

# THE KILMARNOCK LEISURE CENTRE TRUST

T/A

## THE GALLEON CENTRE PATERNITY POLICY

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Scottish Charity Number: SC 00 8314  
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This policy outlines the entitlement of staff to ordinary and additional paternity leave and pay and complies with relevant legislation. Paternity leave and pay may be available to an Employee who is the partner of either;

- A woman who has given birth, or
- Someone who is adopting a child

This policy focuses on the entitlements of staff where a woman has given birth, however, further information on Employee's entitlements where a child has been adopted can be sought from management.

Employees may also be entitled to take Shared Parental Leave in addition to or instead of Paternity Leave. For more details, please see the Shared Parental Leave policy.

### Time off for antenatal appointments

Partners of pregnant women are entitled to take unpaid time off to accompany the woman to two antenatal appointments. The time taken to attend appointments should be no more than six and a half hours per appointment, including travelling and waiting time. If possible, appointments should be made close to the beginning or end of the working day to minimise disruption, and the employee's line manager should be given as much notice as possible of forthcoming appointments. If the employee intends to make a request, they should provide a certificate confirming that their partner is pregnant and an appointment card or other relevant documentation confirming the date and time of the appointment. Requests for time off may be refused if it is reasonable to do so.

### ***Paternity Leave***

Employees can choose to take either one week or two consecutive weeks' leave. This can be taken during a 56 day period beginning with the date on which the child is born.

An Employee qualifies for paternity leave on the birth of a baby if they:

- Have - or expect to have – the main responsibility for the baby's upbringing (apart from the mother).
- Are the biological father of the baby and/or the mother's husband or partner (including same-sex partner or civil partner). A partner is someone who lives with the mother of the baby in an enduring family relationship but is not an immediate relative.

In addition, Employees must:

- Have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth (EWC) - the qualifying week.

- Be working from the qualifying week up to the date of birth. If an Employee's contract ends before the birth, the Employee does not qualify for leave - unless they go on to work for an associated employer. If the Employee's contract ends after the birth, the Employee retains the right to leave (and pay if the Employee meets the qualifying conditions, see below).
- Be taking the time off to support the mother and/or care for the baby.
- Have notified us in writing of their intention to take OPL; and
  - Whether they wish to take one or two weeks' leave
  - When they want the leave to start. An Employee may choose to start their leave on:
    - ~ the day the child is born; or
    - ~ a day which falls a certain number of days after the child is born, as specified by the Employee to the employer before the child is born; or
    - ~ a pre-determined date that falls after the first day of the week that the child is due, which the Employee specifies to the employer.
  - This notice should be provided in writing,
    - ~ in or before the 15th week before the expected week of the child's birth; or
    - ~ if that is not reasonably practicable, as soon as is reasonably practicable.
  - A copy of your partner's Maternity Certificate (MATB1) must be provided at least 3 weeks in advance of taking OPL.
  - After the child is born, the Employee must give written notice of the child's actual date of birth. This should be done as soon as is reasonably practicable.

### ***Changing the Start Date of Paternity Leave***

If the Employee wants to change the start date of their paternity leave, they must give the KLCT the following notice:

- to change the leave so it starts on the date of birth, at least 28 days before the first day of the EWC
- to change the leave so it starts on a particular date, 28 days before that date
- to change the leave so it starts a specified number of days after the birth, at least 28 days before the date on which leave is to commence.

If the Employee can't give the notice in time, they should tell the KLCT as soon as is reasonably practicable.

### ***Terms and Conditions during Paternity Leave***

During their paternity leave period an Employee who takes paternity leave is entitled to the benefit of all of the terms and conditions of employment, excluding pay, which would have applied if they had not been absent.

Employees who return to work after a period of paternity leave are normally entitled to return to the job in which they were employed before the period of leave.

### ***Statutory Paternity Pay***

Paternity Pay shall be paid at the lower of the following rates:

- the current statutory paternity pay rate; or
- 90% of the Employee's normal weekly earnings.

### ***Keeping In Touch***

The KLCT and the Employee are entitled to have a reasonable amount of contact with each other during paternity leave to discuss aspects such as plans to return to work, important developments at work, promotional opportunities or job vacancies.