

Paternity Leave Policy

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Stakeholder Consultation	<input type="checkbox"/> All Staff <input type="checkbox"/> Customer Engagement <input type="checkbox"/> Union <input type="checkbox"/> Employee Voices Group <input type="checkbox"/> Head Office Managers <input type="checkbox"/> C&S Managers <input type="checkbox"/> Department/Other:	This Policy will be reviewed every 5 years from the date of implementation or earlier if deemed appropriate for any legislation or regulatory changes. If this Policy is not reviewed within the above timescale, the latest approved Policy will continue to apply.	
Equality Impact Assessment		N/A	N/A
Data Protection Impact Assessment		N/A	N/A

Version Control

Date	Owner	Version	Reason for Change
July 2025	Head of People & Organisational Development	2.0	Cyclical Review.

Summary of Changes

Section	Change
All	New Policy template.
1.1	Updated to reflect any changes to relevant legislation and added: Statutory Paternity Leave (Amendment) Regulations 2024, Employment Relations (Flexible Working) Act 2023, The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 and General Data Protection Regulation (GDPR) and the Data Protection Act 2018.
3	Clearer role and responsibilities outlined.
4	Additional policies and Procedures included that relate to paternity.
5	Main change reflected that statutory entitlement of two weeks of leave now don't need to be taken together at one time.

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1.0 Policy Statement

Ark is committed to supporting our employees who are becoming parents, whether that's through birth or adoption, by providing clear, fair, and legally compliant provisions for paternity leave and pay. We recognise the importance of this time in helping parents' bond with their child, support their partner, and adjust to new family responsibilities.

This Policy outlines the rights, responsibilities, and entitlements of employees who wish to take paternity leave, in line with our organisational values and the latest legal framework.

1.1 Legal & Regulatory Framework

This Policy aligns with the following UK laws and regulations governing paternity leave, employee rights, non-discrimination, and workplace fairness:

- Employment Rights Act 1996 – Sets out employees' rights to time off work, pay, and job protection during leave.
- Employment Relations Act 1999 – Introduced statutory rights to paternity and parental leave.
- Employment Act 2002 – Established statutory paternity leave and pay entitlement.
- Work and Families Act 2006 – Extended rights around flexible working and family-related leave.
- Children and Families Act 2014 – Enabled shared parental leave and flexible working for parents.
- Statutory Paternity Leave (Amendment) Regulations 2024 – Allows paternity leave to be taken in two separate one-week blocks rather than one continuous period.
- Employment Relations (Flexible Working) Act 2023 – Grants all employees the right to request flexible working from day one of employment.
- The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 – Extends redundancy protection during and after paternity leave.
- Data Use and Access Act 2025 and General Data Protection Regulation (GDPR) and the Data Protection Act 2018 – Ensures secure handling of personal and family-related employee data during the leave process.

By adhering to this legal and regulatory framework, we ensure our approach to paternity leave is fair, inclusive, and legally compliant.

2.0 Scope

This Policy applies to all employees, including:

- Full-time and part-time employees

- Employees on permanent, fixed-term or temporary contracts
- Employees adopting a child or whose partner is adopting
- Employees in same-sex relationships (where they meet the eligibility criteria)

Agency workers, relief workers, and contractors may have separate entitlements under the relevant terms of their engagement or legislation.

3.0 Roles & Responsibilities

There is a range of standard expectations which underpin all policies. Read more about standard [role and responsibilities](#) in addition, the following specific responsibilities apply to this Policy.

Executive and Leadership Teams ensure that the Policy is approved, implemented, monitored, and reviewed in line with legislative developments and operational needs. They are also responsible for fostering a supportive culture for working parents through application of fair and consistent approaches.

People & Organisational Development (OD) Team provide advice and guidance to managers and employees on paternity leave rights and processes. They are responsible for maintaining accurate records, ensuring fair application, and updating the Policy in line with employment law changes.

Line Managers play a key role in supporting employees during the paternity leave process. They must ensure timely communication, review documentation, approve requests where appropriate, and liaise with People & OD for support when needed.

Employees are responsible for understanding their entitlement, submitting the required notification within necessary timeframe, and engaging in open communication with their manager to plan their leave effectively.

4.0 Related Policies, Procedures & Documentation

- HR07 - Equality, Diversity, Inclusion and Human Rights Policy
- HR03 - Annual Leave Policy & Procedure
- HR04 - Staff Code of Conduct Policy
- HR12 - Parental Leave Policy
- HR23 - Adoption Policy
- HR25 - Flexible Working Policy & Procedure
- HR29 - Redundancy Policy & Procedure
- [Ark's Vision, Mission & Values](#)

5.0 Paternity Leave

Paternity leave allows eligible employees to take time off to support their partner following the birth or adoption of a child, and to bond with their new family member. This includes partners in same-sex and different-sex relationships, as well as adoptive parents.

Eligible employees may take up to two weeks of statutory paternity leave, which can be taken as:

- One continuous block of two weeks; or
- Two separate one-week blocks, in line with the Statutory Paternity Leave (Amendment) Regulations 2024.

Leave must be taken within 56 days of the child's birth or placement for adoption, and it cannot be taken as individual days.

6.0 Eligibility Criteria

To qualify for statutory paternity leave and pay, an employee must:

- Have been continuously employed for at least 26 weeks by the end of the 15th week before the expected week of childbirth or by the matching week for adoption.
- Be the child's biological father, the partner of the birth mother, or the partner of the main adopter.
- Be taking the leave specifically to care for the child or support the birth/adoptive parent.
- Submit the required written notification within the applicable timescales.

Statutory paternity leave is in addition to annual leave and may be taken before or after any annual leave, subject to the usual process and manager approval.

Employees who do not meet the above criteria may still be eligible for occupational paternity leave.

7.0 Notification Requirements

Employees wishing to take paternity leave must provide written notice to their Line Manager using the approved form (see Appendix 1). Notification must include:

- The expected week of childbirth or date of adoption placement.
- The intended start date of paternity leave.
- The duration of leave requested (one or two weeks, and whether in a single or two separate blocks).

- Confirmation that the leave is being taken to support the child's birth or adoption and/or care for the child.

Notice deadlines:

- For birth: Notification must be provided no later than the 15th week before the expected week of childbirth.
- For UK adoptions: Within 7 days of the adopter being notified of the match.
- For overseas adoptions:
 - Within 28 days of receiving official notification of the adoption, and
 - Within 28 days of the child's entry into the UK.

Line Managers should confirm receipt of any notification and discuss planning for the employee's absence where needed.

8.0 Time Off for Antenatal or Adoption Appointments

Employees who are eligible for paternity leave are entitled to take unpaid time off to attend up to two antenatal or adoption appointments with the expectant mother or main adopter. Where possible, appointments should be arranged:

- Outside of working hours; or
- At the beginning or end of a shift to minimise disruption.

If this cannot be accommodated, the employee may take unpaid time off, provided they:

- Give their Line Manager as much advance notice as possible.
- Provide evidence of the appointment if requested (e.g., an appointment card or confirmation letter).
- Confirm their relationship to the mother/adopter and that they intend to take paternity leave.

Time off may be refused only if it cannot reasonably be accommodated due to business needs.

9.0 Statutory Paternity Pay (SPP)

Employees who are eligible for statutory paternity leave may also qualify for Statutory Paternity Pay (SPP) if they meet the following conditions:

- They satisfy the eligibility criteria outlined in Section 6; and
- They earn at least the Lower Earnings Limit (currently £123 per week as of April 2025).

SPP is paid for up to two weeks, regardless of whether leave is taken in a single block or as two separate one-week blocks. The weekly SPP rate is set by the UK Government and is the lower of:

- £184.03 per week (as of April 2025), or
- 90% of the employee's average weekly earnings.

SPP is also subject to normal Tax and National Insurance deductions.

10.0 Occupational Paternity Leave and Pay

Employees who do not meet the statutory eligibility criteria may still be entitled to a period of occupational paternity leave as an enhanced organisational benefit and are still required to complete the relevant paperwork (appendix 1).

In such cases:

- The employee will be entitled to three consecutive working days of paid paternity leave;
- Pay will be at a rate no greater than the current statutory paternity pay cap.

To be eligible, the employee must:

- Give at least 15 weeks' notice before the expected due date; or
- Provide at least 28 days' notice before the expected date of adoption placement.

This leave must be taken in one continuous period and cannot be split.

If the employee later becomes eligible for statutory paternity leave or pay, this will override the occupational entitlement.

11.0 Terms and Conditions During Leave

During statutory or occupational paternity leave:

- Contractual rights remain in place, including accrual of annual leave, pension scheme access, and continuous service.
- Paternity pay (statutory or occupational) will replace salary where eligible.
- Employees cannot take annual leave during paternity leave but may request to take annual leave immediately before or after their paternity leave, subject to usual process and manager approval.
- If paternity leave is unpaid, this may affect pension contributions or other salary-linked benefits. Employees are advised to speak to Payroll for specific guidance around this.

12.0 Return to Work

Employees returning from statutory or occupational paternity leave are entitled to:

- Return to the same job, on the same terms and conditions, as if they had not been absent.
- Discuss flexible working options under the organisation's Flexible Working Policy (HR25) if they wish to explore changes to working patterns.

If an employee chooses not to return after their period of paternity leave, they must give notice in line with the terms of their contract of employment.

13.0 Training & Monitoring Requirements

13.1 Training

While formal training is not required for this policy, Ark will ensure that relevant employees are made aware of the Paternity Leave Policy and have access to appropriate guidance and support. The HR team will provide advice and assistance to both employees and managers to help them understand their entitlements and responsibilities, ensuring consistent and fair application of the Policy across the organisation.

13.2 Monitoring

To ensure this Policy is applied consistently and fairly, the following monitoring activities will be undertaken:

- Cyclical Review: The Policy will be formally reviewed every 5 years, or sooner if required, to ensure it remains aligned with legal requirements, regulatory expectations, and best practice.
- Ongoing Monitoring: The implementation and application of the Policy will be continuously monitored by the HR team to ensure it is being applied fairly, consistently, and effectively across Ark.
- Data & Trends Review: Feedback and data gathered from supervisions and employee surveys will be analysed to identify trends, gaps, and opportunities for improvement.
- Manager Feedback: Regular feedback will be sought from line managers to identify any challenges in applying the Policy and inform future improvements.

The outcomes of training and monitoring activities will support continuous improvement in our approach to supporting working parents and ensuring fair access to leave entitlements.

Appendix 1 - Application for Paternity Leave and Pay

Please return this form to the HR Team no later than 15 weeks before the baby is due OR 28 days before the child is due to be placed in the case of adoption.

I wish to inform you that I am pregnant and of my intention to take maternity leave.

Employee Name:

Employee Number:

<p>The baby is due / the child is due to be placed on:</p> <p><i>In order to be eligible for paternity weeks you must have at least 26 weeks continuous employment at the qualifying week (this is the 15th week before the expected week of childbirth) or by the matching week where it is an adoption.</i></p>	
<p>My first day of paternity leave will be:</p> <p><i>Your paternity leave will start the day after your last day of work. Annual leave is considered a working day for paternity purposes.</i></p>	
<p>My last day of paternity leave will be:</p> <p><i>You can change this date provided you give 8 weeks' notice in writing</i></p>	
<p>I intend to return to work after my paternity leave</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>I confirm:</p> <p>I am the baby's biological father OR the spouse or partner of the mother or adopter OR the adoptive parent OR the intended parent (if you're having a baby through a surrogacy arrangement):</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>I have responsibility for the child's upbringing and am taking time off work to care for the child or support the child's mother/primary adopter <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Employee Signature: _____ Date: _____</p>	
<p>Line Manager Signature: _____</p>	<p>Date: _____</p>