

## **Paternity Leave Policy**

### **1 Introduction**

- 1.1 This policy sets out the provision for Paternity Leave for University members of staff.

### **2 Scope**

- 2.1 This policy is applicable to all eligible members of staff including same-sex partners, regardless of sexual orientation and gender identify.

### **3 Roles and Responsibilities**

- 3.1 The member of staff is responsible for applying for paternity leave as set out in this policy, providing the relevant documentation to their manager and HR Services.
- 3.2 The manager is responsible for liaising with the member of staff in relation to their period of leave, and where necessary arranging cover for the role.

### **4 Eligibility**

- 4.1 To qualify for Paternity Leave a member of staff must:
- have worked continuously for the University for 26 weeks by the end of the 15<sup>th</sup> week before the week in which the child is expected, or in the case of adoption, before the week in which the adopter is formally notified of being matched with a child from the UK, or received official notification if the child is from overseas.
  - have, or expect to have, responsibility for the upbringing of the child.
  - be the father of the child or be the spouse, partner or civil partner of the child's mother, or in the case of adoption, be an adoptive parent or the adopters spouse or partner.

## **5 General Principles**

- 5.1 Following the placement of a child for adoption, either of the adoptive parents may take paternity leave where the other adoptive parent has elected to take adoption leave.
- 5.2 This policy will apply to parental order parents in a surrogacy situation where the child's expected date of birth is on or after 5 April and approved prospective adopters who look after a child as part of a "fostering to adopt" arrangement where they have been notified of a child's placement on or after 5 April. (see Adoption Leave Policy for details).
- 5.3 This policy should be read in conjunction with the Adoption Leave Policy and Shared Parental Leave Policy.
- 5.4 This policy does not form part of any contract of employment and may be amended at any time.

## **6 Amount of Paternity Leave and Pay**

- 6.1 Eligible University staff may take up to two weeks' leave on full pay which will include statutory paternity pay when applicable.
- 6.2 Paternity Leave is granted in addition to the normal annual holiday entitlement.
- 6.3 Leave must be taken in one block. It can start on any day of the week on or following the child's birth/placement but must be completed:
  - Within 8 weeks of the actual date of birth;
  - If the child is born early, within the period from the actual date of birth and up to 8 weeks after the expected week of birth;
  - In the case of adoption, leave must be completed within 8 weeks of the child's placement (whether this is earlier or later than expected), or within 8 weeks of a child from overseas entering Great Britain.
- 6.4 Paternity leave must be taken before the start of any shared parental leave (see 6 below), or the entitlement to paternity leave will be lost.
- 6.5 A member of staff may take just one period of ordinary paternity leave per pregnancy or adoption, regardless of the number of children born as a result of the pregnancy or the number of children placed under the same adoption arrangement.

- 6.6 In the event of a premature birth (usually defined as a baby born more than three weeks before the EWC) the member of staff will be entitled to take an additional two weeks' unpaid leave, also to be taken with 56 days of the birth.

## **7 Ante-natal / pre-adoption Appointments**

- 7.1 The father or partner of a pregnant woman has a right to unpaid time off to accompany the mother to two antenatal appointments. The appointments (such as a scan, test or routine check-up) must be on the advice of a registered medical practitioner.
- 7.2 The main adopter's partner (where they are adopting the child jointly with the main adopter) has a right to unpaid time off for up to two adoption appointments, where these are arranged by, or at the request of, the adoption agency for the purpose of having contact with the child or for any other purpose connected with the adoption.
- 7.3 Staff who intend to apply for a parental order and expect to become the child's legal parents in a surrogacy situation have the right to unpaid time off work to accompany the surrogate to up to two antenatal appointments. To apply for a parental order, one of the intended parents must be the biological parent to the child, the child must live with the intended parents and the parental order application must be made when the child is between 6 weeks and 6 months old.
- 7.4 The member of staff must produce documentation giving details of the appointment date and time and discuss their request with their manager.

## **8 Shared Parental Leave**

- 8.1 Staff wishing to take more time off to care for their child may also be eligible to Shared Parental Leave (SPL). This enables a mother/primary adopter to opt to end maternity/adoption leave early and to share the remaining leave and pay entitlement with the child's father or their partner. They may decide to be off work at the same time and/or take it in turns to have periods of leave to look after their child.
- 8.2 Details are contained in the Shared Parental Leave Policy.

## **9 How to apply for Paternity Leave**

- 9.1 Staff must complete form PL1 'Notice of intention to take paternity leave' and send copies to their manager and HR Services by the end of the 15<sup>th</sup> week before the week in which the baby is expected.
- 9.2 In the case of adoption from within the UK, staff must complete form PL(A)1 'Notice of intention to take paternity leave for adoption' and send copies to their manager and HR Services within seven days of the adopter being notified by their adoption agency that they have been matched with a child.
- 9.3 In the case of adoption from overseas, staff must complete form PL(A)1 'Notice of intention to take paternity leave for adoption' and send copies to their manager and HR Services within 28 days of receiving their official notification (or within 28 days of the date on which they complete 26 weeks' continuous service with the University, whichever is later).
- 9.4 Staff may change their mind about the date on which they want their leave to start, provided they inform their manager and HR Services at least 28 days in advance (unless this is not reasonably practicable).

Document control box	
Policy / Procedure title:	Paternity Leave Policy and Procedures
Date updated:	May 2019
Approving body:	HRSMT
Version:	7
Supersedes:	Paternity Leave Policy & Procedures, March 2015
Previous review dates:	October 2018
Next review date:	May 2021
Equality impact outcome:	Medium
Related Statutes, Ordinances, General Regulations:	
Related policies:	Shared Parental Leave Policy Adoption Leave Policy Flexible Working Policy Parental Leave Policy
Related procedures:	
Related guidance and or codes of practice:	Guidance for Managers – Family Leave
Related information:	
Policy owner:	Director of Human Resources
Lead contact:	Policy Manager