

Paternity policy

Statement of policy and purpose of Policy

1. Pescado recognises and respects the rights of parents to take time away from work in connection with childbirth. No-one will be subjected to a detriment for exercising their right to take paternity leave in accordance with this policy or for seeking to do so.
2. The purpose of this policy is to ensure that staff and managers are clear about entitlements on paternity leave, the process that should be followed for arranging leave and the terms that apply during and after paternity leave.
3. This policy is intended to summarise your statutory rights. If there is a contradiction between this policy and the statutory paternity leave entitlement that apply at any time, this policy shall be deemed to be amended, as necessary, to comply with legislative requirement.
4. This is a statement of policy only and does not form part of your contract of employment. We may amend this policy at any time, in our absolute discretion.

Definitions

- 5 a. **Expected Week of Childbirth:** the week, starting on a Sunday, in which your doctor or midwife expects your spouse, civil partner or partner to give birth.
- b. **Partner:** someone (whether of a different sex or the same sex) with whom you live in an enduring family relationship, but who is not your parent, grandfather, sister, brother, aunt or uncle.
- c. **Qualifying Week:** the fifteenth week before the Expected Week of Childbirth.

What is paternity leave and who is eligible to take it?

6. Paternity leave is the right for qualifying employees to take up to two weeks' ordinary paternity leave in connection with the birth of their child or a child for whom they have responsibility.
7. If you are the expectant father or partner of the expectant mother, you have the right to take unpaid time off to attend up to two antenatal appointments (up to a maximum of six and a half hours each) with the child's mother. You do not have to work for us for a certain period of time to qualify for this right, but we can ask you for a declaration stating the time and date of the appointment, that you qualify for unpaid time off to attend or antenatal appointment with the expectant mother and that the appointment has been made on the advice of a registered medical practitioner.
8. To be entitled to ordinary paternity leave (OPL) you must:
 - a. still be employed and have at least 26 weeks of continuous employment at the end of the Qualifying Week;
 - b. be either (i) the biological father of the child or the spouse and expect to have some responsibility for its upbringing or (ii) be the civil partner or partner of the child's mother and expect to have main (shared) responsibility (with the child's mother, co adopter or adopter) for its upbringing;
 - c. be taking the leave to care for the child or support the mother

9. OPL is either one week or two consecutive weeks and may not be taken in shorter intervals. It can start at any time from the date of the child's birth and must be completed within the following 56 days. However, if the child is born early (before the Expected Week of Childbirth) then the leave can be taken within 56 days of the start of that week.

10. Before the end of the Qualifying Week, or as soon as reasonably practical afterwards, you must tell us in writing that you wish to take OPL and confirm the dates of the Expected Week of Childbirth and when you would like your OPL to start. The start date can be specified as:

- a. the day of the child's birth;
- b. a specified number of days after the child's birth; or
- c. a specified date later than the first date of the Expected Week of Childbirth.

We may also ask you for a signed declaration confirming the purpose of the leave.

Changing the dates of ordinary paternity leave

11. You can change the start date for your paternity leave by giving us written notice of 28 days.

12. If you cannot give us 28 days written notice due to unexpected changes, you must notify us in writing of the change as soon as you can.

Statutory paternity pay

13. During OPL, you will be entitled to ordinary statutory paternity pay (SPP) at a statutory rate set annually by the Government, provided that during the eight weeks ending with the Qualifying Week, your average weekly earnings are at least the lower earnings limit set by the government.

14. SPP will stop being payable if you return to work.

During paternity leave

15. While you are on paternity leave, your normal terms of employment will continue to apply except for your entitlement to pay and commissions. In particular, benefits in kind shall continue to accrue such as holiday. The effect of your paternity leave on your pension arrangements depends on the type of scheme in which you are participating and the terms of your participation. For further information to this, speak to People Support.

16. Although we will respect your absence during your paternity leave, we may need to make contact with you from time to time. If you have any concerns regarding this, you should speak with People Support.

When you return to work

17. In general, you will return to work in the same job and on the same terms as if you had not been absent. However, in some cases where you have taken any period of parental leave in conjunction with your paternity leave then we may offer you another suitable role on terms and conditions that are not less favourable than those that applied before your leave.

18. If you wish to change your working patterns when you return to work then you should make a request for flexible working in line with set procedures that flexible working requests takes time to deal with so it's important that you make your request as soon as possible, otherwise you may have a

return to work on the basis of your prior working patterns until the process of dealing with the request has finished.

Rights to leave on adoption

19. Certain employees can take either adoption leave, paternity leave, or shared parental leave in relation to the adoption of a child and adoption leave if they are to have parental responsibility for a child under a surrogacy arrangement. Further details are available in our Adoption Leave Policy.