



Adoption Leave Policy

1. Introduction

- 1.1 The Students' Union has introduced this policy to enable eligible employees to take leave when a child is newly placed for adoption through an approved adoption agency or has notification from the relevant UK authority that they can adopt from abroad.
- 1.2 The partner of an individual who adopts, or the other member of the couple who are adopting jointly, may be entitled to paternity leave and pay.
- 1.3 Eligible employees are entitled to take paid time off to attend pre-adoption meetings.

2.0 Adoption Rights

- 2.1 The following adoption rights apply to all employees regardless of length of service:
 - Up to 52 weeks' adoption leave, made up of 26 weeks Ordinary Adoption Leave followed by 26 weeks Additional Adoption Leave.
 - Adoption leave is available to any employee who adopts a child through an approved adoption agency or, in the case of adoption from overseas, has received official notification from the relevant UK authority that they can adopt from abroad.
 - Where a couple adopts a child, only one parent is entitled to take adoption leave (the primary adopter). The other parent (co-adopter) may be able to take paternity leave or shared parental leave. This also applies to same-sex couples. The couple can choose which parent takes Adoption Leave.
 - The primary adopter will be able to take paid time off for up to five adoption appointments. The co-adopter will be entitled to take paid time off for two appointments.
 - The right for the employee to return to their original job or a suitable alternative role (depending on the length of adoption leave taken).
 - Additional protection against unfair treatment, discrimination or dismissal as provided by the Equality Act 2010.

3.0. Definitions

- 3.1 The following abbreviations and definitions are used in this policy:
 - OAL - Ordinary Adoption Leave
 - AAL - Additional Adoption Leave
 - OAP - Occupational Adoption Pay
 - SAP - Statutory Adoption Pay
 - MW - Matching Week – the week when the child adopters are notified of being matched with a child/children for adoption

- SPL - Shared Parental Leave
- KIT - Keeping in Touch days

4.0 Adoption Leave

- 4.1 To qualify for adoption leave an employee must be newly matched with a child for adoption by an approved adoption agency.
- 4.2 Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step parent is adopting a partner's child.
- 4.3 Employees will be entitled to up to 26 weeks OAL, which is followed immediately by up to 26 weeks' AAL totalling 52 weeks. Adoption leave can start:
- From the date of the child's placement
 - From a fixed date which can be up to 14 days before the expected date of placement
 - On any day of the week
- 4.4 The Students' Union will assume that the employee will return to work after the 52 weeks' leave has been completed. If the employee wishes to return to work before the end of the 52-week period, they must give the Students' Union at least 28 days written notice.
- 4.5 Only one period of leave is available regardless of the amount of children that are being placed for adoption as part of the same arrangement.
- 4.6 If the child's placement ends during the adoption leave period, the employee will be able to continue adoption leave for up to 8 weeks after the end of the placement.
- 4.7.1 Note that employees who apply directly to a court for an adoption order are not eligible for adoption leave. Note also that Foster parents are not eligible for adoption leave unless they go on to adopt the child and the child was matched and placed through an adoption agency.

5.0 Notification of Adoption and Start of Adoption Leave

- 5.1 Employees are required to inform the Students' Union of their intention to take adoption leave within 7 days of being notified by their adoption agency that they have been matched with a child for adoption, unless this is not reasonably practicable. The employee must detail:
- When the child is expected to be placed with them and
 - When they want their adoption leave to start
 - Proof of the adoption with a "matching certificate", provided by the adoption agency
- 5.2 The Students' Union will respond to all requests within 28 days. The employee will be told of the date they will be required to return to work if full entitlement is taken.
- 5.3 Partners (including same sex partners or civil partners) may be entitled to up to two weeks paternity leave on full pay, providing they meet the qualifying conditions. For further details, refer to the Paternity Leave policy.
- 5.4 Shared parental leave and pay came into effect for babies born or placed for adoption after 5 April 2015. Employees who meet the eligibility criteria are able to bring their adoption leave to an end ('curtailment'). The parents can then choose how to split up the

remaining weeks of leave and pay between them - this is known as Shared Parental Leave (SPL).

- 5.5 Under the SPL scheme, working couples are able to share the remaining adoption leave and pay. Up to 50 weeks' leave and 37 weeks of pay can be shared. Shared parental leave can be taken by each parent consecutively or at the same time. Information regarding eligibility, notice requirements and options regarding leave are given in the separate Shared Parental Leave Policy.
- 5.6 If the child's placement should end during the adoption leave, the employee can choose to remain on adoption leave for up to eight weeks after the end of the week in which the placement ended.

6.0 Adoption Pay

6.1 In order to qualify for Statutory Adoption Pay (SAP) an employee must:

- Have been continuously employed by the Students' Union for a minimum of 26 leading into the week in which they are notified they are being matched with a child and ;
- Have been earning no less than the lower earnings limit for National Insurance.

6.2 Employees who do not qualify for SAP may be entitled to support paid by the Benefits Agency.

6.3 Ordinary Adoption Provision (Package B) – Statutory Adoption Pay

6.3.1 This scheme covers all employees who have been continuously employed for a period of not less than 26 weeks leading into the week in which they are notified of being matched with a child for adoption and less than 52 weeks.

6.3.2 The employee is entitled to receive Statutory Adoption Pay, which is 6 weeks at 90% of full pay followed by 33 weeks at the Statutory Adoption Pay standard rate or 90% of average earnings, whichever is less.

6.3.3 An employee who earns less than the lower earnings limit for National Insurance contributions is not entitled to SAP but may be entitled to claim additional funding direct from the Benefits Agency.

6.4 Occupational Adoption Leave Provision (Package C) – Occupational Adoption Pay

6.4.1 This scheme covers all employees with more than 52 weeks service leading into the week in which they are notified of being matched with a child for adoption.

6.4.2 If the employee has declared their intention to return to work following AAL they will be entitled to 100% of normal weekly earnings for the first four weeks of absence followed by two weeks at 90% and 12 weeks at 50% of normal weekly earnings plus SAP (subject to combined pay and SAP not exceeding full pay). The final 15 weeks will be paid at the standard rate of Statutory Adoption Pay.

7.0 Time Off for Pre-adoption Meetings

7.1 The primary adopter will be able to have paid time off to attend up to five pre-adoption appointments.

- 7.2 Where a couple are adopting a child, the co-adopter will be entitled to paid time off to attend two pre-adoption appointments. This secondary adopter includes a spouse or civil partner and a person (of either sex) in a long term relationship with the primary adopter.
- 7.3 The employee should give their line manager as much notice as possible of times when they will be absent from work and may be asked to produce relevant appointment cards.

8.0 Keeping in Touch (KIT) Days

- 8.1 An employee can agree with the Union to attend work for up to 10 occasions during the statutory leave period without bringing that period to an end. There is no obligation for either the employee or the Union to make use of the 10 KIT occasions/days.
- 8.2 The reasons for KIT days during the period of adoption leave could include maintaining confidence and skill levels, training, meetings or any other activity that assists the employee in keeping up to date with the workplace and easing the transition back to work. Any day's work undertaken will not extend the statutory adoption leave period.
- 8.3 Each full or part day worked will be counted as one of the 10 occasions. However, claims can only be made for the actual number of hours worked and this will be paid at the employee's normal hourly rate of pay. In order to generate a payment for any KIT days used, the employee's line manager will need to notify the Finance & Resources Manager of the day(s) attended and number of hours worked within 7 working days. Due to payroll cut off dates, notification received after the 5th of the month may not be paid until the following month.

9.0 Contractual Rights

- 9.1 An employee who resumes work after OAL is entitled to return to the same job on the same terms and conditions of employment as if they had not been absent, unless a redundancy situation has arisen in which case they would be offered a suitable alternative vacancy.
- 9.2 After AAL an employee is entitled to return to work to the same job on the same terms and conditions as if they had not been absent. However, if there is some reason why this is not reasonably practicable they will be offered a similar job on the same terms and conditions not less favourable than their original job.

10.0 General Issues

- 10.1 Annual leave accrues whilst the employee is on OAL and AAL. However any leave that is accumulated must be taken at the end of the adoption leave period i.e. before returning to work.

11.0 Further Help & Advice

- 11.1 Employees are able to access help, advice and support through the (Employee Assistance Programme) provider, Lifeworks. Details are available from the Finance & Resources Manager

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