

### Becoming a parent

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

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

Please read through the terms and conditions below and if you think you might qualify, fill in the form opposite and complete the declaration on page 2.

### Terms and conditions

OSPP and ordinary paternity leave are available to:

- a biological father
- a partner, husband or civil partner that is not the baby's biological father.

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 for at least 26 weeks by the end of the 15th week before the week the baby is due. You must then continue to be employed by the same employer until the date the baby is born.

To get OSPP 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 ordinary paternity leave before the 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 eight-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 must complete this form and give it to your employer at least 28 days before you want to start receiving OSPP.

You can change your mind, but you must give your employer 28 days notice of the dates. If you do change your mind, you and your employer may find it helpful if you filled in a fresh form SC3 *Ordinary Statutory Paternity Pay/ordinary paternity leave*.

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.

### Personal details

Surname or family name

First name(s)

National Insurance number

### Your dates for pay and leave

Give the date the baby is due.

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

Due date *DD MM YYYY*

Actual date of birth *(if applicable) DD MM YYYY*

I would like my OSPP and/or ordinary paternity leave to start on the date the baby is born

No  Yes

If 'No', I would like my OSPP to start within eight weeks of the date the baby was born starting on or around *DD MM YYYY*

I want to be away from work for

one week

two weeks

*Please turn over*

## Your declaration

You must be able to tick all three boxes below to get OSPP and ordinary 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.

## Disagreements

If your employer tells you that you are not entitled to OSPP and/or ordinary paternity leave and you have looked at the further information about OSPP on the HMRC website, you can challenge that decision. You must do this within six months of the first day that you are notified of your employer's decision. If you need help with this, for:

- OSPP – if you wish to register a dispute after getting further information, see *Further information and other help*, phone our Statutory Payments Disputes Team on **0191 225 5221**
- ordinary paternity leave – phone the Advisory Conciliation and Arbitration Service (Acas) Helpline number **08457 47 47 47**. In Northern Ireland, phone the Labour Relations Agency on **028 9032 1442**.

## Additional Statutory Paternity Pay (ASPP)

If you are entitled to OSPP you may also be entitled to Additional Statutory Paternity Pay (ASPP).

If you would like more information about entitlement to ASPP you should ask your employer or go online at

**[www.gov.uk](http://www.gov.uk)**

## Penalties

We may charge penalties where a person, either fraudulently or negligently, gives incorrect information or makes a false statement or declaration for the purpose of claiming entitlement to Ordinary Statutory Paternity Pay.

## Further information and other help

Depending on your circumstances you may not qualify for OSPP and/or ordinary 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 are not entitled to OSPP you may be entitled to other government help. Contact any Jobcentre Plus office for further information.

The Department for Work and Pensions publication NI17A *A guide to Maternity Benefits* also has details of other booklets covering social security benefits and some brief information on paternity. Go to **[www.dwp.gov.uk/publications/specialist-guides/technical-guidance](http://www.dwp.gov.uk/publications/specialist-guides/technical-guidance)**

For further information on OSPP you can also go to:

- **[www.gov.uk](http://www.gov.uk)**
- **[www.acas.org.uk](http://www.acas.org.uk)**