

1181 PATERNITY POLICY

The following policy sets out the statutory and enhanced benefits available to Cheshire Fire and Rescue Service (CFRS) operational, support, part time, full time and fixed term employees.

OWNER	People and Organisational Development
LAST REVIEW	February 2024
REVIEW DUE DATE	Controlled by Corp Docs
VERSION CONTROL	1.4

OTHER (CROSS) REFERENCES:

[1222 Maternity Scheme](#), [1180 Parental Leave Policy](#), [1179 Adoption Leave](#), [1225 Flexible Working](#), [1230 Pay and Recognition Policy](#), [1214 Reorganisation Policy](#), [1215 Redeployment Policy](#), [1197 Special Leave](#), [1989 Shared Parental Leave](#).

CONTENTS

PART 1 - POLICY SECTION

<u>Section</u>	<u>Title</u>	<u>Page</u>
1	Introduction and Scope of Policy	3
2	Roles and Responsibilities	3
3	Definition of Terms	3
4	Statutory Entitlements	4
5	Paternity Leave	5
6	Paternity Pay	5
7	Maternity Support Leave	5
8	Antenatal Appointments and Placement and Match Meetings	5
9	Notice Arrangements	6
10	Returning to Work following Paternity Leave	6
11	Problems during the Pregnancy/ Childbirth	6
12	Flexible Working Requests	6
13	Shared Parental Leave	7
14	Fertility Treatment (IVF) and Appointments	7

PART 2 – PROCEDURE SECTION		
Procedure		<u>Page</u>
1	Notification of Paternity Leave	9
2	Problems During Paternity Leave	10
3	Grey Book Employee Leave Picks	11
4	Notification of Maternity Support Leave	11
5	Resignation	12
6	Change to Contract Requested by Employee	13
7	Change to Contract – Organisational Change	13
8	Fertility Treatment (IVF) and Appointments	13
PART 3 GUIDANCE SECTION		
<u>FREQUENTLY ASKED QUESTIONS</u>		
Paternity Leave		15
Maternity Support Leave		18
Pay		19
Contract Information		20
General Information		21
Related Entitlements and Policies: Parental Leave, Shared Parental Leave, Adoption Leave, Flexible Working and Special Leave		22
<u>FORMS and FLOWCHARTS</u>		
Appendix 1 Paternity Scheme Flowchart		23
Appendix 2 Paternity Leave Request Form		24
Appendix 3 Maternity Support Leave Form		26

PART 1 - POLICY SECTION

1. Introduction and Scope of Policy

This Paternity Scheme forms part of a group of policies under 'Family Leave'. This policy sets out the statutory and enhanced benefits available to Cheshire Fire and Rescue Service (CFRS) operational, support, part time, full time and fixed term employees who may be eligible.

The purpose of this policy and associated procedures is to:

- Explain the Service's enhanced provisions for Paternity Pay and leave.
- Ensure that managers are aware of their responsibilities to employees covered by this policy.
- Ensure that both employees and managers are aware of the processes in place in relation to Paternity Leave.
- Provide clear guidance on employee rights and responsibilities prior to, during and following Paternity Leave.

2. Roles and Responsibilities

- 2.1 **Employees** must recognise the importance of keeping management informed of their intentions and circumstances at the earliest opportunity and provide all necessary documentation as required. Employees must also adhere to the requirements in relation to providing notice of intention to take Paternity Leave.
- 2.2 **Line Managers** are responsible for the day-to-day operation of the procedure and ensuring that it is adhered to consistently.
- 2.3 **People & Organisational Development** are responsible for ensuring this procedure is implemented across the organisation and to provide advice and guidance on its interpretation.
- 2.4 **Equality, Diversity and Inclusion Advisor** will provide guidance and support where requested.
- 2.5 **Fitness Advisor** will provide guidance on fitness and nutrition where requested.
- 2.6 **Mental Health and Wellbeing Advisor** is available to provide support and general guidance.

3. Definition of Terms

Listed are some of the key terms and acronyms in relation to Paternity Leave which are used throughout the Policy. Where this policy refers to spouse, partner or parent this is regardless of gender and includes same sex spouses, partners and parents.

‘Primary Adopter’

For the purposes of this Policy, ‘Primary Adopter’ refers to the adoptive parent who takes Adoption Leave and/or is paid Statutory Adoption Pay. Therefore, the person taking Paternity Leave cannot be the ‘Primary Adopter’.

‘Mother’

For simplicity, ‘Mother’ refers to the pregnant person who gives birth to a child’.

‘Partner’

For simplicity, ‘Partner’ refers to the biological or non-biological, non-pregnant parent or carer of the child, regardless of gender.

‘Relevant Week’

This is the week, fifteen weeks before the ‘expected week of childbirth’

‘SPP’: Statutory Paternity Pay

‘SMP’: Statutory Maternity Pay

‘SPL’: Shared Parental Leave

‘MA’: Maternity Allowance

‘SAP’: Statutory Adoption Pay

‘EWC’: Expected Week of Childbirth

4. Statutory Entitlements

- 4.1 Cheshire Fire and Rescue Service is committed to supporting employees who make use of their paternity rights as under current legislation. This entitles eligible employees (regardless of their gender) who have or expect to have responsibility for a child’s upbringing to take Paternity Leave to help care for the child, or support the child’s mother or primary adopter following the birth or adoption of a child.
- 4.2 Where the employee has 26 weeks’ continuous service at the 15th week before the expected week of childbirth/ or at the end of the week in which the adoption agency formally notifies the adopter that they have been matched with the child, they may be entitled to take Paternity Leave.

5. Paternity Leave

Paternity Leave is available to an employee who is the child's father or mother's partner (regardless of gender identity and inclusive of same sex couples), where they have parental responsibility for the child. Paternity Leave is also available to an adoptive parent or an adoptive parent's partner, where they have parental responsibility for the child and do not take Adoption Leave.

Where this policy refers to spouse, partner or parent this is regardless of gender or gender identity and includes same-sex spouses, partners and parents.

Paternity Leave can be taken as either one week, two consecutive weeks in a single block or two separate one-week blocks, which must be completed within 52 weeks of the child's birth (or the first day of the EWC if the child is born early) / or for UK adoption within 52 weeks after the date the child is placed with the adopter. In the case of adoption from overseas, the leave can be taken within 52 weeks from the date the child arrived in Great Britain. (please refer to 'Guidance' section for more information).

6. Paternity Pay

Employees eligible for Paternity Pay will be entitled to two week's full pay (offset by Statutory Paternity Pay (SPP) where applicable).

7. Maternity Support Leave

CFRS also recognises the benefits of employees being able to support their partners once a child is born or placed for adoption, even when they do not meet the continuous service requirements for statutory Paternity Leave. Therefore, an employee with less than twenty-six weeks' continuous local government service at the fourteenth week before the Expected Week of Childbirth (EWC) and who is the child's father, the expectant mother's partner or the expectant mother's nominated carer shall be entitled to a week's paid 'Maternity Support Leave' (which shall equate to seven consecutive days free from duty). This provision also applies to an adoptive parent, who is not taking Adoption Leave.

8. Antenatal Appointments and Placement and Match Meetings

CFRS understand the value of the mother and their partner attending ante natal appointments, relaxation and parent-craft classes, as well as both parents attending placement and match meetings in adoption cases. Where possible, these appointments should be made within the employee's own time.

Where an employee has a qualifying relationship with the pregnant individual, or the expected child, the employee is entitled to paid time off of up to six and a half hours on two occasions to accompany the pregnant individual to an antenatal appointment. Paid time off will be based on the individual's hourly rate of pay. An additional period of up to six and a half hours leave may also be granted by management on a case by case basis, this time could be used for, but not limited to, additional scan appointments or for emotional support purposes. This must be requested using the

9. Notice Arrangements

- 9.1 CFRS has a responsibility to ensure that those employees who wish to take Paternity Leave receive the relevant support and entitlements.
- 9.2 At the same time, CFRS needs to ensure that Paternity Leave is planned and operationally covered by the Service at all times. This is why CFRS require Paternity Leave requests to be made in writing by employees (using the relevant form from Appendix 2-5), providing as much notice as possible
- 9.3 Employees are required to give 28 days' written notice of the dates they wish to take paternity leave. Additionally, at least 15 weeks' advanced written notice of the employee's intent to take paternity leave before the EWC. should be provided, or should be provided as soon as reasonably practicable if notice could not have been provided sooner. For domestic adoptions, the written notice should be provided no later than 7 days after notification that the child has been matched for adoption however exact dates of the leave can be varied by providing 28 days written notice of their wish to take leave. For overseas adoption, the written notice should be provided no later than 28 days of receipt of notice of adoption or 28 days from the date they achieve 26 weeks service if later.
- 9.4 For further details on notification procedures, please refer to the Procedure and Guidance sections.

10. Returning to Work following Paternity Leave

- 10.1 The Service is committed to ensuring that employees are able to return to the same job following Paternity Leave. However, where it is not practical by reason of redundancy or re-organisation to permit an employee to return to their substantive role, a suitable alternative will be offered. Such a role will be commensurate with the level of responsibility, grade and terms and conditions of the role they were previously employed in.
- 10.2 Employees on Paternity Leave will be treated no less favourably due to their absence and will be provided with the same information as all other staff affected by the change.

11. Problems during the pregnancy/and or childbirth

- 11.1 CFRS recognises that problems during pregnancy and/or childbirth can be very distressing for both parents. Therefore, special consideration will be given to individual circumstances and discretion exercised to decide upon any appropriate action, which may include extending Paternity Leave, or invoking special leave arrangements. In such circumstances, employees are advised to speak to their line manager as soon as possible.

12. Flexible Working Requests

12.1 CFRS acknowledges that many employees face responsibilities both at work and home and as such, the Service understands how additional flexibility can benefit an individual with child-care responsibilities. Please refer to the [Flexible Working Policy](#) for further information.

13. Shared Parental Leave

Shared Parental Leave is separate to Paternity Leave and enables mothers to end their maternity leave and pay early, and to share any untaken balance of leave with their partner, paid at the rate set out under that policy. For further information please refer to the [Shared Parental Leave Policy](#).

14. Fertility Treatment (IVF) and Appointments

14.1 CFRS will consider necessary adjustments where required, for those employees undergoing the first stages of fertility (IVF) treatment.

14.2 Employees are entitled to up to 5 days paid special leave to attend fertility treatment appointments (see procedure 8 below).

PART 2 - PROCEDURE SECTION

Procedure 1	Notification of Paternity Leave.
Procedure 2	Problems During Paternity Leave.
Procedure 3	Grey Book Employee Leave Picks
Procedure 4	Notification of Maternity Support Leave
Procedure 5	Resignation
Procedure 6	Changes to Contract of Employment - Requested by Employee
Procedure 7	Changes to Contract of Employment - Organisational Change
Procedure 8	Fertility Treatment (IVF) and Appointments

Procedure 1

Notification of Paternity Leave

	Process/Action	Responsibility
1	<p>Childbirth - Employee notifies Line Manager as soon as possible of intention to take Paternity Leave (at least 15 weeks before the EWC).</p> <p>Domestic Adoption – Employee notifies Line Manager of entitlement to take paternity leave as soon as possible (or no later than 7 days after notification of a matched child / children for adoption).</p> <p>Overseas Adoption – Employee notifies Line Manager of entitlement to take paternity leave, including the expected date when the child will enter the country within 28 days of receiving the official notice of adoption or 28 days from the date they achieve 26 weeks service, if later.</p>	Employee
2	Line Manager and employee discuss request and entitlements and Line Manager asks employee to complete the 'Paternity Leave Request' form	Line Manager
3	<p>Employee must complete and return the Paternity Leave Request form to their Line Manager in line with the below timings:</p> <p>Childbirth - Employee notifies Line Manager as soon as possible of intention to take Paternity Leave (at least 15 weeks before the EWC). Employee notifies Line Manager of the dates of the paternity leave to be taken (at least 28 days notice) via updated Paternity Leave Request Form.</p> <p>Domestic Adoption – Employee notifies Line Manager of entitlement to take paternity leave as soon as possible (or no later than 7 days after notification of a matched child / children for adoption). Employee notifies Line Manager of the dates of the paternity leave to be taken (at least 28 days notice) if not planning to take the leave in early stages of the adoption.</p> <p>Overseas Adoption – Employee notifies Line Manager of entitlement to take paternity leave, including the expected date when the child will enter the country within 28 days of receiving the official notice of adoption or 28 days from the date they achieve 26 weeks service, if later.</p> <p>This request must include details of the week the baby is expected and the chosen start date of their Paternity Leave.</p>	Employee
4	Line Manager authorises Leave and sends the Paternity Leave Request form to the employee's Grandparent Manager who will need to arrange necessary cover.	Line Manager and Grandparent Manager
5	Once the Paternity Leave Request has been signed by the employee, Line Manager and Grandparent Manager, the form should be forwarded to the HR Advisor for processing	Line Manager

6	If the employee wishes to change the date of Paternity Leave they must give a minimum of 28 days' notice in writing (via email) to their Line Manager and another 'Paternity Leave Request' should be completed and forwarded to the HR Advisor. (The Service does recognise that in some cases providing the relevant notice may not be possible – if, for example, the baby is born early).	Employee and Line Manager
7	HR Advisor will inform Leave Requests of the Paternity Leave Request	HR Advisor
8	HR will write to the employee confirming the date of expected leave and entitlements within 28 days of Manager receipt of the 'Paternity Leave Request Form'	HR
9	HR will notify the Payroll team of the Paternity Leave dates.	HR
10	HR Advisor will record all paternity details on the HRIS (Human Resources Information System)	HR Advisor
11	The Paternity Leave and/or any changes must be recorded into the Corporate Staffing System by the Staffing Resource Coordinator (PP&R) through liaison with the Grandparent Manager and HR	Staffing Resource Coordinator (PP&R)

Procedure 2

	Process/Action	Responsibility
1	The Employee must notify their Line Manager of any changes to their circumstances as soon as reasonably practicable	Employee
2	The Line Manager must seek advice from their HR Advisor before advising the employee of any entitlements regarding pay/leave	Line Manager
4	The Line Manager and HR Advisor will establish the various options for the employee and seek authorisation for each option with the relevant member of the Senior Management Team	Line Manager/ HR Advisor/ Relevant Senior Manager
5	The options will be discussed between the employee, Line Manager and HR Advisor (via telephone/meeting depending on circumstance)	Employee/ Line Manager/ HR Advisor

Problems During Paternity Leave

6	Once agreement has been made the HR Advisor will write to the employee to confirm what action will be taken in relation to their new circumstances	HR Advisor
7	The HR Advisor will liaise with the Payroll team if any pay adjustments are to be made	HR Advisor
8	The employee will complete the Special Leave Form if required and this will be authorised by the Line Manager and the Duty Station Manager/Head of Department	Employee/ Line Manager/ Director/ Head of Department
9	HR Advisor will record any relevant changes in the HRIS system	HR Advisor
10	The Line Manager and HR Advisor will monitor and address any developments in the change of circumstances	Line Manager/ HR Advisor

Procedure 3

Grey Book Employee Leave Picks

	Process/Action	Responsibility
1	Line Manager must contact the employee on Paternity Leave to include in the picking of annual leave	Line Manager/ Employee (on Paternity Leave)
2	Leave dates agreed	Line Manager/ Employee (on Paternity Leave)/ Employee (covering the employee on Paternity Leave)
3	Employee (on Paternity Leave) must make a note of their leave picks once agreed and bear them in mind when making child care arrangements for their return to work at the end of their Paternity Leave	Employee

Procedure 4

Notification of Maternity Support Leave

	Process/Action	Responsibility
1	Employee notifies Line Manager as soon as possible of request for Maternity Support Leave at least 15 weeks before baby is due or no later than 7 or 28 days after notification of a matched child / children for domestic or overseas adoption respectively	Employee
2	Line Manager and employee discuss request	Line Manager and Employee
3	Employee completes the 'Request for Maternity Support Leave' form and returns to Line Manager no less than 15 weeks before the Expected Week of Childbirth, or as soon as practicable (or 7 or 28 days after notification of a matched child for domestic or overseas adoption, respectively). This form must include details of the week the baby is expected, or the date placement is expected - and the chosen start date of their Maternity Support Leave	Employee
4	Line Manager seeks approval for Maternity Support Leave from Grandparent Manager who will need to arrange necessary cover	Line Manager/ Grandparent Manager

5	Once the 'Maternity Support Leave form' has been signed by the Line Manager and Grandparent Manager, the form should be forwarded to the relevant HR Advisor	Grandparent Manager
6	HR Advisor will inform the Staffing Resource Coordinator (PP&R) of the Maternity Support Request, who will log the Leave onto the Staffing System	HR Advisor/ Staffing Resource Coordinator (PP&R)
7	The HR Advisor will write to the employee confirming the Maternity Support Leave	HR Advisor
8	The HR Advisor will notify the payroll team of Maternity Support Leave via email.	HR Advisor
9	The HR Advisor will record all paternity details on the HRIS (Human Resources Information System)	HR Advisor

Procedure 5

Resignation

	Process/Action	Responsibility
1	The employee must give the required period of notice as set out in their contract of employment	Employee
2	Notice must be given in writing to Line Manager	Line Manager
3	Written notice to be forwarded to the HR Advisor	Line Manager
4	Outstanding leave must be calculated and a copy of the Leave Card sent to the HR Advisor	Line Manager
5	The HR Advisor will acknowledge resignation in writing and details of how any outstanding payments by either the employee or the Service will be made	HR Advisor
6	P45 will be sent direct to the employees home address following termination	Payroll Team

Procedure 6

Changes to Contract of Employment – Requested by Employee

	Process/Action	Responsibility
1	Change request should be submitted by the employee in writing (<u>FR1 form</u>) in accordance with the Flexible Working Policy and Flexible Working Application Procedure	Employee
2	Service will respond within 28 days in accordance with the Flexible Working Policy and Flexible Working Application Procedure	Line Manager/ HR Advisor

Procedure 7

Changes to Contract of Employment – Organisational Change

	Process/Action	Responsibility
1	The employee will be consulted in accordance with the 1214 Reorganisation, 1215 Redeployment and 1229 Early Retirement and Severance. This will be done at the same time as all other staff affected by the change are notified.	Line Manager/ Director/Head of Department/ HR
2	Copies of all documentation will be sent to the individual on Paternity Leave.	Line Manager
3	The employee will be invited to attend team meetings/ briefings in relation to the organisational change.	Line Manager

Procedure 8

Fertility Treatment (IVF) Appointments – Notification and Recording Appointments

	Process/Action	Responsibility
1	All appointments will be treated as special leave – up to a maximum of 5 days paid leave will be authorised.	Line Manager/
2	Employees are encouraged to inform their Line Manager as soon as their plans to undergo treatment have been confirmed. A statement should also be provided from a qualified medical practitioner that the treatment has been recommended and approved.	Employee
3	The Line Manager will create and record this information on the employee's Welfare Log (via self-serve) and any subsequent meetings/discussions in relation to the employee's fertility treatment. The line manager and employee should also complete a risk	Line Manager/ Employee

	assessment.	
4	The employee arranges appointments as near to the start or the end of the working day, where possible.	Employee
5	The employee should give their Line Manager as much notice as possible of appointments and provide necessary evidence.	Employee
6	The employee completes a Special Leave Request Form and forwards to their Line Manager for authorisation.	Employee
7	Line Manager forwards the Special Leave Request Form to the Head of Department for authorisation.	Line Manager
8	Line Manager forwards the Special Leave Request Form to their HR Advisor and records appointments on the Welfare Log.	Line Manager

PART 3 - GUIDANCE SECTION

FREQUENTLY ASKED QUESTIONS

PATERNITY LEAVE

Q: What is Paternity Leave?

A: The purpose of Paternity Leave is to care for the child, and/or to support the child's mother or primary adopter. Paternity Leave entitles eligible employees to take up to two weeks leave, either as a single block of two weeks or two separate blocks of one week at anytime in the 52 weeks after birth (or the first day of the Expected Week of Childbirth (EWC) if the child is born early), or for domestic adoption within 52 weeks after the date the child is placed with the adopter. In the case of adoption from overseas, the leave can be taken within 52 weeks from the date the child arrived in Great Britain.

Q: Who is entitled to Paternity Leave?

A: All employees, regardless of their gender, can be entitled to Paternity Leave.

Paternity Leave is available to an employee:

- who is the biological father of the child
- and/or whose wife, civil partner or partner (regardless of gender identity and inclusive of same sex couples) gives birth to a child
- who is the intended parent (if you are having a baby through a surrogacy arrangement)

Paternity Leave is also available to an employee:

- who is the spouse, civil partner or partner of a child's primary adopter
- or to the adoptive parent who does not take Adoption Leave (including same sex couples)

Paternity Leave is only available where the child is **newly** matched for adoption (please also refer to separate adoption policy).

Q: What is the eligibility criteria for Paternity Leave?

A: Employees have statutory Paternity Leave rights if they satisfy the following conditions:

- Have or expect to have responsibility for the child's upbringing and are making the request to help care for the child, or to support the child's mother or primary adopter.
- Are the biological father of the child or the mother's or primary adopter's husband, civil partner or cohabiting partner (regardless of gender identity and inclusive of same-sex couples).
- Have provided notice of intention to take Paternity Leave, as set out in Procedure 1.
- Have worked continuously for the Service for 26 weeks by the week that falls 15 weeks before the week in which the child is expected – and

remain in this employment until the week before the employee wishes to take Paternity Leave.

- **OR**, in cases of adoption: Have worked continuously for the Service for 26 weeks by the end of the week in which the adoption agency formally notifies the adopter that they have been matched with the child.
- For overseas adoptions, the 26 weeks' continuous service can start with the week in which the employee's employment began, in cases where official notification may be received a year or more before the child is placed.

Q: What constitutes a 'Partner' under Paternity Leave?

A: 'Partner' means a person who lives with the mother and the baby or the person adopting the child, in an enduring family relationship, but is not a relative of the mother or primary adopter.

Q: When can Paternity Leave be taken?

A: Paternity Leave can be taken:

- From the date of the child's birth/ child being placed for adoption.
- From a chosen number of days or weeks after the actual date of the birth/ child being placed for adoption, up to 52 weeks after the 'Expected Week of Childbirth'.
- Leave can be taken in either one two-week block or two separate one-week blocks (odd days cannot be taken).
- Leave can start on any day of the week.

Paternity Leave must be completed:

- Within 52 weeks of the actual date of birth of the child or a child being placed for adoption or, for overseas adoption, within 52 weeks of the child arriving into Great Britain.
- Or, if the child is born early, within the period from the actual date of birth, up to 52 weeks after the Expected Week of Childbirth.

Q: What constitutes a 'week's' Leave?

A: A week's leave is any period of 7 consecutive days free from work, or being available for work.

Q: How much notice for Paternity Leave should be provided by an employee?

A: Eligible employees wishing to request Paternity Leave in respect of a birth of a child must notify their line manager of their intention to take paternity leave at least 15 weeks before the EWC and give at least 28 days notice of the dates of paternity leave, or as soon as reasonably practicable if notice could not have been given sooner. This 'written' notice should be by completion of the 'Paternity Leave Request' form.

For domestic adoption cases, an employee must give written notice (also using the 'Paternity Leave Request form') no later than 7 days after the date on which notification of the match with the child was given by the adoption agency, or as soon as reasonably practicable.

For overseas adoption cases, an employee must give written notice (also using the 'Paternity Leave Request Form') within 28 days of receiving the official notice or 28 days from the date the employee has achieved 26 weeks service if later.

Q: What would happen if an employee does not provide the relevant notice for a Paternity Leave request?

A: If the relevant notice of Paternity Leave is not provided, then the Service can refuse the Paternity Leave request if it is not possible to accommodate it at short notice. However, if the employee can demonstrate that it was not reasonably practicable for them to provide such notice, then the Service will do all it can to ensure that the Paternity Leave can be taken.

Q: What documents are required from an employee to notify of their intention to take Paternity Leave?

A: The 'Paternity Leave Request' form must be completed by the employee and given to their line manager. The information required from the employee on this form includes the date on which the baby is due, the length of Paternity Leave the employee wishes to take and the date on which the employee wishes the leave to commence. The employee must also sign to state that they are entitled to Paternity Leave and/or Statutory Paternity Pay.

In cases of adoption, the information required on the 'Paternity Leave Request' form will alternatively include the date the child is expected to be placed for adoption or will arrive in Great Britain and the date notification of the match of the child was made.

Q: What happens if the employee wishes to change the start date for Paternity Leave?

A: If an employee wishes to change the timing of the Paternity Leave, they must provide 28 days' written notice of the new dates, unless this is not reasonably practicable. If an employee wishes to change the start date, they must also complete a new 'Paternity Leave Request Form' and re-submit, in line with Procedure 1.

Q: What happens if the child is born prematurely?

A: In such cases where the employee has requested to start their Leave on the birth of the child and they are at work on this date, the Leave will commence the following day, even though the employee may leave work early on the birth date. Where an employee may leave work early on the birth date of their child, special leave may be granted.

Q: What happens if the child is born late?

A: Where the child is born late, the 52 week period in which Paternity Leave can be taken runs from the date of the actual birth. An employee cannot start a period of Paternity Leave before the child is born.

Q: If an employee is expecting twins or adopting two children at the same time, are their entitlements different?

A: Only one period of Paternity Leave will be available to employees, irrespective of whether more than one child is born as a result of the same pregnancy, or number of children adopted.

Q: What happens if the child is still-born, or in the event of a death of a child during Paternity Leave?

A: In the unfortunate event that a child is stillborn or dies 24 weeks or more into the pregnancy, the employee will retain their entitlement to paternity leave and pay. In these circumstances, paternity leave must be taken within 8 weeks of the end of the week in which the event occurs. If a baby is unfortunately lost before 24 weeks, these provisions will not apply.

However, in the event of any problems, employees are advised to contact their line manager, who will seek advice of any entitlements they may have regarding pay and / or leave. Special consideration will be given to all individual circumstances - and where necessary, bereavement leave, special leave or a period of sickness may be granted.

Q: What entitlements does a surrogate mother and their husband or civil partner have to maternity scheme, paternity policy, and parental leave policy provisions?

A: The surrogate mother and their husband or civil partner are the legal parents of the child, until such time as legal rights are given to someone else through a parental order or adoption. As such, the provisions of the maternity scheme, paternity policy and parental leave policy apply to them in the usual way while they remain the legal parents of the child.

Q: What if the child is no longer going to be placed for adoption?

A: If the employee is notified that the child will no longer be placed with the person with whom the child was placed for adoption or if the child is returned after being placed for adoption eligible employees will retain their entitlement to paternity leave. In the event of either of these situations, paternity leave must be taken within 8 weeks of the end of the week in which the relevant event occurred. An exception to this is if the appropriate notices have already been served before the relevant event occurs in which case the employee will be able to take that leave outside of the 8-week window.

Q: Who do I talk to if I have concerns about my health and wellbeing?

A: Becoming a parent can sometimes trigger health and wellbeing issues ie; sleep deprivation. When an employee has concerns over their ability to perform their role (especially in the case of operational staff ie for blue light driving) and is worried they may be a risk to the Service, they should advise their line manager in the first instance. From this, it may be appropriate to refer

the employee to Occupational Health to establish whether any additional support is required. The Mental Health and Wellbeing Advisor is also able to provide support and guidance and can be contacted directly without the need for a referral.

MATERNITY SUPPORT LEAVE

Q: What can an employee do if they do not have the 26 weeks' continuous service requirements for Paternity Leave?

A: If an employee does not have the required 26 weeks' continuous service at the fourteenth week before the Expected Week of Childbirth (EWC) and they are the child's father, the expectant mother's partner, the expectant mother's nominated carer or an adoptive parent who has not taken Adoption Leave - they are entitled to a week's paid Maternity Support Leave.

If the employee is not eligible for Statutory Paternity Leave and they would like to request further leave, they should discuss this with their line manager, who may be able to give consideration to annual leave requests, if this can be accommodated. It may also be possible for the employee to take unpaid Parental Leave (please refer to the Parental Leave Policy).

Q: Who is a 'Nominated Carer' for the purposes of Maternity Support Leave?

A: A 'nominated carer' is the person nominated by the mother (or primary adopter) to assist in the care of the child and to provide support to the mother (or primary adopter) at or around the time of the birth (or adoption).

PAY

Q: What Paternity Pay is an employee entitled to?

A: An employee who has met the eligibility criteria for Paternity Leave is entitled to two weeks at full pay (offset by SPP where applicable).

Q: What is a 'week's' pay for Paternity Leave?

A: A week's pay is the normal basic salary amount paid to an individual for working their standard number of hours per week, as set out in their current contract of employment.

For employees on the 'On Call' duty system a week's pay is defined as the average weekly remuneration of the previous twelve weeks, (excluding any week in which an employee has been sick or received no pay) taking all payments into account.

Q: Will employees with more than one role have different entitlements?

A: If an employee undertakes two roles within CFRS, the leave dates chosen for Paternity Leave may be different for each role, however SPP will only be payable once. The Paternity Pay will be in line with the employee's standard weekly pay (as above).

If an employee works for two different employers, they may be entitled to receive Statutory Paternity Pay from both separate employers. This will depend on a number of different factors. Please refer to the HMRC website (www.hmrc.gov.uk) for further information.

Q: What happens to tax and national insurance during Paternity Leave?

A: All paternity pay is subject to normal deductions during Paternity Leave, as it is treated as 'earnings'.

Q: What happens to pension contributions during Paternity Leave?

A: Employees who pay contributions to the Local Government Pension Scheme, New Firefighters' Pension Scheme 2006, or Firefighters' Pension Scheme (1992) will continue to do so whilst receiving any occupational or statutory payments when on Paternity Leave.

The amount paid will be the usual percentage contribution based on the employee's normal salary. This will continue until the employee ceases to receive Paternity Pay. This ensures that the employee retains full pensionable service during this period, even though they could be paying less than they would normally pay when receiving their normal salary.

CONTRACT INFORMATION

Q: If an employee is on a fixed term contract, will they be entitled to Paternity Leave/Pay?

A: Employees on fixed term contracts will be entitled to Paternity Leave/ Pay if they fulfil the qualifying criteria as stated in this policy.

Q: Will an employee's continuity of employment be affected if Paternity Leave is taken?

A: Continuity of employment is maintained during Paternity Leave, which means there is no break in service during an employee's absence from work.

Q: What happens to an employee's annual leave entitlement during Paternity Leave?

A: Employees continue to accrue full annual leave and public holiday entitlements whilst on Paternity Leave.

Q: Can an employee attach annual leave onto their paternity/maternity support leave?

A: Yes, annual leave can be attached either directly before or after paternity/maternity support leave, up to a maximum of 1 tour for operational staff and 1 week for non-operational staff.

Where possible, at least 2 months' notice should be given when requesting this leave and it will be subject to management approval and the exigencies of the Service. The leave to cover this must be from the year in which it is taken.

Q: Can an employee move an existing period of annual leave and attach it to their paternity/maternity support leave?

A: Yes, priority will be given to employees wishing to move an existing period of leave to add on to their maternity support/paternity leave. However, this is up to a maximum of one week's leave and is subject to management approval and the exigencies of the Service.

Where possible, at least 2 months' notice should be given when requesting to move leave.

Q: Are child-care vouchers (normally through salary sacrifice) affected during Paternity Leave?

A: All employees currently receiving child-care vouchers will continue to do so as a non-cash benefit during Paternity Leave.

Q: What will happen to an employee's essential car user arrangements during Paternity Leave?

A: Employees will continue to receive payment of essential car-user allowance or the provision of a lease care (if applicable) whilst on Paternity Leave.

GENERAL INFORMATION

Q: What if an employee's last night of tour (for operational employees) falls on the last night of their paternity leave?

A: Should this occur, then the employee may wish to apply for annual leave to add on to the end of their paternity leave (see FAQ above).

Q: Does an employee have to inform their employer that they are undergoing fertility treatment?

A: No, but employees may need to advise their line manager should they require any adjustments to their work. This will enable the line manager to undertake a risk assessment to identify any local risks to the individual.

An employee can also access the Occupational Health Unit and the Mental Health and Wellbeing Advisor during this time for additional support and advice.

RELATED ENTITLEMENTS

Shared Parental Leave

In addition to Paternity leave, the employee may be entitled to a maximum of 50 weeks' leave (of which up to 37 weeks leave may be paid at statutory rate). Such leave may be shared between both parents. Guidance is provided within the [Shared Parental Leave Policy](#)

Parental Leave

In addition to maternity leave the employee may be entitled to up to 13 weeks unpaid Parental Leave to be taken separately up to the child's eighth (8) birthday. Guidance is provided within the Parental Leave Policy.

Adoption Leave

An employee who has adopted a child, or who is one of a couple who have jointly adopted a child, has the qualified right to apply to take Adoption leave. Guidance is provided within the Adoption Leave Policy.

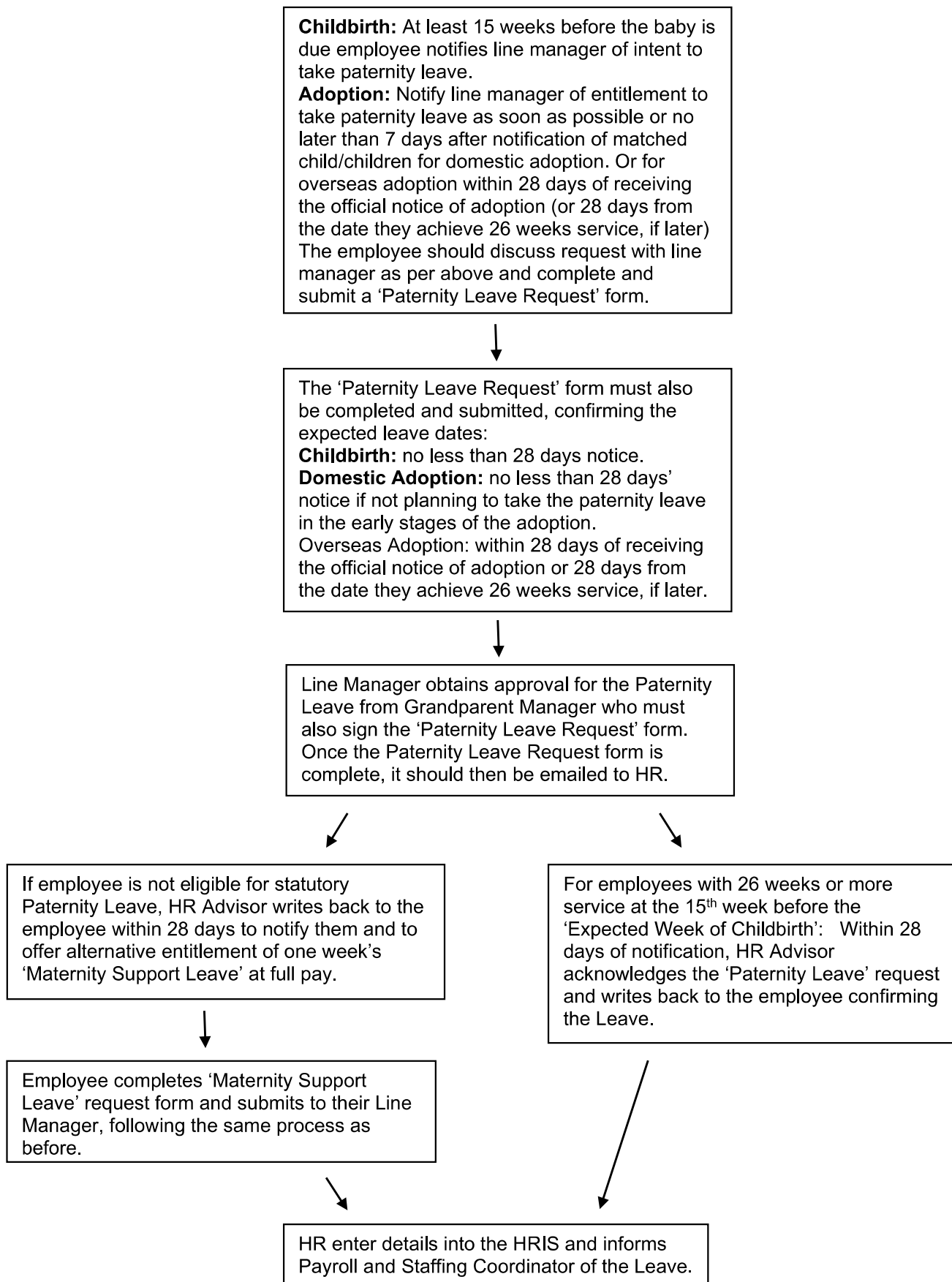
Flexible Working

Employees who have parental responsibility for a child can apply to work flexibly. Guidance is provided within the Flexible Working Policy.

Special Leave

The Special Leave policy provides guidance on paid and unpaid leave which can be requested for appointments and meetings in connection with fertility treatment and the fostering process.

Paternity Leave Flowchart



Appendix 2

PATERNITY LEAVE REQUEST FORM

If you have more than one role with CFRS please provide details of your primary role and secondary role. Authorisation for both roles will be required from each relevant manager.

Name:		
Primary Role:	Employee Number:	Job Title:
	Location:	
Secondary Role:	Employee Number:	Job Title:
	Location:	

Your Pay and Dates

The baby is due on (- if baby is already born, please provide the date the baby was due) :	
The baby is already born, please enter actual date of birth:	
<i>If your child/children have been matched for adoption, please enter date of notification:</i>	
<i>The child is expected to be placed for adoption on:</i>	
<i>If the child has been placed for adoption, please enter the date they were placed:</i>	
I would like my Paternity Leave to start on the date the baby is born:	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
If no (or for adoptions), I would like Paternity Leave to start on:	
Please state length of Paternity Leave you wish to take:	One Week / Two Weeks
If you wish to take two separate weeks please confirm the start date of each of two separate one-week blocks. (These must be completed within 52 weeks of the child's birth (or the first day of the EWC if the child is born early) / or for UK adoption within 52 weeks after the date the child is placed with the adopter. In the case of adoption from overseas, the leave can be taken within 52 weeks from the date the child arrived in Great Britain).	
If you have a secondary role with CFRS do you wish to take the same leave on the same dates as requested above for your primary role?	Yes / No

If you wish to take different Paternity Leave in your secondary role with CFRS please advise whether one or two weeks and start date:	One Week / Two Weeks Start date:
----------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------

(P.T.O. to complete 'Your Declaration').

Your Declaration:

You must be able to answer '**yes**' to all three boxes in Section A, or '**yes**' to all four boxes in Section B below to get Statutory Paternity Pay and Leave:

Section A – Becoming a Parent

I declare that:

I am 1) the baby's biological father or 2) married to the mother or in a civil partnership with the baby's mother, or 3) living with the mother in an enduring family relationship, but am not an immediate relative 4) the intended parent (if you are having a baby through a surrogacy arrangement)	Yes / No
I have responsibility for the child's upbringing	Yes / No
I will take time off work to support the mother and/or care for the child	Yes / No

Section B – Becoming an Adoptive Parent

I declare that:

I am adopting the child with my partner and I want to receive Statutory Paternity Pay and Paternity Leave, not Statutory Adoption Pay and Adoption Leave	Yes / No
I am 1) married to, or in a civil partnership with the person adopting the child, or 2) living with the person adopting the child in an enduring family relationship, but am not an immediate relative, or 3) the expectant mother's nominated carer*	Yes / No
I will have responsibility for the child's upbringing	Yes / No
I will take time off work to support the person adopting the child and/or care for the child	Yes / No

Employee Signature:		Date:
Approved by Line Manager (primary role):		Date:
Approved by Grandparent Manager (primary role):		Date:

For secondary role with CFRS if appropriate:

Approved by Line Manager (primary role):		Date:
Approved by Grandparent Manager (primary role):		Date:

*Nominated carer is the person nominated by the mother (or primary adopter) to assist in the care of the child and provide support to the mother (or primary adopter) at or around the time of the birth (or adoption).

Appendix 3: Maternity Support Leave Form

Name:	
Location:	
Employee Number:	

Your Pay and Dates

The baby is due on (- if baby is already born, please provide the date the baby was due) :	
The baby is already born, please enter actual date of birth:	
<i>If your child/children have been matched for adoption, please enter date of notification:</i>	
<i>The child is expected to be placed for adoption on:</i>	
<i>If the child has been placed for adoption, please enter the date they were placed:</i>	
I would like my Maternity Support Leave to start on the date the baby is born:	YES: <input type="checkbox"/> NO: <input type="checkbox"/>
If no (or for adoptions), I would like my Maternity Support Leave to start on:	