



## **ORDINARY PATERNITY PROCEDURES**

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<b>Abbreviations</b>	
OPL	Ordinary Paternity Leave
SPP	Statutory Paternity Pay

### **INTRODUCTION**

Congratulations on the forthcoming arrival of your child.

These procedures have been prepared to advise you of your Ordinary Statutory Paternity Rights

### **ELIGIBILITY**

In order to be eligible to take Ordinary Paternity Leave (OPL), you must satisfy the following conditions:

- you will have or expect to have responsibility for the child's upbringing (includes adoption)
- be the biological father of the child or the mother's husband or partner
- be a partner through a civil partnership agreement
- have worked continuously for ELCAP for 26 weeks leading into the fifteenth (15<sup>th</sup>) week before the baby is due.
- your time off work will be to support the mother or care for the child

## LENGTH OF ORDINARY PATERNITY LEAVE

You have the right to choose when you want to take Ordinary Paternity Leave within a set time frame. You may choose to take either one week or two whole weeks' paternity leave however you are not entitled to take odd days.

You can choose to start your leave:

- from the date of your child's birth (whether this is earlier or later than expected)
- from a chosen number of days or weeks after the date of your child's birth

Leave may start on any day of the week but must be completed:

- within 56 days of the actual date of birth of your child
- if your child is born early, within the period from the actual date of birth up to 56 days after the expected week of birth

Only one period of leave can be taken irrespective of whether more than one child is born, i.e., twins

## STATUTORY PATERNITY LEAVE

ELCAP Paternity Leave arrangements give male employees and male and female partners (through civil partnership) the right to a period of paid absence in connection with the birth of their child.

There is now a statutory right to receive one or two whole week's paternity leave. It is therefore possible to take the following leave:

Weeks 1 and 2	Ordinary Statutory paternity pay (SPP)	Statutory rate* per week or 90% average weekly earnings whichever is lower	1 week equates to 5 days or pro rata for part time employees
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\* Please refer to <https://www.gov.uk/paternity-pay-leave/pay>

You still have a choice whether to take one week or two weeks leave.

If your average weekly earnings are below the Lower Earnings Limit for National Insurance purposes (refer to <https://www.gov.uk/paternity-pay-leave/eligibility>) you do not qualify for statutory paternity pay however you may be able to get Income Support while on paternity leave. Additional financial support may be available through Housing Benefit, Council Tax Benefit or Tax Credits. Further information is available from the local Jobcentre Plus or Social Security office.

## WHAT YOU NEED TO DO IF YOU WISH TO TAKE ORDINARY PATERNITY LEAVE

You need to inform your line manager, in writing, (copy to the Finance Officers) of your intention to take Paternity Leave by the 15<sup>th</sup> week before your baby is expected, unless this is not reasonably practicable. You will need to tell your line manager (copy to the Finance Officers) the following:

- the week the baby is due

- whether you wish to take one or two weeks' leave
- when you want your leave to start.

You will be able to change the date on when you want your leave to start however you need to give ELCAP 28 days' notice in advance. You also need to tell your line manager (copy to the Finance Officers) the date you expect any payments of statutory paternity pay to start. If you cannot state what time off you want in time, or the baby is born sooner or later than expected, you need to discuss this with your line manager.

If you do not qualify for SPP, ELCAP's Finance Officers will give you a form SPP1 explaining why you cannot be paid. You may be able to claim Paternity Pay and you should contact your local Job Centre Plus office.

### **ORDINARY PATERNITY CERTIFICATE**

You will need to give your line manager (copy to the Finance Officers) a completed Paternity Pay and Leave application form (see page 5/6) as evidence of your entitlement to paternity pay/leave. The form also includes a declaration to show that you meet the eligibility conditions and provide the information specified as part of the notice requirements.

If you do not give acceptable notice and do not have a good reason for being late, ELCAP can delay the start of leave and the pay period. ELCAP accepts that there could be possible differences between the expected date of birth and the actual date of birth.



**APPLICATION FORM  
ORDINARY STATUTORY PATERNITY PAY AND LEAVE**

**Dates for pay and leave**

The baby is due on:

I would like my Ordinary Statutory Paternity leave to start  on:

I would like to be away from work (delete as appropriate)

**One Week**  **Two Weeks**

**Declaration**

Your Name:

National Insurance Number:

*You must be able to tick all three boxes below to get Ordinary Paternity Pay and Ordinary Paternity Leave.*

*I declare that:*

- I am - the baby's biological father, or
  - the baby's mother's husband or partner, or
  - living with the mother in an enduring family relationship but am not an immediate relative
- I have responsibility for the child's upbringing
- I will take time off work to support the mother or care for the child

I confirm the above information is correct.

I consent to you processing the information I have provided on this form.

Signed:

Name:

Line Manager:

Date:

*Please forward this form to the Finance Officers as soon as it is complete.*