

Paternity Leave Policy

People, Digital & Policy

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Introduction

This policy sets out the rights of employees to paternity leave and pay for leave taken on or after 6 April 2026 where either:

- the expected week of childbirth is on or after 5 April 2026;
- the child is born on or after 6 April 2026 (even if the expected week of childbirth was before 5 April 2026); or
- the child is expected to be placed for adoption with the adopter (or enter Great Britain for adoptions from overseas) on or after 6 April 2026.

For rights applying prior to those dates, please refer to our Paternity Leave Policy dated April 2025 where the expected week of childbirth is before 5th April 2026 and birth before 6th April 2026.

The following definitions are used in this policy:

"Adopter" means the person with whom the child has been or is to be placed for adoption, or where two people have been matched jointly, whoever has elected to be the child's adopter for the purposes of adoption leave.

"Expected week of childbirth" means the week, starting on a Sunday, during which the mother's doctor or midwife expects them to give birth.

"Matched for adoption" means an adoption agency deciding that a person would be a suitable adoptive parent for a child either individually or jointly with another person. A person is notified of having been "matched for adoption" with a child on the date on which the person receives notification of the adoption agency's decision.

"Official notification" means written notification, issued by or on behalf of the relevant domestic authority, that it is prepared to issue, or has already issued, a certificate to the overseas authority concerned with the adoption of the child, confirming that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.

"Partner" includes someone, of whatever sex, who lives with the mother, expectant mother or adopter of the child in an enduring family relationship but who is not the mother's or adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

"Placed for adoption" means placed for adoption under UK adoption laws, including placement with a local authority foster parent who is also a prospective adopter ("foster to adopt").

The policy does not form part of your contract of employment, and we reserve the right to amend it at any time.

Scope

This policy covers all employees including centrally employed teachers but excludes staff on the complement of locally managed schools for whom a separate policy applies. In the absence of a policy agreed locally by individual schools the principles of this policy should be followed.

Entitlement to paternity leave (birth)

You can take paternity leave for the purpose of caring for the child or supporting the child's mother if:

- you are the child's biological father and have or expect to have responsibility for the child's upbringing; or
- you 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.

To exercise your right to take paternity leave in a birth situation, you must comply with the notification procedure set out below.

Entitlement to paternity leave (adoption)

You can take paternity leave for the purpose of caring for the adopted child or supporting the child's adopter if:

- you 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.

If you are one of a couple jointly adopting a child, only one of you will be entitled to take adoption leave and the other parent may elect to take a period of paternity leave, provided that the relevant qualifying conditions are met.

You are not entitled to take paternity leave if you have taken paid time off to attend an adoption appointment in respect of the same child.

To exercise your right to take paternity leave in an adoption situation, you must comply with the notification procedure set out below.

Amount of paternity leave you can take

You can take up to two weeks' paternity leave. You do not have to take your leave in one single period, but the leave must be booked in blocks of at least one week. There is no longer a qualifying service requirement to be entitled to paternity leave.

This means that you can take the leave in:

- one block of one week;
- one block of two weeks; or

- two separate blocks of one week each.

A week of paternity leave is the same duration as your normal working week. This means that if you are a full-time employee, one week is [five] days. If you are contracted to work four days per week, one week is four days, and so on.

You can take only two weeks' paternity 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.

Timing of paternity leave

You can start your paternity leave on any day from 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).

Notice to take paternity leave (birth)

Notice of entitlement (birth)

Before you can take paternity leave, you must give your line manager and the Absence Team written notice at least 15 weeks before the expected week of childbirth or as soon as is reasonably practicable. Your notice must confirm:

- the expected week of childbirth; and
- that you meet the eligibility requirements to take paternity leave.

All absences should be covered by a MATB1 certificate which is provided to the pregnant partner by the Midwife/Doctor at around 20 weeks into the pregnancy.

You should inform your manager and the Absence Team by completing the application form [Paternity Leave Application Form 2020](#) or through [My View](#) via My Forms or as soon as reasonably practicable.

Period of leave notice (birth)

Each time that you wish to take a period of paternity leave, you must discuss the dates required with your line manager if agreed, make a further application as outlined above.

- when you want to start your leave (you may take this in one single block or two separate blocks);
- whether you wish to take one- or two-weeks' leave; and
- that the purpose of the leave is to care for the child or support the child's mother.

You can choose to start a period of paternity leave:

- **On the date of your child's birth:** Your period of leave notice must reach us at least 28 days before the first day of the expected week of childbirth.
- **A set number of days after your child's birth:** Your period of leave notice must reach us at least 28 days before the date that falls that set number of days counted from the first day of the expected week of childbirth.
- **On a predetermined date:** This date must be no earlier than the first day of the expected week of childbirth. Your period of leave notice must reach us at least 28 days before that predetermined date.

Notice to take paternity leave (adoption within the UK)

Notice of entitlement (adoption within the UK)

Before you can take paternity leave, you must give your line manager and the Absence Team written notice within seven days after the date on which the child's adopter is notified that they have been matched for adoption. Your notice must confirm:

- the date on which the adopter was notified that they have been matched for adoption;
- the date on which the child is expected to be placed for adoption with the adopter (or, if they have already been placed for adoption, the date of the placement); and
- that you meet the eligibility requirements to take paternity leave.

All absences should be covered by Matching Certificate supplied by the Adoption Agency.

You should inform your manager and the Absence Team by completing the application form [Paternity Leave Application Form 2020](#) or through [My View](#) via My Forms within seven days of notification of the child's placement with the primary adopted or as soon as is reasonably practicable.

Period of leave notice (adoption within the UK)

Each time that you wish to take a period of paternity leave, you must give your line manager and the Absence Team further written notice within seven days after the date on which the child's adopter is notified of having been matched for adoption, confirming:

- when you want to start your leave (you may take this in one single block or two separate blocks);
- whether you wish to take one- or two-weeks' leave; and
- that the purpose of the leave is to care for the child or support the child's adopter.

You can choose to start a period of paternity leave:

- on the date on which the child is placed for adoption;
- a set number of days after the child is placed for adoption; or
- on a predetermined date, which has to be no earlier than the first day of the child's placement for adoption.

You should inform your manager and the Absence Team by completing the application form [Paternity Leave Application Form 2020](#) or through [My View](#) via My Forms within seven days of notification of the child's placement with the primary adopter or as soon as is reasonably practicable.

Notice to take paternity leave (adoption from overseas)

Notice of entitlement (adoptions from overseas)

Before you can take paternity leave, you must give your line manager and the Absence Team written notice within 28 days after the date on which the child's adopter receives the official notification. Your notice must confirm:

- the date on which the adopter received the official notification;
- the date on which the child is expected to enter Great Britain (or, if they have already entered Great Britain, the date of entry); and
- that you meet the eligibility requirements to take paternity leave and that the child's adopter has received the official notification.

All absences should be covered by a Matching Certificate supplied by the Adoption Agency.

You should inform your manager and the Absence Team by completing the application form [Paternity Leave Application Form 2020](#) or through [My View](#) via My Forms within seven days of notification of the child's placement with the primary adopter or as soon as is reasonably practicable.

Period of leave notice (adoption from overseas)

Each time that you wish to take a period of paternity leave, you must give your line manager and the Absence Team further written notice confirming:

- when you want to start your leave (you may take this in one single block or two separate blocks);
- whether you wish to take one- or two-weeks' leave; and
- that the purpose of the leave is to care for the child or support the child's adopter.

You can choose to start a period of paternity leave:

- **On the date of your child's entry into Great Britain:** Your period of leave notice must reach us at least 28 days before the date on which the child is expected to enter Great Britain.

- **On a predetermined date:** This date must be no earlier than the date of your child's entry into Great Britain. Your period of leave notice must reach us at least 28 days before that predetermined date.

You should inform your manager and the Absence Team by completing the application form [Paternity Leave Application Form 2020](#) or through [My View](#) via My Forms within seven days of notification of the child's placement with the primary adopted or as soon as is reasonably practicable.

You must also give your line manager and the Absence Team written notice of the date your child entered Great Britain within 28 days of entry, or written notice that the child will not be entering Great Britain as soon as possible after you become aware of this fact.

Late notice

If extenuating circumstances mean that it is not possible for you to meet the deadlines for giving notice as set out in this policy, we will accept later notice than this. Examples of extenuating circumstances include if you have been absent from work on sick leave or if a pregnancy is discovered very late.

In these circumstances, you should let us know that you would like to take paternity leave as soon as you reasonably can.

If there are no extenuating circumstances, you will be unable to take paternity leave. However, we will discuss other options with you, including you and your partner switching to shared parental leave, you booking annual leave, or a request for unpaid ordinary parental leave.

Changing your paternity leave plans

If you have submitted a period of leave notice but wish to cancel or vary the timing of your paternity leave, you must seek agreement from your line manager who will notify the Absence Team at least 28 days before the original date stated in your period of leave notice, or the revised start date, whichever is earlier.

Paternity pay

Week 1 - enhanced paternity pay

You will continue to be paid your normal rate of pay, provided you are entitled to it (off set by statutory paternity pay, if eligible) while taking the first week of paternity leave provided:

- you are entitled to take paternity leave;
- you have at least 26 weeks' continuous employment with us:
 - at the end of the 15th week before the expected week of childbirth (in a birth situation);
 - at the end of the week in which the child's adopter is notified of being matched for adoption (for adoptions within the UK); or

- at the end of the week in which the child's adopter received the official notification (for adoptions from overseas);
- you remain in continuous employment with us on the date the child is born (in a birth situation), is placed for adoption (for adoptions within the UK) or entered Great Britain (for adoptions from overseas); and
- you have complied with the notice and evidential requirements and are able to provide the declarations as set out in this policy.
- you confirm when you wish to start receiving enhanced paternity pay within the relevant Form to provide period of leave notice to take paternity leave.

Week 2 - statutory paternity pay

Statutory paternity pay is payable during your second week of paternity leave period, provided you are entitled to it.

The rate of statutory paternity pay is set by the Government for the relevant tax year, or at 90% of your average weekly earnings (whichever is lower).

You will qualify for statutory paternity pay if:

- you are entitled to take paternity leave;
- you have at least 26 weeks' continuous employment with us:
 - at the end of the 15th week before the expected week of childbirth (in a birth situation);
 - at the end of the week in which the child's adopter is notified of being matched for adoption (for adoptions within the UK); or
 - at the end of the week in which the child's adopter received the official notification (for adoptions from overseas);
- your average weekly earnings are not less than the lower earnings limit for national insurance contributions;
- you remain in continuous employment with us on the date the child is born (in a birth situation), is placed for adoption (for adoptions within the UK) or entered Great Britain (for adoptions from overseas);
- you have complied with the relevant notice and evidential requirements and are able to provide the declarations as set out in this policy; and
- you confirm when you wish to start receiving statutory paternity pay within the relevant Form to provide period of leave notice to take paternity leave.

Further information

We may ask you to confirm the date of the child's birth, placement for adoption or entry into Great Britain if you have not already provided this information. You must respond to our request within 28 days, or as soon as is reasonably practicable.

Maternity/Adoption Support Leave (M/ASL)

Where an employee does not meet the eligibility conditions for enhanced or statutory paternity/adoption pay set out in week 1 and week 2 options above, please see Maternity/Adoption Support Leave section below.

M/ASL applies to employees who have been elected by the expectant mother/primary adopter:

- as the nominated carer; or
- to employees who have less than 26 weeks continuous service at the 15th week before the EWC;
- in the case of UK adoption employees who have less than 26 weeks continuous service leading into the week in which the adopter is notified of being matched with a child;
- in the case of overseas adoption who have less than 26 weeks continuous service leading to the week in which the child will enter the UK.

Maternity/Adoption Support Leave of one week with normal pay shall be granted to the child's biological parent or the partner or nominated carer of an expectant birth parent at or around the time of birth.

To qualify for maternity/adoption support leave the employee requesting this time will be the main support for the expectant mother primary adopter and/or nominated carer of the child.

If the authority knows that the biological parent/ partner/ co-adopter intends to take their entitlement to M/ASL and/or statutory paternity leave (SPL) then there will be no need for a 'nominated carer'.

(Nominated Carer – there will be a requirement for a supporting letter from the expectant birth parent or primary adopter confirming that the employee has been elected as the nominated carer in the absence of a spouse, partner or co-adopter with parental responsibility).

Your rights during paternity leave

During paternity leave, all the terms and conditions of your contract except normal pay will continue. Your pay will be replaced with enhanced/statutory paternity pay as set out above if you are eligible for it. However, other benefits such as holiday entitlement will continue to accrue and pension contributions will continue to be paid.

Neonatal care leave

You are entitled to take neonatal care leave in addition to paternity leave. If you have already started a period of paternity leave, but subsequently become eligible for neonatal care leave, you can take your neonatal care leave after completing your paternity leave, provided that your neonatal care leave is taken within 68 weeks of your child's birth date.

Further information can be found in our [Neonatal Care Leave](#) policy

Bereaved partner's paternity leave

In the sad event that the child's mother or adopter passes away, you may be entitled to take bereaved partner's paternity leave.

We understand that this will be an extremely difficult time, and we encourage you to contact your line manager for further information about bereaved partner's paternity leave and any additional compassionate support that we may be able to offer.

Returning to work after paternity leave

Following your paternity leave, you generally have the right 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 you not been absent. Your continuity of employment is not affected.

Time off for antenatal appointments

If you have a qualifying relationship with a person who is pregnant, you have a statutory right to take unpaid time off to accompany that person at up to two antenatal appointments.

This could be you if you are the spouse or civil partner of the pregnant person, or you could be living with the pregnant person in an enduring family relationship (and you are not their parent, grandparent, sister, brother, aunt or uncle). In addition, you will be eligible for the time off if you are the biological parent of the expected child.

To make a request for time off to accompany someone to an antenatal appointment, please apply via [My View](#) and your manager will consider and authorise.

The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse. The right to time off work is limited to a maximum of six-and-a-half hours for each appointment.

You should give your line manager as much notice as possible of when you need the time off for the antenatal appointments and, wherever possible, try to arrange them outside your core hours or as near to the start or end of the working day.

Time off to attend adoption appointments

If you are adopting a child jointly, one of you 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 paid time off is not entitled, later on, to take paternity leave in respect of the child.

To make a request for time off to attend an adoption appointment, please apply via [My View](#)

The appointment must have been arranged by or at the request of the adoption agency. The right to time off work is limited to a maximum of six-and-a-half hours for each appointment.

You should give your line manager as much notice as possible of when you need the time off for the adoption appointment and, wherever possible, arrange them outside your core hours or as near to the start or end of the working day as possible.

Data protection

When dealing with paternity leave and pay, we will process any personal data collected in accordance with our [Data Protection](#) guidance and [Privacy Notices](#). In particular, we will record only the personal information required and keep the information only for as long as necessary.

Additional leave

For information on other leave options please refer to the [Shared Parental Leave Policy](#).

For adoption paternity leave please refer to the [Adoption and Surrogacy Leave policy](#) for adoptive parents.

Re-instating lost pension because of unpaid paternity leave

As a member of the Local Government Pension Scheme (LGPS), you are able to reinstate any 'lost pension' arising from a period of unpaid paternity leave by paying additional contributions under an Additional Pension Contribution (APC) arrangement on your return to work. To do so, you will need to make an election to re-instate your lost pension within 30 days of returning to work. Provided you make your election within this period, and the reason for the period of absence is authorised unpaid leave the cost will be shared with the Authority (1/3rd to the member and 2/3^{rds} to the Authority).

However, if your election is made after 30 days of the date on the payslip in which the deduction of unpaid leave is taken, the entire cost will fall with you, as the member.

If you wish to reinstate the lost pension during your period of unpaid paternity leave, you will need to complete an online application form via [online modeller](#) on the Absent from Work page of the Dyfed Pension Fund website. Before accessing the online modeller, you will need to have to hand, the lost pensionable pay for your period of unpaid leave/ industrial action (you will be able to request for this information from payroll by emailing CRPayroll@carmarthenshire.gov.uk) and the date you returned to work.

Please note that you will need to complete all the following details on the online calculator:

Personal Details section – complete all fields 1 – 7 – (information you must have at hand to complete this section are your NI Number and payroll number)

Details for Quote: - complete fields 8, 9, 10, 11 & 12

Field 8 – insert the lost pensionable pay – this will be to amount shown in your payslip for the deduction of the unpaid leave.

Field 9 – insert the reason of absence –click on ‘authorised unpaid leave’ from drop down menu.

Field 10 – section during absence – click on ‘main section’ from down menu (unless you have made an election to contribute under the 50/50 Section of the Scheme)

Field 11 - Last day of absence – insert the last date of unpaid leave taken during the applicable month. If the reason for absence is “authorised unpaid leave”, and you are making the application within 30 days of the date on the payslip in which the deduction of unpaid leave is taken, please click on the box “30-day override” (employer confirmation must be provided).

Field 12 – Method of payment – click on ‘lump sum deduction’ from drop down menu.

Finally click on ‘Get Quote’ to calculate the cost of purchasing lost pension – this will show on the results section on the right-hand side of the page see below:

Lump sum Cost to member before tax relief £ xxx.xx

Please note that you can also choose to buy the lost pension by spreading payment of the additional pension contributions over several complete years, however, you will be required to arrange a medical examination (by a Registered Medical Practitioner) to obtain a certificate at your own expense to certify that you are in ‘reasonably good health’ before your application is accepted.

Having completed the above, if you then wish to proceed with the purchase of your lost pension, please follow the following steps:

Step 1 - you will need to download the online form by ticking the ‘Application’ box, which confirms that the information entered is correct and that you have read and understood the ‘Terms and Conditions’ for your additional pension applications.

Step 2 - click on the ‘submit’ button on the bottom right-hand side of the page. This will transfer the details that you have entered onto a pdf document.

Step 3 - please sign the declaration on this form and email or post it directly to:

CR Payroll (CRPayroll@carmarthenshire.gov.uk) mailbox or post to HR/Payroll, Carmarthenshire County Council. 3 Spilman Street, Carmarthen SA31 1LE

If you do not elect to reinstate your ‘lost pension’, the pension benefits that you have built up within the Scheme Year (1 April to 31 March), in which your period of unpaid

leave falls, will be proportionately less as a result. For further information, please refer to the [Dyfed Pension Fund](#) website.

Abuse of the Paternity Leave policy

Any abuse of the scheme will be dealt in line with the Council's [Disciplinary procedure](#) Examples of abuse include:

- Taking leave for purposes other than those set out in this policy. This will generally be in circumstances where someone other than the employee is taking primary responsibility for the child.
- Making a false statement as to entitlement to paternity leave, for example the relationship with the child or primary adopter.

Ensuring equality of opportunity

Everyone must adopt a positive, open and fair approach and ensure the Authority's [Equality and Diversity Policy](#) is adhered to and applied consistently to all irrespective of race, colour, nationality, ethnic or national origins, language, disability, religion and belief or non-belief, age, sex, gender reassignment, gender identity or expression, sexual orientation, maternity, parental, marital or civil partnership status.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the People Management Team who will, if necessary, ensure the policy/procedure is reviewed accordingly.

If you require this publication in an alternative format, please contact People Services by emailing CHR@cararthenshire.gov.uk