



Paternity Policy

01 September 2024

Version Control

Current version	Previous version	Summary of changes made
01 Apr 24	26 Jul 17	Policy amended to incorporate changes to the statutory entitlements to paternity leave, update terminology and the entitlement to Paternity Leave. Inclusion of equality, data protection and Trade Union statements
26 Jul 17	01 Apr 13	Updates regarding shared parental leave and statutory paternity payments. Formatting of paragraphs, headings and appendices standardised.

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1 Introduction

1.1 This document gives employees information about these rights:

- Eligibility for paternity leave for births and adoptions
- paternity Leave entitlement
- Entitlement to pay
- Links to shared parental leave

1.2 The academy is fully committed to creating a culture where equality, diversity and inclusion are integral to everything we do. Our policies and processes form part of our infrastructure to support an environment where people from all groups and our diverse communities feel included, supported, and are treated fairly in accessing all opportunities.

1.3 All employees of the academy handling personal data must comply with current data protection legislation together with the associated policies and procedures which are available from the academy.

1.4 We work collaboratively with our recognised Trade Unions to jointly develop and improve employment policies, with the aim of building an effective and dynamic organisation which supports the academy's aim of being an employer of choice.

2 Employee rights

2.1 Continuous service rights accrue during paternity leave.

2.2 All contractual benefits, apart from remuneration, continue throughout paternity leave. In accordance with HM Revenue and Customs guidance, non-cash benefits (such as childcare vouchers) will continue whereas cash benefits (such as first aid allowances) will not be paid. Essential car user allowance provided under the NJC for Local Government Services is not considered as simply cash that is a transferrable benefit (i.e. insurance, road tax) and therefore will continue to be paid.

2.3 An employee who returns at the end of paternity leave is entitled to return to the same job on the same terms and conditions.

2.4 Employees are entitled to unpaid time off to accompany their partner to up to two antenatal appointments (up to 6.5 hours for each appointment). A form is contained at [Appendix A](#).

3 Paternity leave

3.1 Paternity Leave is to be used to support a partner having a baby, adopting a child or having a baby through a surrogacy arrangement, to care for the child.

3.2 The Head of School may request evidence of an employee's eligibility for paternity leave.

Entitlement

3.3 Eligible employees are entitled to two weeks' paternity leave.

3.4 The leave can be taken in a two-week block, or in two separate blocks of one week, which can start on any day of the week. The leave can be taken at any point from the date of the child's birth / adoption placement / the date the child arrives in the UK (for overseas adoptions), until the end of the first year after the birth or adoption of a child.

3.5 An employee is only entitled to one period of paternity leave regardless of the number of children born as a result of a pregnancy, or adopted under the same adoption arrangement.

Eligibility for paternity leave

3.6 To qualify for paternity leave, employees must;

- have 26 weeks continuous service ending with the 15th week before the date the baby is due or, in the case of adoption, the date the adopted child is expected to be placed
- be the biological father of the child or
- be married to or in a civil partnership or partner of the mother / adopter / parental order parent or
- the child's adopter or;
- the intended parental order parent (if you're having a baby through a surrogacy arrangement).
- have, or expect to have, responsibility for the child's upbringing.

4 Notification of paternity leave

4.1 To claim paternity leave, employees are required to give notice that they intend to take leave 15 weeks prior to the expected week of childbirth and then 4 weeks' notice of dates prior to each period of leave.

4.2 In the case of adoption, an employee should inform the Head of School in writing within seven days (or as soon as is reasonably practicable) of being notified of matching by an approved adoption agency.

4.3 The notice should contain;

- the expected week of childbirth ('EWC') or, in the case of adoption, the date on which the child is expected to be placed.
- whether they intend to take one or two weeks paternity leave
- the start date of paternity leave

4.4 This notification can be done using the form at [Appendix B](#).

Changing the start date of paternity leave

- 4.5 An employee may change the start date of paternity leave by notifying the Head of School in writing 28 days' before the new or original start date, whichever is the earlier.
- 4.6 If it is not reasonably practicable to give this length of notice, e.g. if the baby is born early, the employee must give as much notice as possible.

5 Pay during paternity leave

Statutory Paternity Pay

- 5.1 To qualify for Statutory Paternity Pay ('SPP'), an employee must have;
- At least 26 weeks' continuous service up to the end of the 15th week before the EWC or, in the case of adoption, up to the week in which the adopter is notified of matching. The employee must also declare that they have elected to claim SPP and not Statutory Adoption Pay ('SAP').
 - Average earnings at least equal to the lower earnings limit in the eight weeks prior to the end of the 15th week before the EWC or, in the case of adoption, the eight week period ending with the week in which the adopter is notified of matching.
- 5.2 SPP is payable for two weeks. The amount paid per week is;
- the standard rate of SPP; or
 - 90% of average weekly earnings, whichever is the lower

Occupational Paternity Pay

- 5.3 To qualify for Occupational Paternity Pay ('OPP'), the employee must have 26 weeks continuous service up to the end of the 15th week before the EWC.
- 5.4 The total amount of OPP payable is;
- Week 1: Normal weekly earnings (inclusive of SPP if eligible)
 - Week 2: Statutory paternity pay only; or 90% of average weekly earnings, whichever is the lower

6 Return to work from paternity leave

- 6.1 An employee must return to work on the date agreed when the request was granted.

7 Shared parental leave

- 7.1 Shared parental leave gives employees with caring responsibilities for babies or newly adopted children the opportunity to share up to 52 weeks' leave should they wish to do so where a proportion of their-maternity (or adoption) leave and statutory maternity (or adoption) pay has been given up.

- 7.2 Parents taking SPL can take leave in separate blocks, returning to work in between blocks, and can be on leave at the same time. Eligible employees are entitled to submit up to three 'period of leave' notices and are entitled to take SPL on those dates if a continuous period of leave is requested.
- 7.3 Information regarding entitlements, eligibility and notification requirements, is contained within the [Shared Parental Leave Pay Policy](#).

8 Paternity leave and maternity support leave

- 8.1 Employees taking paternity leave are not eligible for maternity support leave.

Request for unpaid leave to attend ante-natal appointment

This form should be completed by the employee requesting time off. Once authorised, details of the appointment should be forwarded to Exchequer Services to process the payroll deduction.

Employee details			
Name		Assignment Number	
Address	Line 1		Line 2
	Line 3	Town or City	Postcode
Telephone	Home	Work	Mobile
School		Job Title	

Unpaid leave	
I wish to request unpaid leave of up to six and a half hours per appointment to accompany my partner to an ante-natal appointment).	
Date and Time of appointment	Number of Hours
I am applying for the first appointment <input type="checkbox"/> or second appointment <input type="checkbox"/> (tick appropriate)	
Continuous Service Dates	Local Government

Employee declaration	
I declare that the appointment is on the date and time stated above, that I qualify for the unpaid time off and that the time off is for the purpose of attending an ante-natal appointment that has been made on the advice of a registered medical practitioner, nurse or midwife.	
Signed	Date

Manager authorisation	
I approve the above application for unpaid time off to accompany the expectant individual to an ante-natal appointment.	
Signed	Date

Paternity notification form

Employee details			
Name		Assignment Number	
Address	Line 1		Line 2
	Line 3	Town or City	Postcode
Telephone	Home	Work	Mobile
School		Job Title	
Continuous Service Dates		Local Government	

Paternity information	
1. I wish to start my paternity leave on the following day	(date)
2. The expected date of the child's birth or placement is	(date)
3. I wish to take paternity leave lasting 1 week <input type="checkbox"/> or 2 weeks <input type="checkbox"/>	(tick appropriate)
3. I confirm that this is my 1 st <input type="checkbox"/> or 2 nd <input type="checkbox"/> block of paternity leave	(tick appropriate)
4. I enclose evidence of my eligibility for paternity leave and pay	<input type="checkbox"/>
5. In the case of adoption, I confirm I have chosen to receive SPP not Statutory Adoption Pay	<input type="checkbox"/>
Signed	Date