

IMSP060BV: PATERNITY LEAVE POLICY

Version 1. 4(03/2025)



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Departments: HR

Document Owner: Group HR Director

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Document History			
Version number	Edited by	Date reviewed	Summary of changes
1.0	HR	January 2023	Version 1 – replacement of Family Friendly policy
1.1	HR	May 2023	Added pay back clause
1.2	HR	April 2024	Updated to comply with legislation changes
1.3	HR	February 2025	Entitlement to Paternity Leave from day 1 of employment
1.4	HR	March 2025	Removed one reference still referring to 26 weeks employment instead of day 1 of employment

1. PURPOSE

The purpose of this document is to provide detail of the paternity rights, the period of leave that should be applied and confirmation of applicable payments when taking paternity leave. Mears Group are committed to supporting employees to understand the choices available to them when planning for the birth or adoption of a child. When an employee wishes to take time off due to their partner having a baby, adopting a child or having a baby through a surrogacy arrangement they may be eligible for paternity leave, paternity pay or shared parental leave and pay. Please see separate policy for shared parental leave.

2. SCOPE

This policy and procedure applies to all Mears Group Plc employees unless you have been notified that a separate policy or policies apply with respect to your employment. Any enhancements to statutory pay entitlements referred to within this policy will be applicable to employees on Mears Standard terms and conditions only. They do not form part of any employee's contract of employment and may be amended at any time.

3. DEFINITIONS

EWC – Expected Week of Childbirth - the week, beginning on a Sunday, in which the baby is due.

MATB1 – The certificate, provided by the midwife or GP, which indicates when the baby is due. This must be provided to the employer to receive maternity benefits.

Matching Certificate – The certificate, provided by the adoption agency, that indicates when the child is due to be adopted. This needs to be provided to the employer to receive adoption benefits.

Statutory Paternity Leave – A period of either two blocks of 1 week or one block of 2 weeks that can be taken within first year after birth or adoption.

Statutory Paternity Pay – Statutory payment of 1 or 2 weeks paid at the Standard Rate.

QW - Qualifying Week – The fifteenth week beginning with the EWC.

HR – primarily refers to the HR Shared Services team who will be responsible for providing advice, guidance and support on this policy, list of key terms and definitions which are used within the policy.

Line Manager - refers to the direct Line Manager on Workday for the employee, or alternatively in the event that they are not available, then the manager's manager.

Employee – is an individual who is directly employed by Mears Group and or any of its subsidiaries. It does not include self-employed, agency or contractors for the Group.

4. RESPONSIBILITIES

Line Manager:

- Read and understand the contents of the policy and procedure
- Responsible for ensuring that the leave is logged correctly on Workday

Employee:

- Must notify their Line Manager that they intend on taking paternity leave as soon as reasonably practicable but no less than 28 days before the intended date of paternity leave to commence.
- Must provide relevant documentary evidence/certificates as required
- Must give the relevant notice to take paternity leave

HR:

- Will write to employees notifying them of specific dates of leave and their entitlements.
- Provide advice/guidance and support in line with Policy
- Liaise with management and employees where appropriate

5. POLICY

Employees can choose to take up to a maximum of two weeks paternity leave to be taken within the first year after the birth or adoption. In order to be eligible for paternity leave the colleague needs to:

- Have, or expect to have responsibility for the child's upbringing (born or adopted) and must be making the request for leave to care for the child and/or to support the mother or carer of the baby or child. Notify their manager that they intend on taking paternity leave as soon as reasonably practicable, but no less than 28 days before the intended date of paternity leave to commence.
- Be the biological father of the child; the mother's husband, civil partner or partner; or the adopter's spouse or partner.

Eligible employees will be entitled to choose either one block of two weeks or two one-week blocks over the first year after the birth.

Employees are unable to take odd days off work as Paternity Leave.

Paternity Leave for adoption and Surrogacy

In circumstances of adoption or surrogacy, employees are eligible for Paternity Leave from the first day of their employment.

Employees Paternity Leave can start on

- The date of placement
- An agreed number of days after the date of placement
- The date the child arrives in the UK or an agreed number of days after this (overseas adoptions only)
- The day the child's born or the day after

Paternity Leave must be taken within 1 year of the date of placement or the child's arrival in the UK (for overseas adoptions).

Paternity Pay for employees

An employee will be entitled to receive up to two weeks full pay, equivalent to 100% of their Average Weekly Earnings where their Average Weekly Earnings exceed the qualifying earnings for Statutory Paternity Pay.

Eligibility to Paternity Pay:

- Notification to your Line Manager giving at least 28 days' notice of intended leave (including a copy of the MATB1 certificate, the due date, when employees wish for leave to start and the duration of the leave)
- The employee must be employed up to the date of birth
- In cases of adoption - employees should provide their Line Manager with proof of adoption, either a letter from the adoption agency or the matching certificate
- In cases of surrogacy - employees should provide their Line Manager with a written statement to confirm they intend to apply for a parental order in the six months after the children's birth. This should be signed in the presence of a legal professional.

Paternity pay is paid in the same way as normal pay (for example monthly or weekly) on the colleague's normal pay dates. Tax and National Insurance will be deducted.

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It is the responsibility of the Line Manager to ensure the paternity leave is correctly logged on Workday in advance of any payroll deadlines and at the earliest opportunity of the employee providing notice and required documentation.

Eligible employees will be entitled to choose either one block of two weeks or two one-week blocks over the first year after the birth.

Employees are unable to take odd days off work as Paternity Leave.

Enhanced Paternity Payback

If an employee does not return to the business for a minimum of six months on the same contractual hours (or gives notice of their intention to leave within six months) following the end of their paternity leave, the Company reserves the right for the employee to pay back their enhanced paternity pay in full.

As full pay is calculated on the basis of average earnings prior to an employee taking paternity leave as indicated in this policy; should a reduction in hours be approved prior to taking paternity leave, this may result in pay back in full for the employee.

Antenatal Appointments

An expectant father, partner of a pregnant woman or intended parent (if having a baby through a surrogacy arrangement) are entitled to take unpaid time off work to accompany the woman to her antenatal appointments. 'Partner' includes the spouse or civil partner of the pregnant woman and a person (of either sex) in a relationship with her.

Contractual Benefits whilst on Paternity Leave

Employees retain their entitlement to contractual benefits during paternity leave; this includes holidays, company car, cash for cars and any professional subscriptions.

Unexpected Circumstances

Employees are entitled to Paternity Leave and pay (subject to meeting eligibility criteria) if their:

- Baby is stillborn after the 24th week of pregnancy
- Baby only lives for a short time after birth at any stage of pregnancy

You may also be entitled to statutory bereavement leave as cited in the Authorised Leave Guide. Please speak to a member of HR for further information and advice.

Support

Confidential support is available through the Employee Assistance Programme (EAP). The EAP service is a confidential 24/7, 365 days a year service. Accredited counsellors and experienced information specialists offer support and signposting across a range of personal legal, medical, health and wellbeing issues, as well as a telephone counselling service.

Support can be accessed via the telephone helpline and there is also an online portal available, where further information can be accessed. The service is also available to partners and dependents over the age of 18, (or over 16 in full-time education) residing in the same household.

This service can be used as often as required and all details remain totally anonymous. The EAP helpline contact details are as follows; 0800 015 7287 or visit www.employeesupport.co.uk and use 72160 as the username and password.

6. OTHER RELATED POLICIES & PROCEDURES

- Authorised Leave Guide
- Management of Attendance Policy

- Equality, Diversity & Inclusion Policy
- Flexible Working Policy
- Shared Parental Leave Policy

7. APPENDICES

None