

Guide to Paternity Leave and Pay (including Bereaved Partners Paternity Leave) – *revised April 2026*

This guide outlines the statutory and contractual rights, and procedures to follow, for employees who wish to take paternity leave, including in adoption situations. It also provides details of some of an employee's post-paternity leave rights, as well as providing details of when an entitlement to Bereaved Partners Paternity Leave may apply.

This guide applies to all employees of the University of Worcester and any of its subsidiaries. References to 'the University' in this guide therefore apply to the University of Worcester or its subsidiaries.

The University recognises that employees may have questions or concerns relating to their paternity rights. Individuals looking to potentially take paternity leave are therefore encouraged to contact the Human Resources team for further advice and support.

Section A – Statutory Paternity Leave and Pay

1. Statutory Paternity Leave

An employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is potentially entitled to two weeks' statutory paternity leave.

Two weeks statutory paternity leave is also potentially available to adoptive and intended surrogate parents where a child is matched or newly placed with them. One of the adoptive or intended surrogate parents may take paternity leave, where the other parent has elected to take adoption leave.

Eligibility:

- From 6th April 2026 onwards, an employee is entitled to statutory paternity leave from their first day of employment. To be eligible for statutory paternity leave they must also:
 - be the baby's biological father or the partner of the mother or main adoptive parent – this includes same-sex couples.
 - be making the request for the specific purpose of caring for a newborn-child or to support the child's mother, or in cases of adoption, for the purpose of caring for a child newly placed for adoption or to support the main adoptive parent.
 - have, or expect to have, responsibility for the upbringing of the child.

2. Notification to take paternity leave

Other than in cases of adoption, an employee must advise their line manager of their intention to take paternity leave by the end of the 15th week before the baby is expected.

On 18 February 2026, a temporary reduced notice period was introduced. This is due to Statutory Paternity Leave becoming a 'day one' right from 6th April 2026 onwards. For parents who will become newly eligible because of the law change, employees can give 28 days' notice, instead of 15 weeks'.

The temporary 28-day notice period applies if:

- the employee will become eligible for paternity leave on 6 April 2026 because of the change in the law;
- the expected due date is between 5 April and 25 July 2026.

If the due date is 26 July 2026 or later, the usual 15-week notice period will apply. Parents who were already eligible for paternity leave before 6 April 2026 must also still give the usual 15 weeks' notice.

In the case of adoption, an employee must give written notice of their intention to take paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency.

In all cases an employee must complete the following online form and then download, sign and send a copy to the University: - <https://www.tax.service.gov.uk/apply-for-statutory-paternity-pay>.

3. Statutory Paternity Pay

An employee meeting the eligibility criteria above is potentially also entitled to two weeks Statutory Paternity Pay. To qualify for Statutory Paternity Pay the employee must have 26 weeks continuous service by the end of the 15th week before the week in which the child is due, or in cases of adoption, have 26 weeks' continuous service ending with the week in which the main adoptive parent (*i.e. the individual who elected to take adoption leave*) is notified of having been matched with the child for adoption.

Statutory Paternity Pay can start from any day of the week in accordance with the date the employee starts their paternity leave.

Statutory Paternity Pay is either paid at the current statutory weekly rate or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than the current statutory weekly rate. For current Statutory Paternity Pay (SPP) rates, please refer to the [Gov.uk website](https://www.gov.uk) for further details. Statutory paternity pay is treated as earnings and is subject to PAYE and national insurance deductions.

An employee whose earnings are below the lower earnings limit for National Insurance purposes does not qualify for Statutory Paternity Pay but may be entitled to other welfare benefits.

4. Contractual paternity leave and pay

For an employee with 26 weeks continuous service by the end of the 15th week before the week in which the child is due, or in cases of adoption, have 26 weeks' continuous service ending with the week in which the main adoptive parent (*i.e. the individual who elected to take adoption leave*) is notified of having been matched with the child for adoption, they are entitled to 2 weeks contractual paternity leave:

- 1 week paid at full pay, and
- 1 week paid at Statutory Paternity Pay (SPP).

Employees with less than the required 26 weeks service as outlined above are entitled to:

- 1 week's paternity leave paid at full pay

5. Earliest start date of paternity leave

Paternity leave can commence from the date of the baby's birth, or any day of the week following birth. Paternity leave must be taken in a single block of one or two weeks. If the baby is born earlier than expected, then the leave must be completed within the period from the actual date of birth up to 56 days/approx. 8 weeks after the expected date of birth.

In **cases of adoption or surrogacy**, paternity leave can start as early as:

- the date of placement
- the date the child arrives in the UK (if adopting from overseas)
- the date the child's born (or the day after if you're working that day) if you're a surrogate parent
- a date you choose which falls after the date of birth or placement

Your leave must end within 52 weeks of the date when the child is due:

- to be placed with you; or
- to arrive in the UK (if adopting from overseas)

In **cases of Shared Parental Leave**, an employee who is entitled to Shared Parental Leave can also take paternity leave however the period of paternity leave must come first.

Whilst it is not normally permissible to do so, in accordance with the Paternity Leave (Bereavement) Act 2024, from 29th December 2025 onwards and only in such circumstances where the mother or main adoptive parent of a child sadly dies either during childbirth or within the first year following birth or adoption, the paternity leave can instead be taken after the shared parental leave. Please see Section B - Bereaved Partners Paternity Leave for further details.

6. Changing the start of paternity leave after giving notice

An employee can do this so long as they give at least 28 days' notice before the new leave date. However, in cases where a baby is born prematurely, and notice is not possible, then every reasonable effort will be made to accommodate such amended requests.

7. Time Off for antenatal care

Employees have the right to take time off to accompany a pregnant woman with whom they are having a child at up to two antenatal appointments. To be eligible to take this form of time off, the employee must be either the:

- husband or civil partner of the pregnant woman, or
- biological father of the expected child, or
- be living with the pregnant woman in an enduring family relationship

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

The university expects that generally no more than half a day is needed for an antenatal appointment, but the time off includes the time needed to travel to and from the appointment and any waiting time needed at the appointment.

To request time off to accompany someone at an antenatal appointment, employees are required to contact their line manager, confirming that they are eligible to take this form of time off work. They should aim to give their line manager as much notice as possible of when they need time off for the appointment and, where possible, try to organise it as near to the start or end of their working day.

8. Time off to attend adoption appointments – also see Adoption leave and pay guide

Employees who are adopting a child are entitled to take time off to attend adoption appointments. Where an employee is part of a couple jointly adopting a child, the couple can elect for one of them to take paid time off to attend up to five adoption appointments. The other can elect to take unpaid time off to attend up to two adoption appointments. The time off must be taken before the date of the child's placement for adoption.

The purpose of the appointment is to enable the employee to have contact with the child, to bond with them before the placement, or for other reasons connected with the adoption, e.g. to meet with professionals involved in the care of the child.

The appointment must have been arranged by or at the request of the adoption agency. The employee will need to provide the university with proof of the date and time of the first appointment and that the appointment has been arranged by or at the request of the adoption agency, e.g. letter or email from the adoption agency.

9. Rights during and after Paternity Leave

During the period of paternity leave, the employee's contract of employment continues and they are entitled to receive all their contractual benefits, except normal salary. Contractual annual leave entitlement will also continue to accrue.

On resuming work after paternity leave an employee is entitled to: -

- return to the same job
- return to the same terms and conditions of employment
- not be subjected to a disadvantage, unfair treatment or dismissal

10. University Closed Days and/or public holidays occurring during paid paternity leave

An employee will be given additional days of leave, pro rata if the employee is part time, for any University Closed Days and/or public holidays that occur during their statutory paternity leave. These days of leave will be added to an employee's annual leave for the year in which they return to work and can be booked through the normal system of requesting leave with their line manager.

11. Increments and Pay Awards during paternity leave

Any increments and pay awards that become effective during an employee's paternity leave period will be actioned within the month they become effective, or if this is not practicable then as soon as reasonably possible.

12. Pension during paternity

Local Government Pension Scheme

An employee's pension contributions will be deducted at the normal contribution rate during paid paternity leave, calculated on the actual earnings received. Employer contributions will be paid at the normal contribution rate based on normal full pay usually received. For any periods of unpaid paternity leave, both employee and employer contributions will cease.

Teachers' Pensions Scheme

An employee's pension contributions will continue to be deducted at the normal contribution rate during paid paternity leave, both employee and employer contributions will be calculated on the actual earnings received. During any period of unpaid paternity leave, both the employee's and employer's contributions will cease.

Aviva Pension Scheme

An employee's pension contributions will continue to be deducted at the normal contribution rate during paid paternity leave, calculated on the actual earnings received. Employer contributions will be paid at the normal contribution rate based on normal full pay received

before paternity leave. For any periods of unpaid paternity leave, both employee and employer contributions will cease.

Section B - Bereaved Partner's Paternity Leave

1. Entitlement and Eligibility

From April 2026 onwards, eligible employees will also have a 'day one right' to take up to 52 weeks of unpaid Bereaved Partner's Paternity Leave (BPPL) where the child's 'primary carer' dies on or after 6th April 2026 and within 52 weeks of their child's birth or adoption placement. A child's primary carer usually includes the child's mother (in a birth case) or the child's main adoptive parent.

To be eligible for BPPL, the employee must be the child's father or (immediately before the death of the child's mother) have been married to, or the civil partner or partner of, the child's mother or main adoptive parent. The purpose of the Bereaved Partner's Paternity Leave must be for the purpose of caring for the child.

The period of eligibility to take BPPL is, in the majority of cases, a single period of unpaid leave that must be taken within 52 weeks of: the date of the child's birth, the date of the child's adoption placement, or (for overseas adoptions) the date of the child's entry to Great Britain. However, if the date on which the child's primary carer dies is less than 14 days before the end of the 52 weeks (the eligibility period), then the BPPL eligibility period ends 14 days after the bereavement date.

During the period of BPPL, the employee's contract of employment continues and therefore the employee is entitled to benefit from all terms and conditions (had they not be on BPPL) apart from remuneration.

2. Giving notice and starting Bereaved Partners Paternity Leave

The employee should tell their line manager as soon as they can. In the first instance and if necessary, a friend or family member could notify the line manager of the death, however, formal notice to take leave must come from the employee themselves.

If it's less than 8 weeks since the child's primary carer died:

- the leave can start straight away if needed;
- the employee (or their friend or family member) can tell their line manager verbally (in the first instance) or in writing (for example a letter or email); and,
- the employee (or their friend or family member) must tell their line manager before they were originally due to start work that day.

If the notice is given verbally in the first instance, the line manager should confirm this in writing back to the employee.

If it's more than 8 weeks since the child's primary carer died:

- the employee must give at least 1 weeks' notice before they start the leave; and,
- they must tell their line manager in writing.

3. What information needs to be provided by the employee

Even if the notice is given verbally in the first instance, the employee must subsequently confirm in writing to their line manager:

- the date their partner died;

- the date they will start (or did start if subsequently confirming in writing) bereaved partner's paternity leave; and,
- *for birth and surrogacy* – the date of the child's birth.
- *for UK adoptions* – the date the adoption placement started.
- *for overseas adoptions* – the date the child entered Great Britain.

If it's less than 8 weeks since the death, they must also say how much leave they're taking. They do not need to do this straight away, however, they must confirm this in writing within 8 weeks of their leave commencing or at least a week before their return date (whichever is the earliest).

If it's more than 8 weeks since the child's primary carer died, they must also confirm in writing:

- their relationship with the child;
- that they have cared for or intend to care for the child; and,
- the date they plan to return to work

4. Adding BPPL to other types of leave

If an employee is entitled to other types of leave, they could add Bereaved Partners Paternity Leave to it. They can add it before or after the other leave. Other types of leave they may be entitled to are: -

- Statutory Paternity Leave
- Shared Parental Leave
- Parental Leave
- Neonatal Care Leave

5. Changing or cancelling BPPL

To change the start date:

- if it's less than 8 weeks after the primary carer's death – the employee should tell their line manager the new start date either verbally or in writing
- if it's more than 8 weeks after the primary carer's death – they must tell their employer in writing, and give at least 1 weeks' notice before the new start date

To change the return date, the employee must give their line manager:

- at least 1 weeks' notice in writing - if it's less than 8 weeks since the death
- at least 8 weeks' notice in writing - if it's more than 8 weeks since the death

The relevant amount of notice must be given before both the old return date and the new return date.

If someone does not give the correct notice, the line manager could let the employee return to work anyway or, if that is not practicable for any reason (e.g. notice may be required to be given to any temporary cover first), the line manager is allowed to:

- postpone the employee's return; and,
- ask them to give the correct amount of notice - they must tell the employee the new return date in writing.

However:

- a line manager cannot delay someone's return beyond the time they're eligible for the leave.

To cancel the leave before it commences, the employee must tell their line manager in writing before the leave is due to start. They must give at least 1 weeks' notice if the agreed

start date is more than 8 weeks after the death.

6. If the child also dies or an adoption ends following the primary carer's death

A father or partner who would have been entitled to Bereaved Partner's Paternity Leave, but who has not yet taken such leave, can still take up to 8 weeks if:

- their child also dies
- their adoption placement ends – for example the child is returned to the adoption agency.
- there's a problem with their parental order for surrogacy and there's no time to appeal or reapply – for example they do not apply in time, or their parental order is refused or withdrawn.

7. Keep in touch days during BPPL

During a period of BPPL, an employee may carry out up to ten days of work for the employer, without bringing the BPPL to an end; any work carried out on any day will constitute a day's work, even where this does not constitute a full day's work (similar to 'keeping in touch days' and maternity or adoption leave).