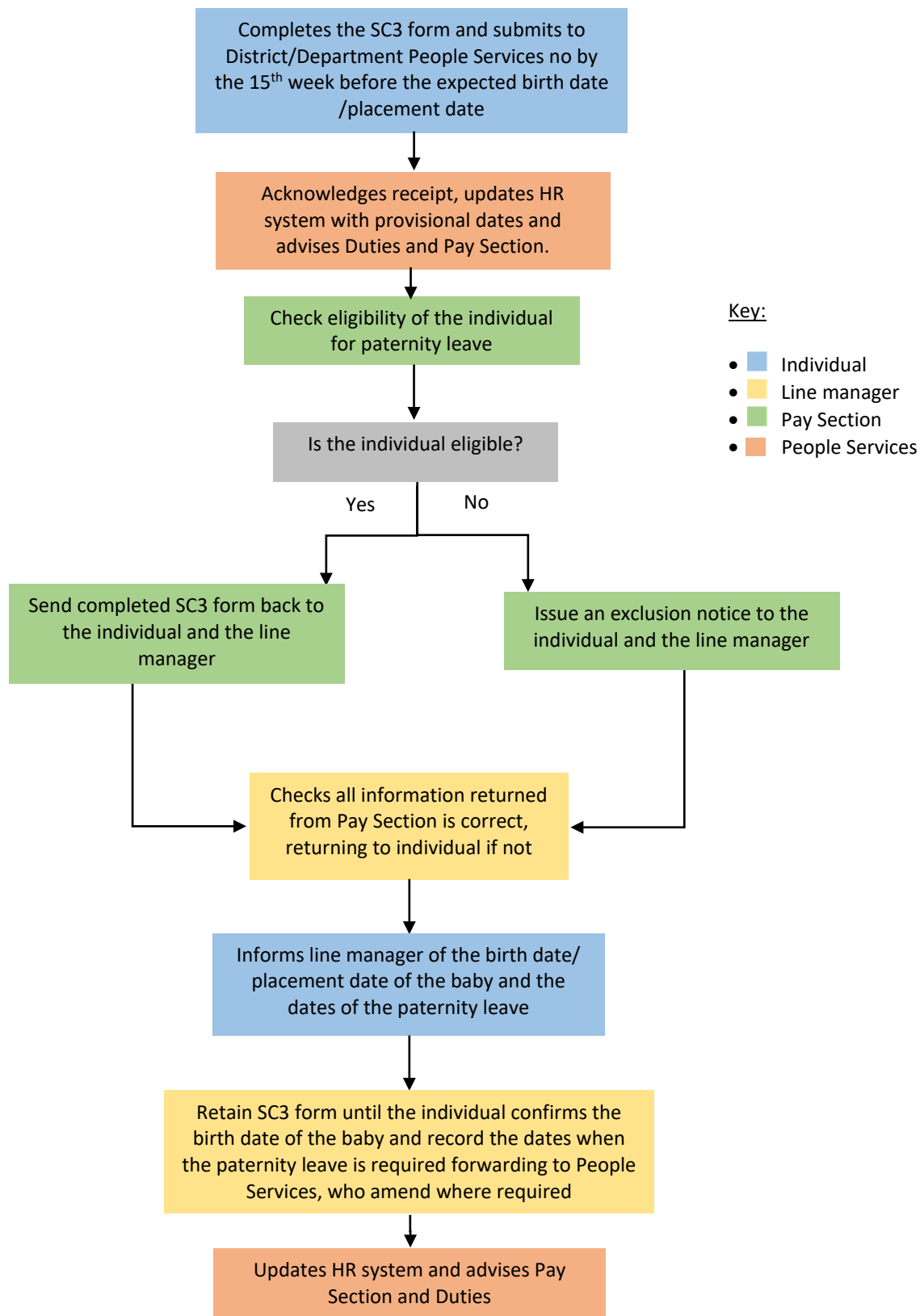


Paternity Leave – Police Staff

Contents

Flowchart – Application for Paternity Leave.....	2
Policy Statement	3
Principles	3
Paternity Pay	4
Responsibilities.....	5
Additional Information	6

Flowchart – Application for Paternity Leave



Policy Statement

Summary

West Yorkshire Police (WYP) is supportive of individuals who intend to take paternity leave around the time of the birth or placement of a child. This policy complies with the requirements of the Employment Act 2002.

This policy explains what paternity leave is for police staff, as well as who is eligible and how to apply.

Scope

This policy applies to all full time and part time police staff.

Principles

General

- The paternity leave must be taken to support the mother, or carer of the child.
- To be eligible, the individual must be the:
 - Father;
 - Husband or partner of the mother (or adopter) - this includes same-sex partners;
 - Child's adopter; or
 - Intended parent (if the individual is having a baby through a surrogacy arrangement)
- Individuals must have 26 weeks continuous service with WYP 15 weeks before the Expected Week of Childbirth (EWC).
- Individuals must have worked for at least 26 weeks by the 'matching week' for adoption. The matching week is the end of the week the individual is matched with the child or the date the child enters the UK for UK adoptions or when the individual wants the pay to start for overseas adoptions.
- Paternity leave can only be taken as whole weeks and is a minimum of one week, or a maximum of two consecutive weeks.
- Individuals are entitled to take the following leave, which is applicable to both shift and flexi workers
- Seven consecutive days paid maternity support leave at full pay; and
- Seven further unpaid consecutive days which will be paid at the statutory rate only, if the Individual chooses to request this, should they be eligible.
- Part time staff will be granted the pro-rata amount of 37 hours, but the leave must still be taken in full weeks.
- While on paternity leave, individuals are entitled to the benefit of the normal Terms and Conditions, except for terms relating to salary or wages.
- Individuals are able to return to the same job following paternity leave.
- Individuals must request paternity leave by the 15th week before the EWC or placement date, unless this is not reasonably practical. The date in which the baby is due or date of placement, whether wishing to take one week or two and the date for the leave to commence must be provided.

- Individuals can choose to commence the ordinary paternity leave on any day of the week on or following the child's birth, from:
 - The date of the child's birth (whether this is earlier or later than expected), or if adopting, the placement date; or
 - A chosen number of days or weeks after the child's birth (whether this is earlier or later than expected) or if adopting, the placement date; or
 - A chosen date.
 - Paternity leave must be completed within 56 days of the actual date of the birth of the child or placement. If the child is born early, the leave must be completed within the period from the actual date of birth up to 56 days after the expected week of birth.
 - In the cases of a still birth or death, the leave must be completed within the period from the actual date of birth up to 56 days after the expected week of birth.
 - Individuals can claim paternity pay and leave if they have used a surrogate to have a baby. The same criteria apply in terms of the qualifying week 26 weeks continuous service. But individuals must be in a couple and responsible for the child and must provide a written statement of the intent to apply for a parental order in the 6 months after the child's birth in the presence of a legal professional if the Force requests this.
 - If an individual wants to take an extended period of leave following the birth of a child or an adoption of a child, they must refer to the Shared Parental Leave policy.
 - All paternity leave is:
 - Pensionable;
 - Reckonable for incremental pay; and
 - Included in any period of probationary period.
-

Paternity Pay

Principles

- Individuals are entitled to seven days' leave with full pay.
- To be eligible for Contractual Paternity Pay (CPP), individuals must:
 - Satisfy all of the conditions for eligibility outlined in this policy; and
 - Have one year's continuous service as at the 15th week before the EWC.
- During paternity leave, individuals may receive Statutory Paternity Pay (SPP). To be eligible to receive this, individuals must have average weekly earnings above the Lower Earnings Limited for National Insurance Purposes. SPP will be paid:
 - For a maximum of two consecutive weeks as chosen by the individual; and
 - At the amount set either by the government, or 90% of the average weekly earnings if this is less.
- In the event of a still birth or death, individuals will still be entitled to take the full entitlement of Contractual Paternity Leave and Statutory Paternity Pay as long as this is after the 24th week of pregnancy.

- In the tragic event of a stillbirth where this occurs on or after the 24th week of pregnancy or a neonatal death, parents are also entitled to 2 weeks Child Bereavement Leave within the 56 weeks after the bereavement as outlined in the Special Leave policy.

Responsibilities

Individuals

Individuals are responsible for:

- Informing People Services of the intention to take paternity leave no later than 15 weeks before the week the baby is due to be born or placed, or after the 24-week period if there has been a stillbirth;
 - Completing an SC3 form and forwarding this to the district/department People Services Team no later than 15 weeks before the week the baby is due to be born or placed, or after the 24 week period if there has been a stillbirth; and
 - Notifying line managers of the proposed dates of the paternity leave and/or any changes that may occur and confirming the actual date of birth or placement.
-

Line manager

Line managers are responsible for:

- Recording the dates on the SC3 form once notified by the individual and relevant details of the dates taken forwarding this to People Services to update the HR system, Pay Section and Duties.
-

People Services

People Services are responsible for:

- Acknowledging receipt of the SC3 form;
 - Updating the HR System with dates of paternity leave;
 - Advising Pay Section and Duties of the provisional dates; and
 - Once the baby is born and the dates confirmed, updating the HR System, Pay Section and Duties of the actual dates taken.
-

Pay Section

The Pay Section are responsible for:

- Ensuring the individual is eligible for paternity leave and the relevant information has been gathered and the eligibility section of the SC3 form completed, adjusting pay; accordingly, and
 - Issuing an exclusion notice, with the copy to the Line Manager, to the Individual when they are not eligible to take paternity leave.
-

Additional Information

Compliance

This policy complies with the following legislation, policy and guidance:

- Employment Act 2002
 - Terms and Conditions
 - Data Protection Act 2018
 - Special Leave policy
 - Shared Parental Leave policy
-

Further Information

Further guidance in relation to this policy can be sought from:

- Direct Gov website for eligibility of Paternity Pay
-