



University of  
St Andrews

## Adoption leave

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<b>Key terms</b>	Staff/Annual leave and other absence/Family friendly leave
<b>Purpose</b>	To provide information to employees adopting a child regarding their eligibility to adoption leave and pay.

<b>Version number</b>	<b>Purpose / changes</b>	<b>Document status</b>	<b>Author of changes, role and School or unit</b>	<b>Date</b>
2.2	Fix broken link to family leave checklist, link to new HR policy webpages, and migrate onto new policy template.	Published	Lisa Stewart	11/11/2025

- British Sign Language (BSL) users can contact us via the online BSL Video Relay Interpreting Service: <https://contactscotland-bsl.org>
- This document and forms associated with this document are available in an alternative format upon request.
- We encourage employees to access the [Adoption webpage](#) to access information regarding the adoption process.

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## 1. Statement

- 1.1 This policy has been developed to provide information regarding the University's adoption leave offering. Any queries regarding the information outlined in this document should be directed to [HR Support](#) in the first instance.
- 1.2 This policy applies to employees adopting a child from within the UK, overseas and includes surrogacy arrangements and foster to adopt arrangements. This policy is inclusive of same-sex parents.
- 1.3 Additional support can be accessed on:
  - 1.3.1 [Adoption leave webpage](#) (for staff)
  - 1.3.2 [Adoption leave guide for line managers](#).

## 2. Purpose

- 2.1 The purpose of this policy is to provide guidance and support for employees who are adopting a child, ensuring they understand their rights, entitlements, and responsibilities.

## 3. Scope

- 3.1 This policy applies to all employees. Statutory entitlement and eligibility criteria are confirmed below.

## 4. Definitions

- 4.1 **Fostering to adopt** means fostering a child permanently and becoming their legal parent.
- 4.2 **Surrogacy:** When someone else carries and gives birth to a baby for the intended parents. If an individual uses a surrogate, the surrogate will be the child's legal parent at birth. Individual's must apply to become the legal parent within 6 months of the child's birth to be eligible for adoption leave and pay.

## 5. Statutory entitlement

- 5.1 All employees who adopt a child (from within the UK or overseas) or have a child through a surrogacy arrangement are eligible for 52 weeks adoption

leave irrespective of length of service. This is made up of 26 weeks of ordinary adoption leave (OAL) and 26 weeks of additional adoption leave (AAL).

5.2 Only one period of leave will be available irrespective of whether more than one child is being adopted as part of the same arrangement.

5.3 **To qualify, an employee must:**

5.3.1 **For UK adoption**

- a. Be matched (or be one of a couple who have been jointly matched) with a child for adoption by an approved adoption agency (this includes the situation where a local authority places a child with the employee in a [foster to adopt](#) arrangement).
- b. Have notified the agency that they agree that the child should be placed with them for adoption and on the date of placement.

5.3.2 **For surrogacy adoption**

- a. Adopt the child; or intend to apply for a parental order within six months of the child's birth and expect the order to be granted. They must apply for a **parental order** - if one intended parent is genetically related to the child or an **adoption order** - if the intended parents are not genetically related to the child.

5.3.3 **For overseas adoption**

- a. Have received official notification in respect of the child.

5.4 The right to adoption leave is available to one member of the adopting couple only (or in the case of surrogacy 'parental order' parent couple). It is up to the adoptive/parental order parents to decide which of them takes the adoption leave. The other partner may be entitled to take [paternity leave](#) or [Shared Parental Leave \(SPL\)](#) if they meet the eligibility requirements.

5.5 Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption (e.g., when a stepparent is adopting a partner's child/children).

## 6. **Adoption pay packages**

6.1 The University offers an enhanced adoption pay package to employees who meet the length of service criteria for statutory adoption pay (SAP).

6.1.1 Employee has less than 26 weeks continuous service at the end of the:

- a. **UK adoption:** week in which they are notified of being matched to a child.
  - b. **Surrogacy adoption:** 15th week before the Expected week of childbirth (EWC).
  - c. **Overseas adoption:** week in which they receive official notification of the adoption.
- 6.1.2 **They will not be entitled to Statutory Adoption Pay (SAP).**
- 6.1.3 Employee has 26 weeks continuous service at the end of the:
- a. **UK adoption:** week in which they are notified of being matched to a child.
  - b. **Surrogacy adoption:** 15th week before the Expected week of childbirth (EWC).
  - c. **Overseas adoption:** week in which they receive official notification of the adoption.
- 6.1.4 **They will be entitled to the University's enhanced adoption pay package.** Currently this is calculated as follows:
- a. 22 weeks of full salary and
  - b. 17 weeks of Statutory Adoption Pay or 90% of your gross average weekly earnings if this is less than the SAP rate per week
  - c. The remaining 13 weeks will be unpaid.

## 7. Procedures

### 7.1 Notifying the University

- 7.1.1 It is encouraged that employees and line managers use the [Family Leave Checklist](#) to ensure that they can plan effectively for a period of family leave.
- 7.1.2 Wherever possible, it is encouraged that employees inform their line manager of their intention to take family leave as early as practicable to provide appropriate time for the line manager to organise and plan how they will cover the workload during the period of leave.
- 7.1.3 Employees must notify their line manager and Human Resources of their intention to take adoption leave using the adoption leave notification form located in [HR Self-Service](#) (under My Forms). The

line manager will submit the form to [HR Support](#), which will instruct them to confirm the adoption leave dates to the employee in writing (within 28 days of notification of the adoption).

#### **7.1.4 For UK adoption**

- a. The notification must be within 7 days of being notified that they have been matched with a child and must include the date on which the:
- b. Child is expected to be placed with the employee “Expected Date of Placement (EDP) and;
- c. Employee intends to commence their adoption leave.

#### **7.1.5 For surrogacy adoption**

- a. The notification must be submitted prior to the end of the 15th week before the baby is due and must include the EWC and date on which the employee intends to commence their adoption leave.

#### **7.1.6 For overseas adoption**

- a. The notification should be submitted within 28 days of receiving official notification and must include the date on which the:
  - Official notification was received.
  - Child is expected to enter the UK.
  - Employee intends to commence their adoption leave.
- b. “Official notification” means written notification, issued by or on behalf of the relevant domestic authority, that it is prepared to issue, or has already issued, a certificate to the overseas authority concerned with the adoption of the child, confirming that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.
- c. “Relevant domestic authority” means the Secretary of State, except in the case of an adopter who is habitually resident in Wales, in which case it is the National Assembly for Wales, or Scotland, in which case it is the Scottish Ministers.

### **7.2 Evidence of adoption**

- 7.2.1 The employee should submit evidence of the adoption via [HR Self-Service](#) (My Forms > Family Leave > Family Leave Document Submission)

- a. **UK adoption:** A "matching certificate" confirming the EDP which should be provided by the adoption agency.
- b. **Surrogacy adoption:** A statutory declaration confirming that the employee intends to apply for a parental order within six months of the child's birth and expect the order to be granted.
- c. **Overseas adoption:** A copy of the [official notification](#) and evidence of the child's entry into the UK (when this becomes available and no later than 28 days of the child's entry into the UK).

### 7.3 Time off for adoption appointments

7.3.1 The employee's line manager reserves the right to ask to see the appointment notification.

7.3.2 Employees must endeavour to give as much notice as possible to their line manager when requesting time off to attend such appointments.

#### 7.3.3 Primary adopters (UK or overseas)

- a. Employees who are primary adopters (UK or overseas) are entitled to paid time off to attend up to **5 adoption appointments** arranged by the adoption agency once they are matched with a child. The other adoptive parent is entitled to attend up to two adoption appointments at full pay.

#### 7.3.4 Surrogacy adoption

- a. The employee is entitled to accompany the surrogate up to two antenatal appointments at full pay.

#### 7.3.5 For overseas adoption

- a. Adoption leave or adoption appointments cannot be used to cover the period employees spend travelling overseas to arrange the adoption or visiting the child.

### 7.4 Going on adoption leave

#### 7.4.1 UK adoption

- a. Adoption leave can start at any time from either the date of the child's placement, or a fixed date which can be up to 14 days before the expected date of placement.

- b. Any requests to change the adoption leave start date should be requested at least 28 days before the intended adoption start date.

#### 7.4.2 **Surrogacy adoption**

- a. Employees who are having a child through a surrogacy arrangement will **automatically** commence their adoption leave on the day on which the baby is born, or the day after.

#### 7.4.3 **Overseas adoption**

- a. Adoption leave can start on the day which the child enters the UK or on a fixed date that is no later than 28 days after this date.
- b. Any requests to change the adoption leave start date should be requested at least 28 days before the intended adoption start date.

- 7.4.4 If adoption leave commences unexpectedly because of earlier placement/birth of the child, then the employee must notify their line manager and [Human Resources](#) of the date as soon as is reasonably practicable to allow the adoption leave start date to be changed.

### 7.5 **Pension contributions**

- 7.5.1 During the full pay period of adoption leave (1 to 22 weeks), pension contributions will be maintained. From week 23 to 39, when only SMP is applicable, the rules of each pension scheme vary and therefore the employee should contact the [Pension Administrator](#) for details of pension contributions during this period of leave. Once week 40 is reached, and unpaid adoption leave begins, pension contributions will cease.
- 7.5.2 When the employee returns to work, the Pension Administrator will contact them to offer the choice of continuing pension contributions during the unpaid adoption leave. If the employee chooses to maintain their contributions during this period, the University will also uphold its employer contributions for the same duration. These contributions can be deducted from the employee's salary as a one-time payment or over an agreed reasonable period. Note: This only relates to employees in USS and S&LAS pension schemes.
- 7.5.3 Employees can contact the [Pensions Administrator](#) directly should they have any questions.



## **7.6 Neonatal Care Leave**

- 7.6.1 The University has introduced support for parents of babies who require neonatal care (for at least 7 consecutive days) before the baby reaches 28 days of life. Employees will be entitled to an additional period of leave to add to the end of their adoption if they meet the neonatal care definition outlined in the [Neonatal Care Leave Policy](#).

## **7.7 Returning to work**

- 7.7.1 Notice of the return-to-work date is not required unless the employee wants to return prior to or later than the date stated on their adoption leave notification form. If there is a request to change the return to work date, the employee must inform their line manager and [HR Support](#), at least 8 weeks before the intended return date, via email confirming the new return date.
- 7.7.2 The employee will receive a letter from HR approximately 10 weeks prior to the end of the adoption leave confirming the expected date of return to work. Employees should ensure that they respond to this letter to confirm that they are intending to return to work on the date confirmed in the letter, or whether they intend to take annual leave (and, if relevant neonatal care leave) directly after their adoption leave.
- 7.7.3 Employees will normally return to their original job after adoption leave. In some cases, a return to their original job may not be possible, if for example, the department has restructured. If this happens, the employee will be guaranteed to return to a post of a similar grade. In all cases, the employee's return to work will be without loss of seniority or status.

## **8. Keeping in touch**

- 8.1 The line manager, or equivalent other (e.g. Head of School/Unit) may want to make reasonable contact with the employee during their adoption leave. Reasonable contact will vary according to individual circumstances and should be agreed between both the employee and the line manager (or equivalent) prior to going on adoption leave.
- 8.2 Employees can work for up to 10 days, by mutual agreement, during a period of adoption leave without it impacting on adoption leave or affecting the employee's right to statutory adoption pay. The idea behind this is to allow employees to keep in touch with colleagues and the school/unit during adoption leave. Keeping in Touch Days (KIT days) can be used for undertaking normal contractual duties or for other work requirements such

as, attendance at a scheduled conference, training, team meetings, away days, or performance & development reviews.

- 8.3 The days do not have to be worked consecutively, and the employee will be paid at their normal rate of pay or the appropriate rate for the work undertaken on these days. Alternatively, the employee can take time off in lieu. Working for part of a day will use up one KIT Day. Employees will only be paid for the hours worked and these must be agreed in advance with the line manager.
- 8.4 KIT days do not extend the adoption pay periods in any way.
- 8.5 Employees will receive the normal hourly/salary rate for the hours worked. This payment will be inclusive of any adoption pay (including Statutory Adoption Pay) the employee is receiving when the KIT days are worked. Payment for KIT days will not exceed the normal payment for the pay/hours worked. Therefore, if an employee uses a KIT Day during the full pay period, no additional payment will be made. If an employee uses a KIT Day during the Statutory Adoption Pay period, the pay will be increased to their normal rate of pay for the hours worked (inclusive of SAP). If an employee uses a KIT Day during the unpaid period of adoption leave, or the employee does not qualify for adoption pay, their normal rate of pay for the hours worked will be processed.
- 8.6 Once a KIT day has been completed, the employee will be required to complete a KIT form which is located in [HR Self-Service](#) (under My Forms). Once completed, they must submit the form which will be sent to the line manager for authorisation. The line manager will submit the form to [Pay and Pensions](#), which will instruct them to process the payment. Payment will be made on the first pay date after Salaries receive the form; provided it is received by the relevant salary [cut off date](#).
- 8.7 KIT days are optional, and the University has no right to force anyone to work a KIT Day. KIT days may be undertaken at any stage during adoption leave, except during any annual leave period that is used directly after adoption leave.

## **9. Support**

- 9.1 The University offers a confidential Employee Assistance Programme (EAP), which is available to all employees to support with personal problems that can affect work life, home life, and general wellbeing. The service also gives free access to a digital Health and Wellbeing App which gives support and guidance on a wide range of resources on physical wellbeing, mental wellbeing, work and productivity, movement sleep, financial wellbeing, nutrition, hydration and energy. Contact details and how to register can be found on the [EAP website](#).

- 9.2 Employees have access to the [Staff Wellbeing webpage](#) which offers various support on various matters.
- 9.3 Any questions employees have about matters raised in this policy should be raised with their [HRBP](#). Any work-related issues should be addressed directly with their line manager.
- 9.4 For internal support, [contact HR](#) or where an employee is a member of a [Trade Union](#), they can reach out to their representative for support and guidance.
- 9.5 External support about adopting a child can be found on the Adoption webpage under “[Additional support](#)”.

## 10. Version control

- 10.1 This policy is non-contractual and may be amended at any time.
- 10.2 This policy may be reviewed in the light of operational experience, sector developments and changing organisational needs. As and when a full review is undertaken, trade union and representatives will be consulted in line with the [Policy Working Group Terms of Reference](#).
- 10.3 Any feedback on the policy content should be directed in the first instance to the [HR Policy Officer](#) or via the [HR Feedback Form](#).

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone	Published	Lisa Stewart, HR	04/06/2019
1.1	Minor change to Appendix A	Published	Lisa Stewart HR	05/03/2020
1.2	Change to review date	Published	Lisa Stewart HR	04/02/2021
1.3	Minor review of the policy: change to notification process and KIT day wording	Published	Lynsey Rattray HR	09/07/2021

2.0	<ul style="list-style-type: none"> <li>• Increase to occupational adoption pay provision.</li> <li>• Pilot the removal to return to work after adoption leave in order to be eligible for the enhanced pay</li> <li>• Introduction to neonatal care leave "NCL".</li> <li>• Includes surrogacy and foster to adopt arrangements.</li> </ul>	Published	Lisa Stewart HR	11/09/2023
2.1	<ul style="list-style-type: none"> <li>• New section added to document what happens to employee pension contributions during unpaid leave.</li> </ul>	Published	Lisa Stewart HR	31/01/2024
2.2	<ul style="list-style-type: none"> <li>• Fix broken link to family leave checklist, link to new HR policy webpages, and migrate onto new policy template.</li> </ul>	Published	Lisa Stewart	11/11/2025