

PATERNITY / MATERNITY SUPPORT POLICY

If you require a copy of this leaflet
in large print, Braille or audio format,
please contact Human Resources

**April 2007
(updated July 2010 and April 2011)**

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Further guidance, as well as all necessary disciplinary forms
and templates for management letters can be found on the Extranet

1. WHO IS COVERED

Paternity (maternity support) leave is available to anyone who has or expects to have responsibility for the upbringing of the child, and who is either:

- The biological father, or
- The husband/partner of the child's mother/adopter.

Whether of the same or a different sex, the partner must live with the child's mother or adopter in an enduring family relationship.

Paternity (maternity support) leave is for the purpose of:

- Caring for a new born child or supporting the mother, or
- Caring for a child newly placed for adoption or supporting the adopter.

To qualify for Ordinary Paternity (maternity support) Leave and pay, employees must have 26 weeks continuous service:

- For a birth, by the 15th week before the Expected Week of Childbirth (EWC) (pregnancy week 26 approximately),
- For an adoption, by the end of the week in which the adopter is notified of an approved adoption match.

To qualify for Additional Paternity Leave, there are further conditions (see section 2).

2. ENTITLEMENTS

2.1. Ordinary paternity leave (OPL)

All employees who meet the above qualifying conditions are entitled to:

- 2 weeks paternity (maternity support) leave, which must be taken in the first two months following the birth or placement (for premature births, see also special provisions below),
- Payment at full pay for the first week, and at low Statutory Paternity Pay (SPP) rate (£140.98 as at April 2017) for the second week,
- Right to request parental leave at the end of the paternity (maternity support) leave.

2.2. Additional paternity leave (APL)

In addition to the above, from 3 April 2011, fathers also have the option to take Additional Paternity Leave, if and when the mother of their new born (or newly adopted) child decides to return to work early from her maternity/adoption leave (please note: if the mother is on sick leave or annual leave immediately after maternity leave, this does not count as having returned to work for additional paternity leave purposes).

This leave may last up to 26 weeks, and some of it may be paid, provided it takes place before the end of the mother's 39th week of maternity leave (any leave taken later may be granted but it will not be paid).

PLEASE NOTE: following the introduction of Shared Parental leave in April 2015 the right to additional paternity leave has been revoked.

2.3 Special circumstances

Finally, in certain circumstances, set out below, specific provisions also apply:

- In the case of a premature birth, the start of paternity (maternity support) leave may be delayed to allow the father to take time when the mother and child actually return home.

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- In the event of a multiple birth, only one period of paternity leave may be taken.
- In the unfortunate event of a stillbirth, paternity (maternity support) leave provisions are the same as with a live birth.

3. RESPONSIBILITIES

Employees have a duty to inform their Headteacher / Line Manager of the following:

- Their intention to take ordinary paternity (maternity support) leave and/or additional paternity (maternity) support leave, within timeframes described above,
- Their intended start date (and any changes to the start date within 28 days of the intended start, for OPL, and 42 days, for APL), and the length of intended leave.

Headteacher / Line Managers and HR have a duty:

- To provide accurate information and advice to employees on paternity (maternity support) related issues.
- In particular to confirm paternity leave and pay entitlement to employees within 4 weeks of receiving a written notification.

4. STEP BY STEP NOTIFICATION PROCESS

Step 1 Employee notifies Headteacher / Line Manager and HR

Min 8 wks before required start date for OPL/APL

The employee informs his/her Headteacher / Line Manager, completes the [Paternity \(Maternity Support\) Leave Request Form](#) and returns the original to HR, with a copy to his/her Headteacher / Line Manager, to include:

- Expected due date (for a birth) or date of placement (for an adoption),
- Intended start date for ordinary paternity (maternity support) leave,
- Length of leave (either the full entitlement of 2 weeks, or 1 week only),
- For Ordinary Paternity Leave: copy of MATB1 Form (for a birth) or Adoption Notification (for an adoption)
- For Additional Paternity Leave only: mother's signed declaration of return to work

Step 2 HR writes to employee

Within 4 wks of receipt

HR checks details of the request, records it and write to the employee to confirm his/her leave and pay entitlement, her expected leave start and return to work date.

Step 3 If employee wishes to change start date

Min 4 wks before OPL start or min 6 wks before APL starts

If s/he wishes to change his/her paternity leave start date, the employee must notify his/her Headteacher / Line Manager and HR in writing, using [Form 2](#) (original to HR, copy to the Headteacher / Line Manager).

A new parent has the right to request flexible working. If the employee wishes to do this, sufficient time should be allowed to discuss options with the Headteacher / Line Manager before submitting a Flexible Working Request Form (please see [guidance on requesting flexible working arrangements](#) for more information), as the process can take up to 4 weeks.

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Employee can take ordinary paternity (maternity support) leave within 8 weeks of the birth or adoption. In the case of a premature birth, the leave start can be delayed until the baby is out of hospital.

Employee can start additional paternity (maternity support) leave at least 20 weeks after the birth (or adoption) – and it can last up to 26 weeks. He/she must have returned to work at the latest one year after the birth or after the child was placed for adoption.

Step 4 Return to work interview

On return date

The Headteacher / Line Manager carries out a return to work interview with the employee, as soon as s/he is back.