

ADOPTION LEAVE POLICY

The following policy details the provisions for adoption leave and pay and applies to employees who intend to adopt a child on or after the 1st April 2007.

1. INITIAL OBLIGATIONS ON THE OFFICER

- 1.1 Continues to be employed by the Council (whether at work or not) for 26 weeks, before the expected date of placement.
- 1.2 Has been matched with a child to be placed with them by a UK adoption agency.

2. ADOPTION LEAVE AND ADOPTION PAY

- 2.1 Employees with more than 1 year's service at the date of placement, regardless of hours of work, are entitled to:
 - (i) 26 weeks Ordinary Adoption Leave and 26 weeks Additional Adoption Leave.
 - (ii) 12 weeks at ½ pay with Statutory Adoption Pay (dependent on entitlement) and a further 27 weeks at SAP.
- 2.2 Employees with less than 1 year's service at the date of placement, regardless of hours of work, are entitled to:
 - (i) 26 weeks Ordinary Adoption Leave and 26 weeks Additional Adoption Leave.
 - (ii) 39 weeks Statutory Adoption Pay (SAP).
- 2.3 Adoption leave can start on the date of the child's placement, or from a fixed date no earlier than 14 days before the expected date of placement.

3. NOTIFICATION OF ADOPTION LEAVE

- 3.1 Employees are required to notify the Council of their intention to take adoption leave within 7 days of being notified by their adoption agency that they have been matched with a child for adoption, unless that is not reasonably practical.
- 3.2 The notification should be made in writing and confirm:
 - (i) The date of the beginning of absence.
 - (ii) The intention to return to work if applicable.
- 3.3 The Payroll section will respond to the notification within the 28 days of receipt, setting out the date they expect the employee to return to work.

- 3.4 The employee should notify the Council of any changes to the date of commencement of adoption leave at least 28 days in advance.

4. ANNUAL LEAVE

- 4.1 Employees continue to accrue annual leave during the whole of their adoption leave.
- 4.2 Any outstanding annual leave due at the point of adoption leave may be taken prior to going on adoption leave or taken on return to work provided that the return to work is in the same holiday year. A maximum of 5 days' annual leave may be carried over into the next financial year.

5. CONTRACTUAL BENEFITS DURING ADOPTION LEAVE

- 5.1 The following existing benefits will continue in full:-
- (i) Essential Car users lump sum allowance, this will be paid at 90% for the first 6 weeks, and at half pay for 20 weeks.
 - (ii) Lease car or cash for car allowance.
 - (iii) Private medical insurance

6. THE RIGHT TO RETURN TO WORK

- 6.1 Subject to 6.2, employees have the right to return to the job in which they were employed under the original contract of employment and on terms and conditions not less favourable than those which would have been applicable if they had not been absent.
- 6.2 Where it is not practicable, by reason of redundancy, for the Council to permit the employee to return to work in the job as defined in 6.1 above, the officer shall be entitled to be offered a suitable alternative vacancy where one exists. This is provided that the work to be done in that post is suitable and appropriate to the circumstances, and that the capacity and place in which they are to be employed and the terms and conditions of employment are not substantially less favourable to them than if they had been able to return to the job in which they were originally employed.
- 6.3 Suitable alternative employment may also be offered if exceptional circumstances other than redundancy (e.g. a general reorganisation), which would have occurred if the officer had not been absent, necessitate a change in the job in which they were employed prior to their absence. The work to be done should be suitable and appropriate to the circumstances and the capacity and place in which they are to be employed and the terms and conditions of employment should not be less favourable than if they had been able to return to the job in which they were originally employed.

7. CONTACT DURING ADOPTION LEAVE

- 7.1 During the adoption leave period, the Council may make reasonable contact with an employee and, in the same way, an employee may wish to make reasonable contact with the Council.
- 7.2 The Council will keep the employees informed of promotion opportunities and other information relating to the job that they would normally be made aware of if they were working.

8. KEEPING IN TOUCH DAYS

- 8.1 Employees may, by prior agreement with the Head of Service and Human Resources, do up to 10 days paid work known as Keeping in Touch Days, under their contract of employment during the adoption pay period.
- 8.2 Keeping in Touch Days may be worked at any time during the adoption pay period.
- 8.3 Working during the Adoption Leave Period may only take place by agreement between both parties. The Council may not require an employee to work during maternity leave if they do not wish to, nor does the employee have the right to work if the Council does not agree to it.
- 8.4 Payment rates for Keeping in Touch Days should be agreed in advance and the payments do not affect the employee's rights to receive Statutory Adoption Pay. Payment will be made based on the employee's standard payment rate less any adoption payments that are due for that period.

9. DEFINITIONS

- 9. The term "a week's pay" for employees whose remuneration for normal working hours does not vary with the amount of work done in the period, is the amount payable by the authority to the employee under the current contract of employment for working normal hours in a week. Where there are no normal working hours, a week's pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, excluding any week in which no remuneration was earned.