

Royal Northern College of Music
Paternity and Partner Leave Policy
Policy & Procedure
Department: Human Resources
Document owner: Head of Human Resources
Approval Committee: HR Committee
Revised: January 2022
Period of Approval: 3 years
Review Date: January 2025

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1. Introduction

The College is committed to supporting all employees who have a child, adopt a child or are 'Parental Order' intended parents in a surrogacy arrangement. This document sets out an employee's statutory entitlements to paternity leave and pay, and the further contractual benefits which the College provides for employees. Should the statutory entitlements be amended, the regulations currently in force will be applied.

2. Scope

This policy is applicable to all eligible members of staff including same-sex partners, regardless of sexual orientation and gender identity in both birth and adoption situations.

3. Aims

The aims of this policy are to:

- Support staff to balance work and family life;
- Enable staff to take paid leave for the birth and care of a new baby or newly adopted child;
- Maintain contact with staff and assist them in returning to work;
- Retain staff and contribute towards good employment practices.

4. Definitions

Expected week of childbirth (EWC)

The week, beginning at midnight between Saturday and Sunday, in which it is expected that the child will be born.

Qualifying week

15 weeks before the expected week of childbirth (EWC)

Partner

Someone who lives with the birth 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.

Paternity Leave (PL)

A single block of up to 2 weeks leave that can only be taken by an employee after the birth of their child, or date the child is placed for adoption, and must finish 56 days after this date.

Parental Order

This is a court order which makes the intended parents in a surrogacy arrangement the legal parents of the child and permanently puts an end to the parenthood of the surrogate and her spouse.

5. Eligibility

Paternity Leave is available to employees who:

have been continuously employed for at least 26 weeks by the 15th week before the expected week of childbirth (EWC) or by the week in which an approved agency matches the child for adoption.

- be the father of the child or be the spouse, partner or civil partner of the person who will give birth, or in the case of adoption, be an adoptive parent or the adopters spouse or partner.
- The intended parent (if having a baby through a surrogacy arrangement)*

*In the case of couples who are adopting a child or having a child through a surrogacy arrangement, adoption leave and pay are available to only one member of the couple. The other person can take paternity leave.

6. Time off to attend ante natal appointments

Fathers and partners of pregnant women are entitled to unpaid time off to accompany the pregnant woman to two ante-natal appointments.

7. Paternity Leave

Eligible employees will be entitled to choose to take either one or two consecutive weeks paternity leave normally in a single block. Leave can start on any day of the week on or following the child's birth (but cannot start before the child has been born) or placement for adoption but must be completed within 56 days of the actual birth or placement.

Leave may start on:

- the date of the child's birth or placement for adoption (whether this is earlier or later than expected), or
- a chosen number of days or weeks after the date of the child's birth or placement (whether this is earlier or later than expected), or
- a chosen date provided that it is within 56 days beginning on the date the child is born or placed for adoption.

If the child is born early the leave may be taken within the period from the actual date of birth up to 56 days after the expected week of the birth. Only one period of leave will be available irrespective of whether more than one child is born.

8. Notification

It is the responsibility of the employee to advise his/her Head of School/Department, or Human Resources, as soon as possible that they wish to take paternity leave by completing a Paternity Leave Notification Form (attached as Appendix 1). This notification will detail the dates on which the leave will begin and end, together with the reason for the proposed absence. The employee should also attach a copy of the relevant MATB1 form with their first application for paternity leave. They must tell us of their intention to take paternity leave by the fifteenth week before the baby is expected, unless this is not reasonably practicable. They will need to tell us:

- the week the baby is due/expected date of placement
- whether they wish to take one or two weeks' leave

- when they want their leave to start.

The notified start date may be amended provided the College is given 28 days' notice of the change, unless this is not reasonably practicable.

The employee must notify the Human Resources department of the date the baby is born, as soon as is practicable in order for Paternity Pay to be paid.

Staff who leave the employment of the College will be required to repay any contractual paternity pay that has been paid during the final 3 months of service.

9. Paternity Pay

9.1 Statutory Paternity Pay

During ordinary paternity leave an employee will be entitled to statutory paternity pay (SPP) provided that they:

- have been continuously employed by the College for at least 26 weeks by the 15th week before the baby is due or by the week in which an approved agency matches a child for adoption;
- have an average weekly earnings of not less than the lower earnings limit for National Insurance contributions;
- have provided a self-certificate as evidence of entitlement to SPP
- have stopped working.

SPP will be paid for either one or two consecutive weeks as the employee has chosen, and will be paid at the same as the standard rate of statutory maternity pay.

9.2 Occupational Paternity Pay

In addition to Statutory Paternity Pay, the College also provides Occupational Paternity Pay for eligible employees. Employees will be entitled to the equivalent of two weeks' normal pay (including the Statutory Paternity Pay) during their two weeks' paternity leave providing they have at least one year's continuous service at the date they plan to take the leave.

10. Return to work

A member of staff who is taking paternity leave is entitled to return to the same job he/she was in before they went on leave, on terms and conditions that are no less favourable than those that would have applied had they not been absent.

11. Shared Parental Leave

Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible employees have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay if the mother has not exhausted the Statutory Maternity Pay entitlement.

Please refer to the Shared Parental Leave Policy for further detail.

Employees considering taking Shared Parental Leave should speak to a member of the Human Resources department at the earliest opportunity.

RELATED POLICIES

- Parental Leave
- Adoption Leave NB: An employee who qualifies for and decides to take adoption leave will not be able to take paternity leave.
- Flexible Working Policy
- Maternity Leave
- Shared Parental Leave
- Dependant Leave

Appendix 1

Paternity Leave Form – Father/ Mother's Partner

Form to be completed if you are the father or the mother's partner and wish to take Paternity Leave.

Name:	
Job title:	
Department / School:	
Employee number:	
Name of line manager:	

Please accept this form as notification of my intention to take paternity leave:

Section A – Complete in the case of births

Expected date of birth:	
Or, if the baby has been born, actual date of birth:	

Section B – Complete in the case of adoptions

Date adopter advised of being matched with the child (or for Parental Order parents, date of the 15 th week before the birth of the baby):	
Expected date of placement:	
Or, if the child has been placed, date of placement:	

Section C – Complete in all cases - dates of paternity leave

Length of Service at Qualifying Week*	Paternity Leave and Pay	Indicate how many weeks leave you wish to take
<input type="checkbox"/> 1 or more years	2 weeks Occupational Paternity Pay (full pay inclusive of Statutory Paternity Pay)	
<input type="checkbox"/> 26 weeks – less than 1 year	2 weeks - Statutory Paternity Pay (SPP) or 90% of average weekly earnings if this is less	

***Qualifying Week:** 15 weeks before the baby is due OR the week in which the primary adopter (the person who is taking Statutory Adoption Leave and Pay) are notified of an approved match for adoption

Section D – Complete in all cases – declaration

I am:	
- the baby's biological father, or	
- married to or in a civil partnership with the birth mother / primary adopter, or	
- living with the mother/primary adopter in an enduring family relationship, but not an immediate relative	
I will take responsibility for the child's upbringing	
I will take this period of time off work to support the mother/primary adopter or to care for the child	
I have attached / will attach a copy of the MATB1 form or matching certificate	
Employee's signature:	
	<i>Attachment to an email will constitute signatory authorisation</i>
Date:	