

LNCT

Aberdeenshire Local Negotiating Committee for Teachers



Date: July 2024

LNCT/21/07

Paternity Leave Adoption Support

This agreement has been subject to review in Year 2024 by the LNCT Joint Secretaries and HR as part of a review of current Aberdeenshire LNCT Agreements.

**A copy of the Policy/Procedure is attached below.
Supporting documents detailed in the resource pack can be accessed directly by Aberdeenshire Council employees via the HR/People pages on Viva Arcadia.**

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Paternity Leave Adoption Support and Ordinary Leave

Teaching Employees

Review Date: 19th July 2024

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Rationale

Support Leave of one week with normal pay will be granted to the spouse or partner or nominated carer of someone taking adoption leave at or around the time of placement. The nominated carer is the person nominated by the person taking adoption leave to assist in the care of the child and to provide support to her/him.

Eligibility

From 6 April 2026 Paternity Leave is a day-one right. There is no minimum service requirement for leave. Eligibility for Statutory Paternity pay remains subject to the usual earnings and service thresholds

Introduction

Adoption Support Leave can be taken:

- From the date of the child's/children's placement for adoption; or
- From another date after the child's/children's placement for adoption.

In addition to the adoption support leave described above, an employee who is the spouse or partner of a person taking adoption leave and who has at least 26 weeks' *continuous service at the start of the notification week is entitled to a further week's Ordinary Paternity Leave (OPL).

* Any previous employment (including probationary periods) with councils, employers listed in the Redundancy Payment (Local Government) (Modification) Order 1990 (as amended) and any other employment deemed by the council to be relevant, should be counted as continuous service (as defined in the Employment Rights Act 1996) subject to a gap in employment not exceeding one working week.

OPL can be taken:

- From the date of the child's/children's placement for adoption; or
- From another date after the child's/children's placement for adoption.

Leave can start on any day of the week, but must be taken within 56 days of the actual placement date.

An employee who is on OPL shall receive their normal pay.

Notification

An employee who wishes to take OPL must inform the council of her/his intention to take paternity leave within 7 days of the employee being notified by their adoption agency that they have been matched with a child/children, unless this is not reasonably practicable.

For Adoption Support Leave and/or Ordinary Paternity Leave he/she must complete the Application for Ordinary Paternity Leave (Adoption within the UK) or the Application for Ordinary Paternity Leave (Adoption from Overseas) and forward to HR Support.

For further information on eligibility please contact HR&OD or Payroll.

There can only be one period of leave. Where an employee elects to take 2 weeks' leave, these must be consecutive. Where an employee elects to take only 1 week of leave then this will be taken as a complete week of leave. The first week will be support leave and paid at full pay while the second week will be ordinary paternity leave and SPP will be paid. Where paternity leave is before and during a period of annual leave or school closure period, the paternity leave comes first and the whole period of annual leave and any unpaid leave follows.

Employees may alter the date on which their leave starts by giving 28 days' notice in writing, where this is reasonably practicable.

Only one period of leave is available to employees, irrespective of whether more than one child is placed for adoption.

For further advice and guidance on any of the above please contact askHR.

Sponsored Employees

Employees who are sponsored by Aberdeenshire Council (or their line manager) should ensure the Resourcing Team are advised when submitting a leave request. This helps to ensure Aberdeenshire Council comply with reporting and monitoring duties associated with being a sponsor licence holder.

Document Revision History

Document Revision History					
Rev No.	Rev Date	Summary of Changes	Reviewing Team	Contributors	Next Review Year
001	22/11/2011	Creation of all documents			
002	19/09/2013	Addition of paragraphs relating to extending time off			
003	23/09/2014	Updated to reflect new Childcare Voucher Scheme			
004	10/04/2015	Remove Additional Paternity Leave			
005	06/07/2018	SNCT 18/66 Ordinary Paternity Leave SNCT 18/65 Reckonable Service for Family Leave in relation to probationary periods			
006	19/07/2024	New Format	HR Operational	M Chapman	
007	20/11/2024	Sponsorship wording added	HR Operational	M Chapman	

Resource Pack

Forms



Adoption Support &
Ordinary Paternity Leave
Application

Adoption Support &
Ordinary Paternity Leave
(Adoption from overseas)
Application

Job Share Schemes



Job Share