



News Story
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Government consults on proposal for Additional Paternity Leave

The Government has published a consultation paper on the detail of the proposed Additional Paternity Leave and Additional Statutory Paternity Pay scheme, which would entitle working parents to choose who cares for a child in the first year of its life. The power to introduce the scheme is contained in the Work and Families Bill, which is currently working its way through Parliament, with details of the scheme to be set out in secondary legislation. The consultation paper sets out proposals to offer employed fathers the opportunity to choose to take up to 26 weeks' Additional Paternity Leave to care for a child before its first birthday. This Additional Paternity Leave could only be taken if the mother has chosen to return to work, and both parents will not be entitled to take leave at the same time. The leave is in addition to the current paternity leave entitlement of two weeks. Additional Statutory Paternity Pay would only be payable if the mother has returned to work with some of her entitlement to Statutory Maternity Pay or Maternity Allowance left at the time of her return to work. It is proposed that there be a minimum period of Additional Paternity Leave that can be taken and leave must be taken in one continuous block.

Views are being sought on the following specific issues:

- Eligibility criteria for Additional Paternity Leave and Pay, including length of service with an employer before being able to qualify for Additional Paternity Leave - the consultation provides three options including six months, one year and a minimum of 60 weeks before the intended date of taking Additional Paternity Leave and Pay.
- How the weekly rate should be calculated for Additional Statutory Paternity Pay and what period should be used as the basis for calculation of average weekly earnings.
- What circumstances should constitute a mother returning to work.
- The earliest point when Additional Paternity Leave and Pay could be taken - the consultation proposes 20 weeks from the date of birth of the child.
- Rights to return to work and terms and conditions whilst on Additional Paternity Leave - for example, whether the father's rights should be the same as a mother's Ordinary or Additional Maternity Leave and whether the number of 'Keeping in Touch' days for a father on Additional Paternity Leave should be the same as those proposed for a woman taking maternity leave and pay.
- Details of administration of the scheme in practice, including a suggested eight-week notice period of intention to take Additional Paternity Leave and Pay, what information should be provided and in what format and whether all the information required for administration purposes should be provided by the father before the eight-week notification point.
- The conditions that should apply for fathers wanting to change their Additional Paternity Leave and Pay date.

The closing date for responses to the consultation is 31 May 2006.

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