



Surrogacy Leave Policy

Purpose

RCSI is committed to being an employer of choice and to providing an inclusive and supportive environment with regard to personal situations and work life balance of staff.

The purpose of this policy is to explain the support you will receive from RCSI in the event you are expecting a child via a surrogate and/or require time to care and bond with your newborn. It explains the criteria and process of applying for and receiving surrogacy leave and it outlines the return to work process and supports.

Scope

This policy applies to all staff in RCSI regardless of whether they are full or part time employees and who are defined as an intended parent.

Policy Statement

RCSI is committed to supporting any member of staff who is eligible for Surrogacy Leave and as you settle into the role of new parent. It is also committed to providing you with the time and resources you need when you return to your role after a period of surrogacy leave.

Leave Entitlements

All eligible RCSI staff are entitled to the following:

- 24 weeks paid surrogacy leave (no qualifying period applies i.e. all eligible RCSI staff are entitled to the leave upon commencement of employment with RCSI.).
- Up to 16 weeks unpaid additional surrogacy leave where you request this.
- Annual leave accrues as normal while on surrogacy leave.

- Public holidays and privilege days occurring during surrogacy leave, including any additional surrogacy leave period. This leave is accrued while you are on surrogacy leave and can be taken following your surrogacy leave.

Surrogacy Leave is reckonable for pensionable service and contributions will be made to the pension scheme in line with earnings during the paid surrogacy leave period element, where applicable. However, during additional unpaid surrogacy leave, contributions to the pension scheme will be suspended and benefit will be reduced in line with the period of unpaid leave taken.

As it currently stands, there is no social welfare payment or surrogacy leave benefit available to parents availing of surrogacy leave. As long as this is the case, RCSI will pay to you your salary in full while they are availing of the 24 weeks paid surrogacy leave.

It is important to note that any entitlement to leave or other RCSI benefits lasts only as long as your contract of employment lasts.

In order to ensure consistency of application of the policy and fairness for all, the following procedure will be followed whenever Surrogacy Leave is requested.

Procedure

You are encouraged to discuss your plans to apply for Surrogacy Leave with your line manager at the earliest opportunity. This will give them the opportunity to provide you with the support you need and to plan activities during your leave period and on your return.

The Human Resources Department and the relevant Head of Department/Nominee must be notified in writing no later than **4 weeks** before the date upon which the surrogacy leave is due to commence.

You should complete **RCSI Family Leave Application Form** and return it, together with a doctor's certificate confirming pregnancy and the anticipated due date, to the Human Resources Department as early as practicable, but no later than **4 weeks** before you intend to take Surrogacy Leave.

This form informs HR you are ready to initiate plans for your Surrogacy Leave. It indicates you are ready for the supports available to you as part of preparing for Surrogacy Leave. HR will generate a letter confirming your Surrogacy Leave dates.

Attending Classes and/or Meetings

We ask that reasonable notice be given to your Head of Department/nominee when you have appointments to attend a class or a scheduled meeting that you are due to attend.

Prior To Surrogacy Leave

You and your Manager or Head of Department should discuss/map out arrangements for covering your workload for the duration of your Surrogacy leave,

Academic Staff Commencing Surrogacy Leave

For Academic staff commencing Surrogacy Leave, discuss and outline with you Head of Department, how to cover for example:

- The supervision of any PhD students (the majority of the supervision would normally be taken over by the second supervisor).
- The line management of any staff reporting to you.
- The provision of cover for educational, research and service duties.
- Arrangements for a smooth handover.

Extended Surrogacy Leave

Additional Unpaid Surrogacy Leave: You are entitled to apply for a period of additional unpaid Surrogacy leave for up to a further 16 weeks, in addition to the 26 weeks paid surrogacy leave.

Please complete the RCSI **Additional Family Leave Application Form**. This form signals your interest in additional unpaid leave. It must be completed and submitted to HR six weeks prior to the end of your 24 paid Surrogacy Leave. The receipt of this form signals your intention to take unpaid leave. HR and Payroll will make arrangements to reduce your salary in accordance with the dates you indicate.

Sick Leave: If you become ill while you are on additional unpaid surrogacy leave, you must notify your HR Partner that you are ill and wish to end the additional surrogacy leave early. As in normal sick leave instances, you are required to provide a sick cert from your GP. During the period of certification, your unpaid surrogacy leave will cease and you may be eligible for Illness Benefit. You can take the remainder of your additional surrogacy leave following the period of certification.

Premature Births:

The extended period of benefit will be equivalent to the duration between the actual date of birth of the premature baby and the date when the surrogacy leave was expected to commence (i.e. ordinarily **2 weeks** before the expected date of birth). This new measure will increase the duration of surrogacy leave in cases where a baby is born prematurely.

Regardless of when your baby is born, you must take **4 weeks** surrogacy leave after the birth. If your baby is born so late that you have fewer than four weeks remaining in your surrogacy leave, you are nonetheless entitled and obliged to take 4 weeks' surrogacy leave after the birth. Maximum paid surrogacy leave however is limited to 24 weeks.

If your baby is born more than four weeks before your due date, you must notify HR in writing within 14 days after the birth.

Availing of this extended surrogacy leave does not in any way affect your right to take additional surrogacy leave.

Hospitalisation: If your baby is hospitalised, the period of surrogacy leave or additional surrogacy leave may be postponed. Please speak with Human Resources if you find yourself needing to consider this option.

If you have a stillbirth, miscarriage or neonatal death (where a baby lives for only a few hours after birth) any time after the 24th week of pregnancy, you are entitled to full surrogacy leave. You should send a letter from your doctor with a Maternity Benefit Form confirming the expected due date, the actual birth date and the number of weeks gestation. Please send this form to the Department of Employment Affairs & Social Protection. Your HR Partner will help support you during this time and with this application.

For any of the exceptional circumstances outlined above, there are helpful supports available for staff during and following such difficult experiences and periods. Please speak to Human Resources.

Returning to Work

You must supply written notification of your intention to return to work, and the expected date of return to the Human Resources Department and Head of Department/Nominee. This must be supplied no later than **4 weeks** prior to the expected date of return.

Support for Staff taking Surrogacy Leave

New Parents Platform

All staff going on surrogacy leave have access to our New Parents Platform to support you before, during and after you become a parent. The platform gives you access to pre-leave modules and workbooks, on-demand webinars and podcasts, live 'return to work' workshops. Although these workshops are marketed at those returning from Maternity Leave, they are open to all new parents no matter your journey to parenthood, through surrogacy leave or adoptive leave and the content will be relevant to anyone returning to work after a long period of leave. There are also monthly group coaching sessions available through the platform. You can access the platform here, please sign using your RCSI email.

If you have any access issues please contact Staff_L&D@rcsi.ie.

Employee Assistance Programme

We offer an Employee Assistance Programme (EAP) that gives our staff the support that they need to help them manage their health and wellbeing through every stage of their life journey effectively. Our Spectrum.Life EAP provides free, confidential, professional counselling available to you and your family (16 years old+) 24 hours a day, 365 days a year. **Freephone ROI: 1800 903 542**

Academic Staff Returning from Surrogacy Leave

RCSI recognises the specific challenges for academic staff returning from surrogacy leave in restoring their research activities and trajectory. In recognition of this, RCSI has specific support available for research-active academic staff as follows:

- Immediately on return from leave, you may be relieved from any lecturing duties for a period of up to 6 months in order to concentrate on consolidating your research activity following the significant period of leave.
- You and your Head of Department should agree a plan for the research activities that will be undertaken during this period of protected time.
- The cover provided during this period is expected to be based on the need to cover educational (teaching and examination) duties only, where those duties arise in the first six months following return from leave.

If you intend to avail of this opportunity, you are required to discuss and confirm your interest with your Head of Department / Line Manager at least six weeks before your return to work date.

If you are a Surrogate

Under current Irish legislation you can avail of Maternity leave. Please see Maternity leave policy for more information.

Your Right to Appeal

Should any element of the Surrogacy Leave / Additional Surrogacy Leave be refused you have the right to appeal.

You should appeal to your HR Partner in writing in the first instance clearly explaining the reason you believe the decision made was incorrect.

If you are not satisfied with the outcome of your appeal, you have the right to raise your concerns with the Director of Human Resources whose decision upon appeal is final.

Getting Further Help

The Human Resources Department is available to support any member of staff in understanding the content of this policy and procedure and making an application.

Policy Review

The Human Resources Department will ensure that this policy will be monitored and kept under review.