



Paternity Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Paternity Policy
Owner	Human Resources
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DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
CDC Personnel Committee	17 October 2022 (16:00)

DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District

DATE FOR REVIEW

No later than 1st November 2025 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision

This policy covers:

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1 Who the scheme applies to

Cherwell District Council's paternity scheme applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.

This policy does not form part of any contract of employment or other contract to provide services, and the Council may amend it at any time

2 Entitlement to paternity leave

Paternity leave is available to employees of either gender for the purpose of caring for a child, or supporting the child's other parent, in the following cases:

(a) on the birth of a child are:

- you are the baby's biological father, and you expect to have some responsibility for the child's upbringing; or
- you are the Partner (that is, spouse, civil partner or or someone (of either sex) with whom you live in an enduring family relationship, but who is not your parent, grandparent, sister, brother, aunt or uncle) of the mother and will have the main responsibility with the mother for the child's upbringing

(b) on the birth of a child to a surrogate mother where you are, or your Partner is, one of the child's biological parents, and you expect to obtain a parental order giving you and your Partner responsibility for the child.

(c) Where an adoption agency places a child with you and/or your Partner for adoption and you expect to have main responsibility (with your Partner) for the child's upbringing.

(d) Where a local authority places a child with you and/or your Partner under a fostering for adoption arrangement and you expect to have main responsibility (with your Partner) for the child's upbringing.

To qualify for paternity leave, you must have been continuously employed by us for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth (the week, beginning on a Sunday, in which your Partner's doctor or midwife expects your child to be born) or the week in which you or your Partner are notified by the adoption agency or local authority that you or they have been matched with a child.

In adoption, fostering for adoption or surrogacy cases you may be entitled to take adoption leave instead. However, adoption leave may only be taken by one parent. Paternity leave is available to the other parent (of either sex).

You cannot take paternity leave if you have already taken shared parental leave in respect of the same child. You may be eligible to take shared

parental leave after paternity leave

Please contact Human Resources if you require further clarification regarding your eligibility.

All employees who meet the eligibility criteria are entitled to 1 or 2 week's consecutive leave.

Paternity leave can start from the date of the baby's birth or placement but must be taken within eight weeks (56 days) of the date of birth, or the date of placement.

If the baby is born earlier than expected, then the leave must be taken within the period from the actual date of birth up to 56 days after the first day of the expected week of childbirth.

3 Notification Requirements

The employee has an obligation to inform their line manager of the intention to take paternity leave by the end of the 15th week before the Expected Week of Childbirth (or no more than seven days after the adoption agency notified you of being matched with a child), or as soon as the employee reasonably can providing the following details, by completing and submitting the paternity leave notification form (Appendix 1):

- the Expected Week of Childbirth the start date of the leave to be taken
- the duration of leave to be taken (one or two weeks).

You can change the intended start date by giving us 28 days' notice or, if this is not possible, as much notice as you can.

You cannot commence paternity leave or receive paternity pay before the baby is born. Therefore, if the baby is not born by the approved date on the paternity leave application form then the date has to be changed to a new agreed date either after or on the date of the child's birth. Please confirm your paternity leave commencement date to Payroll as soon as reasonably practical.

4 The contract of employment during paternity leave

All the usual terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay.

5 Pay

All employees who meet the eligibility criteria are entitled to 1 week's paternity leave. Paternity pay will be paid at a normal week's pay rate.

Employees who have completed 26 weeks' continuous service by the 15th week before the baby is expected (Qualifying Week), or within 7 days of the issue of the adoption matching certificate, are entitled to 2 weeks' consecutive paternity leave which will be paid at a normal week's pay rate.

Paternity leave can start from the date of the baby's birth or any day of the following week but must be taken within 56 days of the date of birth, or in the case of adoption 56 days from the date of placement.

If the baby is born earlier than expected, then the leave must be taken within the period from the actual date of birth up to 56 days after the first day of the expected week of birth.

6 Annual leave

Holiday entitlement will continue to accrue during paternity leave. If your paternity leave continues into the next holiday year, any remaining holiday that cannot reasonably be taken before your paternity leave can be carried over to the next holiday year must be taken within three months of returning to work unless your manager agrees otherwise. You should try to limit carry over to one week's holiday or less. Carry over of more than one week is at your manager's discretion

This includes the accrual of bank and public holidays.

7 Local Government Pension Scheme

Pension contributions will be deducted in the normal way from any payment you receive during your paternity pay period. Any employee contributions you make will be based on the amount of any paternity pay you are receiving.

**PATERNITY LEAVE
APPLICATION FORM**

DECLARATION			
Surname			
First Name(s)			
Job Title			
Employer	CDC <input type="checkbox"/>	Department	

I declare that:-	
<input type="checkbox"/>	<p>I am the baby's biological father, or I am the Partner of the mother and will have the main responsibility with the mother for the child's upbringing; or I expect to obtain a parental order giving me and my partner responsibility for a child born to a surrogate mother where I or my Partner are the child's biological parent; or I expect to have main responsibility (with my Partner) for the child's upbringing who was placed with me and/or my Partner for adoption by an adoption agency or where a local authority placed a child with me and/or my Partner under a fostering for adoption arrangement.</p> <p style="margin-left: 20px;">*Partner means spouse, civil partner or someone (of either sex) with whom you live in an enduring family relationship, but who is not your parent, grandparent, sister, brother, aunt or uncle.</p>
<input type="checkbox"/>	<p>I have/will have been continuously employed by the Council for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth (the week, beginning on a Sunday, in which your Partner's doctor or midwife expects your child to be born) or the week in which I or my Partner were notified by the adoption agency or local authority that my Partner or I had been matched with a child</p>
<input type="checkbox"/>	<p>I will take time off work to support the child's other parent or to care for the child</p>

DATES FOR PAY AND LEAVE	
The baby is due on, or The child is expected to start living with us on:	
I want to be away from work for one <input type="checkbox"/> / two <input type="checkbox"/> weeks and I would like my paternity leave and pay to commence on:	

Signed Employee:		
Signed Assistant Director		

This form should be returned to Human Resources together with a copy of the MatB1 Certificate or Adoption Matching Certificate