



**Workforce**

**New Parent Support Policy: guide  
for managers**

This guide will help managers to understand the New Parent Support Policy. The policy applies where an employee asks for time off following the birth of a baby or the adoption of a child.

The following guide forms part of the standard for workforce policies. These policies apply to all eligible staff within NHSScotland, regardless of the Board they are employed by.

NHSScotland wants to create an inclusive workplace where employees can thrive and feel confident about their ability to balance their personal and professional responsibilities. It is recognised that policies to support this are particularly important in NHSScotland given the predominantly female workforce who largely take on primary caring roles within the family. The guide covers:

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# What is the purpose of the New Parent Support Policy?

NHSScotland wants to create an inclusive workplace where our employees can thrive and feel confident about balancing their personal and professional responsibilities. We recognise that parents, including same-sex partners, and adoptive parents, want to spend time with their partner and their baby or adopted child. The New Parent Support Policy allows employees to take time off to spend with the new addition to their family.

The statutory name for this policy is Paternity Leave. However, we recognise that some employees may not identify with the term 'paternity'. The policy has been renamed New Parent Support, to recognise the diversity of families. The term 'paternity' does appear throughout the policy as it is still the legislative title for leave and pay.

## Who is covered by this policy?

New Parent Support leave is available to employees who are:

- the biological father of a new baby
- the partner or nominated carer of a mother who gives birth to a child
- adoptive parents
- intended parents of a child born to a surrogate mother

For employees who qualify for Statutory Paternity Pay (SPP) or Occupational Paternity Pay (OPP), this leave is paid.

## New parent support for adoptive parents

New parent support leave can be taken by adoptive parents when their child is matched or placed with them.

The parent with primary carer responsibilities for the child should take adoption leave. New parent support leave can be taken by the other parent.

# **New parent support for surrogate parents**

New parent support leave is available to intended parents on the birth of a child through a surrogacy arrangement.

The partner of the surrogate who has given birth may be entitled to special leave.

## **What is the leave entitlement?**

Employees are entitled to take the leave as a block of 2 weeks or 2 single weeks of new parent support leave at their contracted hours.

## **What is the pay entitlement?**

OPP is a payment the NHS provides to support employees in taking new parent support leave. Employees are entitled to OPP if they have 12 months of continuous service with their current Board or any other NHS employer before they take their new parent support leave.

Employees entitled to OPP will receive full pay, which will include any SPP.

Further information on how full pay is calculated for both SPP and OPP can be found in the relevant [terms and conditions](#).

Employees who aren't eligible for OPP may be eligible for SPP. It is a payment provided by the government to support employees taking new parent support leave.

## **Receiving a request**

Having a baby or adopting a child is an exciting time. It is important to make sure your employees are accessing the right support and time off.

The employee should let you know they wish to access leave in line with this policy.

After you have the initial discussion, you should ask the employee to complete the relevant form and return it to you.

You should respond in writing to the employee in a timely manner. You should follow local procedures for processing the completed form.

## **Birth parents**

The employee may request new parent support leave because they are about to become a birth parent. They should apply by the end of the 15th week before the baby is due to advise they wish to take new parent support leave. The employee should complete the [Becoming a birth parent form](#).

You should provide a prompt written response when you receive the completed form. The letter should confirm your employee's entitlement to new parent support leave and, if eligible, their new parent support pay.

The employee is not required to formally identify dates for the leave until 28 days before they wish the leave to start, on the basis that they can take it within 52 weeks of the birth of the child.

It is important to be flexible where possible. For example, you could accept an application outside the timescales in the policy if the employee has a good reason for submitting their paperwork late. You should also try to accommodate any changes to the start date of their new parent support leave if asked.

## **Adoptive parents**

The employee may request new parent support leave because they are becoming an adoptive or parental order parent. No later than 7 days after they are notified of the child being matched with them, they should complete the [Becoming an adoptive or parental order parent form](#).

You should provide a prompt written response when you receive the completed form. The letter should confirm your employee's entitlement to new parent support leave and, if eligible, their new parent support pay.

The employee is not required to formally identify dates for the leave until 28 days before they wish the leave to start, on the basis that they can take it within 52 weeks of the date of placement.

It is important to be flexible where possible. For example, you could accept an application outside the timescales in the policy if the employee has a good reason for submitting their paperwork late. You should also try to accommodate any changes to the start date of their new parent support leave if asked.

## Surrogacy arrangements

The employee may request new parent support leave because they are the intended parent through surrogacy. The intended parent should apply by the end of the 15th week before the baby is due to advise they wish to take new parent support leave. The employee should complete the [Becoming an adoptive or parental order parent form](#).

You should provide a prompt written response when you receive the completed form. The letter should confirm your employee's entitlement to new parent support leave and, if eligible, their new parent support pay.

The employee is not required to formally identify dates for the leave until 28 days before they wish the leave to start, on the basis that they can take it within 52 weeks of the birth of the child.

It is important to be flexible where possible. For example, you could accept an application outside the timescales in the policy if the employee has a good reason for submitting their paperwork late. You should also try to accommodate any changes to the start date of their new parent support leave if asked.

The partner of the surrogate may request time off to support their partner after the birth. Leave may be granted under the [Special Leave Policy](#).

## Adopting from abroad

There are specific notification requirements and timescales if an employee is [adopting from abroad](#).

If the employee requests new parent support leave because they are adopting a child from abroad, they should complete the [Adopting a child from abroad form](#).

When the employee lets you know they wish to take new parent support leave, you should respond promptly, in writing. Your letter should confirm their entitlement to new parent support leave and new parent support pay, where applicable.

Although there are timescales outlined for submitting the paperwork, employees may have a good reason for being unable to meet them. You should be as flexible as possible. Similarly, situations may change, and employees may need to amend the start date of their new parent support leave.

## **Antenatal support**

Employees are entitled to attend antenatal classes to support their partner or a surrogate birth parent. This policy allows your employees to take unpaid time off to attend 2 antenatal classes. This may include medical appointments, parentcraft classes, or relaxation classes recommended by a nurse, midwife, or GP. The entitlement for each appointment should not exceed 6.5 hours, including travel time. You should, however, be as flexible as possible in terms of accommodating the time off and the length of time. For example, in remote and rural areas, the statutory entitlement may not reflect local circumstances.

## **Bank and agency staff**

Bank staff have no entitlement to OPP or new parent support leave. They may be entitled to SPP, depending on their level of earnings. The employer may review entitlement to OMP in exceptional cases, such as if the worker can demonstrate regular work patterns over an extended period.

If you have a bank worker who can demonstrate a regular work pattern over an extended period, contact your local staff bank service for advice.

Agency staff may be entitled to paternity leave, SPP, and time off for antenatal appointments if they are considered an agency employee. The agency staff member should check with their agency.

## **When should new parent support leave be taken?**

New parent support leave can start from the day the child is:

- born, or the due date if born early
- placed for adoption

In the case of overseas adoption, the leave can start when the child arrives in the UK.

In all cases, the leave may start an agreed number of days afterwards.

Leave should be taken within 52 weeks of the date the child is born, placed for adoption, or arrives in the UK.

Paternity leave is a statutory entitlement. You are unable to refuse leave requested under this policy.

Employees can take only one type of leave at a time. You should advise your employee to use their new parent support leave before accessing other types of leave, such as shared maternity or shared adoption.

If the employee needs to change their agreed leave dates, they should provide as much notice as possible to their manager.

## **Loss of the baby**

Employees are still entitled to paid new parent support leave if their baby dies or is stillborn after 24 weeks of pregnancy or born alive at any point during the pregnancy. If new parent support leave has already been agreed this can continue. If leave has not yet been agreed, the employee will be entitled to take the leave within 8 weeks of the date the baby dies or is stillborn.

You should make the employee aware of child bereavement leave provisions within the [Special Leave Policy](#). This leave can be accessed once new parent support leave has ended.

## **Breakdown in adoption arrangements**

Employees are still entitled to paid new parent support leave if the child is no longer placed for adoption or is returned after being placed. If new parent support leave has already been agreed this can continue. If leave has not yet been agreed, the employee will be entitled to take the leave within 8 weeks of the date the child is no longer placed for adoption or the child is returned after being placed.

## **Multiple births**

Employees can only take one period of new parent support leave for each pregnancy or adoption placement. This applies even if more than one child is born or placed for adoption. However, your employee may also be entitled to paid or unpaid parental leave. You should discuss it with them to make sure they are aware of all the relevant policies.

## **Public holidays during new parent support leave**

If a public holiday falls during your employee's planned new parent support leave, the public holiday should be granted at another time.



# Sick leave during new parent support leave

If your employee is on sick leave, their new parent support leave can be extended to make sure they take 2 weeks. However, it must still fall within 8 weeks of the child being born or placed for adoption.

## Pension contributions

SPPA pension contributions will continue during new parent support leave. For other pension providers, the employee will need to check with their pension provider.

## Links to other policies

You may need to cross reference with other policies including:

- [Maternity Policy](#)
- [Parental Leave Policy](#)
- [Shared Maternity and Shared Adoption Policy](#)
- [Adoption, Fostering and Kinship Policy](#)