



Policy on paternity/partner leave and pay

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1. Introduction

This policy sets out the paternity/partner provisions and rights for employees:

- whose partner is pregnant;
- who are adopting a child and have been notified of having been matched with a child;
- who are intended parents of a child born through a surrogacy arrangement, who will be subject to a Parental Order;
- who are prospective parents fostering a child under the 'Fostering for Adoption' scheme.

It incorporates the Paternity Leave and Pay provisions contained in the Employment Act 2002 and in the Paternity and Adoption Regulations 2014.

If the primary carer chooses to end their maternity, adoption or surrogacy leave early, both parents can share the remaining weeks leave and pay entitlement by opting in to Shared Parental Leave. Further information about our Shared Parental Leave policy can be found at <http://hr.leeds.ac.uk/spl>.

2. Purpose

The purpose of this policy is to enable biological fathers, adoptive parents, intended parents, partners and civil partners of the primary carer to take a period of paid leave prior or directly following the birth or adoption to give support to the primary carer following the birth/adoption.

3. Definition

Paternity/partner leave provides two weeks leave on full pay (which includes, where eligible, Statutory Paternity Pay (SPP¹)). Leave may be taken prior to the birth or adoption, at the time of the birth or adoption, or in the weeks following. Leave may be taken in a block or on separate days, subject to the agreement of the Head of School/Service (or nominee), but should be taken within 8 weeks of the birth or adoption.

¹ SPP is paid at the lower rate of Statutory Maternity/Adoption Pay or 90% of the fathers/partners average earnings, whichever is less. The current SPP rate can be obtained from the Payroll Office

4. Eligibility

To be eligible for paternity/partner leave you will have to meet the following criteria:

- be the father, adoptive parent, intended parent, civil partner or the partner of the primary carer;
- be taking the leave to support the primary carer or to care for the child;
- have completed 26 weeks continuous service with the University prior to the week before the birth or adoption.

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| Leave entitlement | You are entitled to 10 days paternity/partner leave (pro-rata for part-time employees). |
| When can leave be taken | Leave may be taken prior to the birth or adoption, at the time of the birth or adoption, or in the weeks following. In any event it should be taken within 8 weeks of the birth or adoption. Leave may be taken in a block or on separate days subject to the agreement of the Head of School/Service (or nominee). |
| Payment | You are entitled to 10 days full pay (pro-rata for part-time employees) – where eligible, SPP ² is subsumed within the full pay. |
| Notice requirements | To apply for paternity/partner leave you are required to notify your Faculty/Service HR Manager and Head of School/Service (or nominee) by the 15th week ³ before the expected week of childbirth, or 7 days after being notified of a match, stating approximately when the leave will be taken. |
| Applying for leave | You should complete an application for paternity/partner leave, available at http://hr.leeds.ac.uk/pat_leave . |
| Ante-natal appointments/adoption meetings ⁴ | You can take paid time off work to attend 2 ante-natal appointments or adoption meetings. You should provide your Head of School/Service (or nominee) with as much notice as possible and you may need to provide evidence of the appointment/meeting. |
| Pension contributions | Pension contributions will continue to be deducted as normal during leave. |
| Annual leave | You will continue to accrue annual leave during your absence. |
| Terms of employment during leave | All terms and conditions of service will continue to apply as though you had not been absent. |
| Salary deductions | Salary deductions relating to car parking, trade union subscriptions etc will continue to be deducted during absences. |
| Probation | Probationary periods will not be affected by absences due to paternity/partner leave. |

² Eligibility for SPP – average earnings must be equal to the lower earnings limit 8 weeks prior to the expected week of childbirth or the week of matching for adoption

³ Includes a surrogacy arrangement

⁴ There is no eligibility criteria to attend these appointments/meetings

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| Flexible working | There is no automatic right to return to work on a part time basis, but sympathetic consideration will be given. If you are considering changing your hours of work you are encouraged to discuss your plans with your Head of School/Service (or nominee) at the earliest opportunity. Requests for flexible working can be made in accordance with the University's Flexible Working Policy http://hr.leeds.ac.uk/flexible_working . |
| Employees not returning from paternity leave | If you decide not to return to work following paternity/partner leave you must give notice of resignation in accordance with your terms and conditions of employment. |
| Employees on fixed-term and open ended, fixed funded contracts | If you are employed on a fixed-term or open ended, fixed funded contract and this contract expires or the funding ceases during your paternity/partner leave period, your contract/funding will be extended until the end of your statutory paternity pay period. The extension will be solely in order to facilitate the continuing payment of your paternity/partner leave pay. As a result, you will be unable to return to work unless further funding is obtained to extend your contract/funding or you obtain another post with us. Consultation about the expiry of your fixed-term/fixed funded contract will be in accordance with the University's Procedure to Support the Employment Security of Staff on Fixed Funding or Fixed Term Contract which can currently be found at http://hr.leeds.ac.uk/FF-FTC_emp_security . |
| Parental Leave | If you qualify for unpaid parental leave, you may take some of this leave before or immediately after the end of your ordinary paternity/partner leave. The parental leave policy is available at http://hr.leeds.ac.uk/parental_leave . |
| Exceptional Circumstances | Where a miscarriage occurs earlier than the 25th week of pregnancy, you will not qualify for paternity/partner leave. Any period of absence from work would be dealt with as compassionate leave or under the normal sick pay arrangements. |
| Stillbirths and Miscarriages | In the event of a still birth from the 25th week of pregnancy onwards, you would be eligible for paternity/partner leave and pay in the normal way. |

5. Further information

Further information about this policy can be obtained from your Faculty/Service Human Resources Manager/Officer.

If you are considering taking Shared Parental Leave, you can find further information in our Shared Parental Leave policy currently available at <http://hr.leeds.ac.uk/spl> and from your Faculty/Service HR Manager.

If you require this document in an alternative format (for example Braille, large print or e-text) please contact Human Resources at hr@leeds.ac.uk.