

# Paternity leave

IF YOUR PARTNER is expecting a child (or your partner is adopting a child) then you may be eligible for paternity leave and pay.

Paternity Leave is an allowance to help you care for your child and the child's mother. You can choose to take either one or two consecutive weeks of paternity leave, but not an odd number of days. A week is the same amount of days that you normally work in a week, eg if you only work on Mondays and Tuesdays a week is 2 days.

To qualify for Paternity Leave you must be:

- employed by your employer for at least 26 weeks ending with the 15th week before the expected week of birth or ending with the week in which the adopter is notified of having been matched with the child;
- an employee (rather than, for example, a contractor);
- the father
- the husband or partner of the mother (or adopter)
- the child's adopter
- the intended parent (if you're having a baby through a surrogacy arrangement)

To be eligible for paternity leave it's important you inform your employer of your plans, and give them the correct amount of notice before your leave period begins. You should inform your employer, in writing, 15 weeks before the week the baby is due, or within seven days of being notified of being matched with a child by the adoption agency.

- Leave can't start before the birth. It must end within 56 days of the birth.
- You must give your employer 28 days' notice if you want to change your start date.
- You don't have to give a precise date when you want to take leave. Instead you can give the general time, eg the day of the birth or 1 week after the birth.

## Legal disclaimer

The information contained within this article is not a complete or final statement of the law.

While Derbyshire UNISON has sought to ensure that the information is accurate and up to date, it is not responsible and will not be held liable for any inaccuracies and their consequences, including any loss arising from relying on this information.

If you are a Derbyshire UNISON member with a legal problem, please contact the branch office or your steward as soon as possible for advice.

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- You can get time off to accompany your partner (or the surrogate mother) to 2 antenatal appointments.
- If you're adopting a child, you can get time off to attend 2 adoption appointments after you've been matched with a child.
- Your employment rights are protected while on paternity leave.
- You may also be eligible for Shared Parental Leave. You can't take Paternity Leave after you take SPL.