



# Paternity Leave Policy

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Linked to policies:

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

Signed:

A handwritten signature in blue ink, appearing to read "S. D. -".

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### Version Control

Version	Date of review/change(s)	Page and paragraphs affected	Summary of update
New policy	February 2026		
	April 2026		Changes in line with Government Policy

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## **1. Introduction**

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

This policy applies where:

- The child's expected week of birth begins after 6 April 2024 (this covers both circumstances where the employee qualifies for paternity leave by virtue of their relationship with the birth parent and also surrogacy arrangements),
- UK adoptions where the child is expected to be placed for adoption with the adopter on or after 6 April 2024, and
- Where adoptions are from overseas where the date on which the adopter's child is expected to enter Great Britain is on or after 6 April 2024.

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:

- are the biological father of a child, or the spouse, civil partner or partner of the birth parent; and
- have, or expect to have, the main responsibility (apart from any responsibility of the birth parent) for the child's upbringing; and
- meet the eligibility criteria detailed in this policy

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.

## **Pay**

Entitlement to pay is a day-one right, there is no qualifying service period.

To qualify for Statutory Paternity Pay the employee must:

- have average weekly earnings (AWE) at or above the lower earnings limit for National Insurance contributions (NICs) that applies over the 8-week “relevant period”.

If the employee does not qualify for SPP, they will be given a completed SPP1 to pass on to Jobcentre Plus.

## **5. Length and timing of paternity leave**

Two weeks of paid paternity leave are available to qualifying employees who have a partner or a surrogate mother expecting a child (through adoption or birth). The leave can be taken in two separate blocks of one week or a single block of two weeks.

The leave can be taken at any time in the 52 weeks after birth (or the first day of the expected week of childbirth if the child is born early). In the case of a UK adoption, the leave can be taken within 52 weeks after the date the child is placed with the adopter. In the case of an adoption from overseas, the leave can be taken within the 52 weeks from the date the child arrived in Great Britain.

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.

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.

### **Commencement of paternity leave**

An employee can take two weeks leave, either in two blocks of one week or a single block of two weeks. The exception to this is cases of premature birth when the leave must be taken within 56 days of the expected week of childbirth, thus allowing fathers of very premature babies to take leave when a baby is brought home from hospital.

Leave cannot start until the date of birth. However, an employee may choose to start leave on:

- the actual date of the birth (whether this is earlier or later than expected),
- the date as notified by the employee falling after the first day of the EWC. If the baby is born later than this date, the employee must delay their leave until the date of the actual birth,
- at any point within the first year after the birth.

### **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.

#### **Surrogacy**

Where a couple are the parents in a surrogacy arrangement and they are eligible to apply for a parental order (one or both of the couple has to have a genetic link to the baby) they will be able to choose which one of them takes statutory adoption leave and the other will be eligible for paternity leave and pay.

Details on entitlement to time off for antenatal appointments is covered within the Leave and time off policy. (OR insert relevant paragraph here.)

#### **Leave**

To qualify for parental leave the employee must satisfy all of the following:

- have a prescribed relationship with the child or the intended parent taking adoption leave,
- have or expect to have responsibility for the upbringing of the child and be either the intended parent's partner or the joint parent who has chosen not to receive statutory adoption pay,
- have 26 weeks continuous service with their current employer into the expected week of childbirth,
- average weekly earnings (AWE) at or above the lower earnings limit for National Insurance contributions (NICs),
- if they are the joint parent, the employee must declare that they have chosen not to take statutory adoption pay,

- have not already taken any shared parental leave (an employee is not entitled to paternity leave if they have already taken shared parental leave).

## **12. Bereaved Partner's Paternity Leave**

### **Entitlement**

From day one of employment eligible employees have a statutory right to a single period of up to 52 weeks' leave in circumstances where a child's primary carer dies.

Leave can only be taken after the bereavement date and within the 52-week paternity leave eligibility period, which begins from either:

- the day after the child is born
- the day after the child is placed for adoption (for adoption in Great Britain)
- the day after the child enters Great Britain (for overseas adoption)

If the bereavement date occurs within the last two weeks of the paternity leave eligibility period the eligibility period is extended and the entitlement is a maximum of two weeks' leave.

### **Eligibility**

The employee must have main responsibility for the upbringing of the child and the purpose of the leave must be to care for the child and meet the requirements of either a, b or c below:

a) Birth cases: if the child's mother has died and the employee is the father of the child or they are not the child's father but immediately before the death of the child's mother, they were married to, or were the civil partner, or partner of, the child's mother.

b) Adoption cases: if the child's primary adopter has died and the employee is married to, or was the civil partner, or partner of, the primary adopter on the date on which the child was placed for adoption or immediately before the death of the primary adopter. Or in an overseas adoption case the date on which the primary adopter received the official notification or immediately before the death of the primary adopter.

c) Surrogacy cases: if the child's primary parental order parent dies and the employee is married to, or was the civil partner, or partner of, the primary parental order parent on the date on which the child was born, or immediately before the death of the child's primary parental order parent.

### **Pay**

Time off for bereaved partner's paternity leave is unpaid.

### **Notification**

The employee must give notice of their intention to take bereaved partner's paternity leave. If the employee wishes to start the leave within the first eight weeks following the bereavement date, they must give notice before they are due to start work on their first day of absence. Notice can be given orally or in writing.

If the employee wishes to start the leave after the initial eight-week period following the

bereavement date, they must give at least one week's notice in writing.

### **Amending leave start date**

An employee may change their mind about the date they want their leave to start. In this case the employee must notify the school.

If the employee intends to start the leave within the first eight weeks following the bereavement date, they must give notice that they wish to vary the start date of their leave before the last notified leave start date and, where the new leave start date is no more than eight weeks after the bereavement date, before the new leave start date.

Where the new leave start date is more than eight weeks after the bereavement date, the employee must give notice before the last notified leave start date and at least one week before the new leave start date.

If you intended to start the leave more than eight weeks following the bereavement date, you must give us notice that you wish to vary the start date of your leave at least one week before the last notified leave start date and at least one week before the new leave start date.

Where the new leave start date is no more than eight weeks after the bereavement date, you can give the notice orally or in writing. Where the new leave start date is more than eight weeks after the bereavement date, you must give us notice in writing.

### **Cancelling leave**

The employee may cancel their leave by giving notice in writing.

Where the last notified leave start date is no more than eight weeks after the bereavement date, the employee must give notice that they wish to cancel their leave before that date.

Where the last notified leave start date is more than eight weeks after the bereavement date, the employee must give notice that they wish to cancel their leave at least one week before that date.

### **Amending return to work date**

The employee may change their intended return date by giving notice of their new intended return date in writing.

Where the last notified intended return date is no more than eight weeks after the bereavement date, they must give the notice at least one week before that last notified intended return date and at least one week before the new intended return date.

Where the last notified intended return date is more than eight weeks after the bereavement date, they employee must give the notice at least eight weeks before that last notified intended return date and at least eight weeks before the new intended return date.

### **Postponing return to work**

If the employee wants to return to work but hasn't notified as set out above, we may postpone your return to work to a date when you would have returned if you had followed the notice requirements. We will always give you notice in writing of the postponement.

We will not postpone your return to work past the end of the paternity leave eligibility period.

If we postpone your return to work, you will not be entitled to your usual remuneration until the date set out in the notice of postponement if you return to work before that date. This will apply unless we have revoked the notice of postponement in writing.

#### **Entitlement When the Purpose of Caring for the Child Cannot be Met**

You may still be entitled to leave where you would be eligible but for a “relevant event” happening. These events are:

- the death of the child
- the child being returned after being placed for adoption
- the child ceasing to live with you (overseas adoption).

In these circumstances, you are entitled to take bereaved partner’s paternity leave until the earliest of:

- eight weeks following the end of the week the relevant event occurred in
- the end of the 52-week paternity leave eligibility period.

Where this situation arises, in addition to following the notification requirements set out above, you must inform us of the date and nature of the relevant event before your first day of bereaved partner’s paternity leave following the relevant event. You can do this orally or in writing.

#### **Keeping in Touch Days**

KIT days are a statutory entitlement where the individual may work for up to 10 days during their Bereaved Partner’s Paternity leave, without their Bereaved Partner’s Paternity leave being terminated.

The employee and Headteacher must be in agreement of any such work - the employee cannot be required to attend a KIT Day, nor is the employee entitled to request a KIT day if there is no practicable reason for them to attend the workplace.

KIT days do not have to be consecutive and can be used for work activities, training or any other activity such as a team meeting that enables the employee to keep in touch with the workplace. Working for part of a day will count as one of the 10 KIT days.

Employees who attend a KIT day will claim for the actual hours that they have worked on each KIT day taken, up to a maximum of the employee’s normal pay for a day’s work. KIT day payments will be paid at the employee’s normal hourly rate.

#### **Returning to Work**

If you return to work after a period of 26 weeks or less of bereaved partner’s paternity leave, you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence.

If you return to work after a period of more than 26 weeks’ bereaved partner’s paternity leave, you are entitled to return to the same job in which you were employed before your absence or, if that is not reasonably practicable, to another job which is both suitable and appropriate for you in the circumstances on terms no less favourable.

### **Use of Bereaved Partner's Paternity Leave**

Employees who take time off under this policy for reasons other than those for which the statutory right to bereaved partner's paternity leave is intended may be subject to investigation and subsequent disciplinary proceedings.

### **13. 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.