



Welsh Target Shooting Federation

Paternity Leave Policy

1. STATEMENT OF INTENT

1.1 This policy sets out the statutory rights and responsibilities of employees whose wife, civil partner or partner gives birth to a child and gives details of the arrangements for paternity leave and pay.

1.2 Paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take paternity leave where the other adoptive parent has elected to take adoption leave.

1.3 Paternity leave will not count towards Parental Leave

2. ORDINARY PATERNITY LEAVE

2.1 In order to be eligible for paternity leave an employee must satisfy the following criteria:

- The employee must be the father of the child or married to, the civil partner or the partner of the child's mother, married to, the civil partner or the partner of the child's adopter, or one of a couple jointly adopting a child, and expect to have responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother
- Have 26 weeks' service at the 15th week before the baby is due to be born, or in respect of an adopted child, the week in which the child's adopter was notified of having been matched with a child
- The employee may be asked to produce evidence of entitlement to paternity leave by signing a self-certification form declaring that he or she meets the statutory eligibility criteria

2.2 Paternity leave is granted in addition to an employee's normal holiday entitlement. Paternity leave must be taken in a single block of one or two weeks within eight weeks of the birth or adoption of the child. If the child is born early, it must be taken from the time of birth but within eight weeks of the expected date of childbirth. Ordinary paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

2.3 To qualify for paternity leave, the employee must have, or expect to have, responsibility for the child's upbringing. Thus paternity leave is not available to biological fathers who are not likely to have parental responsibility for their child.

3. NOTIFICATION – ORDINARY PATERNITY LEAVE: BIRTH OF A CHILD

3.1 Where an employee wishes to request paternity leave in respect of the birth of a child, he or she must give the following information in writing no later than 15 weeks before the expected week of childbirth:

- a) the expected week of the child's birth
- b) whether they intend to take one or two weeks' leave; and



c) the date on which they want paternity leave to start.

3.2 The employee may change the date on which they want their paternity leave to start providing they notify the company of the change at least 28 days before leave was due to start.

3.3 If an employee has chosen to start paternity leave on a pre-determined date, and the child is not born on or before that date, the employee must change their choice of date and notify the company of the change as soon as possible.

3.4 In all cases, the employee must notify the company as soon as possible after the child's birth, of the date on which the child was born.

3.5 If the employee has elected to start paternity leave on the date the child is born and they are at work on that date, leave will start the following day

4. **NOTIFICATION – ORDINARY PATERNITY LEAVE: ADOPTION**

4.1 In the case of an adopted child, the employee must give written notice of their intention to take paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency.

4.2 The notice must specify the following:

- a) the date the child is expected to be placed for adoption
- b) the date the employee intends to start paternity leave
- c) the length of the intended paternity leave period; and
- d) the date on which the adopter was notified of having been matched with the child

4.3 The employee may change the date on which they want their paternity leave to start providing they notify the company of the change at least 28 days before leave was due to start.

5. **ORDINARY STATUTORY PATERNITY PAY**

5.1 Statutory Paternity Pay is paid for a maximum of 2 weeks. It is paid at a flat rate laid down by statute or 90% of average weekly earning if this is less.

5.2 To qualify for paternity pay employees must have average earning at or above the lower earnings limit for the payment of National Insurance contributions.

5.3 An employee's average weekly earnings are calculated by taking his average earning over the 8 weeks immediately leading up to the notification week (i.e. 15 weeks before the expected week of childbirth, or the date of placement of the child).

5.4 Statutory Paternity Pay will begin at the same time as an employee's paternity leave commences and will be paid on the same date that salary would have been paid and will be subject to deductions for tax, National Insurance and any pension contributions in the usual way.



7. ADDITIONAL PATERNITY LEAVE

7.1 Eligible employees may take up to 26 weeks' additional paternity leave within the first year of their child's life, provided that the mother has returned to work before using her full entitlement to maternity leave. Additional paternity leave is also available to adoptive parents within the first year after the child's placement for adoption, provided that the child's adopter who elected to take adoption leave (the "primary adopter") had returned to work before using his/her full entitlement to adoption leave.

7.2 The earliest that additional paternity leave can commence is 20 weeks after the date on which the child is born, or 20 weeks after the date of placement of the child for adoption, and it must end no later than 12 months after that date. Additional paternity leave must be taken as a single block in multiples of complete weeks. The minimum period is two consecutive weeks and the maximum period is 26 weeks.

7.3 During the period of additional paternity leave, the employee's contract of employment continues in force and he/she is entitled to receive all his/her contractual benefits, except for salary. In particular, any benefits in kind will continue and contractual annual leave entitlement will continue to accrue.

7.4 Salary may be replaced by statutory paternity pay for some of the additional paternity leave period if the employee is eligible. The remaining period of additional paternity leave is unpaid.

7.5 Employees are encouraged to take any outstanding annual leave due to them before the commencement of additional paternity leave. Employees are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during additional paternity leave, the employee should take his/her outstanding entitlement before starting his/her additional paternity leave.

8 ELIGIBILITY FOR ADDITIONAL PATERNITY LEAVE

8.1 In order to be eligible for additional paternity leave, an employee must satisfy each of the following criteria:

- He/she must be the father of the child or married to, the civil partner of, or the partner of, the child's mother, married to, the civil partner of, or the partner of the primary adopter, and, in the case of a birth child, expect to have the main responsibility for the upbringing of the child (apart from the mother's responsibility). In case of adoption, he/she must have been matched with the child for adoption. In both cases he/she must be taking the leave to care for the child.
- He/she must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which he/she was notified of having been matched with a child
- He/she must remain in continuous employment until the week before the first week of additional paternity leave.
- The mother of the child must be entitled to one or more of maternity leave, statutory maternity pay or maternity allowance. In the case of adoption, the primary adopter must be entitled to one or both of the adoption leave or statutory adoption pay. The mother or primary



adopter must have returned to work and forfeited a portion of his/her maternity or adoption leave

9. NOTIFICATION OF ADDITIONAL PATERNITY LEAVE

9.1 Where an employee wishes to request additional paternity leave and pay, he/she must give their line manager eight weeks' written notice of the date on which they wish to take the leave and, if applicable, additional statutory paternity pay to commence. The request must be in writing and specify, in the case of a birth child, the date on which the child was expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption. In both cases, the notice must also specify the employee's name and intended start and end date of additional paternity leave and statutory paternity pay.

9.2 The employee must also submit a written and signed self-certification form not less than eight weeks before the proposed start date of additional paternity leave and pay stating that the purpose of the additional paternity leave/statutory paternity pay period is to care for the child and that he/she satisfies the relationship eligibility conditions for additional paternity leave and pay.

9.3 At the same time, the mother or primary adopter must submit a written and signed declaration form stating:

- Their name, address and national insurance number
 - The date that they intend to return to work
 - that they have given notice to their employer of returning to work
 - that they are entitled to statutory maternity pay, maternity allowance or statutory adoption pay
 - the start date of their maternity or adoption pay period
 - confirmation that they satisfy the relationship eligibility conditions
 - that they consent to WTSF processing the information contained in the declaration form;
- and
- that the employee is, to their knowledge, the sole applicant for additional statutory paternity pay and, in the case of a birth child, also that the employee is, to their knowledge, the only person exercising the entitlement to additional paternity leave in respect of the child.

9.4 On the company's request, the employee must produce the name and business address of the mother's or primary adopter's employer and a copy of the child's birth certificate or, in the case of an adopted child, evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption. The employee must supply this information within 28 days of it being requested.

9.5 The employee is permitted to bring forward their additional paternity leave start date, provided that they advise the company in writing at least six weeks before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone their additional paternity leave start date, or cancel their additional leave altogether, provided they advise the company in writing at least six weeks before the original proposed start date or, if that is not possible, as soon as reasonable practicable.



9.6 WTSF will formally respond in writing to the employee's notification of their additional paternity leave plans within 28 days, confirming the relevant start and end dates of additional paternity leave and pay.

10. **ADDITIONAL STATUTORY PATERNITY PAY**

10.1 Additional statutory maternity pay may be payable during some of the additional paternity leave. An employee is entitled to additional statutory paternity pay if:

- They are the father of the child or married to, the civil partner of, or the partner of, the child's mother, married to, the civil partner of, or the partner of, the child's primary adopter, and, in the case of a birth child, expects to have the main responsibility for the upbringing of the child (apart from the mother's responsibility) or, in the case of adoption, has been matched with the child for adoption, and in either case intends to care for the child during the additional statutory paternity pay period
- They have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which they were notified of having been matched with the child.
- They remain in continuous employment until the week before the additional statutory paternity pay period begins
- Their average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions;
- The mother is entitled to statutory maternity pay or maternity allowance or, in the case of adoption, the primary adopter is entitled to statutory adoption pay, and the mother or primary adopter has returned to work before their full entitlement to statutory maternity pay/maternity allowance/statutory adoption pay has been exhausted;
- The mother or primary adopter has at least two weeks of their maternity or adoption pay period that remains unexpired; and
- They give proper notification in accordance with the rules set out above.

10.2 Any statutory paternity pay due during additional paternity leave will be paid at a flat rate laid down by statute or 90% of average weekly earning if this is less.

10.3 Statutory paternity pay is payable whether or not the employee intends to return to work after their additional paternity leave

11. **CONTACT DURING ADDITIONAL PATERNITY LEAVE**

11.1 Shortly before an employee's additional paternity leave starts, WTSF will discuss the arrangements for them to keep in touch during their leave, should they wish to do so. WTSF reserves the right in any event to maintain reasonable contact with the employee from time to time during their additional paternity leave. This may be to discuss the employee's plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or simply to update them on developments at work during their absence.

12. **KEEPING IN TOUCH DAYS DURING ADDITIONAL PATERNITY LEAVE**



12.1 An employee can agree to work for WTSF (or to attend training) for up to 10 days during additional paternity leave without that work bringing the period of their additional paternity leave and pay to an end. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

12.2 WTSF has no right to require the employee to carry out any work, and the employee has no right to undertake any work, during their additional paternity leave. Any work undertaken, including the amount of salary paid for any work done on keeping-in-touch days, is entirely a matter for agreement between the company and the employee. Any keeping-in-touch days worked do not extend the period of additional paternity leave. Once the keeping-in-touch days have been used up, the employee will lose any further entitlement to statutory paternity pay for any week in which they agree to work for WTSF. It may also bring the additional paternity leave period to an end

13. RETURNING TO WORK AFTER ADDITIONAL PATERNITY LEAVE

13.1 WTSF will formally advise the employee, in writing, of the end date of their additional paternity leave. The employee is expected to return on the next working day after this date, unless they notify the company otherwise. If they are unable to attend work at the end of additional paternity leave due to sickness or injury, WTSF's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

13.2 If the employee wishes to return to work earlier than the expected return date, they must give the company at least six weeks' notice of their date of early return, preferably in writing. If they fail to do so, WTSF may postpone their return to such a date as will give the company six weeks' notice, provided that this is not later than the expected return date.

13.3 If the employee decides not to return to work after additional paternity leave, they must give notice of resignation as soon as possible and in accordance with the terms of their contract of employment. If the notice period would expire after additional paternity leave has ended, WTSF may require the employee to work for the remainder of the notice period.

14. RIGHTS ON AND AFTER RETURN TO WORK

14.1 On resuming work after both ordinary and additional paternity leave (in the latter case where it was an isolated period of leave or taken with certain other types of statutory leave), the employee is entitled to return to the same job as they occupied before commencing paternity leave on the same terms and conditions of employment as if they had not been absent.

15. ADOPTIONS FROM OVERSEAS

15.1 If an employee has adopted a child from overseas, they may still be entitled to additional adoption leave provided again that the primary adopter has returned to work before using their full entitlement to adoption leave. Special rules apply in these circumstances. For further information please contact your line manager