

# Paternity Leave and Pay Procedure

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**Parent Policy Statement** – People and Wellbeing

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## **PATERNITY LEAVE AND PAY PROCEDURE**

### **Introduction**

The University recognises the importance of ensuring that our employees enjoy a healthy balance between their work and family life. We support this by offering a range of family friendly support to our employees, including the right to paternity leave and pay for new parents.

Whilst known as 'Paternity Leave and Pay', this procedure applies to all employees, who meet the eligibility criteria set out below, regardless of their gender and sexual orientation, including those who are trans.

A flowchart of the procedure is available at Appendix 1.

### **Objectives**

The objectives of this procedure are to:

- Help you to understand your entitlements in relation to paternity leave and pay;
- Inform you of your rights and responsibilities during paternity leave;
- Ensure that you are treated fairly and consistently during paternity leave and your return to work.

### **Entitlements and Eligibility**

#### **Paternity Leave**

The right to paternity leave applies from your first day of employment with the University. You may qualify for paternity leave if you meet the following criteria:

- You are the biological parent of the baby, or the partner of the bearing parent (including same-sex partner and partner regardless of gender; or
- Your partner<sup>1</sup>, spouse or civil partner has a baby;
- Your partner, spouse or civil partner adopts a child and is classified as the 'primary adopter'; or
- Your partner, spouse or civil partner becomes a parent through surrogacy and has applied for a parental order or intends to do so within 6 months of the child's birth and you;
- Expect to have responsibility for the child's upbringing.

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<sup>1</sup> Partner includes a person of a different sex, same sex, or a person regardless of gender, who lives with the birth parent or primary adopter in an enduring family relationship, but who is not an immediate family relative.

If you meet the above eligibility criteria, you will be entitled to two weeks of paternity leave following the birth of a child, or placement of a child for adoption. This leave can be taken in blocks of one or two weeks. Leave can start on the day the child is born and must be taken within 52 weeks of this date.

Paternity leave can start when adopting a child:

- On the date of placement (UK adoptions); or
- On the date the child arrives in the UK or an agreed number of days after that (overseas adoptions);

and must be taken within 52 weeks of this date.

### **Paternity Pay – Statutory Paternity Pay**

You may be entitled to receive up to two weeks of Statutory Paternity Pay (SPP), subject to meeting the following requirements:

- You qualify for paternity leave;
- You earn at least the lower earnings limit as set by the UK Government;
- You have been continuously employed by UWS for at least 26 weeks by any day of the “qualifying week.” The qualifying week is the 15<sup>th</sup> week before the baby is due or the week that your partner, spouse or civil partner is notified that they have been matched with a child for adoption.

[The Government sets the lower earnings limit and SPP rates on a yearly basis. These figures can be found on the Government’s website.](#)

### **Paternity Pay – University Enhanced Paternity Pay**


UWS offer enhanced paternity pay for employees who qualify for SPP. This enhanced benefit consists of:

First week of paternity leave – full normal pay (inclusive of SSP);  
Second week of paternity leave – SPP only.

### **Time Off to Attend Appointments**

You are entitled to take paid time off to attend up to two ante-natal, adoption or surrogacy appointments. You must gain approval from your line manager to attend appointments. We reserve the right to request evidence of these appointments.

## Procedure

You should advise your line manager and [hra@uws.ac.uk](mailto:hra@uws.ac.uk) of your entitlement to paternity leave at the earliest opportunity and no later than the 15<sup>th</sup> week before the expected week of childbirth (EWC) (birth or surrogacy) or within 7 days of an adoption match or within 28 days if it is an overseas adoption. This should be done in writing using  [Form SPL1 Application for Paternity Leave.docx](#).

You must **also** complete one of the following forms and return it to your line manager and [hra@uws.ac.uk](mailto:hra@uws.ac.uk) (along with Form SPL1) within this timeframe:

- [Form SC3](#) – if you are becoming a birth parent; or
- [Form SC4](#) – if you are adopting a child from the UK.
- [Form SC5](#) – if you are adopting a child from abroad.

You are encouraged to tell the University when you would like to take this leave at the earliest opportunity and no later than 28 days before you intend the leave to start. This should be done by resubmitting Form SPL1 with proposed dates to your line manager and [hra@uws.ac.uk](mailto:hra@uws.ac.uk).

Once we have received formal notification, People and Wellbeing will write to you confirming the dates of the paternity leave and any adjustments to pay. Any adjustments to pay will be made in the period following the paternity leave.

All paternity leave will be recorded in the University's HR Information System (HRIS) 'iTrent', to ensure appropriate and accurate records are kept.

### Change in Circumstances following formal notification

As we know, not all things in life go to plan. If the baby is born early/late and you need to change the dates of your paternity leave, please notify your line manager and [hra@uws.ac.uk](mailto:hra@uws.ac.uk) as soon as practical.

### Bereaved Partner's Paternity Leave

In the unfortunate event of the death of your partner (the child's mother, primary adopter, or intended parent in a surrogacy arrangement), within the first year of your child's birth or adoption, you may be entitled to Bereaved Partner's Paternity Leave. This leave is intended to support you in caring for your child during an exceptionally difficult time.

You may be able to take up to 52 weeks' unpaid leave, taken as one continuous period within the first year following the child's birth or placement. This is a day one right, meaning it applies from the start of your employment, provided you have responsibility for the child's upbringing and meet the eligibility criteria.

We ask that you let your manager know as soon as you feel able. We understand that this may not always be possible, and we will approach any request with compassion, flexibility, and sensitivity, supporting you throughout.

### **Terms and Conditions during paternity leave**

During paternity leave, there will be no change to your core contractual rights or terms and conditions except for pay. All other terms and conditions remain unchanged.

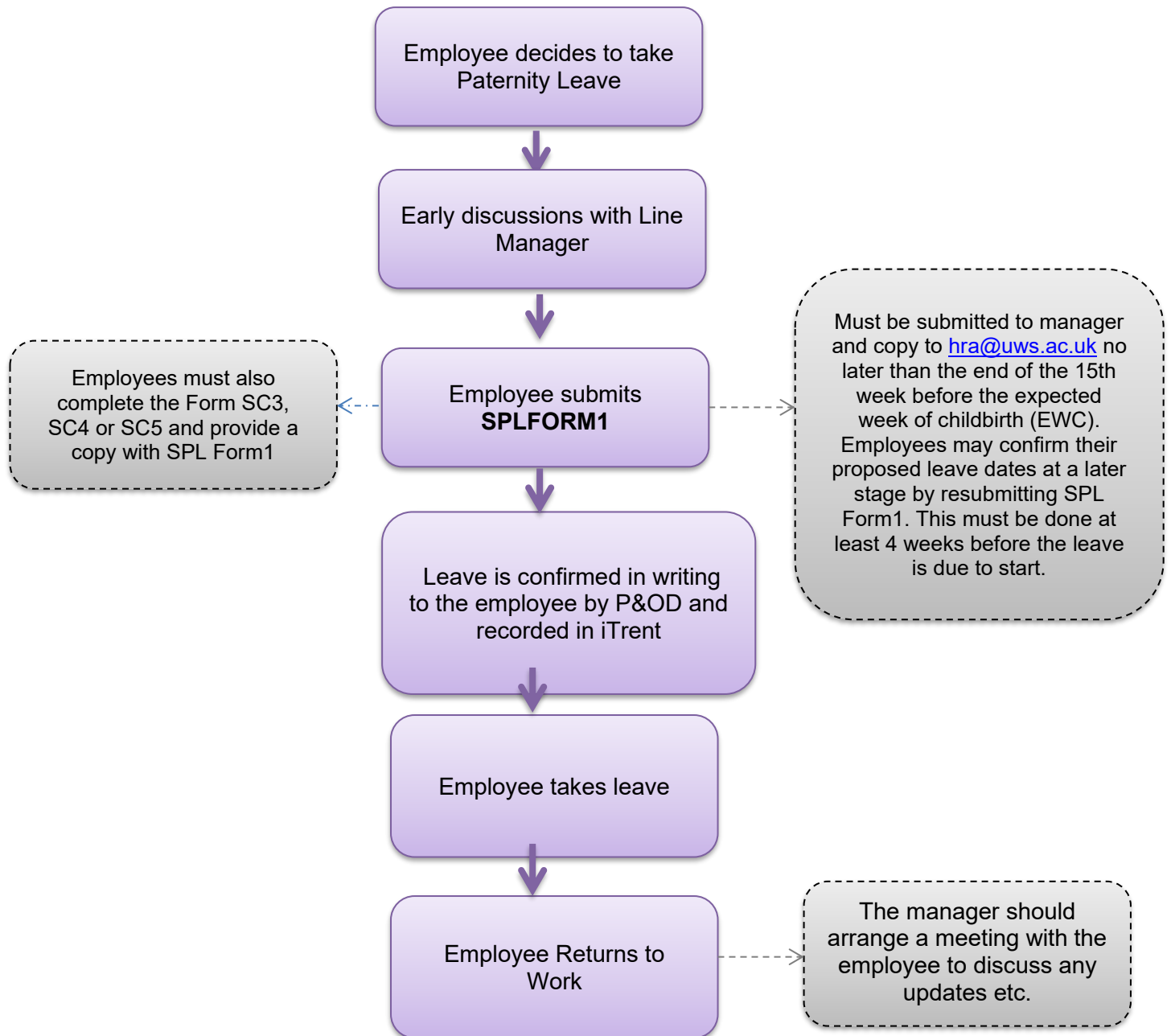
#### **Pension**

You will continue to pay pension contributions in the normal way during paid leave. We will also continue to make pension contributions on your behalf during this time.

#### **Annual Leave and Public Holidays**

Contractual annual leave and public holiday entitlement will continue to accrue throughout your paternity leave.

The Procedure at a Glance



**Form SPL1: Application for Paternity Leave**

**APPLICATION FOR PATERNITY LEAVE  
FORM SPL1**

<b>Paternity Leave: Application</b>	
Name:	
Job Title:	
School/Department:	
<b>Section A: Your Dates for Leave &amp; Pay</b>	
The baby is due on:	
If the baby has been born, what is the baby's date of birth:	
I wish my paternity leave to start on (if known):  <i>Please note that this section of the form may be completed any time up to 4 weeks before you would like your leave to start.</i>	
Please indicate if you wish to take 1 or 2 weeks of leave on this date:	
<b>Section B: Declaration</b>	
I declare that: <ul style="list-style-type: none"> <li>• I confirm that I meet the qualifying criteria for Paternity Leave and Pay in accordance with the University's procedure. In particular, I confirm that I have the required relationship to the child, expect to have responsibility for the child's upbringing, and will take time off work to support the birth parent/primary adopter and care for the child.</li> </ul>	
Signed:	Date:

*Please give a copy of this form to your Line Manger & email a copy to [hra@uws.ac.uk](mailto:hra@uws.ac.uk)*