



Paternity/Adoption Leave Policy

Lead Officer (Post):	Director of HR and Organisational Development
Responsible Office/ Department:	People and Culture
Responsible Committee:	HR Committee
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Date of Equality Impact Assessment:	August 2024

Accessible versions of this policy are available upon request. Please contact the University Governance team

Policy Summary

Overview	To consolidate new staffs understanding of their duties and responsibilities, to ensure they have the knowledge and skills to perform their role safely and to a high standard, with an understanding of UHI North, West and Hebrides (NWH) mission, values and culture.
Purpose	This policy sets out the contractual and statutory paternity rights for all eligible employees wishing to take paternity leave.
Scope	This policy applies to all new employees including academic and professional services - full time, part time and temporary staff members.
Consultation	All staff will be asked to consult on the new policy.
Implementation and Monitoring	The implementation and monitoring of the policy is the responsibility of the Human Resource department.
Risk Implications	Noncompliance of Employment Law.
Link with Strategy	This policy aligns with UHI's enabling plan 'people and culture' which forms part of the strategic plan (2021-2025) framework.
Impact Assessment	Equality Impact Assessment:

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1. Introduction

The Paternity Policy is designed to enable the college to meet its statutory legislative requirements and to provide an appropriate level of support to employees who wish to take time off following the birth/adoption of a child.

The policy outlines both the Ordinary and Additional entitlements to leave and payments (if applicable) and provides a framework for Managers and Staff to help them manage paternity leave requests effectively.

The College will adopt a fair and consistent approach to all Paternity/Adoption requests and follow Statutory guidelines. This policy has been updated in line with the Paternity Leave (Amendment) Regulations 2024.

2. Scope of the Policy

The policy applies to all employees of UHI North, West and Hebrides College.

This policy should be read in conjunction with the College's family friendly policies (e.g., Parental Leave, Maternity Leave).

3. Aims of the Policy

To review, update and amend the existing policy in line with the general review of all college policies.

To ensure that the policy interlinks with the College's other family friendly policies.

To provide guidance and assistance to all employees by setting out a procedure that is compliant with following recent legislative changes.

Procedures – The Key Things You Need to Know

1. General Qualification Conditions for Ordinary Paternity Leave
2. Stillbirths/Miscarriage
3. Ante-natal Appointments
4. General Qualification Conditions for Additional Paternity Leave
5. Keeping in Touch Days
6. Return to Work
7. Rights on and after return to work
8. Annual Leave Accrual
9. Contributions to Pension Scheme
10. Parental Leave

There are two types of Paternity Leave – Ordinary and Additional

Ordinary Paternity Leave (OPL) will normally be given at or around the time of the birth of a baby to the spouse/partner. The maximum leave entitlement for OPL is 2 weeks. This leave can be taken as either 2 weeks together or 2 separate blocks of 1 week. Employees can take their paternity leave any time in the 52 weeks after the birth or adoption of their child.

Employees will be entitled to a maximum of 2 weeks paid Ordinary Paternity Leave at the appropriate Statutory Paternity Pay allowance (or 90% of your average weekly earnings, if that is less.)

General Qualification Conditions for Ordinary Paternity Leave

You are required to notify the College of your intention to take Paternity Leave in writing 28 days before the baby is expected (in the case of adoption, no later than 7 days after receiving notification for a match) and must provide the following details:

- The start date of the leave to be taken
- The week in which the baby is expected
- The duration of the leave to be taken

The HR Team will respond to your request within 28 days of notification. In addition, you will be asked to complete an SC3 form (see HR SharePoint).

If you wish to change the date of your Paternity request, you must give 28 days' notice in writing (or as soon as reasonably practicably).

Stillbirths/Miscarriage

If your wife/partner gives birth to a stillborn baby, you are still entitled to OPL, but only if the stillbirth/miscarriage occurs after 24 weeks of pregnancy.

Time off for ante-natal appointments

The right to paid time off applies only to pregnant employees. Although you do not have a statutory right to time off to accompany your partner to ante-natal appointments you may apply for time off to attend under the College Special Leave policy and your Curriculum Manager may approve this application as unpaid.

General Qualification Conditions for Additional Paternity Leave

If you are applying for **Additional Paternity Leave** (APL) you will be entitled to any outstanding statutory maternity/adoption leave and pay that your partner would be eligible to receive if she/he had not returned to work, providing you meet the following additional criteria:

- you must remain in continuous employment until the week before the first week of APL.
- the mother of the child must be entitled to one or more of the following: maternity leave, statutory maternity pay, or maternity allowance.
- in the case of adoption, the primary adopter must be entitled to one or both of adoption leave or statutory adoption pay.
- the mother or primary adopter must have returned to work and forfeited a portion of her/his maternity or adoption leave and or pay.

The earliest that Additional Paternity Leave may commence is 20 weeks after the date on which the child is born. Additional Paternity Leave must be taken as one continuous period. The minimum period is two weeks and the maximum period is 26 weeks.

If you have adopted a child, you will qualify for Additional Paternity Leave within the first year after the child's placement for adoption. However, the child's adopter must have returned to work before using their full entitlement to adoption leave.

You must give the College 8 weeks written notice of the date on which you intend to commence APL, along with a completed SC7 form (available on Share-point). In the case of an adopted child you must detail:

- the date on which you were notified of having been matched with the child
- the date of placement for adoption.

In addition, the mother or primary adopter must complete their declaration on the SC7 form before returning to the College.

The HR Team are responsible for assessing your entitlement and ensuring that the relevant payment details are submitted to Payroll. You will receive written notification within 28 days of your original request detailing your entitlements, along with confirmation of your start and end dates. You will be requested to provide the College with the following evidence:

- the child's birth certificate or
- the name and address of the adoption agency;
- the date on which the child was matched with you
- the date on which the agency expects to place the child for adoption

This information must be supplied to the HR Team within 28 days of requesting it.

You may alter or cancel your APL start date, provided you write to the HR Team at least 6 weeks before the proposed new start date.

Mothers are entitled to take up to 52 weeks maternity leave. Any outstanding amount will transfer to you whilst you are on Additional Paternity Leave. Please refer to the College's Maternity Policy for calculation details.

Keeping-in-touch days

In order to facilitate occasional training and to keep in touch with you, you can agree to work for UHI NWH for up to 10 days during additional paternity leave without that work bringing the period of your additional paternity leave and pay to an end. These are known as "keeping-in-touch" days.

You will be paid at your normal contractual rate, which will be offset against any statutory payment made during this time.

Return to Work

You must return to work by the date specified on your notification letter. If you are unable to attend work due to sickness or injury, the College's normal arrangements for sickness absence will apply.

If you wish to return to work earlier than the expected return date, you must give the College at least 8 weeks written notice of your date of early return.

Rights on and after return to work

When you resume work after both ordinary and additional paternity leave you will be entitled to return to the same job as you had occupied before commencing paternity leave. In the event of this not being possible, by reason of general reorganisation or redundancy, you will be offered a suitable alternative vacancy where one exists.

An employee on APL will be treated in the same way as any other NWH employee during the redundancy situation as per the College's Redundancy Policy.

APL does not break continuity of employment. Similarly, APL counts towards an employee's period of continuous employment for the purposes of entitlement to other statutory employment rights, e.g., the right to a redundancy payment.

Accrual of Annual Leave

You will continue to accrue annual leave and public holiday entitlement throughout your Additional Paternity Leave.

Contributions to an occupational pension scheme

Pension contributions will continue to be made during any period when you are receiving statutory paternity pay but not during any period of unpaid additional paternity leave. Employee contributions will be based on actual pay, while the College's contribution will be based on the salary that you would have received had you not gone on additional paternity leave.

Parental Leave

If you need further time off to look after your child, you may be able to take parental leave. Please refer to the College's Parental Leave Policy.