



ADOPTION LEAVE POLICY - UK

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DOCUMENT CONTROL

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AUTHORISATION

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1. PURPOSE & SCOPE

This policy sets out the statutory rights and responsibilities of employees who are planning to adopt a child (or have a child through a surrogacy arrangement) and gives details of the arrangements for adoption leave and pay.

If an employee is matched for adoption with a child, he/she may be entitled to either adoption leave or paternity leave. One parent cannot take both periods of leave, and it is up to employee and his/her partner to decide who is the main adopter and so who will take adoption leave. The main adopter's partner may be entitled to take paternity leave.

Main adopters are entitled to a total of 52 weeks' leave. All employee rights and obligations regarding adoption are detailed in this policy. Employee should notify company as soon as possible of his/her situation so that company can ensure he/she is fully aware of all entitlements and obligations.

2. ENTITLEMENTS

The main adoption rights are:

- Be continuously employed for at least 26 weeks
- The right to 26 weeks' adoption leave (ordinary adoption leave)
- The right to a further 26 weeks' leave (additional adoption leave) where the qualifying service period has been met
- The right to Statutory Adoption Pay (SAP)
- Employment rights are protected during adoption leave
- Surrogacy parents will be allowed unpaid time off for antenatal visits

3. NOTIFICATION REQUIREMENTS

3.1 To exercise their right to ordinary adoption leave, an employee must notify the HR Manager in writing within 7 days of the date on which they were told they were matched with a child of:

- the date on which they intend to start their adoption leave (this can be up to 14 days before the placement date)
- The amount of leave they wish to take

- The 'date of placement' which is the expected or actual date the child is placed with them
- 3.2 The employee must also provide a matching certificate completed by the adoption agency for a UK adoption.
- 3.3 If the adoption is from overseas then the employee must provide the relevant UK authority's official notification confirming the parent is allowed to adopt and the expected date the child arrives in the UK (within 28 days of getting the notification) and the actual date when the child arrives in the UK.
- 3.4 Should the employee change their mind about the date on which they intend to start their ordinary adoption leave, they must advise their line manager of the revised start date at least 28 days before the date in question unless it is not reasonably practical.
- 3.5 An employee in surrogacy must inform the Company at least 15 weeks before the due date when they want to start their leave.
- 3.6 Invenio will formally respond in writing to the employee's notification of their leave plans within 28 days, confirming the date on which they are expected to return to work if they take the full 52-week entitlement to adoption leave.

4. ORDINARY ADOPTION LEAVE

- 4.1 All qualifying employees are entitled to 26 weeks adoption leave (ordinary). During this period, all contractual terms and conditions are maintained, apart from remuneration during weeks 7-26 (see Statutory Adoption Pay below).
- 4.2 All qualifying employees must notify their manager and the HR Manager that they wish to take advantage of the scheme within 7 days of the date in which they were matched with the child.
- 4.3 The leave continues for 26 weeks from the date of commencement.

5. ADDITIONAL ADOPTION LEAVE

All qualifying employees are entitled to take up to 26 weeks additional leave. An employee is therefore entitled to take up to 52 weeks adoption leave in total, calculated from the date on which their ordinary adoption leave period begins.

6. ADOPTION PAY

- 6.1. Statutory Adoption Pay (SAP) is payable for up to 39 weeks during adoption leave. An employee is entitled to SAP if they:

- 6.1.1 have been continuously employed by Invenio for at least 26 weeks at the end of the week in which they are notified of having been matched with a child;
 - 6.1.2 earn more than the National Insurance Lower Earnings limit;
 - 6.1.3 have been matched with a child to be placed with them by a UK adoption agency or have confirmation from a relevant UK authority that they can adopt a child from overseas;
 - 6.1.4 have notified the agency that they agree that the child should be placed with them and the date of the placement;
 - 6.1.5 notify their manager that they wish to take advantage of the scheme within 7 days of the date in which they were matched with the child;
 - 6.1.6 employees will be required to provide a matching certificate completed by the adoption agency; or proof of surrogacy.
- 6.2. SAP is payable for a maximum period of 39 weeks. This period is called the 'adoption pay period' and can begin from 14 days before the child is placed with the adoptive parent but no earlier. For 39 weeks SAP will be an amount set by the government each year.
- 6.3. For the first six weeks, SAP is paid at the higher rate, which is equivalent to 90% of the employee's average weekly earnings calculated over a specified period.
- 6.4. The standard rate of SAP is paid for the remaining 33 weeks (or less if the employee returns to work sooner). This is paid at the rate set by the Government for the relevant tax year, or 90% of the employee's average weekly earnings if this is lower than the Government's set weekly rate.
- 6.5. If an employee becomes eligible for a pay rise between the start of the original calculation period and the end of their adoption leave (whether ordinary or additional leave), the higher or standard rate of SAP will be recalculated to take account of the pay rise, regardless of whether SAP has already been paid.
- 6.6. Statutory adoption pay is treated as earnings and is therefore subject to tax and national insurance deductions and is paid in the same way as salaries.
- 6.7. Employees who are not entitled to SAP may be entitled to receive an allowance, payable by the Government.

7. CONTACT DURING ADOPTION LEAVE

Shortly before an employee's adoption leave starts, the Company will discuss the arrangements for them to keep in touch during their leave, should they wish to do so. Invenio reserves the right in any event to maintain reasonable contact with the employee from time to time during their adoption leave. This may be to discuss changes within the organisation e.g. restructure, the employee's plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or simply to update them on developments at work during their absence.

8. KEEPING IN TOUCH (KIT) DAYS

- 8.1. An employee can agree to work or to attend training for up to 10 days during either ordinary adoption leave or additional adoption leave, without that work bringing the period of adoption leave to an end and without a loss of a week's SAP. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.
- 8.2. Invenio has no right to require the employee to carry out any work, and the employee has no right to undertake any work, during their adoption leave. Any work taken, including the amount of salary paid for any work done on keeping-in-touch days, will be in line with normal contractual arrangements. Any keeping-in-touch days worked do not extend the period of adoption leave. Once the keeping-in-touch days have been used up, the employee will lose a week's SAP for any week in which they agree to work.

9. RETURNING TO WORK

- 9.1. The employee will have been formally advised in writing of the date on which they are expected to return to work if they take their full 52-week entitlement to adoption leave. The employee is expected to return on this date unless they notify the company otherwise. If they are unable to attend work at the end of their adoption leave due to sickness or injury, the company's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.
- 9.2. If an employee wishes to return to work earlier than the expected return date, they must give the HR manager at least eight weeks' notice of their date of early return in writing. If they fail to do so the company may postpone their return to such a date as will give the company eight weeks' notice, provided that this is not later than the expected return date.

- 9.3. If the employee decides not to return to work after adoption leave, they must give notice of resignation as soon as possible and in accordance with the terms of their contract of employment. If the notice period would expire after adoption leave has ended, the company may require the employee to return to work for the remainder of the notice period.

10. RIGHTS ON AND AFTER RETURNING TO WORK

- 10.1. On resuming work after ordinary adoption leave, the employee is entitled to return to the same job as they occupied before commencing adoption leave, on the same terms and conditions of employment as if they had not been absent.
- 10.2. On resuming work after additional adoption leave, again they are entitled to return to the same job as they occupied before commencing adoption leave on the same terms and conditions of employment as if they had not been absent. However, if it is not reasonably practicable for the company to allow the employee to return to the same job, the company may offer the employee suitable alternative work, on terms and conditions that are no less favourable than would have applied if they had not been absent.
- 10.3. An employee who worked full-time prior to adoption leave has no automatic right to return to work on a part-time basis or to make other changes to their working patterns. However, all requests for part-time work or other flexible working arrangements will be considered in line with the operational requirements of the business. If an employee would like this option to be considered, they should write to their manager setting out their proposals as soon as possible in advance of their return date, so that there is adequate time for full consideration of the request.
- 10.4. Failure to return to work by the end of adoption leave will be treated as an unauthorised absence unless the employee is sick and produces a current medical certificate before the end of the adoption leave period.
- 10.5. If an employee decides, during adoption leave, that they do not wish to return to work they should give written notice of their resignation to the company as soon as possible and in accordance with the terms of their contract of employment.

11. EXCEPTIONAL CIRCUMSTANCES

- 11.1. If the date of the adoption placement changes, the employee must discuss the situation with their manager and the HR Manager and give appropriate notice for the change in date.

- 11.2. If an employee plans to start adoption leave at any time before the actual date of placement, they must be sure that the placement will be going ahead on the date agreed before they start their leave. If the placement is delayed for whatever reason and adoption leave has already commenced, they cannot stop and start it again at a later date.