

# Paternity and Partner leave and pay

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### 1. Summary

- You can take two calendar weeks leave on full pay.
- You can take the leave up to eight weeks after the birth or adoption.
- If your partner chooses to end their maternity or adoption leave early, you can choose to opt into Shared Parental Leave with your partner and share the remaining weeks' leave and pay (see Shared Parental Leave Policy and Procedure).

### 2. Eligibility

To be eligible for partner (paternity) leave and pay you will have to meet the following criteria:

- be the biological father, spouse, adoptive parent, intended parent, civil partner or the partner of the primary carer;
- be taking the leave to support the primary carer or to care for the child;
- have completed 26 weeks continuous service with the School by the end of the 15<sup>th</sup> week before the week in which the child is due or ending with the week in which the child's primary adopter is notified of having been matched with the child for adoption.

Partner (paternity) leave is granted in addition to an employee's normal annual holiday entitlement.

Only one period of partner (paternity) leave is permitted per pregnancy or adoption, irrespective of whether more than one child is born or adopted.

### 3. Partner (paternity) pay

The School offers two weeks' pay on full salary.

Pay can start from any day of the week in accordance with the date the employee starts their leave.

### 4. Timing of leave

Leave must be taken in a single block of one or two calendar weeks within eight weeks of the birth or adoption of the child.

If the child is born early, leave must be taken after the date of birth but within eight weeks of the expected date of childbirth.

Leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date, but within eight weeks of the birth or date of placement.

Employees who wish to take both partner (paternity) leave and shared parental leave (see below) must take their period of partner (paternity) leave first. An employee cannot take partner (paternity) leave if they have already taken a period of shared parental leave in relation to the same child.

## 5. Notice requirements

### Birth/surrogacy:

Where an employee wishes to request leave in respect of a birth/surrogacy, they must give their line manager and the HR Recruitment and Operations Team [hr-operations@soas.ac.uk](mailto:hr-operations@soas.ac.uk) 15 weeks' written notice of:

- the date on which the baby is due,
- the length of leave they wish to take, and
- the date on which they wish the leave to commence.

The employee must complete the HRMC form [SC3 \(births\)](#).

### Adoption:

In the case of an adopted child, the employee must give written notice of their intention to take partner (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 the child is expected to be placed for adoption,
- the date the employee intends to start paternity leave,
- the length of the intended leave period, and
- the date on which the adopter was notified of having been matched with the child.

The employee must complete the HRMC form [SC4](#) (UK adoptions) or [SC5](#) (overseas adoptions). A copy of the birth certificate, or documentation from the adoption agency confirming the placement of the child should also be provided.

If an employee subsequently wishes to change the timing of the leave, they must give 28 days' written notice of the new dates. The employee must also, if so requested, complete and sign a self-certificate declaring that they are entitled to partner (paternity) leave and Statutory Paternity Pay.

## 6. Time off for antenatal care

Employees have the right to take time off to accompany a pregnant woman with whom they have a relationship as defined in the 'Eligibility' paragraph above at up to two antenatal appointments. The School's policy is that this time off will be paid.

The antenatal appointment must be made on the advice of a registered medical practitioner,

midwife or nurse.

The School expects that normally no more than half a day is needed for an antenatal appointment, but the employee's leave includes the time needed to travel to the appointment and any waiting time needed at the appointment.

Employees who would like to make a request for time off to accompany someone at an antenatal appointment should in the first instance contact their line manager. The employee should also produce evidence of the appointment, such as a medical certificate or appointment card, if requested to do so.

The employee should endeavor to give their line manager as much notice as possible of when he/she needs the time off for the antenatal appointment and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

#### Surrogacy:

In a surrogacy arrangement, the intended parents will be entitled to attend two paid antenatal appointments to enable them to accompany the surrogate.

### **7. Time off to attend adoption appointments**

Employees who are adopting a child are entitled to take time off to attend adoption appointments.

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

SOAS offers its employees paid time off for attendance in such circumstances.

The purpose of the appointment is to enable the employee to have contact with the child (for example, to bond with him/her 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).

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.

The School may ask the individual for proof of the date and time of the appointment and that the appointment has been arranged by or at the request of the adoption agency (for example, a letter or email from the adoption agency).

### **8. Stillbirth**

In the unfortunate circumstance of the pregnancy ending in stillbirth after 24 weeks of pregnancy or the loss of a baby born alive at any point in the pregnancy, eligible employees will still be entitled to paid partner (paternity) leave.

### **9. Pension**

If an employee is a member of one of the School's pension schemes, pension contributions will continue to be deducted during paternity/partner leave (subject to scheme rules in force at the time of partner (paternity) pay).

## **10. Shared parental leave**

Shared parental leave enables the primary carer to commit to ending their leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner.

An employee can choose to take both partner (paternity) leave and shared parental leave, but the period of partner (paternity) leave must come first. An employee cannot take partner (paternity) leave if they have already taken a period of shared parental leave in relation to the same child.

Employees can refer to the School's policy on shared parental leave.

The primary carer and the partner should ensure that they are each liaising with their own employer when making requests for shared parental leave.

## **11. Adoptions from overseas**

If an employee has adopted a child from overseas, they may still be entitled to partner (paternity) leave and shared parental leave. Special rules apply in these circumstances. For further information, please contact the HR Recruitment and Operations Team [hr-operations@soas.ac.uk](mailto:hr-operations@soas.ac.uk)