



# CALLANDER COMMUNITY DEVELOPMENT TRUST

[callandercdt.org.uk](http://callandercdt.org.uk)

## Adoption Leave Policy

### 1. Purpose of the policy

This policy sets out the statutory rights and responsibilities of employees who adopt.

Callander Community Development Trust (hereafter CCDT) recognises that employees may have questions or concerns relating to their adoption rights. We want to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible.

### 2. Scope of the policy

This policy applies to employees who:

- adopt a child of any age under 18
- adopt from the UK or overseas

It also applies equally to employees who work part-time, on fixed-term contracts, or on zero-hours contracts.

### 3. Role and responsibilities

- senior managers have overall responsibility for this policy
- line managers are responsible for familiarising themselves with the contents of this policy and for applying it consistently
- employees who adopt are responsible for clarifying the correct procedures with their line manager
- CCDT are responsible for reviewing this policy once a year

### 4. Notification of adoption

Employees must tell their line manager in writing that they have been matched with a child. They should provide the matching certificate or a copy of the placement notification issued by the adoption agency.

#### 4.1. UK adoptions

Employees must, within 7 days of being matched with a child, tell their line manager:

- how much leave they want
- the start date of their leave
- the date the child will be placed with them (the date of placement)

#### **4.2. Overseas adoptions**

Employees adopting a child from overseas must tell their line manager their intention to take adoption leave within 28 days of receiving an official notification.

Once the child enters the UK, employees must give at least 28 days' notice of how much leave they want to take and when their leave will start.

#### **4.3. Responding to an adoption leave notification**

CCDT will respond to an adoption leave notification in writing within 28 days. The response will set out the date on which the employee is expected to return to work if they take their full leave entitlement.

### **5. Adoption leave**

#### **5.1. Eligibility for adoption leave**

To qualify for Statutory Adoption Leave a person must:

- be classed as an employee
- give the required notice
- provide proof of adoption
- for overseas adoptions, sign form SC6

#### **5.2. Length of adoption leave**

Statutory Adoption Leave is 52 weeks. It is made up of 26 weeks of Ordinary Adoption Leave and 26 weeks of Additional Adoption Leave.

#### **5.3. Starting adoption leave**

Employees can choose to start their adoption leave up to 14 days before the date the child starts living with them.

If an employee wants to change the start date of their adoption leave, they must inform their line manager at least 28 days before the date it's initially due to start.

Employees are encouraged to take any outstanding annual leave due to them before starting adoption leave.

### **6. Pay and pension during adoption leave**

To receive Statutory Adoption Pay, a person must:

- for UK adoptions, have been continuously employed by CCDT for at least 26 weeks by the week they are matched with a child
- for overseas adoptions, have been continuously employed by CCDT for at least 26 weeks by the time they get their official notification
- earn £123 a week before tax
- give the correct notice and proof of adoption

The rate of Statutory Adoption pay is:

- 90% of the employee's gross average weekly earnings for the first 6 weeks
- £184.03 a week or 90% of their gross average weekly earnings (whichever is lower) for the next 33 weeks

Shift allowances, overtime payments, bonuses and commission are all included in the calculation for average weekly earnings.

Statutory Adoption pay is treated as earnings. Therefore, it is subject to PAYE and National Insurance deductions.

During adoption leave, employee pension contributions will be based on actual pay, while employer contributions will be based on the salary that the employee would have received had they not gone on leave.

Pension contributions will continue to be made during the period when the employee is receiving Statutory Adoption Pay, but not during any period of unpaid Additional Adoption Leave.

## **7. Time off for adoption appointments**

An employee taking adoption leave is also entitled to take paid time off work to attend 5 adoption appointments after they have been matched with a child. This time off is paid.

## **8. Couples adopting together**

If 2 employees in the company are adopting a child together, the couple must choose who will be the main adopter and who will be the secondary adopter. The main adopter applies for adoption leave and pay, and the secondary adopter may apply for paternity leave and pay.

The main adopter is entitled to take paid time off work to attend 5 adoption appointments after they have been matched with a child. The secondary adopter is entitled to take paid time off work to attend up to 2 adoption appointments.

## **9. Keeping in touch days**

An employee on adoption leave can work up to 10 days without bringing their adoption leave or pay to an end. These are known as keeping in touch days.

Shortly before an employee's adoption leave starts, the organisation will discuss how the company will keep in touch during adoption leave.

The organisation reserves the right to maintain reasonable contact with the employee from time to time during adoption leave. For example, this may be to discuss:

- the employee's plans for return to work
- training or special arrangements needed to ease the return to work
- relevant developments at work during the absence

Employees can work for the company for up to 10 days during adoption leave. Working these 10 days will not bring adoption leave to an end or affect adoption pay. For these purposes, work can include training, attending conferences, appraisals, or team meetings. Keeping in touch days will be paid at a rate which must be agreed by both CCDT and the employer.

Employees are under no obligation to agree to attend work and we are under no obligation to offer you work. Keeping in touch days are entirely at the employee's decision. Employees will not be subject to any form of detriment if they do not wish to do them.

## **10. Returning to work**

Employees will be formally advised in writing of the date on which they are expected to return to work if they take their full 52-week adoption leave entitlement.

The employee is expected to return on this date unless they give at least 8 weeks' notice of an early return to work. If this much notice is not given, we may delay return until 8 weeks have passed or until the date previously agreed.

An employee is entitled to return from adoption leave to their same job and same terms and conditions as if they had not been absent.

An employee who worked full-time prior to their 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 business needs. If an employee would like to request flexible working, they should write to their line manager setting out their proposals as soon as possible in advance of their return date. This is so there is enough time to consider the request. The procedure for dealing with such requests is set out in the organisation's policy on flexible working.

On the first day an employee returns to work, or as soon as is reasonably practicable, we will hold a return to work meeting.

If an employee is too ill to return on the agreed date, this becomes a sickness absence and will be dealt with under the company absence procedure.

An employee who decides not to return to work after adoption leave must give the notice of termination required by their contract of employment.

## **11. Shared parental leave**

If an employee does not use their full adoption leave entitlement, some leave may be transferred to their partner. Full details of this should be found in the company shared parental leave policy.

## **12. Redundancy protection**

In the event of a redundancy situation arising, an employee on adoption leave will be protected from redundancy for up to 18 months from the date of the adoption placement.

Version control

Version	Author	Date	Approved by CCDT board
1	T Thompson & F Bowen-Bate	07/06/2024	25.06.24