



Human Resources

PATERNITY LEAVE PROVISIONS - ADOPTIVE PARENTS

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1 INTRODUCTION

Redcar and Cleveland Borough Council is committed to ensuring that its employment practices are fair and consistent, compliant with legislation and in line with best practice principles. The Paternity Leave for Adoptive Parents Provisions set out statutory rights and responsibilities in relation to Paternity Leave for Adoptive Parents who have a child placed with them. The provisions also cover surrogate parents who meet the qualifying criteria who are or expect to be the parents of a child under a parental order.

2. SCOPE

The provisions covers all Council employees.

3. EQUALITY, DIVERSITY AND INCLUSION

The Council is committed to developing an inclusive workplace. Discrimination based on age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, or other characteristics, is not acceptable.

4 ENTITLEMENT AND QUALIFYING CRITERIA

The Council's local conditions of service allow all employees, regardless of length of service or hours worked, one week's paternity leave for adoptive parents, paid at their normal pay rate.

Employees with at least 26 weeks' continuous service who meet the qualifying criteria are entitled to apply for a second week's paid paternity leave for adoptive parents.

To qualify for paid Paternity Leave for adoptive parents, the employee must:

- Be either an adopter of the child, or the partner of the adopter¹ and
- Have, or expect to have, main responsibility for the upbringing of the child, with the adopter.

Employees who meet the qualifying criteria can divide their paternity leave for adoptive parents into two separate one week periods and are able to schedule their leave at any point during the first year following the child placement date.

Only one allotment of leave is provided even if more than one child is adopted, so the entitlement for leave will still be either one or two weeks.

5. APPLYING FOR PATERNITY LEAVE FOR ADOPTIVE PARENTS

Employee will need inform their manager 15 weeks before the expected week of placement that they are entitled to statutory paternity leave for adoptive parent. To request paternity leave for adoptive parents the employee will need to complete the Adoptive Parents Paternity Leave Application Form giving 7 days' notice following confirmation that they have been matched with a child. If the employee intends to take two separate weeks, they need to give 4 weeks' notice for the subsequent period of leave". Employees must provide supporting evidence of eligibility under the qualifying criteria for example a copy of the Adoption Matching Certificate

A copy of the Adoptive Parents Paternity Leave Application can be found in Appendix 1.

¹ The law specifies that a partner is someone who lives with the adopter in an enduring family relationship but is not an immediate relative

6. PATERNITY LEAVE FOR ADOPTIVE PARENTS PAY

All terms and conditions of the employee's contract, except normal pay, will continue during paternity leave.

Paternity Leave Pay

- Under the Council's Local Terms and Conditions of Service all employees regardless of their length of service or hours worked are entitled to one week's paternity leave for adoptive parents paid at normal pay.
- Employees who have at least 26 week's continuous service at that the 15th week before the expected week of childbirth who elect to take a second week's paternity leave for adoptive parents will be paid at the standard rate of Statutory Paternity Pay or at 90% of the employee's earning if this figure is lower.

7. OTHER RELEVANT HR POLICIES AND PROCEDURES

The Council has several other policies and procedures which you may want to refer to including:

Adoption Leave Provision

Maternity Leave

Maternity Support Leave

Parental Leave

Right to Request Flexible Working

Shared Parental Leave – Birth

Shared Parental Leave – Adoption.



ADOPTIVE PARENTS PATERNITY LEAVE APPLICATION FORM

This form will not be accepted if you have not attached a copy of the Adoption Matching Certificate

Section 1 – To be completed by the employee			
Surname			
Forename(s)			
Home Address			
Post Title		Contracted Hours	
Payroll Number		Line Manager	
Place of Employment			
Local Government Start Date			
Date Child is expected to be placed with the adopter			
I would like my Paternity Leave and Statutory Paternity Pay for Adoptive Parents to start on			
From	To	Number of Weeks	
		One Week <input type="checkbox"/>	Two Weeks <input type="checkbox"/>
Supporting Evidence attached (e.g. Adoption Matching Certificate)		Yes/No	
<u>Declaration:</u>			
You must tick this box if you are adopting a child with your partner.			
I declare that I am adopting the child with my partner, and I want to receive Statutory Paternity Pay and Paternity Leave and not Statutory Adoption Pay and Adoption Leave <input type="checkbox"/>			
You must be able to tick all three boxes below to get Statutory Paternity Pay and Paternity Leave			
I am married to or in civil partnership with the person adopting the child or living with the person adopting the child in an enduring family relationship, but am not an immediate relative <input type="checkbox"/>			
I will have responsibility of the child's upbringing <input type="checkbox"/>			
I will take time off work to support the person adopting the child or to care for the child <input type="checkbox"/>			

Employee Signature _____ Date _____

Section 2 - To be completed by the Line Manager	
Approved	Yes/No
Comments:	

Line Manager Signature _____ Date _____

Completed form should be returned to Human Resources, Redcar & Cleveland House, Kirkleatham Street, Redcar