

Taking paternity leave

An employee can choose to take either 1 or 2 weeks' statutory paternity leave.

They can take the leave as either:

- 2 weeks together
- 2 separate blocks of 1 week

It might be written in an employee's contract that they get more than statutory paternity leave. This can be called 'enhanced' or 'contractual' paternity leave.

Information to provide before the end of the 'qualifying week'

To take statutory paternity leave, the employee must tell their employer:

- they're having a baby
- they're planning to take paternity leave
- the expected week of childbirth

They must also confirm in writing that they are either:

- the child's father
- married to, the civil partner or partner of the mother or birth parent – this includes same-sex partners

They can do this in either:

- a letter or email
- the form [statutory paternity pay and leave: becoming a birth parent \(SC3\) on GOV.UK](#)

The employee must give this information to their employer before the end of the 'qualifying week'.

To work out the qualifying week, use a calendar to count back 15 weeks from the week the baby is due. The qualifying week starts on a Sunday and ends on a Saturday.

For example, Alex's baby is due on 1 May 2026. The qualifying week starts on Sunday 11 January 2026 and ends on Saturday 17 January 2026. Alex must give their employer the relevant information before Saturday 17 January 2026.

Parents who will be newly eligible for paternity leave with a due date between 5 April and 25 July 2026

From 6 April 2026, employees will be eligible for paternity leave from the first day of employment. Currently employees must have worked for their employer for 26 weeks before they are eligible.

On 18 February 2026, a temporary reduced notice period was introduced. Fathers and birth partners can give 28 days' notice, instead of 15 weeks'. This is only for parents who will become newly eligible because of the law change. It allows parents to take paternity

leave from the first day of the new law.

The temporary 28-day notice period applies if:

- the employee will become eligible for paternity leave on 6 April 2026 because of the change in the law
- the expected due date is between 5 April and 25 July 2026

If the due date is 26 July 2026 or later, the usual 15-week notice period will apply.

Parents who were already eligible for paternity leave before 6 April 2026 must give the usual 15 weeks' notice.

Example of when newly eligible parents should give notice

Kit and Bobby are expecting a baby on 23 April 2026. Bobby started working for their employer in January 2026. Bobby will become eligible to take paternity leave on 6 April 2026. This is because it will become a 'day one right'. From 18 February 2026, Bobby can give 28 days' notice to take paternity leave.

Information to provide at least 28 days before starting leave

An employee must also tell their employer the dates of their leave.

They must do this at least 28 days before each period of leave. They do not have to do this in writing. However it's helpful to put it in writing to have a record. This could be in a letter or an email.

For example, an employee wants to take 1 week of leave straight after the baby is born and 1 week at another time. They must give their employer at least 28 days' notice for each period of leave.

They must also tell their employer in writing that they will use the leave to care for either or both of the following:

- the child
- the child's mother or birth parent

They can do this in either:

- a letter or email
- the form [statutory paternity pay and leave: becoming a birth parent \(SC3\) on GOV.UK](#)

When an employee can start paternity leave

An employee can take their statutory paternity leave at any time in the first 52 weeks after the birth.

They cannot start statutory paternity leave before the birth. But they could agree with their employer to take another type of leave before paternity leave, for example holiday.

If an employee cannot provide information in the required time

It might not always be possible for an employee to give their employer information in the required time. The employer should talk with them to check why. The employee must give the information without any further delay.

How the employer should respond

The employer should respond in writing confirming the dates the employee has requested. This can help keep everything clear.

If an employee is not eligible for [statutory paternity pay](#) while they're on paternity leave, the employer must tell them in writing.

The employer should do this within 28 days and can use the form [non-payment of statutory paternity pay \(SPP1\) on GOV.UK](#).

If the employee is not asking for paternity pay, the employer should still respond in writing. For example, sending the employee an email or letter to confirm the dates of their paternity leave.

Changing the start date

If the employee wants to change the date they start paternity leave, they must usually give the employer 28 days' notice. This does not have to be in writing unless the employer requests it. However, it's helpful to put it in writing to have a record. This could be in a letter or email.

In some circumstances it may not be possible for the employee to give 28 days' notice of the change, for example if the baby is born early or late.

If the baby is born early or is sick

An employee might need to change the date they start paternity leave if their baby:

- is born early
- is born prematurely – more than 3 weeks before the date they were expected to be born (before 37 weeks)
- needs to stay in hospital for a time after birth

For example, they might decide to start it once their baby is home from hospital.

They will need to tell their employer the new date they're starting paternity leave.

The employer should be supportive of any difficult circumstances. They could allow for someone other than the employee to tell them, such as the employee's friend or family member.

The employee does not have to give the employer any formal evidence of the date of birth. But some employers might have a policy that asks for staff to contact work as soon as possible.

If the baby is born late

If the baby is born late, the employee must tell their employer the new date they're starting their paternity leave as soon as they can. This does not have to be in writing unless the employer requests it.

If the employee wants to take time off before the birth, they could agree with their employer to take another type of leave, for example holiday.

If the baby needs neonatal care

If the baby needs neonatal care, the employee might be eligible for neonatal care leave and pay. This is in addition to paternity leave.

Employees have the right to neonatal care leave from their first day of starting a job. This is after the baby has had at least 7 consecutive days of care.

Employees can take up to 12 weeks leave and pay depending on how long their baby needs neonatal care for.

Employees are not able to take 2 types of leave at the same time. Neonatal care leave will be added onto the end of paternity leave if:

- they have already booked paternity leave
- the paternity leave is at the same time the baby is in neonatal care

[Find out more about neonatal care leave and pay](#)

If there's a stillbirth or death soon after birth

If there's a stillbirth or the baby dies soon after birth, it might be difficult for the employee to tell their employer. The employer should allow for someone else to tell them, for example the employee's family member or friend.

The employer should offer support for the employee. When the employee is ready, they can talk about what time off they think they'll need.

Their paternity rights still apply if their baby:

- is stillborn after 24 weeks of pregnancy
- is born alive at any stage of the pregnancy but only lives for a short time

They can take paternity leave:

- at the time it was planned for – if they had already booked the leave before the baby died
- within 8 weeks of the baby's death – if they had not already booked paternity leave

If the employee is eligible for [parental bereavement leave and pay](#), they have the right to take this after they finish their paternity leave.

Talking about paternity leave

The legal name for the time off is 'statutory paternity leave'. If the employee is not comfortable calling it paternity leave, they can let the employer know so they can support them.

Employers should be sensitive to the employee's preference and be led by them when having conversations about leave.

If the employer needs to discuss anything work-related with the employee, they could arrange with someone else, such as their friend or family member:

- when this communication happens
- how it happens, for example whether any urgent communication can be emailed to a friend or family member

If there's a miscarriage

A miscarriage means a pregnancy loss in the first 24 weeks.

Employees are not entitled to statutory paternity leave after a miscarriage. However, many people would still consider miscarriage a bereavement. The employer should still consider offering time off at what can be an extremely difficult time, both physically and emotionally.

Find out more about:

- [if an employee or their partner has a stillbirth or miscarriage](#)
- [supporting an employee after a death](#)

Get more advice and support

If you have any questions about paternity leave, [contact the Acas helpline](#).

You can also:

- [check if you can get paternity leave or pay on GOV.UK](#)
- [use the paternity calculator for employers on GOV.UK](#)