

Paternity pay

If you're taking paternity leave, you might be eligible for paternity pay if either:

- you're the biological father
- your partner's having a baby, adopting a child or having a child through surrogacy

You must also be responsible for the child's upbringing.

Paternity pay can include:

- Statutory Paternity Pay (SPP)
- enhanced paternity pay

To find out if you're entitled to enhanced paternity pay, check your contract or talk to your employer.

SPP is the legal minimum your employer must give you.

Statutory Paternity Pay

Statutory Paternity Pay (SPP) is currently £151.20 a week, or 90% of your average weekly earnings, whichever is lower.

You can get SPP if you're having a baby and all the following apply:

- you've been working continuously for the same employer for at least 26 weeks before your 'qualifying week'
- you earn at least £120 a week, on average for 8 weeks before your qualifying week

Your qualifying week

Your 'qualifying week' helps you work out if you're eligible for SPP.

To work out your qualifying week, use a calendar to count 15 weeks back from the week your baby is due.

Adoption

To get SPP for adopting a child, you must have worked for the same employer for 26 weeks before the end of the week when:

- you're told you've been matched with a child, for adoption in the UK
- the date the child enters the UK, for overseas' adoption

You must take your paternity leave and pay within 56 days of:

- your placement date, for UK adoptions
- the date the child enters the UK, for overseas' adoptions

Your paternity leave and pay should continue while it was due if your adoption placement does not work out ('disrupted placement'), for example the:

- placement does not go ahead
- child has to return to the agency
- child dies

Agency workers

If you work through an agency, you're not usually entitled to paternity leave, but you might be entitled to up to 2 weeks' SPP, if you're eligible for it.

To get your paternity pay, you should write to your agency at least 28 days before you want paternity pay to start. You should include:

- your full name
- when your baby is due or adoption placement due to start
- when you want your paternity pay to start
- whether you want 1 or 2 weeks' pay

When paternity pay starts

If you're eligible for paternity pay, it starts when you take paternity leave after your:

- baby is born
- adoption placement starts

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