

PATERNITY LEAVE POLICY

The Foundation's policy covers Ordinary Paternity Leave (section one) and Additional Paternity Leave (section two).

I. Ordinary Paternity Leave

The Foundation's Policy entitles employees to three weeks' paid paternity leave on full pay.

In order to take paternity leave after the birth of a child, the employee must:

- Have at least 26 weeks' continuous service by the end of the 4th week (28 days) before the expected week of childbirth
- Be the child's biological father and have, or expect to have, responsibility for the child's upbringing, or
- Be the partner of the mother and have, or expect to have, the main responsibility for the child's upbringing, apart from the responsibility of the mother
- Have formally notified the Foundation of his or her intention to take statutory paternity leave
- Provide documentary evidence supporting his or her right to take statutory paternity leave if requested.

Employees must notify the Foundation of their intention to take paternity leave by the 28th day before the baby is expected, unless this is not reasonably practicable. They will need to let the Foundation know:

- The week the baby is due
- How much paternity leave they wish to take (up to three weeks)
- When they want their paternity leave to start

The notified date of when paternity leave is to start can be changed, provided the Foundation is given at least twenty eight days' notice of the revised start date (unless this is not reasonably practicable).

Unless otherwise agreed by the Foundation, eligible employees will be entitled to choose to take either two or three consecutive weeks' paternity leave or take it in blocks of one week, all three weeks must be taken within 52 weeks of the birth or expected week of birth. Such leave cannot be taken in odd days. A week means any period of seven days.

Only one leave entitlement will be available to employees irrespective of whether more than one child is born as the result of the same pregnancy.

Although the right to paid paternity leave will be for three weeks only, this can be followed with an immediate period of up to four weeks' unpaid parental leave, if wished.

An employee on Paternity Leave is:

- Entitled to the benefit of the terms and conditions of employment which would have applied if they had not been absent.

- Bound by any obligations arising under those terms and conditions (except in so far as they are inconsistent with the employee's right to take Paternity Leave).
- Entitled to the right to return to the same job.

Ordinary Paternity Leave After Adoption

In order for an adoptive parent (who is not taking statutory adoption leave) to be entitled to take statutory paternity leave to care for a child he or she must:

- Have at least 26 weeks' continuous service by the end of the week in which he or she is formally informed by an approved adoption agency that he or she (or his or her partner) has been matched with a child for adoption
- Be the joint adopter of the child or be married to, or the partner of, the adopter and have, or expect to have, the main responsibility for the child's upbringing, apart from the responsibility of the adopter
- Have formally informed the Foundation of his or her intention to take statutory paternity leave and provided documentary evidence supporting his or her right to take statutory paternity leave if requested.

Ordinary paternity pay will be payable up to three weeks on full pay (including any statutory paternity pay). Full benefits (e.g. employer pension contributions) will continue throughout ordinary paternity leave.

2. Additional Paternity Leave

The right to **additional paternity leave** is effective in relation to parents of babies born on or after 3 April 2011 or notified as being placed for adoption on or after 3 April 2011.

The minimum period of additional paternity leave will be two weeks and the maximum period will be 26 weeks.

The right to additional paternity leave is in on top of the Foundation's existing three week paid paternity leave on the birth or adoption of a child. This now becomes know as **ordinary paternity leave**.

Employees will be entitled to 26 weeks' additional paternity leave for the purpose of caring for a newborn child or a newly adopted child if all of the following criteria apply.

- The child's mother has ended her statutory maternity leave and has stopped receiving statutory maternity pay, or the adopter has ended his or her statutory adoption leave and has stopped receiving statutory adoption pay.
- The employee has been continuously employed by the Foundation for at least 26 weeks by the end of the 4th week (28 days) before the expected week of childbirth or by the end of the week in which the child's adopter is notified of having been matched with the child, and is still employed by that employer.
- The employee has responsibility for the upbringing of the child.

The employee is:

- The biological father of the child
- Married to, the partner of, or the civil partner of the child's mother but not the child's biological father
- Married to, the partner of, or the civil partner of the child's adopter, or

- Part of a couple who has adopted a child jointly but who has not taken statutory adoption leave (e.g. because his or her partner has).
- The employee has produced evidence of his or her entitlement to additional maternity leave, such as information concerning the child's mother or adopter (e.g. the date on which he or she intend to return to work from maternity or adoption leave).
- The employee has provided at least eight weeks' notice of the date on which his or her additional period of paternity leave period will start.

In addition to satisfying the six points above, the following conditions must also be satisfied in order for an employee to be entitled to additional statutory paternity pay.

- The child's mother or adopter must have been entitled to statutory maternity pay, statutory adoption pay or maternity allowance.
- The child's mother or adopter must have a certain amount of entitlement to statutory maternity pay, statutory adoption pay or maternity allowance remaining prior to the start of the additional statutory paternity pay period.
- The number of weeks for which additional statutory paternity pay will be paid to the employee will depend on the remaining number of weeks of statutory maternity pay, statutory adoption pay or maternity allowance.
- The employee's average weekly earnings over a certain period are not less than the lower earnings contribution limit for National Insurance purposes.

The additional paternity leave period for a newborn child must start after the child is 20 weeks old and end before the child's first birthday (or the 20th week of the child's adoption and end before the first anniversary of the child's adoption).

There may be a gap between the end of the statutory maternity/adoption leave period and the beginning of the additional paternity leave period (i.e. the additional paternity leave period does not have to begin on the following day).

The additional paternity leave period will be extended beyond 26 weeks if the child's mother or adopter dies before the child's first birthday or during the first year of the child's adoption.

The terms and conditions of employment that will apply to an employee during his or her additional paternity leave period will be the same as the terms and conditions of employment that apply to a woman during her ordinary maternity leave. An employee taking additional paternity leave will also be entitled to the same right to return to work as a woman returning from ordinary maternity leave.

An employee may work for the Foundation during their additional paternity leave period for up to 10 days (often known as keeping-in-touch days) without bringing his or her additional statutory paternity leave to an end.

If an employee wishes to change the date of his or her intended return from additional statutory paternity leave to an earlier date, he or she should notify the Chief Operating Officer at least six weeks before the earlier return date.

The weekly rate of additional statutory paternity pay will be the standard rate, i.e. the current Statutory Maternity Pay level or 90% of the employee's average weekly earnings, whichever is the lesser amount.

Neonatal Care Leave

From October 2024, employees with newborns in neonatal care will receive supplementary leave in addition to their standard maternity or paternity leave. Up to 12 weeks of neonatal leave may be provided, with compensation equivalent to the regular maternity or paternity pay rate.

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