# PATERNITY LEAVE POLICY AND PROCEDURE

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<th>For use in</th>
<th>All Schools/Departments/Colleges of the University</th>
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<td>Dates of Trade Union</td>
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<td>30 September 2016</td>
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<td>Contact - Comments</td>
<td>Helen Reynolds/Annette Crosthwaite</td>
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Paternity Leave Policy and Procedure

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1 Introduction

1.1 The University is committed to promoting equality and diversity by providing a supportive environment for staff who wish to integrate their working life, including the development of a career, with family responsibilities.

1.2 The Paternity Leave Policy and Procedure outline Paternity Leave and Pay entitlements for eligible staff, including those in same-sex relationships.

1.3 This Policy and Procedure is a reference guide for line managers and staff. It sets out information on paternity leave matters, including the roles and responsibilities of those who operate the Paternity Leave Procedure in the University (see Appendix 1).

1.4 Line managers and staff are encouraged to contact HR for advice on the Paternity Leave Policy and Procedure where they have specific questions.

1.5 The Paternity Leave Policy and Procedure is not contractual, and does not form part of the terms and conditions of employment. However, where the University wishes to amend the Paternity Leave Policy and Procedure, staff will be consulted on changes via the recognised Trade Unions.

2 PATERNITY LEAVE POLICY

2.1 Aims

The aims of the Paternity Leave Policy are:

2.1.1 To provide line managers and staff with an overview of the entitlements and framework for Paternity Leave and Pay.

2.1.2 To ensure that, as far as possible, paternity provision is administered efficiently for the benefit of staff and the University.

2.1.3 To promote equality of opportunity on the basis of gender, in line with the University’s Public Equality Duties.

2.2 Scope

The Paternity Leave Policy and Procedure applies to University employees who have a statutory right to Paternity Leave and Pay, including those in same-sex relationships.
2.3 Principles

2.3.1 The University will operate the Paternity Leave Policy and Procedure consistently, in line with the prevailing legal requirements.

2.3.2 The University will only operate the paternity pay schemes for which it has direct responsibility; others will be operated by the appropriate government agency.

2.3.3 The University will comply with the statutory principle that a member of staff will suffer no detriment as a consequence of requesting or taking paternity leave.

2.3.4 HR will support line managers in paternity leave matters and in resultant resourcing issues, on request. Staff are welcome to contact HR if they have any queries regarding the Paternity Leave Policy and Procedure.

2.3.5 A member of staff who earns less than the Lower Earnings Limit (see http://www.hmrc.gov.uk/paye/rates-thresholds.htm for prevailing statutory rates) and who does not, therefore, qualify for Statutory Paternity Pay, may be entitled to other benefits via the appropriate government agency. Members of staff are advised to contact their local Jobcentre Plus to discuss this.
3  PATERNITY LEAVE PROCEDURE

3.1  Definitions

Specific terminology, which is taken from legislation, is used in this procedure. A full list of common terms and definitions can be found in Appendix 2.

3.2  Paternity Leave and Pay: Overview

3.2.1  An eligible member of staff may take either one or two consecutive weeks of Paternity Leave after the birth or adoption of their child.

3.2.2  The University operates an ‘enhanced’ Paternity Pay scheme.

3.2.3  To qualify for Paternity Leave and Pay, a member of staff must comply with all of the Notification Requirements set out in Section 3.3 below.

3.2.4  Eligibility for Paternity Pay depends on a number of factors including length of service and earnings – see Section 3.3 below.

3.2.5  Paternity Pay will not exceed full pay.

3.2.6  For the purposes of Statutory Paternity Pay, a member of staff’s Average Weekly Earnings will be calculated in line with the prevailing statutory levels – see http://www.hmrc.gov.uk/paye/rates-thresholds.htm for current tax year rates. Any adjustment to pay that would normally arise (e.g. a pay review) will be included.

3.2.7  A member of staff who earns less than the Lower Earnings Limit (see http://www.hmrc.gov.uk/paye/rates-thresholds.htm for prevailing statutory rates) and who does not, therefore, qualify for Statutory Paternity Pay, may be entitled to other benefits via the appropriate government agency. Members of staff are advised to contact their local Jobcentre Plus to discuss this.

3.2.8  Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year following birth or adoption. The purpose of Shared Parental Leave is to give parents more flexibility in considering how to best care for, and bond with, their child.
Eligible members of staff may be entitled to take up to 50 weeks of Shared Parental Leave during the first year following the birth or adoption of a child. The number of weeks available as Shared Parental Leave is calculated using the mother or adopter’s entitlement to Maternity/Adoption Leave, which allows them to take up to 52 weeks’ leave. The mother/adopter must take a minimum of two weeks’ Maternity or Adoption Leave. If she reduces her Maternity Leave entitlement, she and/or her partner may opt into the Shared Parental Leave system and take any remaining weeks as Shared Parental Leave.

Please see the University’s Shared Parental Leave Policy and Procedure for further details.

3.2.9 Members of staff who wish to take both Paternity Leave and Shared Parental Leave must take their period of Paternity Leave first. A member of staff cannot take Paternity Leave if he/she has already taken a period of Shared Parental Leave in relation to the same child.

3.3 Eligibility and Notification Requirements

3.3.1 Birth of a Child

(a) Eligibility for Paternity Leave

A member of staff is eligible for Paternity Leave on the birth of a baby where he/she:

- Has, or expects to have, responsibility for the baby's upbringing, and;
- Is the biological father of the baby and/or is the mother’s husband or partner (including same-sex partner or civil partner) and has, or expects to have, the main responsibility for child’s upbringing (other than the mother). A partner is someone who lives with the mother of the baby in an enduring family relationship, but is not an immediate relative.

In addition, he/she must:

- Have at least 26 weeks' continuous employment with the University ending the 15th week before the Expected Week of Childbirth (the qualifying week);
- Have been working for the University from the qualifying week up to the date of birth. Where their contract ends before the birth,
they do not qualify for Paternity Leave. Where their contract ends after the birth, they retain their right to Paternity Leave (and pay if they qualify);

- Have notified the University, in accordance with this procedure, of their intention to take Paternity Leave;
- Be taking the time off to support the mother in caring for the child and/or to care for the baby. Paternity Leave cannot be taken for any other purpose.

A member of staff is treated as having the necessary length of service if the baby is born earlier than the 14th week before the Expected Week of Childbirth and, if the birth hadn't occurred early, the member of staff would have been employed continuously by the University for 26 weeks.

Paternity Leave may be taken either as one or two whole weeks, within 56 days of the date of birth of the child, except where the child is born before the Expected Week of Childbirth, in which case the 56-day period is extended by the number of days between the birth and the first day of the Expected Week of Childbirth. The two-week period must be two consecutive weeks.

A member of staff may start their Paternity Leave either:

- On the actual date of the baby’s birth (whether earlier or later than expected), or
- On a date, to be notified to the University by the member of staff, falling a specified number of days after the actual birth date (whether earlier or later than expected), or
- On a date, to be notified to the University by the member of staff, falling after the first day of the Expected Week of Childbirth.

Please note that Paternity Leave cannot start before the baby is born.

Where the baby is born later than the Paternity Leave start date notified to the University, the leave must be delayed until the date of the actual birth.

Where a member of staff has confirmed a start date for Paternity Leave, and later wishes to change it, he/she must notify the University as soon as is reasonably practical, and no later than 28 days before the revised start date.
(b) **Eligibility for Paternity Pay (Birth of a Child)**

Statutory Paternity Pay (SPP) is payable for one or two weeks, as requested by the member of staff.

The University pays an enhanced rate of one week at full pay; any second week of Paternity Leave is payable at the SPP level prevailing in the relevant tax year.

A member of staff is eligible for SPP where they have:

- Met the eligibility criteria for Paternity Leave;
- At least 26 weeks' continuous service with the University by the end of the 15th week before the Expected Week of Childbirth;
- Average Weekly Earnings at, or above, the Lower Earnings Limit for National Insurance contributions;
- Declared their eligibility for SPP by giving the University the required notification at least 28 days before they want their SPP to start (or as soon as reasonably practical).

(c) **Notification Requirements (Birth of a Child)**

To give notification of Paternity Leave and Pay for the birth of a child, a member of staff must submit a completed Form for Paternity Leave to HR (see Appendix 3), giving a minimum of 15 weeks' written notice of the date on which the baby is due.

HR will confirm, in writing, receipt of the Form for Paternity Leave and the staff member’s Paternity Leave and Pay entitlement.

3.3.2 **Adoption of a Child from within the UK**

(a) **Eligibility for Paternity Leave**

A member of staff is eligible for Paternity Leave when adopting a child from within the UK where he/she:

- Is one of two parents jointly adopting a child, or the partner of someone adopting a child individually;
- Has, or expects to have, responsibility for the child's upbringing with the other joint adoptive parent or the individual adopter;
- Is not taking Statutory Adoption Leave and Pay;
• Has been continuously employed by the University for at least 26 weeks, ending with the week in which they are notified of having been matched with the child - the qualifying week. The qualifying week starts on a Sunday and ends on a Saturday;
• Continues to work for the University from the qualifying week to the date of the child's placement;
• Notified the University when they want to take Paternity Leave no more than seven days, or as soon as reasonably practicable, after the adopter is notified that they have been matched with a child;
• Will be taking time off to support the adopter and/or to care for the child.

Paternity Leave may only be taken to support the adopter and/or to care for the child. Paternity Leave cannot be taken for any other purpose.

Paternity Leave may be taken either as one or two whole weeks within 56 days of the date of the adoption of the child. The two-week period must be two consecutive weeks.

An eligible member of staff may choose to begin Paternity Leave either:
• On the date on which the child is placed with the adopter, even if this is earlier or later than the expected date of placement (if the member of staff is at work on that date, their leave begins on the day after);
• On a predetermined date after the expected date of placement;
• On a date falling a specified number of days after the expected date of placement.

Where the date of placement changes, the staff member’s chosen start date could fall before the date of placement, or even after the 56-day limit, and the end date of Paternity Leave could fall after the 56-day limit. In these circumstances, the member of staff should discuss the situation with the University as soon as possible, and give the appropriate notice to change the start date.

Where a member of staff has confirmed a start date for Paternity Leave and later wishes to change it, he/she must notify the
University as soon as is reasonably practical, and no later than 28 days before the revised start date.

(b) Eligibility for Paternity Pay (UK Adoption)

A member of staff is eligible for Statutory Paternity Pay (SPP) when adopting a child from within the UK where he/she has:

- At least 26 weeks’ continuous service with the University by the 'matching week' – this is the week (beginning on Sunday and ending on Saturday) in which the adopter is notified of having been matched with the child;
- Continued to work for the University from the matching week to the date of the child's placement;
- Average Weekly Earnings at or above the Lower Earnings Limit for National Insurance contributions that applies at the end of the matching week;
- Declared their eligibility for SPP by giving the University the required notification at least 28 days before they want their SPP to start.

Statutory Paternity Pay (SPP) is payable for one or two weeks, as requested by the member of staff. The University pays an enhanced rate of one week at full pay; any second week of Paternity Leave is payable at the SPP level prevailing in the tax year.

(c) Notification Requirements (UK Adoption)

To give notification of Paternity Leave and Pay when adopting a child from within the UK, a member of staff must submit a completed Form for Paternity Leave and Pay to HR (see Appendix 3).

HR will confirm, in writing, receipt of the Form for Paternity Leave and the staff member’s Paternity Leave and Pay entitlement.

3.3.3 Adoption of a Child from Overseas

(a) Eligibility for Paternity Leave

A member of staff is eligible for Paternity Leave when adopting a child from overseas where he/she:
• Is either one of two parents jointly adopting a child, or the partner of someone adopting a child individually;
• Has, or expects to have, responsibility for the child's upbringing with the other or main adopter;
• Is not taking Statutory Adoption Leave and Pay;
• Has worked for the University continuously for at least 26 weeks into the week that the adopter receives official notification, or by the time they want his/her Paternity Leave to begin, whichever is later;
• Has given the correct notification;
• Continues to work for the University up until the point the child enters Great Britain.

Paternity Leave may only be taken to support the adopter and/or to care for the child. Paternity Leave cannot be taken for any other purpose.

Paternity Leave may be taken either as one or two whole weeks within 56 days of the date of the adoption of the child. The two-week period must be two consecutive weeks.

An eligible member of staff may choose to begin Paternity Leave either:
• On the date on which the child is placed with the adopter, even if this is earlier or later than the expected date of placement (if the member of staff is at work on that date, their leave begins on the day after);
• On a predetermined date after the expected date of placement;
• On a date falling a specified number of days after the expected date of placement.

Where the date of placement changes, the staff member’s chosen start date could fall before the date of placement or even after the 56-day limit, and the end date of Paternity Leave could fall after the 56-day limit. In these circumstances, the member of staff should discuss the situation with the University as soon as possible, and give the appropriate notice to change the start date.

Where a member of staff has confirmed a start date for Paternity Leave and later wishes to change it, he/she must notify the
University as soon as is reasonably practical, and no later than 28 days before the revised start date.

(b) Eligibility for Paternity Pay (Overseas Adoption)

A member of staff is eligible for Statutory Paternity Pay when adopting a child from overseas provided that:

- Official notification relating to the adoption has been received;
- The member of staff has worked for the University continuously for at least 26 weeks by the later of the week that official notification is received or the time they want payment of SPP to begin;
- He/she continues to work for the University up until the point the child enters the UK;
- He/she has declared their eligibility for SPP by giving the University the required notification at least 28 days before they want their SPP to start (or as soon as is reasonably practicable);
- He/she has Average Weekly Earnings at, or above, the Lower Earnings Limit for National Insurance contributions that applies at the later of either the end of the week in which official notification is received, or the end of the week in which they complete 26 weeks’ service.

SPP is payable for one or two weeks, as requested by the member of staff. The University pays an enhanced rate of one week at full pay; any second week of Paternity Leave is payable at the SPP level prevailing in the tax year.

(c) Notification requirements (Overseas Adoption)

To give notification of Paternity Leave and Pay for an overseas adoption, a member of staff must submit a completed Form for Paternity Leave and Pay to HR (see Appendix 3).

HR will confirm, in writing, receipt of a Form for Paternity Leave, and the staff member’s Paternity Leave and Pay entitlement.
3.4 Time Off for Antenatal Appointments

3.4.1 A member of staff who is the prospective father, or the spouse, civil partner or partner of a pregnant woman, can take unpaid time off to attend up to two antenatal appointments. This right applies regardless of length of service with the University.

3.4.2 It is expected that, normally, no more than half a day will be needed for an antenatal appointment. Members of staff can take a maximum of six-and-a-half hours’ leave for each appointment; this includes the time needed to travel to the appointment, and any waiting time needed at the appointment.

3.4.3 Where a member of staff wishes to take time off to accompany a pregnant woman to an antenatal appointment, he/she should contact their line manager, providing as much notice as possible of the appointment.

3.4.4 Staff who wish to take time off to accompany a pregnant woman to an antenatal appointment may be required to submit a signed declaration, confirming:

• that he or she:
  o is the expectant mother’s spouse, civil partner or partner, or
  o the child’s father;
• that the purpose of the time off is to accompany the expectant mother to an antenatal appointment;
• that the appointment in question is made on the advice of a registered medical practitioner, registered midwife or registered nurse; and
• the date and time of the appointment.

3.5 Pensions and Benefits

3.5.1 Employer and staff pension contributions continue during Paternity Leave, as long as contractual pay or SPP is payable.

3.5.2 During Paternity Leave, members of staff’s contributions will be calculated as a percentage of paternity pay (i.e. actual pay). However, employer contributions will be calculated on the member of staff’s normal rate of pay. The University will also pay the shortfall in staff members’ contributions (i.e. the difference between the member of staff’s contribution based on paternity pay and the member of staff’s normal contribution based on their normal rate of pay) so that full member of staff’s contributions are made during the paid period of Paternity Leave.
3.5.3 Any unpaid Paternity Leave, which follows a period of paid Paternity Leave, does not count as pensionable service. However, employment during Paternity Leave will be treated as continuous.

3.5.4 A member of staff has the right to full contractual benefits (other than pay) during Paternity Leave.

3.5.5 The University will not deduct money from pay to cover the cost of providing non-pay benefits to a member of staff on Paternity Leave.

3.5.6 A member of staff on Paternity Leave is entitled to receive his/her normal annual increment, in line with his/her contract of employment.

3.5.7 Staff are advised to contact the Pensions Office directly for further information on Pensions and Benefits.

3.6 Annual Leave

3.6.1 A member of staff will suffer no detriment to the accrual of annual leave during Paternity Leave.

3.6.2 A member of staff will accrue his/her contractual annual leave entitlement during Paternity Leave.

3.6.3 Any request for annual leave will require agreement, in advance, from a line manager.

3.6.4 In line with legislation, a member of staff cannot take annual leave during Paternity Leave.

3.7 Sickness

A member of staff is not entitled to sick pay during Paternity Leave.

3.8 Returning to Work after Paternity Leave

3.8.1 A member of staff returning to work after Paternity Leave will return to the same job on the same terms and conditions, wherever possible. Where terms and conditions are proposed to be changed during Paternity Leave (e.g. as the result of a collective agreement or structural changes), full consultation and agreement will take place.
3.8.2 Where a member of staff returns to work after a period of Paternity Leave and Parental Leave which together exceed four weeks’ leave, it may not be possible for him/her to return to the same job. However, the University will offer him/her suitable alternative work (if available), on terms and conditions that are no less favourable.

3.8.3 A member of staff may ask to return to work after Paternity Leave on a flexible basis. His/her line manager should treat the request seriously and sympathetically. The line manager must consider each request on its merits, and balance it against operational needs and requirements. See the Flexible Working Policy and Procedure for further details.

3.9 Fixed Term Contracts and Paternity Leave

3.9.1 A member of staff employed on a Fixed-Term Contract is protected in the same way as a member of staff employed on an open-ended contract.

3.9.2 A line manager should carefully consider their actions to ensure that a member of staff does not suffer a detriment as a consequence of requesting or taking paternity leave.

3.10 Ending a Fixed-Term Contract during Paternity Leave

3.10.1 Where a Fixed-Term Contract is due to expire during Paternity Leave, the line manager will consider whether the contract may be extended beyond the original expiry date.

3.10.2 A line manager is advised to extend a Fixed-Term Contract that is due to expire during Paternity leave where:
- The contract would have been extended had the Paternity Leave not occurred;
- Funding for the post is likely to continue past the end date of Paternity Leave;
- It would be financially and operationally possible to defer the work being done by the member of staff until after he/she returns from Paternity Leave.

3.10.3 Where a Fixed-Term Contract is extended past the end date of Paternity Leave, the additional cost will only be met from central funds if no other source of funding is available (e.g. from an external funding body or departmental funds).
3.10.4 Where a Fixed-Term Contract is due to end during Paternity Leave, and it is not possible to extend the contract, a line manager is advised to contact HR for advice. The line manager (in consultation with HR) will consider and discuss with the member of staff the following options (in order):

- To discuss suitable alternative post(s) at a commensurate level (where available);
- To add him/her to the University’s Redeployment register during Paternity Leave;
- To confirm dismissal by reason of redundancy (with a redundancy payment for a member of staff with two or more years of service) if no suitable vacancy has become available by the end of Paternity Leave.

3.11 Useful Resources

Members of staff who are eligible for Paternity Pay and/or Leave may find it useful to familiarise themselves with the information and guidelines provided by the government. These can be found on www.direct.gov.uk, or you can call 0800 055 6688 (8.00 am to 6.00 pm, Monday to Friday) and at www.acas.org.uk. In addition, information on statutory rates of pay which are reviewed each year can be found at http://www.hmrc.gov.uk/paye/rates-thresholds.htm#3.

Line managers and staff are encouraged to discuss any questions about the Paternity Leave Policy or Procedure with a member of HR.
APPENDIX 1

Roles and Responsibilities

1  Line Manager

The line manager is responsible for:

1.1  Ensuring that they understand and adhere to the University’s Paternity Policy and Procedure, in particular ensuring that a member of staff is not disadvantaged as a result of paternity.

1.2  Requesting advice from HR as early as possible (or at any point), if they are unsure about any aspect of the Paternity Procedure.

1.3  Ensuring that paternity issues are dealt with in a fair, sensitive and consistent manner whilst maintaining confidentiality.

2  Member of Staff

The member of staff is responsible for:

2.1  Notifying his/her line manager and HR of his/her intended start date of Paternity Leave, using the relevant form.

2.2  Where applicable, submitting a written statement confirming his/her return to work with the University after Paternity Leave.

2.3  Submitting the relevant notification forms to HR at the earliest opportunity.

2.4  Ensuring that he/she understands and follows the University’s Paternity Policy and Procedure.

2.5  Asking questions of either his/her line manager or HR if he/she is unsure about any aspect of the Paternity Policy or Procedure.

3  Division of Human Resources

The Division of Human Resources is responsible for:
3.1 Providing advice and guidance to line managers on the Paternity Policy and Procedure, including resource issues, on request.

3.2 Explaining the Paternity Policy and Procedure to members of staff, on request.

3.3 Processing Paternity Leave forms and forwarding to the Payroll Office, once the necessary checks have been completed.

3.4 Writing and issuing standard paternity letters to members of staff and external agencies, where required.

3.5 Writing and issuing customised letters to members of staff, e.g. in the case of the death of the mother or co-adopter, ensuring that the matter is dealt with in a sensitive and fair manner.

3.6 Supporting and advising line managers on all contractual issues relating to a member of staff who is on paternity leave, including the ending of a fixed-term contract, in line with the Paternity Policy and Procedure.

4 Payroll Office

The Payroll Office is responsible for:

4.1 Applying the principle of ‘no detriment’ when administering Paternity Pay.

4.2 Processing the required forms and paying Paternity Pay, in line with the University’s Paternity Procedure and the prevailing legislative requirements.

4.3 Providing accurate calculations of paternity pay on a timely basis, when requested by HR or a member of staff.

4.4 Ensuring that calculations and payment of annual leave are based on a staff member’s contractual entitlement, and ensuring that accrual of annual leave occurs throughout any unpaid period of Paternity Leave.

4.5 Ensuring that any annual increment due during Paternity Leave is paid and that any annual increment during Paternity Leave is taken into account for the purposes of calculating Paternity Pay.
4.6 Ensuring that staff receive their full contractual benefits throughout Paternity Leave and that no money is deducted from pay to cover the cost of providing non-pay benefits.

5 Pensions Office

The Pensions Office is responsible for:

5.1 Applying the principle of ‘no detriment; for pension plan members when they are on Paternity Leave.

5.2 Providing advice to line managers and staff on pension issues, on request.

5.3 Ensuring that any paid Paternity Leave is treated as pensionable service.

5.4 Ensuring that Paternity Leave (paid and unpaid) counts as continuous service in respect of pensions and benefits.

5.5 Ensuring that employer pension contributions continue during Paternity Leave, as long as contractual pay or Paternity Pay is payable.

5.6 Ensuring the correct level of employer and staff pension contributions are paid throughout Paternity Leave.

5.7 Ensuring that staff receive their full contractual benefits throughout Paternity Leave, and that no money will be deducted from pay to cover the cost of providing non-pay benefits.

5.8 Ensuring that any annual increment during Paternity Leave is taken into account for the purposes of calculating pension contributions and benefits.
## APPENDIX 2

### Terminology and Definitions

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<tr>
<td>Average Weekly Earnings (AWE)</td>
<td>For the purposes of Statutory Paternity Pay (Ordinary and Additional), AWE will be calculated in line with the prevailing statutory levels.</td>
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<tr>
<td>Expected Week of Childbirth (EWC)</td>
<td>The week beginning at midnight between Saturday and Sunday in which the baby is expected to be born.</td>
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<tr>
<td>Lower Earnings Limit (LEL)</td>
<td>The amount of AWE set by the government each year, which allow a member of staff earning this amount or less to qualify for certain state benefits.</td>
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<tr>
<td>Matching Week (MW)</td>
<td>The week in which a person is notified of having been matched with a child for adoption. The week starts on a Sunday and ends on a Saturday.</td>
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<td>Maternity Allowance (MA)</td>
<td>The state benefit women who are not eligible for SMP can apply for via the Jobcentre Plus. It is payable for up to 39 weeks. The rate is set each year by the government (see Appendix 3).</td>
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<td>Maternity Certificate (MATB1)</td>
<td>The form issued by the GP or midwife to confirm the pregnant woman’s Expected Week of Childbirth, normally issued after the 20th week of pregnancy.</td>
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<td>Paternity Leave (PL)</td>
<td>The period of either one or two consecutive weeks’ leave to be taken within 56 days of the birth or adoption of the child.</td>
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<td>Qualifying Week (QW)</td>
<td>The qualifying week is the 15th week before the Expected EWC or the MW. This period may vary depending on how often a member of staff is paid (monthly, weekly, etc).</td>
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<td>Shared Parental Leave (SPL)</td>
<td>A type of leave which enables eligible parents to choose how to share the care of their child during the first year following birth or adoption. Eligible parents can take a maximum of 50 weeks of Shared Parental Leave between them.</td>
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<tr>
<td>Statutory Adoption Leave (SAL)</td>
<td>The period of up to 52 weeks leave following the adoption of a child, made up of 26 weeks Ordinary Adoption Leave and 26 weeks Additional Adoption Leave.</td>
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<td>Statutory Maternity Leave (SML)</td>
<td>The 52 weeks of leave to which an eligible member of staff is entitled.</td>
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<tr>
<td>Statutory Maternity Pay (SMP)</td>
<td>The 39 weeks of pay to which a qualifying pregnant member of staff is entitled, the rate for which is set each year by the government.</td>
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<tr>
<td>Statutory Paternity Pay (SPP)</td>
<td>Payment made during the period of one or two weeks’ leave taken immediately following the birth or adoption of a child.</td>
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APPENDIX 3

University of Leicester
Form for Paternity Leave and Pay
To be submitted no later than 15 weeks before the Expected Week of Childbirth or within 7 days of having been notified that you have been matched with a child for adoption

HR is happy to provide advice on the Paternity Policy & Procedure.
You may find it helpful to contact HR (Tel: 0116 252 2439) before completing this form

Name: ___________________________ Dept: ___________________________

To HR:
Please accept this Form as notification of Paternity Leave (and pay if eligible).

This relates to a Birth / Adoption* (delete whichever is not applicable)

My baby is due on (if relating to a Birth):

I was notified of having been matched with a child for adoption on:

I intend to start Paternity Leave on (normally a Monday):
(Please note that your Paternity Leave cannot start before the baby is born)

I intend to take one week’s / two weeks’ Paternity Leave* (delete whichever does not apply)

Having read Section 3.3 of the Paternity Leave Procedure, I declare my eligibility for Paternity Leave and Pay.

Staff Signature: ___________________________ Date: ___________________________

LINE MANAGER CONFIRMATION

I confirm that the Head of Department is aware of the above notification of Paternity Leave.

Line Manager ___________________________ Dept ___________________________

Line Manager ___________________________ Date ___________________________

Please return the completed form to HR
APPENDIX 4
Paternity Leave and Pay Entitlement Flowchart

You wish to take paternity leave

Are you taking paternity leave due to the birth of a child or the adoption of a child?

Birth of a child

Are you:
- the biological father of the child; or
- a member of staff who, although not the biological father of the child, is married to the child's mother, or is her unmarried, cohabiting partner; or
- the cohabiting same-sex partner of the child's mother, whether or not they have registered a civil partnership.

Yes

No

You are not eligible to take paternity leave

Will you have 26 weeks continuous service with the University at the end of the 15th week before the week in which the child is expected to be born?

No

Yes

You are not eligible for paternity leave and pay. You may wish to talk to your line manager about requesting to take a period of annual leave when your child arrives.

Adoption of a child

Are you:
- a member of staff who is married to, or the civil partner of, the child's adopter; or the cohabiting partner of the child's adopter (including same-sex partners).

Yes

You are not eligible to take paternity leave.

You may wish to talk to your line manager about requesting to take a period of annual leave when your child arrives.

No

Adoption of a child - UK

Will you have 26 weeks continuous service with the University at the end of the week in which the adoption agency formally notifies you that you have been matched with the child?

No

Yes

You are not eligible for paternity leave and pay. You may wish to talk to your line manager about requesting to take a period of annual leave when your child arrives.

Adoption of a child - overseas

Will you have 26 weeks continuous service with the University at the end of the week in which you received the official adoption notification from the relevant domestic authority, or starting with the week in which your employment began?

No

Yes

You are not eligible for paternity leave and pay. You may wish to talk to your line manager about requesting to take a period of annual leave when your child arrives.
You must provide the necessary documentary evidence of your eligibility, using the Paternity Leave Application Form, to confirm:

- the nature of your relationship with the child and the child's mother;
- that you have, or expect to have, responsibility for the child's upbringing; and
- that the period of leave requested is for the purpose of caring for the child or supporting the child's mother.

You are entitled to **Paternity Leave and Pay**.
You may take either one or two consecutive weeks' leave within 56 days of the birth or adoption of the child.

*Please contact Human Resources (tel: 0116 252 2439) if you have any questions about your entitlement to paternity leave and pay.*