

## Are you eligible for Adoption/Surrogacy Leave?

You are eligible to receive up to 52 weeks' Adoption/Surrogacy Leave if you are able to confirm that you meet the following criteria:

### You:

- Are<sup>1</sup>:
  - Newly matched with a matched with a child for adoption by an approved adoption agency, or
  - Approved by a local authority for fostering with the expectation of adoption ("Fostering to Adopt"), and the child has come to live with you; or
  - Are becoming a parent via a legal surrogacy arrangement (both through adoption and where the baby will be the subject of a Parental Order); **and**
- (Where you are jointly adopting) are the only partner taking adoption/surrogacy leave; **and**
- Have given notice of your intention to take Adoption/Surrogacy Leave within 7 days of being notified by the adoption agency that you have been matched with a child or, at least 28 days' notice where you are in the process of becoming a surrogate parent; **and**
- Have given the required proof of the arrangements, i.e.:
  - A "Matching Certificate" from the adoption agency<sup>2</sup>; or
  - (For overseas adoption) a Certificate of Eligibility from the UK Authority which confirms suitability to adopt an; or
  - A copy of the MATB1 certificate issues to the surrogate<sup>3</sup>.

<sup>1</sup>Adoption/Surrogacy Leave and Pay will not be available in circumstances where a child initially placed as part of a fostering arrangements is adopted (with the exception of "Fostering to Adopt" arrangements), where a step-parent is adopting a partner's child, where you are becoming a special guardian or kinship carer, or for a private adoption arrangement.

<sup>2</sup>Where you are jointly adopting from overseas, and you are the partner taking Adoption/Surrogacy Leave, you will also need to complete Form SC6 (available at: <https://www.gov.uk/government/publications/statutory-adoption-pay-and-leave-adopting-a-child-from-abroad-sc6>) to confirm you are not taking Statutory Paternity Leave or Statutory Paternity Pay.

<sup>3</sup>Where, as an alternative to adoption, the baby is the subject of a Parental Order following a legal surrogacy agreement, in addition to a copy of the MATB1 certificate issued to the surrogate, you must also provide the

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You can check your entitlement to Adoption/Surrogacy Pay using the table below:

	<b>Statutory Adoption Pay (SAP)</b>	<b>College Adoption/Surrogacy Pay<sup>1</sup></b>
<b>Requirements</b> (in addition to those set out above)	<p>To qualify for SAP you must:</p> <ul style="list-style-type: none"> <li>• Have worked at College continuously for at least 26 weeks ending with the week in which you are notified of being matched with a child for adoption; and</li> <li>• Have earned above the "Lower Earnings Limit"<sup>2</sup> in the 8 weeks leading up to the date you were notified of being matched with a child.</li> </ul> <p>To qualify for SAP in relation to overseas adoption you must:</p> <ul style="list-style-type: none"> <li>• Have worked at College continuously for at least 26 weeks ending with the week in which you receive your "official notification" (i.e. permission from a UK authority that you can adopt from abroad); and</li> <li>• Complete form <a href="#">SC6</a></li> </ul>	<p>To qualify for enhanced pay under the College Scheme, you must:</p> <ul style="list-style-type: none"> <li>• Have more than 26 weeks' continuous service<sup>3</sup> ending with the week in which you are notified of being matched with a child for adoption, or, in respect of surrogacy arrangements, where the baby is the subject of a Parental Order, ending 28 days' before you intend to start your leave.</li> </ul>

	<p>To qualify for SAP in relation to a surrogacy arrangement you must:</p> <ul style="list-style-type: none"> <li>• Have worked continuously for your employer for at least 26 weeks by the 15th week before the baby's due;</li> <li>• Intend to apply for a Parental Order; and</li> <li>• Expect the Parental Order to be granted (e.g. because you don't have any convictions involving children, and the bearing parent(s) agree to the arrangement).</li> </ul>	
<b>Pay details</b>	<p>If you meet the criteria above, you are entitled to:</p> <ul style="list-style-type: none"> <li>• Up to 39 weeks' SAP of which 6 weeks is paid at 90% of average earnings and 33 weeks at the lesser of 90% of average weekly earnings or the statutory standard rate, currently £151.20 per week</li> </ul>	<p>If you meet the criteria above you are entitled to:</p> <ul style="list-style-type: none"> <li>• Up to 18 weeks' full pay<sup>4,5</sup>; plus</li> <li>• 21 weeks' at SAP (paid at the lesser of 90% of earnings or the statutory standard rate, currently £151.20 per week); and</li> <li>• up to 13 weeks' unpaid leave</li> </ul> <p>Please note: In addition to the eligibility criteria set out above, College Adoption or Surrogacy Pay will normally only be paid if you are entitled to Statutory Adoption Pay (please seek advice from HR if you are at all unsure about this).</p>

- <sup>1</sup>College adoption/surrogacy pay entitlements apply to staff who were first appointed on or after 4 May 1999 or have been promoted/transferred from a different staff group since that date. If you were appointed prior to 4 May 1999, contact your local HR representative to discuss entitlements.
- <sup>2</sup>If you are unsure whether you have earned above the Lower Earnings Limit, your HR contact will be able to assist you.
- <sup>3</sup>The College will recognise previous continuous University of Trust service for the purposes of College Adoption/Surrogacy pay for the following categories of staff: Professor, Reader, Non-Clinical and Clinical Senior Lecturer, Non-Clinical and Clinical Lecturer and Clinical Research Fellow
- <sup>4</sup> Where a member of staff is in receipt of College Adoption Pay, SAP is an inclusive part of that payment.
- <sup>5</sup> If you decide not to return to work or return but do not continue in employment for at least three months, the College has the right to reclaim the enhanced element of your adoption/surrogacy pay.