



Paternity Leave Policy

Approved by Trust Board on 10 December 2021
Applicable from 01 January 2022

Updated to reflect the Paternity Leave (Amendment) Regulations 2024; applicable for babies with an expected due date on or after 06 April 2024

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1.0 Introduction

1.1 Paternity Leave is available to eligible employees 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 take Paternity Leave and Pay is a statutory entitlement subject to meeting certain eligibility criteria.

1.3 The right to undertake Additional Paternity Leave has been replaced with Shared Parental Leave, and employees should refer to our Trust's Shared Parental Leave Policy.

1.4 This Policy will be applied with due consideration to our Trust's Equality, Diversity & Inclusion Policy and our [co-operative values](#).

2.0 Eligibility for Statutory Paternity Leave

2.1 To be eligible, you must:

- Be the biological father, and have, or expect to have, responsibility for the child's upbringing, or
- Be the spouse or partner of the mother and have, or expect to have, the main responsibility for the child's upbringing. Same sex partners are eligible.
- Have worked continuously for Co-op Academies Trust ("our Trust") for 26 weeks leading into the 15th week before the baby is due – and from the 15th week before the baby is due up to the date of birth.
- Provide notice at least 4 weeks prior to the baby's due date of the intention to take leave.

2.2 Employees who are adopting a child must meet the following eligibility criteria:

- Have at least 26 weeks continuous service at the Matching Week, or for overseas adoptions, the date the child arrives in the UK
- Provide notice within 7 days of being matched with a child of the expected date of placement.

2.3 The employee will be required to confirm that they are taking time off in order to provide care and support to their partner and child. The employee will be requested to submit evidence in the form of a copy of the MATB1 form or matching certificate prior to leave and pay being authorised.

3.0 Statutory Paternity Pay

3.1 During your paternity leave you will be entitled to receive two weeks paid leave at your normal rate of pay.

3.2 Employees are eligible for Statutory Paternity Pay (which is set by the government each tax year) providing that they meet the following criteria:

- Have at least 26 weeks continuous service with our Trust by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week');
- Be employed up to the date of birth of the child;
- Have earnings that are not less than the lower earnings limit for National Insurance Contributions.

3.3 Statutory Paternity Pay is offset with your normal rate of pay whilst on Paternity Leave and it is not paid in addition.

4.0 Taking Paternity Leave

4.1 You must give four weeks' notice of your intention to take paternity leave (unless in relation to adoption, see 4.2 below). Notice must be provided by completing the "Request for Paternity Leave and Pay Form" (Annex One), and this must be returned to your line manager / school office / Headteacher.

4.2 If the Paternity Leave is related to an adoption then notification must be within the 7 days of being told a 'match' has been made with a child. This must include the date the child is expected to be placed, the intended start date of paternity leave and the length of the intended leave and the date on which the adopter was notified of having been matched with the child.

4.3 The form asks you to provide the following information:

- The length of the leave requested
- The date you intend to start the leave
- A declaration from yourself that you will be responsible for the child's upbringing and will be taking time off to support the child's mother or care for the child.

4.4 You can choose to take two blocks of 1 week's leave or 2 consecutive weeks' leave. Leave cannot be taken on odd days,

4.5 Leave must be taken within 52 weeks of the child being born or placed for adoption.

4.6 A week is classed as the number of days that an employee would usually be in work over a calendar week.

4.7 You can choose to start your leave on

- The date the child is born (whether this is earlier or later than expected); or
- A certain number of days after the child is born (within 52 weeks of birth); or
- On a predetermined date after the first day of the EWC (within 52 weeks of birth)

4.8 You have the option to change your mind about the dates for your paternity leave, provided that you give 28 days' notice to your line manager.

4.9 If you do change your mind, remember to complete and return a new "Request for Paternity Leave and Pay Form" (Annex One). The leave will start on the date specified in the last notice.

4.10 Where you have chosen to take your leave or deploy to the place on a predetermined date but the baby has not been born by that date, you can choose another date. You must give notice of the change as soon as is reasonably practicable. It is possible for you to vary your notice more than once.

4.11 In the case of multiple births or multiple adoptions in the same period, there is only entitlement to one period of leave regardless of the number of children born as a result of the pregnancy or adopted.

4.12 Where a child is born prematurely i.e. before the first day of the EWC, the leave must be taken within 52 weeks of the week the baby was due. This allows colleagues of very premature babies to take leave when the child is brought home from hospital.

4.13 In the sad situation that the child dies or is stillborn after 24 weeks of pregnancy, you will still qualify for paternity leave.

5.0 Time off to attend ante-natal appointments

5.1 Employees who are the father, partner or civil partner of a pregnant woman, are entitled to take paid time off work to attend up to 3 half day paid antenatal appointments. (Half day is maximum of 4 hours)

5.2 Partners of main adopters are entitled to take reasonable paid time off to attend up to 3 half day paid pre-adoption appointments. (Half day is maximum of 4 hours)

5.3 Employees should make their requests to attend appointments to the Headteacher, providing as much notice of the appointment as possible. The Headteacher may ask the employee for a declaration from the expectant mother stating the date and time of the appointment.

5.4 In exceptional circumstances (e.g. complications relating to underlying health conditions of the expectant mother or the unborn baby) our Trust wishes to support colleagues, and the Headteacher has the discretion to grant paid Special Leave for attendance at additional ante-natal appointments. Our Trust's Special Leave Request Form should be used to request and record this.

6.0 Other terms and conditions of employment

6.1 When paternity leave is followed by a period of parental leave (see Trust's Parental Leave Policy) or vice versa, if you take up to four weeks' parental leave, you are entitled to return to the same job on the same terms and conditions as if you had not been absent.

6.2 If you take more than four weeks' parental leave excluding Paternity Leave, you are still entitled to return to the same job on the same terms and conditions as if you had not been absent unless this is not reasonably practicable, in which case you are entitled to be offered a similar job.

6.3 Whilst you are on paternity leave you are still entitled to the same terms and conditions of employment which would have applied if you had not been absent.

6.4 A period of paternity leave counts towards a period of continuous employment for the purposes of statutory employment rights, including calculating a redundancy payment. Paternity leave also counts for contractually agreed arrangements based on the length of service such as pay increments and assessing seniority.

6.5 Employer's and Employee's pension contributions will be worked out as if you were working normally and being paid as usual for doing so.

6.6 Employees have the right to request a variation to their contract so that they can work more flexibly and thereby balance their childcare responsibilities with their work commitments. There is no automatic right to return to work following Paternity Leave in an adjusted working pattern, however careful consideration will be given on receipt of a request in accordance with our Trust's Flexible Working Policy.

6.7 Our Trust will support colleagues who wish to continue their CPD voluntarily whilst on paternity leave. Colleagues should discuss this with their manager. Further support and information on CPD whilst on leave can also be found from [The Maternity Teacher](#), [Paternity Teacher Project](#).

7.0 Sickness absence before or after paternity leave

7.1 A colleague cannot be paid Statutory Paternity Pay and Statutory Sick Pay at the same time. If you are unwell before starting your period of paternity leave, you should postpone it. The 52 week period within which you should take paternity leave is not extended under these circumstances.

7.2 If you cannot return to work at the end of your paternity leave because of illness, you should follow the normal procedure for notifying your line manager of sickness absence in accordance with our Trust's Supporting Attendance Policy.

8.0 Review

8.1 Our Trust will review this Policy every three years, in consultation with our recognised Trade Unions, and/or if any significant changes in legislation occur.

Annex One - Application for Paternity Leave

This form is to be used by any colleague requesting paternity leave and pay. Please refer to our Trust's Paternity Leave Policy for further information. To qualify for Paternity Leave you must have 26 weeks continuous service with our Trust leading into the 15th week before the Expected Week of Confinement.

Full Name:	
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Job Title:	
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Department:	
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Work Location:	
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Expected date of childbirth or actual date of birth Or Expected date of child placement (adoption)	
Date of start of paternity leave	
Duration of paternity leave requested	

I am applying for paternity leave in accordance with our Trust's Paternity Leave Policy. In applying for this leave, I understand:

- that I must notify my line manager in writing at least 4 weeks before the EWC / start date for the leave that I wish to be absent for paternity leave.
- that if I wish to change my date to commence my paternity leave, it is necessary for me to notify my line manager, in writing, 28 days before my absence begins.
- that I will notify my line manager in writing of the actual date of birth.
- that I wish to exercise my right to return to my post.

I declare that:

- I am in an enduring family relationship with the mother / main adopter.
- I will be responsible for the child's upbringing.
- I will be taking time off to support the child's mother or care for the child

Signed		Date	
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