

Adoption and Surrogacy Leave & Pay Policy

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1. Introduction

At Strathclyde, we're committed to supporting our colleagues throughout the adoption, fostering for adoption and surrogacy arrangements. We know that adopting a child and having a baby through a surrogacy arrangement can be both an exciting and challenging time and we want to do all we can to support you.

In this policy, you'll find all the information you need on your entitlement to adoption/surrogacy related appointments, adoption leave and pay, and the support that we offer you before, during and after your adoption.

Please note, if this policy refers to additional guidance, FAQs, online forms, or training, these are accessible to University colleagues on our [People Hub](#).

2. Who is Covered by this Policy?

This policy applies to all University employees who are adopting a child or having a child through a surrogacy arrangement. Both parents may work at the University, or one might work elsewhere. If you're part of a couple, you should decide who'll be the **primary adopter** and who'll be the **secondary adopter**, as entitlements are different:

- **Primary Adopters** are entitled to paid time off for attending adoption/surrogacy related appointments, together with Adoption Leave and Pay, where eligible.
- **Secondary Adopters** are entitled to paid time off for attending adoption/surrogacy related appointments, together with [Paternity Leave and Pay](#), where eligible.

As primary adopter, you're the only partner taking adoption leave and pay, and are eligible if you:

- Have been newly matched with a child for adoption by a UK adoption agency, **or**;
- Have been approved by a UK local authority for fostering with the expectation of adopting, **or**;
- Are adopting a child from overseas and have received official notification, **or**;
- In the case of surrogacy, and have obtained a Parental Order for your child, or have

applied for, or intend to apply for a Parental Order for your child.

As **primary adopter**, you may also be thinking about sharing some of your adoption leave with your partner. If so, you should also refer to our [Shared Parental Leave and Pay Policy](#) to find out more information.

If you experience pregnancy or baby loss you should refer to our [Pregnancy & Baby Loss Policy](#).

3. Letting Us Know You're Adopting and Want to Take Adoption Leave

We encourage you to let your manager know your plans as soon as possible. We understand that appointments and arrangements can be scheduled or changed at short notice, so please keep your manager updated of any changes. Giving as much notice as possible allows us to provide better support to you throughout the adoption process and to plan for your absence.

As **primary adopter**, you should complete the online [Adoption Leave Request Form](#) (staff login required) and inform your manager that you intend to take adoption leave. If you're the **secondary adopter**, you should complete the online [Paternity Leave Request Form](#) (staff login required) and inform your manager that you intend to take Paternity Leave.

There are different notification requirements for UK based adoptions, overseas adoptions, and surrogacy and, in each case, we'll confirm your leave start and end date in writing **within 28 days**.

3.1. UK Based Adoptions

Where possible, you should complete the Adoption Leave Request Form **within seven days** of being matched with a child, and **at least 28 days** in advance of your anticipated leave start date, providing:

- The date on which your child is expected to be placed with you.
- The date you want your adoption leave to start.

You'll then need to provide evidence that your child is being adopted via an adoption agency, which states the:

- Name and address of the adoption agency.
- Date your child was matched (for example, the matching certificate).
- Expect or actual date of placement (for example, a letter from the agency).

3.2. Overseas Adoption

Where possible, you should complete the Adoption Leave Request Form **within 28 days** of receiving your official notification, providing the:

- Date of the notification, and when you expect the child to enter the UK, within 28 days of receiving official notification.
- The actual date that your child entered the UK, within 28 days of entry.
- The dates of when you would like your leave to start and end, again giving 28 days' notice.

You'll then need to provide evidence that your child is being adopted via an adoption agency, which states the:

- Official notification of adoption.
- [A declaration that you're claiming SAP and not Statutory Paternity Pay.](#)
- Date your child arrived in the UK (for example, a plane ticket or entry clearance document).

3.3. Surrogacy

Where possible, you should complete the Adoption Leave Request Form **at least 15 weeks** before the week your baby is due, providing:

- Your baby's due date.
- The date you want your adoption leave to start.

You'll then need to provide a statutory declaration which states you:

- Have obtained/have applied for/intend to apply for a Parental Order within 6 months of your baby being born.
- Expect the order to be granted (for example, because you don't have any convictions involving children, and the birth mother or father agree to the arrangement)

If your child is born earlier than you intended your adoption leave to start, your leave will then automatically begin from the day after childbirth. In these circumstances you should contact your manager and HR as soon as possible to advise of this.

4. What Time Off is Available?

4.1. Time off to Attend Adoption/Surrogacy Related Appointments

Both the **primary adopter** and **secondary adopter** can take paid time off to attend up to five adoption/surrogacy related appointments and three adoption/surrogacy related appointments respectively.

4.2. Time off for Antenatal Appointments

In surrogacy arrangements, you're also entitled to take paid time off to accompany the pregnant parent to attend ante-natal appointments. Here, the primary adopter would be entitled to take adoption/surrogacy appointments and the secondary adopter would receive time off, as detailed in our Paternity Leave and Pay policy. You should agree these with your manager and arrange to attend at the start or end of the day where possible.

4.3. Time off for Adoption Leave

If, as **primary adopter**, you're adopting a child, or having a child through a surrogacy arrangement, you're entitled to 52 weeks' adoption leave. It doesn't matter how long you've worked at the University or how many hours you work. How much leave you take is up to you, but you must take a minimum of 2 weeks after your adoption begins.

UK Based Adoption

As primary adopter, you can choose to begin your adoption leave either on the date on which your child is placed with you for adoption or no earlier than 14 days before the expected date of placement.

UK Based Surrogacy

As primary adopter, your adoption leave must begin from the date of your child's birth (or the following day if you're at work on the date of your child's birth).

Overseas Adoption

As primary adopter, you can choose to begin your adoption leave from the date that your child enters the UK, or on a fixed date no later than 28 days after your child enters the UK.

Overseas Surrogacy

As primary adopter, you can take your adoption leave from the date of your child's birth (or the following day if you're at work on the date of your child's birth) even if your child has not yet entered the UK.

5. Pay During Your Adoption Leave

We want to support you through your adoption leave and minimise the impact on your pay. We offer enhanced adoption pay (referred to as University Adoption Pay, or UAP) if you also qualify for Statutory Adoption Pay (SAP) and you're employed by us at the beginning of the matching week or, in the case of surrogacy, the date your baby is due.

To qualify for Statutory Adoption Pay, as **primary adopter**, you must:

- Have been continuously employed by the University for 26 or more weeks:
 - Leading to the week in which you're notified of being matched with a child (matching week), in the case of adoption.
 - At the beginning of the 15th week before the week your baby is due, in the case of surrogacy.
 - If you're employed on a fixed-term basis and have had a break in contracts of one calendar month or less, this won't count when calculating your length of continuous service.
- Earn at least an average of £125 a week. This is based on what you have been paid during the eight-week period that ends on the:
 - Matching week, in the case of adoption.
 - 15th week before your baby is due, in the case of surrogacy.

If, as **primary adopter**, you meet the criteria above, and you're employed by us at the beginning of the matching week or, in the case of surrogacy, the date your baby is due, you have the choice of claiming either:

Option 1	Weeks 1-18	18 weeks at full pay – this includes your entitlement to SAP.
	Weeks 19-39	21 weeks at SAP rate only
	Weeks 40-52	Any leave taken during this period is unpaid.
Option 2	Weeks 1-9	9 weeks at full pay – this includes your entitlement to SAP.
	Weeks 10-27	18 weeks at half pay plus SAP (providing that total pay does not exceed your normal full pay).
	Weeks 28-39	12 weeks at SAP rate only
	Weeks 40-52	Any leave taken during this period is unpaid.

Just so you know, the rate of SAP will vary at different stages of your leave. It is paid as follows:

Weeks 1 to 6	The current flat rate set by the Government or 90% of your average weekly earnings – whichever is higher.
Weeks 7 to 39	The current flat rate set by the Government or 90% of your average weekly earnings – whichever is lower.

If you meet the criteria to qualify for SAP but will no longer be employed by the University at the beginning of the matching week or, in the case of surrogacy, the date your baby is due (for example, if your fixed term contract is coming to an end), then you'll not qualify for UAP. In these circumstances, we'll pay you SAP only for 39 weeks at the rates set out above.

In the unlikely event that you don't qualify for UAP or SAP you may still be able to claim Adoption Allowance, which is paid by the local authority looking after your child before adoption. You'll be paid this if:

- You've not worked for the University long enough to receive University Adoption Pay but were in other paid employment in the 66 weeks before your adoption begins, or baby is due in the case of surrogacy; or
- You were self-employed in the 66 weeks before your adoption begins, or baby is due in the case of surrogacy arrangements.

We also know that sometimes the birth of your baby might not go to plan. If your baby requires to spend a period of 7 days or more in neonatal care you will also be entitled to Neonatal Care Leave. You can receive one week of leave for each full week your baby spends in neonatal care (up to a maximum of twelve weeks).

If you qualify for statutory adoption pay, your neonatal care leave will also be paid. This means you will be paid at the weekly statutory rate, set by the Government, for each week of neonatal care leave you take. You can find out more about how you can use your leave and how to apply in our [Neonatal Care Leave and Pay Policy](#).

If you have any queries or concerns around your entitlements, please contact the [Payroll Team](#).

6. During Your Adoption Leave

When you're off on adoption leave, you'll continue to be employed by us and your service will not be broken. You'll return to the same job and the same terms and conditions as you had before you started adoption leave. If for any reason, there is a need for your role to change you'll be fully consulted with.

You'll find more information on any impact to your terms and conditions below.

6.1. Annual Leave and Public Holidays

You'll continue to accrue (build up) annual leave and public holiday entitlements while you're on adoption leave. You should talk to your manager about using your leave entitlement. We encourage you plan to use your annual leave either at the beginning or end of your adoption leave where possible. It may be possible to carry over some of your leave and you should speak to your manager about this.

6.2. Pensions

If you're a member of a pension scheme, you'll continue to be a member during your adoption leave.

During any period of adoption leave where you're receiving **reduced pay**, your pension contributions will be based on your earnings at that time. However, your pension benefits won't be impacted.

During any period of **unpaid adoption leave**, your pension contributions will stop. You have the option to pay the contributions for the unpaid period on your return to work and we'll pay the employer contributions.

For any queries or to discuss your pension further please contact the [Pensions Team](#).

6.3. Other Benefits

If there are any other benefits that you contribute to through a salary sacrifice arrangement, like childcare vouchers or the cycle to work scheme, you should contact the Payroll Team to find out how these may be impacted while you're on adoption leave.

6.4. Keeping in Touch Days

As **primary adopter**, you're encouraged to stay in touch with your manager during your adoption leave. This is so that they can keep you updated of any changes or information you need to know while you're off. You can also speak to your manager about allocating you a 'buddy' to support you before, during and after your leave. You'll find more information in our [Family Leave Buddy System Guidance](#) (staff login required).

You can also work up to 10 Keeping in Touch (KIT) days during your leave if your manager agrees. You'll need to discuss what this work will involve and when you'll do it in advance with your manager. There's no obligation to work a KIT day.

For any KIT days agreed with your manager, you'll get paid your full contractual rate of pay for the hours you work. If you're in the SAP period of your leave, your pay will be 'topped up' to your normal hourly rate. This means that payment for a KIT day won't ever be more than a normal day's pay.

Just so you're aware, even if you don't work a full day, this will still count as one of your 10 KIT days. To be paid for any KIT days you've worked you'll need to complete a [KIT Day Payment Form](#) (staff login required)

7. Returning to Work After Leave

As **primary adopter**, we'll assume that you want to take the full 52 weeks of adoption leave.

But you don't have to and if you wish to return to work earlier you should let your manager and Human Resources know, in writing, as soon as possible. Ideally this will be at least 8 weeks before you intend to return to work. Less notice may result in your return date being delayed, for example if someone is backfilling your role.

When you're coming back to work you might want to think about using a KIT day to discuss the arrangements for your return with your manager. If you're a member of Academic or Teaching staff, you may also want to think about our policy on [Family Friendly Research & Scholarship Leave](#).

8. Further Information and Support

If you have any queries about this policy, please talk to your manager or contact [Human Resources](#). Further information and guidance, for both staff and managers, can also be found on our People Hub.

9. Policy Review

This policy is reviewed by Human Resources on a regular basis. To see when the next review is due, please see our [Policy Review Schedule](#) (staff login required) on our People Hub.