



PATERNITY, NON-PREGNANT PARENT AND CO-ADOPTER POLICY FOR EMPLOYEES

Document history

| Notes of changes | Version No. | Date of approval and adoption |
|--|-------------|-------------------------------|
| Paternity, Non-Pregnant Parent and Co-Adopter Policy | 1.0 | 06 December 2023 |
| Revised – Changed to reflect new amount for Statutory Paternity Pay | 2.0 | 05 April 2025 |
| Revised – Changed to reflect new amount for Statutory Paternity Pay and day one entitlement to leave | 3.0 | 11 April 2026 |

THIS PATERNITY, NON-PREGNANT PARENT AND CO-ADOPTER POLICY FOR EMPLOYEES IS PUBLISHED AS APPROVED BY CUMBRIA ASSOCIATION OF LOCAL COUNCILS IN APRIL 2026



Scope

This policy sets out the entitlements to leave and pay for fathers, partners of pregnant parents and Co-Adopters.

Introduction

CALC recognise that some of our employees may not identify with the term 'paternity', so we have added the term 'non-pregnant parent' into this policy to ensure inclusivity for our LGBTQ+ parents. CALC recognises that in a couple adopting or having a child through surrogacy, either partner could be the Co-Adopter.

There are some important things that an employee needs to know and do to help us make all the arrangements for their Paternity/Non-pregnant Parent/Co-Adopter Leave and pay.

Paternity/Non-pregnant Parent/Co-Adopter Leave

Eligibility

This policy will apply to an employee from day one of their employment if:

- are either the biological father of the child// or partner of the pregnant parent

or:

- the employee and their partner are adopting a child, or having a child through a surrogacy arrangement, and the employee is the Co-Adopter (see Adoption and Surrogacy Policy for more details), and

An employee can only take one period of Paternity/Non-pregnant Parent/Co-Adopter Leave for each pregnancy or adoption placement, even if more than one child is born or placed with them for adoption. However, they may have the right to take unpaid Parental Leave in addition, see CALC's parental leave policy.

If the employee and their partner/baby's pregnant parent are eligible, they might want to take Shared Parental Leave. This allows the employee to share their partners'/baby's pregnant parent leave and pay entitlement during the first year. Just so it's clear, an employee can't take Paternity/Non-pregnant Parent/Co-Adopter Leave if they have already taken any periods of Shared Parental Leave for this pregnancy or adoption placement. But taking Paternity/Non-pregnant Parent/Co-Adopter Leave won't stop an employee from taking Shared Parental Leave later for the same pregnancy or adoption. See the Shared Parental Leave policy for more details.



Taking leave

An employee can take Paternity/ Non-pregnant Parent/Co-Adopter Leave either as one single week or as two consecutive weeks – but not as two separate weeks.

It can be started on any day of the week after the child is born, or for Co-Adopters, when the adoption/fostering to adopt/concurrent planning placement starts.

If adopting through fostering to adopt/concurrent planning, an employee can delay it until their adoption placement order is granted.

The employee's leave must finish within 56 days, or eight weeks, of their child's birth, or placement with them (or if adopting through fostering to adopt/concurrent planning, within 56 days, or eight weeks of the adoption placement order. If the employee works part-time, they will get Paternity/Non-pregnant Parent/Co-Adopter Leave on a pro-rata basis.

If an employee wants to take Paternity/Non-pregnant Parent /Co-Adopter Leave, talk to the Chief Officer as soon as you can and no later than 28 days before the expected week of birth or seven days after being told that they have been matched with a child for adoption/notified of a fostering to adopt placement. Tell the Chief Officer when the Paternity/Non-pregnant Parent/Co-Adopter Leave is going to start and how much leave will be taken (one week or two weeks).

You'll need to complete an Application for Paternity Leave form, If you want to change your plans please try to give the Chief Officer as much notice as you can, ideally 28 days.

Paternity/Non-pregnant Parent/Co-Adopter pay and eligibility

CALC pay Statutory Paternity Pay

The statutory weekly rate of Paternity Pay is £194.32, or 90% of the employees average weekly earnings (whichever is lower).

Any money is paid in the same way as the employees wages, with tax and National Insurance being deducted.

The employee must be taking time off to look after the child and be one of the following:

- the father
- the husband or partner of the mother (or adopter) - this includes same-sex partners
- the child's adopter



- the intended parent (if the employee is having a baby through a surrogacy arrangement)

An employee cannot get Paternity Pay and Leave if they have taken paid time off to attend adoption appointments.

To qualify for Statutory Paternity Pay An employee must:

- meet the criteria above to qualify for Paternity/Non-pregnant Parent/ Co-Adopter Leave
- be employed by CALC on the date the child is born or placed for adoption, including through a fostering to adopt placement
- be earning an average of at least £129 a week
- have not already taken any period of Shared Parental Leave for this pregnancy or adoption placement
- have been continuously employed for at least 26 weeks up to any day in the 'qualifying week'. The 'qualifying week' is the 15th week before the baby is due

Antenatal care and pre-adoption appointments

CALC know it's important for an employee to go to antenatal or pre-adoption appointments with their partner.

An employee can take time off work to go to two antenatal appointments if:

- they are the father of the child
- they are the partner of a pregnant parent
- they will become a parent through a surrogacy arrangement (and intend to apply for a Parental Order)

These include medical appointments, relaxation and parentcraft classes which have been recommended or made on the advice of a GP, midwife, or nurse.

If an employee is adopting a child and are the Co-adopter, they can take time off work to go to two adoption appointments. These are appointments made by the adoption agency or Local Authority relating to a child being placed for adoption or for a Fostering for Adoption placement.

Try to give the Chief Officer as much notice of an appointments as possible. An employee can take up to 6.5 hours' leave for each appointment, including travelling, waiting and attendance time, but CALC expect that most appointments won't last more than half a day. Although this time off is unpaid, CALC will do our best to limit the effect wherever we can, like agreeing for the employee to use TOIL to make up the time where it's possible or annual leave.



Holidays

An employees holiday entitlement including bank holidays will continue to accrue while you're on Paternity/Non-pregnant Parent/Co-Adopter Leave. Note that once an employee is back at work, the normal arrangements for carrying holiday forward will apply.