

Employment Information

Flexible Working - PATERNITY LEAVE PROVISIONS

Guidance for Managers and Employees @ April 2026

SCOPE

The Paternity Leave provisions apply to all employee groups, i.e. Chief Officers, Single Status, Teachers and Craft Workers.

SECTION 1 – ENTITLEMENT TO PATERNITY LEAVE

Paternity Leave of a maximum of two weeks is available for employees if they:

1. Have or expect to have responsibility for the child's upbringing and be taking leave to care for the child;
2. Are the biological father of the child or the mother's spouse/ partner (including same sex couples), civil partner or the spouse or partner of the primary adopter;

DAY ONE RIGHTS TO PATERNITY LEAVE

NB: Statutory Paternity Leave is a day one right from 29 December 2025 for bereaved fathers or non-birthing partners, where the mother, or a person with whom a child is placed or expected to be placed for adoption, dies.

NB: Statutory Paternity Leave is a day one right from 6 April 2026 for all employed parents of babies with an Expected Week of Childbirth (EWC) on or after 5 April 2026, born on or after the 6 April 2026, or children placed for adoption on or after 6 April 2026. Where this is not the case, previous Paternity Guidance should be followed. [Guidance to 5th April 2026](#)

SECTION 2 – ENTITLEMENT TO PATERNITY PAY

Paternity Pay of a maximum of two weeks is available for employees if they

1. meet the criteria for paternity leave and
2. have Qualifying Service.

Definition of Qualifying Service for Statutory Paternity Pay Purposes

Qualifying Service is when you have been continuously employed by Perth and Kinross Council for at least 26 weeks up to any day in the qualifying week (15 weeks before the baby is due).NB: For Adoption or Surrogacy you must be continuously employed for at least 26 weeks by the matching week (the end of the week you are matched with the child).

Definition of Service for Occupational Paternity Pay Purposes

- **Continuous Service** is continuous service with any local authority, or other employer deemed by the Council to be appropriate.
- **Reckonable Service** applies only to those employed by the Council or any authority prior to 1 July 1999 and is all previous service with any local authority, or other employer deemed by the Council to be appropriate. This service does not have to be continuous.

Refer to the [Redundancy Payments \(Continuity of Employment in Local Government etc\) \(Modification\) Order 1999](#) for guidance.

If you do not qualify for Paternity Leave/Pay then you may be entitled to Maternity Support Leave.

SECTION 3 – NOTIFICATION PROCEDURES

To support families to access their entitlements as soon as possible, the Government is introducing a transition period for newly eligible parents taking Paternity Leave, temporarily shortening the notice period to 28 days so that they can take leave from 6 April 2026.

Newly eligible parents will be able to give notice of their intention to take leave from 18 February 2026.

The notice period for parents who are already eligible will be unchanged.

The following sets out the obligations on both the employee and the employer for paternity leave:

Employee Obligations	Employer Obligations
Inform employer of intention to take paternity leave 15 weeks prior to the expected week of childbirth Or Within 7 days of the adopter being notified of a match with a child by the adoption agency.	NB Special provision for newly eligible parents from 18 February 2026.
Provide at least 28 days' written notification of your intention to take paternity leave by	Line Manager will forward the application form to the Payroll

completing [the online application form](#) (or in the case of adoption [this online application form](#)) and providing a copy to your Line Manager confirming:

- The week the baby is due or the date of the child's placement
- Whether you wish to take two separate weeks or two consecutive weeks' leave within the 52 week period
- When you want your leave to start

If the leave is taken in 2 separate weeks the requirement is to give 28 days notice of each period of leave.

Should you wish to change the start date of your leave you must give us 28 days' notice.

Your [online application form](#)/adoption [online application form](#) also acts as evidence of your entitlement to paid paternity leave.

and Reward Team to ensure Statutory/Occupational Paternity Pay is processed, where applicable.

SECTION 4 – PATERNITY LEAVE and SHARED PARENTAL LEAVE

As of 6 April 2026, the condition preventing parents, who have already taken shared parental leave, from taking paternity leave, will be removed.

SECTION 5 - FREQUENTLY ASKED QUESTIONS

How Much Paternity Leave Am I Entitled To?

Fathers and partners who meet the eligibility criteria can have up to two weeks' leave. This may be paid if qualifying service criteria is met. This can be taken in two one-week blocks or a single two-week block within the first 52 weeks of birth/adoption. Employees working part-time will be entitled to paid paternity leave on a pro-rata basis. The leave can start on any day of the week.

Special consideration may be given regarding the duration of the leave in the case of multiple adoptions (e.g. siblings). Line Managers should contact the People and Culture Division, in the first instance.

When Can I Take Paternity Leave?

Your leave should be taken within 52 weeks of the birth (or due date if the baby is early), or placement of the child.

How Do I Apply For Paternity Leave?

You must inform your Line Manager at least 15 weeks before the expected week of childbirth or within 7 days of being notified of a match with a child (adoption) of your intention to take paternity leave.

You must complete the [online application form](#) (or in the case of adoption [online application form](#)) and submit this to your Line Manager giving at least 28 days' notice of your intention of the dates you wish to take paternity leave.

What happens if a public holiday occurs during a period of Paternity Leave?

The paternity leave needs to be taken in complete week blocks, therefore if it overlaps with a public holiday then the public holiday would be given in lieu to take at another time.

Will Paternity Leave Impact on my Terms and Conditions of Service?

There is no change to your terms and conditions of service during paid paternity leave.

What if I don't have enough Service to qualify for Paternity Leave?

As of 6 April 2026, Paternity Leave is a Day One Right. Where other criteria are not met, you may be entitled to Maternity Support Leave.