

FERRYHILL TOWN COUNCIL



POLICY

ADOPTION LEAVE

1.0 Introduction

1.1 The Town Council recognised the need to balance family and work life matters. This policy is supported by a raft of similar policies to assist the work/life balance, such as:

- Maternity Leave Policy
- Paternity Leave Policy
- Parental Leave Policy

1.2 Paid adoption leave is available to employees of the Council who meet the criteria below and who are adopting a child on their own, or for one member of a couple who are adopting together. The couple can decide who'll take the paid leave.

1.3 The other member of the couple, or the partner of the adopter, may be able to take paid paternity leave. For further details on paternity leave, please refer to the Council's paternity leave policy.

2.0 Adoption Leave

2.1 To qualify for adoption leave you must:

- be newly matched with a child for adoption by an approved adoption agency; this right will not therefore apply to, eg step-parents adopting a stepchild
- have been employed continuously by the Council for 26 weeks leading into the week in which you are notified of being matched with a child for adoption.

2.2 You are entitled to up to 26 weeks' ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave (presuming you qualify for the additional leave), thus giving a maximum of 52 weeks' leave in total. Only one period of leave is available even if you are adopting more than one child.

2.3 If the child's placement ends during adoption leave, you will be able to take up to eight weeks' adoption leave after the end of the placement.

2.4 Adoption leave can start:

- from the date of the child's placement (whether this is earlier or later than expected) or
- from a fixed date which can be up to 14 days before the expected date of placement.

3.0 Adoption Pay

3.1 During your adoption leave you may be entitled to statutory adoption pay (SAP) from the Town Council. SAP will be at the rate which is in force at the time of application.

3.2 To qualify for paternity pay you:

- a) You must have been employed by the Town Council continuously for at least 26 weeks with a contract of employment
- b) Earn enough (currently at least £107 a week, before tax) to pay National Insurance contributions

3.3 Paternity pay is paid for one or two consecutive weeks at £135.45 or 90% of your average weekly earnings if this is less.

3.4 Statutory Adoption Pay begins at the same time as your adoption leave and (unless you finish your leave sooner) runs for 39 weeks.

3.5 The adoption agency must be one which is properly recognised in UK law. You have no statutory rights if you arranged a private adoption or adopted from overseas.

4.0 Notification

4.1 You are required to inform your Manager in writing of your intention to take adoption leave within seven days of being notified by your adoption agency that you have been matched with a child for adoption, unless this is not reasonably practicable. You will need to state:

- the date on which you were notified of having been matched with the child;
- when the child is expected to be placed with you; and
- when you want your adoption leave to start.

4.2 You will also have to provide us with a 'matching certificate' from the adoption agency.

4.3 If you have given notice of your intentions to take adoption leave and wish to change the date on which you wish to begin your adoption leave, you must give us written notice 28 days before the new period of leave is due to start.

4.4 Once we receive your notice we will write to you within 28 days, setting out the date on which we expect you to return to work if the full entitlement to adoption leave is taken.

4.5 As soon as practicable after the notification that you will be adopting a child, arrangements will be made for you to meet with your Manager. This will be an informal interview, the purpose of which is to confirm:

- your right to adoption leave and any additional leave is understood, including the requirements to give appropriate notices
- the right to return is explained, together with any potential opportunities for flexible working arrangements
- arrangements for time off are known, and any possible health and safety concerns are aired
- you know your entitlements to payment during adoption leave.

4.6 We recognise that orderly arrangements for cover during the period of adoption leave and also for enabling you to keep in touch with any developments at work are important for ensuring smooth transitions at each stage. Accordingly, prior to commencement of adoption leave, you will be informed of the arrangements for covering your work and also for providing you with opportunities to remain in contact whilst you are on leave.

4.7 As far as possible, such arrangements will be finalised in consultation with you. If you have staff reporting to you, you will be involved in all decisions relating to the temporary reporting arrangements to cover your adoption leave.

4.8 In addition, you will usually remain on circulation lists for internal memoranda and other documents, and will be included in invitations to work-related social events as though you were still at work.

4.9 We will try to ensure that adoption leave does not cause you any long-term disadvantage in relation to your training needs and self-development.

5.0 Keeping in Touch

5.1 The Town Council is keen to keep in touch with employees during their adoption leave. The purpose of the Keeping In Touch (KIT) days is to encourage more effective communication between employers and employees during the leave period, to keep the employee up to date with things at the council and ease the employee's return to work.

5.2 You are entitled to do up to ten days work during your adoption leave without losing adoption pay or bringing your leave to an end.

5.3 These KIT days may only be worked if both you and your manager agree.

5.4 The type of work undertaken on KIT days is a matter for agreement between the employee and the line manager. They may be used for any activity which would ordinarily be classed as work under the employee's contract, for which they would be paid, for example a team meeting, conference or training activity.

6.0 Contractual benefits

- 6.1 You will continue to receive your contractual benefits during your ordinary adoption leave period (apart from remuneration unless the contract of employment provides otherwise). However, during additional adoption leave you will not receive contractual benefits.
- 6.2 You will continue to remain bound by any obligations arising under your contract of employment.

7.0 Holidays

- 7.1 While you are on ordinary adoption leave both your contractual holiday entitlement and your statutory holiday entitlement under the Working Time Regulations continue to accrue. However, during your additional adoption leave only your statutory holiday entitlement continues to accrue.
- 7.2 There will be no carry over of untaken annual leave at the end of a leave year.

8.0 Returning to work

- 8.1 After Ordinary Adoption Leave, you have the right to return to the same job on terms and conditions no less favourable than those which would have applied if you had not been absent.
- 8.2 After your Additional Adoption Leave you have the right to return to the same job or if that is not reasonably practicable to another job with similar terms and conditions.
- 8.3 You will not be subject to any detriment by the Council because you took or sought to take adoption leave.
- 8.4 If you wish to return to work before the end of your adoption leave period, you must give us at least eight weeks' advance notice in writing unless we agree otherwise.
- 8.5 At least two weeks before you are due to return to work, you will be invited for an informal meeting with your Manager in order to provide an opportunity for discussion of any material points concerning your return to work. These include:
- updating you on developments at work
 - considering whether any retraining needs have arisen because of new technical or other developments; it is our aim to ensure that your adoption leave does not put you at a disadvantage in relation to skills or other training needs
 - providing you with an opportunity to discuss and explain any necessary and unavoidable changes to your work.