

RESPONSE NOTIFYING EMPLOYEE OF INELIGIBILITY TO STATUTORY PATERNITY PAY – INSUFFICIENT EARNINGS

- This letter is for use when the employee has made a request to take Paternity Leave but does not meet the eligibility requirements for Statutory Paternity Pay because his or her weekly pay is below the current Lower Earnings Limit.
- In order to qualify for Paternity Pay, an employee must meet both a service requirement and also the Lower Earnings Limit for National Insurance.
- Paternity Leave is available to an employee of either sex who is: the partner or spouse of a woman who has given birth, or the partner or spouse of someone of either sex who is adopting a child. They must be, or expect to be, responsible for the child.
- If, after receipt of this letter, your employee asks for more information on shared parental leave, please ask your Consultant for document SHPL3.
- Our Peninsula Face2face service will conduct, or support and assist you to conduct, any face to face meeting you are undertaking with your employees. For further information, please visit <https://www.peninsulagrouplimited.com/services/hr/peninsula-face2face/> or speak to your HR Expert.

(Date)

Dear ,

I refer to your recent request for Paternity Pay and Leave from (date) to (date).

We confirm that you are eligible to take Paternity Leave as requested. If you need to change the dates of this, you must notify me (or name) no later than 28 days before your intended revised start date.

However, I am sorry to have to inform you that as your average weekly earnings are below the current lower earnings limit for National Insurance contributions you will not be eligible to receive Statutory Paternity Pay. You may, however, take the leave you have requested on an unpaid basis. (*Optional: or you may book annual leave for this period. If we are able to agree this, please note that you will not be able to take the unpaid period at a later date after the 56-day eligibility period has expired.*)

I'd like to remind you that you may be entitled to take shared parental leave. If you think you and your partner may be interested in taking shared parental leave, please ask me for more information, if you have not done so already, which will help you determine whether you qualify. You are required to give us at least 8 weeks' notice of any shared parental leave you wish to take.

If you have any queries regarding the contents of this letter please contact me. In the meantime, please confirm whether or not you wish to take unpaid Paternity Leave on the dates you have requested.

Yours Sincerely
David Pattinson