

ORDINARY STATUTORY PATERNITY PAY / ORDINARY PATERNITY LEAVE/OCCUPATIONAL PATERNITY LEAVE – BECOMING AN ADOPTIVE PARENT

Becoming an Adoptive Parent

If you want to take time off work to support your partner who is adopting a child you may be entitled to –

- Adoption Support Leave of five days (or equivalent of one working week), which can be taken as one period of leave or broken down into smaller periods; and/or
- Ordinary Paternity Leave of one week, which has to be taken as one full week of leave.
- Occupational Paternity Leave of two weeks which has to be taken as blocks of a week

Adoption Support Leave can be taken at or around the date of the child's placement. However, it is anticipated that the availability of this leave provision will not extend beyond 56 days (8 calendar weeks) after the date of the child's placement.

Ordinary Paternity Leave must be taken within 56 days (8 calendar weeks) from the date of the child's placement. The one week of ordinary paternity leave can, however, start on any day, for example, from Tuesday to Monday.

Occupational Paternity Leave must be taken within 12 months from the date of the child's placement and must be taken in blocks of at least a week.

Depending on your circumstances, you may not qualify for OSPP and/or ordinary paternity leave. If this is the case you will get more advice and information at the time of your application. If you are not entitled to OSPP you should contact your adoption agency to find out if you can get any other help.

Please read through the terms and conditions, then

- Fill in the form and declaration.
- Give the completed and signed form to your line manager.

Terms and Conditions

OSPP and ordinary paternity leave are available to any employee (male or female) who is

- The partner of someone adopting a child on their own, **or**
- The partner of the adopter (adopting a child with their partner)

You must be able to declare that

- You are
 - married to or in a civil partnership with the person adopting the child, **or**
 - living with the person adopting the child in an enduring family relationship, but are not an immediate relative, **and**
- You will be responsible for the child's upbringing, **and**
- You will take time off work to support the person adopting the child or to care for the child

If you and your partner are adopting a child together you must also declare that you have chosen not to receive Statutory Adoption Pay.

You must have been continuously employed for 26 weeks up to and including the week the person adopting the child is told by the adoption agency that they have been matched with the child, and continue to work for the same employer until the child is placed with them.

To get OSPP you must also have average earnings over a set period above a set amount, and this will be calculated by Payroll. You will be advised by Payroll if you are excluded from entitlement to OSPP.

You cannot start your ordinary paternity leave before the date the child is placed with you and your week of leave must be completed by the 56th day (eight weeks) after the date the child is placed with the person adopting them. You cannot take odd days off work, but the week can start on any day, for example from Tuesday to Monday.

You must discuss your leave plans with your line manager and advise what time off you want within seven days of the date the adoption agency told the person adopting the child that they have been matched with the child. You can change your mind but you must give your line manager 28 days notice of the revised dates, and a new application form should be completed to replace the existing one. If you cannot tell your line manager what time off you want in time, please discuss the situation with them. For example, sometimes a child is matched and placed very quickly.

Disagreements

If you are not entitled to OSPP and/or ordinary paternity leave, and believe that you have been treated unfairly, you can raise a grievance through the Council's formal Grievance Procedure. If you need further assistance, for: -

- OSPP – if you wish to register a dispute, phone Statutory Payments Disputes Team 0191 225 5221
- Ordinary paternity leave – phone ACAS Helpline tel. 08457 474747

Penalties may be charged where a person either fraudulently or negligently gives incorrect information or makes a false statement or declaration for the purpose of claiming entitlement to statutory adoption, ordinary paternity, additional paternity, maternity or sick pay.

Payroll Details – (to be completed by employee)

Employee Name:			
Service/Division:			
Job Title:			
Employee Ref. Number:		Payrun Number:	
National Insurance Number:		Start date with NLC:	

Your dates for Maternity Support Leave and/or Statutory Paternity Leave -

The date the adoption agency told the person adopting that they had been matched with the child		
The child is expected to be placed on – DD/MM/YY		
And, if the child had been placed, please enter the date they were placed.– DD/MM/YY		
I would like my OSPP to start on – DD/MM/YYYY	Date From	Date To
I wish to take Ordinary Paternity Leave as follows –	Date From	Date To

Your declaration -

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 Ordinary Statutory Paternity Pay and ordinary paternity leave, not Statutory Adoption Pay and adoption leave

You must be able to tick all three boxes below to get Ordinary Statutory Paternity Pay and ordinary paternity leave.

I declare that:

- I am
 - Married to or in a 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, and
- I will have responsibility for the child's upbringing, and
- I will take time off work to support the person adopting the child or to care for the child

Give this form to your line manager, but keep a copy of the terms and conditions for your records. The line manager will then submit the completed form to payroll.

Signature:	Date:

The following section to be completed by line manager -

Adoption Certificate viewed by manager –	Leave Agreed - Adoption Support Leave
Other documentation viewed by manager –	Ordinary Paternity Leave
Line manager signature:	Date:

For Payroll Use Only

	Adoption Support Leave	Ordinary Paternity Leave
Basic Pay		
HED 490 (SPP)		
Week Number(s)		
Date Actioned		
Actioned By		