



SURROGACY INFORMATION PACK

Human Resources
April 2026

Congratulations, You're Having a Baby!

This pack has been prepared to provide parents having a baby by surrogate with information on your entitlement to surrogacy leave and pay, and the options open to you before and after the birth of your baby. If you have any questions that are not covered in this pack, please speak to your line manager in the first instance.

If you are acting as a surrogate, you are entitled to Maternity Leave and Pay as set out in the [Maternity Pack](#) for your staffing group.

1. NOTIFICATION REQUIREMENTS

- 1.1 Surrogacy Leave provisions will apply where an intended parent plans to obtain a parental order after receiving a child through a surrogacy arrangement.
- 1.2 An application for a parental order can only be made after the child is six weeks old and before the child is six months old.
- 1.3 The intended parent should provide the council with a copy of the Parental Order when it is available. It is recognised that surrogacy leave may have commenced before the Parental Order is available.
- 1.4 The intended parent should provide the council with a copy of the MATB1 certificate which the birth mother obtains from their GP or midwife at around 26 weeks before the baby is due.
- 1.5 The intended parent should provide the council with at least 28 days notice of their intention to take surrogacy leave by completing a [Surrogacy Leave Notification Form](#).

2. SURROGACY LEAVE AND PAY

- 2.1 Only one parent can take surrogacy leave, so where you and your partner are jointly becoming parents through a surrogacy arrangement, you must decide which partner will take leave under these provisions. The other partner may be entitled to Support Leave or Paternity Leave.
- 2.2 Surrogacy leave may begin:
 - From the date of the child's placement; or
 - From fixed date up to 14 days before the expected date of placement.
- 2.3 The amount of surrogacy leave and pay that you are entitled to is equivalent to adoption leave and pay for your staffing group.

For non-teaching staff see [Adoption Information Pack – Non-Teaching](#)

For Teachers see [Adoption Information Pack - Teachers](#)

3. GENERAL PROVISIONS

- 3.1 All other provisions and arrangements for surrogacy leave are in line with the provisions and arrangements for adoption leave for your staffing group including:
 - Ante-natal care

- Neonatal care leave
- Contact during surrogacy leave
- Keeping in touch days
- Return to work
- Flexible Working
- Annual Leave and Public Holidays
- Pay and Pensions
- Support Leave and Paternity Leave

**FOR ANY FURTHER INFORMATION DURING YOUR
SURROGACY LEAVE PLEASE CONTACT YOUR LINE MANAGER/HEAD TEACHER**