



Partner Leave policy

Responsible Office	Human Resources
Responsible Officer	Arlene Stone, Director of Human Resources
Approving Authority	Senior Leadership Group
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1. Introduction
2. Scope of policy
3. Responsibilities
4. Entitlement to Partner Leave
5. Amount of Partner Leave
6. Timing of Partner Leave
7. Notice to take Partner Leave
8. Applying for Partner Leave
9. Partner Leave Pay
10. Time off to attend appointments
11. Rights during Partner Leave

12. Return to work after Partner Leave

1. Introduction

The Partner Leave policy (previously known as Paternity Leave) sets out the rights of employees to Partner Leave and Pay in relation to children who:

- are expected to be born on or after 6 April 2024; or
- are expected to be placed for adoption with the adopter on or after 6 April 2024

This policy describes the procedures that employees and line managers will need to follow when making or receiving applications for Partner Leave. Employees wishing to find out more about or make an application for Shared Parental Leave should refer to the relevant policy.

This policy is reviewed regularly by Bath Spa University in consultation with the recognised unions to ensure that it is meeting its objectives.

2. Scope of policy

This policy applies to all employees, across all grades and groups including academic and non-academic, Associate Lecturers, part time and full time, permanent and fixed term.

It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation.

The policy does not form part of the employee contract of employment and may be amended at any time.

3. Responsibilities

Employee:

- Comply with the requirements of the Partner Leave Policy
- Ensure that any application for Partner Leave and/or pay is made in accordance with this scheme and any statutory requirements
- Cooperate with management in the execution of their duties and responsibilities in relation to this policy.

Line Manager

- Understand the Partner Leave Policy, and related procedures, attending appropriate training as required
- Ensure that employees are aware of the Partner Leave Policy
- Manage any requests received in accordance with the requirements of the policy

- Remain in regular and reasonable contact with the employee for the duration of the Partner Leave period

Human Resources

- Ensure that the Partner Leave Policy is kept up to date and in particular reflects any changes to entitlement
- Provide training, coaching, advice, guidance and support as appropriate
- Acknowledge, process and administer any request received and made in accordance with this policy

4. Entitlement to Partner Leave

4.1 Entitlement to Partner Leave - Birth

Employees can take Partner Leave for the purpose of caring for the child or supporting the child's mother if:

- they have at least 26 weeks' continuous employment with us at the end of the 15th week before the expected week of childbirth;
- they are the child's biological father and have or expect to have responsibility for the child's upbringing; or
- they are the spouse, civil partner, or partner of the child's mother and have or expect to have the main responsibility (apart from the mother) for the child's upbringing.

4.2 Entitlement to Partner Leave - Adoption

Employees can take Partner Leave for the purpose of caring for the adopted child or supporting the child's adopter if:

- they have at least 26 weeks' continuous employment with us at the end of the week in which the child's adopter is notified of being matched for adoption (or received the official notification for adoptions from overseas); and
- they are the spouse, civil partner, or partner of the child's adopter, and have or expect to have the main responsibility (apart from the adopter) for the child's upbringing.

For employees who are one of a couple jointly adopting a child, only one parent will be entitled to take adoption leave and the other parent may elect to take a period of partner leave, provided that the relevant qualifying conditions are met. A separate policy is available in respect of [adoption leave](#).

5. Amount of Partner Leave

Eligible employees can take up to two weeks' paid Partner Leave.

Employees do not have to take the leave in one single period; however, the leave must be booked in blocks of at least one week.

This means that employees can take the leave in one single block of one week, one single block of two weeks, or two separate blocks of a week each.

A week of Partner Leave is the same duration as an employee's normal working week, i.e. if they are a full-time employee, one week is five days. If the employee is contracted to work four days per week, one week is four days and so on. The leave may start on any day of the week, but not before the baby is born or the actual date of placement for adoption.

An employee can take a maximum of two weeks' partner leave per pregnancy or adoption, even if more than one child is born as a result of the pregnancy or more than one child is placed under the same adoption arrangement.

6. Timing of Partner Leave

Partner Leave can start on any day after the child's birth, but it must end within 52 weeks of the birth (or the expected week of childbirth if the child is born early).

In the case of an adopted child, the 52-week period runs from the date on which the child was placed for adoption with the adopter (or the child's entry into Great Britain for adoptions from overseas).

If an employee wishes to take Shared Parental Leave, they must take any Partner Leave first. Once a period of Shared Parental Leave has been taken, an employee is no longer entitled to apply for Partner Leave in relation to the same child.

7. Notice to take Partner Leave

The employee must give the University at least 15 weeks' written notice before the week in which the baby is due, or within 7 days of being notified they have been matched with a child for adoption, that they are eligible to take Partner Leave. They must tell the University:

- When the baby is due, or the date the child is expected to be placed for adoption
- The date the adopter was notified of the placement
- Declare that they meet the eligibility requirements of Partner Leave

The employee does not have to confirm the specific dates they require at this stage but must give the University at least 28 calendar days written notice before the first day that their chosen Partner Leave would commence.

If it is not possible to give the full notice for a valid reason (e.g. the baby is born early, or the adoption agency doesn't notify the employee soon enough), the employee should still give as much notice as possible. The University will agree to Partner Leave requests wherever possible, however where there are no extenuating circumstances for late notice, and where business need requires it, the University retains the right to ask the employee to take leave at an alternative time.

If the employee chooses to take their leave in two separate one-week blocks, they should give a further 28 calendar days' notice in writing of the second leave period.

8. Applying for Partner Leave

To confirm eligibility for Partner Leave, the employee should complete the Application for Partner Leave form (Section A and B) and pass it to their line manager. The manager must receive this within the timescales detailed above.

Once the employee has decided on the specific Partner Leave dates, they should complete Section C on the Application for Partner Leave form and submit this to their line manager giving at least 28 calendar days notice of the chosen dates. This step may need to be repeated if the employee chooses to take their leave in two separate blocks.

Completed forms should be passed to Human Resources for processing, following line manager approval.

If the employee has submitted a period of Partner leave notice but wishes to cancel or vary the timing of their leave, they must inform their line manager at least 28 days before the original date stated in their period of leave notice, or the revised start date, whichever is earlier.

9. Partner Leave Pay

Employees eligible to take Partner Leave will continue to receive their normal rate of pay for up to two weeks, provided they:

- Remain in continuous employment with the University on the date the child is born, or is placed for adoption;
- Have complied with the notice requirements and are able to provide the declarations as set out in their policy.

10. Time off to attend appointments

10.1 Antenatal appointments

An employee is entitled to take paid time off to accompany the person who is pregnant at up to two antenatal appointments, provided that they are the biological parent, spouse, civil partner, or living in an enduring relationship with the pregnant person.

The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse.

An employee who would like to make a request for time off to accompany someone at an antenatal appointment, should notify their line manager in writing giving as much notice as possible.

The employee should, wherever possible, try to arrange the appointment as near to the start or end of the working day.

10.2 Adoption appointments

If an employee is adopting a child jointly, one adoptive parent can elect to take paid time off to attend up to five adoption appointments. The other adoptive parent is entitled to take unpaid time off to attend up to two adoption appointments.

The parent who takes Adoption Leave is not entitled, later on, to take Partner Leave in respect of the child.

The appointment must be made by the adoption agency.

An employee who would like to make a request for time off to attend an adoption appointment, should notify their line manager in writing giving as much notice as possible.

The employee should, wherever possible, try to arrange the appointment as near to the start or end of the working day.

11. Rights during Partner Leave

During Partner Leave, all the terms and conditions of the employees' contract, except normal pay, will continue. Their pay will be replaced with enhanced paternity pay. Other benefits such as holiday entitlement will continue to accrue and pension contributions will continue to be paid.

12. Returning to work

Following Partner Leave, an employee is entitled to resume working in the same job as before on terms and conditions that are no less favourable than the terms that would have applied had they not been absent. Continuity of employment will not be affected by the Partner Leave period.