Ormiston Academies Trust  
Paternity leave and pay policy

Policy version control

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| Policy type | OAT Mandatory  The Trust will regularly monitor and review this policy to ensure that it is appropriate, effective, and compliant with both employment legislation and the Equality Act 2010 |
| Author  In consultation with | Melanie Wheeler  ASCL, GMB, NAHT, NASUWT, NEU, Unison |
| Status | Consulted |
| Release date | August 2022 |
| Review | Policies will be reviewed in line with OAT's internal policy schedule and/or updated when new legislation comes into force |
| Description of changes | Updated Statutory Paternity Pay amended to reflect full weeks' pay in week one.  5.2 amended wording regarding notification of paternity leave |

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1. Introduction
   1. This Section sets out our current Paternity Leave and Pay Policy where the expected week of childbirth or the notification of the match with the child for adoption is on or after 3 April 2011, which is intended to reflect the statutory provisions. If there is any conflict between this Policy and the statutory provisions, the latter will prevail.
   2. You are entitled to paternity leave and pay in accordance with the current statutory provisions. If you have any queries concerning your paternity benefits, please contact your manager or academy HR.
   3. Current Government guidance can be found at:

* <https://www.gov.uk/paternity-pay-leave>

1. Eligibility for Paternity Leave
   1. Paternity Leave is available in respect of a child born or matched for adoption. You must be the child's father or adopter, or spouse, civil or cohabiting partner of the child's mother or adopter. You are not entitled to take both paternity leave and adoption leave.
   2. To qualify, you must have been employed by the Company for 26 weeks by the 15th week before the Expected Week of Confinement, or by the week in which you were notified of the match for adoption. You may also be eligible for Shared Parental Leave. Guidance can be found at <https://www.gov.uk/shared-parental-leave-and-pay/overview>
2. Duration of Paternity Leave
   1. The maximum Paternity Leave period is two weeks. Leave must be taken in a single block of one or two weeks. Leave cannot be taken before your child's birth/placement and must end within 56 days of the birth/placement.
   2. If your child is born early, must end within 56 days of the expected date of childbirth.
3. Paternity Pay Entitlement
   1. The first five days of leave will be paid at full pay. The following five days will be paid at the current ordinary SPP rate per week or 90% of your average weekly earnings, whichever is the lower.
4. Notification of Paternity Leave
   1. You must give us notice of your intention to take paternity leave and provide a copy of self- certification - an SC3 form issued by HMRC.
   2. In the case of a newly born child, notice must be given in or before the 15th week before the Expected Week of Confinement. In the case of a newly adopted child, notice must be given no more than seven days after the date on which you were notified of the match with the child. You can subsequently change your paternity leave start date by giving 28 days' notice. You do not have to give a precise date of when you want to start to take leave, instead you can give a general time, such as the day of the birth or one week after the birth.
5. Rights During and Following Paternity Leave
   1. During paternity leave, you are entitled to the benefits of all your Terms and Conditions of Employment except salary.
   2. At the end of the paternity leave period, you have the right to return to your old job.