

# Paternity leave policy

This policy was formerly part of the Work and Parents Policy, which was:

- First approved by Finance & Human Resources Committee 08.10.02
- Update approved by Finance & Human Resources Committee 11.06.03
- Updated March 2004 following consultation with the unions
- Updated October 2006 to incorporate the Work & Families Act 2006 (effective 1 October 2006)
- Updated August 2008 to clarify the position regarding statutory and occupational annual leave entitlements during maternity leave (Section 5.1 in maternity leave section). 4.1.6, 5.3.2 and 5.6.4 in maternity leave section also updated. Updates also reflected in Adoption policy.
- Updated October 2008 - update to Section 1; update titles under H&S Section; clarification on the calculation for statutory maternity pay; update to 5.1.1; update to 5.3.2; and update to titles under 5.6.4. Updates also reflected in Adoption policy.
- Updated March 2009 to reflect the proposed increase in statutory annual leave from April 2009 and sections 3.1 and 3.8 of the Parental leave section (18 weeks for each disabled child)
- Updated July 2009 to include additional text under section 5.1
- Updated August 2010 – update to Appendix 1 regarding continuous service
- Updated February 2011 (section 2.3)

This separate Paternity Leave Policy was finalised in June 2013 following consultation with the unions.

August 2014 updates: ‘co-adopter’ added to 1.2; ‘fathers’ removed from 2.1 (b), 2.1.1 and 3.2 (b).

December 2014: Updated to reflect Shared parental leave legislation, including removal of additional paternity leave

November 2016: terminology updates

February 2018: terminology updates

April 2019: updated to ensure inclusive and gender neutral

July 2019: Reviewed by Stonewall

September 2019: Paternity leave increased from two to four weeks

June 2021: Added Section 4

July 2021: Policy updates agreed with our recognised trade unions

June 2022: Updated to improve gender neutrality and inclusivity and to reflect the full spectrum of identities

July 2022: updates approved by SLT

October 2023: Terminology updated to be more inclusive

October 2023: SLT approved changes implemented to increase Paternity leave from four to eight weeks

April 2024: Updated to incorporate the Paternity Leave (Amendment) Regulations 2024 (SLT approved 19.3.24)

# Paternity leave policy

## 1. Introduction

- 1.1. Paternity leave is up to eight weeks paid leave to allow the other birth/first parent<sup>1</sup> or other adopter<sup>2</sup> to help care for a child or help support the parent or adopter who has already taken leave, after the child's birth or adoption placement.

This policy applies to all members of staff regardless of their gender or the gender of their partner, is inclusive of couples, regardless of gender, and is intended to be gender neutral.

Staff are advised to read this policy in conjunction with the Shared parental leave policy.

## 2. Paternity Leave

### 2.1 Eligibility

To be eligible for paternity leave a member of staff must have or expect to have main responsibility (with the child's birth/first parent, co-adopter or adopter) for a child's upbringing and be either:

- a) the biological parent of the child or the spouse<sup>3</sup>, partner or civil partner<sup>4</sup> of the child's biological parent, or
- b) in the case of adoption, the adopter's spouse, partner or civil partner

The member of staff must be taking paternity leave either to support the birth/first parent or adopter or to care for the new baby or newly adopted child.

Members of staff are obliged to comply with the notice requirements (paragraph 2.4 refers) and complete a Paternity Leave Declaration and Request Form (paragraph 2.5 refers) as confirmation that they meet the eligibility conditions for paternity leave.

#### 2.1.1 Entitlement

The university offers eligible staff a total of eight weeks paid paternity leave to eligible staff, regardless of length of service.

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<sup>1</sup> This includes all couples regardless of gender and is intended to be gender neutral and inclusive

<sup>2</sup> This includes adopters, regardless of gender and is intended to be gender neutral and inclusive

<sup>3</sup> This includes spouses regardless of gender and is intended to be gender neutral and inclusive

Eligible staff are required to provide a self-certificate (paragraph 2.5 refers) confirming that they meet the eligibility conditions for paternity leave set out in 2.1.

## **2.2 Duration of paternity leave**

### **2.2.1 Statutory paternity leave**

Eligible members of staff are entitled to take two non-consecutive weeks' or two consecutive weeks statutory paternity leave at any point in the first 52 weeks after the child's birth or adoption placement.

"Statutory Paternity leave can start on any day of the week on or following the child's birth or placement

### **2.2.2 Occupational paternity leave**

Eligible members of staff are also entitled to take a further six weeks paid paternity leave, which they can take in any way that they choose within the first year after the baby's birth or adoption. This could for example be in one or more blocks or in separate days.

Only one allocation of paternity leave will be available to members of staff irrespective of whether more than one child is born as the result of the same pregnancy, or, in the case of adoptive placements, irrespective of whether more than one child is placed together.

## **2.3 Paternity pay**

Paternity pay, which is subject to the same types of pay deductions as normal salary payments, consists of up to a total of eight weeks full normal weekly pay, depending on how the member of staff chooses to take the latter six weeks (see 2.2 above). In the case of members of staff with irregular earnings, such as Associate Lecturers, or some casual members of staff, entitlement to paternity pay will be calculated on the basis of the member of staff's average weekly earnings in accordance with applicable statutory provisions.

## **2.4 Notice of intention to take paternity leave and employee declaration**

### **2.4.1 Statutory paternity leave**

Members of staff are required to inform the university of their intention to take paternity leave at least 28 days before they wish to take the leave.

## 2.4.2 Occupational paternity leave

Members of staff are asked to please inform the university of their intention to take occupational paternity leave by the end of the fifteenth week before the baby is expected, unless this is not reasonably practicable, or in the case of adoptive parents, within seven days of the adopter being notified by their adoption agency that they have been matched with a child, unless this is not reasonably practicable.

They will need to inform their line manager (copying in their HR contact) of the following:

- the week the baby is due, or for adoptive parents<sup>5</sup>, the week when the child is expected to be placed and the date on which they were notified of having been matched with the child; and
- when they wish to take their paternity leave.

Members of staff will be able to change their mind about the date on which they would like their paternity leave to start providing they tell their line manager (copying in their HR contact) at least 28 days in advance (unless this is not reasonably practicable).

## 2.5 To check paternity leave entitlements

To confirm their paternity leave, members of staff are asked to complete and sign a paternity leave declaration and request form, confirming the date of birth/adoption placement of their child. Human Resources will confirm their entitlements, in writing, within 21 days.

## 2.6 Contractual benefits during paternity leave

During the eight weeks of paternity leave, members of staff are entitled to the benefit of their normal terms and conditions of employment and will receive their basic weekly salary).

## 3. Summary of the member of staff's obligations

- 3.1 Entitlement to paternity leave and pay is subject to completion of a paternity leave declaration and request form.
- 3.2 The member of staff must notify their manager in writing (copying in their HR contact) of the dates on which they intend to take statutory paternity leave, giving at least 28 days' notice.

The member of staff must notify their manager in writing (copying in their HR contact) (including the week their baby is expected to be

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<sup>5</sup> This includes adoptive parents regardless of gender and is intended to be gender neutral and inclusive

born or placed following adoption and when they would like to take their occupational paternity leave) no later than the end of the 15th week before the other parent's expected week of childbirth (EWC), unless this is not reasonably practicable.

- 3.3 Requests to return to work on reduced hours must be made in writing at least 8 weeks before the member of staff intends to return to work.
- 3.4 Members of staff are obliged to notify the head of school/director if they start work for a new employer after paternity leave, regardless of whether the paternity pay period has ended, as this impacts upon the university's statutory paternity pay liability. Members of staff are bound by the terms and conditions of their contract of employment to give due notice if they intend to resign from their employment with the university.

#### **4. If things do not go to plan**

In the event that things do not go entirely as planned, you might find the maternity related sections of our Special Leave Policy and Sickness absence Policy and Procedure helpful.

### **Glossary of abbreviations used in this policy**

SPP	Statutory Paternity Pay
MA	Maternity Allowance
EWC	Expected Week of Childbirth