



# Staff Handbook

Schedule 13 - Adoption

Issue 0.2

October 2021

## Document History

Title	<Title>: <subtitle>
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## Review Panel

Name	Role
Kate Guilding	Company Secretary
Jo Chadwick	HR

## Change history

#	date	author	comment
0.2	18th Oct 2021	Victoria Iredale	Updated to current branded paper and responsible individuals

## Schedule 13

### Adoption Policy

#### 1. About this policy

- 1.1 This policy sets out the arrangements for adoption leave and pay for employees who are adopting a child through a UK adoption agency. If you are adopting through an overseas adoption agency the Company Secretary will advise you of the relevant requirements.
- 1.2 Arrangements for time off for adoption appointments are set out in our Time off for Adoption Appointments Policy.
- 1.3 In some cases you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. You will need to give us at least eight weeks' notice to opt into SPL, and one of you must take at least two weeks' adoption leave. For information about SPL, see our Shared Parental Leave (Adoption) Policy.
- 1.4 This policy only applies to employees and does not apply to agency workers or self-employed contractors. It does not form part of any employee's contract of employment and we may amend it at any time.

#### 2. Entitlement to adoption leave

- 2.1 You are entitled to adoption leave if you meet all the following conditions:
  - (a) You are adopting a child through a UK or overseas adoption agency.
  - (b) The adoption agency has given you written notice that it has matched you with a child for adoption and tells you the date the child is expected to be placed into your care with a view to adoption (**Expected Placement Date**).
  - (c) You have notified the agency that you agree to the child being placed with you on the Expected Placement Date.
  - (d) Your spouse or partner will not be taking adoption leave with their employer (although they may be entitled to take paternity leave).
- 2.2 The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave (**OAL**) and 26 weeks' Additional Adoption Leave (**AAL**).

#### 3. Notification requirements

- 3.1 Not more than seven days after the agency notifies you in writing that it has matched you with a child (or where that is not reasonably practicable, as soon as reasonably practicable), you must give us notice in writing of the Expected Placement Date, and your intended start date for adoption leave (**Intended Start Date**).
- 3.2 We will then write to you within 28 days to inform you of your expected return date assuming you take your full entitlement to adoption leave.
- 3.3 Once you receive the matching certificate issued by the adoption agency, you must provide us with a copy.

#### 4. Starting adoption leave

- 4.1 OAL may start on a predetermined date no more than 14 days before the Expected Placement Date, or on the date of placement itself, but no later.
- 4.2 If you want to change your Intended Start Date please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new expected return date.
- 5. **Adoption pay**
  - 5.1 If you qualify for adoption leave, and if you have passed your probation period, we will provide you with up to 12 weeks' full pay during adoption leave. This is inclusive of any statutory adoption pay (SAP) to which you might be entitled.
  - 5.2 If you have not passed your probation period but otherwise qualify for the leave, SAP is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks SAP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year.
  - 5.3 If you do not return to work after the leave, any enhanced pay is repayable to the company as a debt. If you leave the company within 6 months of your return 50% is repayable as a debt. If you leave within a year 25% is repayable as a debt. After a year no repayment is required.
- 6. **During adoption leave**
  - 6.1 All the terms and conditions of your employment remain in force during OAL and AAL, except for the terms relating to pay.
  - 6.2 Holiday entitlement will continue to accrue at the rate provided under your contract. If your adoption leave continues into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your adoption leave can be carried over and must be taken immediately before returning to work unless you agreed otherwise. You should try to limit carry over to one week's holiday or less. Carryover of more than one week is at the company's discretion. Please discuss your holiday plans with your manager in good time before starting your adoption leave. All holiday dates are subject to approval by your Principal Consultant and/or HR.
  - 6.3 If you are a member of the pension scheme, we shall make employer pension contributions during OAL and any further period of paid adoption leave based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any adoption pay you are receiving, unless you inform the Company Secretary that you wish to make up any shortfall.
- 7. **Keeping in touch**
  - 7.1 We may make reasonable contact with you from time to time during your adoption leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.
  - 7.2 You may work (including attending training) on up to ten "keeping-in-touch" days during your adoption leave. This is not compulsory and must be discussed and agreed with the Company Secretary.
  - 7.3 You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any adoption pay entitlement.

## 8. **Returning to work**

- 8.1 You must return to work on the expected return date unless you tell us otherwise. If you wish to return to work early, you must give us at least eight weeks' notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the expected return date if you request annual leave or parental leave, which will be at our discretion.
- 8.2 You are normally entitled to return to work in the position you held before starting adoption leave, on the same terms of employment. However, if you have taken AAL and it is not reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.
- 8.3 If you want to change your hours or other working arrangements on return from adoption leave you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.
- 8.4 If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.