Paternity Leave and Pay

1. **Scope and Purpose**

This policy applies to all employees of the University taking paternity leave.

The purpose of this policy and associated procedures is to:

- Outline the entitlements for paternity leave and pay in relation to benefits for new parents
- Ensure managers\(^1\) are aware of their responsibilities to employees who are covered by this policy
- Provide clear guidance on employee rights and responsibilities prior to, during and after Paternity Leave

2. **Paternity Leave**

Paternity Leave is leave to support the mother (in relation to maternity) or primary carer (in relation to adoption or surrogacy) at or after the birth or adoption of a child.

2.1 **Eligibility for Paternity Leave**

There is no length of service requirement for an employee to be eligible for Paternity Leave. However they should have or expect to have responsibility for the child’s upbringing.

Additionally, the employee must be either:

- the biological father of the child, or the mother’s spouse or partner (including same-sex relationships) or
- the spouse or partner of the primary carer in relation to adoption or surrogacy (including same-sex relationships).

2.2 **Period of Paternity Leave**

An employee who meets the above criteria is entitled to take up to 2 weeks leave (based on their normal working week). Leave may be taken either as one period of two full weeks, or two blocks of one week.

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\(^1\) For the purposes of this policy the term ‘manager’ will be defined so as to include the nominated or line manager or another designated person of suitable seniority and responsibility within the relevant work unit or group
The employee may choose to start their Paternity Leave on any day of the week but it must be taken between the date of the birth/adoption and 56 days thereafter. Partners planning to take Shared Parental Leave (SPL) should consider taking their 2 weeks' paternity leave and pay before taking SPL as entitlement to paternity leave/pay is lost once SPL starts.

2.3 Notification of Intention to take Leave

Employees wishing to take Paternity Leave should notify their manager and local HR Team by either:

- the 15th week before the baby is expected (Maternity or Surrogacy)
- within seven days of the Adopter being notified by the Adoption Agency that they have been matched with a child (Adoption)

The employee must complete the Paternity Leave form and indicate the intended start date for each week of leave and either:

- the date the baby is due (Maternity or Surrogacy)
- the date the child is expected to be placed (Adoption)

Once the form is signed by the manager, it should be submitted to the local HR Team. Following the birth of the baby/placement of the child, the local HR team should be informed of the actual paternity leave dates.

2.4 Payment during Paternity Leave

Employees are entitled to two weeks of Paternity Leave paid at full pay.

2.5 Stillbirths

If an employee's child is stillborn at 24 weeks or more of pregnancy, they are still entitled to the same paternity leave and pay they would have received had the baby been born alive.

3. Rights during Paternity Leave

All terms and conditions of employment remain in force during an employee’s period of leave.

Employees are entitled to continue to receive all benefits applicable to them during their leave, such as Childcare Vouchers, accrual of annual leave and pension benefits.

4. Shared Parental Leave and Pay

Fathers/partners wishing to take more time off to care for their child in the first year after its birth/placement may be eligible to take Shared Parental Leave. This enables a mother/lead adopter to curtail their maternity/adoption leave and to share any remaining leave and pay entitlement with their partner. Partners planning to take Shared Parental Leave (SPL) should consider taking their 2 weeks' paternity leave and pay before taking SPL as entitlement to paternity leave/pay is lost once
SPL starts. Full details of the Shared Parental Leave Policy can be found at http://www.docs.csg.ed.ac.uk/HumanResources/Policies/Shared_Parental_Leave_Policy_.pdf

5. Time off to attend Antenatal Appointments

The right to unpaid time off to attend up to two antenatal appointments is available to employees (including the mother's husband/ civil partner/ partner/ the father or parent of the child and intended parents under surrogacy arrangements). The time off is capped at six and a half hours for each appointment. Further guidance is available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/351413/bis-14-1063-time-off-to-accompany-a-pregnant-woman-to-ante-natal-appointments-employer-guide.pdf

6. Policy History and Review

This policy was updated on 1 June 2018. It will be reviewed by December 2019.

In the event of any significant change to the legal position on paternity leave, relevant statutory requirements or any other related matter, this policy will be subject to immediate review.

6.1 Change control record:

<table>
<thead>
<tr>
<th>No.</th>
<th>Approval date</th>
<th>Amendment made</th>
<th>Approved by</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>6 Dec 11</td>
<td>Minor textual amendment Section 2.5 on Stillbirths included reflecting the Maternity Policy wording, and Section 3.1 making it clearer when additional statutory paternity pay applies.</td>
<td>HR Policy Development Working Group on behalf of CJCNC.</td>
</tr>
<tr>
<td>2.</td>
<td>21 Sept. 2012</td>
<td>Minor Textual Amendment at Section 2.2. Period of Leave to reflect the Government stipulation for tax purposes that periods of leave can now only be taken in 1 week or 2 consecutive weeks, but not single/odd days.</td>
<td>HR Policy Development Working Group on behalf of CJCNC.</td>
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<tr>
<td>3.</td>
<td>13 Dec. 12</td>
<td>Minor amendment to section 4.4. to clarify the process and arrangements for Keeping in Touch Days whilst on Paternity Leave.</td>
<td>HR Policy Development Working Group and CJCNC.</td>
</tr>
<tr>
<td>4.</td>
<td>28 Feb 14</td>
<td>Amendment to section 2.1, 3.1 and 3.2 removing the service requirement for an employee to be eligible for Statutory or Additional Paternity leave and pay. Effective immediately.</td>
<td>HR Policy Development Working Group, and CJCNC 17 March 2014.</td>
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<td>5.</td>
<td>1 Oct. 2014</td>
<td>Legislative Amendment: Footnote added to Section 1 noting for information the right to unpaid time off to attend up to two antenatal appointments for the mother’s ‘partner’ (or the father or parent of the child and intended parents under surrogacy arrangements).</td>
<td>HR Policy Development Working Group</td>
</tr>
<tr>
<td>6.</td>
<td>28 Apr.2015</td>
<td>Legislative Amendment: Reference added under Scope and Purpose to APL (contact HR Team) and SPL (link to SPL Policy) Section 3 and Section 4. Noting the abolition of Additional Paternity Leave which will be phased out following the introduction of Shared Parental Leave, for babies due on or after 5 April 2015.</td>
<td>HR Policy Development Working Group, and CJCNC.</td>
</tr>
</tbody>
</table>
6. **Alternative Format**

This document can be provided in alternative formats on request by email to UHRS@ed.ac.uk or by calling 0131 650 8127.