

## LNCT

### Aberdeenshire Local Negotiating Committee for Teachers



Date: July 2024

## LNCT/21/07

### Paternity Leave – Maternity Leave 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 Maternity Support and Ordinary Leave**

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## **Teaching Employees**

Review Date: 19<sup>th</sup> July 2024

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## Rationale

Following the birth of a baby the nominated supporter will be able to take one week's paid maternity support leave and if eligible a further week of ordinary paternity leave.

Support Leave of one week with normal pay will be granted to the spouse or partner or nominated carer of an expectant mother at or around the time of birth or placement. The nominated carer is the person nominated by the mother 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

Maternity Support can be taken:

- From the date of the child's/children's birth; or
- From another date after the child's/children's birth.

In addition to the maternity support leave described above, an employee who is the spouse or partner of an expectant mother (and who has at least 26 weeks' \*continuous service at the start of the 15th week before the baby is due) 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 birth; or
- From another date after the child's/children's birth.

Leave can start on any day of the week, but must be taken within 52 weeks of the actual birth. If the birth is early, leave must be taken within the period from the actual date of the birth up to 52 weeks after the expected week of birth.

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

### **Notification**

An employee who wishes to take Maternity Support Leave or Ordinary Paternity Leave must inform their line manager of her/his intention to take paternity leave by giving 28 days notice (where reasonably practicable).

For Maternity Support Leave and/or Ordinary Paternity Leave he/she must complete the Ordinary Paternity Leave application form and forward to HR Support.

Employees can take their two-week paternity leave entitlement as two separate one week blocks. 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 multiple births.

An employee shall be entitled to the above provisions in circumstances where the child is stillborn after 24 weeks or has died or where the child's mother has died within the period of leave.

### **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.

## Annual Leave

The employee shall accrue annual leave, during the leave period. This leave should be taken following the employee's return to work. The timing of this leave is subject to the overriding needs of the service and,

- In the case of teachers and music instructors, the accrued leave can be directed to be taken during the days of school closure, with payment to be arranged based on the teacher's current daily rate of pay.
- In the case of education support officers, quality improvement officers and educational psychologists should normally be taken as soon as possible following the return to work.

Annual Leave days are set as follows:

October vacation – First 7 days

December vacation – First 7 days

April vacation – First 6 days

Summer vacation – First 20 days

The remaining days are defined as school closure.

## 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	18/09/2013	Addition of paragraphs relating to extending time off			
003	01/10/2014	New category of Unpaid Leave as part of new SPL guidelines			
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	08/03/2024	Update on Paternity Leave (Amendment) Regulations 2024 effective from 06/04/2024			
007	19/07/2024	New Format	HR Operational	M Chapman	

**Resource Pack**

**Forms**

Maternity Support &  
Ordinary Paternity Leave  
Application

**Job Share Schemes**

Job Share