

2/04/24

## **Paternity Leave Policy and Procedure**

### **Policy**

The policy of the University of Cambridge is to provide paternity benefits which comply with both the letter and the spirit of the law and, in most cases, are in excess of statutory requirements.

This policy applies to all employees and aims to inform them of their entitlement to contractual and statutory paternity rights, and ensure that these rights are understood.

### **Paternity Leave and Pay**

#### **Entitlement and criteria**

The following employees, who have or expect to have responsibility for the child's upbringing, are entitled to a maximum of 2 weeks' paid paternity leave under University policy, regardless of their length of service and entitlement to statutory paternity benefits:

- Biological father of a child.
- Mother's husband, partner (of either sex) or civil partner who expects to have responsibility for the child's upbringing.
- Employee of either sex who is adopting a child but is not taking adoption leave.

#### **Statutory Regulations**

Employees are encouraged, where possible, to follow the provisions laid down by the following regulation:

- Statutory Paternity Pay Regulations implemented under the Employment Act 2002
- Paternity and Adoption Leave Regulations 2002
- Paternity Leave (Amendment) Regulations 2024

Employees can take leave at any time within the first year of the birth or placement for adoption. Employees may choose to take either one block of two consecutive weeks or two separate blocks of one week of paternity/co-parent leave (starting on any day of the week but not taken as odd days) subject to the following provisions:

- Notification of entitlement to statutory paternity/co-parent leave and the expected week of the child's birth (CHRIS/65) must be given no later than the 15th week before the expected week of childbirth or within 7 days of the date the adoption agency tells the person adopting the child they have been matched with the child.
- Notification (form CHRIS/65) of the dates intended to be taken as paternity/co-parenting leave must be provided no later than 28 days before the earliest date of each intended period of leave, or within 7 days of notification by adoption agency of

being matched with a child. If this timeframe is not reasonably practicable to achieve, then notice must be provided as soon as is reasonably practicable.

- An employee may vary their planned leave date by providing 28 days' notice of the variation using form CHRIS/65.
- Leave can start on any day of the week on or following the child's birth or placement for adoption but must be completed within 52 of the actual date of birth/placement of the child. If the child is born early, leave must be taken within the period from the actual date of birth up to 52 after the expected date of birth.

Two periods of one week leave or one period of two weeks of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy or more than one child is placed for adoption as part of the same arrangement.

### **Paternity / Co-Parent pay**

Employees who apply for paternity leave and meet the University criteria (ie that satisfactory arrangements can be made to cover for the absence at no extra cost to the University) will receive up to 2 weeks leave at full pay.

### **Notification**

Employees should give notice of their entitlement to statutory paternity/ co-parent pay specifying the date of the expected birth, using the CHRIS/65 form no later than the 15th week before the baby is expected, or within 7 days of the date the adoption agency tells the person adopting they have been matched with the child. An employee must provide no less than 28 days' notice before the earliest date of each intended period of leave or within 7 days of notification by an adoption agency of being matched with a child. If for any reason they wish to change the start date of the leave period, they should give 28 days' notice of the change, unless this is not reasonably practicable.

### **Confirmation of leave**

On receipt of the paternity application form, the Human Resources Division will write to the member of staff confirming that leave has been granted.

### **Change in circumstances**

Whilst for many this is a time of planning and excitement, there may be unforeseen circumstances that could make it a very difficult time. In the following situations, paternity/co-parenting rights still apply, and leave must be taken within 8 weeks of the event occurring:

- the employee is notified that the child will no longer be placed with the person with whom the child was to be placed for adoption, or
- the child is stillborn after 24 weeks of pregnancy, or
- the child only survives for a short period after the birth, or

the child is returned after being placed for adoption.

Employees may also be entitled to parental bereavement leave and pay. Please refer to the section on Parental Bereavement Leave in the [Special Leave Policy](#)

## **Time off for antenatal appointments**

Employees who are expectant fathers or partners may take unpaid time off during working hours on up to two occasions to accompany their pregnant partner/the child's mother to antenatal appointments. Please refer to the [Maternity Leave Policy](#)

## **Benefits during leave**

During paternity leave the contract of employment continues in force. All terms and conditions of the contract continue with the exception of stipend or salary. Continuity of service is maintained, and any standard incremental progression taking place during the paternity leave will be implemented.

## **Effect on sabbatical leave**

For academic staff with an entitlement to leave under Statute D,II,5, all terms during which paternity leave is taken will counted as reckonable service for sabbatical leave purposes.

## **Pension Implications**

For members of both the USS and the CPS during any period of paid paternity leave, pension benefits are accrued as if the member is at work.

However it is recommended that any member of staff who has queries on their pension entitlement should contact the Pensions Office for information.

## **Annual leave accrual**

Annual leave entitlement as stated in the relevant contract of employment will continue to accrue as normal for the entire period of paternity leave.

## **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. Departmental Administrator), within HR (e.g. HR Business Manager/Adviser) the Occupational Health Service and Counselling Service.

## **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 Institution 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.

## **Other family-related leave**

- [Adoption leave policy and procedure](#)
- [Maternity leave policy and procedure](#)

- [Shared Parental Leave](#)
- [Returning Carers Scheme](#)

#### Reference Documents

- [CHRIS/65 Paternity Leave Application](#)