



PATERNITY LEAVE AND PAY

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1. Introduction

If you are an employee of Aston University and you meet certain qualifying criteria, you are entitled to take two weeks Paternity Leave (OPL) and receive Ordinary Statutory Paternity Pay (OSPP) and/or University Paternity Pay (UPP). You may also wish to consider taking Shared Parental Leave (please see Shared Parental Leave Policy for further information).

2. Ordinary Paternity Leave

2.1 If your wife or partner gives birth to a child you are entitled to two weeks Ordinary Paternity Leave (OPL) provided that you have 26 weeks continuous service with the University by the end of the 15th week before the Expected Week of Confinement (EWC). You must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother.

2.2 OPL is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take OPL where the other adoptive parent has elected to take adoption leave. For information on adoption leave and pay please refer to Maternity and Adoption Leave.

2.3 OPL must be taken within eight weeks of the birth of the child. If the child is born early you can choose to take the leave anytime between the actual date of birth and end of the eight week period starting from the Sunday of the EWC.

2.4 In case of an adopted child, OPL must be taken within eight weeks from the child being placed with you for adoption.

2.5 You can:

- choose to take either one or two weeks leave but not two weeks separately;
- choose to start the leave on any day during the week.

2.6 You cannot:

- start the leave before the child is born (or is placed for adoption);
- use the leave to take odd days off work.

2.7 If your partner has a multiple birth, you are only allowed one period of OPL.

3. University Paternity Pay

If you qualify for OPL and you are in continuous employment with the University at the time of the birth, for the first week of the two week OPL entitlement you will receive University Paternity Pay (UPP). This will be full pay and will include any OSPP entitlement. For the second week, if taken, you would receive OSPP.

4. Ordinary Statutory Paternity Pay

If your average weekly earnings are below the lower earnings limit for national insurance contributions you will not be eligible for Ordinary Statutory Paternity Pay (OSPP).

In other cases you are entitled to receive OSPP or 90% of your average weekly earnings if you earn less than OSPP.

OSPP is treated as earnings and is therefore subject to PAYE and national insurance deductions.

5. Notification of Ordinary Paternity Leave

- 5.1 If you wish to take OPL you must provide your line manager (copied to Human Resources) with 15 weeks written notice of the date on which your partner's child is due, the length of paternity leave you wish to take and the date on which you wish the leave to commence. You must also complete and sign a Self Certificate form (SC3) (a self-certificate declaring that you are entitled to receive paternity leave and statutory paternity pay) and forward this to Human Resources.
- 5.2 If you subsequently wish to change the timing of the paternity leave, you must give 28 days' written notice of the new dates. If it is not reasonably practicable for you to give such notice you must notify your line manager (copied to Human Resources) as soon as is reasonably practicable.
- 5.3 In the case of an adopted child, you must give your line manager written notice (copied to the Human Resources) of your intention to take OPL no later than seven days after the date on which notification of the match with the child was given to you by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date you intend to start paternity leave, the length of the intended paternity leave period and the date on which you were notified of having been matched with the child. You must also complete and sign a Self Certificate form (SC3) (a self-certificate declaring that you are entitled to receive paternity leave and statutory paternity pay) and forward this to the Human Resources.

6. Terms and Conditions of Employment During Paternity Leave

You retain your normal employment rights and benefits (apart from wages) during your OPL.

7. Annual Leave During Paternity Leave

- 7.1 Annual leave entitlement accrues in the usual way during OPL. However you can only take annual leave before or after, not during, your period of OPL.
- 7.2 Please note that the normal provisions apply to carrying leave forward between leave years. There is no automatic entitlement to carry leave forward to the next leave year.
- 7.3 Annual leave before or after OPL should be booked and approved in the usual way.

8. Pension Rights During Paternity Leave

Pension rights and contributions are dealt with in accordance with the provisions of the appropriate pension scheme providing that these provisions do not conflict with any relevant statutory requirements that may at the time apply. For information and advice on this, please contact the Pensions Officer.

9. Salary Sacrifice

If you participate in any of the University's flexible benefit arrangements these will continue unless or until you elect to opt out of the benefit.

10. Rights on or After Return to Work

10.1 At the end of your paternity leave you will have the right to return to the job that you were employed in under your contract of employment and on terms and conditions not less favourable than those that would have applied had you not been absent.

10.2 You may apply to return to work on a part-time or reduced hours basis to enable you to care for your child. Please see the Flexible Working Policy for details.

11. Glossary of Terms

EWC/EDC Expected Week/Date of Confinement - The week/date in which your baby is expected to be born.

Partner: A partner is someone who lives with the mother of the baby in an enduring family relationship, but is not immediately related. A partner may include either a male or female partner in a same sex couple.

Ordinary Paternity Leave (OPL): A block of up to 2 weeks which can only be taken after the birth of the child, or date the child is placed for adoption, and must finish 56 days after this date.

University Paternity Pay (UPP): This is payable for the first week of any OPL and is based on full pay including any OSPP entitlement.

Ordinary Statutory Paternity Pay (OSPP): Is paid for the second week of your two-week OPL entitlement. The rate is established by the Government. If your average weekly earnings are less than the applicable rate of OSPP, you will receive 90% of your average weekly earnings.

MAT B1 Maternity Certificate - Issued by a doctor or registered midwife giving the date on which the baby is due to be born. The MatB1 is issued not earlier than 14 weeks before the EWC.