



# Paternity (New Parent Support) Policy

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## DOCUMENT CHANGE HISTORY

Initiated by	Date	Author (s)
People Services	February 2023	Michele Murray, Head of HR Policy, Risk Management and Projects
Version	Date	Comments
V8.1	9 March 2023	Policy re-modelled and reviewed by HR Policy Sub-Group
V8.2	28 March 2023	Approved at SPF
V9.0	17 April 2023	Approved at CRG

## POL095 – Paternity (New Parent Support) Policy

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<b>Valid Until Date</b>	30 April 2026
<b>Equality Analysis</b>	Completed 21 March 2023
<b>Linked procedural documents</b>	Flexible Working Policy Special Leave Procedure Annual Leave Policy Maternity Leave and Pay Policy Adoption Leave Policy Shared Parental Leave Policy
<b>Dissemination requirements</b>	All Trust employees by intranet
<b>Part of Trust's publication scheme</b>	Yes

## POL095 – Paternity (New Parent Support) Policy

The East of England Ambulance Service NHS Trust (EEAST) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups. This policy applies to all individuals working at all levels and grades for the Trust, including senior managers, officers, directors, non-executive directors, employees (whether permanent, fixed term or temporary).

All Trust policies can be provided in alternative formats.

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## 1. Introduction

- 1.1 EEAST recognises the important role that a father or partner can play in the upbringing of a child and is committed to supporting all eligible employees in applying for time away from work.

## 2. Purpose

- 2.1 This policy outlines your rights and responsibilities in relation to Paternity (New Parent Support) Leave.

## 3. Duties

- 3.1 EEAST aims to ensure the application of this policy is fair, equal and in no way discriminatory.
- 3.2 Your line manager is responsible for actioning your request for paternity (new parent support) leave.
- 3.3 Your line manager, HR and Union representatives are responsible for providing advice and guidance to you on the application of this policy and procedure.
- 3.4 If you wish to apply for paternity (new parent support) leave, you should use the procedure outlined in this policy, and seek advice if you are unsure of your entitlements.

## 4. Eligibility

### 4.1 Paternity (New Parent Support) Leave

You are entitled to paternity (new parent support) leave providing you have, or expect to have, responsibility for the baby's upbringing and you have met the following eligibility criteria:

- You have continuous NHS employment for at least 26 weeks ending with the fifteenth week before the baby is due (qualifying week); OR
- You have continuous employment for at least 26 weeks by

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the end of the week you are notified you are matched with your child (matching week).

You must also be either:

- The father of the child (including adoptive fathers).
- The mother's spouse or partner (whether opposite or same sex).
- The child's nominated carer.

### 4.2 NHS New Parent Support Pay

During your paternity (new parent support) leave, you will be entitled to NHS New Parent Support Pay if you meet all the following criteria:

- You have twelve months continuous service with one or more NHS employer before you take your leave.
- You have met the notification requirements at Section 6.

The rate of NHS New Parent Support Pay is full pay less any statutory paternity pay receivable.

*Full pay is calculated using your average earnings in the eight weeks prior to notification week (Section 6).*

### 4.3 Statutory Paternity Pay (SPP)

If you are not eligible for NHS New Parent Support Pay, you may still be entitled to SPP during paternity (new parent support) leave if you meet all the following criteria:

- You have worked continuously for the NHS for a minimum of 26 weeks before the qualifying week.
- You have weekly average earnings in the eight weeks prior to the notification week of at least the lower earnings limit for National Insurance contributions.

- You have met the notification requirements at Section 6.

***SPP is the standard rate set by the government or 90% of full pay (whichever is the lower)***

## **5. How much leave can I take and when**

5.1 You can take unpaid leave to attend 2 antenatal appointments if you are:

- the father of the child (including adoptive fathers).
- the mother's spouse or partner (whether opposite or same sex).
- the child's nominated carer.
- the intended parent (if you're having a baby through a surrogacy arrangement).

5.2 If eligible you are entitled to either a one-week period, or a continuous period of two weeks, paternity (new parent support) leave. (For the purpose of this policy, a week is the same number of days that you normally work in a week, e.g., a week is 2 days if you only work on Mondays and Tuesdays.)

5.3 Only one period of leave is normally available when there is a multiple birth (such as twins).

***Your leave cannot start before the birth, or date of placement of your child.***

5.5 You may choose whether to take the leave:

- From the day of the child's birth (whether this is earlier or later than expected).
- From the date of the child's placement.
- From a chosen date after the date of the child's birth or placement.

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- 5.6 The leave must also be taken (end) within 56 days of the birth (or due date if the baby is early), or of the placement of the child.
- 5.7 You may also be eligible for Shared Parental Leave (SPL). Please refer to the Shared Parental Leave Policy for further information and to check eligibility.

*Please note that if you are taking Paternity (New Parent Support) Leave you should take this before you take any SPL.*

### 6. Notification requirements

- 6.1 You must let us know of your intention to take paternity (new parent support) leave using the relevant notification form as follows:

#### **Birth of a baby – Appendix A**

- With as much notice as possible, to allow planning and preparation, but this should be at least 15 weeks before the baby is due (referred to as 'notification week').

#### **Adoption of a child – Appendix B**

- Within 7 days of being matched with a child, in the case of adoption (if adopting within the UK) or the date your child enters Great Britain, for the purposes of adoption from overseas.
  - At least 28 days before you want your pay to start.
- 6.2 You should complete the appropriate notification form (Appendix A or Appendix B) and give this to your line manager to notify them:
- The week your baby is due OR when the child is expected to be placed with you.
  - When you want to start your paternity (new parent support) leave and give them a copy of either (a) a MATB1 form in the case of pregnancy or (b) a Matching Certificate

in the case of adoption.

- If you want to take one- or two-weeks' leave.

### 6.3 **Changing the start date of your leave**

You can change the date you wish to start paternity (new parent support) leave by giving your line manager 28 days' notice wherever possible.

## 7. **Commencement of leave**

- 7.1 Once your baby has been born, or the date of placement has been confirmed, please inform your line manager. Your line manager will arrange completion of a Paternity (New Parent Support) Leave HR2a form (template under HR Forms on the intranet). This must also include the child's date of birth / placement).

## 8. **Bereavement Leave for loss of a baby**

- 8.1 Please refer to the Special Leave Procedure for support and your entitlements.

## 9. **Contractual Rights**

- 9.1 During paternity (new parent support) leave you retain all your contractual rights except remuneration.

## 10. **Pensions**

- 10.1 Pension rights and contributions shall be dealt with in accordance with the provisions of the NHS Superannuation Regulations.

## 11. **Policy Review**

- 11.1 This policy will be reviewed on a three-yearly basis or amended in the light of new employment legislation and/or relevant case law.

**Appendix A**

**Equality Impact Assessment**

<b>EIA Cover Sheet</b>	
Name of process/policy	Paternity (New Parent Support) Policy
Is the process new or existing? If existing, state policy reference number	Existing policy (POL095)
Person responsible for process/policy	HR
Directorate and department/section	People Services
Name of assessment lead or EIA assessment team members	Michele Murray
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation. This policy was written in partnership by management and staff side.

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The assessment is being made on:	Guidelines	
	Written policy involving staff and patients	X
	Strategy	
	Changes in practice	
	Department changes	
	Project plan	
	Action plan	
	Other (please state)	
	Training programme.	

Equality Analysis
<p>What is the aim of the policy/procedure/practice/event?  <b>This policy applies to all eligible employees who have responsibility for a child’s upbringing, i.e., the adoptive father of the child, the mother’s spouse or partner (whether opposite or same sex), the child’s nominated carer.</b></p> <p><b>This policy is compliant with the Employment Rights Act 1996, Employment Relations Act 1999, Employment Act 2002 and the Work and Families Act 2006.</b></p>

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Who does the policy/procedure/practice/event impact on?					
<b>Race</b>	X	<b>Religion/belief</b>	X	<b>Marriage/Civil Partnership</b>	X
<b>Gender</b>	X	<b>Disability</b>	X	<b>Sexual orientation</b>	X
<b>Age</b>	X	<b>Gender re-assignment</b>	X	<b>Pregnancy/maternity</b>	X
Who is responsible for monitoring the policy/procedure/practice/event? <b>HR</b>					
<p>What information is currently available on the impact of this policy/procedure/practice/event?  <b>Paternity (New Parent Support) Leave is recorded on GRS and ESR, and pay is recorded on ESR, and both could generate reports.</b></p> <p><b>This policy is linked to:  Flexible Working Arrangements Policy, Special Leave Policy, Annual Leave Policy, Maternity Policy, Adoption Leave Policy and Shared Parental Leave Policy.</b></p> <p><b>The policy may also be reflected in the results within the:</b></p> <ul style="list-style-type: none"> <li>• Workforce Race Equality Standards</li> <li>• Workforce Disability Standards</li> <li>• EDS2 – Equality Delivery System</li> <li>• Compliance with Public Sector Equality Duty and Specific Duty</li> </ul>					
Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? <b>No</b>					

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Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, If yes please provide evidence/examples:

<b>Race</b>	X	<b>Religion/belief</b>	X	<b>Marriage/Civil Partnership</b>	X
<b>Gender</b>	X	<b>Disability</b>	X	<b>Sexual orientation</b>	X
<b>Age</b>	X	<b>Gender re-assignment</b>	X	<b>Pregnancy/maternity</b>	X

Please provide evidence:

**This policy applies to all eligible EEAST employees, and the impact on the above groups is likely to be positive.**

**HR can provide statistics on the number of employees requesting paternity (new parental support) leave.**

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so please provide evidence/examples:

<b>Race</b>	<input type="checkbox"/>	<b>Religion/belief</b>	<input type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input type="checkbox"/>
<b>Gender</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>	<b>Sexual orientation</b>	<input type="checkbox"/>
<b>Age</b>	<input type="checkbox"/>	<b>Gender re-assignment</b>	<input type="checkbox"/>	<b>Pregnancy/maternity</b>	<input type="checkbox"/>

Please provide evidence:

No negative impact identified.

**Action Plan/Plans - SMART**

Specific

Measurable

Achievable

Relevant

Time Limited

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**Evaluation Monitoring Plan/how will this be monitored?**

Who

How

By

Reported to