

Adoption Leave Policy

1. WHAT IS ADOPTION LEAVE

Under the Paternity and Adoption Regulations 2002 (part of The Employment Act 2002), parents of children placed with them for adoption have the right to Statutory Adoption Leave (SAL).

SAL is the right for new parents (subject to the qualifying conditions) to take paid leave in respect of the placement of their new child.

When a child is placed with an individual for adoption, it is the individual who is entitled to SAL. Where a child is placed with a couple for adoption, the couple may choose which one of them is to take the SAL (male or female). The other person may be eligible to Paternity Leave, subject to certain qualifying conditions.

2. WHO IS ELIGIBLE FOR ADOPTION LEAVE?

To qualify for SAL you must

- Be newly-matched with a child for adoption by an approved adoption agency.
- You must have at least 26 weeks' continuous service with the Company leading into the week ("the matching week") that you are formally notified by an approved adoption agency of being matched with a child for adoption.

SAL is not available where the child is not newly matched (e.g. a step-parent adopting a partner's child).

Only one period of leave is available irrespective of whether more than one child is placed with you for adoption as part of the same arrangement.

3. HOW MUCH ADOPTION LEAVE CAN YOU TAKE?

Employees who meet the qualifying criteria are eligible for 52 weeks of SAL.

3.1 Ordinary Adoption Leave

If you satisfy the qualifying conditions for SAL you are entitled to 26 weeks of Ordinary Adoption Leave (OAL).

3.2 Additional Adoption Leave

If you satisfy the qualifying conditions for SAL you are entitled to 26 weeks of Additional Adoption Leave (AAL). AAL commences the day following the last day of OAL.

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4. NOTIFYING YOUR INTENTION TO TAKE ADOPTION LEAVE

You must notify the Company in writing of your intention to take SAL within 7 days of having been notified by an adoption agency that you have been matched with a child for adoption.

Your written notification should include the following: -

- The date on which the child is expected to be placed with you.
- The date that you would like to commence your SAL (you may commence adoption leave on the date the child is placed with you or on a fixed date up to 14 days before the expected placement).

The Company requires you to provide official documentary evidence from the adoption agency known as a "matching certificate." This document is required to provide evidence of your entitlement to SAL and Statutory Adoption Pay (SAP).

Upon receipt of your notification of intention to take SAL, the Company will reply to you within 28 days confirming: -

- The date which you will commence your SAL.
- The date you will return to work after taking SAL.

You may change your mind about the date that you wish to commence your SAL as long as you advise the Company in writing at least 8 weeks before the amended start date.

5. RIGHTS DURING ADOPTION LEAVE

If you take SAL, you are entitled to similar rights afforded to employees on maternity leave.

In favour of the employee:

- (a) The Company's implied duty not to destroy mutual trust and confidence
- (b) Notice of termination
- (c) Disciplinary and grievance procedures
- (d) Accrual of Holiday entitlement
- (e) Continuation of the following employee benefits if you are so entitled under the terms and conditions of your employment: life cover, private medical insurance; car allowance payment.
- (f) The right not to suffer any detriment because you have taken SAL.

In favour of the Company:

- (a) Your implied duty to the Company of good faith
- (b) Notice of termination
- (c) The acceptance of gifts
- (d) The prohibition on you being engaged in any other businesses (if applicable).

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6. STATUTORY ADOPTION PAY

If you are eligible for SAL and your earnings are equal to or more than the lower earnings limit for National Insurance Contributions, (currently £111 per week), you will be entitled to Statutory Adoption Pay (SAP).

SAP is paid at the same rate as Statutory Maternity Pay (SMP).

SAP is paid for the first 39 weeks of SAL only. The last 13 weeks of SAL will be unpaid. For the period that you are on SAL, you will be paid 90% of your normal basic weekly wage for the first 6 weeks and thereafter £138.18 per week for the remaining 33 weeks (the applicable rate for the year April 2014 to April 2015).

7. RETURN TO WORK

The Company assumes that you will take your full entitlement to SAL. You do not have to provide notification of your intention to return to work unless you intend to return to work before the end of your full SAL entitlement (see below).

If you return to work during or at the end of the OAL period (the first 26 weeks) you are entitled to return to the same job. If you return to work during or at the end of the AAL period, you are entitled to return to the same job, or if this is not reasonably practicable, a suitably equivalent job.

Any annual leave entitlement carried over from the last holiday year must be used before you return to work following your period of SAL.

7.1 Early Return to Work

If you wish to return to work prior to the end of your full SAL entitlement, you must notify the Company in writing at least 8 weeks before the date that you wish to return to work.

In the event that you do not give the Company 8 weeks' notice of your intention to return to work early, the Company can postpone your return to work until the 8 week period has passed, provided that this is not beyond the end of your leave entitlement.

7.2 Disrupted Placements

If you have commenced SAL and the expected placement of a child does not take place, your SAL will end 8 weeks after the commencement of your OAL.

If you have commenced SAL and the child has been placed with you but is returned to the adoption agency or dies, your SAL will end 8 weeks from the end of the week that the child was returned to the adoption agency or died.

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8 Contact and Keeping in Touch Days

8.1 Contact

Reasonable contact between you and the Company should be maintained during the SAL period. You and the Company should aim to stay in touch throughout the entire SAL period in order to discuss issues relating to your employment, including your plans to return to work, or to enable the Company to keep you informed of important developments in the workplace.

The Company may make contact with you by any means e.g. telephone, email, letter or a face to face meeting. The frequency and nature of contact between you and the Company will depend on:-

- the nature of your type of work and role
- any agreement made with you before you commence your SAL
- whether there is a need to communicate important information to either party which could affect you upon your return to work.

8.2 Keeping-in Touch (KIT) Days

You may carry out up to 10 days' work during the SAL period, subject to agreement with your Line Manager. These days are known as Keeping-in-Touch (KIT) days.

The scope of any work carried out on a KIT day, including rates of pay and hours of work will be agreed in advance with the Company

Examples of reasons why you may work a KIT day are:

- to carry out normal day-to-day duties
- to attend a training course
- to attend a conference
- to attend a team meeting

Any amount of work carried out on a KIT day counts as 1 KIT day in terms of your total allowance of 10 KIT days. If you work for 1 hour only, this counts as 1 KIT day; the amount you are paid for whatever time you work will be subject to mutual agreement.

Please note, the rules for SAL and SAP may be different if you are adopting a child from overseas. If you are adopting a child from overseas please contact the HR team for further information.

Should you have any questions regarding the above please contact the HR Department on 020 7887 7078/7074.