

Version Control

This document is intended for:

Council staff only

School-based staff only

Council & School-based staff

Version	Key Changes	Approved By
Mar 2020	Reformatted only	DMT
Oct 2022	Scheduled review; language/details modernised/updated and any duplication removed.	DMT
Mar 2023	Pension information updated	DMT
Aug 2024	Protection from redundancy information added	OD

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisation's an o[)TJETC EMC q446.88 607.06

Employees who have entered into a **surrogacy arrangement** must inform their manager of their intention to take surrogacy leave at least 8 weeks before the date they wish to take the leave. You will need to provide documentary evidence to show that a surrogacy arrangement is in place. This should be:

A written statement ('statutory declaration') to confirm that, in the 6 months after the baby's birth:

- the employee intends to apply for a parental order;
- the employee expects the order to be granted (e.g. because they don't have any convictions involving children, and the birth mother or father agree to the arrangement);

a copy of the MATB1 prior to the birth of the baby, and

a copy of the 'Parental Order' C51 as soon as possible after the baby's birth and no later than six months after leave commences.

The Council retains the right to reclaim any payment made, and to be compensated for leave taken, if the employee fails to provide a copy of the 'Parental Order' within six months of leave and pay commencing.

Abuse of this policy could lead to appropriate action being taken in compliance with the Disciplinary Code.

Applications for adoption/surrogacy leave should be made by completing the application form (AL1) contained within this guide and returning it to OD within the timescale mentioned above. On this form the employee will be required to indicate:

That they are the child's adopter/intended parent and that they intend taking adoption/surrogacy leave.

That, if a member of a couple, only 1 is taking adoption/surrogacy leave.

The date the child is expected to be placed for adoption or born in the case of surrogacy.

The date they want their adoption/surrogacy leave to begin.

When they intend to return to work after their adoption/surrogacy leave, provided of course it is their intention to do so.

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than the date that has been agreed and notified in writing, they should comply

If after starting leave, the employee is notified that the child will not be placed, or after the child is placed, that the placement is to end, the employee will not be entitled to the full adoption/surrogacy leave period. In this situation, adoption/surrogacy leave will normally end 8 weeks after the end of the week in which the disruption occurred, or at the end of the adoption/surrogacy leave period whichever is sooner. There is no extension of additional adoption/surrogacy leave if disruption occurs with less than 8 weeks to go. In these circumstances the employee must ensure that they inform OD immediately when the disruption occurs so that the Council will have the full 8 weeks notice to make arrangements for their early return.

An employee can choose to start their adoption/surrogacy leave on:

The date of the child's placement/birth.

A pre-determined date, no more than 14 days before the date the child is expected to be placed.

The day the child is born or the day after (parents in surrogacy arrangements).

Leave can commence on any day of the week. The leave starts on the day the employee starts their adoption/surrogacy leave unless they have worked for any part of that day in which case it will start on the next day.

6. Shared Parental Leave

Shared Parental Leave allows employees with parenting responsibilities the opportunity to share leave should they wish to do so, as long as the combined leave does not exceed a total of 52 weeks (less any adoption/surrogacy leave already taken).

There is no provision for parents having a child via a surrogacy arrangement under this legislation; however, this scheme affords surrogate parents the same rights as adoptive parents. Further details can be found in the [Shared Parental Leave Guidance](#).

7. Adoption/Surrogacy Pay Entitlement

An employee's

39 weeks Statutory Adoption/Surrogacy Pay (SA/SP) plus 13 weeks unpaid leave.

No Occupational Adoption/Surrogacy Pay.

SA/SP is paid whether or not the employee intends to return to work. This allowance is paid by the Council for up to 39 weeks. If an employee does not qualify for SA/SP they may be eligible for other benefits, which are paid by the Department for Works and Pensions and not the Council. You should also contact your adoption/surrogacy support agency who may be able to offer advice on financial support. Once an employee's entitlement to SA/SP has been established, SA/SP is paid for 39 weeks (that is the whole of the period of Ordinary adoption/surrogacy Leave) and comprises of 39 weeks paid at the prescribed flat rate, which is reviewed annually (latest rate available on the <https://www.gov.uk/adoption-pay-leave/pay> website), or 90% of your average weekly earnings, if lower.

To qualify for SA/SP an employee must:

Have been continuously employed by the Council for at least 26 weeks by the week you were matched with a child, and also received your documentary evidence. In the case of Surrogacy Leave, they must have worked continuously for the

Where it is not practicable, because of general reorganisation or redundancy, for the Council to permit an employee to return to work in their original job, they must be offered a suitable alternative vacancy where one exists,

Relationship with the sickness scheme

Adoption/surrogacy leave will not be treated as sick leave and will not be taken into account for the calculation of the period of entitlement to sickness leave.

Ordinary adoption/surrogacy leave and additional adoption/surrogacy leave shall be regarded as continuous service for the purposes of the National Joint Council's sickness and maternity schemes and annual leave. If an employee is unable to return to work at the end of their period of adoption/surrogacy leave because of illness, they should follow the normal procedures for sickness absence.

Antenatal Classes

An employee is entitled to have paid time off to attend antenatal care, but must provide as much notice as possible to their manager.

Unpaid Time Off to Accompany a Family Member

Bank Holidays

An employee

Premature Birth

Eligibility for adoption/surrogacy pay is not affected when a baby is born earlier than is expected. Where a baby is born prematurely before the date an employee had planned to start their adoption/surrogacy leave, they should let their directorate know as soon as reasonably practicable and within 28 days of the actual date of the birth. A matching certificate/evidence of surrogacy should be forwarded to OD if this has not been done prior to the birth. If they have already forwarded the matching certificate/evidence of surrogacy to OD then a copy of the child's birth certificate will have to be provided in order to start the adoption/surrogacy leave and pay. In this instance their adoption/surrogacy leave will start on the day after the birth of their

11. Work Life Balance

In order to provide employees with support in balancing work and home life, the Council promotes flexible working practices and has a range of policies and procedures to offer options for those with caring responsibilities. Some of these are listed below and for further details on these policies please refer to the [intranet](#).

Employees who pay for childcare, may be able to get extra help with the costs. This is the childcare element of working tax credit. Help with up to 70% of childcare costs, that's 70p in every £1 spent on Registered Childcare, is possible.

For a claim pack please contact the helpline on 0845 300 3900 or www.hmrc.gov.uk to download a pack.

THIS FORM SHOULD BE COMPLETED AND RETURNED TO HRpayroll@blaenau-gwent.gov.uk

L A G F G F D L A D

Full Name:

THIS FORM SHOULD BE COMPLETED AND RETURNED TO HRpayroll@blaenau-gwent.gov.uk
WITH AT LEAST 8 WEEKS NOTICE GIVEN OF THE INTENTION TO RETURN TO WORK

LAGF

Authorisation for Payment of

Holiday Pay

THIS FORM SHOULD BE COMPLETED AND RETURNED TO HRpayroll@blaenau-gwent.gov.uk

L A G F G F D L A D

Full Name:

Home Address:

Telephone Number: Home: Work:

Designation:

Place Of Work:

Staff Number:

N.I. Number:

L A G F D L A G F

In line with the Adoption/Surrogacy policy and the Keeping in Touch Days option I wish to notify you that I attended work on the date(s) stated below:

Reason for the Keeping in Touch Day(s):

Employee's Signature:

Date:

Manager's Signature:

Date:

G F A L A G F D N D G E F L M A A G F G F D

CHECK DETAILS AND DATE OF COMMENCEMENT

- Inform Resources
- Letter to Employee (28 days)
- Entered in Register
- Filed Personal File