

Paternity / Supporting Partner Leave Policy and Procedure

Policy Owner	Director of HR	Policy Author	HR Manager
Approved By	The Executive	Date Approved	April 2024
Status	Approved	Impact Assessment	Yes
Version	3	Date of Next Review	April 2027

Version Number	Purpose/Change	Date
1	Creation of Policy	September 2018
1.1	Policy has been updated into new standard template and Policy owner has been updated from Director of HR to HR Manager.	August 2022
2	Policy title amended, policy updated into new standard template, reviewed wording and minor amendments made such as updated links and contact / employee helpline details. Review date added in line with other University policies.	August 2023
3	Policy updated to reflect statutory reference effective April 2024	March 2024

PATERNITY / SUPPORTING PARTNER LEAVE

1. Policy Statement

- 1.1 The University aims to support all employees in achieving a healthy work/life balance, recognising that many employees may need a range of support regarding their family responsibilities. As such the University has built on its statutory obligations and developed a number of [flexible family friendly policies](#) which are available to all staff irrespective of their gender or sexual orientation.
- 1.2 For further advice and information on this policy or any of the University's other family friendly policies, please contact your [HR Adviser / HR Assistant](#).

2. Purpose & Scope

- 2.1 This policy sets out the rights of employees to paternity/ partner leave and pay, including enhancements the University provides for those eligible employees. This policy also outlines the process employees and managers should follow. This policy ensures a consistent and fair approach in line with legislative requirements and commitment to best practice.

3. Adoption and Surrogacy

- 3.1 Paternity/ partner leave is available to adoptive parents and where an employee is a parent in a surrogacy arrangement who is entitled to and intends to apply for a Parental Order.

4. Definitions

- 4.1 The following definitions are used within this policy.
 - 4.1.1 Expected Week of Childbirth (EWC) - The week, beginning with midnight between Saturday and Sunday, in which it is expected that childbirth will occur.
 - 4.1.2 Qualifying Week - The 15th week before the EWC.

- 4.1.3 Ordinary Paternity Leave (OPL) – a two-week period of paternity/partner leave entitlement
- 4.1.4 Statutory Paternity Pay (SPP) - paid to eligible employees for up to two weeks by the University. Paid at the [statutory rate](#) set by the Government in the relevant tax year.
- 4.1.5 Ordinary Paternity Pay (OPP) – an enhanced payment eligible employees paid by the University for up to two weeks in addition to (or on top of) any SPP entitlement.

5. Eligibility

- 5.1 In order to be eligible for paternity/ partner leave, an employee:
 - 5.1.1 will be the biological father of the child; or
 - 5.1.2 the spouse or partner of the child’s mother, or
 - 5.1.3 the spouse or partner of the primary carer in an adoption or surrogacy arrangement.
 - 5.1.4 will have at least 26 weeks’ continuous employment ending with the 15th week before the EWC, or by the end of the week in which the adopter is notified of having been matched for adoption with the child and remain in continuous employment with the University until the date of birth. No distinction will be made between live and still births.
 - 5.1.5 will have average weekly earnings at or above the lower earnings limit for national insurance purposes which applies at the end of the 15th week before the EWC
 - 5.1.6 Partner leave applies to opposite and same sex partners whether or not they are in a formal marriage or civil partnership. It also applies to trans people.

6. Entitlement

- 6.1 Paternity/partner leave and pay covers both single and multiple births and, with regards to adoption, the placement of one or more children.
- 6.2 Paternity/ partner leave and pay cannot start until the child or children have been born or placed for adoption.
- 6.3 Ordinary Paternity Leave (OPL)
 - 6.3.1 Eligible employees are entitled to take 2 weeks OPL. The University will allow employees to take either:
 - 6.3.1.1 a two-week block within the first 52 weeks of the child's birth/placement; or
 - 6.3.1.2 a single one-week block, followed by a further one week block, both within 52 weeks of the date of the child's birth/placement.
 - 6.3.1.3 Single days cannot be taken.
- 6.4 Multiple Births/Placement
 - 6.4.1 In the case where there are multiple children born as a result of the same pregnancy or are placed for adoption as part of the same arrangement, the University will enhance an eligible employee's entitlement to a total of 3 weeks OPL. The University will allow employees to take either:
 - 6.4.2 a single three-week block within 52 weeks of the children's birth/placement; or
 - 6.4.3 a single two-week block, followed by a further single one week block within 52 weeks of the date of the children's birth/placement.
 - 6.4.4 Single days cannot be taken.

6.5 Occupational Paternity Pay (OPP)

6.5.1 OPP is paid by the University for all eligible employees for up to two or three weeks and the employee must notify the University of when they wish to receive OPP (at least 28 days before they want it to start) through completion of the [Paternity/Partner Leave Declaration Form](#).

6.5.2 Regardless of how the leave is taken eligible employees will be entitled to either 2 or 3 weeks leave, and the University will enhance SPP by topping it up to full pay.

6.6 Employees with Less than 26 Weeks Service

6.6.1 If an employee has less than 26 week's service at the 15th week before the EWC, or by the end of the week in which they are notified of having been matched for adoption with the child/children, then they will not qualify for OPL or OPP from the University. On receipt of the MATB1 or Matching certificate, the HR department will forward the SPP1 form onto the employee within 7 days.

7. Notification

7.1 Written notification of the intention to take OPL should be provided through the submission of a Paternity/ Partner Leave Declaration Form at the earliest date possible, and wherever practicable no later than:

7.1.1 15 weeks before the EWC (including those employees who are the intended parents of a child/children born through a surrogacy arrangement); or

7.1.2 28 days prior to each period of leave

7.1.3 7 days after the date on which notification of the match with the child/children was given by the adoption agency and the date on which the child/children is expected to be placed for adoption; or

7.1.4 28 days prior to the date which the employee has chosen as the date on which their period of paternity/ partner leave should begin for overseas adoptions.

7.2 The Paternity/ Partner Leave Declaration Form should be submitted to the manager for approval, and forwarded to the HR department, who will then acknowledge and confirm leave arrangements as appropriate.

7.3 An employee may change their mind about the date on which they want their leave to start providing they inform their manager and HR at least 28 days in advance (or as soon as is reasonably practicable for example in the case of seeking to accommodate the early or late arrival of the baby/ placement of the child).

8. Appointments – Adoption, Surrogacy, and Antenatal

8.1 Employees are entitled to reasonable paid time off to attend antenatal/adoption appointments. Please note, the employee may be asked to provide relevant documentation confirming the appointments.

8.2 Where possible, employees are encouraged to arrange appointments at suitable times to minimise disruption to their work.

9. Miscarriage or Stillbirth

9.1 In the event that a child is stillborn from 24 weeks or is born alive at any point during the pregnancy, an employee's entitlement to paternity / partner leave and pay remains.

10. Shared Parental Leave (SPL)

10.1 SPL allows eligible parents to convert a birth parent/primary adopter's maternity/adoption leave into SPL which can then be shared between both parents as they wish in order to share the care of their child during the first year of birth/ placement. Full details can be found in the University's [Shared Parental Leave Policy](#).

11. Review

11.1 This policy will be reviewed every three years or as required.

APPENDIX 1: PATERNITY/PARTNER LEAVE FAQs

1. **How does this affect my contract of employment?**

The contract of employment continues throughout the period of leave unless either party expressly ends it. The period of leave, therefore, counts towards the period of continuous service for the purposes of entitlement to statutory employment rights.

2. **Will I continue to accrue annual leave whilst on paternity/partner leave?**

Contractual annual leave (including public holidays) will be accrued during any paternity/partner leave period.

You will be responsible in conjunction with your manager, for planning and arranging your annual leave around the paternity/partner leave period. Annual leave can be taken at any time (outside of the paternity/partner leave period), including being tagged onto the beginning or end of this leave period, subject to the agreement of their manager.

3. **What happens with public holidays?**

All public holidays that fall in the period of paternity/partner leave will be accrued. Accrued holidays will be dealt with as per the provisions for annual leave detailed above.

4. **How will leave/pay affect my pension?**

Local Government Pension Scheme (LGPS) & Scottish Teachers Superannuation Scheme (STSS)

During any period of paid paternity/partner leave, your full pension membership will continue. Your normal pension contributions will be based on the actual pay you receive during this period and the University will continue to pay normal contributions based on your notional full pay.

Local Government Pension Scheme (LGPS)

During any period of unpaid paternity/ partner leave, your membership will cease to continue for that period unless the employee has the right to return to work, in which case they can choose to make up pension contributions to cover the unpaid period. If the employee does this within 30 days of returning to work (or within 30 days of leaving, if they do not return to work) the costs of making up contributions will be split 1/3rd payable by the employee, and 2/3rds payable by the University. The employee may still elect to make up the pension after the 30 day period has expired, but the costs will fall fully to the employee. The cost of paying back is based on the last rate of pay received just prior to the period of unpaid leave. The employee can discuss this directly with an LGPS Advisor at 01224 264264 or e-mail at pensions@nespf.org.uk.

Scottish Teachers Superannuation Scheme (STSS)

During any period of unpaid leave, an employee's membership will cease to continue for that period. Under the current rules of the scheme members are not able to buy back the lost pension during any period of unpaid leave.

5. What other family friendly support does the University offer?

The University is committed to helping working parents and carers and offers a variety of family friendly benefits and flexible arrangements. Policies and procedures within the suite of [family friendly](#) include: maternity leave and pay, paternity/ partner leave and pay, adoption/surrogacy leave and pay, shared parental leave and pay, parental leave, fertility treatment leave and pay, foster care leave and pay and time off for dependents. In addition, the University offers:

Childcare facilities

The Treehouse Early Care Centre is a purpose build facility based on the University Campus. It provides high quality care and education for children aged 3 months to 5 years during Monday to Friday, 7.30am – 6pm. Further information and contact details can be found at [Supporting Working Parents](#). Employees may be eligible to salary sacrifice part of their salary for the full cost of their childcare place, saving between 30% and 42% depending on the tax rate.

Employees are advised to submit applications to their preferred nursery provider(s) as early as possible as places are normally reserved very quickly.

King's Camps

King's Camps is a holiday childcare provider (OFSTED-registered) which operate from RGU: SPORT on the University campus during the Easter, Summer and October holidays. University Employees can book in advance to spread the cost and currently receive a discount. Employees will also find information here on childcare support including the [Government's Tax Free Childcare scheme](#).

Flexible Working

The University's flexible working scheme can help achieve a better work-life balance and enable employees to develop a work pattern that suits their family commitments. For more information, please refer to the University's [Flexible Working Scheme](#).

University Support Helpline

The University recognises that employees may need confidential independent help, information, and guidance. For that reason, a 24 hour confidential support employee helpline is available to employees and their family members to access. Professionals are available to

answer queries on a wide range of practical and more sensitive issues and the service offers: life support, legal information, bereavement assistance, medical information, a wellbeing portal and online CBT.