

Policy Wording Changes for Family Leave

Paternal Leave

Old version

The person taking leave must:

- be an employee,
- give the correct notice, and
- have been continuously employed by Medway Council for at least 26 weeks, up to any day in the 15th week before the Expected Week of Childbirth or placement date in terms of adoption.

Where the above criteria are met, the employee can choose to take either two non-consecutive weeks' paternity leave, or a single period of either one or two weeks.

The period in which paternity/maternal support leave must be taken is within 52 weeks after the birth or adoption placement.

New Version

The person taking leave must:

- be an employee,
- give the correct notice, and
- have been continuously employed by Medway Council for at least 26 weeks, up to any day in the 15th week before the Expected Week of Childbirth or placement date in terms of adoption.

Where the above criteria are met, the employee can choose to take either two non-consecutive weeks' paternity leave, or a single period of either one or two weeks.

From 6 April 2026, Paternity/Maternal Support Leave will become a day-one right, meaning employees will be entitled to the leave from the start of their employment. However, the qualifying service requirement for statutory pay remains unchanged. This means an employee who has not yet met the required length of continuous service may still take the leave, but it will be unpaid until they become eligible for the paid element.

The period in which paternity/maternal support leave must be taken is within 52 weeks after the birth or adoption placement.

Parental Leave

Old version

An employee, **having completed one year's continuous employment** will have a right to Parental Leave if they:

- Are the parent (named on the birth certificate) of a child under 18 years old (The entitlement will exist until the child's 18th birthday);
- Are an adoptive parent of a child under the age of 18 whose adoption takes place after 15 December 1999. This right exists for a period of 5 years from the date of the adoption, or until the child reaches the age of 18 whichever is the earlier;

- Having acquired formal parental responsibility (as defined in the 'Children's Act' 1989) for a child the entitlement will exist until the child's 18th birthday.
- Are the parent of a disabled child, in which case some of the arrangements are different, see section 11 for details.

New version

An employee has a **day-one right** to Parental Leave if they:

- Are the parent (named on the birth certificate) of a child under 18 years old (The entitlement will exist until the child's 18th birthday);
- Are an adoptive parent of a child under the age of 18 whose adoption takes place after 15 December 1999. This right exists for a period of 5 years from the date of the adoption, or until the child reaches the age of 18 whichever is the earlier;
- Having acquired formal parental responsibility (as defined in the 'Children's Act' 1989) for a child the entitlement will exist until the child's 18th birthday.
- Are the parent of a disabled child, in which case some of the arrangements are different, see section 11 for details.

Shared Parental Leave

Old version

The father/partner/spouse can take SPL immediately following the birth/placement of the child but may first choose to exhaust any paternity leave entitlements (as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP).

New Version

The father/partner/spouse can take SPL immediately following the birth/placement of the child but may first choose to exhaust any paternity leave entitlements. From 6 April 2026, the previous restriction preventing paternity leave being taken after SPL will no longer apply.