

ADOPTION POLICY

1. ABOUT THIS POLICY

- 1.1 This policy sets out the arrangements for adoption leave and pay for employees who are:
- (a) Adopting a child through a UK adoption agency.
 - (b) Fostering a child with a view to possible adoption.
 - (c) Having a child through a surrogate mother.
- 1.2 This policy only applies to employees. It does not apply to agency workers or self-employed contractors.
- 1.3 This policy 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 In an adoption case or a fostering for adoption case, you are entitled to adoption leave if all the following conditions are met:
- (a) You are adopting a child through a UK adoption agency, or you are a local authority foster parent who has been approved as a prospective adopter.
 - (b) The adoption agency or local authority has given you written notice that it has matched you with a child and tells you the expected placement date.
 - (c) You have told the agency or local authority that you agree to the placement.
- 2.2 In a surrogacy case, you are entitled to adoption leave if all the following conditions are met:
- (a) A surrogate mother gives birth to a child, who is biologically the child of either you, or your spouse or partner (or both of you).
 - (b) You expect to be given parental responsibility under a parental order from the court. The child must live with you and you must apply for the parental order within six months of birth.
- 2.3 In either case, only one parent can take adoption leave. If your spouse or partner takes adoption leave with their employer, you may be entitled to paternity leave (see our Paternity Leave Policy). In some cases, you may also qualify for shared parental leave (see our Shared Parental Leave (Adoption) Policy).

- 2.4 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 In an adoption or fostering for adoption case, you must tell us in writing of the expected placement date, and your intended start date for adoption leave. You must give this information not more than seven days after the agency or local authority notifies you in writing that it has matched you with a child, or if that is not reasonably practicable, as soon as you can.
- 3.2 Once you receive the matching certificate from the agency or local authority, you must provide us with a copy.
- 3.3 In a surrogacy case, you must tell us in writing of your intention to take adoption leave and give the expected week of childbirth (**EWC**). You must give this information by the end of the 15th week before the EWC, or if that is not reasonably practicable, as soon as you can. You may also be asked to complete a declaration confirming your entitlement. When the child is born you must tell us the date of birth.
- 3.4 We will write to you within 28 days of receiving your notification, to confirm your expected return date assuming you take your full entitlement to adoption leave.

4. STARTING ADOPTION LEAVE

- 4.1 In an adoption or fostering for adoption case, OAL may start on a date of your choosing 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 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 write to you within 28 days to tell you your new expected return date.
- 4.3 In a surrogacy case, OAL will start on the day the child is born, unless you are at work, in which case it will start on the following day. You cannot change the start date.

5. ADOPTION PAY

- 5.1 Statutory adoption pay (**SAP**) is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us ending with the Qualifying Week (the week in which the adoption agency or local authority notified you of a match, or the 15th week

before the EWC) 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.

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 Annual leave entitlement will continue to accrue at the rate provided under your contract. If your adoption leave will continue into the next holiday year, any holiday entitlement that is not taken or cannot reasonably be taken before starting your adoption leave can be carried over and must be taken within three months of returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your Line Manager in good time before starting your adoption leave. All holiday dates are subject to approval by your manager.
- 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 Finance Manager 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 your line manager.
- 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. Alternatively, you may agree with your Line Manager to receive the equivalent paid time off in lieu.

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 (or have combined your adoption leave with more than four weeks of parental leave) 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.