Step by Step



Paternity Leave (Maternity – Adoption Support)

URN: J-Pr-082

Version: Effective Date: Version Date: Review Date:	1.7 21/06/2021 08/03/2024 20/12/2024
Host Force: Host Policy Unit: Step by Step	Dorset Police Dorset Police Legitimacy Team
Owner: Step by Step	Alliance Head of Employee Relations – HR Operations
Author:	Strategy and Policy Lead – Employee Relations
Associated	

J-P-034 Family Leave Policy

Applicable to:

Documents:

Devon & Cornwall Police	\boxtimes
Dorset Police	\boxtimes
OPCC Devon & Cornwall	
OPCC Dorset	\boxtimes
Officers	\boxtimes
Staff	\boxtimes

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Before reviewing the following procedural step by step guidance, individuals and line managers must ensure they have familiarised themselves with the Paternity (Maternity Support - Adoption Support) Leave Policy setting out the Force's provisions and eligibility criteria in full.

The Paternity Regulations have been amended with effect from 8 March 2024. The new regulations will apply to eligible individuals where the beginning of the expected week of birth or the date of adoption placement / child's entry into Great Britain falls on or after 6 April 2024. Individuals should refer to the applicable flowchart when considering a request.

The key paternity leave principles which apply prior to and on or after 6 April 2024 are available in summary within Appendix One and Appendix Two of this procedure.

J-P-076 - Paternity Leave (Maternity-Adoption Support) Policy

1.0 Introduction

Paternity leave (also known as maternity support and adoption support leave) is provided to eligible individuals to help care for the child or support the child's mother / primary carer. The line manager should respect the individual's right to privacy and confidentiality, ensuring that they do not share information unnecessarily or without agreement. Risk assessments should be undertaken by the line manager where appropriate.

2.0 Eligibility

Paternity (Maternity-Adoption Support) leave can apply if an individual and their partner are having a baby, adopting a child, approved for a 'Fostering for Adoption' arrangement, or having a baby through a surrogacy arrangement. The eligible individual may be the father, husband, or partner of the mother (or adopter), child's adopter, or intended parent (if having a baby through a surrogacy arrangement). The eligible individual must also have, or expect to have, responsibility for the upbringing of the child.

Birth parents and surrogacy

To be eligible for paternity leave, individuals must have 26 weeks' continuous service with their current Force by the 'qualifying week', which is the end of the 15th week before the week in which the baby is due. For example, if the baby is due on 1 December 2023, the end of the 15th week before this is 20 August 2023. To be eligible for paternity leave, the individual must have 26 weeks' continuous service prior to this, e.g., from 15 February 2023. **Please note:** In the case of a surrogacy arrangement, eligibility for paternity pay may apply where the individual has applied for, or intend to apply for, a parental order in the first six months following the baby's birth.

Adoptions (Great Britain and overseas)

To be eligible for maternity-adoption support leave, individuals must have 26 weeks' continuous service with their current Force by the end of the 'matching week', which is

the end of the week in which the adopter is notified of having been matched with a child. For example, if the child is matched for adoption within Great Britain on 1 December 2023, the individual must have 26 weeks continuous service prior to the end of that week, e.g., from 4 June 2023.

In the case of overseas adoption, the 26 weeks' continuous service is applicable from the date the child enters Great Britain.

Please note: The individual may be eligible to take shared parental leave with the mother / primary adopter, following the period of paternity (maternity-adoption support) leave, subject to the eligibility criteria. The Shared Parental Leave Step by Step is available via the People Portfolio pages of the intranet.

3.0 Entitlement

Qualifying individuals with the first day of the expected week of birth / expected date of adoption placement / the child's entry into Great Britain commencing prior to 6 April 2024

Individuals are entitled to two weeks' statutory paternity (maternity-adoption support) leave, which should be taken within 56 days of the birth (or the due date where the baby is born early) / adoption placement / the child's entry into Great Britain. The leave can be taken as one single or two consecutive weeks.

Qualifying individuals with the first day of the expected week of birth / expected date of adoption placement / the child's entry into Great Britain commencing on or after 6 April 2024

Individuals are entitled to up to two weeks' paternity or (maternity-adoption support) leave, which should be taken within 52 weeks of the date of birth (or the first day of the expected week of birth where the baby is born early) / adoption placement / the child's entry into Great Britain. The individual can choose to take either one- or two-weeks' leave, which can be taken as a single period of leave of either one week or two weeks, or two non-consecutive periods of leave of a week each.

The leave will include all duty and rest days planned during the requested period.

Individuals qualifying for paternity (maternity-adoption support) leave may also be entitled to paternity pay, made up to full pay for the first week. The second week (if taken) will be paid at the statutory paternity pay rate.

In the case of multiple births, e.g., twins, there will be no provision for additional paternity (maternity-adoption support) leave. The entitlement will remain the same.

Individuals entitled to paternity (maternity-adoption support) leave are able to attend two ante-natal appointments which will be on an unpaid basis.

The procedures within this step by step apply to agency workers in respect of leave and statutory entitlements.

4.0 Cancelling or varying Paternity or Maternity / Adoption Support leave

Where it is necessary to cancel or vary the start and end dates of their paternity (maternity-adoption support) leave, the individual must submit a further request to the line manager, providing 28 days' notice in advance of the original intended date, or the new intended date of leave, whichever is soonest.

Paternity (maternity-adoption support) leave cannot start before the date of birth / adoption placement / the child's entry into Great Britain. Where the child is not born, e.g., is overdue / not placed / has not entered Great Britain on or before the intended date of paternity leave, the individual must substitute the original leave date for a later date by submitting a further request to the line manager. The actual date of birth / adoption placement must be provided to the line manager as soon as reasonably practicable (or, in the case of overseas adoption, within 28 days of the child entering Great Britain, or as soon as reasonably practicable).

5.0 For Further Assistance

Please contact <u>HR Operations - Admin (D&C)</u> or <u>.HR Ops Dorset – Admin (Dorset)</u> if further support is required.

6.0 Supporting Links and Guidance

Adoption Leave Appendix One – Summary of Paternity Leave provisions for births/adoptions prior to 6 April 2024 Appendix Two – Summary of Paternity Leave provisions for births/adoptions on or after 6 April 2024 Contact details for RMU (D&C) / For Duties (Dorset), please refer to local email address Family Leave Glossary Family Leave Glossary Family Support Group Flexible Working Policy and Procedure Gov.uk Tax-free Childcare Maternity Leave Shared Parental Leave Support Networks (Dorset)

Qualifying individuals with the first day of the expected week of birth / expected date of adoption placement / the child's entry into Great Britain commencing prior to 6 April 2024

Statutory Paternity Pay / Paternity Leave request form

<u>Form SC4</u> – Statutory Paternity Pay / Paternity Leave when Adopting <u>Form SC5</u> – Statutory Paternity Pay / Paternity Leave when Adopting from Overseas

Qualifying individuals with the first day of the expected week of birth / expected date of adoption placement / the child's entry into Great Britain commencing on or after 6 April 2024

Paternity leave notice of entitlement form - to follow Paternity leave notice of entitlement (adoption) – to follow Paternity leave notice of entitlement (adoption from overseas) – to follow Form SC4 – Statutory Paternity Pay / Paternity Leave when Adopting – to follow Form SC5 – Statutory Paternity Pay / Paternity Leave when Adopting from Overseas – to follow

HR Privacy Notice (D&C) / (Dorset)

7.0 Flowchart

Qualifying individuals with the first day of the expected week of birth / expected week of adoption placement / the child's entry into Great Britain falls prior to 6 April 2024

1. Individual informs their line manager

The individual must inform their line manager of their intention to take paternity (maternity-adoption support) leave by completing the relevant HM Revenue & Customs form, using the links within Section 6.0 'Supporting Links and Guidance'.

- Paternity leave request form; or
- SC4 paternity leave relating to an adoption; or
- SC5 paternity leave relating to an adoption from overseas.

Completed forms must be submitted to the line manager for the authorisation of leave within the relevant notice period as below:-

Birth Parents and Surrogacy

- On or before the 15th week before the week the baby is due.

Adoption

- Within 7 days of being matched with a child.

Overseas Adoption

- No later than 28 days after being notified of being matched with a child, or within 28 days of completion of 26 weeks' continuous service with the Force, whichever is later.

Support is available through the Family Support Group (D&C) / Support Networks (Dorset), through the Employee Assistance Programme (EAP) or via Occupational Health (OH), where applicable.

- Line manager checks
 eligibility and submits
 form
- 3. Payroll process form

The line manager should review the form to ensure that the individual fulfils the requirements as specified. If there are no issues, the line manager must authorise the leave and send the form to Payroll for processing.

The Payroll Team will confirm receipt of the request form to the line manager and individual, update the HR system, and calculate and process the appropriate payment(s) for the period of paternity (maternity-adoption support) leave.

4.	Line manager requests suspension of computer access	Where the individual requests that their computer access is suspended, the line manager will raise an incident via MyIT, providing the individual's details and the date of commencement of the individual's paternity (maternity- adoption support) leave.
5.	Line manager updates RMU / Duties	It is the line manager's responsibility to either update GRS or inform the relevant Resource Management Unit (D&C) / Duties (Dorset) Team of the commencement of the leave period, using the link within Section 6.0 'Supporting Links and Guidance'.
6.	Individual returns to work	The individual should make early contact with their line manager to discuss and agree their return to work. Should they wish to alter their working hours / patterns the individual must submit a Flexible working request accordingly. A link to the flexible working procedure is available within Section 6.0 'Supporting Links and Guidance'.
7.	Line manager requests reinstatement of computer access	Where computer access was suspended, the line manager will raise an incident via MyIT, providing the individual's details and the date of return to work, at least three working days in advance, to ensure systems access is granted.
8.	Line manager updates RMU / Duties	It is the line manager's responsibility to either update GRS or inform the relevant Resource Management Unit (D&C) / Duties (Dorset) Team of the end of the leave period, using the link within Section 6.0 'Supporting Links and Guidance'.

8.0 Flowchart

Qualifying individuals with the first day of the expected week of birth / expected week of adoption placement / the child's entry into Great Britain falls on or after 6 April 2024

1. Individual informs their line manager of their entitlement to take paternity leave The individual must review their eligibility and inform their line manager of their entitlement to take paternity (maternity-adoption support) leave by completing the relevant HM Revenue & Customs form, using the links within Section 6.0 'Supporting Links and Guidance'.

- Paternity leave notice of entitlement form; or
- Paternity leave notice of entitlement (adoption); or
- Paternity leave notice of entitlement (adoption from overseas).

Completed forms must be submitted to the line manager within the relevant notice period as below:-

Birth Parents and Surrogacy

- On or before the 15th week before the week the baby is due.

Adoption

- Within 7 days' of notification of being matched with a child.

Overseas Adoption

- No later than 28 days' after being notified of being matched with a child, or within 28 days' of completion of 26 weeks' continuous service with the Force, whichever is later.

Where it is not possible to adhere to the required timeframes, notice must be given as soon as reasonably practicable.

Support is available through the Family Support Group (D&C) / Support Networks (Dorset), through the Employee Assistance Programme (EAP) or via Occupational Health (OH), where applicable.

 Line manager reviews eligibility and authorises the request The line manager will review the form and confirm that the individual meets the eligibility criteria before authorising the request.

 The individual provides notice of the intended start date and duration of leave The individual must inform their line manager of the start date and duration of their paternity (maternity-adoption support) leave by completing the relevant HM Revenue & Customs form, using the links within Section 6.0 'Supporting Links and Guidance'.

- Paternity leave request form; or
- SC4 paternity leave relating to an adoption; or
- SC5 paternity leave relating to an adoption from overseas.

Completed forms must be submitted to the line manager within the relevant notice period as below:-

Birth Parents and Surrogacy

- 28 days before the first day of the expected week of childbirth; or
- 28 days before a specified or pre-determined date (see below).

Adoption

- Within seven days of notification of being matched with a child.

Overseas Adoption

- 28 days before the child is expected to enter Great Britain; or
- 28 days before a pre-determined leave date (see below).

Where it is not possible to adhere to the required timeframes, notice must be given as soon as reasonably practicable.

The individual must provide proof of adoption, e.g., as letter from the adoption agency or a matching certificate.

Please note: Paternity (maternity-adoption support) leave must not start before the birth / date of adoption placement / child's entry into Great Britain and must end within 52 weeks of that date.

The start date must be one of the following;

- the actual date of birth (or the day after where the individual is working that day) / date of adoption placement / date of child's entry into Great Britain, or
- a specified number of days after the birth / adoption placement / child's entry into Great Britain, or

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3.	Cont'd	 a pre-determined date after the expected week of childbirth / adoption placement / child's entry into Great Britain.
4.	Line manager checks eligibility and submits form to Payroll	The line manager should review the form to ensure that the individual fulfils the requirements as specified. If there are no issues, the line manager must authorise the leave and send the form to the Payroll Team for processing.
5.	Payroll process form	The Payroll Team will confirm receipt of the request form to the line manager and individual, update the HR system, and calculate and process the appropriate payment(s) for the period of paternity (maternity-adoption support) leave.
6.	Line manager requests suspension of computer access	Where the individual requests their computer access is suspended, the line manager will raise an incident via MyIT, providing the individual's details and the date of commencement of the individual's paternity (maternity- adoption support) leave.
7.	Line manager updates RMU / Duties	It is the line manager's responsibility to either update GRS or inform the relevant Resource Management Unit (D&C) / Duties (Dorset) Team of the commencement of the leave period, using the link within Section 6.0 'Supporting Links and Guidance'.
8.	Individual returns to work	The individual should make early contact with their line manager to discuss and agree their return to work. Should they wish to alter their working hours / patterns the individual must submit a Flexible Working request accordingly. A link to the Flexible Working procedure is available within Section 6.0 'Supporting Links and Guidance' section.
9.	Line manager requests reinstatement of computer access	Where computer access was suspended, the line manager will raise an incident via MyIT, providing the individual's details and the date of return to work, at least three working days in advance, to ensure systems access is granted.
10.	Line manager updates RMU/Duties	It is the line manager's responsibility to either update GRS or inform the relevant Resource Management Unit (D&C) / Duties (Dorset) Team of the end of the leave period, using the link within Section 6.0 'Supporting Links and Guidance'.

Managers should contact <u>HR Operations - Admin (D&C)</u> or <u>.HR Ops Dorset – Admin (Dorset)</u> if the situation they are managing does not appear to be straightforward.

Appendix One – Summary of paternity leave provisions for eligible individuals where the expected week of birth, placement or entry into Great Britain falls prior to 6 April 2024

	Paternity - Standard	Paternity – Maternity- Adoption Support	Paternity – Adoption from Overseas	Paternity – Parental Order
Entitlement	 One consecutive week, or Two consecutive weeks. 	 One consecutive week, or Two consecutive weeks. 	 One consecutive week, or Two consecutive weeks. 	 One consecutive week, or Two consecutive weeks.
Timescale to take paternity leave	 The leave must be taken within:- 56 days of the birth, or the due date if the baby is born early. 	 The leave must be taken within:- 56 days of the child being placed with the adopter. 	 The leave must be taken within:- 56 days of the child entering Great Britain. 	 The leave must be taken within:- 56 days of the birth, or the due date if the baby is born early.
Paternity leave start date	 The leave must start:- On the date the child is born, A specified number of days after the child is born, or A predetermined date after the expected due date of the child. 	 The leave must start:- On the date the child is placed with the adopter, A specified number of days after the child is placed with the adopter, or A predetermined date after the expected placement date of the child. 	 The leave must start:- On the date the child enters Great Britain, A specified number of days after the child enters Great Britain, or A predetermined date after the expected date of the child's entry into Great Britain. 	 The leave must start:- On the date the child is born, A specified number of days after the child is born, or A predetermined date after the expected due date of the child.
Notice of the start date of paternity leave	The individual must provide notice of the start date and duration of the	The individual must provide notice of the start date and duration of the	The individual must provide notice of the start date and duration of the	The individual must provide notice of the start date and duration of the

leave either by the 15th week before the baby is expected, or the baby's due date.	leave no more than seven days after the date on which the adopter is notified of having been matched with the child.	leave within 28 days of the receipt of the official notification of being matched with the child, or within 28 days of completion of 26 weeks' continuous service with the Force, whichever is later.	leave either by the 15th week before the baby is expected, or the baby's due date.
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Appendix Two – Summary of paternity leave provisions for eligible individuals where the expected week of birth, placement or entry into Great Britain falls on or after 6 April 2024

	Paternity - Standard	Paternity – Maternity - Adoption Support	Paternity – Adoption from Overseas	Paternity – Parental Order
Entitlement	 One consecutive week, Two consecutive weeks, or Two non-consecutive periods of a week each. 	 One consecutive week, Two consecutive weeks, or Two non-consecutive periods of a week each. 	 One consecutive week, Two consecutive weeks, or Two non-consecutive periods of a week each. 	 One consecutive week, Two consecutive weeks, or Two non-consecutive periods of a week each.
Timescale to take paternity leave	 The leave must begin and end:- Between the child's birth date and 52 weeks after the date of birth. Please note: In the case of an early birth, the 52 week period applies from the first day of the expected week of birth. 	 The leave must begin and end:- Between the date of the child's placement with the adopter and 52 weeks after the date of placement. 	 The leave must begin and end:- Between the date that the child enters Great Britain and 52 weeks after the date the child enters Great Britain. 	 The leave must begin and end:- Between the child's birth date and 52 weeks after the date of birth. Please note: In the case of an early birth, the 52 week period applies from the first day of the expected week of birth.
Paternity leave start date	 The leave must start:- On the date the child is born, A specified number of days after the child is born, or 	 The leave must start:- On the date the child is placed with the adopter, A specified number of days after the child is placed with the adopter, or 	 The leave must start:- On the date the child enters Great Britain, A specified number of days after the child enters Great Britain, or A predetermined date after the expected date 	 The leave must start:- On the date the child is born, A specified number of days after the child is born, or

	• A predetermined date after the expected due date of the child.	• A predetermined date after the expected placement date of the child.	of the child's entry into Great Britain.	• A predetermined date after the expected due date of the child.
Notice of entitlement to take paternity leave	The individual must provide notice of entitlement, plus a declaration that they meet the criteria:-	The individual must provide notice of entitlement, plus a declaration that they meet the criteria:-	The individual must provide notice of entitlement, plus a declaration that they meet the criteria:-	The individual must provide notice of entitlement, plus a declaration that they meet the criteria:-
	• On or before the 15 th week before the expected week of birth, or where this is not possible, as soon as reasonably practicable.	 No more than seven days after the adopter has been notified of being matched with the child, or where this is not possible, as soon as reasonably practicable. The notice must include:- The date on which the adopter has been notified of being matched with the child, The date on which the child, The date on which the child is expected to be 	 No more than 28 days after the adopter has been notified of being matched with the child, or within 28 days of completion of 26 weeks' continuous service with the Force, whichever is later (or where this is not possible, as soon as reasonably practicable). The notice must include:- The date on which the adopter has been notified of 	 On or before the 15th week before the expected week of birth, or where this is not possible, as soon as reasonably practicable.

		placed with the adopter.	 being matched with the child, The date on which the child is expected to enter Great Britain. 	
Notice of the start date of paternity leave	 The individual must provide notice of the start date and duration of the leave, which is either:- 28 days before the first day of the expected week of the child's birth, or 28 days before a date falling the specified number of days after the first day of the expected week of childbirth, or 28 days before a predetermined date. 	 The individual must provide notice of the start date and duration of the leave:- No later than seven days after the date on which the adopter is notified of having been matched with the child (or where this is not possible, as soon as reasonably practicable). 	 The individual must provide notice of the start date and duration of the leave:- 28 days in advance of the date on which the child is expected to enter Great Britain, or the predetermined leave date (or where this is not possible, as soon as reasonably practicable). 	 The individual must provide notice of start date and duration of the leave, which is either:- 28 days before the first day of the expected week of the child's birth, or 28 days before a date falling the specified number of days after the first day of the expected week of childbirth, or 28 days before a predetermined date.

9.0 Monitoring and Review

Review and amendments will be coordinated by the Policy Unit.

The Alliance Head of Employee Relations is responsible for overseeing this document to ensure a consistent Force approach is maintained. Monitoring will be primarily carried out subject to force processes of continuing review and in line with force governance requirements.

This document will be reviewed annually subject to legislation / process changes.

Please note: Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: <u>.Policies@dorset.PNN.police.uk</u>

10.0 Version History

Version: Date:	1.0 21/06/2021
Reason for	
Amendments:	Initial document
Amended by:	Employee Relations
Approved by:	Board
Date Approved:	13/05/2021
Quality Assured:	Legitimacy Team

Version: Date: Reason for	1.1 08/03/2022
Amendments:	Family Leave Glossary link inserted; Privacy Notice links updated. Logo updated. Other links repaired.
Amended by:	Employee Relations
Approved by: Date Approved:	ER n/a
Quality Assured:	

Version:	1.2
Date: Reason for	03/05/2022
Amendments:	New paragraph (Section 3) – Expectant Parents – Established COVID principles

Amended by:	Legitimacy Team
Approved by:	Legitimacy Manager
Date Approved:	14/10/2021
Quality Assured:	Legitimacy Team

Version: Date: Boason for	1.3 18/07/2022
Reason for Amendments: Amended by: Approved by: Date Approved: Quality Assured:	Change to contact method for ICT. (4&7) Employee Relations ER n/a Legitimacy Team
Version: Date:	1.4 05/12/2022
Reason for Amendments:	Minor enhancements, e.g., the inclusion of a reminder for line managers to respect privacy/confidentiality following NPCC
Amended by: Approved by: Date Approved: Quality Assured:	Family Leave Guidance. Review date amendment. Employee Relations ER n/a Legitimacy Team
Version: Date:	1.5 14/04/2022
Reason for Amendments:	Minor wording amendments to the second paragraph of the 'Eligibility' section.
Amended by: Approved by: Date Approved: Quality Assured:	Employee Relations ER n/a Legitimacy Team
Version:	1.6

Version:	1.6
Date:	20/12/2023
Reason for	
Amendments:	Fit for purpose review completed, clarity provided, key change - 26 weeks qualifying service applies to the current Force. Updated to latest template.
Amended by:	Employee Relations
Approved by:	HoD
Date Approved:	18/12/2023
Quality Assured:	Legitimacy Team

Version:	1.7
Date:	08/03/2024
Reason for	
Amendments:	Updated to reflect new paternity regulations which are due to come into effect on 8 March 2024 and will apply to births and adoptions falling on or after 6 April 2024.
Amended by:	Employee Relations
Approved by:	not required - Legislative
Date Approved:	n/a
Quality Assured:	Legitimacy Team

11.0 Governance

Present Portfolio Holder: Present Document Owner: Present Owning Department:	Alliance Head of People (HR Operations) Alliance Head of Employee Relations Alliance People Portfolio	
Below details required for new documents, major amendments (Dorset only) or novel/contentious amendments (Devon & Cornwall only)		
Name of Board: Chief Officer Approving: Date Approved:	Strategic People Board Assistant Chief Officer (D&C) and Assistant Chief Officer (Dorset) 13/05/2021	
Business Board member approving (Devon & Cornwall only when not contentious or novel):n/aDate approved:n/a		

End of Document