



London Ambulance Service **NHS**  
NHS Trust

## **Maternity Support (Paternity) Leave and Pay Policy**

## **DOCUMENT PROFILE and CONTROL.**

**Purpose of the document:** To set out employees' entitlements to ordinary (2 weeks') and additional (up to 26 weeks') paternity leave and pay.

**Sponsor Department:** People and Organisational Development

**Author/Reviewer:** Senior HR Manager. To be reviewed by February 2021

**Document Status:** Final

<b>Amendment History</b>			
Date	*Version	Author/Contributor	Amendment Details
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01/02/18	2.2	HR Manager	Review and minor update
03/12/14	2.1	IG Manager	Document Profile and Control update
16/10/14	1.3	Senior HR Manager	Updated and reformatted.
13/05/10	1.2	Senior HR Manager (South)	Minor – SPP rate updated
17/01/10	1.1	Senior HR Manager (South)	Reformatted, introduction, scope, objectives, responsibilities and implementation plan added
09/06	0.1	Senior HR Manager (South)	First Draft

**\*Version Control Note:** All documents in development are indicated by minor versions i.e. 0.1; 0.2 etc. The first version of a document to be approved for release is given major version 1.0. Upon review the first version of a revised document is given the designation 1.1, the second 1.2 etc. until the revised version is approved, whereupon it becomes version 2.0. The system continues in numerical order each time a document is reviewed and approved.

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Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 2 of 28
------------	---	--------------

<b>Announced on:</b>	<b>Date</b>	<b>By</b>	<b>Dept</b>
The RIB	16/12/14	Senior HR Manager (South)	HR
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21/06/10	HR team
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23/2/18	Staffside
04/03	Staffside

<b>Links to Related documents or references providing additional information</b>		
<b>Ref. No.</b>	<b>Title</b>	<b>Version</b>
LA051	Request for Special Leave Form	
SC3	Ordinary Statutory Paternity Pay/ordinary paternity leave - Becoming a Parent	
SC4	Ordinary Statutory Paternity Pay/ordinary paternity leave - Becoming an Adoptive Parent	
SC7	Additional Statutory Paternity Pay/ ordinary paternity leave - Becoming a Parent	
SC8	Additional Statutory Paternity Pay/ordinary paternity leave - Becoming an Adoptive Parent	
SC9	Additional Statutory Paternity Pay/ordinary paternity leave - Becoming an Adoptive Parent	
LA231	Pay Variation Form	
LA187	Return of Staff Absences	
ASPP1	Non-Payment of Additional Statutory Paternity Pay	

## **1 Introduction**

- 1.1 The following outlines employees' entitlements to ordinary (up to 2 weeks') and additional (up to 26 weeks') paternity leave and pay to care for a new born child (or children) or support the mother. It may also be used to care for a child or children newly placed for adoption or to support the adopter.
- 1.2 Note that whilst the ordinary paternity leave allows for full Occupational pay the additional leave has a number of qualifying conditions and is paid at the Statutory rate.

## **2 Scope**

- 2.1 This Policy applies to any member of staff who meets the eligibility criteria laid out below in sections 7.1 (ordinary paternity leave) and 8.1 (additional paternity leave).
- 2.2 The Paternity and Adoption Leave (Amendment) Regulations 2014 highlight that a parent is not entitled to take paternity leave in relation to a child once they have taken any shared parental leave for the same child.

## **3 Objectives**

- 3.1 To set out employees' entitlement to take up to two weeks' ordinary paternity leave and up to 26 weeks' additional paternity leave.
- 3.2 Note that 'week' means the employee's contractual week. Paternity leave and pay will be taken, and paid, in hours.
- 3.3 Leave will be calculated on a pro-rata basis for those who work part-time.

## **4 Responsibilities**

- 4.1 Staff should make an application for leave in line with this policy and procedure.
- 4.2 Managers and HR Manager/Advisors should ensure that the necessary processes take place to enable the leave and correct payments to be made.

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 4 of 28
------------	---	--------------

## 5 Definitions

Ordinary paternity leave	Up to 2 weeks' leave taken on the birth or adoption of a new child.
Additional paternity leave	Up to 26 weeks' additional leave which can be taken in circumstances where the mother/adopter has returned to work before their maternity/adoption pay entitlements have ceased.
EWC	Expected week of childbirth i.e. the week the baby is due. For these purposes, a week begins at midnight between Saturday and Sunday.
NHS Terms and Conditions Handbook	The national NHS provisions on which the LAS scheme is based.
MAT B1	Certificate confirming likely date of birth- provided by GP or midwife approx. 14 weeks before the EWC.
OSPP	Ordinary Statutory Paternity Pay.
ASPP	Additional Statutory Paternity Pay.
SML	Statutory Maternity Leave
SAL	Statutory Adoption Leave
SMP	Statutory Maternity Pay
SAP	Statutory Adoption Pay
MA	Maternity Allowance

## 6 Legal/Statutory position

- 6.1 The Policy takes into account the provisions of the Paternity and Adoption Leave (Amendment) Regulations 2014 and is also in line with the NHS Terms and Conditions of Service Handbook. Please note that the title used in the Handbook is "Maternity support (paternity) leave and pay". The term used by Her Majesty's Revenue and Customs is "paternity leave". As such, reference is made to Ordinary Statutory Paternity Pay (OSPP) and Additional Statutory Paternity Pay (ASPP).

## 7 Ordinary paternity leave (up to 2 weeks)

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 5 of 28
------------	---	--------------

## **7.1 Who is eligible for ordinary paternity leave and what is the entitlement?**

- 7.1.1 An employee who is the father of the child (including adoptive fathers), mother's husband or partner (whether opposite or same sex), or nominated carer will be eligible for ordinary paternity leave. In addition, an employee who is the partner (whether opposite or same sex) of an adopter taking adoption leave will also be entitled to such leave.
- 7.1.2 Ordinary paternity leave is for a maximum period of 2 weeks. Employees may only take one period of ordinary paternity leave in the case of multiple births or the adoption of two or more children at the same time.
- 7.1.3 An employee with at least 12 months' continuous service with the Trust, or another NHS employer, at the expected date of the baby's birth or placement for adoption, will receive full pay for the duration of the ordinary paternity leave i.e. for 2 x 37.5 hrs for all staff on Agenda for Change (AfC) contracts, if they are taking the maximum amount of leave. (N.B. discretion may be applied in recognising continuous service with other public sector organisations).
- 7.1.4 Staff who do not qualify for the full provision as outlined above may instead qualify for the statutory provision of two weeks' paternity leave at the Ordinary Statutory Paternity Pay (OSPP) rate.
- 7.1.5 To qualify for the statutory provision the employee must have at least 26 weeks' continuous service with the Trust or another NHS employer by the end of the 15<sup>th</sup> week before the expected week of childbirth (EWC) or the week in which an approved adoption match is notified to the adoptive parent(s).
- 7.1.6 If the baby is born earlier than the 14<sup>th</sup> week before it is due and, but for the birth occurring early, the employee would have been employed continuously for 26 weeks (at the start of the 14<sup>th</sup> week before the EWC) then s/he should be deemed to have completed the necessary length of service.
- 7.1.7 If the employee's average weekly earnings meet the statutory minimum, Ordinary Statutory Paternity Pay (OSPP) is payable for one or two consecutive weeks. The up to date statutory minimum and OSPP rate can be found at <https://www.gov.uk/paternity-pay>
- 7.1.8 Employees with less service will be entitled to up to 2 weeks' unpaid leave. All other aspects of this policy relating to ordinary paternity leave, will apply.

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 6 of 28
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- 7.1.9 Any ordinary paternity leave must be taken as one continuous period of either one or two weeks.
- 7.1.10 Ordinary paternity leave can be taken at any time from the date of the child's birth and must be completed within 56 days of the birth. If the child is born earlier than expected the employee can take leave at any time from the actual date of birth and complete the period of leave within 56 days of the first day of the EWC.
- 7.1.11 In the case of adoption, ordinary paternity leave can be taken at any time from the date of placement but must be completed within 56 days of the placement. If the adoptive parent has chosen to take leave from the date of placement and the child is placed earlier or later than expected, the employee can still expect to take leave from the placement date and complete her/his leave within 56 days of the child's placement.
- 7.1.12 The right to ordinary paternity leave is in addition to Parental Leave entitlements.

## **7.2 How to apply for ordinary paternity leave and pay (up to 2 weeks')**

- 7.2.1 Employees are required to apply for ordinary paternity leave and OSPP at least 28 days before the baby is due or within 7 days of being notified of a 'match' for adoption. If this is not reasonably practicable then they should apply as soon as possible after this date. Applications should be made on the 'Request for Special Leave' form (LA051).
- 7.2.2 To receive full benefits of the LAS ordinary paternity leave and pay scheme, employees should attach form SC3 'Becoming a Parent' or SC4 'Becoming an Adoptive Parent', both of which are available by contacting Her Majesty's Revenue and Customs or from [www.hmrc.gov.uk](http://www.hmrc.gov.uk)
- 7.2.3 Employees must also provide documentary evidence of the date the child is expected to be born or placed for adoption (e.g. a MAT B1 form or a Matching Certificate from an adoption agency).
- 7.2.4 If the employee is a partner of the adoptive parent and not listed as an adoptive parent, he or she must provide evidence of the relationship between themselves and the partner, for example a joint utilities bill.

- 7.2.5 In cases where the employee is the nominated carer a letter will be required from the mother confirming that that this is the case together with a copy of the MAT B1 maternity certificate.
- 7.2.6 Managers are responsible for checking the validity of requests and for forwarding the Request for Special Leave form (LA051), together with attached documents to HR.
- 7.2.7 HR will confirm receipt of the application (see Appendix 1) including the proposed dates to be taken as ordinary paternity leave. This will be done within 14 days of receipt.
- 7.2.8 Employees must let their manager know as soon as possible if there are any changes to the planned leave date. The final leave dates should be communicated to HR in order that the pay variation form (LA 231) may be completed and sent to Payroll.
- 7.2.9 The ordinary paternity leave must also be recorded on GRS or the weekly absence return.
- 7.2.10 A brief guide to ordinary paternity leave can be found in Appendix 2.

## **8 Additional Paternity Leave and Pay Entitlement (up to 26 weeks' additional leave)**

### **8.1 Who is eligible for additional paternity leave and what is the leave entitlement?**

- 8.1.1 An employee who is the father of the child (including adoptive fathers), mother's husband or partner (whether opposite or same sex), or nominated carer is potentially eligible for additional paternity leave. Eligibility is also conferred upon employees whose partners (whether opposite or same sex) are adopters taking adoption leave, if the employee has been jointly matched with the child.
- 8.1.2 The employee must have at least 26 weeks' continuous service with the Trust or another NHS employer by the end of the 15<sup>th</sup> week before the EWC, the end of the week in which a notification of a UK adoption placement is received or at the date the child enters Great Britain for the purposes of an overseas adoption. The employee must also still be employed by the Trust in the week (which runs Sunday to Saturday) before starting the leave.
- 8.1.3 The child's mother or adopter must have been entitled to one or more of the following: Statutory Maternity Leave (SML), Statutory Maternity Pay

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 8 of 28
------------	---	--------------



(SMP), Maternity Allowance (MA) or Statutory Adoption Leave (SAL) or Pay (SAP). They must also have started working again so that any relevant pay has stopped.

- 8.1.4 The employee must be taking the leave in order to care for the child or children.
- 8.1.5 The leave must be taken between 20 and 52 weeks after the child is born or placed for adoption.
- 8.1.6 Where the employee qualifies for additional paternity leave, the maximum duration of the leave that may be taken is 26 weeks.
- 8.1.7 Employees may only take one period of additional paternity leave in the case of multiple births or adopting two or more children at the same time.
- 8.1.8 If an employee does not qualify for additional paternity leave or Additional Statutory Paternity Pay (ASPP), they may be able to take annual leave or unpaid parental leave instead. Reference should be made to the appropriate policies.
- 8.1.9 Within the Paternity and Adoption Leave (Amendment) Regulations 2014 it highlights that if an employee has exercised the right to paid time off to attend adoption appointments they can only take adoption leave and not paternity leave.

## 8.2 **What is the entitlement to additional paternity pay?**

- 8.2.1 An employee will qualify for additional paternity pay (nationally known as “Additional Statutory Paternity Pay” (ASPP)), if the mother or adopter taking adoption leave has started working again and any payment due to them has stopped, with at least two weeks of the 39 week payment period remaining.
- 8.2.2 The employee must also intend to care for the child or children during the leave.
- 8.2.3 To qualify for ASPP in the case of overseas adoption, the employee must have the main responsibility (alongside the responsibility of the mother or adopter taking adoption leave) for the upbringing of the child. The qualifying period in these circumstances is the later of either the week official notification is received or the week the employee has 26 weeks’ continuous employment with the employer paying ASPP.

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 9 of 28
------------	---	--------------

- 8.2.4 In the case of adoption from a UK adoption agency, the employee must have been matched with a child for adoption.
- 8.2.5 Additional Statutory Paternity Pay is only payable during the mother/adopter's 39 week Maternity Allowance, Statutory Maternity or Statutory Adoption Pay period.
- 8.2.6 All additional paternity leave taken in excess of the 39 week period will be unpaid.
- 8.2.7 Employees have the right to take unpaid additional paternity leave if they meet the eligibility criteria for leave but not pay.

### **8.3 How to apply for additional paternity leave and pay**

- 8.3.1 Employees should inform their manager of their intention to take additional paternity leave as soon as possible and at least 56 days before they wish to start their leave. If this is not reasonably practicable then they should apply as soon as possible after this date. They will then be invited to an informal meeting with their HR Manager/Advisor who will explain the additional paternity leave scheme.
- 8.3.2 HR should use the attached additional paternity leave meeting checklist (Appendix 3).
- 8.3.3 The additional paternity leave information should be given to the employee at this meeting (see Appendix 4 which forms a cover sheet). This provides further information and sources of additional support.
- 8.3.4 Following the meeting, a letter (Appendix 5) will then be sent to the employee detailing their entitlements. This will include a copy of the relevant form: 'Becoming a parent' form SC7 (in the case of a birth), 'Becoming an adoptive parent' form SC8 (in the case of a UK adoption) or SC9 (in the case of an overseas adoption). Each of these forms is available by contacting Her Majesty's Revenue and Customs or from [www.gov.uk](http://www.gov.uk)
- 8.3.5 Employees must return this form, along with documentary evidence of the date the child is expected to be born or placed for adoption (e.g. a MAT B1 form or a Matching Certificate from an adoption agency).
- 8.3.6 In cases where the employee is the nominated carer a letter will be required from the mother/adopter confirming that that this is the case

together with a copy of the MAT B1 maternity certificate or Matching Certificate.

- 8.3.7 HR will write to the employee within 14 days, confirming the additional paternity leave arrangements and in particular the day the employee is expected to return to work (see Appendix 6). A completed ASPP1 must be enclosed if the employee is not entitled to ASPP. This form can be obtained from [www.gov.uk](http://www.gov.uk)
- 8.3.8 Employees must let their manager know as soon as possible, providing at least 28 days' notice, if there are any changes to the planned leave date. The final leave dates should be communicated to the HR Manager/Advisor in order that the pay variation form (LA231) may be completed and sent to payroll.
- 8.3.9 The additional paternity leave must also be recorded on GRS or the weekly absence return.
- 8.3.10 A brief guide to additional paternity leave can be found in Appendix 7.

#### **8.4 Keeping-in-touch (KIT) days**

- 8.4.1 Provisions exist for an employee taking additional paternity leave to work up to 10 days in this leave period without bringing the leave to an end.
- 8.4.2 This work can be consecutive or not, and can include training or other activities which enable the employee to keep in touch with the workplace.
- 8.4.3 Any part day worked as a keeping-in-touch (KIT) day will count as a full day.
- 8.4.4 Any such work must be by agreement, neither the Trust nor the employee can insist on it.
- 8.4.5 The employee will be paid their basic rate of pay, less any ASPP, for any KIT day worked.
- 8.4.6 The employee has a right to return to the same job under their original contract and on no less favourable terms and conditions.

#### **8.5 Prior to return to work**

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 11 of 28
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8.5.1 HR will write to him or her one month prior to their planned return to work reminding them of their return date and outlining the arrangements for their reintroduction to the workplace. The detail of this letter will have been agreed in advance with the employee's line manager (see Appendix 8).

## **8.6 Return to work**

8.6.1 The employee is free to change his or her mind regarding their return date provided that it is in line with the scheme and their entitlement. However, he or she should ensure, as far as possible, that they provide the Trust with at least 28 days' notification of any change taking effect.

## **9 Stillbirths, Death of a Child or Termination of an Adoption Placement**

9.1 An employee can still take ordinary paternity leave if the child is stillborn after 24 weeks of pregnancy or born alive at any point of the pregnancy.

9.2 If a child dies or a placement is terminated during additional paternity leave or after the employee has notified the employer of his/her intention to take additional paternity leave, unless the additional paternity leave is due to end earlier, it will end 8 weeks following the week of the child's death or the end of the child's placement.

## **10 Death of the Mother/Adopter**

10.1 If the child's mother/adopter taking adoption leave dies, an employee who meets the eligibility criteria for additional paternity leave (see 8.1 above) may take such leave for up to 52 weeks.

10.2 The leave must start within 6 weeks of the mother/adopter's death. The start date may be in the past but not prior to the mother/adopter's death. The employee should inform their manager **and** HR of the date they wish to start/be deemed to have their leave no later than 8 weeks' after the mother/adopter's death.

10.3 Where the mother/adopter had started to receive Statutory Maternity Pay (SMP), Maternity Allowance (MA) or Statutory Maternity Pay (SMP), and the employee meets the eligibility criteria for ASPP, this will be payable up to the end of the mother/adopter's SMP, SAP, MA or SMP pay period.

- 10.4 If the mother of adopter had not started their SMP, SAP, MA or SAP pay period then ASPP is payable up to 39 weeks from the date of the mother or adopter's death.
- 10.5 Additional paternity leave must end no later than the child's first birthday, one year after the child's adoption (in the case of UK adoption) or one year after the child entered the UK (in the case of overseas adoption).
- 10.6 Employees should first discuss their circumstances with their line manager so that appropriate support can be offered.
- 10.7 The employee will be required to complete and return to their HR Manager/ Advisor form SC10 'Additional Statutory Paternity Pay/Additional Paternity Leave' - death of the mother/adopter available at [www.gov.uk](http://www.gov.uk)
- 10.8 The employee will confirm the additional paternity leave arrangements within 14 days of the receipt of form SC10. A meeting may be requested to discuss these arrangements.
- 10.9 Within 28 days of submitting the SC10, the employee should also provide HR copies of the following documentation, as appropriate:
- A copy of the child's birth certificate
  - Documentation issued by the adoption agency which matched the child with the adopter,
  - Official notification of the child's adoption
  - Evidence of the date the child entered the UK
  - The name and business address of the mother's employer (or if self-employed, the mother's business address)
- 10.10 After applying for additional paternity leave and/or ASPP, the employee may withdraw or vary the start date or end date of their additional paternity leave with immediate effect if this is within eight weeks of the mother or adopter's death, providing this is put in writing to the line manager HR.

**11 Terms and Conditions of Service**

11.1 Annual Leave & Public Holidays

11.2 All terms and conditions of service remain unchanged except those relating to pay. Entitlement to annual leave will continue to be accrued through both the ordinary and additional paternity leave.

11.3 When the amount of accrued annual leave would exceed normal carry over provisions, it may be mutually beneficial for the employee to take annual leave before and/or after the formal (paid and unpaid) additional paternity leave period. The amount of annual leave to be taken in this way, or carried over should be agreed in advance between the employee and their manager/HR.

11.4 Pension contributions

11.5 The Trust will continue to pay employer’s pension contributions during any period of ordinary or additional paternity leave. Employee’s contributions will continue to be deducted during paid periods of paternity leave. Employee’s contributions for any no pay period will be deducted on their return to work. This will be done on a phased basis where additional paternity leave has been taken.

11.6 Childcare vouchers

11.7 For any employee who is already in receipt of childcare vouchers via the Trust prior to going on paternity leave (i.e. to help pay for the childcare of a previous child), the Trust will fund a proportion of the cost of childcare vouchers for any period during the ordinary or additional paternity leave during which their pay- excluding OSPP or ASPP – does not cover all or part of the cost of the vouchers. These arrangements will include any period that the employee is paid OSPP or ASPP only or is on no-pay, in which period the full cost of the voucher will be borne by the Trust.

**12 Flexible working requests**

12.1 Employees who have parental responsibility for a child under 17, or a disabled child (in receipt of Disability Allowance) who is under 18, have the statutory right to request flexible working arrangements.

12.2 The Trust will endeavour to support employees who wish to work amended hours.

12.3 If the Trust is unable to agree to a flexible working request, the reasons for this will be put in writing to the employee.

### 13 **Related policies**

13.1 Employees may also wish to refer to the Shared Parental Leave and Ante-natal Care policies.

13.2 The LAS also operates a childcare voucher scheme. Staff should contact HR for further information.

### 14 **Further information**

14.1 For any clarification or advice regarding the policy employees should contact HR.

<b>IMPLEMENTATION PLAN</b>				
<b>Intended Audience</b>	For all LAS staff			
<b>Dissemination</b>	Available to all staff on the Pulse			
<b>Communications</b>	Revised Procedure to be announced in the RIB and a link provided to the document			
<b>Training</b>	Briefing provided to relevant HR staff			
<b>Monitoring:</b>				
<b>Aspect to be monitored</b>	<b>Frequency of monitoring AND Tool used</b>	<b>Individual/ team responsible for carrying out monitoring AND Committee/ group where results are reported</b>	<b>Committee/ group responsible for monitoring outcomes/ recommendations</b>	<b>How learning will take place</b>
Able to monitor take up.	Reported from GRS as necessary.	Management information on request.	SMT.	Feedback following any analysis of data.



**HR response to ordinary paternity leave request**

Dear...

**Application for ordinary paternity leave**

I am pleased to confirm that your application for ordinary paternity leave has been approved.

Your ordinary paternity leave period is planned to take place between... and ....  
You will be expected to return to work on...

You will be paid...

I appreciate that the exact dates of your paternity leave may be subject to change however I would be grateful if you could, as far as possible, keep your manager and myself informed as to any likely changes.

Please note that the LAS will continue to make pension payments during the period of your leave, your contributions will be deducted following your return to work.

If you have any questions please contact me.

Yours sincerely,

## Appendix 2

### Ordinary Paternity Leave – in brief

	Employee has 12 months+ service at expected birth date.	Employee has less than 12 months service But has 26 weeks' continuous service by the end of the 15 <sup>th</sup> week before baby is due.	Employee has less than 26 weeks' continuous service by the end of the 15 <sup>th</sup> week before the bay is due.
<b>ENTITLEMENT</b>	2 weeks @ Full Pay, taken and paid in hours (a week being the contractual week- 37.5 hrs for AfC contracts). Must be a continuous period.	2 weeks' Ordinary Statutory Paternity Pay (a week being the contractual week- 37.5 hrs for AfC contracts). Must be a continuous period.	2 weeks' unpaid leave (a week being the contractual week- 37.5 hrs for AfC contracts). Must be a continuous period.
<b>APPLICATION</b>	Employee must apply at least 28 days before the baby is born on Request for Special Leave Form (LA51a), attaching a copy of the mother's MATB1 form.	Employee must apply at least 28 days before the baby is born on Request for Special Leave Form (LA51a), attaching a copy of the mother's MATB1 form.	Employee must apply at least 28 days before the baby is born on Request for Special Leave Form (LA51a), attaching a copy of the mothers MATB1 form.
<b>TAKEN BY</b>	Within 56 days of birth	Within 56 days of birth	Within 56 days of birth
<b>ACTION</b>	<p>Managers check validity of the request and forward the Request for Special Leave Form + attachments to the HR Manager.</p> <p>HR writes to employee to confirm receipt. Employees to keep their manager updated with any changes to planned date. Final leave dates communicated to the HR who will notify payroll. <b>MUST BE RECORDED ON STATION ON GRS)</b></p>	<p>Managers check validity of the request and forward the Request for Special Leave Form + attachments to the HR Manager.</p> <p>HR writes to employee to confirm receipt. Employees to keep their manager updated with any changes to planned date. Final leave dates communicated to the HR who will notify payroll. <b>MUST BE RECORDED ON STATION ON GRS)</b></p>	<p>Managers check validity of the request and forward the Request for Special Leave Form + attachments to the HR Manager.</p> <p>HR writes to employee to confirm receipt. Employees to keep their manager updated with any changes to planned date. Final leave dates communicated to the HR who will notify payroll. <b>MUST BE RECORDED ON STATION ON GRS)</b></p>

**Additional Paternity Leave Support Meeting Checklist**

**Name:** \_\_\_\_\_

**Job title:** \_\_\_\_\_

**Date of meeting:** \_\_\_\_\_

Introduction	Tick
<ul style="list-style-type: none"> <li>The purpose of this meeting is to advise you of your entitlements to additional paternity leave and pay</li> </ul>	
<ul style="list-style-type: none"> <li>Explain the employee's additional paternity leave and pay entitlements</li> </ul>	
<ul style="list-style-type: none"> <li>Do you know when you would like to start your additional paternity leave?</li> <li>Are you able to confirm how long will be remaining of your partner's 39 week Statutory Maternity Pay/ Statutory Adoption Pay or Maternity Allowance payment period?</li> <li>Please let myself and your manager know as soon as you are able to do so. You will need to complete an SC 7/ SC 8/ SC 9 and supply the relevant documentation to support your application.</li> </ul>	
Annual leave	
<ul style="list-style-type: none"> <li>You will continue to accrue annual leave during the period of your additional paternity leave. Leave may be taken both prior to and after your additional paternity leave.</li> </ul>	
<ul style="list-style-type: none"> <li>You cannot take annual leave between periods of paid and unpaid additional paternity leave.</li> </ul>	
Childcare Vouchers	
<ul style="list-style-type: none"> <li>If you are already in receipt of Childcare Vouchers via the Trust prior to going on additional paternity leave (i.e. to help pay for childcare of a previous child), the Trust will fund the full cost of these vouchers while you are in receipt of ASPP or no pay.</li> </ul>	

<b>Return to work</b>	
<ul style="list-style-type: none"> <li>You are entitled to take additional paternity leave of up to 26 weeks, depending on the date your partner returned to work following their maternity or adoption leave.</li> <li>If you wish to change your return to work date then you should give me at least 28 days' notice.</li> <li>I will write to you one month before your additional paternity leave ends to remind you of your return to work date.</li> <li>The Service will try to be flexible in regards to accommodating any request for changed work patterns on your return. Approving such requests will, however, depend on such working being operationally feasible.</li> </ul>	
<b>Future contact</b>	
<ul style="list-style-type: none"> <li>When you return the relevant documentation, I will write to you advising of your entitlements to paternity leave and pay.</li> </ul>	
<b>Paternity and childcare information</b>	
<ul style="list-style-type: none"> <li>Give the employee the cover sheet and information and explain the contents including childcare vouchers.</li> </ul>	

Signed (to be signed once the above topics have been covered with the employee).

\_\_\_\_\_  
Human Resources Manager/Advisor

## Paternity Leave Information- Cover Sheet

This information includes:

- Maternity support (Paternity) leave and pay Policy
- Parental leave Policy
- Ante-natal care Policy

For further information staff can contact their local Human Resources (HR), People and Organisational Development.

*Sources of further advice*

### The pulse

The LAS has an intranet site dedicated to childcare which can be found at >About Me>Staff Support Services>Childcare. Information can be obtained on the full range of initiatives from emergency childcare to financially beneficial childcare vouchers.

### Employee Assistance programme (EAP)

PAM Assist are a confidential support service provided to you by LAS. The service is staffed by experienced and professional advisors who are there 24 hours a day to answer your call. Through PAM Assist you will have access to clinical and professional expertise which gives you a chance to talk about all kinds of work and personal issues. PAM Assist can be contacted on 0800 882 4102 or you can visit the website for online services at [www.pamassist.co.uk](http://www.pamassist.co.uk)

Log in details are as follows:

- Username: londonamb
- Password: LAS1

### Staff Support Advisor

Employees can contact Tina Vince, Staff Support Advisor confidentially on extension 112016.

### Childcare vouchers

Tina Vince, see details above, is able to provide information on the childcare voucher scheme

### Trade Unions

Staff may seek advice from their Trade Union. Managers are encouraged to work in partnership with Union representatives with the aim of resolving any issues that may arise relating to staffs' additional paternity leave.

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 21 of 28
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**Appendix 5**

**For use following additional paternity leave meeting-** amend letter as necessary

Date

Name  
Address

Dear,

I write further to our additional paternity leave meeting on...

**Either**

Based on your partner returning to work following [*her/his*] [*maternity/adoption*] leave period with [*X*] weeks remaining of their 39 week payment period, you will be entitled to up to [*X*] weeks' additional paternity leave.

This leave must be taken between 20 and 52 weeks after your [*child/children*] [*is/are*] born or placed for adoption and must be for the purpose of caring for the [*child/children*].

**or**

Based on [*your length of Service/your partner not qualifying for Statutory Maternity Leave, Pay or Allowance/ Statutory Adoption Leave or Pay*], you do not qualify for additional paternity leave.

You may be able to take annual leave or unpaid parental leave instead. Please refer to the appropriate policies and do not hesitate to contact me if you have any queries.

**Either**

Based on the information above, you will qualify for [*X*] weeks' Additional Statutory Paternity Pay. This will be paid at the lower of 90% of your earnings or [*insert current ASPP rate*] per week.

If you choose to take the additional [*X*] weeks of leave entitlement, this will be unpaid.

**or**

Due to your circumstances, you will not qualify for Additional Statutory Paternity Pay [Must include completed ASPP1 form]. You may however take your leave unpaid. Please forward me the following documents:

- A completed [*SC7/8/9*] form, which you will find enclosed

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 22 of 28
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- *[Your partner's MATB1 form from their General Practitioner/Midwife or the Matching Certificate from your adoption agency]*
- *[A letter from the mother/adopter confirming that you are their nominated carer]*

Please can you ensure that you advise not only myself but your line manager of the date you wish to start your additional paternity leave as soon as possible and at least 56 days before you expect to begin your leave.

Please be aware that you will continue to accrue annual leave throughout your additional paternity leave.

If you wish to change the start date of your additional paternity leave please let your manager and myself know as soon as possible.

If you have any queries on anything related to the above please contact me on...

Yours sincerely

[Name]  
Human Resources Manager/Advisor

**Following return of documentation  
Model- amend where necessary**

Date

Name

Address

Dear,

Thank you for returning your [SC7/8/9 and additional documentation] in support of your application for additional paternity leave.

I note from your [SC7/8/9] that you intend to commence your leave on [date] and return to work on [date]. This amounts to [X]. Based on your circumstances and that of your partner, your maximum entitlement is [X] weeks.

Outlined below are details of the Additional Statutory Paternity Pay (ASPP) you will receive whilst on your additional paternity leave.

**Entitlement**

You will be paid [X] weeks' ASPP at [rate]. [The remainder of your leave will be unpaid].

**or**

Based on the details you have provided, you are not entitled to ASPP during your leave.

Please also note the following information relating to your additional paternity leave:

- The Trust will plan for your return to work on [date] unless you inform us otherwise. You are entitled to take up to your maximum entitlement as stated above.
- You are free to change your mind on when you wish to return to work provided it is in line with the scheme and your entitlement. However if you wish to change your return date then you should give the Trust at least 28 days' notice of this date.
- You have the right to return to your job under your original contract and on no less favourable terms and conditions.

During your leave you may wish to keep in touch to discuss and plan for your return. I will write to you again one month prior to your return to work to remind you of your return to work date and to outline any arrangements for your re-introduction into the workplace.

Ref. HR019	Title: Maternity Support (Paternity) Leave and Pay Policy	Page 24 of 28
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Your manager will keep you informed regarding what is going on by arranging to send you a weekly copy of the RIB and other paperwork that might be of interest to yourself.

Please do not hesitate to contact me on.... Should you have any queries about your leave.

Finally, I would like to take this opportunity to wish you all the best.

Yours sincerely

Name  
Human Resources Manager/Advisor

Cc. Ambulance Operations Manager/line manager

Additional Paternity Leave- in brief

	<p>Employee has 26 weeks' continuous service by end of 15<sup>th</sup> week before EWC/ end of week of matching notification/ at date child enters GB.</p> <p>Child's mother/adopter entitled to Statutory Mat. Leave/Pay, Mat. Allowance or Statutory Adoption Leave/Pay.</p> <p>Mother/adopter has started working again with at least two weeks of the 39 week payment period remaining.</p>	<p>Employee has 26 weeks' continuous service by end of 15<sup>th</sup> week before EWC/ end of week of matching notification/ at date child enters GB.</p> <p>Child's mother/adopter entitled to Statutory Mat. Leave/Pay, Mat. Allowance or Statutory Adoption Leave/Pay.</p> <p>Mother/adopter has started working again later than 37 weeks into their leave, but has not taken full 52 week leave entitlement.</p>	<p>Employee does not have 26 weeks' continuous Service</p> <p>and/or</p> <p>Child's mother/adopter not entitled to relevant leave/pay</p> <p>and/or</p> <p>Mother/adopter has taken full 52 week leave entitlement.</p>
<b>ENTITLEMENT</b>	<p>Up to 26 weeks' leave.</p> <p>(52weeks – number of weeks' leave maternity/adoption leave taken by mother/adopter, to a maximum of 26)</p> <p>ASPP will be paid for the remainder of the 39 week period in which the mother/adopter would have been entitled to SMP/Maternity Allowance/SAP, had they not returned to work. Any leave taken beyond this period will be unpaid</p> <p>ASPP paid at current weekly rate.</p>	<p>Up to 15 weeks' leave</p> <p>(52 weeks- number of weeks' maternity/adoption leave taken by mother/adopter).</p> <p>All leave will be unpaid.</p>	<p>No entitlement additional paternity leave or pay.</p> <p>Annual leave or unpaid parental leave may be appropriate.</p>
<b>APPLICATION</b>	<p>Employee informs manager as soon as reasonably practicable that they wish to take additional paternity leave.</p>	<p>Employee informs manager as soon as reasonably practicable that they wish to take additional paternity leave.</p>	<p>N/A</p>
<b>TAKEN BY</b>	<p>Between 20 and 52 weeks after the child is born/ placed for adoption.</p>	<p>Prior to 52 weeks after the child is born.</p>	<p>N/A</p>

<p><b>ACTION</b></p>	<p>Meeting held between employee and HR.</p> <p>Employee supplies appropriate documentation.</p> <p>HR writes to employee to confirm entitlement and dates.</p> <p>HR notifies payroll.</p> <p><b>MUST BE RECORDED ON STATION ON THE LA187/191</b></p> <p>Employee keeps manager/HR up to date on any change in return to work date.</p>	<p>Meeting held between employee and HR.</p> <p>Employee supplies appropriate documentation.</p> <p>HR writes to employee to confirm entitlement and dates. HR must supply employee with a form ASPP1 explaining why they are not entitled to ASPP.</p> <p>HR notifies payroll.</p> <p><b>MUST BE RECORDED ON STATION ON THE LA187/191</b></p> <p>Employee keeps manager/HR up to date on any change in return to work date.</p>	<p>HR must supply employee with a form ASPP1 explaining why they are not entitled to ASPP.</p>
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**One month before planned return  
Model- amend where necessary**

Name  
Address

Dear,

Firstly, I hope all is well with yourself and your new baby/child/children.

Further to my letter dated (*date*), I am writing to remind you that your return to work date is (*date*).

On your first day back please report to (name) who will run through any changes or updates with you. It will also be an opportunity for you to discuss any refresher training you may need.

You may wish to come into work prior to your return date, to discuss your return arrangements and training needs- please contact me if you wish to do this.

Finally, should you have any queries or concerns, please do not hesitate to contact me on...

I wish you all the best for your return to work.

Yours sincerely

Name  
Human Resources Manager/Advisor

cc. Ambulance Operations Manager/line manager