

# HUMAN RESOURCES

## Paternity Pay and Leave Policy and Procedure



### Equality and Diversity

This Policy will be applied in a non-discriminatory way, in line with the School's Equality and Diversity Policies.

## 1. Introduction

- 1.1. This document sets out the statutory rights and responsibilities of staff who wish to take paternity leave.
- 1.2. This document applies to all School employees regardless of length of service or contract, contracted hours or funding source.
- 1.3. Paternity leave applies to the birth or adoption of a child.

## 2. Paternity leave

- 2.1. An employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is entitled to ten working days **paid paternity leave** provided that s/he has 26 weeks' continuous service by the end of the 15<sup>th</sup> week before the Expected Week of Childbirth.
- 2.2. Paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take paternity leave where the other adoptive parent has elected to take adoption leave. In respect of an adopted child, the employee must have 26 weeks' continuous service by the week in which the child's adopter is notified of having been matched with the child for adoption.
- 2.3. To qualify for paternity leave, the employee must have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother.
- 2.4. Paternity leave is granted in addition to normal annual leave entitlement. Paternity leave must be taken in a single block of one or two weeks. Paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date. Paternity leave must be taken within 56 days of the birth.
- 2.5. An employee cannot take Paternity Leave once a period of Shared Parental Leave has commenced. Paternity Leave cannot start before the birth.

### 3. Notification of paternity leave

- 3.1. An employee wishing to request paternity leave in respect of a birth child must inform their line manager and Human Resources in writing no later than the end of the 15<sup>th</sup> week before the expected week of childbirth. The written notification should confirm the date on which the baby is due, the length of paternity leave they wish to take and the date on which they wish the leave to commence.
- 3.2. In the case of an adopted child, staff must give written notice of their intention to take paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date the employee intends to start paternity leave, the length of the intended paternity leave period and the date on which the adopter was notified of having been matched with the child.
- 3.3. If an employee subsequently wishes to change the timing of the paternity leave, they must give 28 days' written notice of the new dates.

### 4. Statutory paternity pay

- 4.1. Staff will be entitled to full pay (or notional pay for those in the Flexi Pension arrangement) during paternity leave. Paternity pay is treated as earnings in the normal way, and is therefore subject to PAYE and national insurance deductions. Pension contributions will be deducted from salary at the usual rate, and the School will continue its employer contributions.
- 4.2. Staff should complete the relevant form SC3/SC4/SC5 and return it to the HR Department before the start of paternity pay and leave. The forms are available from HM Revenue & Customs website at the following web address:  
[SC3 Form: becoming a parent following the birth of a child](#). Complete this form by the 15<sup>th</sup> week before the week the baby is due.  
[SC4 Form: becoming an adoptive or parental order parent](#). Complete this form at least 28 days prior to paternity leave. If you are a parental order parent, complete this form by the 15<sup>th</sup> week before the baby is due.  
[SC5 Form: – Adopting a child from abroad](#). Complete this form at least 28 days prior to paternity leave.

## **5. Returning to work after paternity leave**

- 5.1. The employee will have been formally advised in writing by the School of the end date of their paternity leave. The employee is expected to return on the next working day after this date, unless they notify the School otherwise. If they are unable to attend work at the end of paternity leave due to sickness or injury, the School's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

## **6. Rights on and after return to work**

- 6.1. On resuming work after paternity leave (in the latter case where it was an isolated period of leave or taken with certain other types of statutory leave), staff are entitled to return to the same job as they occupied before commencing paternity leave on the same terms and conditions of employment as if they had not taken leave.

## **Accessibility**

If you require any document in an alternative format, for example, in larger print, please contact Human Resources.

## **Related policies**

Shared Parental Leave Policy

Maternity & Adoption Leave Policy

Parental Leave Policy

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