

DGAT Paternity Policy for Teachers

(Birth and Adoption)

Our vision is to enable all to flourish.

Status and review cycle: Two yearly

Responsible group: Executive Leadership Team

Review date: May 2024

Next Review Date: June 2026

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## 1.0 Introduction

1.1 DGAT (‘The Trust’) is an organisation with a Christian foundation. The ethos, values and relationships of the Trust, and its associated academies, are central to upholding the values of the foundation. the Trust is committed to supporting employees on paternity leave. This policy provides guidance on statutory paternity leave (SPL) and statutory paternity pay (SPP) for birth and adoption.

1.2 SPL is a statutory right and this guidance applies to all Trust employees and staff employed in a DGAT school.

##  Paternity leave

2.1 The law on statutory paternity leave and pay changed on 6 April 2024. This means there are different rules depending on when a baby is due.

2.2 For parents of babies born before 6 April 2024, paternity leave is a period of one or two weeks that a pregnant employee’s spouse, civil partner, the child’s other parent, or partner can take off from work to care of their baby or child or to support the child’s adopter in the first few weeks following the placement of the child.

2.3 For parents of babies born after 6 April 2024, paternity leave is a period of one or two weeks that can be taken either together, or two separate blocks of one week that a pregnant employee’s spouse, civil partner, the child’s other parent, or partner can take off from work to care for their baby or child or to support the child’s adopter with in the first 52 weeks after the birth or adoption of a child.

## 3.0 Partner defined

3.1 The definition of partner includes same sex partners. The partner of a child’s mother, father, adopter, guardian or foster parent is defined as a person who lives with the child and the child’s mother, father, adopter, guardian or foster parent in an enduring family relationship. The regulations are clear that a person who is a relative of the child’s mother, father, adopter, guardian or foster parent is not a ‘partner’ for the purposes of paternity

leave and are not eligible to make a request.

## 4.0 Attending antenatal appointments

4.1 After 12 weeks continuous employment employees have the right to take unpaid time off to accompany a pregnant woman with whom they are having a child at up to two antenatal appointments.

4.2 This applies to the husband, wife or civil partner of the pregnant woman, or the partner cohabiting with the pregnant woman in an enduring family relationship. In addition, employees will be eligible for the time off if they are the other parent of the expected child. We expect that normally no more than half a day is needed for an antenatal appointment, but the leave includes the time needed to travel to the appointment and any waiting time needed at the appointment and can be for a maximum of six-and-a-half hours on each occasion.

4.3 If an employee would like to make a request for time off to accompany someone at an antenatal appointment, they should in the first instance contact their line manager/Headteacher.

## 5.0 Eligibility for paternity leave

5.1 If an employee is adopting within the UK, they must meet the following:

5.1.1 Have 26 weeks’ service with the Trust/school by the end of the notification week. This is the week in which the employee was told by the adoption agency that they had been matched with a child. The qualifying week starts on a Sunday and ends on a Saturday.

5.1.2 They are either one of two parents jointly adopting a child or the spouse/partner/civil partner of either sex of someone adopting a child individually.

5.1.3 Have or expect to have responsibility for the upbringing of the child.

5.1.4 Are not taking statutory adoption leave and pay.

5.1.5 The child must be under the age of 18 at the time of placement.

5.1.6 Stay continuously employed by the Trust/school from the notification week to the day the child is placed.

5.2 If adopting from overseas, the employee must meet the same criteria as above apart from:

5.2.1 Have worked continuously for at least 26 weeks into the week that the employee receives official notification (written notification that the authority is prepared to issue a certificate to the overseas authority dealing with the adoption or has issued a certificate and sent it).

5.2.2 Continue to work in the Trust/school up until the point the child enters the UK.

5.3 For birth, employees must meet the following criteria:

6.3.1 Have 26 weeks’ continuous service by the end of the qualifying week. This is the 15th week before the expected week of childbirth (EWC). A week starts on a Sunday and ends on a Saturday.

5.3.2 Be the birth parent’s spouse, civil partner, partner or the other child’s parent.

5.3.3 Have or expect to have responsibility for the upbringing of the child. Where the individual is the mother’s husband, wife or partner, but not the father, have the main responsibility (other than the mother) for the upbringing of the child.

5.3.4 Stay continuously employed by the Trust/school from the qualifying week to the day the child is born.

## 6.0 Amount of paternity leave

6.1 If the employee qualifies, and the baby is born before 6 April 2024, they are entitled to two weeks paternity leave. The employee can either take one week or two consecutive weeks. Individual days or two separate one week blocks cannot be taken.

6.2 If the employee qualifies, and the baby is born after 6 April 2024, they are entitled to one or two weeks paternity leave. The employee can take their leave as either; two weeks together or two separate blocks of one week.

## 7.0 Starting paternity leave – time limits for births on or before 6 April 2024

7.1 For adoption, paternity leave can begin any time from the date of the child’s placement but must be completed within 56 days of the child being placed.

7.2 However, if the date the child is placed changes, leave can be taken during the period beginning with the day the child was placed and ending 56 days after.

7.3 If adopting a child from overseas, an employee may choose to start paternity leave (and pay) from the date the child enters the UK or a date after this, but within 56 days of this date.

7.4 For birth, paternity leave (and pay) can begin any time from the date the child was born but must be completed within 56 days of the birth.

7.5 However, if the child is born prematurely, the employee can take leave during the period beginning with the day the child was born and ending 56 days after the first day of the EWC.

7.6 Paternity leave (and pay) can begin any time from the date the child was born but must be completed within 56 days of the birth.

## 8.0 Starting paternity leave – time limits for births after 6 April 2024

8.1 For adoption, paternity leave can begin any time from the date of the child’s placement but must be completed within the first 52 weeks of the child being placed.

8.2 However, if the date the child is placed changes, leave can be taken during the period beginning with the day the child was placed and ending 52 weeks after.

8.3 If adopting a child from overseas, an employee may choose to start paternity leave (and pay) from the date the child enters the UK or a date after this, but within 52 weeks of this date.

8.4 For birth, paternity leave (and pay) can begin any time from the date the child was born but must be completed within 52 weeks of the birth.

8.5 However, if the child is born prematurely, the employee can take leave during the period beginning with the day the child was born and ending 52 weeks after the first day of the EWC.

8.6 Paternity leave (and pay) can begin any time from the date the child was born but must be completed within 52 weeks of the birth.

**9.0 Rate of paternity pay**

9.1 Paternity pay will be paid at rate of statutory paternity pay (SPP). Please refer to the government website for the current rate of SPP.

## 10.0 Making a request to take paternity leave

10.1 Employees must complete the paternity leave form at the end of this policy and send this to their line manager/Headteacher with a copy to the Trust/school’s named contact in the Business Service Centre (BSC) within seven calendar days of being notified of a match with a

child or 28 days before the expected week of childbirth.

10.2 For births, the employee must also tell their line manager/Headteacher the date the child was born, within seven calendar days of the birth.

10.3 For adoptions, once the child has been placed, the employee must tell their line manager/Headteacher the actual date of the placement, within seven calendar days of the placement.

10.4 If adopting from overseas, the employee must also complete the form within 28 days of receiving official notification. This needs to be sent to the line manager/Headteacher with a copy to the BSC.

10.5 For adoptions, the employee will also need to provide 28 days notice of the actual date they want to start their leave and pay (if qualify). SPL cannot start before the child has entered the UK.

10.6 After the child has entered the UK, the employee must tell their line manager/Headteacher the date the child entered the UK within 28 days. If the employee finds out that the child will not be entering the UK, they must tell their line manager/Headteacher as soon as possible.

## 11.0 Changing the paternity leave start date

11.1 The employee must give their line manager/Headteacher and the BSC 28 days’ written notice of the new date, unless at the discretion of their line manager/Headteacher the needs

of the Trust/school can accommodate a shorter notice period.

11.2 Where the employee has chosen to start paternity leave and pay on a specified date but the child has not been born by that date, they must inform their line manager/Headteacher of the new date they wish to start paternity leave, bearing in mind appropriate notice.

## 12.0 Late placement of a child

12.1 If the employee has chosen to begin paternity leave and pay on a specific date but the child has not been placed by then, the employee must tell their line manager/Headteacher and the school’s named contact in the BSC (or their payroll provider) and let them know the day they wish to start paternity leave. Please bear in mind the appropriate notice as stated in the paragraph above and the 52 week time limit.

## 13.0 Adopting more than one child at once

13.1 An employee is only entitled to one period of two weeks paternity leave.

## 14.0 Still birth or death of the child after birth

14.1 The employee will still qualify for paternity leave if the child is stillborn after 24 weeks of pregnancy or is born alive at any time, but subsequently dies.

## 15.0 Birth of more than one child

15.1 An employee is only entitled to one period of two weeks paternity leave per pregnancy.

15.2 Where more than one child is born as a result of the same pregnancy, the date of birth of the first child born will determine the start of the 52 week period unless the children were premature.

## 16.0 Paternity leave and pensions contributions

16.1 Employees who are members of the Teachers’ Pension Scheme will pay pension contributions on the actual pay received during paternity leave.

16.2 For further advice and guidance, employees should contact Teachers Pensions.

## 17.0 Leaving the Trust’s employment after the child has been placed but before paternity leave has been taken.

17.1 The employee will still be entitled to SPP, provided they do not work for a new employer during the paternity pay period.

## 18.0 Paternity pay entitlements and factors affecting paternity pay

18.1 The entitlement to statutory paternity pay (SPP) – what the state pays – may be affected by late notification, no evidence of entitlement and average weekly earnings in the eight weeks up to the end of the qualifying week not meeting the lower earnings limit in force at the end of that week (please refer to the government website to check the current earnings limit).**Appendix 1**

**Request for Statutory Paternity Leave (Adoption) – On or before 6 April 2024**

|  |
| --- |
| **Personal Details** |
| **Name:**  |  |
| **Employee/SAP no:** |  |
| **National Insurance no:** |  |

**UK Adoptions**

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date you were told by the adoption agency you had been matched with the child:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date the child is expected to be placed for adoption:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

 And, if the child has been placed, the date they were placed:

**Overseas Adoptions**

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date which you received official notification from the Authority:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date the child is expected to enter the UK:

**For UK and overseas adoptions**

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

I would like my SPP and/or paternity leave to start on:

I intend to take one / two\* weeks *(\*delete as appropriate)*

**You must be able to tick all three boxes below to meet the criteria to get Statutory Paternity Leave and Statutory Paternity Pay.**

**I declare that:**

1. I am married to or in a civil partnership or partner with the person adopting the child,

2. I am living with the person adopting the child in an enduring family relationship, but am not an immediate relative, **and**

3. I have responsibility for the child’s upbringing

4. I will take time off work to support the person adopting the child or to care for the child.

**Signature:**………………………….…………………… **Date:**……………………………….………

**Once complete, please send this form to your line manager/headteacher, with a copy to the GCC Business Service Centre for payroll purposes.**

**Appendix 2**

**Request for Statutory Paternity Leave (Adoption) – After 6 April 2024**

|  |
| --- |
| **Personal Details** |
| **Name:**  |  |
| **Employee/SAP no:** |  |
| **National Insurance no:** |  |

**UK Adoptions**

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date you were told by the adoption agency you had been matched with the child:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date the child is expected to be placed for adoption:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

 And, if the child has been placed, the date they were placed:

**Overseas Adoptions**

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date which you received official notification from the Authority:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The date the child is expected to enter the UK:

**For UK and overseas adoptions**

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

I would like my SPP and/or paternity leave to start on:

I intend to take one / two\* weeks *(\*delete as appropriate), or*

I intend to take one week now and another week within the next 52 weeks. Date to be confirmed at a later date, providing 4 weeks notice prior to the request.

**You must be able to tick all three boxes below to meet the criteria to get Statutory Paternity Leave and Statutory Paternity Pay.**

**I declare that:**

1. I am married to or in a civil partnership or partner with the person adopting the child,

2. I am living with the person adopting the child in an enduring family relationship, but am not an immediate relative, **and**

3. I have responsibility for the child’s upbringing

4. I will take time off work to support the person adopting the child or to care for the child.

**Signature:**………………………….…………………… **Date:**……………………………….………

**Once complete, please send this form to your line manager/headteacher, with a copy to the GCC Business Service Centre for payroll purposes.**

**Appendix 3**

**Request for Statutory Paternity Leave Form (Birth) – on or before 6 April 2024**

|  |
| --- |
| **Personal Details** |
| **Name:**  |  |
| **Employee/SAP no:** |  |
| **National Insurance no:** |  |

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The baby is due on:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

If the baby has been born, please enter the actual date of birth and also give the date the baby was due in the above box:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

I would like my SPP and/or paternity leave to start on:

I intend to take one / two\* weeks *(\*delete as appropriate)*

**You must be able to tick all three boxes below to get Statutory Paternity Leave and Statutory Paternity Pay.**

**I declare that** **I**:

1. have or expect to have responsibility for the child’s upbringing

2. am the biological father of the child or the mother’s husband/wife or partner

(including same sex relationships)

3. will take time off work to support the mother or care for the child.

**Signature:**………………………….…………………… **Date:**……………………………….………

**Once complete, please send this form to your line manager/Headteacher, with a copy to the GCC Business Service Centre for payroll purposes.**

**Appendix 4**

**Request for Statutory Paternity Leave Form (Birth) – After 6 April 2024**

|  |
| --- |
| **Personal Details** |
| **Name:**  |  |
| **Employee/SAP no:** |  |
| **National Insurance no:** |  |

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

The baby is due on:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

If the baby has been born, please enter the actual date of birth and also give the date the baby was due in the above box:

|  |  |  |
| --- | --- | --- |
| DD | MM | YYYY |

I would like my SPP and/or paternity leave to start on:

I intend to take one / two\* weeks *(\*delete as appropriate)*

I intend to take one week now and another week within the next 52 weeks. Date to be confirmed at a later date, providing 4 weeks’ notice prior to the request.

**You must be able to tick all three boxes below to get Statutory Paternity Leave and Statutory Paternity Pay.**

**I declare that** **I**:

1. have or expect to have responsibility for the child’s upbringing

2. am the biological father of the child or the mother’s husband/wife or partner

(including same sex relationships)

3. will take time off work to support the mother or care for the child.

**Signature:**………………………….…………………… **Date:**……………………………….………

**Once complete, please send this form to your line manager/Headteacher, with a copy to the GCC Business Service Centre for payroll purposes.**