

PATERNITY LEAVE GUIDE

1 INTRODUCTION

- 1.1** Paternity leave is a provision that enables you to take leave in addition to your annual leave entitlement, allowing you to support your partner and spend quality time with your new child.
- 1.2** This guide outlines your entitlement to paternity leave and pay. It is for information only and is not a complete or authoritative statement of the law. This guide does not form part of your contract of employment.

2 PATERNITY LEAVE

- 2.1** Paternity leave is a provision that allows new parents to take up to 2 weeks paid leave following the birth or adoption of a child.

3 WHO IS ELIGIBLE?

- 3.1** You will be entitled to take Paternity leave if:
- Your wife, civil partner or partner gives birth to a child or you are the biological father of the child and you have 26 weeks' continuous service by the 15th week before the week in which the child is expected:
OR
 - You are intended parents in a surrogacy arrangement and are eligible and intend to apply for a Parental Order. In the case of surrogacy, the parent who claims paternity leave and pay must have 26 weeks continuous service by the 15th week in which the child is expected.
OR
 - You are an adoptive parent of a newly matched or placed child and have 26 week's continuous service by the end of the week in which you are notified of being matched with your child. Either the adoptive father or the adoptive mother may take Ordinary paternity leave where the other adoptive parent has elected to take adoption leave:
AND
 - You will be fully involved in the child's upbringing and are taking the time off to support the mother/father or carer for the baby.

4 LENGTH OF PATERNITY LEAVE

- 4.1** If you meet the above criteria you will be entitled to take up to 2 weeks paid paternity leave in addition to your annual leave entitlement. Paternity leave must be taken in a single block of one or two weeks within 8 weeks of the birth or adoption of your child. Odd days cannot be taken and the leave cannot be split into two one week periods. You can start your paternity leave on any day of the week.

5 PATERNITY PAY

- 5.1** Both weeks of paternity leave will be paid at full pay inclusive of Statutory Paternity Pay (or 90% of average weekly earnings if this is less than SPP). For details of Statutory Paternity Pay please click the following link <https://www.gov.uk/paternity-pay-leave>

6 NOTIFICATION PROCEDURE FOR TAKING PATERNITY LEAVE

- 6.1** In order to be able to take paternity leave you must inform Human Resources by the 15th week before the baby is expected or in the case of adoption within 7 days of being matched with your child. This should be done in writing and a copy should be given to your line manager.

- 6.2** Your written notification must include the following:

- The week the baby is due or the date you are expected to be placed with your child
- Whether you wish to take one or two week's leave
- The date you want your paternity leave to start.
- Surrogate parents must also include a written statement confirming their intention to apply for a Parental Order within the first 6 months of the child's birth.

- 6.3** You may change your mind about the start date of the paternity leave providing you notify Human Resources and your Line manager in writing at least 28 days in advance (unless this is not reasonably practicable). In addition you will be asked to complete a HM Revenue and Customs self-certificate as evidence of your entitlement to Statutory Paternity pay. This will include a declaration that you meet the eligibility criteria detailed above. A copy of this form can be obtained by contacting a member of Human Resources.

7 CONTRACTUAL BENEFITS

- 7.1** During paternity leave you will remain entitled to the benefit of your normal terms and conditions of employment except those relating to pay.

- 7.2** You will be protected from suffering unfair treatment for taking, or seeking to take, paternity leave.

8 RETURNING TO WORK

- 8.1** You will be entitled to return to the same job following paternity leave.

9 PENSION

- 9.1** If you contribute into one of the College's Pension Schemes, whilst on paid paternity leave you will pay contributions based on your actual earnings and your period of paid paternity leave will count towards your pensionable service in the normal way.

10 SHARED PARENTAL LEAVE

- 10.1** In addition to paternity leave, you may also wish to consider Shared Parental Leave. For more information on this and how it can provide additional flexibility in the way you choose to care for your new arrival, please click the following link: [Shared Parental Leave Policy](#)

11 PAID TIME OFF TO ATTEND ADOPTION APPOINTMENTS

- 11.1** Where there are joint adopters, the adopter who took [paid time off to attend adoption appointments](#) cannot claim paternity leave and pay. Further information on paid adoption appointments can be found on the HR website.