

Policy on Adoption Leave for Employees in Surrogacy Arrangements

(Reviewed in May 2025. For review in or before May 2027.)

Note

For all employees, whether in the UK, Lebanon, Jordan or elsewhere, Seenaryo's family friendly policies satisfy the local statutory policies, but also endeavour to provide an enhanced additional contribution. The financial and time provision for all Seenaryo employees across countries of operation is the same, regardless of their country of residence or the level of support provided by their government.

As far as possible, Seenaryo aims to provide equitable benefits for all staff, even if this means that the cost to the organisation per staff member varies depending on the provision of their national government.

Adoption leave

As soon as practicable after the notification that the employee intends to take adoption leave, arrangements will be made for the employee to meet with the Co-Directors. This will be an informal interview, the purpose of which is to confirm that:

- the employee's right to ordinary and additional adoption leave is understood, including the requirements to give appropriate notice
- the right to return is explained, together with any potential opportunities for flexible working arrangements
- arrangements for time off are known
- the employee know their entitlements to payment during adoption leave.

Seenaryo recognises that orderly arrangements for cover during the period of adoption leave, and also for enabling the employee to keep in touch with any developments at work, are important for ensuring smooth transitions at each stage. Before the start of adoption leave, the employee will be informed of the arrangements for covering the employee's work and also for remaining in contact whilst the employee is on leave.

The right to adoption leave

Adoption leave and pay will be available to the employee if the employee is one of the intended parents in a surrogacy arrangement and the employee intends to apply for (or have already obtained) a Parental Order making the employee the legal parent of a child. Only one of the Parental Order parents will be eligible to take adoption leave. The other parent may be eligible to take paternity leave.

Parents who have a child with the help of a surrogate mother and who do not meet the conditions to apply for a Parental Order (including single parents and parents who have no genetic link to the child), or who meet the conditions but do not intend to apply for a Parental Order, are not eligible for adoption leave and pay.

Qualification

To qualify for adoption leave as a Parental Order parent the employee must:

- be one of a couple who has obtained a Parental Order for the child or who has, on the day of the child's birth, applied for or intend to apply for, a Parental Order for the child
- make the application for a Parental Order within six months of the child's birth and expect the Parental Order to be made
- give Seenaryo the correct notice (see notification requirements below)
- (if requested) provide a statutory declaration that the employee has obtained or has applied for/intend to apply for a Parental Order in respect of the child that the employee are having with the help of a surrogate
- provide Seenaryo with the actual date of the child's birth as soon as reasonably practicable after the birth.

Length of leave

The employee's adoption leave can start on the day child is born or the day after the child is born if the employee is at work on the date of birth.

The employee is entitled to up to 26 weeks' ordinary adoption leave (OAL) followed immediately by up to 26 weeks' additional adoption leave (AAL). This gives the employee a maximum of 52 weeks' leave in total. Only one period of leave is available even if the employee become the Parental Order parent for more than one child at the same time.

If the application for a Parental Order is refused by the court, the employee's entitlement to adoption leave will end eight weeks later or at the end of the adoption leave period, whichever is earlier.

Adoption pay

To qualify for statutory adoption pay as a parental order parent the employee must:

- have been employed by Seenaryo for 26 weeks at the 'qualifying week'. The qualifying week is the end of the 15th week before the expected week of the child's birth
- have earned, on average, the lower earnings level in the eight week period leading up to the qualifying week
- have not claimed paternity pay for the child
- be the only Parental Order parent who claims statutory adoption pay for that child
- comply with the notification requirements
- give Seenaryo the child's actual date of birth as soon as reasonably practicable after the birth.

Seenaryo will provide full pay (based on the normal hours worked) for 5 months of the adoption leave, then half pay for a further 2 months. The employee must have worked for Seenaryo for a minimum of one year to qualify for this provision, otherwise national statutory provision applies.

Notification

The employee are required to inform the Co-Directors in writing of the employee's intention to take adoption leave by the 15th week before the baby's due date. This notice must include the baby's expected week of birth. As soon as reasonably practicable after the child's birth, the employee must notify Seenaryo of the child's date of birth in writing.

The employee may also be required to provide Seenaryo with a statutory declaration confirming that the employee intends to apply for a Parental Order with the other intended parent within six months of the

birth and that the employee expect that order to be made. A statutory declaration is recorded on a formal document and can be made in the presence of:

- a practising solicitor
- a notary public
- a justice of the peace
- a Commissioner for Oaths
- a Councillor (Scotland only)
- any other qualified person.

Ante-natal appointments

Seenaryo will allow all ante-natal appointments to be taken as paid leave.

Contractual benefits

The employee will continue to receive their contractual benefits during their ordinary adoption leave period and additional adoption leave period (apart from remuneration).

Returning to work

If the employee wishes to return to work before the end of the employee's adoption leave period, the employee must give at least eight weeks' advance notice in writing. An eight week notice period also applies if the employee wishes to bring the employee's adoption leave to an end early in order to take shared parental leave. Please refer to the shared parental leave policy for further information on entitlements, eligibility and notice requirements.

If the employee decides not to return to work, the employee should notify the Co-Directors of their decision immediately. The employee must give notice in accordance with the terms of their contract. If the employee has received contractual pregnant parent pay in excess of their statutory entitlement, the employee will have to repay this amount to Seenaryo upon termination of their contract. This does not apply in cases where they are not returning due to ill health either their own or that of the child. The repayment will be staged so that if they do not return immediately all the additional provision will be repaid, if they return for 6 months and then resign 50% of the extra provision will be repaid and if they resign after 12 months none of the extra provision will be repaid. The employee can request a reduction in their hours without incurring any penalty.

Keeping in touch days

The employee is entitled to work for up to 10 days during the employee's adoption leave without affecting their eligibility to adoption pay. These days could be for training, or just for "Keeping in Touch" (KIT days). The employee is under no obligation to work these days, and Seenaryo is under no obligation to provide these days. Seenaryo will contact the employee if the opportunity for any such days arises.

UK Statutory Provision (for reference)

From 5th April 2015 statutory adoption pay amounts to 90 per cent of average weekly earnings for six weeks followed by 33 weeks at the fixed statutory rate (or 90 per cent of average weekly earnings if that is lower).

Non-gestational parents are entitled to unpaid time off to attend two ante-natal appointments.

Jordan Statutory Provision (for reference)

According to the Jordanian Labour Law at the time of writing, there is no statutory provision for adoption leave for parents in surrogacy arrangements. Organisations can make these provisions for employees at their own discretion.

Lebanon Statutory Provision (for reference)

According to the Lebanese Labour Law at the time of writing, there is no statutory provision for adoption leave for parents in surrogacy arrangements. Organisations can make these provisions for employees at their own discretion.