PATERNITY LEAVE GUIDANCE

This document includes all the guidance given on the Personnel Services website. The information set out in this guidance applies to employees whose babies are expected, or who are notified of having been matched for adoption, on or after 3 April 2011. Fathers of babies born before 3 April 2011 who have outstanding queries should contact their departmental administrator, or equivalent.

This guidance is structured so as to give you all the information you need to know about the two separate entitlements:

- What do I need to know?
- Ordinary Paternity Leave and Pay (OLP and OPLP)
- Additional Paternity Leave and Pay (APL and APLP)

There is also:

- The Ordinary Paternity Leave and Additional Paternity Leave Plan, which you will need to complete with your manager.
WHAT DO I NEED TO KNOW?

It is essential to read all the guidance in this section to ensure you are aware of all the provisions of the Paternity Leave and Pay scheme, especially those relating to contractual entitlements. The statutory arrangements are complex: examples are provided to clarify how the policy applies in practice.

In summary, there are two separate entitlements to paternity leave and pay:

- **Ordinary Paternity Leave and Pay** (OPL and OPLP): two weeks' leave at full pay in the first 56 days following the birth or adoption
- **Additional Paternity Leave and Pay** (APL and APLP): up to 26 weeks' leave after the mother returns to work (but no earlier than the 20th week after the birth or adoption), some of which may be paid.

In addition you may be eligible for unpaid parental leave and/or to apply for flexible working.

For some periods of paternity leave only statutory payments (Statutory Paternity Pay) may be due, and for others statutory and contractual pay may be due. Note that contractual pay will only apply where you have a current contract of employment with the University. Therefore if your contract with the University of Oxford is due to end during your planned periods of Ordinary or Additional Paternity Leave, the right to any contractual payments will end on the contract end date. If you are in any doubt about your entitlement to pay and leave, contact your departmental administrator or equivalent for clarification.

Who is eligible to claim?

In line with statutory provisions, the 'paternity' leave arrangements apply to any employee who meets the eligibility criteria regardless of gender or marital status, i.e. any employee who is either:

- married to
- the civil partner of
- or the partner of

an expectant mother or adoptive parent (or the joint adopter who will not have the main caring responsibilities for the child).

For simplicity this guidance refers to 'father' and 'paternity'.

To be eligible for the University's paternity leave and pay schemes you must:

(a) have been employed by the University for at least 26 weeks by the end of the qualifying week. The qualifying week is:

- for newborns, the 15th week before the expected week of childbirth (as confirmed on the mother's MAT B1 form);
- for adoptions from within the UK, the week in which the adoptive parents receive notification that they are matched with a child;
- or for adoptions from overseas, the week in which the adopter receives official notification or the week at the end of which the employee has been continuously employed for at least 26 weeks, whichever is later; AND
(b) continue to hold a contract of employment with the University for the whole period of the leave; AND

(c) have, or expect to have, the main responsibility (apart from the birth mother/adopter) for bringing up the child.

My personal circumstances are not covered in this guidance, where can I find more information?

If you cannot find all the information which relates to your personal situation, please contact your departmental administrator or equivalent for further information in the first instance.
ORDINARY PATERNITY LEAVE (OPL) AND PAY

What is Ordinary Paternity Leave (OPL) and pay?

Under the University’s contractual scheme, employees who meet the qualifying conditions have a right to take two weeks’ (10 days’) OPL on full pay on the birth or adoption of a child. The leave must be used to provide care and support to the mother/primary adopter and/or the child and not for any other purpose. Full pay means the employee’s normal full pay and includes any statutory paternity pay.

The leave can be taken between the date on which the child is born or placed with the adopter and 56 days after that date.

Only one period of leave is permitted even in the case of multiple births or adoption placements.

Leave must be taken in a single block and employees may choose to take either one or two weeks. It cannot be taken in individual days. Although there is no statutory entitlement to take two separate blocks of one week, your department has discretion to allow you to take your leave as two separate, one-week blocks, subject to operational needs.

What notice do I have to give to take up the University’s Ordinary Paternity Leave and Pay Scheme?

You must tell your department about your plans to take OPL at the latest during the qualifying week. You should complete the Paternity Leave Plan and return it to your departmental administrator or equivalent in good time. If that is not possible (for example if the baby is born prematurely), then you should tell your department about your situation and complete the Plan as soon as is reasonably practicable. When you complete the Plan you will be asked to confirm:

(i) that your partner/spouse is pregnant, or is due to adopt a child;

(ii) the date of the expected week of childbirth or of adoption; and

(iii) when you want to start OPL. This does not need to be a specified calendar date, and can be noted as ‘the date of birth’ or the ‘date of placement’ or a specified number of days after the birth/adoption; and

(iv) that you meet all the criteria.

If you subsequently decide that you wish to change the date on which the leave and pay begins you should give your department 28 days’ notice of the new date, or as much notice as is reasonably practicable.

In the event that your baby is born early the notice periods may be waived (see below notes on miscarriage and still birth).

Once the birth or placement has occurred, you should also inform your department of the actual date of birth/placement, as soon as is reasonably practicable.
What happens to my entitlement to OPL if my partner has a miscarriage or our child is stillborn?

In the sad event of a child being stillborn after the mother had reached her 24th week of pregnancy the employee is still entitled to Ordinary Paternity Leave and Pay (OPLP) provided he meets the eligibility criteria. If the still birth or miscarriage occurs before the 24th week, OPLP is not available, but departments should consider granting compassionate leave.

Can I stay in touch with my department during periods of Paternity Leave?

During any paternity leave period, your department may make reasonable contact with you and, in the same way, you may make contact with your department. The frequency and nature of the contact will depend on a number of factors, such as the length of leave and the nature of your work. Departments and their employees will find it helpful, before paternity leave starts, to discuss arrangements for staying in touch. This might include agreements on the way in which contact will happen, how often and who will initiate the contact. It might also cover the reasons for making contact and the types of issues that might be discussed.

Your department should, in any event, keep you informed of any information relating to your employment that you would normally be made aware of if you were working.

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(iii) when you want to start OPL. This does not need to be a specified calendar date, and can be noted as ‘the date of birth’ or the ‘date of placement’ or a specified number of days after the birth/adoption; and

(iv) that you meet all the criteria.

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Your department should, in any event, keep you informed of any information relating to your employment that you would normally be made aware of if you were working.
ADDITIONAL PATERNITY LEAVE AND PAY (APLP)

What is Additional Paternity Leave and pay?

From 3 April 2011, where both parents of a baby or newly-adopted child work, and wish to continue working after the birth of the child, the Additional Paternity Leave and Pay (APLP) scheme gives parents the option to share the care of their child during its first year, or its first year with new adoptive parents. The amount of Additional Paternity Leave and Pay the father can take depends on the amount of maternity leave and pay the mother takes.

Under the Statutory Maternity Leave scheme, new mothers may take up to 52 weeks' maternity leave. This is made up of 39 weeks' leave paid at the rate of Statutory Maternity Pay (supplemented under the university contractual scheme so that the first 26 weeks are at the rate of full pay), followed by 13 weeks' unpaid leave.

Under the new APLP provisions, when mothers choose to return to work before their entitlement to pay and leave ends, their partner may take up to a maximum leave entitlement of 26 weeks, which may be paid at the rate of Statutory Paternity Pay or unpaid, depending upon how much pay the mother has taken at the point she returns to work. APLP may not commence earlier than the 20th week from birth or date of placement.

Under the University's contractual scheme (see below) a maximum of 6 weeks may also be payable to the father at the rate of full pay.

What additional eligibility criteria apply to APLP?

The scheme does not allow for both parents to be on leave at the same time: APLP may only be claimed once a mother has returned to work, and the length of the leave and pay entitlements are dependent upon the period of leave taken by the mother, and the mother's entitlements to maternity leave and pay.

To qualify for Additional Paternity Pay your partner must:

- have been entitled to either Statutory Maternity Leave (SML), Statutory Maternity Pay (SMP), Maternity Allowance (MA), or Statutory Adoption Leave or Pay (SAP); and
- have returned to work within the first 37 weeks of the SMP/MA/SAP period (under Additional Statutory Paternity Pay (ASPP) rules there needs to be a minimum of 2 weeks of the spouse or partner's remaining entitlement to statutory pay remaining for the employee to be entitled to take ASPP).

In addition, you must earn at least the lower earnings limit for National Insurance contributions at the relevant qualifying week.

If your child's mother was not entitled to any of the statutory schemes outlined above and/or returns to work after 37 weeks, you are only entitled to unpaid Additional Paternity Leave.

What are the benefits of the APLP scheme?

Additional Paternity Leave (APL): if eligible, you may take up to 26 weeks' leave which must be taken:
in one period of leave
for a minimum period of 2 weeks, and maximum period of 26 weeks (complete weeks only, odd days are not allowed)
in the period beginning not earlier than 20 weeks after the birth or placement for adoption and ending 12 months after the birth or placement for adoption

There may be a gap between the end of the mother's statutory maternity/adoption leave, and the beginning of Additional Paternity Leave (APL) but the period of APL leave may not extend beyond 26 weeks in total, or beyond 12 months from the date the child was born or placed for adoption.

Additional Paternity Pay: if eligible, payments during the APL will be made under the Additional Statutory Paternity Pay (ASPP) scheme. The mother or adopter must have been entitled to SMP, SAP or MA; have returned to work; and have a minimum of two weeks of her entitlement to SMP, SAP or MA remaining. The number of weeks for which ASPP is payable will depend on the number of weeks remaining of the mother or partner's entitlement.

Additional Statutory Paternity Pay:

- is only payable once the mother/primary adopter has returned to work
- is payable whether or not the mother works for the University
- may not commence earlier than 20 weeks after the date on which the child is born/placed for adoption
- must end no later than the child's first birthday or 12 months after the date of placement
- is payable at the lower of SMP/SAP flat rate or 90 per cent of average weekly pay (see also Contractual Paternity Pay during APL below)
- is only payable during any remaining period of the mother's/primary adopter's 39 week statutory pay entitlement as long as she has returned to work with a minimum of 2 weeks' entitlement to statutory pay remaining. (So if the mother returns to work having taken 26 weeks maternity leave, you may claim up to 13 weeks of ASPP, with a further 13 weeks unpaid leave.)
- in some limited situations, may be supplemented up to the rate of full pay for a maximum period of 6 weeks (see Contractual Paternity Pay during APL below).

Does the University have a Contractual Paternity Pay scheme during periods of APL?

Under the University's contractual maternity leave scheme, eligible mothers may take up to 26 weeks' leave at full pay. APL can commence at any point 20 weeks after the birth or placement for adoption. Thus, where a mother ends her maternity leave period and returns to work after 20 weeks, she may still have up to 6 weeks of her entitlement to full pay remaining under the University's contractual scheme.

Where the mother chooses to return to work at any point between 21 and 26 weeks' maternity leave, and the father chooses to take over childcare, under the APL scheme the father is entitled to claim up to 6 weeks' leave at full pay. If you choose to take a longer period of leave than the remaining full pay leave period 'transferred' to you by the child's mother, any additional leave will be paid at the statutory rates set out above.
The examples below explain how this would work.

**Example 1**
The mother began her maternity leave 1 week before the baby was born. She takes 30 weeks’ statutory maternity pay and then returns to work. Had she remained on maternity leave she would have been entitled to a further 8 weeks’ statutory maternity pay. The father/partner may then start APL and will receive up to 8 weeks’ ASPP during the period of APL. Any further APL up to the anniversary of the baby's birth or date of adoption would be unpaid.

**Example 2**
The mother began her maternity leave 2 weeks before her baby was born and then returned to work when the baby was 20 weeks old. The father/partner begins APL immediately on her return, i.e. at the start of week 23 of the mother’s 26-week entitlement to full pay under the University scheme. The father is entitled to full pay for four weeks, i.e. to the end of week 26. Any further leave would be paid at the statutory paternity pay level until week 39 and then would be unpaid.

**What notice do I have to give that I intend to take Additional Paternity Leave?**

You are required to give a minimum of 8 weeks' notice of your intention to take APL. In order to assist planning in your department, you are encouraged to talk to your departmental administrator as soon as you know you would like to take APL. You and the child’s mother should complete the Additional Paternity Leave section of the Paternity Leave Plan together and return it to your department. Your entitlement to APL will be confirmed as soon as possible but in any event no later than 28 days after your department receives your request.

**Will I be required to provide any evidence of my child's birth/placement, or the mother’s employment?**

The department has the right to request a copy of your child’s birth certificate/adoption notification, and the name and address of the mother’s employer. If you are asked for this information you have 28 days in which to respond.

**Can I stay in touch with my department during periods of Paternity Leave?**

During any paternity leave period, your department may make reasonable contact with you and, in the same way, you may make contact with your department. The frequency and nature of the contact will depend on a number of factors, such as the length of leave and the nature of your work. Departments and their employees will find it helpful, before paternity leave starts, to discuss arrangements for staying in touch. This might include agreements on the way in which contact will happen, how often and who will initiate the contact. It might also cover the reasons for making contact and the types of issues that might be discussed.

Your department should, in any event, keep you informed of any information relating to your employment that you would normally be made aware of if you were working.

**Keeping in Touch (KIT) Days:** an employee on APL may, by agreement with the department, work for up to 10 KIT days without bringing the APL period to an end or losing the entitlement to the relevant level of pay.
Any work carried out during APL will count as a whole KIT day, up to the 10-day maximum. If you come in for a one-hour training session and do no other work that day, you would have used one of your KIT days. Any work over the 10-day limit will automatically bring the APL and pay periods to an end.

You and your department should therefore agree in advance any hours to be worked and the pay for those hours.

**What about my other university benefits?**

During the whole period of APL, you are entitled to receive all your contractual benefits, e.g. annual leave, with the exception of remuneration. This includes all non-cash benefits such as childcare vouchers. However, if you participate in a salary sacrifice for a nursery place, you will have to meet the full cost of the place during periods of statutory pay or unpaid leave. Further information is available at on the Childcare services website.

**What notice do I have to give before returning to work?**

If you intend to return to work at the agreed date set out in your Paternity Leave Plan, no further notification is required. However, if your plans change and you would like to return to work early, you must give at least six weeks’ notice of the proposed date of early return. If you do not give appropriate notice your department may postpone your return to ensure that six weeks’ notice is given, provided that this is not later than the end of the agreed APL period.
ORDINARY PATERNITY LEAVE (OPL) AND ADDITIONAL PATERNITY LEAVE (APL) PLAN

The University offers two Paternity Leave Schemes to eligible employees: a 2-week period of Ordinary Paternity Leave (OPL); and up to 26 weeks' Additional Paternity Leave (APL). Eligible employees may take either or both of these periods of leave.

Full details of the schemes can be found on the Personnel Services website. Please read this information in full before completing this form.

'Paternity' leave (Ordinary and Additional Paternity Leave and Pay Schemes) apply to any employee who meets the eligibility criteria regardless of gender or marital status. An employee who is either:

- married to
- the civil partner of
- or the partner of
an expectant mother or adoptive parent (or the joint adopter who will not have the main caring responsibilities for the child) is entitled to claim OPL and/or APL, if s/he meets the eligibility criteria. The entitlement applies regardless of staff group, grade or hours worked.

Telling your departmental administrator you wish to take Ordinary Paternity leave and Additional Paternity leave

**OPL**: you must tell your department about your plans to take OPL at the latest by the 15th week before the expected week of childbirth (the 'qualifying week') or the week in which you are notified of having been matched with a child for adoption. If that is not possible (for example if the baby is born prematurely), you should tell your department about your situation and complete the Plan as soon as is reasonably practicable.

**APL**: you are required to give a minimum of 8 weeks’ notice of your intention to take APL so you may need to fill this part of the Plan in later than the section on OPL.

Your departmental administrator will confirm the arrangements for your leave within 28 days of receiving your completed plan.

If you subsequently wish to change the date on which you start either period of leave you must give your departmental administrator 28 days’ notice of the new date by filling in a new Paternity Leave plan.

**How to use the plan**

The plan is in four parts: notes to help you complete it are given in the right hand column of the form.

**Complete Part A to work out whether you qualify for Ordinary Paternity Leave and Pay and Additional Paternity Leave and Pay.** Your administrator will retain this form on your personnel file.
Complete Part B if you wish to apply for Ordinary Paternity Leave (i.e. the two weeks’ leave you may take during the first 56 days of the baby’s life/adoption). Keep a copy for your own use; your administrator will retain the original on your personnel file.

Complete Part C AND the relevant section of Part D if you wish to apply for Additional Paternity Leave (up to 26 weeks’ leave which can only be taken after the mother returns to work and in the periods between weeks 20 and 52 of the baby’s life/from date of adoption). Keep a copy of Part C for your own use; ask your partner to complete Part D and retain a copy; your administrator will retain the original on your personnel file.

IMPORTANT: please note that if your contract of employment is due to terminate during any period of paternity leave, your entitlement to benefits under the University’s contractual schemes will end on the contract end date. However, you will continue to be paid any remaining statutory paternity pay to which you are eligible. Your contract of employment will not automatically be extended because you are on paternity leave.
PART A – ELIGIBILITY FOR ORDINARY PATERNITY LEAVE AND/OR ADDITIONAL PATERNITY LEAVE

This form should be completed **no later** than the qualifying week (see question 4 below).

Complete questions 1-6 to see whether you are eligible for OPL and/or APL.

<table>
<thead>
<tr>
<th>COMPLETE THESE SECTIONS</th>
<th>GUIDANCE NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Personal Details</strong></td>
<td>Name of Departmental Administrator:</td>
</tr>
<tr>
<td>1  Name………………………………..</td>
<td>………………………………………………..</td>
</tr>
<tr>
<td>Department………………</td>
<td>………………………………………………..</td>
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<table>
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<tr>
<th><strong>When the child is due</strong> (complete 2 or 3 below)</th>
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</thead>
<tbody>
<tr>
<td>2 (a) The baby is due on:</td>
<td>2 (a) is the date on the MATB1 form which the mother receives</td>
</tr>
<tr>
<td>..............................................(date)</td>
<td></td>
</tr>
<tr>
<td>or</td>
<td></td>
</tr>
<tr>
<td>2 (b) The child was matched for adoption on:</td>
<td>2 (b) and 2 (c) is the date notified to you by the adoption agency</td>
</tr>
<tr>
<td>..............................................(date)</td>
<td></td>
</tr>
<tr>
<td>2 (c) The child is due to be placed on:</td>
<td></td>
</tr>
<tr>
<td>..............................................(date)</td>
<td></td>
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</tbody>
</table>

<p>| | |</p>
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<tbody>
<tr>
<td>3 (a) If the baby has been born, the actual date of birth was:</td>
<td>2 (a) is the date on the MATB1 form which the mother receives</td>
</tr>
<tr>
<td>..............................................(date)</td>
<td></td>
</tr>
<tr>
<td>3 (b) If the child has been placed, the actual date of placement was:</td>
<td>2 (b) and 2 (c) is the date notified to you by the adoption agency</td>
</tr>
<tr>
<td>..............................................(date)</td>
<td></td>
</tr>
</tbody>
</table>
**Qualifying for the University's Paternity scheme**

Filling in questions 4-6 below will enable you and your administrator to see if you qualify for the University's Ordinary Paternity leave scheme and/or Additional Paternity Leave.

<table>
<thead>
<tr>
<th>4 (a)</th>
<th>The 15th week before the expected week of childbirth (the ‘qualifying week’) is:</th>
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<tbody>
<tr>
<td></td>
<td>The week beginning Sunday.................. (date)</td>
</tr>
<tr>
<td></td>
<td>or</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4 (b)</th>
<th>The date I received notification of having been matched with a child is:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>...............................................................................................................(date)</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>4 (c)</th>
<th>The date that my child will be placed for adoption (if known) is:</th>
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<tbody>
<tr>
<td></td>
<td>...............................................................................................................(date)</td>
</tr>
</tbody>
</table>

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<tr>
<th>5</th>
<th>On the date given in 4 above I will have worked continuously for the University for at least 26 weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>□ tick box (continue to 6)</td>
</tr>
<tr>
<td></td>
<td>or</td>
</tr>
<tr>
<td>No</td>
<td>□ tick box (see box below)</td>
</tr>
</tbody>
</table>

Your length of employment usually runs continuously from the first day you started work with the University of Oxford to the present day. If there are any gaps in your employment with the University consult your departmental administrator. To qualify you should have completed 26 weeks’ continuous employment at the start of the qualifying week.

NB: your eligibility is also dependent upon your remaining in employment with the University until at least the end of any period of leave you plan to take.

If you have ticked ‘No’ you do not qualify for the University Ordinary Paternity Leave or Additional Paternity Leave schemes as you have insufficient service with the University.
I hold a contract of employment which will cover the whole of my intended period(s) of

Ordinary Paternity Leave?
Yes □  tick box (continue to 7)

or

No □  tick box (see box below)

Additional Paternity Leave?
Yes □  tick box (continue to 7)

or

No □  tick box (see box below)

My contract of employment is

Permanent □
Open-ended □
Fixed-term □

If fixed-term please note the current end date

.................................................................................................

Please note: If you have ticked ‘No’ any entitlement to contractual Paternity Leave will end upon the expiry of your contract. You should discuss the expiry of your contract, and possible redeployment, as soon as possible with your administrator.
PART B – ORDINARY PATERNITY LEAVE AND PAY
Complete this section only if you qualify for (and want to take) Ordinary Paternity Leave.

<table>
<thead>
<tr>
<th>Starting Ordinary Paternity leave</th>
<th>Guidance notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>I intend to start my paternity leave on</td>
<td>You can choose to take up to two complete weeks' leave any time from the expected week of childbirth, or placement date, until 56 days after the date of the birth/placement. You do not have to take two weeks but you cannot treat the leave as individual days. Your department may agree to your taking two separate whole weeks, if this meets operational requirements. The leave can start on any day.</td>
</tr>
<tr>
<td>7 ...........................................(date)</td>
<td></td>
</tr>
<tr>
<td>8 or from the date of the child's birth</td>
<td>You can specify a start date, or you can state that you intend to start your leave on the date of the child is born or placed for adoption. If the baby is born early you can choose to start your leave when the baby is born.</td>
</tr>
<tr>
<td>...................................................(date)</td>
<td>If you pick a start date and then wish to change it, you should, wherever practical, give 28 days’ notice.</td>
</tr>
<tr>
<td>9 I intend to return to work on</td>
<td></td>
</tr>
<tr>
<td>...................................................(date)</td>
<td></td>
</tr>
</tbody>
</table>

Employee Declaration

10 I declare that:

I intend to take time off work in order to support the mother or primary adopter, and care for the child; and

I am the child's father or I am the spouse, partner or civil partner of the mother; and

I have or expect to have the main responsibility (apart from the mother) for the upbringing of the child; and

the information I have provided on this form is correct.

Signed ........................................................................................................

Full Name .................................................................................................. Date __________________
You should sign the form and pass it to your departmental administrator. Don’t forget to keep a copy of it for yourself.

Continue to part C if you wish to apply for Additional Paternity Leave

PART C – ADDITIONAL PATERNITY LEAVE (APL)

Complete this section if you would like to apply for Additional Statutory Paternity Leave. This part of the form should be completed and returned to your departmental administrator at least 8 weeks’ before you wish to commence Additional Paternity Leave.
11 I intend to take APL from ……………(date) to ……………(date)

12 My child’s mother will return to work on ……………..(date)

13 At this date she will have completed …………. weeks of her 39 week entitlement to statutory maternity pay

I therefore wish to take
(a) ……… …weeks at the rate of full pay
(b)…………weeks at the rate of ASPP
(c) ………….weeks unpaid leave

(complete all of (a)-(c) above, marking N/A if the rate is not applicable

If you need to change the dates of your leave you should give at least 6 weeks’ notice before the original start date or the new start date, whichever is earlier. If this is not possible you should discuss the situation with your departmental administrator.

If the mother of the child no longer intends to return to work, you need to tell your departmental administrator in writing as soon as possible.

Guidance notes

Additional Paternity Leave (APL): if eligible, you may take up to 26 weeks’ leave which must be taken:

- in one period of leave
- for a minimum period of 2 weeks, and a maximum period of 26 weeks (complete weeks only, odd days are not allowed)
- in the period beginning 20 weeks after the birth or placement for adoption and ending 12 months after the birth or placement for adoption
- after the mother/primary adopter has returned to work

12 The mother MUST have returned to work before any APL may be taken.

13 Additional Paternity Pay (APP)

APP is only payable during any untaken period of the mother's/primary adopter’s 39 week statutory pay entitlement.

13 (a) For leave taken between weeks 20 and 26 of the mother's/primary adopter’s leave entitlement – contractual paternity pay at the rate of full pay may be due

13 (b) For leave taken between weeks 26 and 39 of the mother's/primary adopter’s leave entitlement, statutory paternity pay is payable at the lower of ASPP flat rate or 90 per cent of average weekly pay (for leave started after week 37 no pay is due)

13 (c) For leave started after week 37, and any leave taken after week 39 of the mother's leave entitlement period, unpaid leave may be taken until child’s first birthday/anniversary of adoption
**Contact during paternity leave**

<table>
<thead>
<tr>
<th>14</th>
<th>I would like to be told about changes happening at work during my Paternity Leave</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>YES</strong>  □</td>
</tr>
<tr>
<td></td>
<td><strong>NO</strong>  □</td>
</tr>
<tr>
<td></td>
<td>If yes, I would like to be contacted by:</td>
</tr>
<tr>
<td></td>
<td>Email: □</td>
</tr>
<tr>
<td></td>
<td>Telephone: □</td>
</tr>
<tr>
<td></td>
<td>Letter: □</td>
</tr>
<tr>
<td></td>
<td>If you do not mind how your department contacts you please tick here □</td>
</tr>
<tr>
<td>15</td>
<td><strong>Keeping in Touch (KIT) days</strong></td>
</tr>
<tr>
<td></td>
<td>Would you like the opportunity to work, attend a particular event or take up a training opportunity during your Paternity leave?</td>
</tr>
<tr>
<td></td>
<td><strong>YES</strong>  □</td>
</tr>
<tr>
<td></td>
<td><strong>NO</strong>  □</td>
</tr>
<tr>
<td></td>
<td>If so, you can agree with your department to consider up to a maximum of 10 days’ work on KIT days during your Paternity leave.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>As well as staying in contact with your department during your Paternity Leave, if you and your department both agree, you can undertake up to 10 days’ work during your Paternity Leave. These are known as Keeping in Touch (KIT) days. They are not limited to your usual job and could be used for training or other events.</td>
</tr>
<tr>
<td></td>
<td>This work can only take place by agreement between both the department and the employee. A department may not require you to work during your leave, and you cannot be penalised for refusing to take up a KIT day. Similarly, you do not have a right to work KIT days if the department doesn’t agree to them. If you and your department agree that you will work some KIT days then this should be agreed in advance, including what you will be doing and how you will be paid. (NB if the work is undertaken during any period of leave on full pay no additional payment is due; work during periods of APSP may be made up to your normal rate of pay.)</td>
</tr>
</tbody>
</table>
**Employee Declaration**  
**Complete either 16 (a) or (b) below, as appropriate**

**16 (a)**  
*I declare that:*

- I will care for the child during the APL/ASPP period; and  
- I am the child’s father or I am the spouse, partner or civil partner of the mother; and  
- I have or expect to have the main responsibility (apart from the mother) for the upbringing of the child; and  
- I have attached Part D, completed and signed by my child’s mother.

The information I have provided on this form is correct.

Signed _________________________________________________

Full Name______________________________________________ Date ____________

**16 (b)**  
*I declare that:*

- I will care for the child during the APL/ASPP period; and  
- I am the child’s father or I am the spouse, partner or civil partner of the mother; and  
- I have or expect to have the main responsibility (apart from the mother) for the upbringing of the child; and  
- I have been jointly matched for adoption with my spouse, partner or civil partner who has taken adoption leave to care for the child; and  
- I have attached Part D, completed and signed by my child’s mother.

The information I have provided on this form is correct.

Signed _________________________________________________

Full Name______________________________________________ Date ____________
**PART D – Mother’s declaration (see alternative version below for adoptive mothers)**

**Details of the mother of the child (to be completed by the mother of the child for all applications for Additional Paternity Leave or Pay)**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1 | Surname or family name  
……………………………………………….  
First name(s)  
……………………………….  
Address  
……………………………….  
………………………………. |
| 2 | Date your Statutory Maternity Pay (SMP)  
or Maternity Allowance (MA) pay period  
started  
………………………………..(date)  
| 3 | Date you intend to return to work and stop  
receiving SMP/MA  
………………………………..  
| 4 | How many weeks SMP will you have  
claimed at the date you return to work  
………………………………..  
| 5 | Your National Insurance number  
□□ □□ □□ □□ □□ □□ |

**Guidance notes**

The department has the right to request a copy of your child’s birth certificate and the name and address of your employer. If you are asked for this information you have 28 days in which to respond.

This section must be completed whether or not you work for the University.

NB: For ASPP to be payable to your partner you must stop claiming SMP and have returned to work **by the start** of week 37 of your SMP period.
Mother’s Declaration

6 You need to be able to tick all the boxes for your spouse, partner or civil partner to be eligible to receive Additional Statutory Paternity Pay (ASPP)

I declare that:

- I am entitled to SMP or MA
- This is the only application of ASPP for this child
- I have told my employer the date I expect to return to work
- I agree that the information I have provided will be used by the employer to work out entitlement to ASPP for my partner
- The information I have provided is correct

Signed _________________________________________________

Full Name_________________________________ Date _____________

You should sign the form and pass it to your partner’s departmental administrator. Don’t forget to keep a copy of it for yourself.
PART D – Mother’s/Primary adopter’s declaration (when becoming an adoptive parent)

Details of the primary adopter (to be completed by the primary adopter and to accompany for all applications for Additional Paternity leave or pay)

<table>
<thead>
<tr>
<th>1</th>
<th>Surname or family name</th>
<th>Guidance notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>..........................................................</td>
<td>The department has the right to request a copy of:</td>
</tr>
<tr>
<td></td>
<td>First name(s) ..........</td>
<td>One or more documents issued by the adoption agency which matched the child with the adopters</td>
</tr>
<tr>
<td></td>
<td>Address ..................</td>
<td>• The name and address of the agency</td>
</tr>
<tr>
<td></td>
<td>..........................................................</td>
<td>• The date on which the adopters were told that they were matched with the child</td>
</tr>
<tr>
<td></td>
<td>..........................................................</td>
<td>• The date on which the agency expects to place the child with the adopter</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2</th>
<th>Date your Statutory Adoption Pay (SAP) pay period started</th>
<th>Guidance notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>.......................................................................</td>
<td>The name and business address of the adopter’s employer (or, if self-employed, the adopter’s business address)</td>
</tr>
<tr>
<td></td>
<td>(date) ................................................................</td>
<td>If you are asked for this information you have 28 days in which to respond.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3</th>
<th>Date you intend to return to work and stop receiving SAP</th>
<th>Guidance notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>.......................................................................</td>
<td>This section must be completed whether or not the primary adopter works for the University.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4</th>
<th>How many weeks SAP will you have claimed at the date you return to work</th>
<th>Guidance notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>.......................................................................</td>
<td>NB: For ASPP to be payable you must stop claiming SAP and have returned to work by week 37 of your SAP period</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5</th>
<th>Your National Insurance number</th>
<th>Guidance notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>..................................................</td>
<td></td>
</tr>
</tbody>
</table>
6. You need to be able to tick all the boxes for your spouse, partner or civil partner to be eligible receive Additional Statutory Paternity Pay (ASPP)

I declare that:

- I am entitled to SAP
- This is the only application of ASPP for this child
- I have told my employer the date I expect to return to work
- I agree that the information I have provided will be used by the employer to work out entitlement to ASPP for my partner
- The information I have provided is correct

Signed __________________________________________________________

Full Name_________________________________ Date ________________

Signed __________________________________________________________