



# Paternity Leave

**Approved by: Trust Board**

**Last reviewed: July 2024**

**Next review due: July 2025**

# PATERNITY LEAVE

## 1. Introduction and scope

You may wish to take Statutory Paternity Leave if you and your partner are:

- Having a baby
- Adopting a child
- Having a baby through a surrogacy arrangement

This policy does not form part of any employee's contract of employment, and it may be amended at any time.

## 2. Eligibility

To qualify for paternity leave and pay, you must:

- Be the father, husband, or partner of the mother (or adopter), child's adopter or intended parent (if they are having a baby through a surrogacy arrangement)
- be taking time off to look after the child or their partner.
- be responsible for the child's upbringing.

And:

- have 26 weeks' continuous service by the end of the 15th week before the week in which the child is expected (for birth); or
- have been continuously employed by you for at least 26 weeks up to any day in the week they were matched with a child (UK adoptions); or
- have been continuously employed by you for at least 26 weeks by either the date the child arrives in the UK or when they want their pay to start (overseas adoptions)

## 3. Entitlement

Statutory Paternity Leave may be taken in a single block of one week or two consecutive weeks however not in odd days and must be completed within 8 weeks of the birth (or due date if the baby is born early).

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.

Only one period of leave will be available to you irrespective of whether more than one child is born as the result of the same pregnancy.

On return from paternity leave you are entitled to return to the same role, with the same terms and conditions of employment. You should not be disadvantaged, treated unfairly, or dismissed because of taking paternity leave.

Where childbirth falls on or after 6<sup>th</sup> April 2024, statutory paternity leave will also be able to be split into two blocks of one week at any point in the first year after the birth or adoption of your child.

## 4. Notification

You will need to provide the Headteacher with notice of your intention to take paternity leave by the end of the 15th week before the expected week of childbirth

With effect from 8<sup>th</sup> March 2024, you will need to provide 28 days' notice of your intention to take paternity leave for those where the expected week of childbirth falls on or after 6<sup>th</sup> April 2024.

Notice will include the date the baby is due, whether you wish to take one or two weeks leave or 2 x one week leave blocks over two separate periods and when you wish to start your leave. Please ensure the paternity leave notification form is completed and provided to your headteacher/line manager.

You should then confirm the actual date of the birth with the headteacher, who should in turn notify the payroll section in order that the appropriate paternity payments may be made.

You may change the date of your paternity leave with 28 days' notice unless this is not reasonably practicable.

For part time employee's paternity leave will be pro-rata as per their weekly hours worked.

## **5. Statutory paternity pay**

Statutory Paternity Pay (SPP) is paid at the current rate of SPP or 90% of the employee's average weekly earnings, whichever is the lowest. Employees who earn less than the Lower Earnings Limit will not qualify for SPP.

### **5.1. Teachers**

Please note there is no contractual entitlement to paternity pay for teachers over and above the statutory provision set out above.

### **5.2. Support Staff**

Support staff will be entitled to take one week's paternity leave paid in full and one week's paternity leave unpaid.

## **6. Antenatal appointments**

Fathers and partners of pregnant women are entitled to unpaid time off to attend two antenatal appointments (time off is capped at six and a half hours for each appointment).

Employees who would like to make a request for time off to accompany someone at an antenatal appointment should in the first instance contact their headteacher.

The employee should endeavour to give their line manager as much notice as possible of when they need the time off for the antenatal appointment and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

## **7. Flexible working**

Prior to or when you return from paternity leave if you wish to be considered for part-time hours, you must apply in writing under the flexible working policy. Please see the flexible working policy.

## **8. Shared parental leave**

Shared parental leave enables adopters to commit to ending their maternity/adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity/adoption leave and opt in to shared parental leave and pay later.

For more information, please see the Shared Parental Leave Policy.

## **9. Return to work**

If you return to work after a period of isolated paternity leave you have the right to return to the job in which you were employed before the absence.