

# Paternity: birth –teachers

## Summary

The school is committed to supporting employees on paternity leave.

This policy provides guidance on claiming paternity leave, obligations during paternity leave and statutory paternity entitlements.

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Who does this policy apply to?

It applies to employees employed on teacher's terms and conditions of employment.

What is paternity leave?

It is the paid or unpaid time off work that employees are entitled to, to care for a child or to support the child's mother in the first few weeks following the birth.

Can partners have time off to attend ante-natal appointments?

After 12 weeks continuous service, employees have the right to take unpaid time off to accompany a pregnant woman with whom they are having a child at up to two antenatal appointments

To be eligible to take this form of time off, you could be the husband, wife or civil partner of the pregnant woman, or you could be living with the pregnant woman in an enduring family relationship. In addition, you will be eligible for the time off if you are the biological father of the expected child. We expect that normally no more than half a day is needed for an antenatal appointment, but your leave includes the time you need to travel to the appointment and any waiting time needed at the appointment, and can be for a maximum of six-and-a-half hours on each occasion.

If you would like to make a request for time off to accompany someone at an antenatal appointment, you should in the first instance contact your line manager.

What are the criteria?

To qualify for two weeks paternity leave and pay, employees must meet the following criteria:

- Have 26 weeks' continuous service by the end of the qualifying week. This is the 15<sup>th</sup> week before the expected week of childbirth (EWC). A week starts on a Sunday and ends on a Saturday.
- Be the biological father of the child or married to, the civil partner or the partner\* of the child's mother

\*The definition of partner includes same sex partners. The partner of a child's mother, father, adopter, guardian or foster parent is defined as a person who lives with the child and the child's mother, father, adopter, guardian or foster parent in an enduring family relationship. The regulations are clear that a person who is a relative of the child's mother, father, adopter, guardian or foster parent cannot be a partner and are not eligible to make a request.

- Have or expect to have responsibility for the upbringing of the child. Where you are the mother's husband, wife or partner, but not the father, have the main responsibility (other than the mother) for the upbringing of the child.
- Stay continuously employed by the school from the qualifying week to the day the child is born.

How much paternity leave can be taken?

If the employee qualifies, they are entitled to two weeks paternity leave. The employee can either take one week or two consecutive weeks. Individual days or two separate one week blocks cannot be taken.

When can paternity leave start?

Paternity leave (and pay) can begin any time from the date the child was born but must be completed within 56 days of the birth.

However, if the child is born prematurely, the employee can take leave during the period beginning with the day the child was born and ending 56 days after the first day of the EWC.

How much is paternity pay?

It is the rate of statutory paternity pay (SPP).

What should an employee do if they want to take paternity leave?

They must complete the [Paternity Leave form](#) at the end of this policy and send this to their manager/head teacher (if GCC payroll send a copy to the school's named contact in the Business Service Centre (BSC- by the end of the 15<sup>th</sup> week before the EWC).

The employee must also tell their manager the date the child was born, within seven calendar days of the birth.

Can the start date of paternity leave

Yes, but the employee must give their manager/head teacher and the BSC 28 days written notice of the new date. Unless at

be changed?	<p>the discretion of the manager/head teacher, school needs can accommodate a shorter notice period.</p> <p>Where the employee has chosen to start paternity leave and pay on a specified date but the child has not been born by that date, they must inform their manager of the new date they wish to start paternity leave, bearing in mind appropriate notice.</p>
What happens if the child is stillborn or dies?	<p>The employee will still qualify for paternity leave if the child is stillborn after 24 weeks of pregnancy or is born alive at any time, but subsequently dies.</p>
How much paternity leave can be taken if more than one child is born?	<p>An employee is only entitled to one period of two weeks paternity leave per pregnancy.</p> <p>Where more than one child is born as a result of the same pregnancy, the date of birth of the first child born will determine the start of the 56 day period unless the children were premature.</p>
Is pension contributions payable on paternity pay?	<p>Employees who are members of the Teachers Pension Scheme will pay pension contributions on the statutory pay received during paternity leave.</p> <p>For further advice and guidance, employees should contact <a href="#">Teachers Pensions</a>.</p>
What happens if the employee leaves the school after the baby is born but before they have taken paternity leave?	<p>The employee will still be entitled to SPP, provided they do not work for a new employer during the paternity pay period.</p>

## Paternity pay entitlements

### Statutory paternity pay (SPP) (what the state pays)

The following factors may affect entitlement to SPP:

- Late notification.
- No evidence of entitlement.
- Have average weekly earnings in the eight weeks up to the end of the qualifying week of not less than the lower earnings limit in force at the end of that week.



**Request for Statutory Paternity Leave Form (Birth)**

Personal Details	
Name:	
Employee/SAP no:	
National Insurance no:	

The baby is due on:

DD	MM	YYYY
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If the baby has been born, please enter the actual date of birth and also give the date the baby was due in the above box:

DD	MM	YYYY
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I would like my SPP and/or paternity leave to start on:

DD	MM	YYYY
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I intend to take one / two\* weeks (*\*delete as appropriate*)

**You must be able to tick all three boxes below to get Statutory Paternity Leave and Statutory Paternity Pay.**

**HR Policy and Guidance**  **Paternity (Birth) Teachers**

**I declare that I**

- have or expect to have responsibility for the child's upbringing
- am the biological father of the child or the mother's husband/wife or partner   
(including same sex relationships)
- relationship will take time off work to support the mother or care for the child,

**Signature:**..... **Date:**.....

**Once complete, please send this form to your manager/head teacher, (for GCC payroll a copy to the Business Service Centre.**