

# Partner support leave and pay user guide

This user guide is designed to support colleagues and managers to effectively engage with our partner support leave and pay provisions. It aims to provide practical guidance and the key information needed for those who apply for partner support leave and for those who manage it.

It includes guidance and advice on partner support leave and pay entitlements, eligibility criteria, notification requirements and any additional processes and activities that must be carried out at appropriate stages. This is in line with our [Family leave policy](#).

This user guide applies to all colleagues regardless of sexual orientation or gender.

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## 1. Partner support leave and pay entitlements

We want to be as inclusive as possible to all colleagues within the Council and to their partners, and this leave allows them to spend time with their new child. This is also known as paternity leave and pay but is called partner support leave and pay within this Council.

You won't get partner support leave or pay if you're already getting adoption or maternity leave and pay. However, following your period of partner support leave, you may be eligible for shared parental leave.

You can take partner support leave if you're:

- the biological father of a child due to be born
- the partner of a mother/primary adopter of a child due to be born or placed for adoption
- the intended secondary partner if you're having a baby through a surrogacy arrangement.

If you have separated from your partner but have ongoing parental responsibilities for the child, you may still be eligible to take this leave.

Leave cannot start before the birth or placement of the child and must be used within a year of the child's birth or placement date.

Your time on partner support leave counts towards continuous service.

The table on page two and three shows the eligibility requirements, as well as the statutory and enhanced entitlements for all colleagues to qualify for partner support leave and pay.

Please note that there are separate arrangements for Teachers, and you should read the policy and user guide in conjunction with the [SNCT Handbook](#).

### Important notes:

Normal pay is occupational paternity pay (OPP) and statutory paternity pay (SPP) put together. Those that qualify for only OPP will receive their normal basic pay minus SPP.

Partner support leave and pay – all colleagues including teaching staff				
Category	Statutory entitlement	Eligibility requirement	Council enhancement	Council eligibility requirement
Partner support leave	<b>2 weeks</b> leave. You can take as separate weeks during the first year after the birth or placement.	Employed for <b>26 weeks</b> continuously by the 'matching date' for adoption or into 15 weeks before the expected week of childbirth.	None.	None.
Partner support pay	<b>Up to 2 weeks</b> SPP rate or 90% of normal salary whichever is lowest.	Employed for <b>26 weeks</b> continuously (with this Council) by the 'matching date' for adoption or into 15 weeks before the expected week of childbirth  Earn at least the current Lower Earnings Limit in the 8-weeks prior to the 15 weeks before the expected week of childbirth.	<b>1 week</b> at normal pay.  Followed by the remaining statutory pay where eligible.	Employed for at least <b>26 weeks</b> by the 'matching date' for adoption or continuing into the 15 <sup>th</sup> week before the expected week of childbirth.

## 2. Guidance

### Employee guidance

- Antenatal care**
- ✓ If you're the child's father, expected parent or the partner of the person expecting a baby, you're entitled to paid time off to accompany them to up to **three** ante-natal appointments.
  - ✓ Antenatal care is not just medical appointments – it can also include antenatal or parenting classes if they've been recommended by a doctor or midwife.
  - ✓ Requests for time off must be submitted to your line manager, supported by an appointment card. Try to give your manager as much notice as possible.

	<ul style="list-style-type: none"> <li>✓ Your line manager will need to consider the needs of the service when you request leave, so you should be prepared to be as flexible as you can around dates and times.</li> </ul>
<b>Adoption meetings</b>	<ul style="list-style-type: none"> <li>✓ If you're adopting a child, you're entitled to a maximum of <b>three working days paid</b> leave to allow you to attend the meetings that are part of the adoption process.</li> <li>✓ Requests for time off must be submitted to your line manager, supported by the letter from the adoption agency confirming when the meetings are taking place. Try to give your manager as much notice as possible.</li> <li>✓ Your line manager will need to consider the requirements of the service when you request leave, so you should be prepared to be as flexible as you can around dates and times.</li> </ul>
<b>Confirming your partner support leave dates</b>	<ul style="list-style-type: none"> <li>✓ When you have decided that you want to take partner support leave let your manager know.</li> <li>✓ You must give your manager proof of adoption to qualify for partner support pay. Proof is not needed for partner support leave unless you're asked for it.</li> <li>✓ Your leave can be taken in two separate blocks</li> <li>✓ The leave must be taken in the first year after the birth or placement.</li> <li>✓ Leave cannot start before the birth or placement of the child.</li> <li>✓ Once you have agreed dates with your line manager, you'll need to confirm this in writing 28 days before you want to take each block of leave. It's recognised that these dates may change depending upon date of birth or placement. You need to confirm the following: <ul style="list-style-type: none"> <li>• the week the child is expected to be born or placed</li> <li>• whether you're going to take one or two weeks leave</li> <li>• the date you're going to start your leave</li> <li>• that you'll be supporting the mother or the primary adopter</li> <li>• that the child is under 18, in the case of adoption.</li> </ul> </li> <li>✓ If your start date changes, you must inform your manager as soon as possible to ensure your pay and leave is processed correctly.</li> <li>✓ You cannot take annual leave while on partner support leave, but you could agree with your line manager to take it before or after. It is a good idea for you to speak to your line manager to agree when you will take your annual leave.</li> </ul>
<b>Forms to complete</b>	<ul style="list-style-type: none"> <li>✓ <b>Births:</b> you should complete the <a href="#">Statutory Paternity Pay and Leave: becoming a birth parent (SC3)</a> form available from the Government website and provide a copy to your line manager.</li> <li>✓ <b>Adoptions:</b> you should complete the <a href="#">Statutory Paternity Pay and Leave: becoming an adoptive or parental order parent</a> (previously called form SC4) form available from the Government website and provide a copy to your line manager. If you're adopting from overseas, you should complete the <a href="#">Statutory Paternity Pay and leave: adopting a child from abroad</a> (previously called form SC5) form available from the Government website.</li> <li>✓ Please note you're not required to resubmit the original birth (SC3) and or adoption forms (previously named SC4 and SC5) for the second week, however, you must attach and submit to your initial request.</li> <li>✓ You must give proof of adoption to qualify for partner support pay, proof can be a letter from your adoption agency or the matching certificate.</li> <li>✓ On your behalf your manager will complete the Partner Support Leave Form on HALO attaching the supporting documents.</li> <li>✓ Once your manager submits this information, it will be processed, and you will be notified in a letter of your confirmed leave dates and your leave and pay eligibility.</li> </ul>
<b>If the adoption does not go ahead</b>	<ul style="list-style-type: none"> <li>✓ If adoption is disrupted, meaning it does not go ahead, you may still be entitled to partner support leave and pay. You should contact askHR if you need further details on this.</li> </ul>

	<ul style="list-style-type: none"> <li>✓ A disrupted adoption placement could be because the child has to return to the adoption agency or foster care or has passed away.</li> </ul>
<b>Contact while on partner support leave</b>	<ul style="list-style-type: none"> <li>✓ While your partner support leave is only for a short period of time, you and your line manager should maintain contact during your leave where reasonable.</li> <li>✓ While on leave your line manager must let you know about any promotion or other job opportunities, redundancies or reorganisations that could affect their job.</li> </ul>
<b>Returning from partner support leave</b>	<ul style="list-style-type: none"> <li>✓ If you want to change your return date you need to give your manager as much notice as possible.</li> <li>✓ When you return discuss with your manager any flexible working requests or adjustments that you want to make.</li> </ul>
<b>Support</b>	<ul style="list-style-type: none"> <li>✓ If you have any questions speak to your line manager in the first instance.</li> <li>✓ The askHR team are available to assist you with any questions.</li> <li>✓ <a href="#">Employee assistance programme</a>.</li> <li>✓ There is support on the Orb within the <a href="#">family leave pages</a>.</li> <li>✓ There is also further information on <a href="#">Paternity pay and leave: Overview - GOV.UK (www.gov.uk)</a> on the Government website.</li> </ul>

## Manager guidance

<b>Your team member attending appointments</b>	<ul style="list-style-type: none"> <li>✓ If your team member is the child's father, expected parent or partner of a person expecting a baby, they're entitled to paid time off to accompany them to up to three antenatal appointments.</li> <li>✓ If your team member is adopting a child, they're entitled to a maximum of three working days paid leave to allow them to attend the meetings that are part of the adoption process.</li> <li>✓ Your team member should give reasonable notice of when the meetings are due to take place and show you their appointment card or the letter from the adoption agency confirming the meeting dates.</li> </ul>
<b>Before your team member goes on partner support leave</b>	<ul style="list-style-type: none"> <li>✓ If your team member is matched with more than one child at a time or if there is a multiple birth, they'll still only get one period of paid leave.</li> <li>✓ They can take the leave as two separate weeks in the first year after the birth or placement of the child.</li> <li>✓ When your team member has decided that they want to take partner support leave, they must speak to you as soon as they can.</li> <li>✓ They do not have to give a precise date, instead they can give a general time, such as the day of the birth or one week after the birth.</li> <li>✓ Once dates have been agreed, your team member must confirm this in writing 28 days before each block of leave they want to take. The letter should confirm the: <ul style="list-style-type: none"> <li>• The week the child is expected to be born or placed.</li> <li>• Whether they're going to take one or two weeks leave.</li> <li>• The date the leave is going to start.</li> <li>• That they'll be supporting the mother or the adopter.</li> <li>• That the child is under 18, in the case of adoption.</li> </ul> </li> <li>✓ If your team member changes their mind about the dates they would like to take, they need to give you 28 days' notice of the new start date, in writing, where this is reasonably practicable.</li> </ul>

	<ul style="list-style-type: none"> <li>✓ They cannot take annual leave while on partner support leave, but your team member could agree with you to take it before or after. It is a good idea to speak to your team member and agree when they will take their annual leave.</li> </ul>
<b>Forms to complete</b>	<ul style="list-style-type: none"> <li>✓ Before the leave begins you need to complete the Partner Support Leave Form on HALO and attach the relevant form that your team member has shared with you: <ul style="list-style-type: none"> <li>• <b>For births:</b> colleagues will provide you with a copy of the <a href="#">Statutory Paternity Pay and Leave: becoming a birth parent (SC3)</a> available from the Government website.</li> <li>• <b>For adoptions:</b> colleagues will provide you with either a <a href="#">Statutory Paternity Pay and Leave: becoming an adoptive or parental order parent</a> (previously called form SC4), for UK based adoptions or a <a href="#">Statutory Paternity Pay and leave: adopting a child from abroad</a> (previously called form SC5) for overseas adoptions. These forms will provide you with the information confirming their eligibility.</li> </ul> </li> <li>✓ Please note your team member is not required to resubmit form original birth (SC3) and or adoption forms (previously named SC4 and SC5) for the second week, however, you must attach and submit to your initial request.</li> <li>✓ If your team member is adopting, they must also give proof of adoption to qualify for partner support pay, proof can be a letter from their adoption agency or the matching certificate.</li> <li>✓ Once you submit this form through HALO, it will be processed, and the team member will be contacted via a letter to confirm leave dates and leave and pay eligibility.</li> </ul>
<b>If the adoption does not go ahead</b>	<ul style="list-style-type: none"> <li>✓ If adoption is disrupted, meaning it does not go ahead, your team member may still be entitled to partner support leave.</li> <li>✓ A disrupted adoption placement could be because the child has to return to the adoption agency or foster care or has passed away.</li> <li>✓ You should treat anyone affected with care and support, they may want to take time off before returning to work and you should discuss these options with them.</li> </ul>
<b>During partner support leave</b>	<ul style="list-style-type: none"> <li>✓ While partner support leave is only for a short period of time you and your team member should maintain contact during their leave where reasonable.</li> <li>✓ While on leave you must let your team member know about any promotion or other job opportunities, redundancies or reorganisations that could affect their job.</li> </ul>
<b>When your team member returns from partner support leave</b>	<ul style="list-style-type: none"> <li>✓ If your team member has requested flexible working on their return, you should follow the Flexible Working Policy. If you approve the flexible work request, then you need to complete a Change in Employee's hours and/or Work Pattern Form on HALO.</li> </ul>
<b>Support</b>	<ul style="list-style-type: none"> <li>✓ As a line manager it is your responsibility to review the policy and the user guide however if you have any queries, you can contact askHR.</li> <li>✓ <a href="#">Employee assistance programme.</a></li> <li>✓ There is support on the Orb within the <a href="#">family leave pages.</a></li> <li>✓ There is also further information on the <a href="#">Partner support pay and leave: Overview - GOV.UK (www.gov.uk)</a></li> </ul>

## 3. Pregnancy and baby loss

We understand that losing a baby is one of the most traumatic events you could go through, and we want to be able to support you in the best way we can.

It is our aim to be as inclusive as possible in our definition of pregnancy or baby loss. We use the term pregnancy or baby loss to refer to many different types of loss, including miscarriage (the loss of a baby during the first 24 weeks), stillbirth (the loss of a baby after 24 weeks), termination for medical reasons, ectopic pregnancy, molar pregnancy, chemical pregnancy, embryo transfer loss, and neonatal loss.

A [supporting colleagues through pregnancy or baby loss guide](#) is available to all colleagues and managers which has additional information and resources for you.

### Employee guidance and responsibilities

#### Notification of pregnancy or baby loss

- ✓ When you're ready you should notify your manager. You can ask your partner, a friend, or a family member to do this if you need to.
- ✓ Speak to your manager if you need time off and they will be able to confirm what leave you're able to take.

#### Leave and pay entitlements

- ✓ **Partner Support Leave**
  - If you're eligible for partner support leave you will still be entitled to partner support leave if you have a stillbirth or if your baby is born alive but later dies.
  - Partner support pay also applies in the same way if you're entitled to it.
- ✓ **Parental Bereavement Leave:**
  - Parental bereavement Leave is available to colleagues who have experienced pregnancy or baby loss. Further details can be found in the [Special leave policy](#).
  - This leave can be taken by the child's birth parent, adoptive parent, the partner of the child's parent or adoptive parent regardless of gender—anyone who would have had parental responsibility for the child.
  - You're entitled to up to 2 weeks paid leave. You can take it in one block of 2 weeks or 2 blocks of 1 week each. It must be taken within 56 weeks of the date of the bereavement.

#### Support

- ✓ Internal Support can be accessed through our Employee Assistance Programme. They can provide counselling and discuss other forms of help free of charge and are available 24 hours a day. To access support call 0800 882 4102 or visit [PAM Assist](#).
- ✓ The [supporting colleagues through pregnancy or baby loss](#) signposts you to external agencies that can offer support and advice.
- ✓ If you have any questions, speak to your line manager in the first instance.
- ✓ The askHR Team are available to assist you with any questions, however, please make sure you have read the guidance in full before contacting them.

## Manager guidance and responsibilities

### Notification of pregnancy or baby loss

- ✓ When you team member has told you about their loss, no matter how the loss occurred you should always prioritise empathy, support and understanding
- ✓ We encourage you to strike a balance between keeping in touch to provide support (i.e., employee assistance programme) and recognising when parents need space to grieve.
- ✓ You should notify askHR to ensure your team member's absence is correctly recorded, and their pay is updated.

### Leave and pay entitlements

- ✓ **Partner Support Leave**
  - If your team member is eligible for partner support leave, they will still be entitled to partner support leave if they have a stillbirth or if their baby is born alive but later dies.
  - Partner support pay also applies in the same way if they're entitled to it.
- ✓ **Parental Bereavement Leave:**
  - Parental bereavement Leave is available to your team member who has experienced pregnancy or baby loss. Further details can be found in the [Special leave policy](#).
  - This leave can be taken by the child's birth parent, adoptive parent, the partner of the child's parent or adoptive parent regardless of gender– anyone who would have had parental responsibility for the child.
- ✓ Your team member is entitled to up to 2 weeks paid leave. You can take it in one block of 2 weeks or 2 blocks of 1 week each. It must be taken within 56 weeks of the date of the bereavement.

### Support

- ✓ You may wish to meet with them to discuss what they intend to do, and how you can support them further.
- ✓ Internal Support can be accessed through our Employee Assistance Programme. They can provide counselling and discuss other forms of help free of charge and are available 24 hours a day. To access support call 0800 882 4102 or visit [PAM Assist](#).
- ✓ The [supporting colleagues through pregnancy or baby loss](#) signposts you to external agencies that can offer support and advice.
- ✓ The askHR team are available to assist you with any questions, however, please make sure you have read the guidance in full before contacting them.

## 4. Premature birth and neonatal care

We recognise that it can be an incredibly distressing and worrying experience for new parents of premature or unwell babies.

A premature or pre-term birth is when a baby is born before 37 weeks and where this happens, they may require neonatal care.

There may also be occasions when full-term babies are born unwell and need to spend time in the neonatal unit to treat and support serious health conditions.

A [supporting colleagues through premature birth and neonatal care guide](#) is available to all colleagues and managers which has additional information and resources for you.



## Employee guidance and responsibilities

### Premature birth

- ✓ If your baby is born prematurely, your partner support leave will start from the day after the baby's birth.
- ✓ When you're ready you should notify your manager as soon as reasonably practicable to ensure your absence is correctly recorded, and your pay is updated.

### Baby who is receiving neonatal care

- ✓ Notify your manager as soon as reasonably practicable. You could get your partner and or a family member to do this for you.
- ✓ If your baby receives neonatal care that has lasted for at least seven consecutive days and started within 28 days of birth, you will be entitled to take Neonatal Care Leave, up to a maximum of 12 weeks.
- ✓ You will be entitled to take a week's leave for every week the baby remains in neonatal care up to 12 weeks.
- ✓ If you have less than 26 weeks service, you can take up to 12 weeks unpaid leave, which you can take at the end of any other family leave.
- ✓ If you have more than 26 weeks service, you can take up to 12 weeks paid leave at your normal rate of pay which you can take at the end of any other family leave. Neonatal Care Leave can begin when maternity leave ends. Alternatively, it can be taken after you have returned to work provided it is within 68 weeks of the birth.
- ✓ Please tell your manager as soon as possible the start and end dates of the neonatal care that your baby has received, and your manager will complete the Neonatal Care Form on HALO. You'll need to decide if you want to take the leave at:
  - the end of your partner support leave
  - any other family leave i.e. shared parental leave
  - when you have returned to work.

### Support

- ✓ Internal support can be accessed through our Employee Assistance Programme. They can provide counselling and discuss other forms of help free of charge and are available 24 hours a day. To access support call 0800 882 4102 or visit [PAM Assist](#).
- ✓ The [supporting colleagues through premature birth and neonatal care guide](#) signposts you to external agencies that can offer support and advice.
- ✓ If you have any questions, speak to your line manager in the first instance.
- ✓ The askHR team are available to assist you with any support you need or if you have any questions, however, please make sure you have read the guidance in full before contacting them.

## Manager guidance and responsibilities

### Premature birth

- ✓ If your team member's baby is born prematurely your team member may want to change when they take their partner support leave.
- ✓ You should notify askHR as soon as reasonably practicable so their absence and pay can be recorded correctly.
- ✓ Bear in mind that premature birth is one of the most stressful events that a new parent has to face and we encourage you to strike a balance between keeping in touch to provide support (i.e., employee assistance programme) and respecting your team members right to privacy.
- ✓ An important way in which you can support a team member with a premature child is to consider flexible working once partner support leave ends.



## Baby receiving neonatal care

- ✓ If your team member's baby receives neonatal care that has lasted for at least seven consecutive days and started within 28 days of birth, they will be entitled to take Neonatal Care Leave, up to a maximum of 12 weeks.
- ✓ They will be entitled to one week off for each week their baby is in neonatal care. This leave will be taken once their partner support leave has ended.
- ✓ If your team member has less than 26 weeks service, they can take up to 12 weeks unpaid leave, which can be taken at the end of any other family leave.
- ✓ If your team member has more than 26 weeks service, they can take up to 12 weeks paid leave at their normal rate of pay which can be taken at the end of any other family leave. Alternatively, it can be taken after you have returned to work provided it is within 68 weeks of the birth.
- ✓ If your team member wishes to take this leave, they need to advise you as soon as possible with the start and end dates of the neonatal care that their baby has received, you'll then need to complete the Neonatal Care Form on HALO so that HR can process the leave. Your team member can take the leave at:
  - the end of their partner support leave
  - the end of any other family leave i.e. shared parental leave
  - when they have returned to work.
- ✓ The team member may well be in the middle of an emotional and worrying time and the effects of a baby spending time in a neonatal intensive care unit could manifest themselves both physically and mentally, possibly resulting in a long-term condition or illness. Managers should be mindful of this in the event of a change in your team members performance, behaviour, or absence.

## Support

- ✓ You may wish to meet with them to discuss what they intend to do, and how you can support them further.
- ✓ Internal Support can be accessed through our Employee Assistance Programme. They can provide counselling and discuss other forms of help free of charge and are available 24 hours a day. To access support call 0800 882 4102 or visit [PAM Assist](#).
- ✓ The [supporting colleagues through premature birth and neonatal care guide](#) signposts you to external agencies that can offer support and advice.
- ✓ The askHR team are available to assist you with any support you need or if you have any questions, however, please make sure you have read the guidance in full before contacting them.

# 5. Definitions

Definitions explained	
Term	Meaning
Adoption	Formal adoption of a child newly matched for adoption by an employee who is named on the approved adoption agency's matching certificate.
Childbirth	Means the process of giving birth to a child.
Continuous Service	Means continuous service with the City of Edinburgh Council (or its predecessors) or any local authority or employer to which the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 (as amended) applies.

<b>Expected childbirth week</b>	"Week" in this context means the period of 7 days, beginning at midnight hours on Sunday, in which the birth is expected to take place.
<b>Lower earnings limit</b>	To calculate your average weekly earnings, we take the average gross earnings over a period of at least eight weeks up to and including the last payday before the end of the qualifying week or before the week the child is matched with you (the 15th week before the expected week of childbirth i.e. before the baby's due date).
<b>Normal Pay</b>	Normal pay is occupational paternity pay (OPP) and statutory paternity pay (SPP) put together.
<b>Parent</b>	A child's mother, father, guardian, foster carer or some other person with parental responsibility (regardless of gender).
<b>Parental order</b>	A Parental Order is a court order that transfers legal parentage from a surrogate mother to the intended parents.
<b>Qualifying week</b>	The 15 <sup>th</sup> week before the week in which the maternity certificate indicates that the baby is due.
<b>Statutory Adoption Pay (SAP)</b>	A legal entitlement to an amount of pay set annually by the Government that is made to employees or former employees who adopt a child.
<b>Statutory Paternity Pay</b>	A legal entitlement to an amount of pay set annually by the Government that is made to employees or former employees who are absent on the Council's Parental Support Leave.
<b>Surrogacy</b>	Surrogacy is when a surrogate carries and gives birth to a baby for the intended parents.
<b>Week's pay</b>	<p>If your pay does not change with the amount of work done over the period, a week's pay is the amount the Council pays the employee under their contract of employment for working their normal hours in a week.</p> <p>Where there are no normal working hours, a week's pay is the average pay over the 12 weeks before the date on which the last complete week ended, excluding any week where the employee did not get any pay.</p>