

Becoming a parent

If you want to take time off work to support the mother of a baby or look after the baby you may be entitled to:

- Statutory Paternity Pay (SPP) - at least part of your wages will be paid for two weeks. You will get the weekly rate of SPP current at the time of your paternity leave, or 90% of your average weekly earnings, whichever is less
- Paternity Leave - up to two weeks time off.

Depending on your circumstances you may not qualify for SPP and/or paternity leave. Your employer will let you know. If this is the case you will get more advice and information at the time.

If you need help with this form please contact your nearest HM Revenue & Customs office. You can find the phone number in The Phone Book under 'Inland Revenue' or 'HM Revenue & Customs'.

Please read through the terms and conditions on page 2 and if you think you might qualify, then:

- fill in 'Your dates for pay and leave' below, and
- give the completed form to your employer.

Other help

The Department for Business, Enterprise and Regulatory Reform (BERR) website gives more information on these rights and other employment protection, see the 'Employment Matters' page www.berr.gov.uk/employment/index

The BERR publication *Working Fathers and Paternity Leave and Pay - a basic summary* give information on these rights.

The paternity publication also gives details of other booklets covering employment protection and related equal opportunities legislation. These are available from www.berr.gov.uk/workingparents

The Department for Work and Pensions (DWP) publication *A guide to Maternity benefits, NI 17A*, also has details of other booklets covering social security benefits and some brief information on paternity. Go to www.dwp.gov.uk/advisers/#techguides to see these.

You can also contact:

- any HM Revenue & Customs office for more information about Statutory Paternity Pay
- any Advisory, Conciliation and Arbitration Service (ACAS) office for more information about paternity leave and other employment rights (phone ACAS on **08457 47 47 47** or see www.acas.org.uk for details)
- or go to www.direct.gov.uk/employee

Information on all aspects of employment legislation is also usually available from any Citizens Advice Bureau, low pay units and Trade Unions. If you are not entitled to SPP you may be entitled to other government help. Contact your local Jobcentre Plus office for further information.

Your dates for pay and leave

If the baby has been born, give the date it is due.

If the baby has been born, give the date it was due on and the actual date of birth.

Due date

Actual date of birth if applicable

I would like my SPP and/or paternity leave to start on

I want to be away from work for one/two* weeks

*delete as appropriate

Your declaration

Surname

First name(s)

National Insurance number

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

I declare that:

- I am
 - the baby's biological father, **or**
 - married to or in a civil partnership with the mother,

or

- living with the mother 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 mother or care for the child.

Signature

Date DD MM YYYY

Give this form to your employer, but keep a copy of the terms and conditions for your records.

Terms and conditions

On this form we have not covered all of the law that relates to Statutory Paternity Pay (SPP) and leave. So if you are in any doubt about your entitlement talk to your employer or contact any HM Revenue & Customs office.

SPP and paternity leave are available to:

- a biological father
- a partner, husband or civil partner that is not the baby's biological father
- a female partner in a same sex couple.

You must be able to declare that:

- you are
 - the baby's biological father, **or**
 - married to or in a civil partnership with the mother, **or**
 - living with the mother 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 mother or care for the child.

You must be continuously employed by the same employer during the whole of the pregnancy.

To get SPP you must also have average earnings over a set period above a set amount - your employer will work this out for you. You cannot start your paternity leave before a child is born.

You can choose to take one or two whole weeks leave, but not two separate weeks, which must end by the 56th day after the date of birth. If the baby is born early you can choose to take your leave any time between the actual date of birth and the end of an 8 week period starting from the Sunday of the week the baby was originally due. You cannot take odd days off work, but the weeks can start on any day, for example from Tuesday to Monday.

You must discuss your leave plans with your employer and tell them what time off you want by the 15th week before the week the baby is due. Your employer can tell you when this is if you are not sure. You can change your mind but you must give your employer 28 days notice of the dates. You and your employer may find it helpful if you filled in a new version of this form.

If you cannot tell your employer what time off you want in time, or the baby is born sooner or later than expected, please discuss the situation with your employer. If you are unable to resolve any disagreement contact any HM Revenue & Customs office for advice.

Disagreements

If your employer tells you that you are not entitled to SPP and/or paternity leave you can challenge that decision. If you need help with this, for:

- SPP - contact your HM Revenue & Customs office
- Paternity leave - contact the Advisory Conciliation and Arbitration Service (ACAS), helpline number **08457 47 47 47**. In Northern Ireland, contact the Labour Relations Agency on **028 9032 1442**.

Penalties

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, Paternity, Maternity or Sick Pay.