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**PATERNITY POLICY**

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Version	Date	Author	Details/ Changes
1	October 2018	Karen Smith, HR Manager	Updated Policy
2	July 2023	Karen Smith, HR Manager	Section 11 – updated with national office terminology



**1. Purpose**

- 1.1 The purpose of this policy is to provide you with guidance on the application of paternity leave rights including the qualifying criteria and application process.
- 1.2 The Human Resources Department should be contacted for a Paternity Leave form and for further advice on this policy if required.

**2. Eligibility**

**2.1 Paternity leave following the birth of a child**

You will be eligible for paternity leave and pay if you:

- are the father of the child, the husband or partner of the mother (including same-sex partner) or you are one of a couple who are eligible for and intend to apply for a Parental Order in respect of the child
- have or expect to have responsibility for the upbringing of the child if you are the father or expect to have the main responsibility for the upbringing of the child if you are the mother's husband or partner but not the child's father
- have given the correct notice
- have not taken a period of shared parental leave in respect of the child.

**2.2 Paternity leave following adoption**

You will be eligible for paternity leave and pay on the adoption of a child if you:

- have or expect to have the main responsibility for the child's upbringing
- are either married to or the partner of the child's adopter
- have given the correct notice and complied with any requirements to produce evidence
- have not taken a period of shared parental leave in respect of the child.

**3 Length of paternity leave**

You can choose to take either one week or two consecutive weeks' paternity leave (not occasional days or separate weeks) and you can choose to start your leave:

- from the date of the child's birth or adoption (whether this is earlier or later than expected) or
- on a chosen day after the date of the child's birth or adoption (whether this is earlier or later than expected) or
- (in the case of birth) from a chosen date which is later than the first day of the Expected Week of Childbirth (EWC) or
- (in the case of adoption) on a predetermined date that is later than the date on which the child is expected to be placed with the adopter.

If the child is born before the EWC, paternity leave must be taken:

- within 56 days of that date or
- within 56 days of the actual date of birth of the child.

Only one period of leave will be available to you even if more than one child is born as the result of the same pregnancy, or you adopt more than one child.



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#### **4 Pay**

Employees with more than 26 weeks continuous service by the qualifying week (i.e. 15th week before the EWC), but less than 1 year's continuous service by the beginning of the 11th week before their EWC, are entitled to Statutory Paternity Pay of either one or two weeks depending on the amount of leave taken.

Employees with 1 year's continuous service by the beginning of the 11th week before your EWC are entitled to Occupational Paternity Pay of either one or two weeks depending on the amount of leave taken. Occupational Paternity Pay is full pay inclusive of SPP.

#### **5 Notice**

##### **5.1 Paternity leave following the birth of a child**

You are required to inform us of your intention to take paternity leave in or before the 15th week before the EWC, unless this is not reasonably practicable. You will need to complete the Paternity Leave request form which details:

- the due date of when the baby is expected
- whether you wish to take one or two weeks' leave
- when you want the leave to start.
- Signed declaration that you satisfy the eligibility criteria as set out at the beginning of this policy

You must inform the Human Resource Department, in writing, as soon as is reasonably practicable after the child's birth, of the date on which the child was born.

If you have given notice of your intention to take paternity leave and wish to change the date that your paternity leave begins, you must give written notice 28 days before the new period of leave is due to start.

##### **5.2 Paternity leave following the adoption of a child**

You must inform us of your intention to take paternity leave no more than seven days after the date on which the adopter is notified of having been matched with the child. If that is not reasonably practicable, you must notify us as soon as possible. You will need to specify:

- the date on which the adopter was notified of having been matched with the child
- the date on which the child is expected to be placed with the adopter
- whether you wish to take one or two weeks' leave
- when you want the leave to start.

#### **6 Contractual benefits**

You are entitled to your normal terms and conditions of employment, throughout your paternity leave.

You will continue to remain bound by any obligations arising under your contract of employment.



**7 Return to work after paternity leave**

You are entitled to return to the same job following two weeks' paternity leave, unless a redundancy situation has arisen.

Applications can be made to amend your working pattern under the Flexible Working Policy at any time, not just upon return from paternity leave. Full details of the scheme and an application form are available from HR. The application should be discussed between yourself and your Line Manager to reach agreement but any request must also be sent to HR.

Please note that all requests for flexible working must be concluded within a maximum timescale of 14 weeks and the requesting employee must apply within 8 weeks of their planned return to work date.

**8 Shared Parental Leave**

You may be eligible to take shared parental leave (SPL) after paternity leave. Full details regarding eligibility, entitlement and how to apply for SPL can be obtained from the HR department. Paternity leave cannot be taken if a period of SPL has already been taken in respect of the child.

**9 Time off to accompany the expectant mother to ante-natal appointments**

An expectant father or the partner (including same sex) of a pregnant woman will be entitled to take paid time off work to accompany the woman to up to 2 of her ante-natal appointments. The right applies whether the child is conceived naturally or through donor insemination. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for and intend to apply for a Parental Order for the child born through that arrangement.

Employees accompanying the expectant mother to her ante-natal appointments are entitled to paid leave for 1 or 2 appointments.

**10 Other Relevant Policies**

This policy is one of a number of policies designed to assist parents balance their work responsibilities with child care arrangements. Additional policies for consideration are:

- Maternity Policy
- Adoption Leave Policy
- Shared Parental Leave
- Special Leave Policy
- Flexible Working Policy

**11 Review**

This policy will be reviewed on a regular basis by HR, The Hub and Faith Action senior managers to ensure adherence to best practice, and any related legislation. If necessary, the



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Paternity Policy

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policy will be taken to the Faith Action Programme Leadership Team (Ministries Council is the employing body of FAPLT) as part of a consultation process.