

Guidance: Paternity Leave and Pay

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The latest version of this document is always to be found at:

<http://policies.docstore.port.ac.uk/policy-175.pdf>

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There are a number of Human Resource policies and procedures that can be accessed at www.port.ac.uk/intranet/humanresources/conditionsofemployment/policiesandprocedures/.

In support of these, HR produces a series of guidance on a range of topics – such as this one – to provide employees with simple, accessible, up-to-date information. Should you have any queries or require any further information, please email the HR Service Centre on hrenquiries@port.ac.uk or contact them on 023 9284 3141.

Peter Brook
Director of Human Resources

Guidance: Paternity Leave and Pay

Summary

What is this Guidance about?

This Guidance sets out the procedure employees and their managers should follow in the event of paternity leave and pay.

Who is this Guidance for?

This Guidance is for all staff and managers.

How does the University check this Guidance is followed?

Human Resources maintain an overview of the use of paternity leave and pay and reports are presented to the Governors' Human Resources Committee.

Who can you contact if you have any queries about this Guidance?

All enquiries should be directed to the appropriate HR Adviser and details are available via the HR webpages at www.port.ac.uk/departments/services/humanresources/contactus/hrbusinesspartnerhradvisers/.

Ordinary Paternity Leave and Pay

Ordinary paternity leave (OPL) and pay is available to:

- a member of staff who is the partner of a woman who has given birth;
- a member of staff who is the partner of someone who is adopting a child;
- in the case of joint dual approved adoptions, the parent who will not take adoption leave and pay;
- a member of staff who is having a baby through a surrogacy arrangement;
- one of the Parental Order parents¹.

Eligible employees are entitled to choose to take *either* one week *or* two consecutive weeks. *You cannot take odd days.* A week is based on your usual working pattern. So if you work Mondays and Tuesdays only, a week would be two days or if you work Monday to Friday, a week would be five days.

Section A: Ordinary Paternity Leave and Pay – Births

1. Eligibility for OPL

You would qualify to be eligible for OPL on the birth of a baby if you:

- have, or expect to have, responsibility for the baby's upbringing;
- are the biological father of the baby and/or the mother's husband or partner (including same-sex partner or civil partner).

In addition, you must have:

- at least 26 weeks' continuous employment at the University ending with the 15th week before the expected week of childbirth (EWC)², the qualifying week;
- be working at the University from the qualifying week up to the date of birth. If your contract ends before the birth, you will not qualify for OPL. If your contract ends after the birth, you retain the right to OPL (and Ordinary Statutory Paternity Pay if you qualify);

¹ The intended parents in a surrogacy arrangement where they are eligible for and intend to apply for a Parental Order (or where they have already obtained such an Order) making them the legal parents of the child that they are having with the help of a surrogate mother. These parents are referred to as 'Parental Order parents' in this Guidance.

² The EWC is the week in which the expected date of the baby's birth falls, starting with the preceding Sunday and ending the following Saturday. If the baby was born on a Sunday, that date is the first day in the EWC.

- have notified HR Services of your intention to take OPL;
- be taking time off to support the mother and/or care for the baby.

You will be considered as having the necessary length of service if:

- the baby is born earlier than the 14th week before the EWC;
- if the birth had not occurred early, you would have been employed continuously for 26 weeks.

1.1 Multiple births

OPL remains at the maximum of two weeks regardless of the number of children resulting from a single pregnancy.

1.2 Still birth

In the unfortunate event of a still birth during or after the 25th week of pregnancy or if the baby was born alive but then later dies, you would still be entitled to OPL.

2. How much will I be paid?

You will receive your normal salary for one or two consecutive weeks as per your request.

3. Notification of OPL

To qualify for OPL, you should notify HR Services no later than the end of the 15th week before the expected week of childbirth (EWC), or as soon as reasonably practicable, of:

- the expected date of the baby's birth;
- whether you wish to take one or two week's leave;
- when you want your OPL to start.

To notify HR Services of your intention to take OPL please complete and return the **Ordinary Paternity Leave application form** which can be downloaded from www.port.ac.uk/intranet/humanresources/conditionsofemployment/familyfriendlyentitlements/.

To comply with the leave notification requirements HR Services should receive the application form before the EWC. Once the baby is born you should inform HR Services of the actual date of birth.

4. When can I start my OPL?

You cannot start your OPL until the birth of the baby; otherwise, you can choose to start your leave:

- on the actual date of the baby's birth (whether earlier or later than expected);
- on a date you have notified to HR Services, falling a specified number of days after the actual birth date (whether earlier or later than expected);
- on a date you have notified to HR Services, falling after the first day of the expected week of childbirth (EWC). If the baby is born later than this date, you must delay the leave until the date of the actual birth.

If you specified the date of birth as the day you wish to start your leave and then were at work on that day your leave will begin on the following day.

5. Changing the start date of OPL

If you wish to change the start date of your paternity leave you must give the following notice:

- If you want to change the leave so it starts on the date of birth, at least 28 days before the first day of the EWC.
- If you want to change your leave so it starts on a particular date, 28 days before that date.
- If you want to change your leave so it starts on a specified number of days after the birth, at least 28 days before the date falling the same number of days after the first day of the EWC, e.g. if you want to start your leave 14 days after the birth and the EWC begins on 16 July, you must notify HR Services of the new date on 2 July, i.e. 28 days before 14 days after 16 July.

If you cannot give the notice in time, you should notify HR Services as soon as is reasonably practicable.

If you have changed the start date of your leave, you should fill in a new application for paternity leave form.

6. What is the latest I can take OPL?

As long as you have given the required notice, the OPL can start on any day of the week. However, your leave must finish:

- within eight weeks of the actual date of birth;
- if the child is born earlier than expected, between the birth and eight weeks from the first day of the EWC.

7. Contact

If you have any queries regarding the above, or any other questions, then please email the HR Service Centre on hrenquiries@port.ac.uk.

Section B: Ordinary Paternity Leave and Pay – Adoptions UK

To qualify for ordinary paternity leave (OPL), you must meet certain qualifying criteria. The criteria and the notification requirements for OPL differ for UK and overseas adoptions. This section applies to adoptions from within the UK.

1. Eligibility for OPL

You would qualify for OPL when adopting a child from the UK if you:

- are either one of two parents jointly adopting a child or the partner of someone adopting a child individually;
- are one of the Parental Order parents³;
- have, or expect to have, responsibility for the child's upbringing with the other joint adoptive parent or the individual adopter;
- are not taking statutory adoption leave and pay;
- have been continuously employed at the University for at least 26 weeks ending with the week in which you have been notified of having been matched with a child – the qualifying week. The qualifying week starts on a Sunday and ends on a Saturday;
- continue to work at the University for the qualifying week to the date of the child's placement;
- notified HR Services when you want to take OPL no more than seven days after you have been notified that you have been matched with a child;
- will be taking time off to support the adopter and/or to care for the child.

You cannot take OPL for any other purpose.

2. Notification of OPL

To qualify for OPL when adopting a child from within the UK, you should notify HR Services no more than seven days after you have been notified you have been matched with a child:

- that you intend to take OPL;
- when you want your leave to start;
- how much leave you expect to take;
- the date you were notified that you had been matched with a child;
- the date on which the child is expected to be placed for adoption. The date is shown on the matching certificate from the adoption agency.

If it is not reasonably practicable for you to meet this deadline, you should notify HR Services as soon as possible.

³ The intended parents in a surrogacy arrangement where they are eligible for and intend to apply for a Parental Order (or where they have already obtained such an Order) making them the legal parents of the child that they are having with the help of a surrogate mother. These parents are referred to as 'Parental Order parents' in this Guidance.

3. Written notification

You may request OPL and OSPP at the same time. Please complete and return the **Ordinary Paternity Leave application form** for this purpose which can be downloaded from www.port.ac.uk/intranet/humanresources/conditionsofemployment/familyfriendlyentitlements/.

4. Choosing the start date of OPL

OPL (and pay) can begin any time from the date of the child's placement with you but must be completed within eight weeks of this date.

You can choose to begin OPL on one of the following:

- The date on which the child is placed with you, even if this is earlier or later than the expected date of placement. If you are at work on that date, your leave would begin from the following day.
- A predetermined date after the expected date of placement.
- A date falling a specified number of days after the expected date of placement.

If the date of placement changes from the original date you were given please contact HR Services as soon as possible if you wish to change the start date.

5. Contact

If you have any queries regarding the above, or any other questions, then please email the HR Service Centre on hrenquiries@port.ac.uk.

Section C: Ordinary Paternity Leave and Pay – Adoptions overseas

To qualify for ordinary paternity leave (OPL), you must meet certain qualifying criteria. The criteria and the notification requirements for OPL differ for UK and overseas adoptions. This section applies to adoptions from overseas.

1. Eligibility for OPL

You would qualify for OPL when adopting a child from overseas if you:

- are either one of two parents jointly adopting a child or the partner of someone adopting a child individually;
- are one of the Parental Order parents⁴;
- have, or expect to have, responsibility for the child's upbringing with the other or main adopter;
- are not taking statutory adoption leave and pay;
- have worked continuously at the University for at least 26 weeks into the week that you received **official notification**⁵ or by the time you want your OPL to begin, whichever is the later;
- continue to work at the University up to the point when the child enters Great Britain;
- have given the correct notification to take OPL.

4 The intended parents in a surrogacy arrangement where they are eligible for and intend to apply for a Parental Order (or where they have already obtained such an Order) making them the legal parents of the child that they are having with the help of a surrogate mother. These parents are referred to as 'Parental Order parents' in this Guidance.

5 Official notification is defined as written notification issued by or on behalf of the 'relevant domestic authority' that it is prepared to issue, or has already issued and sent, a certificate to the overseas authority concerned with the child's adoption, confirming that the adopter is eligible to adopt. The relevant domestic authority is defined as the Secretary of State.

2. Notification of OPL

If you are adopting a child from overseas you must give notice in three stages that you intend to take OPL.

First notification – you should inform HR Services of:

- the date on which the other or main adopter received official notification;
- the date the child is expected to enter the UK.

If you already have the necessary 26 weeks' qualifying service when the official notification is received, you must give HR Services this information within 28 days of receiving the official notification. At this stage, you should know roughly when the child will enter the UK.

If you receive the official notification before you have the necessary qualifying service, you must give HR Services notice within 28 days of completing the 26 weeks' qualifying service. Again, at this point, you should know roughly when the child will enter the UK.

Second notification – you must give at least 28 days' notice of the actual date you want your OPL (and OSPP if you qualify) to start. You can give this notice at the first notification stage if you know the date. OPL cannot start before the child has entered the UK.

You can change your mind about the date on which you want your leave to start providing you have notified the HR Services at least 28 days in advance of the new start date, or as soon as reasonably practicable.

Third notification – is after the child has entered the UK, you must notify HR Services of the date the child entered the UK. You must notify HR Services of this within 28 days of the child's date of entry.

If you are also claiming OSPP, you will need to give evidence of the date of entry.

If you are notified that the child will not be entering the UK you should notify HR Services as soon as is reasonably practicable.

3. Choosing the start date of OPL

If you are adopting from overseas you may choose to start your OPL:

- from the date the child enters the UK; or
- from a fixed date which is later than the date the child enters the UK.

You must complete your leave within eight weeks of the date the child enters the UK. You can start your leave on any day of the week.

OPL is not meant to be used to cover the period you may spend travelling overseas to arrange the adoption or to visit the child. You would be expected to take annual leave or unpaid leave for this purpose.

4. Changing the start date of OPL

If you wish to change the start date of your OPL, you must give 28 days' notice of the change to HR Services. If you are unable to give the notice in time, you should notify HR Services as soon as possible.

5. Contact

If you have any queries regarding the above, or any other questions, then please email the HR Service Centre on hrenquiries@port.ac.uk.

Section D: Ordinary Paternity Leave and Pay – General

1. Terms and conditions during OPL

During your paternity leave your contract of employment continues to be in force. All terms and conditions of your contract continue with the exception of your salary. Continuity of service is maintained and any standard incremental progression which takes place during your paternity leave period will be implemented. If you work term time or variable hours please contact hrenquiries@port.ac.uk for further advice.

You will continue to accrue annual leave entitlement whilst on OPL in accordance with your contract of employment. If you wish to take annual leave prior to returning to work it must be in agreement with your line manager.

2. Returning to work from OPL

You are entitled to return to the same job on the same terms and conditions of employment as if you had not been absent on OPL.

3. Return to work where parental leave is taken immediately after OPL

You are entitled to take parental leave (unpaid) immediately after the end of your OPL. A period of parental leave of four weeks or less has no impact on your right to return to work. More detail on parental leave can be found at www.port.ac.uk/intranet/humanresources/conditionsofemployment/familyfriendlyentitlements/.

Should you take a period of parental leave **more than** four weeks straight after the end of your OPL you would be entitled to return to the same job on the same terms and conditions of employment as if you had not been absent.

However, if it is not reasonably practicable for the University to let you return to your old job, we would offer you a job:

- that is both suitable and appropriate for you in the circumstances;
- on terms and conditions that are no less favourable than those of your original job.

The University will consult with you whilst you are on paternity-parental leave about any proposed changes to your job in preparation for your return to work.

4. Pension

Please refer to the following pension guidance appropriate to your individual pension scheme while you are on paternity leave. If you are unsure which pension scheme applies to you please send an enquiry to hrenquiries@port.ac.uk.

Teachers Pensions (TP)

During paternity leave, your pension contributions will continue to be deducted and your pensionable service will accrue in the usual way.

Local Government Pension Scheme (LGPS)

During paternity leave, your pension contributions will continue to be deducted and your pensionable service will accrue in the usual way.

NHS Pension Scheme (NHS)

During paternity leave, your pension contributions will continue to be deducted and your pensionable service will accrue in the usual way.

5. How do I arrange to take OPL?

You will need to complete the Ordinary Paternity Leave request form which is available on the intranet at www.port.ac.uk/intranet/humanresources/conditionsofemployment/familyfriendlyentitlements/.

The completed form should be returned to HR Services.

6. Contact

If you have any queries regarding the above, or any other questions, then please email the HR Service Centre on hrenquiries@port.ac.uk.

Additional Paternity Leave

Additional paternity leave (APL) allows eligible employees to take up to 26 weeks' leave in addition to their entitlement to two weeks OPL to care for their new child, possibly with Additional Statutory Paternity Pay. This leave and pay is only available to qualifying employees if the mother, or co-adopter, has returned to work.

Section E: Additional Paternity Leave – Births

1. Eligibility for APL

You can start your APL any time from 20 weeks after the child is born. The leave must have finished by the child's first birthday. A minimum of two weeks and a maximum of 26 continuous weeks' leave can be taken.

To qualify for APL you must:

- be the father of the baby and/or the husband or partner (including same-sex partner or civil partner) of a woman who is due to give birth on or after 3 April 2011;
- you should have, or expect to have, the main responsibility for the child's upbringing, apart from any responsibility of the mother;
- you should have at least 26 weeks' continuous employment ending with the qualifying week – the 15th week before the expected week of childbirth;
- still be employed at the University from the qualifying week into the week before you wish to take APL – weeks run Sunday to Saturday;
- you should be taking the time off to care for the baby.

You will still be considered as having the necessary length of service if both:

- the baby is born earlier than the qualifying week; and
- if the birth had not occurred early, you would have been employed continuously for the 26 weeks ending with the qualifying week.

The baby's mother must also:

- be entitled to statutory maternity leave, statutory maternity pay or maternity allowance; and
- return to work⁶ at least two weeks after the child's birth, but with at least two weeks of unexpired statutory maternity leave entitlement remaining.

1.1 Multiple births

You only qualify for one period of APL regardless of the number of children resulting from a single pregnancy.

2. Entitlement to Additional Statutory Paternity Pay (ASPP)

ASPP is payable if you meet the eligibility criteria for APL and:

- you are taking time off to care for your child during your partner's 39 week statutory maternity pay, maternity allowance or statutory adoption pay;
- your partner has returned to work.

⁶ A return to work means that the mother has resumed working. A period of annual leave, sick or parental leave directly after the maternity leave but during the mother's statutory maternity pay or maternity allowance period is not a return to work. However, once the mother has returned to work any subsequent period of leave does not affect entitlement to APL or pay.

The current rate is the lower of either:

- the standard weekly rate;
- 90% of your average weekly earnings if less than the current weekly rate. If your average weekly earnings are below the Lower Earnings Limit for National Insurance Contributions, you will not qualify for ASPP. Information regarding financial support should be sought from your local Jobcentre Plus office.

Additional Statutory Paternity Pay is a State benefit, the conditions for which and the amount of which are determined by the Government. Details of the current ASPP rate can be found at www.direct.gov.uk/en/Parents/Moneyandworkentitlements/WorkAndFamilies/Paternityrightsintheworkplace/DG_190788.

3. Notification of APL and pay

To qualify for APL and pay you must give notice, in writing, at least eight weeks before the start of the leave. The form (SC7) for this purpose is available to download from the HM Revenue & Customs (HMRC) website at:

- Form SC7 (for births) www.hmrc.gov.uk/forms/sc7.pdf

This completed form should be returned to HR Services.

Within 28 days of receiving your written notification to take APL, HR Services will contact you to request a copy of either:

- the child's birth certificate;
- the notification from the adoption agency, including the name and address of the agency; the date on which you were notified of having been matched for adoption and the date that the agency was expecting the placement to begin;
- the official notification⁷ relating to the adoption;
- the name and address of the mother's or co-adopter's employer, or their business address if they are self-employed.

4. Confirming entitlement

Once your request has been received within HR Services you will be sent confirmation of the dates of your APL and ASPP within 28 days of receiving your completed notice. If you apply for ASPP but are not eligible we will notify you of this.

5. Change to date of APL or pay

You must give at least six weeks' notice:

- if you wish to change the date of your APL; or
- if you decide you no longer wish to take it; or
- if you wish to return to work earlier.

If you do not give the required six weeks' notice, please be aware that the University does not have to accept the notice if it cannot reasonably accommodate the requested change.

HR Services will respond to your request to change the dates of your APL and pay, if applicable, within 28 days of receiving notice.

6. Ending of eligibility for APL

If you become no longer eligible for APL, for example because your partner decides not to return to work or because you will no longer be caring for the child you must notify HR Services in writing as soon as possible.

7. APL if the mother dies

In the unfortunate event of the mother's death before the child's first birthday special terms apply for APL. Please contact HR Services for further advice.

⁷ Official notification is defined as written notification issued by or on behalf of the 'relevant domestic authority' that it is prepared to issue, or has already issued and sent, a certificate to the overseas authority concerned with the child's adoption, confirming that the adopter is eligible to adopt. The relevant domestic authority is defined as the Secretary of State.

8. Terms and conditions during APL

During your paternity leave your contract of employment continues to be in force. All terms and conditions of your contract continue with the exception of your salary. Continuity of service is maintained and any standard incremental progression which takes place during your paternity leave period will be implemented. If you work term time or variable hours please contact hrenquiries@port.ac.uk for further advice.

You will continue to accrue annual leave entitlement whilst on APL in accordance with your contract of employment. If you wish to take annual leave prior to returning to work it must be in agreement with your line manager.

9. Pension

Please refer to the following pension guidance appropriate to your individual pension scheme while you are on paternity leave. If you are unsure which pension scheme applies to you please send an enquiry to hrenquiries@port.ac.uk.

Teachers Pensions (TP)

Whilst you are on paternity leave, during the time that you are receiving pay of any kind pension contributions will continue to be deducted and your pensionable service will accrue in the usual way. During any paternity leave when you do not receive any pay, your pensionable service will cease at the time your pay stops and Teachers Pensions will consider you to be a Leaver at that point. This will result in a gap in your pensionable service for the same period as your unpaid days. It may be possible to top up your pension by buying Additional Pension. Further details of how to do this can be found by visiting the Teachers Pensions website at www.teacherspensions.co.uk or by contacting HR Services.

Local Government Pension Scheme (LGPS)

You will continue to pay LGPS contributions on any pay you receive while you are on paternity leave. Any period of unpaid paternity leave will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs). If you wish to make APCs you must notify Human Resources, in writing, within 30 days of the date on which your unpaid paternity leave ends.

There is an online calculator which shows how much it would cost to buy lost pension through APCs at www.lgps2014.org/content/how-do-i-buy-extra-or-lost-pension.

If you do not elect to pay your contributions, then this period will be treated as a break in pensionable service.

NHS Pension Scheme (NHS)

Pension service will continue to count in the usual way, as if you were working normally, whether you are receiving pay or not. During periods of paid paternity leave, pension contributions will continue to be deducted from the pay actually received, even if this is reduced. During periods of unpaid paternity leave, pension contributions will be calculated on the rate being paid immediately before pay stopped, and will automatically be deducted on your return to work.

10. Contact

If you have any queries regarding the above, or any other questions, then please email the HR Service Centre on hrenquiries@port.ac.uk.

Section F: Additional Paternity Leave – Adoptions (UK and overseas)

1. Eligibility for APL

You can take APL any time between 20 and 52 weeks after:

- the child starts living with the adopter (is placed for adoption) – for UK adoptions;
- arrives in Great Britain from overseas – for overseas adoptions.

A minimum of two weeks and a maximum of 26 continuous weeks' leave can be taken.

You would qualify for APL when adopting a child if:

- you are married to or the partner or civil partner of the child's co-adopter (the co-adopter is the adopter who has chosen to take adoption leave);
- you did not take statutory adoption leave or pay;
- you continue to work at the University from the qualifying week into the week before you wish to take APL (which runs Sunday to Saturday);
- you will be taking time off to care for the child;
- **for UK adoptions**, you have been matched with a child for adoption on or after 3 April 2011 – the qualifying week is the week you have been matched for adoption;
- **for overseas adoptions**, the child must have entered Great Britain on or after 3 April 2011 – the qualifying week is the later of either the week official notification was received, or the week you have been employed by the University for 26 weeks;
- you have been continuously employed by the University for at least 26 weeks ending with your qualifying week – **for overseas adopters** this must be before the child entered Great Britain.

If your contract should end before your Statutory Adoption Leave begins you will not qualify for leave or pay.

The child's co-adopter must also be:

- entitled to adoption leave or pay; and
- will return to work⁸ at least two weeks after the child's placement for adoption.

For overseas adoptions, you must also:

- have received official notification⁹ relating to the adoption have, or expect to have, main responsibility for the child's upbringing (apart from the co-adopter).

1.1 Multiple adoptions

You can only get one period of APL regardless of the number of children matched with you at the same time or adopted from overseas as part of the same arrangement.

2. Entitlement to Additional Statutory Paternity Pay (ASPP)

ASPP is payable if you meet the eligibility criteria for APL and:

- you are taking time off to care for your child during your partner's 39 weeks statutory maternity pay, maternity allowance or statutory adoption pay;
- your partner has returned to work.

The current rate is the lower of either:

- the standard weekly rate;
- 90% of your average weekly earnings if less than the current weekly rate. If your average weekly earnings are below the Lower Earnings Limit for National Insurance Contributions, you will not qualify for SPP. Information regarding financial support should be sought from your local Jobcentre Plus office.

⁸ A return to work means the mother has resumed working – a period of annual or parental leave directly after the adoption leave is not a return to work. Once the co-adopter has returned to work any subsequent period of leave does not affect entitlement to APL or pay.

⁹ Official notification is defined as written notification issued by or on behalf of the 'relevant domestic authority' that it is prepared to issue, or has already issued and sent, a certificate to the overseas authority concerned with the child's adoption, confirming that the adopter is eligible to adopt. The relevant domestic authority is defined as the Secretary of State.

Additional Statutory Paternity Pay is a State benefit, the conditions for which and the amount of which are determined by the Government. Details of the current SPP rate can be found at www.direct.gov.uk/en/Parents/Moneyandworkentitlements/WorkAndFamilies/Paternityrightsintheworkplace/DG_190788.

3. Notification of APL and pay

To qualify for APL and pay you must give notice, in writing, at least eight weeks before the start of the leave. Forms for this purpose are available to download from the HM Revenue & Customs (HMRC) website at:

- Form SC8 (for UK adoptions) www.hmrc.gov.uk/forms/sc8.pdf
- Form SC9 (for overseas adoptions) www.hmrc.gov.uk/forms/sc9.pdf

Please return the completed form to HR Services.

4. Confirming APL and pay entitlement

Within 28 days of receiving your written notification to take APL, HR Services will contact you to request a copy of either:

- the child's birth certificate;
- the notification from the adoption agency, including the name and address of the agency; the date on which you were notified of having been matched for adoption and the date that the agency was expecting the placement to begin;
- the official notification¹⁰ relating to the adoption;
- the name and address of the mother's or co-adopter's employer, or their business address if they are self-employed.

5. Confirming entitlement

Once your request has been received within HR Services you will be sent confirmation of the dates of your APL and ASPP within 28 days of receiving your completed notice. If you apply for ASPP but are not eligible we will notify you of this.

6. Change to date of APL or pay

You must give at least six weeks' notice:

- if you wish to change the date of your APL; or
- if you decide you no longer wish to take it; or
- if you wish to return to work earlier.

If you do not give the required six weeks' notice, please be aware that the University does not have to accept the notice if it cannot reasonably accommodate the requested change.

HR Services will respond to your request to change the dates of your APL and pay, if applicable, within 28 days of receiving notice.

7. Ending of eligibility for APL

If you become no longer eligible for APL, for example because your partner decides not to return to work or because you will no longer be caring for the child, you must notify HR Services in writing as soon as possible.

8. APL if the mother or co-adopter dies

In the unfortunate event of the mother's or co-adopter's death before the child's first birthday or during the first year of the placement, special terms apply for APL. Please contact HR Services for further advice.

¹⁰ Official notification is defined as written notification issued by or on behalf of the 'relevant domestic authority' that it is prepared to issue, or has already issued and sent, a certificate to the overseas authority concerned with the child's adoption, confirming that the adopter is eligible to adopt. The relevant domestic authority is defined as the Secretary of State.

9. Terms and conditions during APL

During your paternity leave your contract of employment continues to be in force. All terms and conditions of your contract continue with the exception of your salary. Continuity of service is maintained and any standard incremental progression which takes place during your paternity leave period will be implemented. If you work term time or variable hours please contact hrenquiries@port.ac.uk for further advice.

You will continue to accrue annual leave entitlement whilst on APL in accordance with your contract of employment. If you wish to take annual leave prior to returning to work it must be in agreement with your line manager.

10. Pension

Please refer to the following pension guidance appropriate to your individual pension scheme while you are on paternity leave. If you are unsure which pension scheme applies to you please send an enquiry to hrenquiries@port.ac.uk.

Teachers Pensions (TP)

Whilst you are on paternity leave, during the time that you are receiving pay of any kind pension contributions will continue to be deducted and your pensionable service will accrue in the usual way. During any paternity leave when you do not receive any pay, your pensionable service will cease at the time your pay stops and Teachers Pensions will consider you to be a Leaver at that point.

This will result in a gap in your pensionable service for the same period as your unpaid days. It may be possible to top up your pension by buying Additional Pension. Further details of how to do this can be found by visiting the Teachers' Pensions website at www.teacherspensions.co.uk or by contacting HR Services.

Local Government Pension Scheme (LGPS)

You will continue to pay LGPS contributions on any pay you receive while you are on paternity leave. Any period of unpaid paternity leave will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs). If you wish to make APCs you must notify Human Resources, in writing, within 30 days of the date on which your unpaid paternity leave ends.

There is an online calculator which shows how much it would cost to buy lost pension through APCs at www.lgps2014.org/content/how-do-i-buy-extra-or-lost-pension.

If you do not elect to pay your contributions, then this period will be treated as a break in pensionable service.

NHS Pension Scheme (NHS)

Pension service will continue to count in the usual way, as if you were working normally, whether you are receiving pay or not. During periods of paid paternity leave, pension contributions will continue to be deducted from the pay actually received, even if this is reduced. During periods of unpaid paternity leave, pension contributions will be calculated on the rate being paid immediately before pay stopped, and will automatically be deducted on your return to work.

11. Contact

If you have any queries regarding the above, or any other questions, then please email the HR Service Centre on hrenquiries@port.ac.uk.

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