PATERNITY LEAVE, MATERNITY SUPPORT, ADOPTION SUPPORT and NEONATAL CARE LEAVE POLICY

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1. INTRODUCTION

1.1 Moray Council recognises there is a need for staff to balance their domestic and work responsibilities to enhance an employee's work / life balance.

1.2 This policy sets out the statutory rights and responsibilities of employees who wish to take paternity leave, maternity support, adoption support or Neo Natal Care. This policy applies to either the father, partner or nominated carer of the expectant mother or the person taking adoption leave. The nominated carer is the person nominated by the mother or the person taking adoption leave to assist in the care of the child and to provide support to her/him.

2. SCOPE

2.1 The benefits of Paternity Leave, Maternity Support, Adoption Support and Neonatal Care Leave apply to all employees regardless of the number of hours they work, provided the employee can meet the eligibility criteria defined in Section 1.2 above.

2.2 To qualify for statutory paternity leave, the employee must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother or person taking the adoption leave.

2.3 From 5 April 2015, under the Paternity and Adoption (Amendment) Regulations 2014, an employee is not entitled to take Statutory Paternity Leave and Pay if the father has taken any Shared Parental Leave. Shared Parental Leave can be taken after the period of Statutory Paternity Leave and Pay.

2.4 Under the Children and Families Act 2014, fathers have a right from day one of employment to unpaid time off to attend antenatal care, capped at two appointments.

3. LEAVE PROVISIONS AND PAY

3.1 For ease of reference the word Leave is used in the remainder of this document, to refer to Statutory Paternity, Maternity Support and Adoption Support Leave.

3.2 Leave of five (5) days with full normal pay will be granted to the father of the child, or partner/nominated carer of the expectant mother or of someone taking adoption leave at or around the time of birth or placement.

3.3 The father of the child or partner of an expectant mother or of someone taking adoption leave are entitled to a second week's leave.

3.4 Pay during the second week of-Leave will be at the statutory paternity pay rate (current rates can be found at www.direct.gov.uk or www.hmrc.gov.uk), or at a rate equivalent to 90% of the employee's average weekly earnings, whichever figure is less. Employees whose average earnings are below the Lower Earnings Limit for National Insurance Contributions will not qualify for Statutory Paternity Pay. Employees can contact the Payments Section for advice on whether or not they meet this earnings limit.

3.5 Where SPP is not payable, employees may be entitled to Income Support and advice should be sought from Job Centre Plus or Social Security Office.

3.6 The leave can start on any day of the week but must be taken within 12 months of the actual birth/placement of the child(ren). If the child is born early, the leave must be taken within the 12 month period from the actual date of birth

3.7 The 2 weeks paternity leave can be taken as one block of 2 weeks or 2 separate weeks.

3.8 Only one period of leave is available to employees irrespective of whether more than one child is born/placed as a result of the same pregnancy/placement.

3.9 Leave is granted in addition to an employee's normal annual holiday entitlement.

3.10 Partners of adopters are also entitled to one (1) or two (2) weeks' Paternity Leave and Pay, based on the date the child is expected to be placed with the adopters.

4. NOTIFICATION OF LEAVE

4.1 Where an employee wishes to request leave in respect of a birth child, where reasonably practicable, he/she must give his/her line manager 4 weeks written notice of the date on which his/her partner's baby is due. In the case of adoption, employees are asked to inform of their intention to take leave within 7 days of being notified by the adoption agency of a match with a child/children, unless this is not reasonably practicable. In addition, an employee must also state in

writing the length of leave he/she wishes to take and the date on which he/she wishes the leave to commence.

4.2 Completion of either the Paternity, Maternity Support, Adoption Support Leave Form or Neo natal Leave Form ensures that all this information is provided to your manager.

4.3 If an employee wishes to change the timing of the leave, they must give as much notice as possible, in writing where reasonably practical. The employee must also, if so requested, complete and sign a self-certificate declaring that he/she is entitled to leave and statutory paternity pay.

4.4 An employee must notify their line manager, who will inform HR, of the date of the child's birth/placement as soon as practicable after the birth.

4.5 For additional leave following the period of statutory paternity, maternity support, adoption support leave, please refer to the Shared Parental Leave Policy.

5. NEONATAL CARE LEAVE AND PAY

5.1 Along with Maternity, Adoption, Shared Parental Leave you will also be entitled to Neonatal Care Leave. This leave can be used by partners as well as the primary parent.

5.2 If your baby requires care in a neonatal unit for more than 7 consecutive days and within 28 days of their birth you will be entitled to take Neonatal Care Leave up to a maximum of 12 weeks.

5.3 The length of the paid leave will depend on how long your baby is in neonatal care. You will be entitled to take a week’s leave for every week the baby remains in neo-natal care up to 12 weeks.

5.4 Neonatal Care Leave can be taken at the end of your other parental leave entitlements e.g., Maternity, Adoption, or Shared Parental Leave. It can be taken after you have returned to work and doesn’t have to be a single block of leave provided it’s taken within 68 weeks of the birth.

5.5 If you have less than 26 weeks service, you can take up to 12 weeks unpaid leave. If you have more than 26 weeks service, you can take up to 12 weeks paid leave at the statutory rate.

5.6 Where you wish to take Neonatal leave you should notify your manager the proposed dates as soon as possible. You manager may ask you to confirm the dates your baby was in the neonatal care un

For further information relating to the Neo Natal Care Leave and Entitlement please refer to the Maternity Leave Policy.

6. VERSION CONTROL

Date of Creation:	April 2025
Owner (Service):	OD Officer
Reviewer Head of Service:	Head of People, Change & Community Strategy
Approver Executive Director:	Executive Director Finance, Strategy & Transformation
Date Approved:	April 2025
Approver (Committee):	Corporate Committee
Date Approved:	April 2025
Next Review Date:	2029/30

Version History

Version	Date	Author	Changes Made	Approved By
1.0	2025	HR Adviser	Addition of Neonatal care	Corporate Committee
2.0	2026	OD Adviser	Updated to reflect changes to Paternity Leave 6 April 2026	