

# Employee Factsheet - ADOPTION LEAVE

## Who is entitled to adoption leave?

You are entitled to adoption leave if you are adopting a child through a UK or overseas adoption agency and have been given written notice that you have been matched with a child for the purposes of adoption. You have the right to adoption leave from your first day of employment.

## How long is the adoption leave period?

Ordinary Adoption Leave (OAL) lasts for up to 26 weeks. You can choose the date on which the leave starts which can be either - the date on which the child is placed for adoption, or a pre-determined date, no more than 14 days before the date the child is to be placed for adoption. Additional Adoption Leave (AAL) lasts for up to 26 weeks starting on the day after the last day of OAL.

## Is adoption leave paid?

Statutory Adoption Pay (SAP) is £172.48 per week (April 2023) and is paid for 39 weeks of the 52 week leave period. To qualify for SAP you have to meet the following criteria:

- you are a person with whom the child is, or is expected to be, placed for adoption
- you have been continuously employed for 26 weeks at the week in which you are notified of the match
- you must earn at least £123 a week, before tax, for at least 8 weeks before the week you're matched with a child
- you must provide proof of the adoption
- you must give sufficient notice of your intention to take adoption leave

## How should I notify my manager of my intention to take adoption leave?

You should provide written notice of your intention to take adoption leave no more than 7 days after the date on which you are notified of a match with a child for the purposes of adoption. If this is not possible, notice should be given as soon as is reasonably practicable. You will need to confirm the following information:

- the date on which the placement is expected
- the date you have chosen the period of adoption leave to start from

Within 28 days of receipt of your written notice, the company will confirm to you in writing the date on which you will be expected to return to work if you take your full adoption leave entitlement.

## Can I change the date I wish to start adoption leave?

Yes, you can change the start date by giving 28 days' notice in writing before the date previously specified.

## Can I take time off work to attend adoption related appointments?

You have the right to paid time off work for five adoption appointments after you've been matched with a child.

## What will happen to my annual leave entitlement?

You will accrue statutory holiday entitlement throughout Ordinary and Additional Adoption Leave. There is no entitlement to receive payment for Bank/Public holidays during Adoption Leave. You should agree with your manager how you will take your accrued holiday, for example; by tagging it on to the start or end of the leave period or by using some of the days for a phased return to work.

## Can I work during the adoption leave period?

Whilst on leave you can work for up to 10 keeping in touch (KIT) days by mutual agreement with your manager without losing your statutory pay and without bringing the statutory leave period to an end. You may come into work for an hour or a whole day, but this will still be classified as one KIT day. You should agree with your manager how many KIT days you would like to work, the type of work you'll undertake on these days and the rate of pay.

## Do I have the right to return to work?

Yes. Unless you advise otherwise, it will be assumed that you will return to work at the end of your full adoption leave entitlement (52 weeks).

**What shall I do if I want to return to work early?**

If you wish to return to work early, you should give your manager 8 weeks' notice of your return date. If you fail to give this notice or give less than 8 weeks, your manager can delay your return until a date 8 weeks from when you did give notice, or withhold pay up to the end of the 8 weeks. Similarly, if you change your return date you will still need to give 8 weeks' notice of the new return to work date.

**If I am not sure whether I want to come back to work, what should I do?**

If you wish to resign after your adoption leave you will have to provide your manager with your contractual notice.

**Do I have the right to return to my old job?**

If returning to work after OAL (26 weeks) you are entitled to return to the same job you were in before you went on leave. If returning to work after AAL (52 weeks) it may not be possible to return back to your previous job and therefore you may be offered another job that is suitable or appropriate for you to do, on the same terms and conditions as your old job.

**What should I do if I wish to return part-time or on different hours?**

Wherever possible, we will support any request for a change to working pattern. All requests will be dealt with as a flexible working request. Please refer to the flexible working process for more information.