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## **Statutory Paternity Leave Policy**

**Revised and applicable from 26th February 2024**

**Signed:**

**Chair of Governors**

## **What is Paternity leave and who qualifies?**

Employees who:

- have or expect to have a responsibility for the child's upbringing
- are the biological father of the child or mother's husband or partner and
- have worked continuously for their employer for 26 weeks ending with the 15<sup>th</sup> week before the baby is due or the end of the week in which the child's adopter is notified of being matched with the child can choose to take either one week or two consecutive weeks' paid paternity leave (this cannot be taken in odd days)

## **When must Paternity leave be taken?**

Paternity leave must be completed:

On any day of the week on or following the child's birth, but must be completed:

- Within a 56-day period which starts either on the date of birth of the child, or at the beginning of the expected week of childbirth, whichever is the later.
- If the child is born early or within the period from the actual date of birth up to 56 days after the first day of the week in which the birth was expected.

## **What Paternity leave must employers provide?**

Employers must provide the right to two weeks' paid paternity leave which can be taken in two ways: either

- as two single weeks, or
- as 2 weeks consecutively

## **What notice & action are required?**

Employees are required to give the employer a self-certificate of entitlement to leave. The employee should provide:

- Their name.
- The expected week of the child's birth (EWC) or, if birth has already occurred, the actual date of birth.
- The length of the period of leave required and the date from which leave is requested
- The date of return.

## **Leave**

The above information should be given to the employer on or before the 15<sup>th</sup> week before the Expected Week of Confinement (EWC) or, if this is not practicable, as soon as possible thereafter and at least 28 days before the leave commences.

There is no requirement for the employee to give the employer any medical evidence of the pregnancy or birth.

## **Pay**

In order for the employee to claim Statutory Paternity Pay (SPP), the employee must provide the employer with a completed self-certificate that he is the father of the child and/or the partner or the husband of the mother and:

- is taking leave either to care for the child and/or to support the mother, and has or expects to have responsibility for the upbringing of the child

The self-certificate must be given as evidence of the entitlement at least 28 days before the employee wants SPP to begin.

## **What Statutory Paternity Pay (SPP) and benefits must employers provide during paternity leave?**

The level of Statutory Paternity Pay (SPP) is the same as the flat rate for Statutory Maternity Pay (SMP), currently from the 2<sup>nd</sup> April 2023, this is £172.48 per week, or 90% of the employees average weekly earnings if this is less than £172.48.

In addition, employees retain the benefit of their terms and conditions of employment and are entitled to return to work to the same job. ***However, Newham pays all employees who meet the eligibility requirements 10 days contractual pay.***

## **Can an employee delay the start of paternity leave after giving notice to their employer?**

Yes, provided that the employee gives their employer written notice of the required change, whether to the date on which they require the leave to commence, or to its length. The notice must be at least 28 days' notice, before the new leave date commences.

**CHILDREN & YOUNG PEOPLE'S SERVICES**

**APPLICATION FOR PAID PATERNITY LEAVE**

NAME: ..... PAYROLL NO:.....

JOB TITLE:..... SCHOOL:.....

NAME OF MOTHER-TO BE:

.....

EXPECTED DATE OF CONFINEMENT:.....

DATES OF ABSENCE REQUESTED: FROM:.....

TO: .....

APPLICANT'S SIGNATURE:..... DATE:.....

- I approve this application

*(Delete as appropriate)*

- I do not approve this application for the following reasons.

.....

.....

.....

MANAGER'S SIGNATURE:.....DATE:.....

Approved/Not Approved *(Delete as appropriate)*

HEAD TEACHER:.....DATE:.....