

Christian Workers – Finance for Living Series

# a guide to statutory paternity pay

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## introduction

To the relief of most men, women have the responsibility for giving birth and are therefore the rightful target of most childbirth or early day allowances. Our papers providing information on both Statutory Maternity Pay and Statutory Maternity Allowance are available from the Stewardship website see <http://www.stewardship.org.uk/resources/finance-for-living>

However, the benefit of men having more involvement with the early days of their child's life is becoming increasingly recognised and statutory paternity pay is one way in which this can be encouraged.

Because Statutory Paternity Pay is paid by employers, it is not available to those that are self-employed, which can often be the case for many Christian workers, particularly those who live off support from friends, family and churches. If you are not certain what your employment status is, then please refer to our briefing paper for Christian workers [a guide to the UK benefits system](#) which contains far more information.

If you are self-employed, then please read no further as this benefit will not be available to you.

The benefit has been available for some time but, partly due to the rate at which it is paid, it is not always taken up. Some 45% of new fathers said they did not take paternity leave, according to a 2009 report by the Equality and Human Rights Commission. Of those, 88% said they would have liked to have done so, and 49% said they could not afford it.

The benefit applies to fathers (see 'who qualifies?' on page 4) whose wife or civil partner gives birth or adopts a child. In such circumstances you may be entitled to Ordinary Statutory Paternity Pay (OSPP) or Additional Statutory Paternity Pay (ASPP).

Payments will be made on a weekly basis and paid by your employer.

## health warning

This paper was written in July 2013, during the 2013/14 tax year. The rules described and the various percentages or monetary values all relate to that period. Should significant time have elapsed between then and now, we would strongly advise you to visit [www.gov.uk/Paternity-Pay-Leave/overview](http://www.gov.uk/Paternity-Pay-Leave/overview) to ensure that there have been no significant changes to the legislation that would impact onto your situation.



Also, because there are certain anomalies concerning the way that a Christian worker's income can be calculated we would recommend that you read our briefing paper [a guide to the UK benefits system](#) as a general introduction before starting this paper. Many Christian workers may not realise that if they are receiving gift income, they are actually self-employed.

## Ordinary Statutory Paternity Pay (OSPP)

### Who qualifies?

For you to qualify for OSPP, **all** of the following must apply:

- you must be the biological father or adopter of the child or be the mother's (or adopter's) husband, partner or civil partner or have or expect to have responsibility for the child's upbringing;
- you must have continued to work for the same employer without a break for at least 26 weeks by the 15th week before the baby is due, or employed up to and including the week your wife, partner or civil partner was matched with a child;
- you must continue to work for that employer without a break up to the date the child is born or placed for adoption;
- you must be earning an average of at least £109 a week (before tax).

### How much leave can you take?

Paternity leave must be taken consecutively up to a maximum of two weeks. The leave cannot be split-up into two or more periods.

Leave can start on any day of the week on or after the birth of the child, but must be completed before the child is eight weeks old (or eight weeks after the expected date of birth if the child is born early), or eight weeks from the date of the child's placement.

### How much OSPP will you get?

As long as all the criteria are met, OSPP can be claimed for a maximum of two consecutive weeks and is paid at a rate of £136.78 per week, or 90% of your average weekly earnings if this is less. It will be paid by your employer in the same as way as your normal wages, and will be treated as normal pay and therefore subject to National Insurance and PAYE deductions.

### How to claim OSPP?

To claim OSPP you must tell your employer when you intend to take your leave by the 15<sup>th</sup> week before your baby is due, or within seven days of being informed by the adoption agency that your wife, partner, or civil partner has been matched with a child.

Your employer might ask for self certificate form SC3 that confirms that you are entitled to the pay. These forms can be obtained from [www.hmrc.gov.uk/forms/sc3.pdf](http://www.hmrc.gov.uk/forms/sc3.pdf)



In the event that you are unable to claim OSPP, normally because one of the criteria is not met, your employer must provide you with a form OSPP1 detailing the reason why you are not entitled to make a claim.

If you consider that your employer's decision is incorrect, then it is best to contact the HMRC's employee enquiry line on 0845 302 1479



## Additional Statutory Paternity Pay (ASPP)

In cases where your partner is returning to work, you may also qualify for ASPP. The weekly rate is the same as for OSPP, but can be paid for a longer period of time.

### Who qualifies?

To get ASPP, you must be taking additional time off (Additional Paternity Leave) in order to care for the child and the child's mother or adopter must have been entitled to at least one of the following:

- Statutory maternity leave
- Statutory maternity pay
- Maternity Allowance
- Statutory Adoption Leave or Pay

In addition, the child's mother or adopter must have started working again so that any relevant payment has stopped.

### How much ASPP will you get?

ASPP is payable during the period of your partner's 39 week Maternity Allowance, Statutory Maternity or Statutory Adoption Pay period. The rate is the same as that for OSPP being £135.45 per week, or 90% of your average weekly earnings if this is less. It will be paid by your employer in the same as way as your normal wages, and will be treated as normal pay and therefore subject to National Insurance and PAYE deductions.

## How to claim ASPP?

In order to claim, you must tell your employer at least 8 weeks before you want to take your additional leave. If your employer does not have a form for you to complete, you can use the appropriate form listed below.

[Download 'Form SC7 - for births' \(PDF, 46KB\)](#)

[Download 'Form SC8 - for UK adoptions' \(PDF, 45KB\)](#)

[Download 'Form SC9 - for overseas adoptions' \(PDF, 45KB\)](#)

Your employer is entitled to request from you a copy of your child's birth certificate or adoption matching certificate and to request the employment details of the mother or adopter. If requested you need to provide this information within 28 days.

## further information

More information can be found regarding OSPP and ASPP at:

[www.gov.uk/Paternity-Pay-Leave/overview](http://www.gov.uk/Paternity-Pay-Leave/overview) or

[www.nidirect.gov.uk/ordinary-statutory-paternity-pay](http://www.nidirect.gov.uk/ordinary-statutory-paternity-pay) or

[www.acas.org.uk](http://www.acas.org.uk) under their parents and carers section

The Finance for Living series of papers forms part of Stewardship's resources for Christian Workers. With contributions from a panel of advisors each of whom has significant experience within the area of mission, the series draws on their expertise to offer biblical teaching and practical guidance on issues affecting those living on personal financial support. The papers are available to download from the Stewardship website see <http://www.stewardship.org.uk/resources/finance-for-living>

This paper has been written by Alan Hough and edited by Stewardship. Alan has a background in corporate finance, compliance and risk alongside church leadership and trusteeship.

If you have any questions or comments arising from the material presented here, you can contact us at [education@stewardship.org.uk](mailto:education@stewardship.org.uk) or by telephone on 0208 502 8585.