



# ROBERT GORDON UNIVERSITY ABERDEEN

## Paternity/Supporting Partner Leave Policy/Procedure

<b>Approved by</b>	The Executive		
<b>Date approved</b>	September 2018	<b>Status</b>	Approved
<b>Policy owner</b>	Head of HR and Operations Support	<b>Impact assessed</b>	Yes
<b>Version</b>	1	<b>Date of next review</b>	November 2023

## 1.0 POLICY STATEMENT

The University aims to support all employees in achieving a healthy work/life balance, recognising that many employees may need a range of support regarding their family responsibilities. As such the University has built on its statutory obligations and developed a number of flexible family friendly policies which are available to all staff irrespective of their gender or sexual orientation. Employees can access these policies [here](#).

For further advice and information on this policy or any of the University's other family friendly policies, please contact the HR department.

## 2.0 PURPOSE & SCOPE

This policy sets out the rights of employees to paternity/supporting partner leave and pay, including enhancements the University provides for those eligible employees. This policy also outlines the process employees and managers should follow. This policy ensures a consistent and fair approach in line with legislative requirements and commitment to best practice.

To support this policy, a flowchart explaining the process can be found in the appendix 2.

## 3.0 ADOPTION & SURROGACY

Paternity/supporting partner leave is available to adoptive parents and where an employee is a parent in a surrogacy arrangement who is entitled to and intends to apply for a Parental Order.

## 4.0 DEFINITIONS

The following definitions are used within this policy.

<b>Expected Week of Childbirth (EWC)</b>	The week, beginning with midnight between Saturday and Sunday, in which it is expected that childbirth will occur.
<b>Qualifying Week</b>	The 15 <sup>th</sup> week before the EWC.
<b>Ordinary Paternity Leave (OPL)</b>	A 2 week period of paternity/supporting partner leave entitlement.
<b>Statutory Paternity Pay (SPP)</b>	Paid to eligible employees for up to 2 weeks by the University. Paid at the statutory rate set by the Government in the relevant tax year.  <a href="https://www.gov.uk/paternity-pay-leave">https://www.gov.uk/paternity-pay-leave</a>

<b>Ordinary Paternity Pay (OPP)</b>	An enhanced payment to eligible employees paid by the University for up to 2 weeks in addition to (or on top of) any SPP entitlement.
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## **5.0 ELIGIBILITY**

In order to be eligible for paternity/supporting partner leave, an employee will:

- be the biological father of the child; or
- be married to the child's mother/primary adopter or be their unmarried, co-habiting partner whether or not they have registered a civil partnership; and
- have at least 26 weeks' continuous employment ending with the 15<sup>th</sup> week before the EWC, or by the end of the week in which the adopter is notified of having been matched for adoption with the child, and remain in continuous employment with the University until the date of birth;
- have average weekly earnings at or above the lower earnings limit for national insurance purposes which applies at the end of the 15th week before the EWC;
- comply with the notification process set out in Section 7.0.

## **6.0 ENTITLEMENT**

Paternity/supporting partner leave and pay covers both single and multiple births and, with regards to adoption, the placement of one or more children.

Paternity/supporting partner leave and pay cannot start until the child or children have been born or placed for adoption.

### **6.1 Ordinary Paternity Leave (OPL)**

Eligible employees are entitled to take 2 weeks OPL. The University will allow employees to take either:

- a single 2 week block within the first 56 days of the child's birth/placement; or
- a single 1 week block within the first 56 days of the date of the child's birth or placement followed by a further single one week block within 52 weeks of the date of the child's birth/placement.

Single days cannot be taken.

### **6.2 Multiple births/placements**

In the case where there are multiple children born as a result of the same pregnancy, or are placed for adoption as part of the same arrangement, the

University will enhance an eligible employee's entitlement to a total of 3 weeks OPL. The University will allow employees to take either:

- a single 3 week block within the first 56 days of the children's birth/placement; or
- a single 2 week block within the first 56 days of the date of the children's birth or placement followed by a further single one week within 52 weeks of the date of the children's birth/placement.

Single days cannot be taken.

### **6.3 Occupational Paternity Pay (OPP)**

OPP is paid by the University for all eligible employees for up to 2 or 3 weeks and the employee must notify the University of when they wish to receive OPP (at least 28 days before they want it to start) through completion of the [Paternity/Supporting Partner Leave Declaration Form](#) (appendix 3).

Regardless of how the leave is taken eligible employees will be entitled to either 2 or 3 weeks leave and the University will enhance SPP by topping it up to full pay.

### **6.4 Employees with less than 26 weeks service**

If an employee has less than 26 week's service at the 15th week before the EWC, or by the end of the week in which they are notified of having been matched for adoption with the child/children, then they will not qualify for OPL or OPP from the University. On receipt of the MATB1 or Matching certificate the HR department will forward a SPP1 form onto the employee within 7 days.

## **7.0 NOTIFICATION**

Written notification of the intention to take OPL should be provided through the submission of a [Paternity/Supporting Partner Leave Declaration Form](#) (appendix 3), at the earliest date possible, and wherever practicable no later than:

- 15 weeks before the EWC (including those employees who are the intended parents of a child/children born through a surrogacy arrangement); or
- 7 days after the date on which notification of the match with the child/children was given by the adoption agency and the date on which the child/children is expected to be placed for adoption; or
- 28 days prior to the date which the employee has chosen as the date on which their period of paternity/supporting partner leave should begin for overseas adoptions.

The [Paternity/Supporting Partner Leave Declaration Form](#) (appendix 3) should be submitted to the manager for approval, and forwarded to the HR department, who will then acknowledge and confirm leave arrangements as appropriate.

An employee may change their mind about the date on which they want their leave to start providing they inform their manager and HR at least 28 days in advance (or as soon as is reasonably practicable for example in the case of seeking to accommodate the early or late arrival of the baby/placement of the child).

### **8.0 APPOINTMENTS – ADOPTION, SURROGACY AND ANTENATAL**

Employees are entitled to reasonable paid time off to attend antenatal/adoption appointments. Please note, the employee may be asked to provide relevant documentation confirming the appointments.

Where possible, employees are encouraged to arrange appointments at suitable times to minimise disruption to their work.

### **9.0 MISCARRIAGE OR STILLBIRTH**

In the event that a child is stillborn from 24 weeks, an employee’s entitlement to paternity/supporting partner leave and pay remains.

### **10.0 SHARED PARENTAL LEAVE (SPL)**

SPL allows eligible parents to convert a mother/primary adopter’s maternity/adoption leave into SPL which can then be shared between both parents as they wish in order to share the care of their child during the first year of birth/placement. Full details can be found in the University’s [shared parental leave and pay](#).

### **11.0 ALTERNATIVE FORMAT**

This document can be provided in alternative formats on request by emailing [HRInbox@rgu.ac.uk](mailto:HRInbox@rgu.ac.uk) or by phoning 01224 262625.

### **12.0 CHANGE CONTROL RECORD**

<b>No.</b>	<b>Approval date:</b>	<b>Amendment made:</b>	<b>Approved by:</b>

## **PATERNITY/SUPPORTING PARTNER FAQs**

### **1. How is my contract of employment affected?**

The contract of employment continues throughout the period of leave unless either party expressly ends it. The period of leave therefore counts towards the period of continuous service for the purposes of entitlement to statutory employment rights.

### **2. Will I continue to accrue annual leave whilst on paternity/supporting partner leave?**

Contractual annual leave (including public holidays) will be accrued during any paternity/supporting partner leave period.

You will be responsible in conjunction with your manager, for planning and arranging your annual leave around the paternity/supporting partner leave period. Annual leave can be taken at any time (outside of the paternity/supporting partner leave period), including being tagged onto the beginning or end of this leave period, subject to the agreement of their manager.

### **3. What happens with public holidays?**

All public holidays that fall in the period of paternity/supporting partner leave will be accrued. Accrued holidays will be dealt with as per the provisions for annual leave detailed above.

### **4. How will leave/pay affect my pension?**

#### **Local Government Pension Scheme (LGPS) & Scottish Teachers Superannuation Scheme (STSS)**

During any period of paid paternity/supporting partner leave, your full pension membership will continue. Your normal pension contributions will be based on the actual pay you receive during this period and the University will continue to pay normal contributions based on your notional full pay.

#### **LGPS**

During any period of unpaid paternity/supporting partner leave, your membership will cease to continue for that period unless you have the right to return to work, in which case you can choose to make up pension contributions to cover the unpaid period. If you do this within 30 days of returning to work (or within 30 days of leaving, if you do not return to work) the costs of making up contributions will be split 1/3rd payable by you, and 2/3rds payable by the university. You may still elect to make up the pension after the 30 day period has expired, but the costs will fall fully to you. The cost of paying back is based on the last rate of pay you received just prior to the period of unpaid leave (excluding any increase in pay

due to working a keep in touch day). You can discuss this directly with an LGPS Advisor at 01224 264264 or e-mail at pensions@nespf.org.uk.

## **STSS**

During any period of unpaid leave, your membership will cease to continue for that period. Under the current rules of the scheme members are not able to buy back the lost pension during any period of unpaid leave.

### **5. What other Family Friendly support does the University offer?**

The University is committed to helping working parents and carers, and offers a variety of family friendly benefits and flexible arrangements. Policies and procedures within the suite of [family friendly](#) include: maternity leave and pay, paternity/supporting partner leave and pay, adoption/surrogacy leave and pay, shared parental leave and pay, parental leave, fertility treatment leave and pay, foster care leave and pay and time off for dependents. In addition the University offers:

#### **Childcare facilities**

The Treehouse Early Care Centre is a purpose build facility based on the University Campus. It provides high quality care and education for children aged 3 months to 5 years during Monday to Friday, 7.30am – 6pm.

Employees may be eligible to salary sacrifice part of their salary for the full cost of their childcare place, saving between 30% and 42% depending on the tax rate. Employees are advised to submit applications to their preferred nursery provider(s) as early as possible as places are normally reserved very quickly.

Kings Camps is a holiday childcare provider (OFSTED-registered) which operate from RGU:SPORT on the University campus during the Easter, Summer and October holidays. University Employees can book in advance to spread the cost and currently receive a discount.

Further information and contact details can be found at [Supporting Working Parents](#).

Employees will also find information here on childcare support including the Governments Tax Free Childcare scheme.

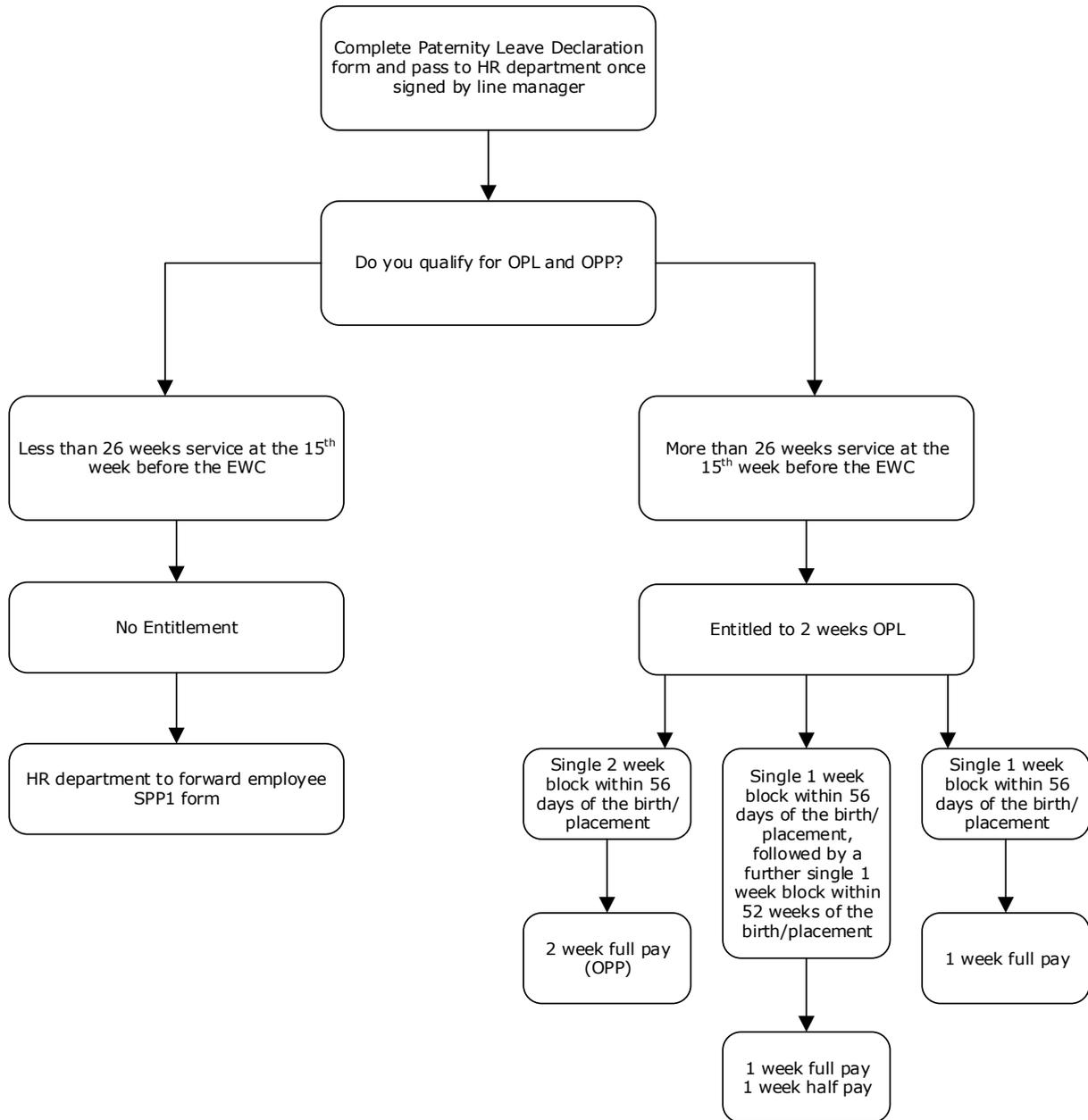
#### **Flexible Working**

The University's flexible working policy can help achieve a better work-life balance, and enable employees to develop a work pattern that suits their family commitments. For more information please refer to the University's [Flexible Working Scheme](#).

## **University Support Helpline**

The University recognises that employees may need confidential independent help, information, and guidance. For that reason a 24 hour confidential support [employee helpline](#) is available to employees and their family members to access. Professionals are available to answer queries on a wide range of practical and more sensitive issues and the service offers: life support, legal information, bereavement assistance, medical information, a wellbeing portal and online CBT.

**Flowchart: Process for Paternity/Supporting Partner Leave**



 <b>ROBERT GORDON UNIVERSITY ABERDEEN</b>	<b>Paternity/Supporting Partner Leave Declaration Form</b>
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Please refer to the University's [Paternity/Supporting Partner Leave Policy/Procedure](#) before completing this form.

<b>Employee Name:</b>	
<b>Job Title:</b>	
<b>School/Department:</b>	

<b>SECTION A: COMPLETE ONLY IN THE CASE OF BIRTHS</b>	
Please accept this form as notification of my intention to take paternity/supporting partner leave.	
Expected date of birth:	
Or, if the baby has been born, the actual date of birth:	

<b>SECTION B: COMPLETE ONLY IN THE CASE OF ADOPTIONS</b>	
Please accept this form as notification of my intention to take paternity/supporting partner leave.	
Expected date of placement:	
Or, if the child has been placed, the date of placement:	

<b>SECTION C: DATES OF PATERNITY/SUPPORTING PARTNER LEAVE (ALL CASES)</b>	
I would like my paternity/supporting partner leave and pay to start on:	
I wish to take: (Please select one of the following)	
	1 week of paternity/supporting partner leave
	2 weeks of paternity/supporting partner leave
	2 weeks of paternity/supporting partner leave in 2 single blocks. The second week of leave will start on:
<b>In the case of multiple births:</b>	
	3 weeks of paternity/supporting partner leave
	3 weeks of paternity/supporting partner leave in single blocks. The second week of leave will start on: The third week of leave will start on:

**SECTION D: DECLARATION (ALL CASES)****To be eligible for paternity/supporting partner leave and pay you must be able to select all boxes**

	I am the biological father of the child, or I am married to, the civil partner of, or the co-habiting partner of, the mother/primary adopter
	I have responsibility for the child's upbringing
	I will be absent from work for the purpose of caring for the child or supporting the child's mother/primary adopter

**SECTION E: EMPLOYEE SIGNATURE**

I confirm that the information provided above is accurate.

**Signed:****Date:****SECTION E: MANAGER SIGNATURE**

I confirm that the above request has been discussed with the employee.

**Name:****Signed:****Date:**

Please return this form to the HR department at [HRInbox@rgu.ac.uk](mailto:HRInbox@rgu.ac.uk).