

# Adoption Handbook

This handbook has been written for the guidance of employees and for the information of managers.

It sets out entitlements to adoption pay and leave and the procedure an employee should follow when s/he wishes to take Adoption Leave.

If you require further information please contact Human Resources

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## 1. Adoption Leave and pay

You are entitled to one period of Adoption Leave regardless of the number of children placed for adoption as part of the same arrangement. You will need to provide the Council with the appropriate notice and 'matching certificate' as evidence of the adoption.

Adoption Leave is available to men and women. However, if you are adopting jointly, you will need to choose which partner will take Adoption Leave. The remaining partner may be entitled to Paternity Leave and pay.

To qualify for Adoption Leave and pay you must be newly matched with a child for adoption by an approved adoption agency

Adoption Leave and pay is not available in circumstances where a child is not newly matched for adoption, for example, when a step-parent is adopting a partner's child(ren).

Surrogate parents are eligible for adoption leave and pay.

Where a child is being adopted from overseas, 'Official Notification' must have been received in writing from the relevant domestic authority (usually the Department of Health). It must be prepared to issue a certificate to the overseas authority regarding the adoption, or a certificate has been issued to that authority confirming, in either case, that the adopter is eligible to adopt, has been assessed and approved as a suitable adoptive parent.

An employee must inform their employer of the intention to take adoption leave within 28 days of receiving the Official Notification. Adoption leave cannot begin until the child enters Great Britain. The latest adoption leave can commence is 28 days after that date of entry.

If you are adopting a child from abroad you should use form SC6 to inform us about statutory adoption pay(see [www.hmrc.gov.uk/forms/](http://www.hmrc.gov.uk/forms/)).

**From 5 April 2015 employees may decide to share the additional adoption leave with their partner. The eligibility criteria, pay and policy can be found on Sharepoint / Section 10 / Shared Parental Leave Policy**

## **Adoption Leave**

You are entitled to take a total of 52 weeks leave. The first 26 weeks are known as Ordinary Adoption Leave and the final 26 weeks are known as Additional Adoption Leave.

You may start your Adoption Leave either on the date the child is placed with you or a date no more than 14 days before that date.

## **Adoption Pay**

**From April 2015, Adoption pay will mirror maternity pay, please see the Maternity handbook for your entitlement; this is dependant on your length of service at the on the matching day.**

The rate of Statutory Adoption Pay will be the same as the standard rate of Statutory Maternity Pay, which is currently £151.97 a week. If you earn less than £151.97 a week, you will receive 90% of your average weekly earnings, unless they are below the Lower Earnings Limit for National Insurance Contributions, which is currently £120 per week. If this is the case, you will not qualify for SAP. You may however be entitled to receive an alternative allowance from the Department for Work and Pensions.

## **2. Notice Periods**

You are required to inform your manager of your intention to take Adoption Leave within 7 days of being notified by the adoption agency that you have been matched with a child for adoption. If this is not possible, you must inform your manager as soon as reasonably practicable. You will need to tell your manager: -

- When the child is expected to be placed with you
- When you would like the Adoption Leave to start

You will need to give 28 days notice (unless this is not reasonably practicable) of:-

- The date you would like Statutory Adoption Pay to start
- Any change to the starting date of Adoption Leave

Please complete the Adoption Leave Notification Form attached to the Adoption Handbook and send it to Human Resources.

### **3. Working during Adoption Leave/keeping in touch/reasonable contact**

You may work for up to 10 days during your Adoption Leave without bringing it to an end. Working for part of a day will count as one day. If you work more than 10 days you will lose your SAP for the week that you exceed this limit and thereafter. Adoption Leave will not be extended to take account of any work carried out. Any work done during Adoption Leave is to be by mutual agreement with your manager and may include training or any activity for the purposes of keeping in touch with the workplace.

Your manager may make 'reasonable contact' with you whilst you are on Adoption Leave. This might include talking about your return to work or informing you about changes in the workplace.

### **4. Returning to work**

You have an automatic right to return to work following a period of Adoption Leave on terms and conditions no less favourable than those that were applicable to you before your Adoption Leave commenced.

It will be assumed that you will return to work at the end of your Adoption Leave period unless you write to your manager stating that you wish to return earlier. If this is the case you are required to give 8 weeks notice.

Where possible the Council will try and meet the needs of those individuals who would like more flexible working arrangements e.g. reduced hours. This should be agreed with your manager where possible, using the flexible working policy, **before** you go on Adoption Leave and must not be regarded as an automatic right.

### **5. What if you decide not to return to work after your Adoption Leave?**

If you decide not to return to work after your Adoption Leave you should resign in the normal way by sending a letter to your manager.

### **6. Fixed-term and temporary contracts**

If you are on a fixed term or temporary contract, you will be eligible to take adoption leave as detailed in 1 above.

### **7. Increments, annual leave, Bank Holidays and pension rights**

**Increments:** Increments will be awarded, within your pay band, subject to satisfactory appraisal. See Appraisal Scheme for further information.

**Annual Leave:** Annual leave entitlement is accrued on all 52 weeks Adoption Leave. It may be carried over from one leave

year to the next in agreement with your manager and will be based on the contracted hours of employment prior to a return from Adoption Leave. If you reduce/increase your hours when you return from adoption leave, annual leave accrued after this point will be calculated based on the new hours.

**Bank Holidays:** Bank Holidays are accrued on all 52 weeks Adoption Leave.

**Pension:** Pension rights and contributions will be dealt with in accordance with the provisions of the Local Government Pension Scheme. You will be required to make pension contributions during all paid Adoption Leave. You may wish to make contributions during your period of unpaid Adoption Leave. If this is the case, you will need to elect to pay these amounts within 30 days of your return from Adoption Leave. Please discuss payments with Payroll.

**Allowances:** If you receive any contractual allowances (e.g. Frequent user car allowance, Standby, On-call), these will be included in calculation of Adoption pay

## **8. Unpaid Time off for Adoption appointments**

Employees have the right to take unpaid leave to attend up to five adoption appointments. The total time for these appointments must not exceed six and a half hours. This limit applies irrespective of the number of children being adopted as part of the same arrangement.

Appointments must have been made by or at the request of the adoption agency. The appointments should be recorded on EIS by your manager and Payroll must be informed.

Where a couple are adopting jointly, only one of them is entitled to take paid time off, the other person can take unpaid time off

The employee who has not elected to take paid time off to attend appointments can elect to take unpaid leave. This right is however, limited to only two occasions of up to six and a half hours.

### **Fostering for adoption**

The same rights above apply to foster parents who have been approved as prospective adopters and are notified that a child is to be placed with them under section 22C of the Children Act 1989. If, during the placement, the foster parents are subsequently notified by an adoption agency that the child is to be placed with them for adoption, this does not give rise to a further right to time off to attend adoption appointments.

## **9. Other information**

In circumstances such as the following, Adoption Leave will end early:-

- If you start Adoption Leave and you are notified that the child will not be placed with you after all.
- In the event of the placement breaking down and the child being returned to the adoption agency.
- In the very sad event of death of the child

If the above circumstances were to apply, Adoption Leave will end 8 weeks after the end of the week in which the disruption occurred.

## **10. Day Nursery Care**

DBC have negotiated with a national childcare company to provide nursery places at a discounted rate. Lime Grove Nursery is purpose built and situated adjacent to Hemel Hempstead Sportspace in Park Road Hemel Hempstead. It provides day care facilities for children from 6 weeks to pre-school age. Places are let on a commercial basis, but Council employees have first option as places become vacant. If you would like to visit the nursery or would like further information you can call the nursery on 01442 236506.

## **11. Child Care vouchers**

The Council operates a child care voucher scheme, which offers parents the opportunity to make significant tax and National Insurance savings. Further information is available from Computershare on:

Email: [parent@computershare.co.uk](mailto:parent@computershare.co.uk)

Phone: 0845 002 1111

## **12. Who you need to liaise with**

In addition to notifying your manager about your intention to take Adoption Leave you will also need to liaise with Human Resources regarding your Adoption Leave and pay. Human Resources will administer your Adoption Leave and deal with the paperwork to ensure your adoption pay is processed.

## **13. What if I'm not entitled to receive Statutory Adoption Pay?**

If you are not entitled to receive Statutory Adoption Pay because you earn less than the lower limit for National Insurance contributions Payroll will issue you with form SAP1 and will return your Matching Certificate. The form explains why adoption pay is not payable and should be taken to your local Jobcentre Plus Office. They will advise you if you are eligible for them to pay you an allowance/benefit.

If you have any problems or queries regarding the payment of Statutory Adoption Pay, please contact Payroll on 01442 228283.

## **You must follow the procedure below to qualify for Adoption Leave and pay.**

1. You must notify your manager of your intention to take Adoption Leave within 7 days of being notified by the adoption agency that you have been matched with a child.
2. You or your manager must contact Human Resources, in order for you to be sent the the Adoption Handbook and notification form. You may also wish to discuss your entitlements with a member of Human Resources.
3. Once you have completed and returned the notification form to Human Resources, we will send you a letter outlining the terms and conditions relating to the Adoption Scheme. A copy of this will be sent to your manager and Payroll
4. You will be asked to sign and return a letter to show you have read and understood the terms and conditions.
5. You must notify your manager in writing (copy to Human Resources) at least 28 days before you wish your adoption absence to begin. If, at a later time, you wish to change the starting date of your adoption absence you will need to give 28 days notice.
6. You will also be asked to provide Human Resources with your 'matching certificate', and the date that you are commencing your Adoption Leave. They will carry out the necessary processes and arrange for you to receive the appropriate pay. You will receive a letter notifying you of your expected date of return from Adoption Leave, which will be 52 weeks from the start of your Adoption Leave.
7. It will be assumed that you will return on the expected date of return, unless you notify us that you wish to return earlier. If this is the case, you must give a minimum of 8 weeks notice to return early from Additional Adoption Leave.

**DACORUM BOROUGH COUNCIL**

**Adoption Leave Notification Form**

*Please complete this form and send to Human Resources at The Forum. If you have any queries, please call your HR Adviser*

- 1. Full name:
- 2. Job Title and Grade:
- 3. Your Correspondence address (usually your home), and your home telephone number:

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.....  
.....  
.....

Service Unit.....

Manager's name and extension number.....

- 4. I understand that I am entitled to Paid Adoption Leave
- 5. Date continuous employment commenced:
  - a) with DACORUM BOROUGH COUNCIL: .....
  - b) with Local Government:.....
- 6. Expected date of placement of the child (if known).....
- 7. Date would like to start Adoption Leave (if known).....

I understand that all the above information is correct:

Signed:

Date: