

Statutory Paternity Pay/ Paternity Leave

Becoming a parent

If you want to take time off work to support the mother of a baby or look after the baby you may be entitled to

- Statutory Paternity Pay (SPP) – at least part of your wages will be paid for two weeks. You will get £106 or 90% of your average weekly earnings, whichever is less.
- Paternity Leave – up to two weeks' time off.

Depending on your circumstances you may not qualify for SPP and/or paternity leave. Your employer will let you know. If this is the case you will get more advice and information at the time.

If you need help with this form please contact any Inland Revenue office. You will find the number in the telephone book.

Please read through the terms and conditions on page 2 and if you think you might qualify, then

- **Fill in the statement on page 3.**
- **Give the completed statement to your employing authority, at least 28 days before the absence is due to begin.**
- **On receipt the Employing Authority should immediately complete Part B and forward the form to the Department.**

SC3

Other help

The DTI publications *Maternity Rights – a guide for employers and employees*, and *Paternity Leave and Pay – a basic summary* give information on these rights. The maternity publication also gives details of other booklets covering employment protection and related equal opportunities legislation. Available from

- DTI publications on **0870 1502 500**, or
- Go to www.dti.gov.uk/er
- Jobcentre plus/social security office.

A DWP publication *A guide to Maternity benefits*, leaflet *NI 17A*, has details of other booklets covering social security benefits and some brief information on paternity. Available from

- Jobcentre plus/social security office – see your telephone book, or
- Go to www.dwp.gov.uk/advisers/index.htm#guides

This also has details of other booklets covering social security benefits and some brief information on paternity.

You can also contact

- Any Inland Revenue office
- Any Arbitration and Conciliation Advisory Service (ACAS) office (see www.acas.org.uk for details)
- www.tiger.gov.uk

Information on all aspects of employment legislation is also usually available from citizens advice bureaus, low pay units, trade unions and other bodies.

If you are entitled to SPP you may be entitled to other government help. Contact your local jobcentre plus/social security office.

please turn over ➤

Terms and conditions

On this form we haven't covered all of the law that relates to Statutory Paternity Pay (SPP) and leave. So if you are in any doubt about your entitlement talk to your employer or contact any Inland Revenue office.

SPP and paternity leave are available to

- a biological father
- a partner/husband that is not the baby's biological father
- a female partner in a same sex couple

You must be able to declare that

- you are
 - the baby's biological father, or
 - married to the mother, or
 - living with the mother in an enduring family relationship, but are not an immediate relative, and
- you will be responsible for the child's upbringing, and
- you will take time off work to support the mother or care for the child.

You must be continuously employed during the pregnancy.

To get SPP you must also have average earnings over a set period above a set amount – your employer will work this out for you.

You can choose to take one or two whole weeks leave any time up to eight weeks after the date of birth. If the baby is born early you can choose to take your leave any time between the actual date of birth and the end of an 8 week period running from the Sunday of the week the baby was originally due. You cannot take odd days off work, but the weeks can start on any day, for example from Tuesday to Monday.

You must discuss your leave plans with your employer and tell them what time off you want by the 15th week before the week the baby is due. Your employer can tell you when this is if you're not sure. You can change your mind,

but you must give your employer 28 days' notice of the new date. You and your employer may find it helpful if you filled in a new version of this form.

If you can't tell your employer what time off you want in time, or the baby is born sooner or later than expected, please discuss the situation with your employer. If you are unable to resolve any disagreement contact any Inland Revenue office for advice.

Disagreements

If your employer tells you that you are not entitled to SPP and/or paternity leave you can challenge that decision. If you need help with this, for

- SPP – contact your Inland Revenue office.
- Paternity leave – contact ACAS, you will find the number in the telephone book.

PART A Your dates for pay and leave

The baby is due on

And, if the baby has been born, please enter the actual date of birth

I would like my SPP and/or paternity leave to start on

I want to be away from work for one/two* weeks
(*delete as appropriate)

(Including **Discretionary** paternity leave awarded under Circ 1990/32).

Discretionary leave from to

Your declaration

Surname

First name(s)

TR Number

You must be able to tick all three boxes below to get Statutory Paternity Pay and paternity leave.

I declare that

- I am √
 - the baby's biological father, or
 - married to the mother, or
 - living with the mother in an enduring family relationship, but am not an immediate relative
- I have the responsibility for the child's upbringing
- I will take time off work to support the mother or care for the child.

Signature

Date

Part B

The above-named teacher's paternity leave has been approved.

Signed: _____ Date: _____

On behalf of _____
(Employing Authority)