

# Paternity Policy

Expansive Learning Group

April 2023

---

---

**Author:** Scott Roberts

**Version** 1

**Review Date:** April 2025

---

---

## 1. Purpose of the policy

This policy sets out the statutory rights and responsibilities of employees who are expectant fathers or partners. It details the arrangements for antenatal care, paternity leave and pay.

Expansive Learning recognises that employees may have questions or concerns relating to their paternity rights. We want to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible.

---

## 2. Scope of the policy

This policy applies to all employees who expectant fathers or partners, including those who work part-time or on fixed-term contracts.

---

## 3. Your entitlement to Paternity Leave

By law, if you are eligible, you can take paternity leave for a maximum of two weeks, after the birth of the child and in order to care for and support the baby and its mother.

If you want to take more than two weeks of leave, you may wish to request shared parental leave (ShPL) rather than paternity leave. (We cover ShPL in the company's Shared Parental Leave Policy.)

---

## 4. Eligibility for paternity leave

To be eligible for paternity leave:

- a) you must have worked for Expansive Learning for at least 26 weeks by the end of the 15<sup>th</sup> week before the EWC (due date for the baby), and
- b) you must be one of the following:
  - I. the baby's biological father with main responsibility, together with the mother, for the child's upbringing and welfare, or
  - II. the baby's biological father, with some clearly agreed responsibility for the child's upbringing and welfare, or
  - III. the mother's partner, and you are expected to have the main responsibility, together with the mother, for the child's upbringing and welfare.

We may request that you provide evidence of your paternal status.

---

## 5. Requesting paternity leave

If you qualify for paternity leave and want to request it, you must tell your Line Manager in writing and by the end of the 15<sup>th</sup> week before the baby's due date (the Qualifying Week), or as soon as possible:

- a) The EWC (due date)
- b) Whether you would like to take one or two weeks' paternity leave, and
- c) When you would like it to start. (You can change this date by giving us 28 days' notice (or as much as you can)).

Please submit an [ELSS-HRIM-DOC-0002c-Paternity-Leave-Request-Form \(Apr-23\)](#) to your line manager

Or complete the online form, download, print and submit to your line manager:

[Are you or a partner becoming adoptive or parental order parents? - Ask your employer for Statutory Paternity Pay or Paternity Leave or both - GOV.UK \(tax.service.gov.uk\)](#)

---

## 6. Start date and how you can take the leave?

Your paternity leave must be taken within 56 days of the birth. If the baby comes early, the time starts running from due date and not from the actual date of its birth.

You do not have to take the full two weeks. However, [unless we have expressly agreed to a different arrangement,] you can take a single week's paternity leave or two consecutive weeks, but not separate weeks or as odd days.

---

## 7. Pay – are you entitled to it during paternity leave?

By law, you are entitled to what is called 'Statutory Paternity Pay'. This is the lower sum of:

- a) a fixed weekly rate set by the government, or
- b) 90% of your average weekly earnings.

Tax and National Insurance contributions are deducted in the usual way.

## 8. Benefits and accruing holiday entitlement

---

All the terms and conditions not relating to pay in your employment contract will continue to apply during your paternity leave, including the accrual of holiday entitlement.

## 9. Returning to work after paternity leave

---

When you return from paternity leave, you have the right to the same job with the same terms and conditions as you had before your paternity leave began.

## 10. Time off for antenatal appointments

---

If you are:

- a) The baby's father
- b) The pregnant woman's spouse, or
- c) The pregnant woman's partner

you have what is known as a '**qualifying relationship**' with the pregnant woman or the unborn child.

This means that you are entitled to unpaid time off to accompany the pregnant mother to a maximum of **two** antenatal appointments per pregnancy. The same entitlement applies if you are having the child by a surrogate mother.

You must give us as much notice as possible of these appointments.

Time off to attend any further appointments must be requested as time off as unpaid leave, which must still be authorised by your line manager

We are entitled to ask you to provide us with evidence, in the form of a signed statement, setting out the date and time of each antenatal appointment. Your statement must also confirm that:

- a) You are in a relevant 'qualifying relationship' with the mother (and you will need to specify which type (father, spouse, partner))
- b) The purpose of the leave is exclusively to accompany the mother to her antenatal appointment
- c) The mother needs to attend the appointment, which has been organised, in the normal course of pregnancy check-ups, with a doctor or midwife.

## 11. Support during Paternity

---

An employee who is due to go on, or is currently taking paternity leave, is entitled to access all of the usual support networks available to staff. This includes within their department (e.g. Business Officers, Line Manager), within Shared Services (e.g. HR, Health & Safety) the Occupational Health Service and EAP.

## 12. If you lose your baby

---

You can still get Paternity Leave or Pay if your baby is:

- stillborn from 24 weeks of pregnancy
- born alive at any point during the pregnancy

## 13. Statutory entitlements on return to work

---

- **Emergency leave:** All employees have a statutory right to short periods of unpaid leave in order to make arrangements to deal with family emergencies. In addition to this statutory provision Heads of Department have discretion to grant compassionate leave where circumstances justify so doing.
- **Ordinary Parental leave:** All employees who have a year's service have a statutory right to parental leave.
- **Flexible working:** All employees who have 26 weeks service at the date of application and have children under 17 years of age have a statutory right to apply to work flexibly to care for the child.

## 14. Monitoring & Review

This Policy will be reviewed every 2 years

### Impact of non-compliance

<b>Staff:</b> Not applicable
<b>Student:</b> Not applicable
<b>Legislation/organisational:</b> Reputational damage, litigation, statutory and non-regulated compliance.
<b>Compliance lead:</b> Shared Services
<b>Policy Reference:</b> ELGR-POL-HRIM-0023
<b>Version:</b> 1
<b>Agreed policy location:</b> Expanse Learning Intranet and Company Webpage
<b>Review Schedule:</b> 24 months
<b>Does the policy require Governor approval?</b> No

### Approval

Prepared by Scott Roberts 18/04/2023  Head of Shared Services	Approved by Karl Wane 18/04/2023  Director of Post 16 Education	Counter Signatory Richard King 18/04/2023  Director of Schools, Pre 16 Education
--	--	---

### Version Control

Version	Date	Revision	Review Date
1	18/04/2023	First Issue	April-2025
2			
3			
4			
5			