



## Windsor Academy Trust

### Paternity Leave Policy

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| <b>Paternity Leave Policy</b>              |   |
| <b>Responsible Committee:</b>              | Windsor Academy Trust, Board of Directors |
| <b>Date revised by Board of Directors:</b> | 18 March 2021                             |
| <b>Implementation Date:</b>                | 1 April 2021                              |
| <b>Next review date:</b>                   | March 2023                                |

### APPENDICES

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| <b>APPENDICES</b> |   |
| Appendix 1        | Summary of paternity leave and pay entitlements |

## 1. Introduction

- 1.1 This policy sets out the paternity leave provisions to which eligible employees are entitled to in order for them to provide support to their partner and child following the birth or in cases of adoption/placement of a child.
- 1.2 The right to undertake Additional Paternity Leave has been replaced with Shared Parental Leave, and employees should refer to WAT's Shared Parental Leave Policy.
- 1.3 This policy applies to employees and does not form part of any employee's contract of employment. The policy may be amended at any time.
- 1.4 Definitions

**Parent:** One of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother/father's partner).

**Adopter:** A child's adopter is either the person who has been matched with the child for adoption or, where two people have been matched jointly, the person who has elected (at the time they are notified that they have been matched) to be the child's adopter for statutory adoption leave and pay purposes.

**Partner:** your spouse, civil partner or someone living with you in an enduring family relationship at the time the child is born/placed for adoption, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

**Notification:** The employee to notify their Headteacher/line manager in writing by either letter or email.

## 2. General Principles

- 2.1 Eligible employees are entitled to take one or two week's paternity leave. A week is classed as the number of days that an employee would usually be in work over a calendar week period.
- 2.2 An employee can choose when to take paternity Leave, within 56 days following the birth/placement of the child. Paternity leave cannot commence before the birth or placement of the child.
- 2.3 If an employee chooses to take two weeks leave, these must be consecutive weeks. It is not permissible for an employee to take one week's leave, return to work and then take the second week at a later date.
- 2.4 If a baby is born prematurely, paternity leave must be taken in the period between birth and up to 56 days following the Expected Week of Confinement (EWC).
- 2.5 Employees can change the date of their paternity leave, providing they provide 28 days' notice prior to the date of the leave commencing.
- 2.6 Only one period of paternity leave can be taken even if more than one child is expected from the same pregnancy or more than one child is being adopted at the same time.

## 3. Eligibility

- 3.1 To qualify for paternity leave the employee must:
  - Have 26 weeks continuous service at the 15th week before the baby is due (maternity);
  - Have 26 weeks continuous service at the matching week (adoption)
  - Be a parent or partner (see definitions above)
  - Be the Child's adopter (who is not the primary adopter)
- 3.2 The employee will be requested to submit evidence in the form of a copy of the MATB1 or matching certificate prior to leave and pay being authorised.

#### **4. Paternity Pay**

- 4.1 The table in Appendix 1 details a summary of paternity leave and pay entitlements. If you have any queries, please contact Tenterfields Primary Academy.
- 4.2 Employees whose average weekly earnings are less than the lower earnings limit for national insurances purposes will not qualify for SPP.

#### **5. Notification**

- 5.1 Notice of intention to take paternity leave must be given by the end of the 15<sup>th</sup> week before the baby is expected unless it is not reasonably practical to do so. Included in this notice must be:
- The week the baby is due;
  - Whether they wish to take one or two weeks leave;
  - When they want the leave to start;
  - A declaration of their relationship to the mother
- 5.2 For adoption, notice of intention to take paternity leave must be given within 7 days of being told by an adoption agency that they have been matched with a child.
- 5.3 Employees can change their mind about the date on which they want to take their leave by giving 28 days notice (unless this is not reasonably practical).

#### **6. Relationship with Shared Parental Leave**

- 6.1 Employees who wish to take additional leave following their paternity leave, may be eligible to take Shared Parental Leave providing the parent/main adopter has curtailed their maternity/adoption leave and meets the eligibility criteria.
- 6.2 Please refer to WAT's Shared Parental Leave Policy for further information.

#### **7. Antenatal Appointments**

- 7.1 Employees who are the parent or partner are entitled to take up unpaid time off work to attend up to 2 antenatal appointments.
- 7.2 Partners of main adopters are entitled to take reasonable time off to attend up to 2 pre-adoption appointments, which will be unpaid.
- 7.3 Employees should make their request to attend appointments to the Headteacher/line manager, providing as much notice of the appointment as possible.

**APPENDIX 1**  
**Summary of Paternity Leave and Pay Entitlements**

**In the case of birth**

| <b>Length of Service</b>   | <b>Length of Absence</b>  | <b>Pay</b>  |
|--|---------------------------|---|
| At least 26 weeks service as at 15 weeks before EWC but less than 1 year as at 11 weeks before EWC | Up to 2 consecutive weeks | <ul style="list-style-type: none"> <li>• 1 week at full pay</li> <li>• 1 week at SPP</li> </ul> |

**In the case of adoption**

| <b>Length of Service</b>   | <b>Length of Absence</b>  | <b>Pay</b>  |
|--|---------------------------|---|
| At least 26 weeks service as at the week in which notification of the child being matched is given | Up to 2 consecutive weeks | <ul style="list-style-type: none"> <li>• 1 week at full pay</li> <li>• 1 week at SPP</li> </ul> |

EWC: Expected week of Childbirth  
SPP: Statutory Paternity Pay