Leave must be submitted in writing to your manager, with a copy to the HR Department, at least three months prior to the expected week of childbirth, or if that is not reasonably practicable, as soon as reasonably practicable. Or in the case of adoption at least three months prior to the date on which notification of the match with the child was given by the adoption agency, or if that is not reasonably practicable, as soon as is reasonably practicable.

A letter from the expectant mother or primary adopter must support the application naming the WHS employee as the nominated carer and enclosing evidence of the pregnancy or adoption, i.e., a copy of the maternity certificate MATB1 form, or the name and address of the adoption agency.

Maternity Support Leave shall be administered by the Line Manager, in conjunction with the HR department, the same way as other authorised leave procedures.

All correspondence must be forwarded to the HR Department to be recorded and placed on the employee's personal file.

Employees are entitled to other related Parental Rights. For more information on Family Friendly rights see WHS Family Friendly policies or contact the HR Department.

Alternatively, you may find further information from the following websites:

Directgov – A public service information website – [www.direct.gov.uk](http://www.direct.gov.uk)

Acas – Independent advice for employees and employers – [www.acas.org.uk](http://www.acas.org.uk)

## GOVERNANCE AND REGULATION

This policy is the responsibility of the Human Resources Department.

The policy is due for formal review every three years and the next review will occur in January 2022.

## SANCTIONS

Any breaches of this policy may be subject to disciplinary action under WHS's Disciplinary Policy.

## RELATED / REFERENCED POLICIES

Adoption leave and pay;  
Shared parental leave and pay