



Maternity Support and Paternity Leave Policy

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1. **Statutory Entitlement**

An employee qualifies for statutory paternity leave of up to 2 weeks if they have 26 weeks' continuous service by the end of the 15th week before the EWC or if they have been employed up to, and including, the week they are matched with a child and meets the following conditions:

- The absence from work is for the purpose of caring for the child or supporting the mother/primary adopter.
- The employee must have, or expect to have, responsibility for the upbringing of the child.
- He or she must be the biological father, the mother's husband or partner (including same sex relationships), the child's adopter or the husband or partner (including same sex relationships) of the child's adopter.

Leave must be taken within 56 days after the child is born or within 56 days of the date of the child's placement and must be taken in blocks of either 1 week or the full 2 weeks, i.e. consecutive weeks. A week is based on your usual working pattern.

Special arrangements apply if the baby is born prematurely. Only 1 period of leave is provided per pregnancy. If the employee's partner gives birth to twins, the entitlement will still only be 2 weeks' leave.

2. **Rights**

Antenatal Care – Fathers or Partners

Fathers or partners of expectant mothers are able to request unpaid time off to attend up to 2 antenatal appointments. The Principal/ College Manager should establish whether the employee wishes to take time off using flexible working arrangements as an alternative to unpaid time.

If an employee takes unpaid antenatal leave, this must be recorded via the school's payroll provider as unpaid leave.

Should it be required, the employer can ask the employee to provide a signed declaration stating the date and time of the appointment, that they qualify for the unpaid time off through their relationship with the mother or child and that the time off is for the purpose of attending an antenatal appointment with the expectant mother that has been made on the advice of a registered medical practitioner, nurse or midwife.

3. **Statutory Paternity Pay (SPP)**

In order for an employee to qualify for Statutory Paternity Pay, they must qualify for Statutory Paternity Leave and the following must apply:

- The employee must continue to be employed at the school without a break up to the date the child is born or placed for adoption.
- The employee's average weekly earnings must be equal to or more than the lower earnings limit (before tax).

If the employee's average weekly earnings are equal to or more than the lower earnings limit (before tax), SPP is paid for 1 or 2 consecutive weeks at the current Statutory Paternity Pay rate or 90% of their average weekly earnings, if this is less.

4. **Notification**

To qualify for Statutory Paternity Leave and/or Statutory Paternity Pay, the employee must give the following information (See Appendix 1 or Appendix 2) to personnel@clystvale.org by the end of the 15th week, before EWC or within 7 days of being told by the adoption agency that you have been matched with a child:

- The EWC or when the child is expected to be placed with the adopter (or, if placement has already occurred, the date of the placement).
- The length of leave requested.
- The date the leave will start.

The employer can request that the employee provides the following information:

- The EWC and, if the birth has already occurred, the date of the child's birth or when the child is expected to be placed with the adopter and, if placement has already occurred, the date of the placement.
- The length of leave requested.
- The date the leave is intended to start.
- An employee who has given notice of his or her intention to take a period of ordinary paternity leave to care for the new child or support the primary adopter must, if asked to do so by the employer, sign a declaration confirming the nature of his or her relationship with the child and its mother or adopter and asserting that he or she has (or expects to have) the main responsibility (apart from the responsibility of the mother or primary adopter) for the child's upbringing.

Employees may change their mind about the date on which they intend to start their paternity leave but must provide details of the amended start date at least 28 days before the date in question (or as soon as is reasonably practicable, if they are not in a position to give the prescribed 28 days' notice).

5. **Maternity Support Leave**

Contractual maternity support leave of 5 days with pay will be granted to the child's father or the partner, or nominated carer, of an expectant mother at or around the time of birth. A nominated carer is the person who, in the absence of the father or partner, is nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of birth. Please note that maternity support leave is not available to employees in cases of adoption.

There is no service qualification for this entitlement.

6. **Options Available to Employees**

No formal contractual Maternity Support Leave exist for teaching staff but Governors may use their discretion to allow paid time off. If granted, teachers will be entitled to 1 week's leave with contractual pay and 1 week's leave paid at the standard rate of SMP.

Maternity support leave and paternity leave are corresponding rights. This means that an eligible employee is not entitled to take both in full but can take advantage of the best parts of each. Two different people may not take the leave.

Depending on eligibility, the options that are open to employees are:

- 1 week's maternity support leave (up to 5 days paid leave).
- 2 weeks statutory paternity leave (paid at SPP).
- 1 week's maternity support leave (up to 5 days paid leave) and 1 week's statutory paternity leave (paid at SPP).

Regardless of the option selected the maximum leave that is available to employees is a total of 2 weeks.

**SUPPORT STAFF STATUTORY PATERNITY PAY, PATERNITY LEAVE
AND
MATERNITY SUPPORT LEAVE APPLICATION**

<p>1. Initials: Surname:</p>	<p>School: Department: (if secondary)</p>
<p>2. Employee number: N.I Number:</p>	<p>Notes for Completion</p>
<p>3. Expected Date of Childbirth The baby is due on (date) OR The baby was born on(date)</p>	<p>This is the date on the MAT B1 Certificate or if the baby has been born, the birth certificate.</p>
<p>4. Paternity Leave: By the end of the 15th week before the baby is due, I will have at least 26 weeks' continuous Local Government Service: YES <input type="checkbox"/> NO <input type="checkbox"/> I intend to take 2 weeks Paternity Leave <input type="checkbox"/> OR I intend to take 1 week's Paternity Leave and I also intend to take 1 week's Maternity Support Leave <input type="checkbox"/> OR I intend to take 1 week's Maternity Support leave only <input type="checkbox"/></p>	<p>Paternity Leave has a service qualification of 26 weeks as at the end of the 15th week before EWC. Paternity Leave is for a maximum of 2 weeks, and must be taken within 8 weeks of the birth. Maternity Support Leave does not have a service qualification and unlike Paternity Pay is at full pay. Statutory Paternity Pay is set by the Government in April each year. Maternity support Leave and Paternity Leave are corresponding rights, so you are unable to take 2 weeks' Paternity Leave and 1 weeks' Maternity Support Leave.</p>

	The leave must be taken in one block.
<p>5. Date Leave to start (if known)</p> <p>I wish my Maternity/Paternity Support Leave to start on</p> <p>..... (Date)</p>	Paternity Leave must be taken within 8 weeks of the birth.
<p>6. Declaration for Paternity Leave only</p> <p>(i) I am the baby's biological father, or married to the mother, or living with the mother in an enduring relationship but not an immediate relative.</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(ii) I have responsibility for the child's upbringing:</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(iii) I will take time off to support the mother of the child:</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	<p>You must be able to tick 'YES' to all 3 questions to be eligible for statutory Paternity Pay and Paternity Leave.</p> <p>If you are not due Statutory Paternity Pay, your payroll provider will send you a SPP1 Form to complete.</p>
<p>7. Employees signature</p> <p>Signed Date</p>	<p>In signing this form, you are confirming that the details given are true and that you understand that by knowingly making a false declaration, you may render yourself liable to disciplinary action.</p>
<p>8. Authorisation</p> <p>To be completed by the Headteacher/Manager</p> <p>Signed Date</p>	<p>On completion this form and the MAT B1 Certificate should be sent to your payroll provider.</p>

TEACHERS' STATUTORY PATERNITY PAY, PATERNITY LEAVE APPLICATION

<p>1. Initials: Surname:</p>	<p>School: Department: (if secondary)</p>
<p>2. Employee number: N.I Number:</p>	<p>Notes for Completion</p>
<p>3. Expected Date of Childbirth The baby is due on (date) OR The baby was born on(date)</p>	<p>This is the date on the MAT B1 Certificate or if the baby has been born, the birth certificate.</p>
<p>4. Paternity Leave: By the end of the 15th week before the baby is due, I will have at least 26 weeks' continuous Local Government Service:</p> <p style="text-align: center;">YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>I intend to take 2 weeks' statutory paternity leave <input type="checkbox"/></p> <p>OR</p> <p>I intend to take 1 week's paternity leave <input type="checkbox"/></p>	<p>Paternity Leave has a service qualification of 26 weeks as at the end of the 15th week before EWC.</p> <p>Paternity Leave is for a maximum of 2 weeks, and must be taken within 8 weeks of the birth.</p> <p>The leave must be taken in one block.</p>
<p>5. Date Leave to start (if known) I wish my Paternity Leave to start on (Date)</p>	<p>Paternity Leave must be taken within 8 weeks of the birth.</p>
<p>6. Declaration for Paternity Leave only</p> <p>(i) I am the baby's biological father, or married to the mother, or living with the mother in an enduring relationship but not an immediate relative:</p> <p style="text-align: center;">YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(ii) I have responsibility for the child's upbringing:</p> <p style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></p>	<p>You must be able to tick 'YES' to all 3 questions to be eligible for statutory Paternity Pay and Paternity Leave.</p> <p>If you are not due Statutory Paternity Pay, your payroll provider will send you a SPP1 Form to complete.</p>

<p>YES NO</p> <p>(iii) I will take time off to support the mother of the child:</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	
<p>7. Employees signature</p> <p>Signed Date</p>	<p>In signing this form, you are confirming that the details given are true and that you understand that by knowingly making a false declaration, you may render yourself liable to disciplinary action.</p>
<p>8. Authorisation (To be completed by the Headteacher/Manager)</p> <p>I authorise <input type="checkbox"/> days contractual pay (max 5)</p> <p>Signed Date</p>	<p>On completion this form and the MAT B1 Certificate should be sent to your payroll provider.</p>