



GUIDE TO PATERNITY LEAVE PROVISIONS

SCOPE

The Paternity Leave provisions apply to all employee groups, i.e. Chief Officers, Single Status, Teachers and Craft Workers.

SECTION 1 – ENTITLEMENT TO PATERNITY LEAVE

Paternity Leave of a maximum of two weeks' paid leave is available for employees if they:

1. Have or expect to have responsibility for the child's upbringing and be taking leave to care for the child;
2. Are the biological father of the child or the mother's spouse/ partner (including same sex couples), civil partner or the spouse or partner of the primary adopter;
3. Have 26 weeks' continuous service by the 15th week before the Expected Week of Childbirth or, in the case of adoption, 26 weeks' continuous service by the week you are matched with the child.

SECTION 2 – ENTITLEMENT TO PATERNITY PAY

Definition of Qualifying Service for Statutory Paternity Pay Purposes

- **Qualifying Service** is when you have been continuously employed by Perth and Kinross Council for at least 26 weeks up to any day in the qualifying week (15 weeks before the baby is due).
- For Adoption or Surrogacy you must be continuously employed for at least 26 weeks by the matching week (the end of the week you are matched with the child).

Definition of Service for Occupational Paternity Pay Purposes

- **Continuous Service** is continuous service with any local authority, or other employer deemed by the Council to be appropriate.
- **Reckonable Service** applies only to those employed by the Council or any authority prior to 1 July 1999 and is all previous service with any local authority,

or other employer deemed by the Council to be appropriate. This service does not have to be continuous.

Refer to the [Redundancy Payments \(Continuity of Employment in Local Government etc\) \(Modification\) Order 1999](#) for guidance.

If you do not qualify for Paternity Leave then you may be entitled to Maternity Support Leave.

SECTION 3 – NOTIFICATION PROCEDURES

The following sets out the obligations on both the employee and the employer for paternity leave:

Employee Obligations	Employer Obligations
<p>Inform employer of intention to take paternity leave 15 weeks prior to the expected week of childbirth Or Within 7 days of the adopter being notified of a match with a child by the adoption agency.</p>	
<p>Provide at least 28 days' written notification of your intention to take paternity leave by completing form SC3 (or in the case of adoption SC4) and submitting to your Line Manager confirming:</p> <ul style="list-style-type: none"> • The week the baby is due or the date of the child's placement • Whether you wish to take two separate weeks or two consecutive weeks' leave within the 52 week period • When you want your leave to start <p>If the leave is taken in 2 separate weeks the requirement is to give 28 days notice of each period of leave.</p> <p>Should you wish to change the start date of your leave you must give us 28 days' notice.</p> <p>Your form SC3/ SC4 also acts as evidence of your entitlement to paid paternity leave.</p>	<p>Line Manager will forward form SC3/ SC4 to the Payroll and Reward Team to ensure Statutory/Occupational Paternity Pay is processed, where applicable.</p>

SECTION 4 – FREQUENTLY ASKED QUESTIONS

How Much Paternity Leave Am I Entitled To?

Fathers and partners who meet the eligibility criteria can have up to two weeks' paid leave. This can be taken in two one-week blocks or a single two-week block within the first 52 weeks of birth/adoption. Employees working part-time will be entitled to paid paternity leave on a pro-rata basis. The leave can start on any day of the week.

Special consideration may be given regarding the duration of the leave in the case of multiple adoptions (e.g. siblings). Line Managers should contact the People and Culture Division, in the first instance.

When Can I Take Paternity Leave?

Your leave should be taken within 52 weeks of the birth (or due date if the baby is early), or placement of the child.

How Do I Apply For Paternity Leave?

You must inform your Line Manager at least 15 weeks before the expected week of childbirth or within 7 days of being notified of a match with a child (adoption) of your intention to take paternity leave.

You must complete form [SC3](#) (or in the case of adoption [SC4](#)) and submit this to your Line Manager giving at least 28 days' notice of your intention of the dates you wish to take paternity leave.

What happens if a public holiday occurs during a period of Paternity Leave?

The paternity leave needs to be taken in complete week blocks, therefore if it overlaps with a public holiday then the public holiday would be given in lieu to take at another time.

Will Paternity Leave Impact on my Terms and Conditions of Service?

There is no change to your terms and conditions of service during paid paternity leave.

What if I don't have enough Service to qualify for Paternity Leave?

If you do not qualify for Paternity Leave then you may be entitled to Maternity Support Leave.