



University of
St Andrews

Paternity leave

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Purpose	This policy provides information on the University's paternity leave and enhanced pay provision.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.5	Policy updated to reflect the legal changes set out in the Paternity Leave (Amendment) Regulations 2024.	Published	Lisa Stewart HR	03/04/2024

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This document and forms associated with this document are available in an alternative format upon request.

We encourage employees to review the [Paternity webpage](#) to access FAQs about the paternity process.

1. Introduction

- 1.1 The University recognises the importance of supporting all staff in their obligations to their families. This policy has been developed to provide information regarding the University's paternity leave and pay offering. Any queries regarding the information outlined in this document should be directed to [HR Pay & Pensions](#) in the first instance. [Appendix A](#) provides further internal support contact details.
- 1.2 Additional guidance can be accessed on the University's [Paternity webpage](#), including a list of frequently asked questions "FAQs" for the employee and the line manager.
- 1.3 It is encouraged that employees and line managers use the [Family Leave Checklist](#) to ensure that they can plan effectively for a period of family leave.

2. Eligibility criteria

- 2.1 Employees must meet specific criteria to be eligible to take paternity leave. The employee must:

1. **Have worked continuously for the University for at least 26 weeks by the "qualifying week". The qualifying week is the end of the:**
 - **Childbirth (or surrogacy arrangement):** 15th week before the Expected Week of Childbirth (EWC).
 - **UK adoption:** week in which they are formally notified that they have been matched with the child.
 - **Overseas adoption:** week in which they receive official notification of the adoption.
2. **Have or expect to have the main responsibility (apart from any responsibility of the mother) for the child's upbringing (born and adopted).**
3. **Be the biological father of the child, or the spouse, civil partner or partner of the child's mother or are the adopter's spouse, civil partner or partner.**

- 2.2 If an employee does not meet the criteria as outlined above, they can discuss with their line manager the option to take annual or unpaid leave. Note: If the employee is taking a period of unpaid leave, they must complete the [Special Leave Notification Form](#) to request this leave. All leave requests must be approved in advance by the line manager.

3. General principles

- 3.1 Employees are eligible for one period of paternity leave per pregnancy or adoption, regardless of the number of children born as a result of pregnancy or the number of children placed under the same adoption arrangement.
- 3.2 Paternity leave cannot start before the birth/placement of a child.
- 3.3 Employees who wish to take Shared Parental Leave (SPL) must take their paternity leave first. Paternity leave cannot be taken if the employee has already taken a period of SPL in relation to the same child. Refer to the [SPL policy](#) for further information.

- 3.4 Wherever possible, it is encouraged that employees inform their line manager of their intention to take paternity leave as early as practicable in order to provide appropriate time to organise and plan cover during the period of leave.
- 3.5 There is no distinction between live and still births after 24 weeks of pregnancy, or the child is born alive at any time but lives only for a short time, therefore the employee will still be eligible for paternity leave and pay providing they met the eligible criteria outlined in [section 2](#).
- 3.6 If requested to do so, employees should provide the MATB1 which confirms the EWC (or in the cases of adoption, a matching certificate/official notification/statutory declaration, which should be available from the Adoption Agency).
- 3.7 All terms and conditions remain the same during paternity leave.

4. Paternity leave and pay

- 4.1 The University offers an enhanced paternity leave and pay package to employees who meet the eligibility criteria (outlined in [section 2](#)). This is calculated as **3 weeks of full salary (inclusive of Statutory Paternity Pay “SPP”)**¹.
- 4.2 From 8 March 2024, new regulations come into force which give fathers/partners greater flexibility in how they can take their statutory paternity leave. These regulations apply to children whose expected week of childbirth or expected date of placement with the adopter (EWC/EDP) begins on 6th April 2024 and thereafter.
- Eligible fathers/partners are permitted to split the two weeks of statutory paternity leave into two separate week-long blocks at any point in the 12 months after birth/placement, should they wish.
 - Employees are still required to give notice of their intention to take paternity leave as per the timelines confirmed in [section 5](#). Employees must give at least 28 days notice before each intended period of leave (E.g. An employee may wish to take 1 week of statutory leave at the birth of their child, and 1 week statutory leave when the child turns 6-months. The employee must ensure that at least 28 days notice is provided for both leave requests.) Refer to [section 5](#) for details on the procedure to be followed to correctly notify the University of the intention to take paternity leave.
 - The 3rd week (known as the “additional week”) can also be taken at the same time as the statutory leave, or at a later date. Similarly, the leave must be taken by the child’s first birthday/anniversary of the placement. The additional week can be taken as one block of leave, or intermittent days.

5. Procedures

5.1 Notifying the University of intention to take paternity leave

- 5.1.1 Employees must notify their line manager and Human Resources of their intention to take paternity leave using the **Paternity Leave Notification Form** located in [HR Self-Service](#) (under My Forms).

¹ *Paternity pay will be paid at 100% of your normal contractual hours at the time of taking the leave (inclusive of statutory paternity pay).*

5.1.2 Notification must be submitted by no later than:

- **Childbirth (or surrogacy arrangement):** 15th week before the EWC.
- **UK adoption:** Within 7 days of being notified that they have been matched with a child.
- **Overseas adoption:** 28 days of receiving the official notification (or within 28 days of completing 26 weeks continuous service if this is later). Official notification definition is confirmed in the [Adoption Leave Policy](#).

5.1.3 The employee must confirm the EWC/EWP and declare that they meet the eligibility criteria to take the leave. If known, it is encouraged that the employee confirms when and how the leave will be taken (e.g. as a single block or split weeks) at the same time as the notification however this can be confirmed separately providing at least 28 days notice is given for each block of leave. Refer to section [5.2](#).

5.2 Confirming the paternity leave dates

5.2.1 Employees are required to give a day or date when they want to start their leave and the duration of the period of leave. Where the employee wishes to take leave from the date on which the child is born/placed, they should specify the first day of the EWC/EWP. Where the employee wishes to take leave after the date on which the child is born/placed, the employee should specify the precise date.

5.2.2 If the employee wishes to confirm all or some of their paternity leave dates at a later date following the initial notification, they should submit another “**Paternity Leave Notification Form**” and this time, confirm the leave dates requested. The employee must provide a minimum of 28 days’ notice for each leave period.

5.2.3 The employee should also use the “**Paternity Leave Notification Form**” to request the additional week (week 3) if they are taking it as one block however, if they are taking the additional week as intermittent days, they must complete the “**Additional Paternity Leave – Intermittent days request form**” located in [HR Self-Service](#) (under My Forms) for each request.

Note: Where an employee is taking the additional week (week 3) at a later date, employees should give their line manager reasonable, advanced notice of when they wish to take this leave. There may be exceptional situations where the line manager may have to refuse a request due to operational demands. Where requests to take the additional leave are declined, the line manager should provide the employee with a reason for declining the request and ensure that the employee is given appropriate opportunity to take the leave at the earliest possible opportunity.

5.2.4 Once the line manager receives the notification form, they will then submit the form(s) to [Pay and Pensions](#), which will instruct them to process the paternity leave dates.

5.3 Time off for antenatal and adoption appointments

5.3.1 Employees who are eligible to request paternity leave will be eligible to take paid time off to accompany the pregnant person or primary adopter to up to two hospital/antenatal appointments or adoption appointments.

5.3.2 Employees must endeavour to give as much notice as possible to their line manager when requesting time off to attend such appointments.

5.4 Going on paternity leave

5.4.1 Employees must give their line manager and HR **at least 28 days' notice'** if they want to revise their paternity leave dates, unless this is not reasonably practicable.

5.4.2 If the child has not been born/placed by the date chosen to start paternity leave (e.g. the EWC/EDP), then the employee may vary the days or dates of a period of leave. The employee must notify their line manager and [HR](#) of the variation as soon as is reasonably practicable.

5.5 Neonatal Care Leave "NCL"

5.5.1 The University provides support for parents of babies who require neonatal care (for at least 7 consecutive days) before the baby reaches 28 days of life. Employees will be entitled to an additional period of leave to take after their paternity leave if they meet the neonatal care definition outlined in the [Neonatal Care Leave Policy](#).

5.5.2 Employees who were eligible to request paternity leave will be eligible to request NCL at full pay², equivalent to the number of days the baby received neonatal care providing the care lasted at least 7 consecutive days. The leave is capped at 12 weeks. Employees who do not meet the eligibility criteria can request to take this leave as unpaid.

5.5.3 Employees should notify their line manager if their baby has been admitted into neonatal care (for at least 7 consecutive days) at soon as is reasonably practicable. Once the baby has been discharged from neonatal care, the employee should confirm this with their line manager.

5.5.4 The line manager must inform [HR Pay & Pensions](#) of the start and end date of the neonatal care so that the dates can be accurately recorded and so a discussion can take place with the employee prior to their return to work.

5.5.5 More information on NCL can be read in the policy.

5.6 Returning to work

5.6.1 Employees have the right to resume working in the same job as before on terms and conditions that are no less favourable prior to the paternity leave.

6. Support

6.1 Any questions employees have about matters raised in this policy should be raised with their [HRBP](#). Any work-related issues should be addressed directly with their line manager. In addition, employees and line managers can access further information about paternity leave on the [Paternity webpage](#).

² *Note: NCL is prorated to the contracted weekly hours of work and payment will be based on the normal rate of pay (e.g. if the employee normally works 21.75 hours per week, and the baby received neonatal care for 1 calendar week/7 days, the employee would be eligible to take 21.75 hours of neonatal care leave at their normal rate of pay).*

7. Version control

7.1 This document will be reviewed periodically in conjunction with the University's recognised Trade Unions. Any feedback on the policy content should be directed in the first instance to the [HRBP team](#) or via the [HR Feedback Form](#).

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone.	Published	Lisa Stewart, Human Resources	18/06/2019
1.1	Change to review date	Published	Lisa Stewart HR	01/04/2021
1.2	Minor changes to the policy including confirming the process if employee does not meet the eligibility. Removed Head of School/Unit from the process. Added link to antenatal appointment policy.	Published	Lisa Stewart HR	15/12/2021
1.3	Amend broken link to notification form.	Published	Lisa Stewart HR	13/01/2022
1.4	Note added in recognition of the updated occupational paternity pay provisions which impact staff going on paternity leave from 11/09/2023 onwards.	Published	Lisa Stewart HR	11/09/2023
1.5	Policy updated to reflect the legal changes set out in the Paternity Leave (Amendment) Regulations 2024.	Published	Lisa Stewart HR	03/04/2024