

Paternity Guidance



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Feb 2026 Version 3	Paternity leave increased from 2 weeks to 4 weeks with changes to the pay provisions. Reasonable paid time off to attend ante-natal appointments as the supporting partner, in place of unpaid leave. Option to now take paternity leave after shared parental leave. Updated introduction section to ensure clarity on purpose, application and scope, and responsibilities. New Further Information and Support Section.

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SECTION 1: INTRODUCTION

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, to seek support when needed, and to make a successful transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful and kind, enabling teams to thrive.

The purpose of this guidance is to provide managers and employees with relevant information on paternity leave, including details on the available provisions, any eligibility criteria and application requirements.

Core to this guidance is that no employee will be adversely treated in the workplace due to them taking paternity leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

It does not apply to other workers, such as casual/relief workers, self-employed, contractors or agency workers. Workers should check the government website to see if they may be eligible for Statutory Paternity Pay.

This guidance incorporates relevant national and local conditions of service and legislation, and accounts for the Paternity Leave (amendment) Regulations 2024 which came into force on 8 March 2024 and applies to babies born after 7 April 2024. This guidance is applicable from the date of implementation.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request paternity leave. This includes sharing details of the Council's Employee Assistance Programme and Mental Health and Wellbeing Support.

Managers will treat information relating to an employee's paternity leave and pay with respect and confidentiality.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take paternity leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

Employees are expected to:

- ensure that they meet any criteria required before requesting paternity leave. It is recommended for employees to talk informally with their manager as soon as possible about how and when they will take the leave.
- provide their line manager with as much notice as possible of any time off request(s) providing appropriate evidence of the appointment(s).

SECTION 2: BEFORE PATERNITY LEAVE

This guidance applies to employees who are:

- in the case of births, the father or civil partner or partner (partner means a person of either sex who lives with the mother in an enduring family relationship but is not her parent, grandparent, sibling, uncle or aunt) or nominated carer of the expectant mother
- in the case of adoptions, the spouse or civil partner or partner of the primary adopter
- in the case of surrogacy arrangements, see surrogacy – [Paternity leave and pay – ACAS](#).

Time off for ante-natal appointments

Employees are able to take reasonable time off to attend ante-natal care appointments regardless of their length of service or hours of work, and taking into account the complexities of the pregnancy. After the first antenatal appointment the employee may be asked to provide evidence of the appointments to their line manager e.g. an appointment card or an email confirming a class booking. As much notice as possible should be provided, and preferably the appointments should be arranged for the start or end of the working day. Time for ante-natal care can vary in length for appointments, managers should approve leave off for appointments as appropriate, e.g. hours rather than half days. If the employee exercises their right to take time off to attend antenatal appointments, they have protection against unfair treatment, discrimination or dismissal.

SECTION 3: PATERNITY LEAVE AND PAY

Entitlement

Paternity leave applies to all employees (except casual and relief workers) of the Council, irrespective of hours of work and length of service.

Employees are entitled to only one allowance of paternity leave irrespective of whether the expectant mother/birth parent is expecting more than one baby or more than one baby through a surrogacy arrangement or more than one child is being placed for adoption.

Paternity leave is available to a baby's father, or the partner or nominated carer of an expectant mother/birth parent at or around the time of the birth. For adoption or surrogacy paternity leave is available to the adopter's or surrogacy parent's spouse or partner who must have or expect to have responsibility for the child's upbringing.

For paternity leave for surrogacy the intended parent must intend to apply for a parental order in the 6 months after the baby's birth and expect it to be granted.

The baby's father, or partner or nominated carer of the expectant mother / birth parent or adoptive or surrogacy parent must be an employee of the Council and only one of the foregoing may be granted paternity leave in relation to any one pregnancy/adoption/surrogacy arrangement.

A partner is someone who lives with the mother/birth parent/primary adopter/surrogacy parent of the baby in an enduring family relationship but is not an immediate relative.

If an employee applies for paternity leave on the basis of being a 'nominated carer' (in the case of births) then they require to detail on the request form why they have been chosen by the mother/birth parent to fulfil this role including details as to why the father/partner is unable to provide such support.

A nominated carer is a person nominated by the mother/birth parent to assist in the care of the baby and to provide support to the mother/birth parent at or around the time of the birth (assuming the father or mother's partner is unable to undertake the role).

Taking Paternity Leave

Employees will be able to take up to 4 weeks paternity leave. This leave can be taken in either blocks of one week or multiple weeks rather than solely a single continuous period of 4 weeks leave. Please note this leave cannot be taken as singular days off.

Paternity leave can be taken at any time in the first 52 weeks after the birth or the date the adoption placement starts or the date the child enters Great Britain if an overseas adoption. Paternity leave cannot start before the birth.

If an employee requests time off to attend the birth/surrogacy birth, this time off will not be regarded as part of the paternity leave period. Instead, time off to attend the birth will be granted for up to a period of 24 hours and will be classed as special leave.

Employees can change their mind about the date on which they want their leave to start, provided they tell their line manager at least 28 days in advance, or as soon as reasonably practicable.

If the baby is born early, employees can take paternity leave from the date the baby is born. The leave must end within 52 weeks of the start of the week the baby was due. Employees should notify their line manager of the change of date so they can notify People Services.

If the baby is born late, the employee must tell their line manager the new date they are starting their paternity leave as soon as reasonably practicable. The line manager will notify People Services of the change.

If there is a stillbirth or the baby only lives for a short time, it might be difficult for the employee to notify their line manager. In this instance, the employee can arrange for someone else to inform their line manager on their behalf, for example a family member or friend.

Line managers will offer support to the employee and their family during this time, and when the employee is ready, they can talk about what time off they think they will need.

The employees paternity rights will still apply if the baby:

- is stillborn after 24 weeks of pregnancy
- is born alive at any stage of the pregnancy but only lives for a short time

Employees can take paternity leave:

- at the time it was planned for – if they had already booked the leave before the baby died
- within 8 weeks of the baby's death – if they had not already booked paternity leave

Employees are also eligible for parental bereavement leave and pay if the baby dies or is stillborn, and have the right to take this after they finish their paternity leave (please refer to the Family Leave Policy for more details).

If an adoption is 'disrupted', meaning it does not go ahead, perhaps due to the child having to return to the adoption agency or foster care, or has passed away, the Council will continue to pay paternity pay. Experiencing a disrupted adoption can be very upsetting and it may be difficult for the employee to notify their line manager. In this instance, the employee can arrange for someone else to inform their line manager on their behalf, for example a family member or friend.

Line managers will offer support to the employee and their family during this time, and when the employee is ready, they can talk about what time off they think they will need.

Paternity pay

Employees are entitled to paternity pay for the 4 week's leave as follows:

- The first two weeks of paternity leave is paid at the normal contractual rate of pay for the job.
- Week 3 and 4 of paternity leave the employee will be paid at 90% of their average weekly earnings.

The definition of 'average weekly earnings' for the purpose of Paternity Pay is the gross average of all payments made to the employee in the 8 week period up to and including the last pay day before the end of the 15th week before the expected week of childbirth.

Employees are not entitled to payment in lieu if they only elect to take some of their paternity leave.

Notifying intent and applying for Paternity Leave

The notification requirements for paternity leave for births, UK adoption, overseas adoption and surrogacy vary.

The employee should submit their notification of intention to take paternity leave in writing, to their line manager, using the notification for paternity leave form (see Appendix 1) applicable to their specific situation, and to enable the service to plan for their period of leave:

For births: the employee must complete and submit the notification form (Appendix 1) to their line manager by the end of the 15th week ('qualifying week') before the expected week of childbirth.

They are required to inform:

- that they are having a baby
- that they plan to take paternity leave
- of the expected week of childbirth

The line manager will acknowledge receipt of their submitted form. For each period of leave the employee wishes to take they must provide at least 28 days' notice and can apply using Appendix 5.

For UK adoptions: The employee must complete and submit the notification form (Appendix 2) to their line manager within 7 days of being notified by the adoption agency that they have been matched with a child, and within 28 days provide documentary evidence of the adoption where requested e.g. copy of Matching

Certificate or other appropriate documentary evidence confirming the match such as a letter from the adoption agency.

They are required to inform:

- the date they were notified of being matched with the child
- when they expect the placement to start, or when it started if it's already started
- if they have, or expect to have, responsibility for bringing up the child
- if they are married to, the civil partner or partner of the child's main adopter

For each period of paternity leave the employee wishes to take, they must confirm: the date they want the period of leave to start and how long it will last confirmation in writing that the purpose of the leave is to care for the child or the child's main adopter, or both

For overseas adoptions: The employee must complete and submit the notification form (Appendix 3) to their line manager within 28 days of either the date of the official notification of adoption or the date the employee completes 26 weeks of working for the Council – whichever of these dates is later.

They are required to inform:

- the date the child's main adopter received an official notification of the adoption
- the date the child is expected to enter Great Britain, or if they have already entered Great Britain, the date they entered
- if they have, or expect to have, responsibility for bringing up the child
- if they are married to, the civil partner or partner of the child's main adopter
- if the child's main adopter has received an official notification of the adoption

For each period of paternity leave the employee wishes to take, they must confirm the following and provide at least 28 days' notice (Appendix 4):

- the date they want the period of leave to start and how long it will last
- confirmation in writing that the purpose of the leave is to care for the child or child's main adopter, or both

For surrogacy: The employee must complete and submit the notification form (Appendix 4) to their line manager by the end of the 15th week ('qualifying week') before the expected week of childbirth (or as soon as reasonably practicable).

The employee will be required to provide either a copy of a statutory declaration from a solicitor confirming the intention to apply for a parental order or a copy a parental order granted by the Court and their application form.

They are required to inform:

- that they have, or expect to have, responsibility for bringing up the child
- that they are married to, the civil partner or partner of the other intended parent
- that they and the other intended parent are parental order parents of the child

For each period of leave the employee wishes to take they must confirm the following and provide at least 28 days' notice (Appendix 5):

- the date they want the period of leave to start and how long it will last
- confirmation in writing that the purpose of the leave is to care for the child or the child's other intended parent, or both

Parental leave and shared parental leave

In addition to paternity leave, under the Shared Parental Leave provisions, if eligible, employees can choose to share a period of leave and pay with their partner/support person after the birth, placement of the child or surrogacy birth. The mother/birth parent (births) or adopting parent (adoptions and surrogacy) would require to end/curtail their maternity/adoption leave and/or pay at a future date and share the untaken balance of leave and pay with their partner or return to work early from maternity/adoption leave and opt into Shared Parental Leave and pay at a later date.

Preferably the 4 weeks of paternity leave and pay should be taken prior to any periods of Shared Parental Leave, however, the Council does provide for this to be taken after, in agreement with the line manager.

Please refer to the Shared Parental Leave Guidance for full details.

Contractual conditions

During paternity leave all contractual conditions of employment will continue.

The employee will normally return to the same job that they had before going on paternity leave. However, if this is not possible due to exceptional circumstances (e.g. redundancy or reorganisation), the employee will be offered a suitable alternative post with comparable duties, terms and conditions, pay and location where such a vacancy exists, and supported in accordance with the Council's Redeployment procedure.

Local Government Pension Scheme (LGPS) pension contributions

Where applicable, pension contributions will continue to be payable during the period of paternity leave on the actual pay received, with pension service counted as normal.

SECTION 4: FURTHER INFORMATION AND SUPPORT

Support and advice

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.
- [Tax-Free Childcare](#) - Employees who wish to find out more about joining a Childcare Scheme can look into the Government's Tax-Free Childcare (TFCC).

External support

- GOV.UK: Paternity pay and leave
- ACAS: Paternity leave rights
- Shared Parental Leave Guide: GOV.UK SPL
- Maternity Action: Rights at work for fathers and partners including same sex partners
- NHS: Maternity and paternity benefits and leave - NHS

Links to other related policies and guidance

- Family Leave Policy
- Adoption Leave Guidance
- Career Break Policy
- Employee Assistance Programme
- Flexible Working Guidance
- Flexible Working Policy
- Maternity Leave Guidance
- Mental Health and Wellbeing Support
- Parental Leave Guidance
- Special Leave Policy

- Support Attendance and Wellbeing Policy
- Supporting Carers in the Workplace Guidance
- The Family Leave Planning Toolkit

Further Advice

For advice and guidance on the application of this guidance please contact People Services - askhr@aberdeencity.gov.uk.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

SECTION 4: APPENDICES

Appendix 1: Notification of Paternity Leave – For Births

You are required to give notification to your line manager of your intention to take paternity leave by the end of the 15th week before the baby is expected so that the Service can begin to plan for your period of leave.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date expected week of child birth	
I am the child's father	YES / NO
I am married to, the civil partner or partner of the mother or birth parent	YES / NO

I will inform my line manager of the actual date(s) I wish to start my paternity leave 28 days prior to the expected period of leave by submission of the appropriate 'Application for Paternity Leave' form.

SIGNED:

DATE:

Appendix 2: Notification and Application of Paternity Leave – UK Adoption

You are required to give notification to your line manager of your intention to take paternity leave within 7 days of being notified that you have been matched with a child, or as soon as is reasonably practicable, so that the Service can begin to plan for your period of leave. You are also required to give notification at this time as to when you wish to take paternity leave.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date notified of being matched to a child	
The expected date for placement to start, or when it has started if its already started	
I have, or expect to have responsibility for bringing up the child	YES / NO
Relationship to the partner of the child's main adopter (married to/civil partner/partner)	
Reason for leave (care for the child or the child's main adopter, or both)	

I wish to take paternity leave on the following dates (please note paternity leave can be taken in separate complete 1 week blocks or in multiple weeks up to a maximum of 4):

Week One	
Week Two	
Week Three	
Week Four	

SIGNED:

DATE:

Appendix 3: Notification of Paternity Leave – Overseas Adoption

You are required to give notification to your line manager of your intention to take paternity leave within 28 days of the date of the official notification of the adoption.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date received official notification of adoption	
Date child is expected to enter Great Britain or the date they entered	
I have, or expect to have responsibility for bringing up the child	YES / NO
Relationship to the partner of the child's main adopter (married to/civil partner/partner)	
The main adopter has received an official notification of the adoption	YES / NO

I will inform my line manager of the actual date(s) I wish to start my paternity leave 28 days prior to the expected period of leave by submission of the appropriate 'Application for Paternity Leave' form.

SIGNED:

DATE:

Appendix 4: Notification of Paternity Leave – For Surrogacy

You are required to give notification to your line manager of your intention to take paternity leave by the end of the 15th week before the baby is expected, so that the Service can begin to plan for your period of leave.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date expected week of child birth	
I have or expect to have responsibility for bringing up the child	YES / NO
I am married to, the civil partner or partner of the mother or birth parent	YES / NO
I and the other intended parent are parental order parents of the child	YES / NO

I will inform my line manager of the actual date(s) I wish to start my paternity leave 28 days prior to the expected period of leave by submission of the appropriate 'Application for Paternity Leave' form.

SIGNED:

DATE:

Appendix 5: Application for Paternity Leave

(Please read the Paternity Guidance before completing this application)

Regardless of the length of an employee's service or hours of work, paternity leave with pay will be made available to a baby's father, or the partner or nominated carer * of an expectant mother / birth parent at or around the time of the birth/adoption placement/surrogacy birth (whichever applies).

This application should be submitted to your line manager for each period of paternity leave you would like to take, providing at least 28 days' notice.

NB * a nominated carer is a person nominated by the mother/birth parent to assist in the care of the baby and to provide support to the mother/birth parent at or around the time of the birth (assuming the father or mother's/birth parents partner is unable to undertake the role).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to take paternity leave on the following dates (please note paternity leave can be taken in separate complete 1 week blocks or in multiple weeks up to a maximum of 4):

Week One	
Week Two	
Week Three	
Week Four	

2. RELATIONSHIP DETAILS

I am (please tick the relevant option):

the child's father	
married to, the civil partner or partner of the mother or birth parent – this includes same-sex partners	
the partner of the expectant mother / birth parent	
the primary adopter's partner	
a surrogacy parent	
the nominated carer of the expectant mother / birth parent *	

(* If you are the nominated carer, provide reasons as to why you have been chosen detailing why the father/primary support person is unable to provide such support.)

3. DECLARATION AND SIGNATURE

If applying as the father or partner of the expectant mother/birth parent:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned mother/birth parent within 52 weeks of the date of birth and to assist in the care of the baby and will have responsibility for the child's upbringing.

Signed:

Date:

If applying as the nominated carer:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned mother/birth parent within 52 weeks of the date of birth and to assist in the care of the baby and I confirm that I will have sole responsibility for paternity care.

Signed:

Date:

If applying as the primary adopter's partner:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned adoptive parent within 52 weeks of the child's placement to assist in the care of the child and I confirm that I will have sole responsibility for paternity care. I submit either a copy of a letter from the adoption agency or the matching certificate

Signed:

Date:

If applying as a surrogacy parent:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned surrogacy parent within 52 weeks of the surrogacy birth to assist in the care of the baby and I confirm that I will have sole responsibility for paternity care. I submit either a copy of a statutory declaration from a solicitor or a parental order

Signed:

Date:

Appendix 6: Confirmation of Paternity Leave Letter

PERSONAL
(Employee Name)
(Job Title)
(Cluster)
(Function)
(Location)

Dear (Employee Name)

PATERNITY LEAVE (FOR BIRTH/ADOPTION/SURROGACY ARRANGEMENT PURPOSES)* (*delete as appropriate)

I acknowledge receipt of your application for paternity leave in accordance with the Council's Paternity Guidance.

I confirm that you are granted paternity leave from your post of (job title) to be taken as follows:

Week One	
Week Two	
Week Three	
Week Four	

You will receive your salary and other conditions of service as normal whilst you are on paternity leave / You will receive Statutory Paternity Pay as well as your other conditions of service during the period of your paternity leave. (delete as appropriate, see the Paternity Guidance).

Yours sincerely

HR Service Centre

c.c. Personal File
Payroll Section – for information

Appendix 7: Paternity leave and pay entitlement Summary - What employees need to know

What is Paternity Leave?

Paternity leave is time off work for a father, partner, or nominated carer, or spouse/partner of the adopter or surrogacy parent to care for a new child.



During this leave, you keep your job rights and get full pay.

How much leave can you take?



Employees can take one, two, three or four weeks of leave, which can be taken together or separately



How much pay will I receive?

Employees will receive their usual salary and conditions of service

during paternity leave

Notification requirements

Births: Notify by the end of the 15th week before your baby is due, using the correct form. Give at least 28 days' notice before each period of leave.

UK Adoption: Notify within 7 days of match notification and provide documentary evidence within 28 days. Specify intended leave dates and reasons.

Overseas Adoption: Notify within 28 days of official adoption notification or after 26 weeks of service, whichever is later. Provide intended leave dates and reasons with 28 days' notice.

Surrogacy: Notify by the end of the 15th week before expected birth. Provide statutory declaration or parental order and intended leave dates with 28 days' notice.

Who can take Paternity Leave?

Father
Partner
nominated carer
or spouse/partner of adopter or surrogacy parent

Key Points
The leave is a day-one right



NB. Applies to all employees excluding those covered by SNCT terms.

When can you take the leave?

Within the first 52 weeks following the birth, adoption placement, or child's entry into Great Britain (for overseas adoption).



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Other conditions

Entitled to one allowance of paternity leave per pregnancy/adoption/surrogacy event, regardless of multiples.

Employees can take unpaid time off for up to two antenatal, pre-adoption or surrogacy appointments, each lasting up to 6.5 hours, and are protected from unfair treatment.

