

Becoming a parent

If you want to take additional time off work to look after your baby you may be entitled to Additional Statutory Paternity Pay (ASPP) and/or Additional Paternity Leave (APL), if the mother of the baby is entitled to:

- Statutory Maternity Pay (SMP), or
- Maternity Allowance (MA).

What to do now

Make sure you and the child's mother sign the declaration and give the form to your employer at least eight weeks before you want to start your time off work.

Your employer will confirm your entitlement to ASPP and/or APL within four weeks of receiving your application.

Terms and conditions

Who can get ASPP and/or APL

Entitlement to ASPP and/or APL applies to babies due on or after 3 April 2011.

ASPP is available to either:

- a father
- a spouse, partner or civil partner of the baby's mother who is not the baby's father.

Partner means the person who lives with the mother and the baby in an enduring family relationship but is not a relative of the mother.

How to get ASPP and/or APL

To get ASPP and/or APL you need to:

- have or expect to have main responsibility for the upbringing of the child (apart from the mother), and
- intend to care for the child during the ASPP and leave period.

You also need to:

- be continuously employed by the same employer for at least 26 weeks ending with the 15th week before the week the baby is due, and
- continue to be employed by the same employer up to the start of your period of ASPP and/or APL, and
- for ASPP only, have average earnings over a set period above a set amount.

Your employer will work these conditions out for you.

When ASPP and/or APL can start

The earliest your ASPP and/or APL can start is 20 weeks after the child is born.

You cannot start your ASPP and/or APL before the mother of the child has returned to work and stopped receiving her SMP or MA. If the mother takes annual leave or is sick during her maternity pay period, this does not count as a return to work.

If you change your mind

You can change your mind about taking ASPP and APL, but you need to give your employer at least six weeks notice before the original start date or the new start date, whichever is earlier.

If you do change your mind, you and your employer may find it helpful if you fill in a new form *SC7 Additional Statutory Paternity Pay and Additional Paternity Leave – becoming a parent*.

If you need to change the dates of your leave and pay with less than six week's notice, please discuss this with your employer.

If, after applying for ASPP you no longer satisfy any of the conditions, or the mother of the child no longer intends to return to work you need to tell your employer in writing as soon as possible.

When ASPP and/or APL can be paid

ASPP is only payable during the mother's maternity pay period. That is the 39 consecutive weeks in which SMP or MA would be payable if the mother had not returned to work.

APL has to be taken in complete continuous weeks and you can apply for a minimum of two weeks and a maximum of 26 weeks. APL can continue until the child's first birthday, but any leave taken after the mother's maternity pay period ends will be unpaid.

What your employer might ask you for

Your employer might ask you, within 28 days of providing the information on this form, to send them:

- a copy of the child's birth certificate
- the name and business address of the mother's employer (or, if self-employed, her business address).

These should be sent within 28 days of the date of request.

How much ASPP can you get?

You will get the current weekly rate of ASPP at the time of your payment, or 90% of your average weekly earnings, whichever is less.

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Further information and other help

Depending on your circumstances you may not qualify for ASPP. Your employer will let you know and give you form ASPP1. If this is the case you will get more advice and information at the time. If you are in any doubt about your entitlement talk to your employer.

For more information on ASPP and APL go to www.direct.gov.uk/workandfamilies

If you are not entitled to ASPP you may be entitled to other government help and should contact your Jobcentre Plus office. For more information on Social Security benefits go to www.dwp.gov.uk

Disagreements

If you disagree with your employer's decision not to pay you ASPP, ask your employer to explain it to you. If you still disagree then you can contact our Statutory Payments Disputes Team on **0191 225 5221**.

Penalties

Penalties may be charged where a person, either fraudulently or negligently, gives incorrect information or makes a false statement or declaration for the purpose of claiming entitlement to statutory adoption, ordinary statutory paternity, additional statutory paternity, statutory maternity, or statutory sick pay.

What to do next

After you have read the terms and conditions and if you think you might qualify, complete the form below.

Application for Additional Statutory Paternity Pay/Additional Paternity Leave when becoming a parent

Your dates for pay

Surname or family name

First name(s)

Give the expected date the baby was due
ASPP is only payable for babies due on or after 3 April 2011

Due date DD MM YYYY

Actual date of birth DD MM YYYY

I would like my ASPP to start on DD MM YYYY

Date my ASPP is expected to end DD MM YYYY

I would like my APL to end on DD MM YYYY

National Insurance number

Your declaration

I declare that:

- I will care for the child during the ASPP period, and
- I am the child's father or I am the spouse, partner or civil partner of the mother, and
- I have, or expect to have, the main responsibility (apart from the mother) for the upbringing of the child, and
- the information I have provided is correct.

Signature

Date DD MM YYYY

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Details of the mother of the child (to be completed by the mother of the child)

Surname or family name

First name(s)

Address

Postcode

Date your SMP or MA pay period started *DD MM YYYY*

Date you intend to return to work

This must not be less than two weeks after the birth of the child *DD MM YYYY*

Date you stopped or intend to stop receiving SMP or MA

DD MM YYYY

National Insurance number

Declaration of the mother of the child

You need to be able to tick all the boxes for your spouse, partner or civil partner to get ASPP

I declare that:

- I am entitled to SMP or MA
- this is the only application of ASPP for this child
- I have told my employer the date I expect to return to work
- I consent to the information I have provided being processed by the employer
- the information I have provided is correct.

Signature

Date *DD MM YYYY*

Give this form to your employer, but keep a copy of the terms and conditions for your records.