



## Paternity Leave Policy and Procedure

### Introduction

West Oxfordshire District Council (WODC) prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees, to give their best.

This policy sets out the rights of employees to paternity leave and pay.

We are committed to supporting a positive work-life balance for all our employees and recognise that time with your children is important.

### Who can take Paternity Leave?

You can take paternity leave if you:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth
- are the biological father of a child, or the spouse, civil partner or partner of the child's mother and
- have, or expect to have, the main responsibility (apart from any responsibility of the mother) for the child's upbringing.

This means that paternity leave is available to an eligible employee regardless of gender who is married to, or is the civil partner or partner of, the child's mother.

Paternity leave is also available to the spouse, civil partner or partner of an individual who has adopted a child. Where a couple adopt a child jointly, one may take adoption leave and the other paternity leave. They are entitled to choose for themselves which adoptive parent takes which type of leave.

To be eligible for paternity leave for a child adopted within the UK, you must have you: have at least 26 weeks' continuous employment by the end of the week in which the adoption agency formally notifies the adopter that they have been matched with the child.

### Length and timing of Paternity Leave

An eligible employee can take either one week's leave or two consecutive weeks' leave. You cannot take paternity leave in instalments (for example as part weeks or individual days).

You can take just one period of paternity leave per pregnancy or adoption, regardless of the number of children born as a result of the pregnancy or the number of children placed under the same adoption arrangement.

You must take paternity leave within 56 days of the child's birth or, if the child is born earlier than the expected week of birth, within 56 days of the first day of the expected week of birth.

For an adopted child, you must take within 56 days of the child's placement for adoption with you (or in the case of a child adopted from overseas, within the period of 56 days beginning with the date the child entered Great Britain).

If you wish to take shared parental leave, you must take your paternity leave first. You cannot take paternity leave if you have already taken a period of shared parental leave in relation to the same child.

## Notice to take Paternity Leave

To take paternity leave for a birth child, you need to give your line manager supported by the HR Business Partner at least 15 weeks' written notice of:

- the date on which your partner's baby is due
- the length of paternity leave you wish to take and
- the date on which you wish your paternity leave to start.

To take paternity leave for an adopted child, you need to give your line manager, supported by the HR Business Partner, written notice of your intention to take paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify:

- the date on which the adopter was notified of having been matched with the child
- the date on which the child is expected to be placed for adoption
- the length of paternity leave you wish to take and
- the date on which you wish your paternity leave to start.

## Changing your Paternity Leave Plans

If you wish to change the timing of your paternity leave, you must give your line manager at least 28 days' written notice of the revised start date.

## Rights during Paternity Leave

During your leave, all the terms and conditions of your contract except normal pay will continue. Your Salary will be replaced by statutory paternity pay if you are eligible for it.

This means that all other benefits will remain in place. For example, holiday entitlement continues to accrue. Pension contributions will continue to be paid.

## Returning to work after Paternity Leave

Following your leave, you have the right to resume working in the same job as before on terms and conditions that are no less favourable to you than the terms that would have applied had you not been absent.

Your continuity of employment is not affected.

## Maternity Support Leave – what is this?

This is a benefit that applies to employees of the Company who will be providing support to a pregnant woman around the time that they are giving birth (see below for details).

Such employees are defined as being expectant fathers; partners or nominated carers. As an expectant father, you will be able to take five days' maternity support leave, paid at normal pay.

This must be combined with Paternity Leave. Therefore, you can take one week of Maternity Support Leave at full pay and one further week of Paternity Leave (if you qualify), paid at the statutory paternity pay rate. There is no required qualifying period for Maternity Support Leave.

### Time off for Antenatal Care

In addition to your paternity leave, you have the right to take time off to accompany a pregnant woman with whom you are having a child at up to two antenatal appointments. You are eligible if you're the pregnant woman's husband, civil partner, or if you're living together in a long-term relationship, if you are the biological father of the expected child you are also eligible. You may be asked to make up some or all of the time taken off.

To make a request for time off to accompany someone at an antenatal appointment, you should contact your line manager.

The antenatal appointment must be made on the advice of a registered medical practitioner, midwife, or nurse. We expect that normally no more than half a day is needed for an antenatal appointment, but the leave includes the time needed to travel to the appointment and any waiting time needed at the appointment and can be for a maximum of six-and-a-half hours on each occasion.

You should endeavour to give as much notice as possible of time off required for the antenatal appointment and, wherever possible, arrange for them to be as near to the start or end of the working day as possible.

### Time off to attend Adoption Appointments

If you are adopting a child, you are entitled to take time off to attend adoption appointments, which enable contact with the child (for example, to bond with them before the placement) or for any other purpose connected with the adoption (for example, to meet with the professionals involved in the care of the child).

Where you are part of a couple jointly adopting a child, the couple can elect for one of them to take paid time off to attend up to five adoption appointments. The other can elect to take unpaid time off to attend up to two adoption appointments.

To make a request for time off for an adoption appointment, you should contact your line manager.

The appointment must have been arranged by or at the request of the adoption agency. The time off must be taken before the date of the child's placement for adoption with the employee.

You should endeavour to give as much notice as possible of when you need the time off for the adoption appointment and, wherever possible, arrange them for them to be as near to the start or end of the working day as possible.

### Experiencing Loss

If you experience a miscarriage or sadly the loss of a child after 24 weeks or at birth, we also have separate policies to cover parental bereavement leave, supporting employees experiencing pregnancy loss and the statutory right to take time off for dependants.

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