

Ordinary
Paternity
Leave

1 April

2019

Produced by the Personnel: Schools Team V5.1

www.sefton.gov.uk

School:

Cambridge Nursery School

**Signed by the Chair of
Governors:**

Signed by the Headteacher:

Date:

Contents

| | | Page |
|------------|---|------|
| 1. | Introduction | 3 |
| 2. | Scope | 3 |
| 3. | Conditions | 4 |
| Appendix 1 | Form OPL1 – Application for Maternity Support Leave | 6 |
| Appendix 2 | Form OPL1A – Application for Maternity Support Leave (in Cases of adoption) | 8 |

1. Introduction.

The intention of ordinary paternity leave is to recognise that employees have family as well as work responsibilities and to enable new fathers/partners/nominated carers to provide practical and emotional support to the mother/adoptive parent around the time of the birth/placement in adoption cases.

It is recognised that situations may arise when the only person able to support the mother around the time of the birth is not the father/partner and in such situations support may be provided by a nominated carer, for example, a close relative or companion. Employees in this position, and nominated as a carer, are eligible for ordinary paternity leave providing they are the mother's sole support and not nominated in addition to the father/partner. Advice on such circumstances can be obtained from the Personnel; Schools Team.

2. Scope

This policy applies to all staff employed within school.

3. Conditions

- Ordinary paternity leave is available to all employees regardless of hours worked or length of service.
- All employees are entitled to 2 weeks ordinary paternity leave. The first week is paid at normal pay based on normal contractual hours. The second week is payable at the Statutory Paternity Pay rate which is £148.68 p.w. at April 2019 and may be subject to annual changes. (or 90% of average weekly earnings*, whichever is the lesser).

(*For employees whose pay varies or for average pay a week's pay will be calculated as the average earnings in a period of 12 weeks prior to the expected week of childbirth based on normal contractual hours).

- Employees can choose to take either one week or two consecutive weeks. Ordinary paternity leave cannot be taken as part weeks.
- Ordinary paternity leave will normally be taken at or around the time of the birth (or placement in adoption cases) but will be granted up to 3 months after to provide greater flexibility. The exact timing will be discussed and agreed, as far as possible, with the Headteacher and the employee concerned.
- In some circumstances, ordinary paternity leave may be granted before the birth of the child, e.g if the mother's medical condition requires early admittance to hospital and there are other children to care for.
- Ordinary paternity leave will be granted regardless of marital status.
- All employees applying for ordinary paternity leave will be required to complete an application for ordinary paternity leave form OPL1.
- Leave taken will be recorded on the timesheets or on monthly absence returns and form OPL1 should be forwarded as soon as possible to ensure the Finance Department are aware ordinary paternity leave has been taken in accordance with the scheme.
- Where an employee takes paternity leave he/she will be entitled to receive non-cash contractual benefits during his ordinary paternity leave. This includes childcare vouchers. Further information can be found at www.hmrc.gov.uk/childcare.

In some cases employees will satisfy the criteria for both this ordinary paternity scheme and the statutory paternity provisions. However, employees will not be entitled to receive both payments, instead they will be paid whichever is the greater.

FORM OPL1

APPLICATION FOR ORDINARY PATERNITY LEAVE

Section 1

For completion by the applicant.

Please complete this form and send it to your Headteacher at least 28 days before your absence.

Name: _____

Employee no. _____

Department: _____

School: _____

Designation: _____

Salary scale: _____

Hours per week: _____

Expected week of childbirth _____
(week in which baby is due)

In accordance with the ordinary paternity leave procedure, I hereby give formal notification of my intention to take ordinary paternity leave as the father/partner/"nominated carer" (delete as appropriate).

If "nominated carer" please give brief details of the circumstances.

I will liaise with my Headteacher as to the exact timing of this leave.

I formally apply for:

Please tick as applicable

1 week's ordinary paternity leave paid at normal pay;

plus

a second week's ordinary paternity leave paid at Statutory Paternity Pay rate (or 90% of average weekly earnings, whichever is the lesser).

I would like my ordinary paternity leave to start on _____

Section 2

Statutory Payments Declaration

This declaration must be completed and will not affect your entitlement to ordinary paternity payments but will clarify whether the Authority is eligible to recover from the Inland Revenue some of the payments made to you.

| | <u>Criteria Met</u> <i>(delete as appropriate)</i> |
|--|---|
| (i) I have been continuously employed with Sefton for at least 26 weeks by the 15 th week before the child is expected to be born or by the week in which an adoption match is made. | YES / NO |
| (ii) I am <ul style="list-style-type: none">• The baby's biological father, or• In a civil partnership or married to the mother, or• living with the mother in an enduring family relationship, but am not an immediate relative | YES / NO |
| (iii) I will have a responsibility for the child's upbringing | YES / NO |
| (iv) I am taking the time off to support the mother, OR, to care for the child | YES / NO |

Signed

Date

SECTION 3

For completion by Headteacher

Approval is given for ordinary paternity leave as requested in accordance with the Conditions of the Scheme.

Signed: _____

Date: _____

Copies to be forwarded to:

- Employee concerned
- Finance Department for payment
- Copy of OPL1 to be retained on personal file and details to be input onto computerised records

FORM OPL1A

APPLICATION FOR ORDINARY PATERNITY LEAVE

(in cases of adoption)

Section 1

For completion by the applicant.

Please complete this form and send it to your Headteacher at least 28 days before your absence.

Name: _____

Employee no. _____

Department: _____

School: _____

Designation: _____

Salary scale: _____

Hours per week: _____

Expected week of Placement _____

In accordance with the ordinary paternity leave procedure, I hereby give formal notification of my intention to take ordinary paternity leave as the adopter/partner/"nominated carer" (delete as appropriate).

If "nominated carer" please give brief details of the circumstances.

I attach, herewith, a copy of the matching certificate which states the week in which the child will be placed.

I will liaise with my Headteacher as to the exact timing of this leave.

I formally apply for:

Please tick as applicable

1 week's ordinary paternity leave paid at normal pay;

plus

a second week's ordinary paternity leave paid at Statutory Paternity Pay rate (or 90% of average weekly earnings, whichever is the lesser).

I would like my Ordinary Paternity leave to start on _____

Section 2

Statutory Payments Declaration

This declaration must be completed and will not affect your entitlement to Ordinary Paternity payments but will clarify whether the Authority is eligible to recover from the Inland Revenue some of the payments made to you.

| | <u>Criteria Met</u> <i>(delete as appropriate)</i> |
|--|---|
| (i) I have been continuously employed with Sefton for at least 26 weeks by the 15 th week before the child is expected to be born or by the week in which an adoption match is made. | YES / NO |
| (ii) 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, and | YES / NO |
| (iii) I will have a responsibility for the child's upbringing | YES / NO |
| (iv) I am taking the time off to support the person adopting the child, OR, to care for the child | YES / NO |

Signed

Date

SECTION 3

For completion by Headteacher

Approval is given for Ordinary paternity Leave as requested in accordance with the Conditions of the Scheme.

Signed: _____

Date: _____

Copies to be forwarded to:

- Employee concerned
- Finance Department for payment
- Copy of OPL1A to be retained on personal file and details to be input onto computerised records