

Partners Leave and Pay

1. Introduction

This procedure describes the entitlements to paternity leave and pay and the arrangements for requesting leave. The procedure applies to all employees.

The [Directgov](#) website provides additional guidance that may be helpful in supporting the operation of this Procedure in specific circumstances including multiple births, insufficient notice of intention to take leave or change of circumstance and overseas adoption.

2. Ordinary Partners Leave and Pay

2.1 Ordinary Partners Leave

You are entitled to paid Ordinary Partners Leave if you have been employed by Southampton Solent University for at least 26 continuous weeks either:

- by the end of 15th week before the beginning of the week when the baby is due
- by the end of the week you are notified by the adoption agency you are matched with your child (UK adoption).

In addition, you must have or expect to have responsibility for the upbringing of the child and be either the:

- biological father of the child
- mother's husband, partner¹ or civil partner
- husband, partner or civil partner of the child's adopter

Ordinary Partners Leave may commence on any day of the week, but not before the baby is born or placed for adoption. It must be taken as either one single week or as two consecutive weeks. Ordinary Partners Leave must be taken within 56 days of the birth or placement.

If you do not qualify for Ordinary Partners Leave you may wish to discuss with your manager the option of taking unpaid parental leave or paid holiday.

2.2 Ordinary Partners Pay

You are entitled to take one week full pay and one week paid at the Statutory Paternity Pay rate (SPP), currently £136.78 per week. However, if you earn less than £109 a week you will not be eligible for SPP.

Further information on Statutory Paternity Leave and Pay eligibility is available on the [Directgov](#) website.

2.3 Notification process

You will need to complete and submit to your manager the [SC3 declaration form](#) either by:

- the end of the 15th week before the beginning of the week when the baby is due
- within 7 days of being told by the adoption agency that you have been matched with a child

You can change the date your Ordinary Paternity Leave starts by advising of the change in writing and providing at least 28 days notice.

Human Resources will write to confirm all details including your statutory return to work date.

¹ 'Partner refers to a person you are in a relationship with who is of the same or opposite sex

3. Additional Partners Leave and Pay

3.1 Additional Partners Leave

You may take Additional Partners Leave if, in addition to meeting the eligibility criteria for Ordinary Partners Leave, the child's mother or adopter:

- returns to work before the end of their statutory maternity or adoption leave period;
- has been entitled to one or more of either Statutory Maternity Leave, Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Leave or Pay; and
- is not on a period of holiday, sick or parental leave which directly follows maternity or adoption leave.

You can choose to take between 2 and 26 weeks leave and the leave must be taken as one continuous period of leave and in multiples of complete weeks. The leave can be taken from 20 weeks after the date the:

- child was born
- was placed with you for adoption in the case of UK adoption; or
- entered Great Britain for the purposes of adoption in the case of overseas adoption

Additional Partners Leave must be completed by the child's first birthday.

If you meet the eligibility criteria for the Additional Partners Leave but not for pay, you may take unpaid Additional Partners Leave.

If you do not qualify for Additional Partners Leave, you may wish to discuss with your manager the possibility of taking unpaid parental leave or paid holiday.

3.2 Additional Partners Pay

Additional Partners Pay is only payable during either:

- the mother's Statutory Maternity Pay (SMP) or Maternity Allowance (MA) pay period; or
- the adopter's Statutory Adoption Pay (SAP) period

and only if the mother or adopter has:

- returned to work
- stopped receiving any maternity pay, SMP, SAP or MA; and
- have at least two weeks of the 39 week statutory payment period remaining

Additional Statutory Partners Pay is payable at the Statutory Paternity Pay rate. Any period of Additional Partners Leave taken after the 39th week of either the mother's or adopter's statutory pay period will be unpaid.

If your average weekly earnings are below the lower earnings limit for National Insurance contributions or the mother or adopter was not eligible for Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Pay, you will not be eligible for Additional Partners Pay.

3.3 Notification process

You will need to submit at least eight weeks before you want to start your additional partners leave the completed relevant declaration form to your manager and provide a copy of the baby's birth certificate/adoption matching certificate.

[SC7 for births](#)

[SC8 for UK adoptions](#)

[SC9 for overseas adoptions](#)

Human Resources will write to you within 28 days confirming all details including the statutory start and end dates of your Additional Partners Leave.

3.4 Change of circumstances

Should you wish to change the start date of your Additional Partners Leave or your circumstances change and you are no longer eligible to take Additional Partners Leave eg your partner does not return to work or you will not be caring for the child, you must tell your manager in writing as soon as possible and provide at least 6 weeks notice of the change.

4. Keeping in Touch

It is important for the University to maintain reasonable contact with you during additional partners leave. Your manager and/or Human Resources may contact you during this time to discuss your intended date of return, update you on developments at work or discuss any special arrangements on your return such as a request to work flexibly.

There may on occasion be instances where both you and your manager will mutually agree that it would be beneficial for you to attend work for a specific reason during your additional partners leave eg attending development days or a training session. You must not attend work more than 10 working days during Additional Partners Leave otherwise your entitlement to Additional Partners Leave and Pay will cease.

Attendance at work during additional partners leave must be agreed in advance with your manager and will be confirmed to you in writing by Human Resources.

5. Returning to Work

You will be due back to work on the first working day after your Additional Partners Leave ends. If you wish to change your intended return to work date you will be required to provide 6 weeks written notice. If you do not provide the required notice it may not be possible for the University to accommodate your revised return to work date.

You have the right to return to the same job that you were in before commencing Additional Partners Leave if you return to work after 26 weeks or less of Additional Partners Leave or only if that is not practicable, a suitable job on similar terms and conditions.

If you do not wish to return to work after your period of Additional Partners Leave, you must submit your resignation in writing to your Dean of Faculty/Director of Service no later than 8 weeks before you were due to return. You will not be asked to repay any monies should you decide not to return.

6. Flexible Working Request

If you are considering returning to work on a part-time basis or an alternative working pattern, you will need to complete the [Flexible Working Request Application Form](#).

Your manager will give your request full consideration however please be aware that there is no automatic right to change your working pattern. Flexible working requests should be submitted at least 12 weeks in advance of your return to work date.

Your manager will arrange a meeting with you to discuss your request. If the request is granted, this will normally be a permanent change to your terms and conditions unless otherwise agreed.

Further information on the right to request flexible working is available on the [Directgov](#) website.

7. Contractual Benefits during Ordinary and Additional Partners Leave

7.1 Continuous Service

During Ordinary and Additional Partners Leave your terms and conditions of employment will be maintained.

7.2 Pension

Whilst you are on paid additional partners leave your contributions will continue at the usual percentage rate. Once on unpaid additional partners pay pension contributions will cease.
Local Government Pension Scheme

If you are a member of the Local Government Pension scheme, you may make up contributions following a period of unpaid additional partners leave on your return to work. Should you wish to do this you must notify Payroll within 30 days of your return.

These pension contributions will be made at the rate of pay you were receiving on the day before the unpaid leave commenced. If you choose not to pay contributions for any unpaid period of additional partners leave this will be deemed as a break in service for pension purposes only.

Any keeping in touch days will be pensionable at the normal percentage rate.

Teachers' Pension Scheme

If you are a member of the Teachers' Pension Scheme, there is no facility for you to make up contributions following unpaid additional partners leave and therefore any unpaid additional partners leave will be deemed as a break in service for pension purposes only.

Any keeping in touch days will not be pensionable.

Teachers' Pensions do however offer the opportunity to purchase additional pension and further details can be accessed via the Teachers' Pensions website www.teacherspensions.co.uk.

7.3 Holiday Entitlement

You will continue to accrue your contractual holiday entitlement during ordinary and additional partners leave. Holiday accrued during additional partners leave must be taken prior to your return to work. Any approved carry-over of holiday entitlement must be in line with the Holiday Planning Procedure and limited to a maximum of 5 days.

Should you decide not to return to work following your period of additional partners leave, any accrued holiday entitlement not taken will be paid to you as a payment in lieu upon termination of your employment with the university.

7.4 Car Parking Permit

You can suspend payment of your car parking permit for the duration of your additional partners leave by notifying parking.facilities@solent.ac.uk of your first day of additional partners leave. If you return to work you can resume payment and continue to park on site as normal.

7.5 Childcare Vouchers

If you are currently participating in the Childcare Voucher Scheme, this benefit will continue during your period of ordinary and/or additional partners leave. During periods of additional partners pay and unpaid additional partners leave, the value of the vouchers will be paid for by the University.

Should you wish to opt out of the Childcare Voucher Scheme during additional partners leave please contact Payroll to advise.