

Paternity policy

1. Introduction

LSE ('The School') works towards positively supporting employees who are working parents and has attained a reputation as a top employer for working families. The School is committed to developing work policies and practices that support the work-life balance of employees. As part of this commitment, paternity leave and pay is available to all eligible employees within the diverse School community, including LGBT+ and same-sex families.

This policy uses the following key terms:

- mother: the individual who gives birth to a child or the adopter (the adopter means the person who is eligible for adoption leave and/or pay). They can be male, female or of a non-binary identity.
- partner: the child's biological father or the partner of the mother/adopter. This can be a spouse, civil partner; or a partner who is living in an enduring relationship with the mother and the child.

Adopters and/or partners may be male, female or a trans individual (including individuals of a non-binary identity).

2. Policy aims

The School seeks to sustain a strong track record as a diverse, fair and flexible employer that attracts and retains high calibre talent, and supports the career progression of the School's diverse community during their employment by the School. In keeping with that aim, this policy outlines the School's provision in respect of paternity leave and pay, as well as offering flexibility in how employees choose to manage their work and personal commitments during and following such periods of leave.

3. Policy principles

1. The School offers paid ordinary paternity leave for all grades of employees subject to eligibility. The School aims to support parents in the work place by offering enhanced payments to eligible employees.
2. The policy and procedure are intended to outline entitlements to statutory and contractual paternity rights; all employees who wish to apply for paternity leave and pay should also contact HR Departmental Advisory Team for more specific advice.

Eligibility

3. People who are directly employed by the School and have worked continuously for 26 weeks ending with the 15th week before the baby is due or where a child is matched or newly placed for adoption are eligible to apply for paid paternity leave.

Entitlement

Eligibility to take paternity leave

4. Ordinary paternity leave is available to both natural and adoptive parents, including parents who adopt from overseas.
5. From 5th April 2015, parents in a surrogacy arrangement who are entitled to and intend to apply for a Parental Order under the Human Embryology and Fertilisation Act 2008 will be able to take paternity leave and pay (birth and adoption) if they meet the eligibility criteria set out below.
6. The statutory right to take ordinary paternity leave is available to employees who fulfil certain criteria as follows:

In the case of a birth child, ordinary paternity leave is available to:

- the biological father of the child and (apart from the mother's responsibility) expects to have the main responsibility for the upbringing of the child
- an employee who, although not the biological father of the child, is married to the child's mother, or is their unmarried, cohabiting partner; or
- the cohabiting same-sex partner of the child's mother, whether or not they have registered a civil partnership.

In the case of an adopted child, ordinary paternity leave is available to:

- an employee who is married to, or the civil partner of, the child's adopter; or
- the cohabiting partner of the child's adopter (including same-sex partners).

Where a couple adopt a child jointly, assuming they are eligible, one may take adoption leave and the other paternity leave. They are entitled to choose for themselves which parent takes which type of leave.

7. An employee is eligible to take paternity leave if:
 - They have a minimum of 26 weeks' service at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, at the end of the 15th week before the week in which they were notified of having been matched with the child (the "relevant week")
 - they remain in continuous employment until the week before the additional statutory paternity pay period begins
 - their average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions

Ordinary Paternity Leave and Pay

8. Eligible employees can apply for ordinary paternity leave which is paid in full for ten working days (pro rata for less than full time employment). This is inclusive of Statutory Paternity Pay (SPP) (the rates can be found on: www.gov.uk/paternity-pay-leave/pay).

9. Ordinary paternity leave can be taken before and around the time of childbirth or within a reasonable time period afterwards up to eight weeks after the child is born. If there are pregnancy complications, additional time off can be given, on a compassionate basis, for attendance at antenatal appointments. .
10. Employees can expect to take the full entitlement of ordinary paternity leave in one block if required. However, if it is intended to take the leave as a block it is helpful to give the manager as much notice as possible to allow for appropriate planning to cover for the absence.

Paternity Procedure

Introduction

1. This procedure provides information on the steps necessary to apply the Policy on Paternity Leave to the School's eligible employees.
2. The procedure uses the following key terms:
 - mother: is the individual who gives birth to a child or the adopter (the adopter means the person who is eligible for adoption leave and/or pay. They can be male, female or of a non-binary identity).
 - partner: is the child's biological father or the partner of the mother/adopter. This can be a spouse, civil partner; or a partner who is living in an enduring relationship with the mother and the child.

Adopters and/or partners may be male, female or a trans individual (including individuals of a non-binary identity).

Time off for antenatal care

3. Fathers/partners have a statutory right to unpaid time off to attend up to two antenatal appointments.
4. The School recognises the importance of a partner being involved with the pregnancy and baby, and therefore offers paid time off to attend up to two ante-natal appointments. Employees wishing to accompany their partners to two paid antenatal appointments should speak to their manager and provide as much notice as possible to minimise any operational impact. Any further antenatal appointments that partners wish to attend will be at the managers' discretion and subject to operational needs. Managers, depending on the operational requirements, could, for example, adopt a flexible working approach whereby a partner makes up any time missed.
5. From 5 April 2015, intended parents in a surrogacy case who meet the conditions set out under the Human Embryology and Fertilisation Act 2008 will also have the right to unpaid leave to attend up to two antenatal appointments. Once again the School recognises the importance of a partner being involved with the pregnancy and baby, and therefore offers paid time off to attend up to two ante-natal appointments.

Notification requirements

Ordinary Paternity Leave

6. Prior written notification must be given to Human Resources of intention to take ordinary paternity leave, and the likely blocks of time proposed to and agreed by the manager, at least 28 days before it is anticipated that the leave will be wanted. (Heads of Department should seek agreement from the Deputy Director).
7. Employees should complete the SC3 form and return it to their HR Adviser. Employees should be prepared to send a copy of the respective birth certificate to Human Resources.

Shared Parental Leave and Pay

8. If a mother proposes to return to work early without using their full 52-week entitlement to maternity or adoption leave, their partner may be eligible to apply for Shared Parental Leave with their partner. For more information on this, please see the Shared Parental Leave Policy and Procedure.

Contract of employment

9. During paternity leave, the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary. In particular, contractual annual leave entitlement will continue to accrue.
10. Pension contributions will continue to be made during any period when the employee is receiving paternity leave. Employee contributions will be based on actual pay, while the School's contributions will be based on the salary that the employee would have received had they not been taking paternity leave. Subsequent awards of backdated salary, which takes effect during the calculation period used to work out paternity pay, will lead to a recalculation of the amount payable.
11. Return to the job in which they were employed under the original contract of employment and on the same terms and conditions is automatic following the paternity leave.

Contact during paternity leave

12. The employee should discuss with their line manager arrangements for keeping in touch whilst the employee is on paternity leave. The manager has the right to make reasonable contact with the employee whilst they are on paternity leave.

Returning to work

13. The employee will have been formally advised in writing by the School of the end date of their paternity leave. The employee is expected to return on the next working day after this date, unless they notify the School otherwise. If the employee is unable to attend work at the end of additional paternity leave due to sickness or injury, the School's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

Failure to return after the paternity leave period

14. Failure to return on the due date after the paternity leave expires will be regarded as unauthorised absence and may be treated as a disciplinary matter. This will not apply if the absence is due to illness and the sickness absence procedure has been correctly followed.

Advice

15. An employee considering/taking paternity leave is encouraged to contact their HR Adviser to discuss their entitlements.

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