



# RCSI

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## Paternity Leave/Relevant Parent Leave

### Purpose

RCSI is committed to being an employer of choice and to providing an inclusive and supportive environment with regard to personal situations and work life balance of staff.

The purpose of this policy is to explain the support you will receive from RCSI if you wish to take paternity leave to enable you to support your partner after the birth or adoption of your child. It explains the criteria and process of applying for, and receiving Paternity leave.

### Scope

This policy applies to all staff in RCSI regardless of whether they are full or part time employees and who are defined as a relevant parent.

Under the Paternity Leave and Benefit Act 2016 a “relevant parent” is defined as:

#### **in the case of a child who is, or is to be, adopted-**

- (i) where the child is, or is to be, adopted jointly by a married couple of the same sex, the spouse chosen by that couple to be the relevant parent for the purposes of this Act, or
- (ii) in any other case, the spouse, civil partner or cohabitant, as the case may be, of the adopting mother or sole male adopter of the child OR

#### **in any other case-**

- (i) the father of the child,
- (ii) the spouse, civil partner or cohabitant, as the case may be, of the mother of the child, or
- (iii) a parent of the child under section 5 of the Children and Family Relationships Act

2015 where the child is a donor-conceived child within the meaning of Part 2 of that Act;

## Policy Statement

RCSI is committed to supporting any member of staff who is eligible for Paternity Leave to take time off to support your partner after the birth or adoption of your child.

The content of this policy and procedure complies with the Paternity Leave and Benefit Act 2016.

## Leave Entitlements

All eligible RCSI staff are entitled to the following:

- Up to 2 weeks paid Paternity leave (no qualifying period).

While on Paternity Leave you retain your annual leave, public and privilege holiday entitlements. Paternity Leave is reckonable for pensionable service where applicable.

Those who meet certain social insurance (PRSI) contribution conditions on their social welfare record are eligible to receive Paternity Benefit. Paternity Benefit can be paid for up to two weeks. The value of Paternity Benefit Payments is deducted from your pay at source.

The RCSI Human Resources department is available to provide you with support and guidance to apply for Paternity Benefit.

It is important to note that any entitlement to leave or other benefits lasts only as long as your contract of employment lasts.

## Procedure

You are encouraged to discuss your plans to apply for Paternity Leave with your line manager at the earliest opportunity, not later than 4 weeks before you intend to take Paternity Leave. This will give them the opportunity to provide you with the support you need and to plan activities during your leave period and on your return.

Once you and your line manager agree to both the timing and manner of your parental leave, you must submit paternity leave on your CORE portal. To apply for the two weeks paid paternity leave, please select PATERNITY LEAVE (ORDINARY) in the leave type section.

## **Changing the Dates of your Paternity Leave**

If your baby is born prematurely and you wish to change leave dates for Paternity Benefit, please update your CORE profile and the date of birth of the child to the Paternity Benefit section of the Department of Social Protection.

If your baby is hospitalised, the period of paternity leave may be postponed. Please speak with Human Resources if you find yourself needing to consider this option.

If you are taken ill before your Paternity Leave has started or once it has started, you are entitled to suspend paternity leave and transfer onto paid sick leave. You must notify Human Resources in the same way as would apply to usual sick leave and provide evidence of your illness.

## **Paternity Benefit**

You should apply for Paternity Benefit **4 weeks** before you intend to go on paternity leave. You will need a Public Services Card to apply. If you are paying A1 PRSI contributions, you must claim Social Welfare Paternity Benefit, as your salary will be reduced by the maximum statutory benefit at source.

Further information about Paternity Benefit is available from the Department of Social Protection, LoCall 1890 690 690 or via their website [www.welfare.ie](http://www.welfare.ie).

Once HR has received the required documents, RCSI will complete a form to certify entitlement to Paternity Leave for the dates provided and submit this to the Department of Social Protection.

Paternity Benefit cannot be postponed or delayed except in the case of your child being hospitalised, in which case it can be postponed for a period of time. Please speak with the HR Department if you need to postpone your paternity leave, or a proportion of it, and therefore the associated benefit.

## **Approval of an Application**

Human Resources will consider your application in line with legislation and make a final decision as to whether to approve your request for Paternity Leave.

You will be notified of the decision within 10 working days.

## **Stillbirths and Miscarriages**

If there is a stillbirth or miscarriage any time after the 24th week of pregnancy (i.e. from the beginning of the 25th week) you are entitled to 2 weeks paternity leave. You will

also be eligible to 2 weeks of paternity benefit provided you satisfy the social insurance (PRSI) requirements.

To apply for Paternity Benefit following a stillbirth, you are required to send a letter from a doctor with the Paternity Benefit application form, confirming the expected date of birth, the actual date of birth and the number of weeks of pregnancy.

### **Additional Information**

You may start paternity leave at any time within the first 6 months following the birth of your child or adoption placement and the leave must be taken in a single period of two weeks.

Only one Paternity Benefit is payable even if the birth of your child is part of a multiple birth of two or more children or if you adopt two or more children at the same time.

Only one person who is a relevant parent in relation to a child is entitled to paternity leave in respect of that child.

Paternity leave is distinct from, and provided in addition to, normal annual leave.

If you work part time you will be entitled to paternity leave on a part time basis.

### **Your right to Appeal**

Should any element of the Paternity Leave be refused or you feel that the legislation has not been adhered to you have the right to appeal. You should appeal to your HR Partner in writing in the first instance clearly explaining the reason you believe the decision made was incorrect.

If you are not satisfied with the outcome of your appeal, you have the right to raise your concerns with the Director of Human Resources whose decision upon appeal is final.

### **Getting Further Help**

The Human Resources department is available to support any member of staff in understanding the content of this policy and procedure and making an application.

### **Policy Review**

The Human Resources Department will ensure that this policy will be monitored and kept under review.