



Paternity Leave Policy

Date: February 2024

Review date: February 2025

Approved by the Advisory Board: February 2024

Linked to policies:

- Maternity Leave
- Shared parental Leave
- Flexible Working
- Data Protection

Signed:

A handwritten signature in blue ink that reads "S. Day" followed by a horizontal line.

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Version Control

Version	Date of review/change(s)	Page and paragraphs affected	Summary of update
New policy	January 2023		
No changes	February 2024		

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1. Introduction

This policy sets out the rights of employees to paternity leave and pay.

We are committed to supporting a positive work-life balance for all our employees and recognise that time with your children is important.

The policy does not form part of your contract of employment and we reserve the right to amend it at any time.

2. Equal Opportunities

The school expects employees to adhere to this policy in line with the school's obligations under equality legislation. The Headteacher must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status.

Through the implementation of this procedure, the Directors will be mindful of the employer obligation to seek to maintain and protect the mental health and wellbeing of all staff as far as is reasonably practicable.

3. Scope

It is the responsibility of the Headteacher to ensure that employees for whom they are responsible are made aware of the provisions of this policy and that they are applied in a consistent manner. This policy applies to employees employed by us. It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation.

4. Who can take paternity leave

You can take paternity leave if you:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth;
- are the biological father of a child, or the spouse, civil partner or partner of the child's mother; and
- have, or expect to have, the main responsibility (apart from any responsibility of the mother) for the child's upbringing.

This means that paternity leave is available to an eligible female employee who is married to, or is the civil partner or partner of, the child's mother.

Paternity leave is also available to the spouse, civil partner or partner of an individual who has adopted a child. Where a couple adopt a child jointly, one may take adoption leave and the other paternity leave. They are entitled to choose for themselves which adoptive parent takes which type of leave.

To be eligible for paternity leave for a child adopted within the UK, you must have at least 26 weeks' continuous employment by the end of the week in which the adoption agency formally notifies the adopter that they have been matched with the child.

5. Length and timing of paternity leave

An eligible employee can take either one week's leave or two consecutive weeks' leave. You cannot take paternity leave in instalments (for example as part weeks or individual days).

You can take just one period of paternity leave per pregnancy or adoption, regardless of the number of children born as a result of the pregnancy or the number of children placed under the same adoption arrangement.

You must take paternity leave within 56 days of the child's birth or, if the child is born earlier than the expected week of birth, within 56 days of the first day of the expected week of birth.

For an adopted child, you must take paternity leave within 56 days of the child's placement for adoption with you (or in the case of a child adopted from overseas, within the period of 56 days beginning with the date the child entered Great Britain).

If you wish to take shared parental leave, you must take your paternity leave first. You cannot take paternity leave if you have already taken a period of shared parental leave in relation to the same child.

6. Notice to take paternity leave

If you wish to take paternity leave, please use our form to request paternity leave and pay in respect of birth child or form to request paternity leave and pay in respect of adopted child which can be obtained from the school.

To take paternity leave for a birth child, you need to give the Headteacher at least 15 weeks' written notice of:

- the date on which your partner's baby is due;
- the length of paternity leave you wish to take; and
- the date on which you wish your paternity leave to start.

To take paternity leave for an adopted child, you need to give the Headteacher written notice of your intention to take paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify:

- the date on which the adopter was notified of having been matched with the child;
- the date on which the child is expected to be placed for adoption;
- the length of paternity leave you wish to take; and
- the date on which you wish your paternity leave to start.

7. Changing your paternity leave plans

If you wish to change the timing of your paternity leave, you must give the Headteacher at least 28 days' notice of the revised start date.

8. Rights during paternity leave

During your leave, all the terms and conditions of your contract [except normal pay] will continue. Salary will be replaced by statutory paternity pay if you are eligible for it.

This means that, while sums payable by way of salary will cease, all other benefits will remain in place. For example, holiday entitlement continues to accrue. Pension contributions will continue to be paid.

9. Returning to work after paternity leave

Following your leave, you have the right to resume working in the same job as before on terms and conditions that are no less favourable than the terms that would have applied had you not been absent.

Your continuity of employment is not affected.

10. Time off for antenatal care

In addition to your paternity leave, you have the right to take time off to accompany a pregnant woman with whom you are having a child at up to two antenatal appointments. Our policy is that this time off will be paid.

This could be if you are the husband or civil partner of the pregnant woman, or you could be living with the pregnant woman in an enduring family relationship. In addition, you will be eligible for the time off if you are the biological father of the expected child.

To make a request for time off to accompany someone at an antenatal appointment, you should contact the Headteacher.

The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse. We expect that normally no more than half a day is needed for an antenatal appointment, but the leave includes the time needed to travel to the appointment and any waiting time needed at the appointment, and can be for a maximum of six-and-a-half hours on each occasion.

You should endeavour to give as much notice as possible of when you need the time off for the antenatal appointment and, wherever possible, arrange them as near to the start or end of the working day as possible.

11. Time off to attend adoption appointments

If you are adopting a child, you are entitled to take time off to attend adoption appointments, which enable contact with the child (for example, to bond with them before the placement) or for any other purpose connected with the adoption (for example, to meet with the professionals involved in the care of the child).

Where you are part of a couple jointly adopting a child, the couple can elect for one of them to take paid time off to attend up to five adoption appointments. The other can elect to take unpaid time off to attend up to two adoption appointments.

To make a request for time off for adoption appointments, you should contact the Headteacher. The appointment must have been arranged by or at the request of the adoption agency. The time off must be taken before the date of the child's placement for adoption with the employee. You should endeavour to give as much notice as possible of when you need the time off for the adoption appointment and, wherever possible, arrange them as near to the start or end of the working day as possible.

12. Data protection

When dealing with paternity leave and pay, the school processes personal data collected in accordance with its data protection policy. Data collected from the point at which an employee informs the school that they plan to take paternity leave is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their paternity leave and pay. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.