

## Paternity Leave

Note: 'Expected week of childbirth (EWC)' or 'the week the baby is due' means the week beginning with the Sunday on/before which the baby is due.

Qualifying Conditions	1	The member of staff must be the biological father of the baby and/or the mother's husband or partner (a partner is someone who lives with the mother of the baby in an enduring family relationship but is not an immediate relative*). * The partner may be a female partner in a same sex couple.
	2	The member of staff must have worked continuously for the Institute: <ul style="list-style-type: none"> <li>for 26 weeks ending with the 15<sup>th</sup> week before the baby is due (the 'qualifying week'); and</li> <li>from the 15<sup>th</sup> week before the baby is due up to the date of birth.</li> </ul>
	3	The member of staff must be taking the time off either to support the mother or to care for the new baby.
Entitlement	1	One week or two consecutive weeks. The leave cannot be taken as odd days or as two separate weeks.
	2	Only one period of leave can be taken even if more than one baby is born as a result of the same pregnancy.
	3	The member of staff will be entitled to paternity leave in the usual way: <ul style="list-style-type: none"> <li>if the baby is stillborn after 24 weeks of pregnancy; or</li> <li>is born alive at any point in the pregnancy but dies later.</li> </ul>

Conditions	1	<p>The member of staff can choose to start the leave:</p> <ul style="list-style-type: none"> <li>• on the date of the baby's birth (whether this is earlier or later than expected);</li> <li>• on a date falling such number of days after the date on which the child is born (whether this is earlier or later than expected) as the member of staff has notified to Human Resources ; or</li> <li>• on a chosen date as notified to Human Resources which falls after the first day of the expected week of childbirth.</li> </ul>
	2	The member of staff must give the required notice of leave (see following section).
	3	If the member of staff specifies the date of birth as the start date and the member of staff is at work on that day, the leave will begin on the next day.
	4	<p>The leave can start on any day of the week, provided the required notice has been given (see following section) and must be completed:</p> <ul style="list-style-type: none"> <li>• within 56 days of the actual date of birth of the child; or</li> <li>• if the child is born earlier than expected, between the birth and 56 days from the first day of the expected week of birth.</li> </ul>
	5	<p>Paternity leave cannot be taken before the baby is born. If the baby is not born by the specified start date, the member of staff must either</p> <ul style="list-style-type: none"> <li>• change the date; or</li> <li>• choose to take leave from the actual date of birth or a specified number of days after the birth.</li> </ul> <p>The member of staff must inform the Dean of Faculty/Head of Department and Human Resources of the amended date as soon as possible.</p>
Notice of Leave	1	A request for paternity leave must be submitted to Human Resources by the end of the 15 <sup>th</sup> week before the week the baby is due or, if that is not possible, as soon as is reasonably practicable.

	2	<p>The request must be in writing, using the form at the end of this document, and must state:</p> <ul style="list-style-type: none"> <li>• the expected week of the baby's birth;</li> <li>• whether the member of staff wishes to take one week's or two weeks' leave; and</li> <li>• when the member of staff wants to start the leave.</li> </ul> <p>The form also covers information required to claim Statutory Paternity Pay.</p>
	3	<p>The member of staff must inform Human Resources in writing of the date of birth as soon as is reasonably practicable after the birth.</p>
	4	<p>The member of staff can change the start date (but not the length of leave) provided notice is given to the Dean of Faculty/Head of Department and to Human Resources as follows:</p> <ul style="list-style-type: none"> <li>• to change the start date to the date of birth, notice must be given at least 28 days before the first day of the week in which the baby is due;</li> <li>• to change the start date to a specified number of days after the birth, notice must be given at least 28 days before the date falling the same number of days after the first day of the week the baby is due; and</li> <li>• to change the start date to a particular date, notice must be given at least 28 days before that date.</li> </ul>
	5	<p>Where the baby is born before it is due and the member of staff is unable to give the required notice, notice should be given as soon as is reasonably practicable if the member of staff wishes to claim paternity leave and/or Statutory Paternity Pay.</p>
Pay	1	<p>A member of staff whose average weekly earnings are at or above the Lower Earnings Limit for National Insurance purposes will be eligible for Statutory Paternity Pay (this will be at the standard rate of Statutory Maternity Pay).</p>
	2	<p>Paternity leave will be on full pay (that is, Statutory Paternity Pay will be enhanced, if appropriate).</p>

Relationship to Sick Pay	A member of staff cannot be paid sick pay and paternity pay at the same time. If the member of staff is unwell before starting paternity leave, it should be postponed. The 56-day period within which paternity leave is to be taken is not extended under these circumstances.
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**Approved by the Finance and General Purposes Committee at its meeting on 2 June 2003**  
Amended in line with the revised structure November 2007

1 November 2007



## Application for Paternity Leave

**Note:** This form should be completed and submitted to the Human Resources Department by the end of the 15<sup>th</sup> week before the week the baby is due or, if that is not possible, as soon as is reasonably practicable.

Name:

Faculty/Department:

Either:

The baby is due on

or:

The baby was due on

and

the actual date of birth is

I would like my Paternity Leave and/or Statutory Paternity Pay to start on

I want to be away from work for one / two\* weeks.

\* delete as appropriate

**Please note** that you must meet all three of the following conditions to get Statutory Paternity Pay and paternity leave:

**I declare that**

- **I am**
  - the baby's biological father, or
  - married to the mother, or
  - living with the mother in an enduring family relationship, but am not an immediate relative

**and**

- **I will** have responsibility for the child's upbringing

**and**

- **I will** take the leave to support the mother and/or care for the child

Signature:

Date:

**Dean of Faculty/Head of Department:**

Name:

Signature:

Date: