

## Paternity Leave Policy V3.1 0321AL

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Author & Title:	HR Manager
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Version history	
V1	Previous policy to 2008
V2	New policy September 2011 (new legislation)
V3	March 2015 internal review: minor change to link to Shared Parental Leave policy
v3.1	Minor changes to language.



## **Paternity Leave Policy for children born or adopted after 1<sup>st</sup> April 2015**

### **1. Objective**

Liverpool Hope University is committed to ensuring equality and diversity across the organisation and this policy should provide an opportunity for our staff to integrate the development of a career with family responsibilities. This policy sets out the paternity provisions to which employees are entitled. These provisions comply with the relevant legislation. The policy should be read in conjunction with the Shared Parental Leave Policy and other relevant family friendly policies. This policy does not form part of the contract of employment.

### **2. Introduction**

Following the birth or adoption, eligible employees can take up to two weeks' paid leave to care for the child and/or to support the mother/adopter in the form of Ordinary Paternity Leave.

As the paternity provisions are complex, individuals should clarify the relevant procedures as soon as possible with their HR Manager to ensure that they are followed.

### **3. Ordinary Paternity Leave Entitlements**

An employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is entitled to two weeks' ordinary paid paternity leave regardless of their length of service.

Employees who meet the eligibility criteria can choose to take either one week or two consecutive weeks' Ordinary Paternity Leave. Ordinary Paternity Leave must be taken in a single block and cannot be taken as odd days or as two separate weeks.

Ordinary paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take ordinary paternity leave where the other adoptive parent has elected to take adoption leave. A separate policy is available in respect of adoption leave.

To qualify for ordinary paternity leave, the individual must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother.

During Ordinary Paternity Leave, eligible employees will be paid by the University at their normal rate of pay. (This will include an element of Ordinary Statutory Paternity Pay (OSPP) where appropriate, which is effectively enhanced by the University to equal full pay).

Employees can take only one period of leave per pregnancy even if more than one baby is born as the result of the same pregnancy.

Ordinary paternity leave is granted in addition to an individual's normal annual holiday

entitlement. Ordinary paternity leave must be taken in a single block of one or two weeks within eight weeks of the birth or adoption of the child. If the child is born early, it must be taken from the time of the birth but within eight weeks of the expected date of childbirth. Ordinary paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

Employees who wish to take both ordinary paternity leave and shared parental leave (see below) must take their period of ordinary paternity leave first. An employee cannot take ordinary paternity leave if he/she has already taken a period of shared parental leave in relation to the same child.

### **3.1 Notification of ordinary paternity leave**

Where an individual wishes to request ordinary paternity leave in respect of a birth child, they must give their HR Manager 15 weeks' written notice of the date on which their partner's baby is due, the length of ordinary paternity leave they wish to take and the date on which they wish the leave to commence.

In the case of an adopted child, the individual must give written notice of their intention to take ordinary paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date the individual intends to start ordinary paternity leave, the length of the intended ordinary paternity leave period and the date on which the adopter was notified of having been matched with the child.

If an individual subsequently wishes to change the timing of the ordinary paternity leave, they must give 28 days' written notice of the new dates. The individual must also, if so requested, complete and sign a self-certificate declaring that they are entitled to ordinary paternity leave and ordinary statutory paternity pay.

### **4. Rights on and after return to work**

On resuming work after ordinary paternity leave, the individual is entitled to return to the same job as they occupied before commencing paternity leave on the same terms and conditions of employment as if they had not been absent.

### **5. Time off for antenatal care**

Employees have the right to take time off to accompany a pregnant woman with whom they are having a child at up to two antenatal appointments. This time off will be **unpaid**.

To be eligible to take this form of time off, the employee could be the husband or civil partner of the pregnant woman, or could be living with the pregnant woman in an enduring family relationship. In addition, the employee will be eligible for the time off if he is the biological father of the expected child. The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse. The organisation expects that normally no more than half a day is needed for an antenatal appointment.

The employee must produce documentation giving details of the appointment date and time and discuss their request with their line manager

The employee should endeavour to give his/her line manager as much notice as possible of when he/she needs the time off for the antenatal appointment and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

## 6. Time off to attend adoption appointments

From 5 April 2015, employees who are adopting a child are entitled to take time off to attend adoption appointments.

Where an employee is part of a couple jointly adopting a child, the couple can elect for one of them to take **paid** time off to attend up to five adoption appointments (under s.57ZJ of the Employment Rights Act 1996). The other can elect to take **unpaid** time off to attend up to two adoption appointments (under s.57ZL of the Employment Rights Act 1996). For clarity, The parent who plans to be in receipt of Statutory Adoption Pay is the parent with the right to five adoption appointments, the other parent with the right to two unpaid adoption appointments. You cannot get Paternity Pay and leave if you have taken paid time off to attend adoption appointments.

The purpose of the appointment is to enable the employee to have contact with the child (for example, to bond with him/her before the placement) or for any other purpose connected with the adoption (for example, to meet with the professionals involved in the care of the child).

The appointment must have been arranged by or at the request of the adoption agency. The time off must be taken before the date of the child's placement for adoption with the employee.

The University will ask the individual for proof of the date and time of the appointment and that the appointment has been arranged by or at the request of the adoption agency (for example, a letter or email from the adoption agency).

The University will ask the individual to sign a declaration confirming that he/she has elected to exercise his/her right under either s.57ZJ or s.57ZL of the Employment Rights Act 1996 to take time off to attend an adoption appointment. The University will ask for the declaration on the first occasion on which the individual asks for time off to attend an adoption appointment.

## 7. Shared parental leave

Shared parental leave is available in relation to babies due on or after 5 April 2015 (or, in the case of adoption leave, children placed for adoption on or after 5 April 2015). Shared parental leave enables mothers or adopters to commit to ending their maternity or adoption leave and pay at a future date, and to share the untaken balance of leave and statutory pay as shared parental leave and pay with their partner.

An employee can choose to take both ordinary paternity leave and shared parental leave, but the period of ordinary paternity leave must come first. An employee **cannot take ordinary paternity leave if he/she has already taken a period of shared parental leave in relation to the same child.**

Shared parental leave must be taken in blocks of at least one week. Individuals can request to take shared parental leave in one continuous block (in which case the University is required to accept the request as long as the individual meets the eligibility and notice requirements), or as a number of separate blocks of leave (in which case the individual needs the University's agreement).

To be able to take shared parental leave, an employee and his/her partner must meet various eligibility requirements and have complied with the relevant curtailment, notice and evidence requirements. This includes the mother curtailing her maternity leave, or adopter curtailing his/her adoption leave.

Employees can refer to the organisation's policy on shared parental leave ([please see this link](#)), where they will find full details of the eligibility requirements, as well as instructions as to how the mother's maternity leave can be curtailed. The organisation's policy on shared parental leave sets out the notice periods with which employees must comply and what evidence they must provide to the organisation. The policy also contains more details on employees' entitlement to statutory shared parental pay.

The mother/adopter and the partner should ensure that they are each liaising with their own employer when making requests for shared parental leave.