



Paternity leave

Part of the set of family friendly policies the paternity policy ensures employees and managers understand the entitlement and process to follow

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Relevant forms and letters:

- [Pat 1](#)
- [Pat 1 adoption](#)
- [Pat2](#)
- [Pat2 adoption](#)

Related policies/guidance:

- [Adoption leave](#)
- [Shared parental leave](#)
- [Dependents leave](#)
- [Parental leave](#)
- [Maternity leave](#)

If you have any questions about this policy, or require any further support, please contact the HR Team on 0115 914 8289 or by email to hr@rushcliffe.gov.uk

Please note:

- This policy applies to all employees within Rushcliffe Borough Council unless stated otherwise within the policy.
- This policy does not form part of contracts of employment.
- Rushcliffe Borough Council reserves the right to amend this policy from time to time.

1.0 What is Paternity Leave

Paternity leave is a right to take time off work following the birth or adoption of a child.

2.0 Purpose

The purpose of this policy is to ensure RBC employees receive their entitlement to Paternity leave and the policy is applied fairly and equally to all eligible employees.

3.0 Scope

All eligible staff are entitled to Paternity leave.

4.0 Responsibilities

Line Managers have the responsibility to ensure employees know where to find further information on Paternity leave and understand an employee's entitlement. HR will ensure the Paternity leave policy is in line with the statutory rights and entitlement. Employees are responsible for informing their line manager of their intention to take paternity leave within the set timeframe.

5.0 Who can take Paternity Leave

5.1 Employees may have the right to Statutory Paternity Leave and Pay if they are a 'father-to-be' or anticipate sharing the responsibility with a partner for the upbringing of a child. This includes those who are adopting a child

5.2 Employees will need to satisfy the following conditions in order to qualify for paternity leave and pay. They must -

- have or expect to have responsibility for the child's upbringing
- be the biological father of the child or the mother's husband or partner (including same sex relationships)
- In adoption cases be the adopter's spouse or partner
- have worked continuously for the Council for 26 weeks ending with the 15th week before the baby is due(or
- have 26 weeks service by the end of the week in which the child's adopter is notified of being matched with a child

6.0 How much Paternity Leave can an employee take?

6.1 If eligible, employees can take up to two weeks paternity leave. They do not have to be taken in a single period, but the leave must be booked in blocks of at least one week.

6.2 The employee will need to take their paternity leave within 52 weeks of the actual date of birth of the child, or if the child is born early, within the period from the actual date of birth up to 52 weeks after the first day of the week in which the birth was expected. Paternity (adoption) leave must be completed within 52 weeks of the child's placement.

6.3 The employee can choose to start their leave:

- From the date of the child's birth (whether this is earlier or later than expected), or
- From a chosen number of days or week after the date of the child's birth (whether this is earlier or later than expected), or
- From the date of the child's placement (whether this is earlier or later than expected), or
- From a chosen date within 52 weeks as in para 6.2

6.4 Only one period of leave will be available to employees irrespective of whether more than one child is born as a result of the same pregnancy or in cases of adoption if more than one child is placed at one time. .

6.5 Employees will be required to inform their Line Manager of their intention to take paternity leave by the fifteenth week before the baby is expected, unless this is not reasonably practicable. Employees will need to inform their Line Manager.

- The week the baby is due
- Whether they wish to take one week or 2 weeks leave
- If taking 2 weeks, whether they wish to take the leave in one single block
- When they want the leave to start either in one block or two

6.6 In Paternity (adoption) the employee will be required to inform their Line Manager of their intention to take paternity (adoption) leave within seven days of the adopter being notified by their adoption agency that they have been matched with a child, unless this is not reasonably practicable. Employees will need to inform their Line Manager:

- When the child is expected to be placed
- Whether they wish to take one or two week's leave
- If taking 2 weeks, whether you wish to take the leave in one single block
- When they want the leave to start either in one block or two
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6.7 An employee may change the date their paternity leave begins by giving 28 days written notice.

7.0 Is Paternity Leave paid?

7.1 The employee's first week of paternity leave will be paid at the employee's normal daily rate.

7.2 If taking a second week employees may be entitled to Statutory Paternity Pay (SPP). The rate of SPP will be the same as the standard rate of Statutory Maternity Pay - or 90 per cent of average weekly earnings if this is less. Rates are published here <https://www.gov.uk/paternity-pay-leave/pay>

8.0 How does an employee inform HR they intend to take Paternity Leave

- 8.1 Employees are required to complete form [PAT1](#) by the fifteenth week before the baby is expected in order to advise HR of their intention to take one or two weeks' paternity leave, followed by 28 days notice on each period of leave
- 8.2 If the Paternity leave is for an adoption the employee is required to complete form [PAT1 \(adoption\)](#) when they are informed they have been matched to a child in order to advise HR of their intention to take one or two weeks' paternity leave.
- 8.3 On their return from paternity leave, they are required to complete form [PAT2](#) or [PAT2\(adoption\)](#) to confirm the dates taken. This form should then be returned to HR with a copy of the baby's birth/matching certificate.

9.0 Time off for Antenatal appointments –

- 9.1 Fathers, partners and civil partners of a pregnant woman are entitled to unpaid time off during working hours to accompany her to 2 ante-natal appointments. This includes the intended parents if they're having a baby through a surrogacy arrangement.
- 9.2 Partners who are jointly adopting a child will be entitled to take unpaid time off for up to two appointments.
- 9.3 There is no legal right to paid time off for antenatal appointments. However, employees may request to take annual leave, do shift swaps or make up time.

10.0 Policy changes

This policy is subject to change due to legislative or organisation requirements. Significant organisational requirement changes to this policy will be made in conjunction with Trade Union officials as per standard process.

11.0 Other leave policies

Employees may also find it useful to refer to the following family friendly policies

- [Parental leave](#)
- [Shared Parental leave](#)
- [Dependants leave](#)