



NHS 24

PATERNITY/PARTNER LEAVE POLICY

1 Introduction

- 1.1 NHS 24 recognises that fathers or partners (including same sex partners) have a need and desire to spend time at home during a period of family extension be that the birth, adoption or long term fostering of a child. This policy is intended to be flexible in its application to meet the needs of the individual.
- 1.2 For the purposes of deciding if an employee is eligible for paternity leave, under the regulations, a father or partner, as defined in the Paternity and Adoptive Leave Regulations 2002, is someone who lives with the mother of the baby in an 'enduring family relationship', but who is not an immediate relative.
- 1.3 "Partner" may be defined as a female or male in a same sex relationship. Where this policy refers to employees as "father", "he", "him" or "his", this should be taken to include female same sex partners who also qualify.

2 Scope

- 2.1 This policy applies to all employees regardless of grade and hours worked. Length of service determines whether leave granted will be paid or unpaid.

3 Principles

- 3.1 NHS 24 is committed to providing support to employees at such times and ensuring that this and other Family Friendly Policies are in place.
- 3.2 An employee is eligible for paternity leave if he has or expects to have responsibility for his baby's upbringing and is either or both the biological father of his baby and/or the mother's husband or partner.
- 3.3 The employee can only take paternity leave in order to care for his new baby or support the mother of the baby. He cannot take paternity leave for any other reason.

4 Entitlement to Paternity Pay

- 4.1 Entitlement to Statutory Paternity Pay (SPP) will depend on the employee's length of service.

- 4.2 Employees will be entitled to Statutory Paternity Pay (SPP) which is based on the SPP flat rate or 90% of the employee's normal weekly earnings, whichever is lower as long as they have at least 26 weeks continuous service either;
- by the end of the fifteenth week before the week the baby is due
- or
- by the week in which a match is made with a child/children for adoption or long-term foster care
- and
- who continue to work for NHS 24 until the baby's birth, adoption or commencement of long term foster care
- 4.3 Entitlement to occupational paternity pay will depend on the employee's length of service.
- 4.4 Employees with more than one year's continuous service in the NHS will be entitled to 10 days paid Paternity Leave which will be off-set against any Statutory Paternity Pay entitlement. Paid Paternity Leave will be calculated as the average weekly earnings in the 13 weeks before the date of leave.
- 4.5 Employees may take leave either as:
- A single block of 10 days;
 - Or a single block of 5 days;
 - Or any other individual arrangements agreed in advance between the employee and the line manager.
- 4.6 Employees with less than 26 weeks continuous service will be entitled to 10 days unpaid paternity leave.
- 4.7 If the baby is born earlier than the fourteenth week before it is due and, but for the birth occurring early, the employee would have been employed continuously for twenty-six weeks, then he will be deemed to have the necessary service and will be entitled to paid paternity leave.
- 4.8 Paternity leave entitlement for part time employees will be calculated on a pro-rata basis.
- 4.9 The partner of an individual who adopts or long term fosters, or the member of a couple adopting or long term fostering jointly who has not chosen to take adoption leave or fostering leave, may be entitled to paternity leave and pay.
- 4.10 An employee can only take one period of leave even if more than one child is born as the result of the same pregnancy or adopted or fostered long-term as part of the same arrangement.

- 4.11 Consideration may be given to utilising annual leave where additional time off is requested.
- 4.12 Entitlement to paternity leave is in addition to any eligibility or entitlement to parental leave.
- 4.13 The employee can choose to take paternity leave from the date of the baby's birth (or child's adoption or long term foster care placement) or later as long as leave is taken within 56 days of the birth.
- 4.14 In the case of premature births, leave can be taken 56 days from the expected date of birth.

5 Stillbirths

- 5.1 An employee will be entitled to paternity leave if his baby is still born after twenty-four weeks of pregnancy.
- 5.2 If the baby is born alive at any point in the pregnancy but dies later, the employee will also be entitled to paternity leave.

6 Attendance at Ante-Natal Classes

- 6.1 Employees may choose to utilise paternity leave to attend ante-natal classes having sought in advance the prior approval of their team leader or line manager.

7 Notification of Intention to Take Paternity Leave

- 7.1 Wherever practical, employees must advise their team leader or line manager in writing of their intention to take paternity leave by the end of the fifteenth week before the baby is due. The employee will need to tell NHS 24 of:
- The expected week that baby is due;
 - Whether they wish to take one or two weeks' leave;
 - When they want their leave to start.
- 7.2 Employees can change their mind about the date on which they want their leave to start provided that they tell their employer at least 28 days in advance, unless this is not reasonably practicable.
- 7.3 In the case of adoption or long term foster care, written notice should be given within 7 calendar days of being notified by the adoption or foster care agency of matching wherever reasonably possible.
- 7.4 The employee will be required to provide NHS 24 with a completed self-certificate as evidence of their entitlement to SPP or Occupational Paternity Pay. See Appendix A.

8 Contractual Benefits During Paternity Leave

- 8.1 Employees are entitled to the benefit of their normal terms and conditions of employment (e.g. mobile phones, leased car, etc.), except for terms relating to salary, throughout their paternity leave.

9 Return to Work After Paternity Leave

- 9.1 An employee will be entitled to return to the same job following paternity leave as if they had not been absent, unless an organisational change or redundancy situation has arisen.

10 Procedure

- 10.1 The employee should make a request for Paternity Leave to their appropriate line manager or, if unavailable, duty line manager. The 'Approved Leave Pro Forma' see Appendix B should then be completed. In cases where unpaid leave has been granted, the employee's signature will be required prior to granting any such leave.
- 10.2 The line manager must ascertain the full circumstances relating to the request and determine the amount of leave to grant in accordance with the following guidance. The employee should be advised in writing, using the Approved Authorised Leave Form, of the duration of the leave granted and details as to whether it is paid or unpaid within one week.
- 10.3 Line managers should record the granting of Paternity Leave using the Approved Authorised Leave Pro Forma and send a copy immediately to Central Resource Team (CRT), if a member of the Operations Directorate, and the Human Resources Department. In turn, the Human Resources Department will update the Personnel Management Information System (CIPHR). Any periods of unpaid leave granted will require payroll notification: for front line staff this will be completed by the Service Support Team and for non front line staff by the Human Resource Department.
- 10.4 Once the employee has signed off the Approved Authorised Leave Pro Forma, which in certain circumstances may be retrospective of the leave taken, it should then be sent to the Human Resource Department.

11 Review

- 11.1 The Policy will be reviewed in Partnership on a two-yearly basis.

March 2005

APPROVED AUTHORISED LEAVE

Part A: To Be Completed By Team Leaders / Line Managers

Where an employee is requesting any form of leave other than annual leave, please complete Part A indicating the category of leave authorised and email to Central Resource Team.

The Team Leader/Line Manager should then complete Part B of the form and submit all details (Parts A & B) to the Human Resources Department for information to be stored against the individual's personal record and Cipher update.

Name Of Employee			
Location		Employee Payroll Number:	
	Dates Approved	From To	Paid/Unpaid*
Half Shift	Dates Approved	From	To Paid/Unpaid*
Total Hours Approved (Front Line)		Total days Approved (Non frontline)	

* Delete As Appropriate

CATEGORY OF LEAVE

Category of Authorised Leave Approved	Please indicate
Parental Leave :	
Compassionate Leave/ Bereavement Leave	
Dependants Leave	
Facilities Time: TU Duties H & S Representatives	
Special Leave: Domestic Situation Jury Service Civic and Public Duties Voluntary Emergency Services Reserve Services	
Dental/Hospital Appointments	
Time Off In Lieu (TOIL)	

Part B To Be Completed By Team Leaders / Line Managers For HR Information Only

Comments: *(please give as much detail regarding the reason for request)*

Authorising Team Leader / Line Manager:

Signature: Date

Part C To Be Completed By Employee.

I have noted the approved dates of my leave and agree with any unpaid leave (If applicable)

Signature:

Date:

To Be Returned To The Human Resources Department