



HUMBERSIDE FIRE AND RESCUE SERVICE

# People & Development

## Paternity Policy

Owner	Executive Director of People and Development
Responsible Person	Head of Human Resources
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What we must  
do well



How we support our  
communities



We value and support  
the people we employ



We efficiently manage  
the Service

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## **1. INTRODUCTION**

Increasingly, partners are playing a more active role in sharing the responsibility for looking after children. Humberside Fire & Rescue Service (HFRS) recognises that time off for employees is of prime importance to help care for a baby and support the wife, civil partner or partner at or after the time of the birth or, where a child is adopted (from within the UK or overseas), to help with acclimatisation and bonding. This policy sets out the statutory rights and responsibilities for those who wish to take paternity leave and pay.

### **Core Code of Ethics**

HFRS has adopted the Core Code of Ethics for Fire and Rescue Services. The Service is committed to the ethical principles of the Code and strives to apply them in all we do, therefore, those principles are reflected in this Policy.

### **National Guidance**

Any National Guidance which has been adopted by HFRS, will be reflected in this Policy.

## **2. EQUALITY & INCLUSION**

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services nor in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

## **3. AIM AND OBJECTIVES**

This policy aims to inform employees of the ability to apply for and take paternity leave.

## **4. ASSOCIATED DOCUMENTS**

- [Equality Impact Analysis](#)
- Legal References – Paternity Leave (Amendment) Regulations 2024
- National Guidance

## **5. ELIGIBILITY**

- The employee must be the father of the child or married to: the civil partner or the partner of the child's mother; married to: the civil partner or the partner of the child's adopter, or one of a couple jointly adopting a child; and expect to have responsibility for the upbringing of the child and be making the request to help care for the child or support the child's mother. Paternity leave is not available to biological fathers who are not likely to have parental responsibility for their child.

- Where the Expected Week of Childbirth falls on or after 6 April 2024 and to children who expect to be placed for adoption on or after 6 April 2024, an employee has the qualified right to take two separate blocks of one week. Prior to the Paternity Leave (Amendment) Regulations 2024; an employee had the qualified right to take either one or two consecutive weeks. (Please also refer to the Adoption Policy for further information on adoption eligibility).
- If an employee's child is stillborn at 24 weeks or more of pregnancy, they are still entitled to the same paternity leave and pay that they would have received had the baby been born alive.

## **6. PERIODS OF LEAVE AND PAY**

- Employees are entitled to take two consecutive weeks' or split into two separate blocks of one week (1<sup>st</sup> week paid at full pay and the 2<sup>nd</sup> week paid at the Statutory Paternity Pay rate). SPP is treated as earnings and is therefore subject to PAYE and national insurance deductions.
- Employees who are eligible can choose to take two consecutive weeks' or split into two separate blocks of one week. Paternity Leave cannot be taken prior to the birth/adoption but must be taken within 52 weeks after birth/adoption. Paternity Leave can start on any day of the week following the birth or the end of the week in which the child's adopter is notified of being matched with the child.
- Only one qualifying period of Paternity Leave will be available to an employee irrespective of whether more than one child is born as a result of the pregnancy.
- Employees may also be eligible to choose to take Shared Parental Leave, in conjunction with their partner, but if they wish to take Paternity Leave, they should do so before they take Shared Parental Leave as it cannot be taken afterwards.

## **7. RIGHTS DURING PATERNITY LEAVE**

- All terms and conditions of employment remain in force during an employee's period of paternity leave.
- Employees are entitled to continue to receive all benefits applicable to them during their leave, such as accrual of leave and pension benefits.

## **8. RIGHTS TO RETURN TO WORK**

- An employee who returns to work after paternity leave will have the right to return to the substantive post they held immediately before taking the leave.

## **9. NOTICE OF INTENTION TO TAKE PATERNITY LEAVE**

- Employees must inform their line manager and Human Resources of their intention to take paternity leave four weeks before the baby is expected, or in respect of an adopted child, the week in which the child's adopter was notified of having been matched with a child (unless this is not reasonably practicable). Followed by at least 28 days' notice for the second, separate,

week period, if choosing to take Paternity Leave in two separate blocks of one week.

- Employees will need to complete form Per 26 – Application for Paternity Leave and Pay ([See Appendix 'A'](#)) and send it to Human Resources four weeks before the baby is expected or in respect of an adopted child, the week in which the child's adopter was notified of having been matched with a child (unless this is not reasonably practicable).
- An employee can change their mind about the date on which they want their leave to start providing they inform Human Resources at least 28 days in advance (unless this is not reasonably practicable).

## **10. ANTENATAL APPOINTMENTS**

- If an employee is eligible, they will be entitled to take unpaid leave to accompany their partner to a maximum of 2 antenatal appointments per pregnancy.
- The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse.
- In order to be eligible, employees must:
  - have at least 12 weeks' consecutive service at the time of the appointment if they are an Agency worker.
  - be the baby's father
  - be the expectant mother's spouse or civil partner
  - be in a long-term relationship with the expectant mother
- If the employee is expecting a child through surrogacy they will also be entitled to leave as above for antenatal appointments, as long as they intend to become the child's legal parent.
- Requests for time off to accompany someone to an antenatal appointment should be made in writing to line managers.
- If an employee's child is stillborn at 24 weeks or more of pregnancy, they are still entitled to the same paternity leave and pay that they would have received had the baby been born alive.

**If you require any further information or guidance in relation to this policy,  
please contact Human Resources**

## 11. APPENDIX A - PER 26 APPLICATION FOR PATERNITY LEAVE & PAY

Date the baby is due/child placed on

And, if the baby has been born, please enter  
the actual date of birth

Date of the week(s) I want to be away from work  
(\*delete as appropriate)

Surname

First Name (s)

National Insurance (NI) Number

You must be able to tick all three areas below to get Statutory Paternity Pay and  
Paternity Leave

I declare that:

- I am
  - the baby's biological father, or
  - married to the mother, 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

☐☐☐☐☐

Signature

Date