

PATERNITY/ PARTNER LEAVE AND PAY POLICY

1. INTRODUCTION

Paternity/ partner leave is available to allow employees time away from work following the birth (including surrogacy) or adoption of a child to enable them to provide care for the child and/or support their partner after a birth or adoption.

1.1 Purpose

This policy sets out the eligibility requirements and the rights and responsibilities of employees who wish to take paternity/ partner leave.

1.2 Scope

This policy applies to all University employees where the expected week of birth or date of adoption placement (or entry into Great Britain for adoptions from overseas), is after the 6 April 2024.

The right to paternity leave applies to biological fathers and the spouse/partner/civil partner of a woman who gives birth to a child for whom that individual intends to have a caring responsibility. The right to paternity leave also applies to adoptive parents and parents whose child has been born through surrogacy. This policy is applicable regardless of sex or gender.

Staff who are eligible to take paternity/ partner leave may also be eligible for Shared Parental Leave, however paternity/ partner leave must be taken before Shared Parental Leave.

2. POLICY

2.1 There are two schemes in operation:

- The Statutory Paternity Provisions, which are based on the relevant legislation. They are available to all employees subject to eligibility criteria.
- The University Occupational Paternity Scheme, which offers enhanced provisions in relation to pay during Ordinary Paternity Leave and is available to all employees with one year's service, or greater, by Expected Week of Childbirth (EWC), date of adoption placement or entry into Great Britain for adoptions from overseas.

2.1.1 Where employees are required to give any written information and/or notice to the University, this should be sent to the relevant HR Administration team. Employees should also ensure that their line manager is informed of their intention to take paternity leave and any subsequent changes to their leave dates.

2.2 Statutory Paternity Provisions

2.2.1 An employee who satisfies the statutory eligibility and notification criteria will be entitled to Ordinary Statutory Paternity Leave.

2.2.2 Whilst on Ordinary Statutory Paternity Leave, if the employee satisfies the eligibility and notification criteria, the employee may also be entitled to Ordinary Statutory Paternity Pay (OSPP) if average weekly earnings are at or above the Lower Earnings Limit for National Insurance.

2.2.3 Eligible employees can choose to take up to two weeks Ordinary Statutory Paternity Leave (pro-rata if part-time). Leave does not have to be taken in one single period but must be booked in blocks of at least one week. This means that leave can be taken as a single period of leave of either one week or two weeks, or two non-consecutive periods of leave of a week each.

The length of statutory paternity leave is unaffected by multiple births or if more than one child is placed under the same adoption arrangement.

2.2.4 Employees must give the University written notice of their intention to take Ordinary Statutory Paternity Leave. The Notification of Ordinary Paternity Leave and Pay form may be used for this purpose. This notice must be given by the end of the 15th week before the EWC and must include -

- the date of the EWC;
- declaration that they satisfy the conditions of the leave as outlined in 2.2.10;
- confirmation that the primary purpose of the leave is to care for the child.

2.2.5 In the case of an adopted child, the employee must give written notice of their intention to take Ordinary Statutory Paternity Leave no later than seven days after the date on which the notification of the match with the child was given by the adoption agency or date of entry into Great Britain for overseas adoptions and must include –

- the date on which the adopter was notified of having been matched with a child or received official notification in the case of an adoption from overseas;
- the date on which the child is expected to be placed with the adopter or enter Great Britain, or where the child has already been placed for adoption/ entered Great Britain, the date of that event;
- a declaration that they satisfy the conditions of the leave as outlined in 2.2.10; and
- confirmation that the primary purpose of the leave is to care for the child.

2.2.6 In addition to the notification of leave as outlined in 2.2.4 and 2.4.5, employees are required to give notice of their intention to commence leave 28 days prior to each period of leave, (this can be given at the same time as the notice of intention to take paternity leave). OSPP is only payable for the weeks in which the employee is on paternity leave.

2.2.7 Employees can change their mind about the start date of their paternity leave by giving 28 days advance written notice of the earlier of the new date or the original date of leave requested.

2.2.8 Ordinary Statutory Paternity Leave cannot commence before the date of the baby's birth or placement/date of entry into Great Britain of an adopted child and must be completed within the first 52 weeks of the actual date of birth, the date on which the child was placed for adoption with the adopter, or the date of the child's entry into Great Britain for adoptions from overseas. If the child is born early, Ordinary Statutory Paternity Leave must be completed within 52 weeks of the first day of the EWC.

2.2.9 Employees can choose their leave to commence:

- from the date of the child's birth or placement/entry into Great Britain in the case of adoption (whether this is earlier or later than expected); or
- from a chosen number of days or weeks after the date of the child's birth or placement/ entry into Great Britain (whether this is earlier or later than expected); or
- from a chosen date later than the first day of the week in which the baby is expected to be born or placed/ entered into Great Britain in the case of an adoption. If the child is not born or placed/entered into the UK on or before that date, the date must be varied by submitting a later date or selecting one of the other options.

2.2.10 Employees must satisfy all the following conditions in order to qualify for Ordinary Statutory Paternity Leave. They must:

- have or expect to have responsibility for the child's upbringing;
- be the biological father of the child, the spouse/civil partner or partner of the mother/birth parent, or an adoptive parent, or an intended parent by surrogacy, who is not taking adoption leave;
- have worked continuously with the University for at least 26 weeks at the end of the 15th week before the EWC or the end of the week in which the adoption match is formally notified; and
- submit a Notification of Ordinary Paternity Leave and Pay form as evidence that the eligibility conditions are met (the MATB1 or matching certificate must also be submitted) within the timeframes specified.

2.2.11 During paid Ordinary Statutory Paternity Leave employees are entitled to all normal terms and conditions of employment, with the exception of remuneration. Continuity of service continues to accrue throughout this period of paternity leave as does annual leave.

2.2.12 Pension rights and contributions shall be managed in accordance with the provisions of the relevant superannuation scheme in which the University participates, providing that these provisions do not conflict with any statutory requirements that may apply at the time.

2.2.13 For staff participating in Payflex+, no employee contributions will be deducted from pay and the University will maintain the same level of contributions and pension benefits for the paternity leave period. Further information on Payflex+ can be found on the University website.

2.3 Occupational Paternity Scheme (Ordinary Paternity Leave/Pay)

2.3.1 In addition to the statutory provisions relating to Ordinary Paternity Pay, employees with one year's service by the EWC, adoption placement or date of entry into Great Britain in the case of an overseas adoption, will be eligible for the provisions of the Occupational Paternity Scheme.

2.3.2 For the two weeks of Ordinary Paternity Leave employees will be entitled to receive their normal pay –i.e. the pay that would have been received under the contract of employment had the employee not been on Ordinary Paternity Leave.

2.3.3 Employees will make normal pension contributions, (i.e. the same percentage) based on the pay they receive during their Ordinary Paternity Leave. Where employees are members of one of the superannuation schemes in which the University participates, the University will undertake to pay both employer and employee contributions (excluding AVCs) in respect of the difference between any paternity pay received and the employee's normal pay for the entire Ordinary Paternity Leave period.

2.3.4 For staff participating in Payflex+, no employee contributions will be deducted from pay. The salary exchange under Payflex+ will continue for staff who are in receipt of sufficient occupational paternity pay but will cease for staff on Statutory Paternity Pay only. The University will maintain the same level of contributions and pension benefits for the paternity leave period. Further information on Payflex+ can be found on the University website.

3. Change in circumstances (bereavement or disrupted placement)

3.1 The loss of a child is devastating, and we sincerely hope that none of our staff will experience this. The University acknowledges that pregnancy loss at any stage, ending of adoption placement or bereavement can be extremely difficult. We

endeavour to support parents and carers affected in a compassionate manner and it is therefore important that entitlements in such unfortunate circumstances are easily accessible and digestible.

3.2 In the sad circumstances that a baby is stillborn after 24 weeks or the baby dies soon after birth, eligible members of staff remain entitled to take paternity leave, subject to the eligibility criteria. Whilst there is no entitlement to paternity leave following a pregnancy loss in the first 24 weeks, the University is aware that this can be an extremely difficult time and managers are encouraged to offer support through such a period.

3.3 In relation to adoption and in the unfortunate event that an adoptive parent is informed that the placement of a child will not go ahead, or it ends early and after official notification has been received by the University, the period of paternity leave may still apply.

3.4 Following a period of paternity/ parental leave individuals may also be entitled to a period of Parental Bereavement Leave. Further details can be found in the University Parental Bereavement Leave and Pay.

3.5 Individuals are encouraged to seek support via their line manager. Guidance on the application of the policy and/ or entitlement to leave can be obtained from the HR department.

4. ROLES AND RESPONSIBILITIES

4.1 Employee

- a) To ensure that appropriate and timely notification is given, and all relevant forms are completed/submitted.

4.2 Line Manager

- a) To provide support to members of their team who are taking paternity/partner leave.

4.3 Human Resources

- a) To provide further guidance on the application of this Policy when required.

5. RELATED POLICIES AND PROCEDURES

- a) Shared Paternity Leave and Pay Policy
- b) Maternity Leave and Pay Policy
- c) Adoption Leave and Pay Policy
- d) Parental Bereavement Leave and Pay Policy

6. REVIEW, APPROVAL & PUBLICATION

6.1 As a general principle, the Procedure will be reviewed by the HR Department, in consultation with recognised Trade Unions after three years or where operational and/or legislative requirements change. Any revisions will be approved in accordance with UEC and Council procedures, where applicable.

6.2 This Procedure is not contractual and is not intended to be incorporated into individual terms and conditions of employment. It may be subject to review, amendment or withdrawal.

6.3 This policy will be published on the University policy zone web page and will also be accessible via the Human Resources web pages.

6.4 Equality issues have been taken into account during the development of this policy and all protected characteristics have been considered as part of the Equality Analysis undertaken.

7. ANNEXES

Not applicable.

8. DOCUMENT CONTROL INFORMATION

Document Name	Paternity/ Partner Leave and Pay Policy
Owner	Chief People Officer, Human Resources
Version Number	1.1
Equality Analysis Form Submission Date	9 February 2023
Approval Date	19 April 2024
Approved By	Chief People Officer
Date of Commencement	8 March 2024
Date of Last Review	7 March 2024
Date for Next Review	March 2027
Related University Policy Documents	a) Shared Paternity Leave and Pay Policy b) Maternity Leave and Pay Policy c) Adoption Leave and Pay Policy d) Parental Bereavement Leave and Pay Policy
<i>For Office Use – Keywords for search function</i>	