



## Adoption and Surrogacy

### Process

#### 1. Prior to Adoption

The main adopter, regardless of length of service is entitled to reasonable paid time off for adoption appointments e.g. assessment meetings, meetings with social workers or meetings with the child. The secondary adopter is entitled to take paid time off for up to two appointments.

Employees should provide line managers with as much notice as possible. They have the right to request that the employee produce documentary evidence showing that an appointment has been made.

#### 2. Prior to Surrogacy

Parental Order parents are entitled to take unpaid leave to enable them to accompany the surrogate mother to up to 2 of their antenatal appointments.

#### 3. Notification of Adoption / Surrogacy Leave

Employees should notify their line manager and HR in writing of their intention to adopt within 7 days of the match being confirmed. The information should include the expected date of placement, the date they wish leave to commence (which should be no later than the date of the placement) and how much leave they want.

The expected date of adoption must be confirmed by the `matching certificate` from the employee's adoption agency once it is issued.

This date can be amended due to any change in circumstances regarding the adoption. If a placement is delayed and the employee has begun their adoption leave, this can be stopped and then re-commenced at a later date.

#### **4. Applying for Adoption / Surrogacy Leave**

To apply for adoption/surrogacy leave employees should complete the adoption/surrogacy leave application form no later than 28 days before they want their leave to start. The form should be sent to the HR Department, copied to the line manager together with the following documentation:

##### **UK adoptions:**

- Letter from the appropriate agency confirming that adoption is being sought
- The matching certificate to confirm a child is being placed – issued by the adoption agency
- Confirmation letter from the adoption agency that a child has been placed with them

##### **Overseas adoptions:**

- A copy of the Official Notification issued by the relevant UK authority as proof of the eligibility to adopt a child from overseas
- Completed Form SC6 giving the date the child is expected to enter the UK and to declare that Statutory Paternity Pay is not being received (available from [www.hmrc.gov.uk/forms/sc6.pdf](http://www.hmrc.gov.uk/forms/sc6.pdf))
- A copy of the evidence that the adoptive child has entered the UK e.g. plane ticket or copies of entry clearance documents (evidence to be submitted within 28 days of the child entering the UK)

##### **Surrogacy arrangement:**

- The birth parent's MATB<sub>1</sub> form
- Parental Order within 6 months of the child's birth

The Human Resources Department will respond within 28 days, confirming how much pay will be received and when it will start and stop.

#### **5. Disruption to the placement**

Adoption leave will normally finish eight weeks after the end of the week in which any of the following disruptions take place:

- Adoption leave began before the expected date of placement and the employee is then informed that the child will not be placed

- The child stops living with the adopter
- The child dies during the adoption leave

Payment for SAP will continue for eight weeks after the end of the week in which the disruption took place or until the end of the adopter's 39 week SAP period, whichever is the sooner. Employees must give eight weeks' notice if you are returning to work earlier than expected due to the disruption.

## **6. Notification of intention to return from Adoption / Surrogacy Leave**

Employees may exercise the right to return to work at any time during the period of leave.

Employees who intend to return to work at the end of their full leave entitlement do not have to give any further notification to the College.

Unless otherwise notified, the date on which the employee returns to work will be:

- The first working day 52 weeks after the adoption / surrogacy leave began; or
- Within any longer leave period allowed on a voluntary or contractual basis by the College.

The appropriate date of return would have been notified to the employee within 28 days of their notification to the College of their intention to take adoption / surrogacy leave.

The College will write to the employee 12 weeks before their expected date of return reminding them of when they are due back and setting out the arrangements for their return to work.

If the employee intends to return to work before the date notified to them by the College, they must give 8 weeks' notice of their proposed date of return. This notice should be made in writing to the Human Resources Department.

If an employee attempts to return to work earlier than the end of the ordinary or additional leave without giving the College 8 weeks' notice, the College may postpone their return until the full 8 weeks' notice has been given. However, the College cannot postpone the employee's return date beyond the end of the full 52 weeks adoption / surrogacy leave period.

An employee whose return has been postponed under these circumstances is not entitled to receive wages or salary if they return to work during the period of postponement.

The only exception to these circumstances is if the College has not given appropriate notification to the employee, in writing, of when the leave should end.

## **7. College notification of end of Adoption / Surrogacy Leave**

Once the notification has been correctly carried out as detailed above, the College must inform the employee of the date on which their leave will end. This should be done within 28 days of the employee's notification unless the start dates for the leave have changed.

## **8. Reintroduction to the Workplace**

On return to work it is recommended that a meeting is arranged with the employee's line manager, who will be responsible for dealing with any housekeeping matters and ensuring that the employee settles in smoothly. It is also suggested on return to work that the manager and employee put in place a return to work plan. Suggestion for this may include:

arranging a catch-up meeting to update the employee on developments in their absence not previously notified to them, for example new members of staff and employee departures, technological developments and new or amended systems of work;

- Discussing the arrangements for handing work back;
- Arranging for the employee to meet with other work colleagues;
- Enabling them to re-familiarise themselves with the workload and the relevant systems of work;
- Discussing any internal or external training needs or requirements and ensure that these are addressed as soon as possible after the employee's return
- Introducing the employee to any new members of staff; and
- Discussing any other operational matters

Please also refer to the policy section on annual leave which might be useful with regards to providing a flexible return to work for a period of 3 months. Any such adjustments will always be made on the proviso that the employee must have fully returned to work within three months of their return date. It should be acknowledged where the employee has returned to work with the College's agreement on a part-time basis, in accordance with the College's Flexible Working Policy they should be given an appropriate workload for the number of hours being worked.

Further supporting information can be found through working families who have produced guides for parents and employers which provide tools, tips and advice for good working practices and which may help parents to enjoy the next phase of their life as a working parent.

## **9. Individuals working on Research Grants**

If an employee is paid from a research grant they or the Principal Investigator will need to inform the funder in addition to Research Finance and the Human Resources Department of their intention to take leave and the planned dates. Funder's rules vary in relation to suspension of grants, extension and payment during such leave so it is important that contact is made in sufficient time to allow for

the appropriate actions to be taken. Where individuals are working on their own fellowships they will need to notify their funder directly in accordance with the terms of the award.

In the event that a grant is suspended, funding for adoption / surrogacy leave will be paid by an individual's employing Department.