



**ELHAP – A SPECIAL NEEDS ADVENTURE PLAYGROUND**  
**119, Roding Lane North**  
**Woodford Bridge**  
**Essex**  
**IG8 8NA**

Telephone: 020 8550 2636  
 Fax: 020 8550 2683  
 Email: [info@elhap.org.uk](mailto:info@elhap.org.uk)  
 Website: [www.elhap.co.uk](http://www.elhap.co.uk)

---

## Paternity Leave Policy

---

### 1. Policy

The policy of ELHAP is to provide paternity benefits which fully comply with the letter and the spirit of the law on paternity rights. This policy applies to all ELHAP employees and aims to inform them of their entitlement to contractual and statutory adoption rights, and to ensure that these rights are understood.

### 2. Paternity Provision

#### 2.1 Entitlement

This policy applies to all employees, regardless of their length of service and their entitlement to statutory paternity benefits, wishing to take leave on or after 6 April 2003.

A male member of staff who is the biological father of a child or the mother's husband or partner and who has or expects to have responsibility for the child's upbringing, or a member of staff of either sex who is adopting a child but is not taking adoption leave, will be entitled to the provisions laid down by the Statutory Paternity Leave and Pay regulations. On August 2005, these entitlements are:

1. Eligible employees can choose to take either one week or two consecutive weeks' paternity leave (not odd days).
2. Employees can choose to start their leave:
  - from the date of the child's birth (whether this is earlier or later than expected), or
  - from a chosen number of days or weeks after the date of the child's birth (whether this is earlier or later than expected), or
  - from a chosen date later than the first day of the week in which the baby is expected to be born.

Leave can start on any day of the week on or following the child's birth but must be completed:

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

3. Only one period of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy.

4. During paternity leave, eligible ELHAP employees are entitled to Statutory Paternity Pay (SPP). Statutory Paternity Pay is paid by ELHAP for either one or two consecutive weeks as the employee has chosen. The rate of Statutory Paternity Pay is the same as the standard rate of Statutory Maternity Pay - from April 2005, this is £106 a week or 90% of average weekly earnings if this is less than £106.

## 2.2 Notification

The employee ideally should give written notice no later than the fifteenth week before the baby is expected, or the adopted child expected to be placed. If for any reason s/he wishes to change the start date of the leave period, s/he should give at least 28 days' notice of the change, unless this is not reasonably practicable.

Employees must give their employers a completed self-certificate as evidence of their entitlement to Statutory Paternity Pay (Inland Revenue Statutory Paternity Pay/Leave Form). By providing a completed self certificate, employees will be able to satisfy both the notice and evidence conditions for paternity leave and pay.

To comply with the statutory provision, the leave should start on any day of the week on or following the child's birth and must be completed within 56 days of the actual date of birth of the child or if the child is born early, within the period from the actual date of the child's birth up to 56 days after the expected week of birth.

## 2.3 Confirmation of leave

On receipt of the paternity application form, the ELHAP Administrator will write to the employee confirming that leave has been granted.

## 2.4 Statutory entitlements on return to work

**Emergency leave:** All employees have a statutory right to short periods of unpaid leave in order to make arrangements to deal with family emergencies. In addition to this statutory provision ELHAP Line Managers have discretion to grant compassionate leave where circumstances justify so doing (please refer to the ELHAP Time Off for Emergency Care of a Dependent Policy).

**Parental leave:** All employees who have a year's service have a statutory right to parental leave (please refer to the ELHAP Unpaid Parental Leave Policy).

**Flexible working:** All employees who have 26 weeks service at the date of application and have children under 6 years of age or a disabled child under 18 years of age have a statutory right to apply to work flexibly to care for the child.

**Implemented by the ELHAP Board of Trustees**  
**3<sup>rd</sup> October 2005**

