



HR Services

THE BUSINESS OF EDUCATION

Paternity Leave Policy

Date of Issue: April 2020

Changes since last version: Full review of policy. No fundamental changes made, all provisions remain the same.

The Professional Associations/Trade Unions have been consulted on this policy, and HfL recommends it for adoption.

It is recommended that this cover page should be removed on adoption.

Contents

1. Introduction and Scope	2
2. Eligibility	2
3. Entitlement	2
4. Notification.....	2
5. Statutory Paternity Pay.....	3
5.1. Teachers	3
5.2. Non-teaching staff	3
6. Antenatal Appointments	3
7. Flexible Working.....	3
8. Shared Parental Leave.....	3

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

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're 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.

4. Notification

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

Notice will include the date the baby is due, whether you wish to take one or two weeks leave 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 employees 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.

Your school may choose to adopt a more favourable policy in relation to teachers' paternity leave and pay. This is at the discretion of the governing body.

5.2. Non-teaching staff

Non-teaching staff will be entitled to take one week's paternity leave paid in full.

Employees who satisfy the above eligibility criteria will be entitled to take a second week of SPL which will be paid at the current rate of Statutory Paternity Pay as detailed above.

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 at a later date.

For more information please see the Shared Parental Leave Policy.