

JS/11/23

3 May 2011

Dear Colleague

PATERNITY LEAVE

The SNCT is required to amend the SNCT Handbook of Conditions of Service in the light of recent changes to UK paternity leave regulations.

An employee may now have the right to up to 26 weeks' Additional Paternity Leave if any of the following apply:

- (a) the employee is the father of a child due on or after 3 April 2011;
- (b) the employee's wife, partner or civil partner is pregnant and due to give birth to a child on or after 3 April 2011;
- (c) the employee and their partner receive notification that they are matched with a child for adoption on or after 3 April 2011; or
- (d) the employee's wife, partner or civil partner is adopting a child from overseas and the child enters Great Britain on or after 3 April 2011.

The employee may also be entitled to Additional Statutory Paternity Pay if the child's mother or adopter has returned to work and ceased claiming any relevant pay. This will only be payable during the 39 week statutory pay period.

In order to be eligible, the employee will be required to have at least 26 weeks' continuous service at the start of the 15th week before the baby is due, and will have to remain in continuous service until the week before the first week of the Additional Paternity Leave.

Written notification of the employee's intention to take Additional Paternity Leave must be given to the employer not less than 8 weeks before the start date chosen for the period of leave, while the leave can only be taken between 20 weeks and one year after the child is born or placed for adoption.

Where the employee exercises a right the right to take Additional Paternity Leave the minimum period which can be taken is 2 weeks.

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The required changes to the SNCT Handbook of Conditions of Service will be discussed at an SNCT meeting scheduled to take place on 26 May 2011. In the meantime, if you require any further information in relation to these changes, these should be directed to the Employers' Side Secretary in the first instance.

Yours sincerely

Tom Young (Employer's Side)
Drew Morrice (Teachers' Panel)
Stephanie Walsh (Scottish Government)

Joint Secretaries

To: Chief Executives
Directors of Education
Directors of Personnel
Directors of Finance
LNCT Joint Secretaries