

Paternity/Partner Leave Policy

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1. Policy

- 1.1 St Mary's University is committed to ensuring equality and diversity across the organisation. The aim of the University's Paternity/Partner Leave Policy is to set out the rights and entitlements of employees whose partner is having a baby or adopting a child.
- 1.2 The University Paternity/Partner Leave Policy incorporates statutory requirements in relation to paternity rights and offers a more generous provision in relation to Paternity/Partner Pay than that which is required by law.

2. Scope of the Procedure

- 2.1 This procedure applies to employees whose partners are expecting a baby or adopting a child on or after 7 April 2024.

3. Roles and Responsibilities

- 3.1 Employees have a responsibility to:
 - Discuss their plans for Paternity/Partner Leave with their line manager as early as possible;
 - Clarify the relevant procedures and their entitlement with the HR Department;
 - Provide the correct notification, as detailed in this policy, and provide any additional evidence if requested by the University.
- 3.2 Managers have a responsibility to:
 - encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible;
 - make arrangements to cover the employee's period of absence

4. Paternity/Partner Leave Entitlements

- 4.1 Eligible employees may take up to two weeks Paternity/Partner leave and may be entitled to two weeks of Paternity/Partner pay.
- 4.2 The leave can be taken as either two weeks together or two separate blocks of one week.
- 4.3 An employee can take Paternity/Partner Leave at any time during the first 52 weeks after the birth/adoption, by giving the required notice.
- 4.4 Employees must satisfy the following conditions in order to be eligible to qualify for Paternity/Partner leave:
 - have or expect to have responsibility for the child's upbringing
 - be the biological father of the child or the mother's/primary adopter's husband or partner (including same sex relationships)
 - have worked continuously for the University for 26 weeks ending with the 15th week before the baby is due, or the end of the week in which the child's adopter is notified of being matched with the child (UK adoption), or the date the child enters the UK (overseas adoptions).
- 4.5 During the Paternity/Partner Leave period the employee's contract of employment continues and all contractual rights are maintained except basic pay which is replaced during the Paternity/Partner Leave period by Paternity/Partner Pay.

5. Paternity/Partner Leave Notification

- 5.1 To take statutory Paternity/Partner Leave the employee must inform the University of the due date at least 15 weeks before the baby/child is expected. They should do this by completing the government [online form](#) and sending a copy to Human Resources.
- 5.2 An employee can take up to two weeks of Paternity/Partner leave, either as a block or two separate weeks. To take a period of Paternity/Partner Leave the employee must inform the University in writing 28 days before each period of leave.
- 5.3 The employee can give notice by email to their line manager and Human Resources or by completing the online form linked in section 5.1 and sharing this with their line manager and Human Resources.
- 5.4 The University will write to the employee confirming the date of Paternity/Partner leave and their pay entitlement.
- 5.5 Employees can change their mind about the date on which they want to commence Paternity/Partner Leave, providing they inform the University at least 28 days in advance, unless this is not reasonably practicable.

6. Paternity/Partner Leave – Pay Entitlement

- 6.1 To claim Paternity/Partner Leave pay the employee must inform the University at the same time as confirming the due date of their baby/child, 15 weeks before the expected due date, by completing the government [online form](#) and sending a copy to Human Resources.
- 6.2 The online form includes a declaration that the employee meets certain eligibility conditions and provides the information the University requires as part of the notification requirements.
- 6.3 Statutory Paternity Pay (SPP):
Employees who do not qualify for Occupational Paternity/Partner pay, but who have been employed by the University for a minimum of 26 weeks as at the 15th week before the expected week of birth, are entitled to SPP, provided that their earnings reach the lower earnings limit for National Insurance contributions. Further information on the National Insurance lower earnings limit is available on the government [website](#).
- 6.4 SSP is paid for up to two weeks, depending on the length of Paternity/Partner leave taken by the employee.
- 6.5 Employees who have average weekly earnings below the lower earnings limit for National Insurance purposes do not qualify for SPP. Additional financial support may be available and employees should visit the government [website](#) for further information.
- 6.6 Occupational Paternity/Partner pay:
Employees who have been employed by the University for a minimum of 52 weeks as of the 15th week before the expected week of birth/adoption are entitled to Occupational pay as follows:
 - 1 week at full pay (including Statutory Paternity/Partner Pay (SPP))
 - 1 week at flat rate SPP (or 90% of earnings if this is less than flat rate SPP)
- 6.7 In the event that an employee qualifies for Occupational Paternity/Partner pay, but not Statutory Paternity/Partner pay then the employee will be paid Occupational Paternity/Partner pay minus SPP.

7. Time off work for Antenatal Care / Adoption Appointments

7.1 Eligible employees have the right to unpaid time off for up to two pregnancy related or adoption appointments. To be entitled the employee must be the partner of someone who is pregnant or the 'secondary adopter'.

7.2 Employees must notify their line manager in writing advance of the appointment stating the date and time of the appointment and may be required to produce written evidence of appointments.

8. Stillbirth

8.1 In the unfortunate event of a stillbirth after 24 weeks of pregnancy, the employee will still be entitled to take Paternity/Partner leave and pay.

8.2 The University recognises that experiencing a stillbirth can be traumatic and would encourage employees to contact the University [Employee Assistance Programme](#) for advice, support and counselling.

Relevant Policies

[Family Friendly Hub](#)

[Shared Parental Leave](#)

[Flexible Working Policy](#)

[Adoption Leave](#)

[Maternity Policy](#)

[Parental Leave](#)

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