

Purpose

This policy sets out the statutory rights to Adoption Leave. This policy aims to enable colleagues to provide care after the adoption of a child.

Scope

Following the placements of a child for adoption, either the adoptive father or the adoptive mother may take paternity leave where the other adoptive parent has elected to take adoption leave

This policy should be read in conjunction with the Paternity Leave Policy and Shared Parental Leave Policy.

Eligibility

All employees qualify for Adoption Leave if they give the correct notice and show the proof of adoption/surrogacy.

Additionally, to be eligible for Adoption Pay an employee must:

- Have continuously employed for at least 26 weeks before the week in which the adopter is formally notified of being matched with a child from the UK, or received official notification if the child is from overseas.
- Earn at least £120 a week (before tax)

Adopting a child from overseas

The requirements are the same if adopting from overseas, except an employee must have been continuously employed for at least 26 weeks when they would start getting adoption pay.

Surrogacy arrangements

The requirements are the same in the case of a surrogacy arrangement, except an employee must have been continuously employed for at least 26 weeks by the 15th week before the baby's due.

An employee must also:

- intend to apply for a parental order
- expect the order to be granted (for example because they do not have any convictions involving children, and the birth mother or father agree to the arrangement)

If genetically related to the child (the egg or sperm donor), an employee can choose to get paternity leave and pay instead.

Fostering for adoption

If an employee is eligible for adoption pay and leave, receipt will start when the child comes to live with them.

If you are not eligible

In the examples below an employee would not qualify for Adoption Leave or Pay, if they:

- arrange a private adoption
- become a special guardian or kinship carer
- adopt a stepchild

- adopt a family member

If an employee is not eligible for Adoption Pay they will be provided with a SAP1 form.

Adoption Leave

Adoption Leave is divided into:

- Ordinary Adoption Leave (OML) for 26 weeks and;
- Additional Adoption Leave (AML) for 26 weeks.

Only 1 person in a couple can take adoption leave, the other partner may be eligible for paternity leave instead.

Any employee who qualifies for adoption leave is also eligible for paid time off work to attend up to 5 adoption appointments, after they have been matched with a child.

Adoption leave can start:

- up to 14 days before the date the child starts living in their new home (UK adoptions)
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (using a surrogate to have a child)

An employee must inform the Company within 28 days if the date of placement changes.

Adoption Pay

Statutory Adoption Pay is paid for up to 39 weeks. The weekly amount is:

- 90% of average weekly earnings for the first 6 weeks
- £151.97 or 90% of average weekly earnings (whichever is lower) for the next 33 weeks

Adoption Pay starts when an employee takes adoption leave.