

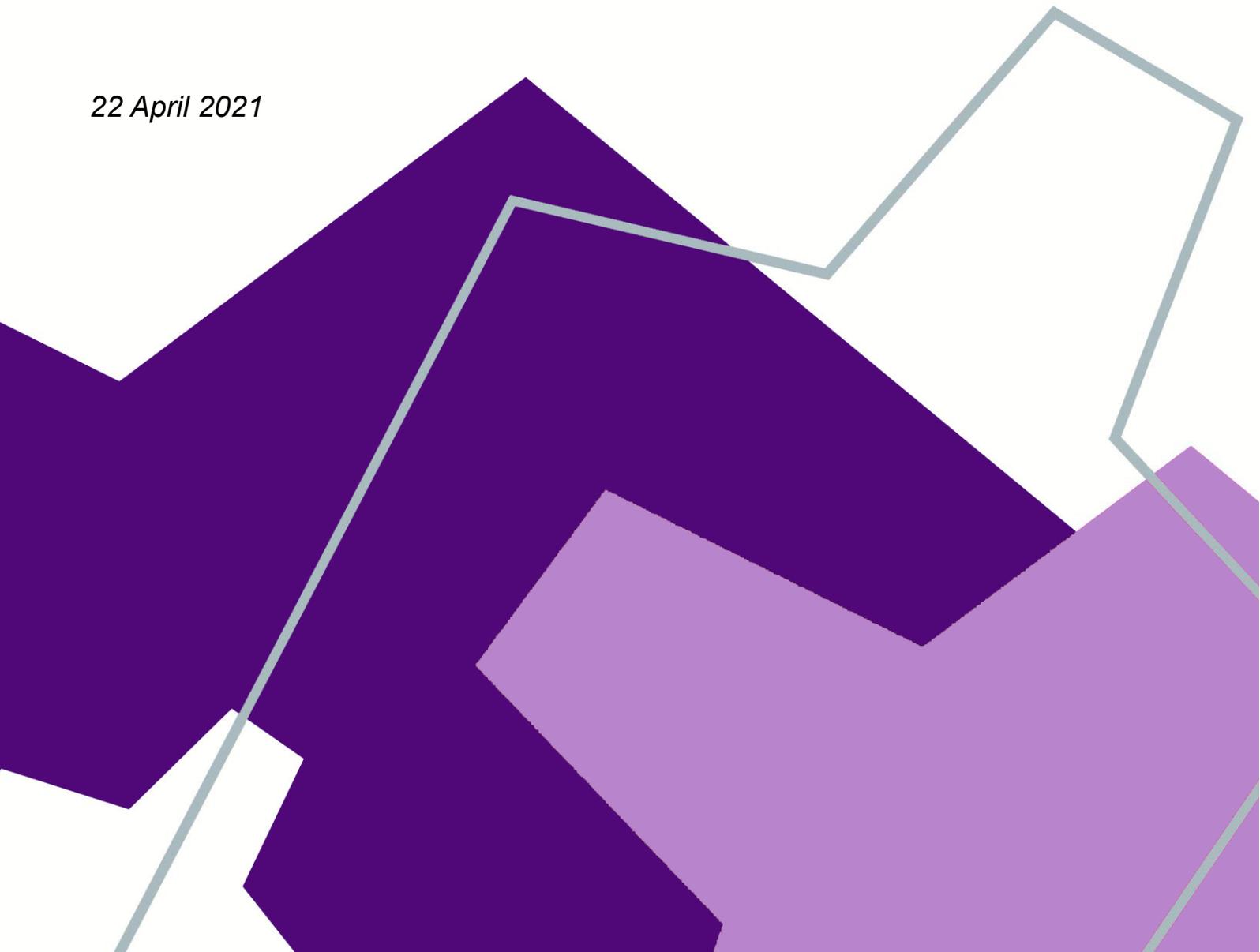


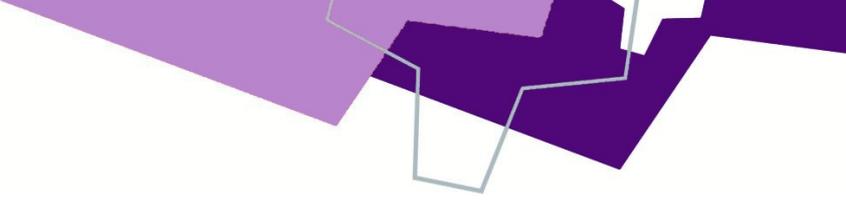
The Scottish Parliament
Pàrlamaid na h-Alba

Paternity Leave Policy

Poileasaidh Fòrladh Athaireil

22 April 2021





Paternal Leave Policy

This policy sets out the Paternal Leave provision available to SPS staff.

The SPCB recognises that becoming a parent is a special and important time.

It aims to ensure that appropriate provisions are in place to allow eligible members of staff to take leave in order to support the mother or primary carer of a child which is born or placed for adoption. In doing so, the SPCB will not only meet legal requirements but will enhance certain provisions. Separate provisions apply to Shared Parental Leave.

Further Guidance and Support

This policy is supplemented by [Guidance for Managers and Staff](#). The People and Culture Office can provide additional advice and guidance if necessary.

The Parliament operates a [Parent Mentor Scheme](#) which aims to guide and support staff in circumstances which include taking Paternal Leave.

How much Paternal Leave is available and when can I take it?

If eligible, you can choose to take either one or two weeks' Paternal Leave. Leave may not be taken as odd days but can be taken as two separate weeks.

Paternal Leave cannot begin until the child is born or adopted. You may choose your leave to begin on any day of the week on or following the child's birth/adoption. Your leave must be completed within 8 weeks of this date. You have the right to return to the same job after Paternal Leave.

Am I eligible for Paternity Leave?

You will be eligible for Paternity Leave if you have or expect to have responsibility for a baby's upbringing and you are either or both:

- The biological father of the baby
- The mother's husband, civil partner or partner

Paternity Leave must only be taken in order to support the baby's mother and/or to care for the new baby. It may not be used for any other purpose.

In the case of a child placed for adoption, one parent (the primary carer) may take Adoption Leave and the other parent may be eligible to take Paternity Leave. In these circumstances, you must be:

- taking time off to support the primary carer or care for the child; and
- married to, or be the civil partner or the partner of the primary carer.

Can I take time off to support my partner at ante-natal appointments/high-level contact visits?

You will be allowed reasonable time off with pay on up to two occasions if there is a particular need for you to support:

- the mother-to-be in attending antenatal care appointments made on the advice of a registered medical practitioner, midwife or health visitor; or
- the primary carer-to-be in attending high level contact visits in preparation for the child's placement for adoption made on the advice of a registered UK adoption agency.

You should ask your partner, where possible, to arrange appointments at a time which will not disrupt normal business.

What Paternity pay is available to me?

If you are eligible, the SPCB has made provisions for contractual paternity pay which means you will receive up to two weeks' pay at your normal contractual salary. This is inclusive of your statutory paternity pay entitlement.

Am I eligible for Paternity pay?

To qualify for Paternity pay, you need to satisfy the following conditions:

- you must have worked continuously for the SPCB for at least 26 weeks by the 15th week before the date the child is due to be born/adopted;
- you must continue to work for the SPCB without a break in your employment up to the date the child is born/adopted; and
- you must have average weekly earnings of not less than the lower earnings limit for national insurance contribution liability.

If you do not satisfy the conditions above, your period of Paternity Leave will be unpaid.

All Paternity pay is subject to all usual deductions such as tax, national insurance and pension contributions.

What notification do I have to provide of my intention to take Paternity Leave?

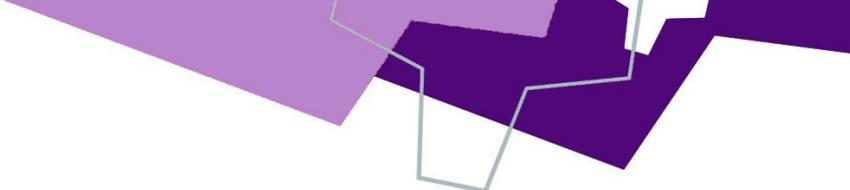
You must tell your line manager and the People and Culture Office in writing

- when the child is due to be born or adopted;
- whether you want one or two weeks Paternity Leave;
- when you want your leave to start.

You should do this at least 15 weeks before the baby is due; or within seven days of being told by that you have been matched with a child for adoption.

If the actual date of the child's birth or adoption differs from that originally notified, you must inform the People and Culture Office as soon as possible.

If necessary, you may subsequently change the date on which you wish your period of Paternity Leave to start, by giving 28 days' (7 in the case of adoption) notice and completing a new Declaration Form.



Do I have to provide any supporting documentation?

You must provide a copy of the Maternity Certificate (MATB1) which is provided to the mother by the doctor or midwife or a copy of the matching certificate which will be issued to you by the adoption agency.

In order to qualify for Statutory Paternity Pay, you must submit to the People and Culture Office a signed:

- [Declaration of Family Commitment](#) (Birth) **or**
- [Form SC4 Declaration – Becoming an Adoptive Parent](#) (Adoption).

Will I receive confirmation of my Paternity Leave?

The People and Culture Office will acknowledge your notification in writing as early as reasonably practicable but no later than within 28 days of receipt.

Paternity Leave Policy (English only)

For further information contact:

HumanResources@parliament.scot

0131 348 6500

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