



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 the weekly rate of SPP current at the time of your paternity leave, 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 HM Revenue & Customs Office. Look up 'Inland Revenue' or 'HM Revenue & Customs' in your local phone book.

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

- fill in page 3
- give the completed statement to your employing authority at least 28 days before the absence is set to begin.
- On receipt the employing authority should immediately complete Part B and forward the form to the Department.

Other help

The Department for Trade and Industry (DTI) publications *Working Fathers* and *Paternity Leave and Pay – a basic summary* give information on these rights.

The paternity publication also gives details of other booklets covering employment protection and related equal opportunities legislation. These are available from www.dti.gov.uk/workingparents

A Department for Work and Pensions (DWP) publication *A guide to Maternity Benefits, NI 17A*, also has details of other booklets covering social security benefits and some brief information on paternity.

Go to www.dwp.gov.uk/advisers/#techguides to see these.

You can also contact

- any HM Revenue & Customs office
- any Advisory, Conciliation and Arbitration Service (ACAS) office (see www.acas.org.uk for details)
- www.tiger.gov.uk (Tailored Interactive Guidance on Employment Rights)

Information on all aspects of employment legislation is also usually available from any Citizens Advice Bureau, low pay units and Trade Unions.

If you are not entitled to SPP you may be entitled to other government help. Contact your local Jobcentre plus or social security office.

Terms and conditions

On this form we have not 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 HM Revenue & Customs office.

SPP and paternity leave are available to

- a biological father
- a partner, husband or civil partner 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 or in a civil partnership with 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 whole of 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 cannot start your paternity leave before a child is born.

You can choose to take one or two whole weeks leave which must end by the 56th day 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 are

not sure. You can change your mind but you must give your employer 28 days notice of the dates.

If you cannot 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 HM Revenue & Customs 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 HM Revenue & Customs Office
- Paternity leave – contact Advisory Conciliation and Arbitration Service (ACAS), on helpline number **08457 47 47 47**. In Northern Ireland, contact the Labour Relations Agency on **028 9032 1442**.

Penalties

Penalties may be charged where a person, either fraudulently or negligently, gives incorrect information or makes a false statement or declaration of the purpose of claiming entitlement to Statutory Adoption, Paternity, Maternity or Sick Pay.

Your dates for pay and leave

The baby is due on

If the baby has been born, please enter the actual date of birth and also give the date the baby was due in the above box

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 Circular 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 or in a civil partnership with the mother, or

- living with the mother in an enduring family relationship, but am not an immediate relative

- I have 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)

Give this page to your employer, but keep the terms and conditions for your records.