

Human Resources

# Ordinary Childbirth / Adoption Support Leave and Pay Policy

The University’s Childbirth/Adoption Support Leave Scheme (also known as Paternity leave) provides enhanced benefits to those contained within the statutory provisions.

1. Introduction

The statutory entitlement to Ordinary Childbirth/Adoption Support Leave allows eligible employees to take one or two weeks’ paid leave to care for a child and/or to support the mother/adopter after the birth or adoption. With effect from 8 March 2024, this statutory entitlement is changing for those expecting children whose week of birth begins on or after 6 April 2024; or where a child is placed for adoption on or after 6 April 2024 or a child placed for adoption from overseas enters the country on or after 6 April 2024. From 8 March 2024, eligible employees will be able to take two weeks’ of paid leave to care for a child and/or to support the mother/adopter after the birth or adoption.

The University’s Childbirth/Adoption Support Leave Scheme offers an enhanced entitlement to this type of leave and enables eligible employees, who are expecting a child to be born or placed for adoption (whether through birth, adoption, or surrogacy), to take up to four weeks’ of paid leave after the birth or adoption.

2. Ordinary Childbirth/Adoption Support Leave

**2.1 Eligibility**

In order to qualify for Ordinary Childbirth/Adoption Support Leave and pay, employees must have worked continuously for the University for 26 weeks ending with the 15th week before the baby is due (the qualifying week). In the case of adoption, employees must have worked continuously for the University for at least 26 weeks by the end of the week in which the adopter is matched with the child (UK adoptions) or at least 26 weeks before the date the child enters the UK (overseas adoptions).

The following employees who have or expect to have responsibility for the child’s upbringing are entitled to a maximum of 4 weeks’ pay:

* the biological father of the child
* the mother’s husband, civil partner or partner (including same-sex partner)
* employee of either sex who is adopting a child but is not taking adoption leave
* employee of either sex who is not taking adoption leave but is becoming a parent through surrogacy and a parental/adoption order.

If an employee does not qualify for Ordinary Childbirth/Adoption Support Leave they should discuss with their line manager the possibility of taking annual leave or an unpaid leave of absence. Please see the relevant pages on this website for details of those types of leave.

**2.2 Entitlement**

Employees who meet the above eligibility criteria can choose to take their entitlement as a single block of four weeks; as two blocks of two weeks or as four single weeks. Please see section 2.3 below for information regarding the timeframe within which Ordinary Childbirth/Adoption Support Leave must be completed.

During Ordinary Childbirth/Adoption Support Leave, eligible employees will be paid by the University at their normal rate of pay.  (This will include an element of Ordinary Statutory Paternity Pay (OSPP) where appropriate, which is effectively enhanced by the University to equal full pay).

Employees can take only one period of leave per pregnancy even if more than one baby is born as the result of the same pregnancy. Employees who are adopting or fostering to adopt two or more children on the same placement, are entitled to one period of leave.

In situations where the baby is stillborn after 24 weeks or is born alive at any stage of the pregnancy and an employee meets the eligibility criteria, the employee remains entitled to take Childbirth Support Leave.

In relation to disrupted adoption, meaning that it does not go ahead after official notification has been received by the University, the employee remains entitles to take Childbirth Support Leave.

**2.3 Taking Ordinary Childbirth/Adoption Support Leave**

Ordinary Childbirth/Adoption Support Leave can start on any day of the week following the child’s birth or placement for adoption, but must be completed within 56 days of the actual date of birth/placement of the child. If the child is born early, leave must be taken within the period from the actual date of birth up to 56 days after the expected date of birth. In the case of overseas adoptions, adoption support leave can start on the date the child arrives in the UK or an agreed number of days after. In the case of surrogate parents, the leave can start on the day the child is born or the day after.

From 8 March 2024, for children with an expected date of birth on or after 6 April 2024, or date of placement for adoption on or after 6 April 2024, the period within which this leave must be completed is extended to 52 weeks from the date of birth or placement of the child or in the case of overseas adoptions from their date of arrival in the country.

**2.4 Notification**

Employees should discuss their intention to take Ordinary Childbirth/Adoption Support Leave with their line manager as soon as is practicable. Consideration will need to be given to cover if appropriate.

To qualify for Ordinary Childbirth/Adoption Support Leave employees must:

* formally tell the University that they wish to take the leave by completing the Ordinary Childbirth/Adoption Support Leave Form. This is then signed off by the employee’s line manager and Head of School/Department. The form is then sent to HR Operations.
	+ Births (including surrogacy):

Notice must be given by the end of the 15th week before the baby is due to confirm their entitlement to this leave, or, if this is not possible, as soon as is reasonably practicable

Exact dates for leave must be given in writing at least 28 days before each period of leave is due to start

* + Adoptions:

Notice must be given within 7 days of the adopter being advised of being matched with the child or, if this is not reasonably practicable, as soon as is reasonably practicable

In order to change the start date of periods of Ordinary Childbirth/Adoption Support Leave employees must provide at least 28 days’ notice (unless this is not reasonably practicable).

**2.5 Time off for appointments**

Employees, who are the biological father or mother’s partner (including same-sex), are entitled to unpaid leave for up to 2 appointments, capped at 6.5 hours per appointment for the purpose of accompanying expectant mothers to ante-natal appointments. In the case of adoption, the co-adopter will be entitled to unpaid time off for up to 2 appointments.

3. Shared Parental Leave

Shared Parental Leave (SPL) is a statutory right available to eligible employees who are expecting a child to be born or placed for adoption (whether through birth, adoption, or surrogacy). It provides the option of sharing up to 50 weeks of leave and 37 weeks of pay if the necessary eligibility criteria are met. Eligible employees can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child. Further information can be found in the University’s [Shared Parental Leave policy](file:///Y%3A%5CCMS%5CUploaded%20docs%5CPDFs%5CPolicies%5Chumres-Shared%20Parental%20Leave%20policy.pdf).

Reviewed: 4 March 2024