



Paternity/Partner leave and pay policy

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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 on the [HR website](#).

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 to 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.

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.

5. Entitlement

- Ten days paternity/partner leave on full pay (pro-rata for part-time employees).

¹ SPP is paid at the lower rate of Statutory Maternity/Adoption Pay or 90% of the father's/partner's average earning, whichever is less. The current SPP rate can be obtained from Payroll.

Where eligible, SPP² is subsumed within the full pay.

- 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).

6. Applying for leave

To apply for paternity/partner leave you are required to notify your local HR Manager and Head of School/Service (or nominee) by the 15th week³ before the expected week of childbirth, or seven days after being notified of a match, stating approximately when the leave will be taken.

You should complete an application for paternity/partner leave, available on the [HR website](#).

7. Ante-natal appointments/ adoption meetings

You can take paid time off work to attend two ante-natal appointments⁴ 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.

8. Pension contributions

Pension contributions will continue to be deducted as normal during leave.

9. Annual leave

You will continue to accrue annual leave during your absence.

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.

10. Terms of employment during leave

All terms and conditions of service will continue to apply as though you had not been absent.

11. Salary deductions

Salary deductions relating to car parking, trade union subscriptions etc will continue to be deducted during absences.

12. Probation

Probationary periods will not be affected by absences due to paternity/partner leave.

13. 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](#).

14. 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.

15. Employees on fixed-term contracts

If you are employed on a fixed-term contract that is due to expire during your paternity/partner leave period, your contract will be extended until the end of your statutory paternity pay period. The extension will be to facilitate the continuing payment of your paternity/partner leave pay.

During your paternity/partner leave we will continue to support you in seeking a suitable alternative role. You will be provided with access to the redeployment register and will continue to be considered as part of workforce planning. You will be unable to return to work unless your current role is extended, or you obtain another

post with us. We will continue to consult with you about the expiry of your fixed-term contract.

16. Baby loss

We understand that when an individual experiences pregnancy loss it can be extremely distressing, for both partners, regardless of when the pregnancy loss occurs. We recognise that it can affect everyone differently and we would encourage those affected to speak with their line manager or let their local HR Manager know as soon as possible. This will enable us to identify the right support for them and to discuss the type of leave that may be beneficial at this time.

If pregnancy loss happens from 24 weeks onwards (termed a stillbirth), the father/partner may be eligible for paternity/partner leave and pay in line with the University's policy on paternity/partner leave. In addition, they may wish to take leave in accordance with the University compassionate leave policy and may also be eligible for statutory parental bereavement leave and pay. If not physically and/or mentally fit for work, leave may also be dealt with under the University sickness absence policy.

If pregnancy loss happens during the first 23 weeks and 6 days of pregnancy (termed a miscarriage), the father/partner will not be eligible for paternity/partner leave or pay, nor eligible for statutory parental bereavement leave and pay. However, the University offers leave under the compassionate leave policy and if not physically and/or mentally fit for work, the University sickness absence policy will apply.

Regardless of stage of pregnancy reached, if a baby dies at any point within the first 28 days of life (termed a neonatal death) the father/partner has the same entitlements as if this had been a stillbirth.

Additional support is available internally through the:

- University's free and confidential counselling Service [Staff Counselling and Psychological Support](#)

- Employee Assistance Programme (EAP) Employee Assistance Programme which is a free, confidential service that compliments the University's Staff Counselling and Psychological Support team. EAP offers a wide range of health and wellbeing support to staff and their immediate family.
- University Chaplaincy University Chaplaincy, regardless of faith or no faith.
- Information about other support available can be found at Wellbeing, Safety and Health.

There are numerous external sources of help and support, for example, charities and other specialist support groups such as:

- Tommy's, a charity that carries out research and supports those who have lost babies.
- Petals, a baby loss counselling charity.
- Sands, a charity that carries out research and supports those affected by the death of a baby.
- Miscarriage Association for miscarriage support and advice.
- Child Bereavement UK,

The local HR Manager can provide further information on all of the above and we will be guided by the individual in respect of how they wish their colleagues to be kept up to date during this time.

17. Further information

Further information about this policy can be obtained from your local Human Resources Manager.

If you are considering taking Shared Parental Leave, you can find further information in our Shared Parental Leave policy currently available on the HR Website and from your local HR Manager.

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 on the [HR Website](#).

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.