



**Triple C**  
(Liverpool)

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## PATERNITY LEAVE AND PAY POLICY

<b>Policy Adopted</b>	August 2009
<b>Last Reviewed</b>	May 2022
<b>Next Review Due</b>	March 2025

Date Reviewed	Reviewed by	Approved by	Date Accepted by Trustees
03/05/2022	Operations Manager	Policy Review Committee	16/05/2022

## Introduction

It is the policy of Triple C (Liverpool), hereafter referred to as Triple C, to ensure that as far as possible our employees are able to combine their career and family responsibilities. We recognise that parenthood brings additional responsibilities. This policy is compliant with the Employment Rights Act 1996, Employment Act 2002, and the Work and Families Act 2006.

### 1. Paternity Leave

- 1.1. Paternity leave is paid time-off work to attend to domestic commitments following the birth of a child, having a baby through a surrogacy arrangement, the adoption of a child by a member of staff, or to support the adopter. The employee can choose to take either one or two weeks (the amount of time is the same even if there is more than one child i.e. twins)
- 1.2. Paternity leave must be taken in one go. A week is the same amount of days that you normally work in a week – for example, a week is two days if you only work on Mondays and Tuesdays.
- 1.3. Paternity Leave cannot start before the birth. The start date must be one of the following:
  - the actual date of birth
  - an agreed number of days after the birth
  - an agreed number of days after the expected week of childbirth
- 1.4. Paternity leave must finish within 56 days of the birth (or due date if the baby is early). The start and end dates are different if employee is adopting.
- 1.5. Employees may also be eligible for Shared Parental Leave (SPL). Paternity Leave cannot be taken after you take SPL Please refer to our Shared Parental Leave Policy
- 1.6. Employees can take unpaid leave to accompany a pregnant woman to two antenatal appointments of up to 6 and a half hours each if they are
  - the baby's father
  - the expectant mother's spouse or civil partner
  - in a long-term relationship with the expectant mother
  - the intended parent (if they're having a baby through a surrogacy arrangement)
- 1.7. Employees still qualify for paternity leave and pay if the baby is either:
  - still born from 24 weeks of pregnancy
  - born alive at any point in the pregnancy but later dies

### 2 Paternity Pay

- 2.1. Triple C offers paternity pay based on statutory requirements. An employee will be entitled to SPP if they fulfil the following criteria:
  - Inform line manager in writing, 28 days beforehand, or in the case of an emergency, as soon as practicable, that they expect to be absent from work; and
  - Have or be expected to have responsibility for the child's upbringing; and how much leave they want; and
  - By regulation have worked continuously for Triple C (Liverpool) for 26 weeks leading into the 15th week before the baby is due. Triple C (Liverpool) will waive this condition if the member of staff has been working with Triple C (Liverpool) for 3 months prior to the expected date of birth. The qualifying week is different if the employee is adopting.
  - be on Triple C (Liverpool) payroll and earn at least the minimum amount as detailed on the following link <https://www.gov.uk/paternity-pay-leave/eligibility> Paternity Pay (SPP), is either the current rate of SPP or 90% of the average weekly earnings whichever is lower. Tax and National Insurance will be deducted).

The current rate of SPP can be found by clicking on the following link <https://www.gov.uk/paternity-pay-leave/pay>

### 3 Eligibility

- 3.1 You must be taking time off to look after the child and be one of the following:
- The father
  - The husband or partner of the mother (or adopter) this includes same-sex partners
  - the child's adopter
  - the intended parent (if they're having a baby through a surrogacy arrangement)
- 3.2 In addition, the employee must also:
- a) Be the biological father of the child, or the mother's husband or partner; and  
Produce a medical certificate stating the expected week of confinement; or
  - b) Be the adopter's spouse or partner; and  
Produce a completed self-certificate as evidence of their eligibility.

In the case outlined at 1.9 b), a 'matching certificate' must be obtained from the adoption agency as evidence of the employee's eligibility for paternity leave and SPP.

- 3.3 If the child is born early, you are still eligible for SPP if you have worked for Triple C continuously for at least 26 weeks by the expected week of childbirth.
- 3.4 Triple C will inform the employee within 28 days if they do not qualify for Paternity Pay and give the reason why using form SPP1

### 4 Adoption Paternity Leave

- 4.1 To qualify for adoption leave, an employee must:
- Be newly matched with a child for adoption by an approved adoption agency (excluding therefore the adoption of a child by a step-parent).
  - Have worked continuously for Triple C for at least 26 weeks by the end of the week they were matched with a child (UK adoption).
  - Have worked continuously for Triple C for at least 26 weeks by either the date the child arrives in the UK or when they want their pay to start (overseas adoption).
  - confirm that their partner is getting Statutory Adoption Pay in writing or by giving Triple C a copy of their partner's form SC6
- 4.2 An employee adopting a child must send Triple C a form SC4 for:
- leave – no later than 7 days of their co-adopters or partner being matched with a child
  - pay – 28 days before they want their pay to start
- For overseas adoptions the form and notice period is different.
- 4.3 An employee taking paternity leave because they're adopting can start their leave:
- on the date of placement
  - an agreed number of days after the date of placement
  - on the date the child arrives in the UK or an agreed number of days after this (overseas adoptions)

For overseas adoptions leave must be taken within 56 days of the date of placement or the child's arrival in the UK

- 4.4 Employees must give Triple C proof of adoption to qualify for paternity pay. Proof isn't needed for paternity leave unless Triple C request it. Proof can be a letter from their adoption agency or their matching certificate.