

Paternity and pay

If you are a father to be or will share the responsibility with a partner for bringing up a child, you may have the right to Statutory Paternity Leave and Pay. This includes adoptive fathers-to-be.

To qualify you will have worked continuously for your employer for 26 weeks ending with the 15th week before the baby is due, or the end of the week in which the child's adopter is notified of being matched with the child.

Paternity leave is available to employees who:

- have or expect to have responsibility for the child's upbringing
- are the biological father of the child or the mother's husband or partner and
- have worked continuously for their employer for 26 weeks ending with the 15th week before the baby is due or the end of the week in which the child's adopter is notified of being matched with the child.

Those who are eligible can choose to take either one week or two consecutive weeks' paid paternity leave (not odd days).

Additional paternity leave and pay

Additional paternity leave allows employees who are eligible to take up to 26 weeks leave to care for their new baby.

Additional paternity leave and pay may be available if:

- you are the father of a child due on or after 3 April 2011
- your wife, partner or civil partner is pregnant and due to give birth to a child on or after 3 April 2011
- you and your partner receive notification that you are matched with a child for adoption on or after 3 April 2011
- your wife, partner or civil partner is adopting a child from overseas and the child enters Great Britain on or after 3 April 2011
- the child's mother is entitled to statutory maternity leave, maternity pay or allowance or statutory adoption leave or pay.

Additional paternity leave is for a maximum of 26 weeks. Leave can be taken any time from 20 weeks after the child is born, but it must have finished by the child's first birthday. In the case of adoption it can start anytime between 20 weeks and 52 weeks after the child starts living with the adopter.

To qualify for additional paternity leave and pay employers must receive notice in writing at least eight weeks before the start of the leave.

This must include:

- the expected date of the baby's birth or date of notified of being matched for adoption
- the actual date of baby's birth, or placement of adoption
- the start date of the Additional Paternity leave and pay
- relationship to the mother, and leave is taken to care for the child.

***** For Additional Paternity leave to be taken the child's mother or adopter must have returned to work.**

Paternity FAQ

- [Is any time off allowed with pay to attend antenatal appointments?](#)

No there is no legal right to paid time off, however some employers may make arrangements for you to attend: you could take some annual leave; or it may be possible to swap shifts or make time up. These arrangements must be agreed with your employer in advance.

- [How much time off will I get?](#)

If you qualify for the statutory time off, you can take one or two weeks off. These must be taken together; however, your employer may offer more time off as part of your contractual terms and conditions of employment.

- [When can I take the time off?](#)

You will need to take your paternity leave 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 week in which the birth was expected.

- **Will I get my full pay for the time I am off?**

You may be entitled to Statutory Paternity Pay which from 3 April 2012 will be £135.45 per week or 90 per cent of your average weekly earning, whichever is less.

- **When do I need to tell my employer I am going to take Paternity Leave?**

You should tell your employer as soon as possible, but no later than the end of the 15th week before the expected week of childbirth. You should tell your employer when the baby is due, if you're going to take one or two weeks off, and when you expect your leave to start.

- **Can I take any paternity leave before the baby is born to be with my partner?**

No, your paternity leave cannot start until the birth of the baby; however you may be able to take some annual leave before.

- **When should I notify my employer of my notice to take Additional Paternity Leave?**

You should inform your employer in writing at least eight weeks before the start of the leave.