



PRIFYSGOL  
**BANGOR**  
UNIVERSITY

**ADOPTION & SURROGACY POLICY**

<b>Rev</b>	<b>Date</b>	<b>Purpose of Issue/Description of Change</b>	
3.	2014	Cosmetic changes	
4.	2015	Update for clarity	
5.	2016	Cosmetic changes	
6.	2018	Update to mirror maternity leave policy	
7.	2021	Review – wording amendments that do not affect content	
8.	2023	Cosmetic changes and clarity to wording that does not affect content	
<b>Policy officer</b>		<b>Senior Responsible Officer</b>	<b>Approved By and Date</b>
Catherine Jones		Steffan Griffith	Compliance Committee 10/02/2003

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## **1 INTRODUCTION**

Here at Bangor University, we know that adopting a new child and having a baby through surrogacy is an important and exciting time and we want to support as best we can. This policy sets out colleagues' entitlement to Adoption leave and pay, and time off to attend appointments.

If a colleague is adopting / entering into a surrogacy arrangement jointly with their partner, only one (known as the primary adopter) will get Adoption leave and the other (known as the co-adopter) may be able to take Paternity / Non-Pregnant Parent / Co-Adopter Leave. It is up to the colleague to decide who will be the primary adopter.

We understand that things can move very quickly when adopting through fostering / concurrent planning, and that it can be a stressful time. Colleagues may get little notice of fostering to adopt / concurrent planning placement. Equally, the placements may not work out, and /or may not progress to adoption. Please talk to the Line Manager about what support and flexibility may be needed.

Please note, if a colleague is fostering a child, but not as part of fostering to adopt or concurrent planning arrangement, then they won't be eligible for Adoption leave.

## **2 ENTITLEMENT**

If a colleague is the primary adopter, and a child has been placed for adoption, they are adopting through fostering for adoption / concurrent planning, or they are having a baby through surrogacy arrangement, they can take up to 52 weeks of Adoption leave.

Adoptions must take place through a UK or overseas adoption agency – private adoptions won't qualify. They also can't take adoption leave if their child isn't being newly matched with them., for example, where a stepparent is adopting a partner's child.

Colleagues can only take one period of Adoption leave for each adoption placement / surrogacy arrangement, even if this is for more than one child.

## **3 NOTIFICATION PROCESS**

Colleagues can start their Adoption Leave on any day of the week either during the week that their child is placed with the, or up to 14 days before the adoption placement. If they are adopting through fostering to adopt / concurrent planning, they can start adoption leave at the start of fostering to adopt / concurrent care placement, or they can wait and take it at the point an adoption placement order is granted. If they want

to wait until an adoption placement order is granted, please talk to the Line Manager to see how else they can support you in the meantime. The manager may be able to agree a temporary flexible working arrangement, and / or some holiday entitlement could be used.

If a colleague is having a baby through surrogacy arrangement, Adoption leave can begin the day the baby is born, or the following day if they are at work.

If a colleague is adopting or entering into a surrogacy arrangement jointly with their partner, subject to eligibility requirements, they can end their Adoption leave early and take Shared parental Leave instead. This allows them to share their adoption leave entitlement with their partner during the first year of adoption / surrogacy birth. – please see the Shared Parental Leave Policy on our website.

Colleagues are required to complete the Adoption Application form in the iTrent system in order to notify their Line Manager of their intention to take leave within 7 days of being notified by their adoption agency that they have been matched with a child for adoption or received notification of a fostering to adopt /concurrent planning placement, unless this is not reasonably practicable.

\*If a colleague has more than one job at the University, they will need to apply for Adoption leave under each role so as their Line Managers can be notified.

Payroll require a copy of the Matching certificate (documentary evidence of the adoption) from the adoption agency OR written notification of fostering to adopt /concurrent planning placement, or adoption placement order (if adopting through fostering to adopt or concurrent planning) OR a copy of the Surrogacy Agreement. These documents are required as evidence of the entitlement to Statutory Adoption Pay (SAP) and need to be scanned and uploaded to iTrent for HMRC (HM Revenue and Customs) purposes. Please follow the iTrent guidance as to how to do this.

Once the Adoption application form is completed and your Line Manager has authorised, Human Resources will confirm the leave and pay arrangements. Please note, the notification requirements are the same regardless of the scheme that you qualify for.

#### 4 PAY ENTITLEMENTS

Scheme	Entitlement/Pay
University Adoption Leave Scheme	• 8 weeks full pay (at your normal weekly rate).
	• + 18 weeks at half pay (half your normal weekly rate) + Statutory Adoption Pay.
	• + 13 weeks at the statutory rate..
	• + 13 weeks unpaid leave.
Adoption Allowance	• Should the payroll department confirm you are not eligible to receive SAP, i.e, if your average earnings are below the 'lower earnings limit'

	for national insurance purposes, Human Resources will be informed, and they will provide you with a SAP1 form that will indicate why the University cannot pay you SAP. This form needs to be presented to your local JobCentre Plus office in order that they can process your Adoption Allowance payment
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Note - Average weekly earnings will be calculated by Payroll in accordance with the statutory adoption pay regulations that may apply at that time.

## **5 PRE ADOPTION / ANTENATAL APPOINTMENTS**

If a colleague is the primary adopter or having a baby via surrogacy and applying for a parental order, they are entitled to have paid time off to attend adoption appointments or appointments with the surrogate. These are appointments made by an adoption agency or Local Authority relating to a child being placed for adoption, or for a fostering / concurrent care placement, or those recommended by a midwife or GP e.g relaxation and parentcraft classes.

Colleagues should inform their Line Manager of their appointment(s) as soon as reasonably practicable. As the co-adopter, you can take unpaid time off work for appointments or, if you are able to work flexibly, you may be able to change your work pattern to accommodate these appointments. Please speak to your manager to see what flexibility can be offered.

Where possible, appointments should be made at times which cause minimal disruption to the working day, however we are aware these sessions are normally at set times on set days.

## **6 KEEPING IN TOUCH DURING YOUR LEAVE**

If a colleague wishes to be kept updated on certain matters or developments whilst on adoption leave, this should be discussed and agreed with their Line Manager before the leave commences.

*Keeping in Touch (KIT) Days* - On agreement with their line manager, they may work up to a maximum of 10 days during the adoption leave period, known as 'keeping in touch' days. These days may be taken at any stage during their adoption leave. Keeping in touch days should be mutually agreed and although not a requirement to undertake they may be useful supporting your return to work for example.

Where KIT days are taken normal daily rates of pay will apply, this will not equal a day off in lieu. During the period of full pay no additional payment will be made except for SAP which will be an additional payment on top of the normal daily rate. Should a colleague take one of these days on their period of half pay, SAP or No pay their

payment will be 'topped up' to their normal daily rate and, when applicable, by SAP. Attendance for part of a day will count as one KIT day e.g 2 hours will count as 1 KIT day.

Should they wish to undertake a KIT day, they must agree the dates with their Line Manager. Their Line Manager will then process the details Payroll is notified. Dates processed after the payroll cut off will be processed the following month.

KIT days can include training courses, staff meetings, away days, checking of emails, reading minutes of meetings, meeting with their Line Manager to discuss our return to work, etc.

## **7 RETURNING TO WORK**

### ***Change of return date (notice required) –***

If a colleague intends to return to work before the end of their full adoption leave period (i.e. 52 weeks) they must give 8 weeks' notice of the date on which they intend to return to their Line Manager. The Line Manager will then update their absence details in iTrent.

### ***Right to return to the same/similar role –***

Colleagues will generally return to the job in which they were employed prior to their adoption leave, on the terms and conditions that would have applied had they not been absent or if this is not reasonably practicable (for example due to a restructure), we will consult with you and you may return to an equivalent job which would be considered suitable alternative work, on terms and conditions no less favorable than would have applied if you had not been absent.

### ***Right to request flexible working –***

We know it can be challenging balancing having a new child with your work. Flexible working might help – you can find our Flexible Working Policy on our website.

If a colleague is sharing responsibility for the upbringing of their child, they may be able to end their adoption leave early and they and / or their partner can take Shared Parental Leave instead. This allows them to share their remaining leave with the child's other parent during their child's first year – you can find our Shared Parental Leave policy on the website.

## **8 MEMBERS OF STAFF NOT RETURNING TO WORK**

If a colleague decides to resign, they will need to give the required notice in line with their employment contract. If they have received University Adoption Pay (UAP) and do not return to work for a period of at least 3 months, Payroll will contact them and arrange for repayment of the non-statutory part of the UAP.

## **9 STAFF ON FIXED-TERM CONTRACTS**

Colleagues should consult with their line manager at the earliest opportunity in the event their contract of employment is due to expire during their adoption leave.

If they are on a fixed term contract that comes to an end during / at the end of your adoption leave period and it has not been possible to identify a redeployment opportunity, they would not be expected to repay the non-statutory part of their UAP. However, if they are offered an extension of their current contract or a redeployment position at the University, but choose not to accept it, we reserve the right to reclaim the non-statutory part of their UAP if you reject or do not pursue these options.

Where no extension is possible, their remaining adoption pay will be honoured, and Payroll will process outstanding monies accordingly in a lump sum.

## **10 RIGHTS & OBLIGATIONS**

### **10.1 PENSION RIGHTS**

Pension rights and contributions shall be managed in accordance with the provisions of the relevant superannuation scheme, providing that these provisions do not conflict with any statutory requirements that may apply at the time.

Pension benefits will normally be preserved during the period of paid leave. Colleagues have the option to agree to pay the contribution for the unpaid leave on their return to work and, if this occurs, the University will also pay employer contributions for the unpaid period of leave.

Further information on specific provision under respective pension schemes can be provided by the Pensions Manager.

### **10.2 CONTINUOUS SERVICE**

The period of absence will be considered continuous service with the University for the purpose of redundancy rights and other similar rights. Colleagues will also be

entitled to progress through the normal annual increments on the University's salary scale in accordance with their terms and conditions of employment.

### 10.3 ANNUAL LEAVE

Colleagues will accrue annual leave during their adoption leave. This includes any Bank holidays or University days that may fall within this period. It is not possible to take annual leave whilst on adoption leave, but, via agreement with their line manager, may be taken prior to or at the end of their adoption period.

Upon their return they may carry over any accrued / untaken annual leave into the following leave year. Leave carried over into the next leave year must be taken within that leave year. The Line Manager or departmental administrator will ensure that your iTrent Self Service dashboard is updated accordingly.

## 11 MEMBERS OF STAFF FUNDED BY EXTERNAL INCOME

Should a colleague's contract be funded by external income they should consult with their Line Manager and / or the grant holder at the earliest possible opportunity.

The policy of research funders with regards to increasing funding and extending the duration of the grants to cover these types of leave varies. In conjunction with their line manager, the funder's provision should be checked to see whether, for example, they will provide additional funding to make a substitute appointment to compensate for the whole, or part, of a period of leave, extend the duration of a grant for a period equivalent to the leave taken so that the project can be completed, and / or cover additional costs associated with the period of adoption leave such as time off following the period of leave via use of accrued annual leave for example.

In conjunction with your Line Manager, please check the terms and conditions of your funder from the award letter, funder website or contact your Research and Impact Support Officer in Integrated Research and Impact Support (IRIS) Service for further information.

The default position is that additional costs associated with adoption leave should be recovered from the external funding body wherever possible. Where this is not supported by the funder, the employing School / Department will meet the costs from their central funds. The matters noted above are those agreed between the University and the funding body and will not affect the right to leave and pay.

## 12 OTHER SUPPORT

Adopting a child can mean big changes to personal lives and colleagues may need extra support and guidance in adapting to these. Remember we have an Employee Assistance Programme (EAP) who can provide support.

### **13 POLICY REVIEW**

This Policy and Procedure will be reviewed at regular intervals of not less than three years and will at all times be read and applied subject to the general law. All reviews will be undertaken in consultation with the recognised campus Trade Unions and any changes agreed with them, prior to approval from the University Council. This policy has been equality impact assessed prior to its implementation.