



# Paternity Leave

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1. This policy outlines the eligibility criteria, entitlements and associated procedures relating to you taking paternity leave.
2. The policy applies to all permanent and fixed term employees who meet the eligibility requirements.
3. Any queries on the application or interpretation of this policy should be discussed with human resources prior to any action being taken.

## Paternity leave eligibility criteria

4. Employees with a partner who is expected to give birth will be provided with additional time off work at or around the time of the birth. The definition of “employees with a partner who is expected to give birth” is that the employee is able to declare, in writing, that he/she is:

- (a) The biological father of the child, or is married to, or is the partner of, the child’s mother; or
- (b) Is living with the mother in an enduring family relationship, but is not an immediate family relative;

And

- (c) Will be responsible for the child’s upbringing;

And

- (d) Will take time off work to support the mother or care for the child.

## Entitlement

5. All eligible employees who have 26 weeks or more continuous service (at ORR or in the civil service) ending with the 15th week before the expected week of childbirth may request up to three weeks’ paternity leave with full pay, which may be taken within two months of the child’s birth.
6. The statutory paternity leave of 10 days must be taken over two consecutive weeks. The first two weeks statutory paternity leave can start on any day of the week and are pro-rata’d for part-time workers.
7. You are allowed 5 additional days that can be taken at any time within the first two months of the birth, subject to your manager’s agreement. Additional days may also be taken from your annual leave, or parental leave entitlement, with your manager’s agreement.
8. No additional paid time off will be granted for multiple births.

## Paternity leave at the time of adoption

9. Employees with a partner who is to become an adopter, or employees who are jointly adopting but intend to take paternity leave instead of adoption leave, will

be provided with additional time off work at the time of the placement of the child and in order to attend pre-adoption interviews and/or adoption order interviews with their partner.

10. All eligible employees who have 26 weeks' or more continuous service as at the week of notification of being matched with a child may request up to three weeks' paternity leave with full pay and must take this within two months of the date of the child's placement.

11. The process for applying for paternity leave is the same, but the request for paternity leave form should be accompanied by a copy of the matching certificate issued to the adopter.

12. No additional paid time off will be granted where more than one child is adopted at the same time.

13. Further information on adoption can be found in the adoption policy.

### Other time off

14. Attendance by partners at antenatal or scan appointments is encouraged, but proof of the appointment (except for the first hospital appointment where this is difficult to obtain) is required when applying to take paid time off work. Managers have discretion to agree up to two hours paid special leave for such appointments, within reasonable limits. This includes parents in a surrogacy arrangement to attend ante-natal appointments.

15. Details of shared parental leave and pay for partners are available in the separate policy.

### Applying for paternity leave

16. If you wish to take paid paternity leave, you must complete the request for paternity leave form and the HMRC statutory paternity pay/leave form.

17. For taking **paternity leave** you must notify your manager and HR at least **15 weeks** before the expected week of the child's birth and provide proof of the expected date of childbirth – normally a copy of the MATB1 form which will have been given to the mother.

18. You may change the expected dates of paternity leave with the agreement of your manager, and should endeavour to give at least 28 days of the revised dates. You should discuss with your manager what will happen if the notified date of paternity leave commencement needs to change at short notice, for example if the baby is born earlier or later than expected.

### Contractual benefits

19. The employee's contract remains in place, and the employee will continue to accrue all contractual benefits except for salary, when they are on this leave. Annual leave and public/privilege days will continue to accrue. ORR will carry on making their usual contributions to a pension during paternity leave.

### False declarations

20. If the employee fraudulently or negligently gives incorrect information or makes a false statement or declaration about their circumstances, this will be considered a disciplinary offence and could be considered gross misconduct. Action would be taken in accordance with the ORR disciplinary procedures.

## General Data Protection Regulations and Data Protection Act 2018

21. Personal data collected as part of this policy will be processed in accordance with the ORR's Data Protection Policy, [Privacy Notice](#) and Records Retention schedule. The Privacy Notice explains what personal data ORR holds about you, how we collect it, and how we will use and may share information about you. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the ORR's security incident process immediately. It may also constitute a disciplinary offence, which will be dealt with under the ORR's disciplinary procedure

### Questions

22. If you have any questions about paternity leave then please contact HR.