

Paternity Leave and Paternity Pay Policy

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Signature	
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This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. Subject to minimum statutory requirements from time to time in force, the Trust reserves the right to vary and amend this policy and any procedure under it at any time and will notify all employees of the details of the change as soon as is reasonably practicable.

Schedule of Responsibilities

The CEO of Learning Today leading Tomorrow Trust (LT2) takes overall responsibility for the implementation of policies and procedures and to provide reports as appropriate to Trustees in relation to this policy.

Headteachers of LT2 schools and their Senior Leadership Teams will take active steps to promote good practice under this policy and review and monitor the management and implementation of this policy and practice in their Academy. They will identify training needs, ensuring competence in those staff who are responsible for and involved in the operation of this policy and associated guidance.

Teachers and other supervisory roles will, where required, conduct formal meetings, undertake relevant training in relation to this policy and ensure effective and competent operation of this policy.

All employees are required to cooperate fully and positively with the requirements of this Policy and to undertake any training recommended by their line manager.

The Trust's HR Advisers, are responsible for providing advice and guidance under this policy and reviewing and updating the policy as required; ensuring continuing compliance in line with any developments in employment legislation, good employment practice and other LT2 policies. The Trust's HR Providers may be requested to provide data for regular Trust Board HR reports where appropriate, providing confidential reports as required by the CEO and LT2 Trust Board on individual cases.

The following persons will generally be responsible for managing employees under this policy:

The Academy Headteacher (for Academy based teaching and educational or non-educational support staff) and the Chief Executive Officer (for Academy Headteachers and centrally appointed teaching and support staff) (the "Line Manager").

Ordinary Paternity Leave

Eligible employees are entitled to take either one week or two consecutive weeks' paid Paternity Leave following the birth or placement of a child in order to care for the child or support its mother. During Paternity Leave, most

employees will be entitled to Statutory Paternity Pay (SPP) which will be the same as the standard rate of Statutory Maternity Pay (SMP).

Eligible employees who have a child through surrogacy will also be permitted to take Ordinary Paternity Leave and Pay.

Eligibility for Paternity Leave and Paternity Pay

In order to qualify for Paternity Leave and Statutory Paternity Pay the employee must:

- Be the biological father of the child or the mother's husband or partner (male or female);
- Have or expect to have responsibility for the child's upbringing;
- Have worked continuously for the Trust for 26 weeks by the end of the 15th week before the child is due; and
- Have average weekly earnings equal to or above the Lower Earnings Limit for National Insurance purposes over the eight week period leading up to and including the Notification Week.

The Trust may ask an employee to provide a self certificate as evidence that he or she meets these conditions. The self certificate must provide the information required above and include a declaration that the employee meets the necessary conditions.

Taking Paternity Leave

An employee is permitted to take Paternity Leave in units of either one whole week or two consecutive whole weeks. Leave may start on any day of the week on or following the child's birth but must be completed:

- Within 56 calendar days of the actual date of the birth of the child; or
- If the child is born early, within the period from the actual date of birth up to 56 calendar days after the expected week of birth.

An employee may change his or her mind about the starting date for Paternity Leave providing he or she tells the Trust at least 28 calendar days in advance of the changed start date where reasonably practicable.

Notification Procedures for Paternity Leave

An employee who wishes to take Paternity leave must notify the Trust by the 15th week before the expected week of child birth stating:

- The week the child is due;
- Whether the employee wishes to take one week or two consecutive weeks' leave; and
- When the employee wants the leave to start

Contractual benefits during Paternity Leave

An employee on Paternity Leave is entitled to enjoy his or her normal terms and conditions of employment with the exception of pay. The employee is entitled to return to the same job following Paternity Leave

If an employee has an enhanced contractual right to Paternity Leave or Paternity Pay he or she may take advantage of whichever is the more favourable right. Employees should clearly understand however that when payment of contractual paternity pay is made this is inclusive of any SSP entitlement i.e. employees are not entitled to both.

Paternity Leave and Adoption

The partner of an individual who adopts or other member of a couple who is adopting jointly may be entitled to Paternity Leave and Paternity Pay.

When a couple adopts, the couple can choose who will take Adoption Leave and who will take Paternity Leave. Only one period of Adoption Leave and one period of Paternity Leave may be taken between the couple even if each individual works for different employers.

Further details of this entitlement are set out in the Trust's Adoption Policy.

Ante-natal Appointments

Who has the right?

This entitles an employee who has a "qualifying relationship" with a pregnant woman or her expected child to take time off during their working hours to accompany the woman to ante-natal appointments.

A 'qualifying relationship' includes the expected child's father, the mother's husband, partner or civil partner. They should usually live with the woman in an enduring family relationship and are not a relative of the woman.

There is no qualifying period of employment for this right so it will be available to relevant employees from the start of their employment.

The amount of time off that an employee may take during working hours to accompany a pregnant woman to antenatal appointments is limited to no more than two occasions lasting no more than six and a half hours each.

Making the request

The law provides that the employee must comply with certain formalities for applying for time off to accompany a woman to an antenatal appointment, but only if they are requested to by the Trust. In that case, the employee will not

be entitled to take the time off unless they give the Trust a document (which may be in electronic form, such as e-mail) showing:

- That the employee has a qualifying relationship with the pregnant woman or expected child.
- That the purpose of taking the time off is to accompany a pregnant woman to an antenatal appointment.
- That the appointment has been made on the advice of a registered doctor, registered midwife or registered nurse.
- The date and time of the appointment.

Time off can be refused

The Trust may refuse an employee time off to accompany a woman at an antenatal appointment where it is reasonable for it to do so.

Shared Parental Leave

The option to take Shared Parental Leave now replaces the previous provision for Additional Paternity Leave.

Eligible employees are able to make arrangements for shared parental leave and pay in relation to the birth of a child or following the placement of a child after adoption. You will not have an autonomous right to SPL; this right will only arise if the mother or primary adopter chooses to curtail their statutory maternity leave and share their remaining entitlement with you.

Employees should refer to the Trust's Shared Parental Leave (Birth) Policy and/or Shared Parental Leave (Adoption) Policy for further guidance and eligibility criteria for Shared Parental Leave.

Maternity Support Leave

Maternity support leave of 5 days with pay shall be granted to the child's father or the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is defined as the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.