

# **PATERNITY LEAVE POLICY AND PROCEDURE**

## **1 INTRODUCTION**

Whilst the University expects its employees and staff to comply with this policy, it does not confer contractual rights or form part of any contract of employment and may be amended by the University or replaced at any time following appropriate consultation and negotiation with recognised trade unions. Breach of this policy may be addressed via the University's Disciplinary Policy and Procedure and Code of Conduct.

This policy will be reviewed by the Human Resources department on a 3-year basis or amended in response to changes in future legislation and/or case law.

## **2 OWNERSHIP**

The Human Resources department owns and manages this policy on behalf of The University of Northampton.

## **3 ORGANISATIONAL SCOPE**

This Paternity Leave policy is a corporate policy and applies to all employees (and workers, as applicable) of The University of Northampton including any wholly owned subsidiaries, unless an alternative policy exists, subject to any qualifying conditions.

## **4 POLICY STATEMENT**

The University recognises that employees who satisfy qualifying conditions, have a statutory right to take up to two weeks' paid paternity leave after their partner/wife has had a baby, or after they and their partner adopt a child, providing the individual has not chosen to take adoption leave, and they expect to have responsibility for that child's upbringing.

In addition, a partner may qualify for shared parental leave if the parent giving birth chooses to share their entitlement to statutory maternity leave.

## 5 DEFINITIONS

**Partner-** a person who is in a relationship with a child's birth parent or adopter (whether or not they are same gender) who lives with the birth parent or adopter and the child in an enduring family relationship, but is not a relative of the birth parent or adopter. Step-parents adopting their spouse/partners' child(ren) are not entitled to Paternity leave

**Statutory Maternity Leave** - comprises 26 weeks of Ordinary Maternity Leave and 26 weeks of Additional Maternity Leave.

## 6 KEY PRINCIPLES

The University is committed to promoting equality and diversity by providing a supportive environment for staff who wish to integrate their working life, including the development of a career, with family responsibilities.

The Paternity Leave Policy and Procedure outline Paternity Leave and Pay entitlements for eligible staff, including those in same-sex relationships.

The purpose of this policy is to underpin the rights of Partners to take paternity leave upon the birth or adoption of a child.

During the paternity leave period the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits except pay. Contractual annual leave entitlement will continue to accrue.

Unauthorised recording of conversations is prohibited. Anyone in breach of this may be subject to disciplinary action.

## 7 PROCEDURE

### 7.1 Entitlement to Paternity Leave

Paternity leave is available to employees who:

- have or expect to have responsibility for the child's upbringing;  
or
- are the biological father of the child or the mother's husband or partner; and
- have worked continuously for the University for 26 weeks ending with the 15th week before the baby is due or the end of the week in which the child's adopter is notified of being matched with the child.

Eligible employees can choose to take the leave in blocks of one week or two consecutive weeks' (not odd days).

## **7.2 Applying for Paternity Leave**

An employee who wishes to take paternity leave must inform their Line Manager that they wish to take paternity leave at least 15 weeks prior to the baby's due date. An HMRC SC3 form must be completed, a copy of which can be obtained from Human Resources.

Paternity leave cannot start before the baby is born and must be taken by the 56<sup>th</sup> day after the date of birth. If the baby is born early the employee can choose to take their leave any time between the actual date of birth and the end of an 8 week period starting from the Sunday of the week the baby was originally due.

In adoption situations the employee must provide the University with as much notice as possible, but no later than 7 days after receiving the notification of the match with the child.

The University will require the employee to provide a copy of the Mothers MATB1 certificate, or in the case of adoption, the certificate of matching.

Having given notice, the employee can change the date on which they wishes to start their paternity leave by providing their Line Manager and Human Resources with at least 28 days written notice.

An employee is entitled to take unpaid time off to accompany the mother to up to 2 antenatal appointments each one lasting a maximum of 6 ½ hours including travel.

The first week of ordinary paternity leave is paid at the employee's full pay and the second week is paid at the current rate of statutory paternity pay (SPP). Employees who have weekly average earnings which are in excess of the lower earnings limit will be entitled to be paid at SPP or 90% of the employer's average earnings, whichever is the lesser, for the second week's leave. If the employee's average earnings mean that they are not entitled to SPP, the second week's leave will be unpaid.

### **7.3 Special Circumstances**

You can still be eligible to receive Paternity Leave or pay if your baby is stillborn from 24 weeks of pregnancy, or born before reaching term. In these circumstances, an employee should keep their line manager informed in order for appropriate support to be offered.

### **7.4 Shared Parental Leave**

Subject to qualifying criteria, an employee may be entitled to take Shared Parental Leave which allows both parents to be on leave. Further details on this can be found in the Shared Parental Leave Policy and Procedure.

### **7.5 Parental Leave**

The employee may also have the right to 18 weeks unpaid "Parental Leave" for each child or adopted child, and are entitled to request that some of this is added to the end of their Paternity Leave period. Further details on this can be found in the Time Off and Special Leave Policy and Procedure.

### **7.6 Returning to work**

An employee is expected to return to work on the next working day after the advised end date unless they notify the University otherwise.

When a bank holiday or closed day (where applicable) falls during an employees Paternity leave period, they will be entitled to take the bank holiday or closed day (where applicable) directly after their Paternity leave period.

If they are unable to attend at the end of paternity leave due to sickness, the University's normal sickness notification arrangements apply.

## 8 ASSOCIATED DOCUMENTS

### 8.1 The University of Northampton's:

Maternity Leave Policy and Procedure  
Adoption Leave Policy and Procedure  
Shared Parental Leave Policy and Procedure  
Time off and Special Leave Policy  
Flexible Working Requests Policy and Procedure  
Working Off Premises Policy and Procedure

## 9 EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment must accompany this document.

## 10 Version Control

<b>Version Control</b>		<b>Approval record</b>	
Author:	HR	Approval:	Board Approval 23/06/2015
Date written:	Spring 2015	Updates:	Jan 2019
Current status:	Approved		
<b>Record of Amendments</b>			
Date	Details of Change		Approval
Dec 2018	1. New policy template used 2. Key principles expanded 3. Minor tweaks to wording to make clearer 4. Made the policy Gender neutral		18 Jan 2019