



ADOPTION SCHEME

Introduction

1. The aim of this policy is to inform employees of their rights to adoption leave and pay, and to ensure those on Adoption Leave do not suffer any detriment as a result of their situation.
2. This policy applies to employees who have been newly matched with a child for adoption by an approved adoption agency, are named on the matching certificate and have an Expected Date of Placement (EDP) on, or after, 05 October 2008.
3. Where two people are named as adopters only one may take adoption leave, the other is eligible for Adoption Support Leave (see [section B4c](#)).

Notification of Adoption

4. In order to qualify for adoption benefits, employees must inform their line manager, in writing, and no later than 7 days after the adoption agency has advised them of the match, of their intention to take adoption leave. They must provide their original matching certificate and details of the EDP and their planned start and end dates for adoption leave (using the form in [Appendix 1](#)).
5. If an employee wishes to change the start date of their adoption leave a request must be made to their line manager, in writing, at least 28 days in advance.
6. Within 28 days of being notified of an individual's intention to take adoption leave, Departmental Human Resources will respond to the employee setting out the latest date upon which they may return to work, in the event that they take their full adoption leave entitlement.

Adoption Leave

7. Employees with 26 weeks or more service, ending with the week in which the adoption agency advised them of the EDP, are entitled to take Adoption Leave.
8. Employees are entitled to a total of 52 weeks Statutory Adoption Leave, which includes 26 weeks Ordinary Adoption Leave and 26 weeks Additional Adoption Leave.
9. Adoption leave must commence on the EDP or during the preceding 2 weeks.

Adoption Pay

10. Employees with 26 weeks or more service, ending with the week in which the adoption agency advised them of the expected date of placement, will be eligible to receive Statutory Adoption Pay. They will receive, in total, 39 weeks paid adoption leave (see [Appendix 2](#) for details of payments due).



11. Pension payments are due during paid adoption leave. During unpaid adoption leave employees may wish to continue to make payments, (which will be based on Statutory Adoption Pay levels). This decision can be deferred until an individual returns to work (they will have 30 days from their return date to make this decision).

Rights during Adoption Leave

12. Employees remain entitled to all contractual employment benefits (with the exclusion of: Season ticket loans; car purchase loans; and essential car user lump sum payments) during their full Adoption Leave period.
13. Annual leave will continue to accrue in line with the [Annual Leave Policy](#) but it can only be carried into the next leave year with the consent of the Chief Officer. Where adoption leave crosses 2 annual leave years, it is sensible for the employee to take annual leave due for the current year prior to commencing their adoption leave.
14. Legislation permits the City of London to make reasonable contact with employees whilst they are on adoption leave (e.g. to discuss plans for returning to work, or to provide information on important workplace developments). Employees who intend to return to work are additionally encouraged to keep in contact with their work base.
15. By mutual consent, employees on adoption leave may work on up to 10 days for the City of London (e.g. for training, team meetings, phased introduction back to work) without affecting their adoption entitlements or arrangements (these days are referred to as Keeping in Touch Days). Such work will be paid at their normal hourly rate (where their contractual pay varies, this will be calculated as an average over the 12 week period immediately prior to their maternity leave).
16. If organisational change occurs whilst employees are on adoption leave, their line manager will inform and consult them on how the change will impact on their job. In a redundancy situation, affected employees on adoption leave will, where possible, be offered suitable alternative employment.

Returning to Work

17. Employees may return to work at any time during their adoption leave period, providing they give 8 weeks notice of any change to their agreed return date.
18. An employee who returns to work during or at the end of Ordinary Adoption Leave (i.e. who has taken 26 weeks' leave or less) is entitled to return to the same job on the same terms and conditions as if they had not been absent. Where an employee returns to work during or at the end of their Additional Adoption Leave and it is not reasonably practicable for them to return to their old job, they will return to a suitable alternative post.



19. Where an employee does not wish to return to work following adoption leave, they must serve out their contractual notice prior to the end of their additional adoption leave. In circumstances where employees have not exhausted their adoption pay at the point they hand in their notice, they remain entitled to receive all SAP due to them, providing they remain on adoption leave (i.e. they do not take up an alternative position of employment).

Responsibilities

20. Employees are responsible for notifying their line manager of their intention to take adoption leave within expected timescales and providing their Matching Certificate and written confirmation of their intended start and end dates.
21. Departmental HR are responsible for writing to the employee on receipt of the above notification to confirm the individual's latest return to work date.
22. Line managers are responsible for authorising adoption leave, maintaining contact during adoption leave, and arranging dates and payments for Keeping in Touch Days, where applicable.

Monitoring

23. The application of this policy will be monitored in line with the City of London's commitment to equal opportunities.

Further Information

24. Information on adoption support leave, which may be taken by the non-primary carer (i.e. the partner who is not taking adoption leave), can be found in the [Adoption Support Scheme](#).
25. Current rates of SAP can be found on the [BERR website](#).
26. Further information relating to the impact of unpaid adoption leave on pensions should be sought from the Pensions Office.