

Paternity and Partner Leave and Pay Policy

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<p><i>Note: All policies must be read in conjunction with all other SOAS policy, procedure and guidance documents. Printed copies of policies may not be the most up to date, therefore please refer to the policy pages on the SOAS external website or intranet for the latest version.</i></p>			

1. Introduction

- 1.1. SOAS is committed to supporting good practice in relation to parental rights. In support of this, we provide parental benefits for our staff, including enhanced Paternity pay that is above the statutory minimum.
- 1.2. This policy is designed to ensure that all employees of SOAS are aware of the Paternity provisions at SOAS, and that they are treated fairly and consistently.
- 1.3. SOAS will ensure that employees are not treated less favourably or dismiss them because they are pregnant, absent on paternity leave; and will not tolerate discrimination, victimisation or harassment on the basis of a person's parental responsibilities.

2. Scope

- 2.1. This policy applies to all directly employed staff regardless of hours worked, length of service, role or employment contract type where the employee has or is expected to have responsibility for the child's upbringing, and:
 - Is the biological parent of the child, but not the partner taking maternity leave; or
 - Is the spouse, civil partner, or partner of the birth parent who themselves expects to have principal responsibility for the child's upbringing; or
 - Is adopting a child but is not the parent taking adoption leave; or
 - Is having a child via surrogacy but is not the parent taking adoption leave.
- 2.2. There are separate associated policies for Maternity Leave and Pay, Shared Parental Leave and Pay, Adoption/ Surrogacy Leave and Pay, and Parental Leave, all of which are available on the [SOAS intranet](#).

3. Definitions

Paternity / Co Parent Leave	The entitlement for 2 weeks of leave for all eligible employees.
Statutory Paternity Pay (SPP)	The legal minimum weekly pay while an eligible employee is on paternity leave.
Occupational Paternity Pay (OPP)	An enhancement on top of Statutory Paternity Pay paid to eligible employees while on paternity leave.
MATB1 Form	The form given to a pregnant employee by a doctor or registered midwife.
Expected Week of Childbirth	The date given on the MATB1 form confirming which week (commencing on a Sunday) that the baby is expected to be born.
Qualifying Week	The 15 th week before the expected week of childbirth.
Matching Week	The week when an adoption agency notifies an employee that they have been matched with a child.
Placement Date	The date when the adopted child is officially placed with the adoptive parents.
Parental Bereavement Leave and Pay	The entitlement for 2 weeks of leave if an employee's child dies before they turn 18, or there is a stillbirth/abortion after 24 weeks of pregnancy.
Neonatal Care Leave and Pay	The entitlement for up to 12 weeks of leave for employees whose babies need neonatal care after birth.

4. Roles and Responsibilities

4.1. Managers

- 4.1.1. Should ensure that employees are aware of this policy and understand their own responsibilities.
- 4.1.2. Should encourage and foster a team culture where expectant employees feel safe and supported in sharing an upcoming paternity leave.
- 4.1.3. Support options should be proactively discussed with employees, and HR advice sought when needed.
- 4.1.4. Employees on paternity leave should be kept informed (and consulted with, where appropriate) regarding any important business changes or announcements that may affect them.

- 4.1.5. Be mindful of an employee's personal sense of confidentiality, as well as the General Data Protection Principles (GDPR) when processing information related to pregnancy or Paternity leave. It is good practice to seek the employee's view and gain consent on how and when their news is communicated.
- 4.1.6. Are responsible for confirming to the HR department key dates related to the leave, including a change of return date. These should be completed through [UniDesk](#).

4.2. Employees

- 4.2.1. Must complete the Paternity/Partner Leave Notification Form (available on the [SOAS intranet](#)) no later than the 15th week (known as the qualifying week) before the expectant week of childbirth. This should be completed through [UniDesk](#).
- 4.2.2. Inform their manager as soon as possible if there are any changes related to their leave.

4.3. The University

- 4.3.1. Will respond quickly and fully to any reports or concerns of harassment, victimisation or discrimination related to an employee's paternity status.
- 4.3.2. Will review this policy regularly, to ensure consistency, fairness and effectiveness, and to reflect any changes in employment legislation.
- 4.3.3. Will monitor and report on the outcomes and impact of this policy annually and in line with the Equality Act 2010.

5. Eligibility for Paternity Leave

- 5.1. Employees must have been continuously employed by the university for at least 26 weeks by the "Qualifying Week" of their partner's pregnancy or the "Matching Week" in cases of adoption.
- 5.2. Employees can take leave at any time within the first year (52 weeks) of the birth or placement for adoption.
- 5.3. Employee can take their leave in one single period, or in 2 separate blocks of a week each.

6. Eligibility for Paternity Pay

- 6.1. All employees eligible for Paternity or Partner Leave are entitled to full pay during the leave period(s). This is inclusive off the Statutory Paternity Rate [set by the Government](#).

7. Starting Paternity/Partner Leave

- 7.1. Leave cannot start before the birth or date of placement. The start date can be one of the following:
- the actual date of the birth
 - the placement date or date that the child arrives in the UK as part of an overseas adoption
 - a specified number of days after the birth/ placement date
 - a set date which is after the date of the birth/ placement date

8. Notification Requirements

- 8.1. An employee should notify their line manager as soon as possible to talk about plans/benefits/entitlements and to enable support from the university; but must do this no later than the “Qualifying Week” or within 7 days of the “Matching Week”.
- 8.2. The employee must have completed the Paternity/Partner Leave Notification Form to HR no later than 28 days before the due date or placement date through [UniDesk](#).
- 8.3. Failure to give the required notice may affect entitlement to paternity pay.
- 8.4. The HR Recruitment and Operations Team will formally respond in writing to the employee's notification of their leave plans, confirming the pay entitlement and the expected start date as advised on the Paternity/Partner Leave Notification form.
- 8.5. The employee may also postpone or bring forward their leave start date, provided that the manager and the HR Recruitment and Operations Team are informed in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

9. Miscarriage, Stillbirth or Termination

- 9.1. In the unfortunate event of a miscarriage, stillbirth or where a termination is required after the 24th week of pregnancy, the eligible employee will still be entitled to the same paternity rights.
- 9.2. Further details on Parental Bereavement Leave can be found in the Leave Policy, available on the [SOAS intranet](#).
- 9.3. Staff and their family members have access to a free, external, confidential employee wellbeing service. The service offers support information, expert advice and specialist counselling to help you prepare for life's milestones and cope with its unexpected events. Details on how to access this service can be found on the [SOAS intranet](#).

10. Neonatal Care Leave and Pay

- 10.1. Where a baby requires neonatal care for at least 7 continuous days within 28 days of birth, employees have the right to take up to 12 weeks leave in addition to paternity leave. There is no minimum period of employment required.

- 10.2. The leave is in addition to other parental leave entitlements, such as paternity leave, and must be taken within 68 weeks of the baby's birth.
- 10.3. Eligible employees who meet the below criteria will receive pay at the rate [set by the Government](#) for the relevant tax year during any neonatal care leave.
- They have 26 weeks' service continuing into the "Qualifying Week"; or
 - They have 26 weeks' service continuing into the "Matching Week"; and
 - Have average earnings are above the "lower earnings limit" set by the Government for the relevant tax year.
- 10.4. Employees who are eligible to take neonatal leave should notify their line manager as soon as possible after the birth of the baby and subsequently confirm how many days their baby was in hospital, using Neonatal Care Form available on the [SOAS intranet](#).

11. Time Off for Appointments

- 11.1. Employees are entitled to reasonable paid time off during working hours to accompany their partner to 2 antenatal care or to attend 2 adoptions appointments, once matched with a child.

12. Rights During Paternity/ Partner Leave

- 12.1. During Paternity/ Partner Leave, all terms and conditions of the employee's contract continue, including the accrual of annual leave, any pay rises, and the right to return to work

13. Shared Parental Leave

- 13.1. Shared Parental Leave enables employees to commit to ending their maternity leave and pay and to share the untaken balance of leave and pay as shared parental leave and pay with their partner. There is also the option for the employee to return to work early from maternity leave and opt in to shared parental leave and pay at a later date. More details to be found in the Shared Parental Leave and Pay Policy, available on the [SOAS intranet](#).

14. Parental Leave

- 14.1. In addition to Paternity/ Partner Leave, parents have the right to unpaid time off work when they need to look after their children. More details to be found in the Parental Leave Policy, available on the [SOAS intranet](#).

15. Pension

- 15.1. During any period of paid paternity/partner leave pension benefits are accrued as if the member is at work.
- 15.2. Further information can be found on the USS website [Becoming a parent](#) and on the SAUL website [Life changes | SAUL](#).