



# Adoption Leave & Pay Policy for Teachers

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## Contents

1. Scope
2. Policy Purpose
3. Eligibility Criteria
4. Proof of Adoption
5. Adoption Leave - Entitlement
6. Notice Requirements
7. Adoption Pay
8. Right to Take Time off to Attend Adoption Appointments
9. Return to Work
10. Rights during Adoption Leave
11. Pension - Teachers' Pension Scheme
12. Arrangements unique to Surrogacy, Overseas Adoptions, and Fostering for Adoption
13. Responsibilities: Employee and Headteacher/Line Manager
14. Protection from Detriment or Dismissal
15. Appendix A - Adoption Pay and Leave Chart - Teachers
16. Appendix B - Responsibilities: Employee and Headteacher/Line Manager
17. Appendix C - Step-by-Step Notification Process and Procedure
18. Appendix D - Adoption Leave Request Form
19. Appendix E - Notification of Change in Adoption Leave Start Date
20. Appendix F - Keeping in Touch (KIT) Days Record Form
21. Appendix G - Keeping in Touch (KIT) Days Payment Form
22. Appendix H - Notification of Early Return to Work
23. Appendix I - Request for Time Off to Attend Adoption Appointment Form – Primary Adopter
24. Appendix J - Request for Time Off to Attend Adoption Appointment Form – Secondary Adopter
25. Appendix K - Examples of Scenarios for Accrued Annual Leave

## Update Information

This model policy will be subject to ongoing review and may be amended prior to the scheduled date of the next review in order to reflect changes in legislation, statutory guidance, or best practice (where appropriate).

## 1. Scope

This policy applies to all Teaching Staff employed in schools and academies who intend to adopt a child and take adoption leave with pay.

Within this policy, references to the school, Headteacher, Governing Board and the Chair of Governors will, for Academies and Academy Trusts, be taken to mean a reference to the appropriate equivalent within those establishments.

The recognised trade unions have been consulted.

## 2. Policy Purpose

This policy sets out Adoption Leave and Pay entitlements and the relevant procedure for employees who have been matched by an approved Adoption Agency in the UK ("Adoption Agency") with a child for the purposes of adoption. It also covers overseas adoptions and adoptions following surrogacy and fostering arrangements (see [Section 12](#) of this Policy).

Where a couple jointly adopt a child, the right is for one parent to receive Adoption Leave and Pay ("the Primary Adopter"). The other adoptive parent ("the Secondary Adopter") is likely to have the right to [Paternity Leave](#). The provisions of this policy are mainly intended for employees who are the "Primary Adopter". References in this policy to the "Secondary Adopter" are in the context of Paternity Leave and attending adoption appointments.

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## 3. Eligibility Criteria

Employees are eligible for Adoption Leave and Pay provided they have been matched with a child by an Adoption Agency for the purposes of adoption and provided they meet the following eligibility criteria:

Employees must:

- Be the child's adopter
- Have agreement from the Adoption Agency that the child will be placed ("the Placement") with them and the date of placement
- Have complied with the relevant notice requirements with supporting evidence where applicable
- Not be in receipt of Paternity Leave.

Employees do not qualify for Adoption Leave and Pay if they:

- Arrange a private adoption
- Become a special guardian or kinship carer
- Adopt a stepchild
- Adopt a family member.

There is no entitlement to further leave and pay if more than one child is placed with the adoptive parent/s at the same time (multiple adoptions). However, where a further child is placed for adoption during or shortly after an adoption leave period and the employee is still employed, they will be entitled (subject to the eligibility criteria being met) to a second period of statutory adoption leave.

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## 4. Proof of Adoption

Proof of adoption may be requested by the school in which case the employee will need to provide the school with evidence from the Adoption Agency (letter or matching certificate) which confirms the following details:

- Name and address of employee requesting adoption leave
- Name and address of the Adoption Agency
- The date the employee was notified that they have been matched with the child
- The date on which the child is expected to be placed for adoption or where the child has already been placed for adoption, the date of the placement.

## 5. Adoption Leave – Entitlement

Employees who have been matched with a child by an Adoption Agency and have agreed to take the child are entitled to take up to a maximum of 52 weeks' adoption leave regardless of number of hours worked and length of service.

### 5.1 Ordinary Adoption Leave (OAL):

Employees are entitled to 26 weeks' OAL.

### 5.2 Additional Adoption Leave (AAL):

Employees are entitled to 26 weeks' AAL. This will start immediately after OAL i.e. there cannot be a gap between OAL and AAL.

### 5.3 Starting Adoption Leave:

Adoption leave can commence on either of the following two dates:

- The date the child is placed with the employee for adoption (the placement) i.e. when the child starts to live with the employee permanently or the day after if the employee is at work on that date or
- A date which is no more than 14 days before the expected date of the placement.

### 5.4 If Adoption Leave is disrupted:

If there is a disruption during the period of adoption leave, the employee can choose to remain on adoption leave for up to 8 weeks after the week in which the disruption occurred, provided they have not exhausted their statutory entitlement to adoption leave and pay.

Circumstances in which a disruption may occur when the employee has already commenced adoption leave are:

- i. Where the employee is subsequently notified by the Adoption Agency that the placement will not be made; or
- ii. If the child is returned to the Adoption Agency after placement; or
- iii. If the child dies\*.

In the event of a disruption, the employee is required to give notice of their return to work, in compliance with the notice requirements in [Section 6](#) of this policy.

\*Where the disruption occurs because of the death of a child, the employee may, if the child had started to live with them, be entitled to Statutory [Parental Bereavement Leave](#).

### 5.5 Keeping in Touch (KIT) Days:

- Except during the first two weeks of Adoption Leave, employees may, by agreement with the school, work for up to 10 days during their adoption leave without losing any benefits (KIT days).
- The KIT days do not have to be consecutive and may be used for an activity, which would normally be classed as work under the contract of employment, for which the employee would be paid. This can include training events and attending meetings etc.
- Any work and the type of work undertaken during the adoption leave period must be by mutual agreement between the employee and the school; there is no obligation on the school to offer work or for the employee to accept it.
- Part days worked will count as whole days and the employee will be paid their normal daily rate of pay for days worked offset by any Statutory Adoption Pay (SAP) if there is an entitlement.

Forms at Appendices [F](#) and [G](#) can be used to record KIT days and to submit for payment respectively.

## 5.6 Reasonable Contact during Adoption Leave:

The employee's manager is allowed to make reasonable contact with the employee during their adoption leave to discuss such matters as their return to work arrangements. This is also useful in order to keep the employee informed of other matters such as job vacancies, significant developments in the workplace and training opportunities. This does not constitute 'work' and therefore will not count towards the 10 KIT days.

## 5.7 Accrual of Statutory Annual Leave during Adoption Leave:

- Although teachers do not have a contractual entitlement to paid annual leave nor a specified annual leave year, they do have a statutory entitlement to 28 days' (5.6 weeks) annual leave under the Working Time Regulations 1998 as amended.
- A teacher who takes adoption leave must be able to take the 28 days' statutory annual leave at a time outside of their adoption leave period.
- Any part of the teacher's adoption leave period (i.e., OAL or AAL) cannot be treated as annual leave.
- The annual leave year, for the purposes of establishing annual leave entitlement for teachers on adoption leave, will be 1st September to 31st August to coincide with the academic school year.
- The entitlement to 28 days' statutory annual leave is not an additional entitlement on top of the current school closure arrangements. This annual leave entitlement must be offset by any period of school closure that has taken place in the leave year in question both before and after the adoption leave period.
- Where the return from adoption leave is so close to the end of the leave year that there is not enough time to take all the annual leave entitlement for that year, or overlaps into the next leave year, the balance of the leave can be carried over to the following leave year.
- It is not possible to carry over the annual leave into the next leave year if there is time to take the leave in the current leave year i.e., in school closures.
- As an employee has 28 days' statutory annual leave, the accrual of leave is not affected by what stage of adoption leave an employee is at or whether they are receiving pay.
- Teachers do not have a contractual entitlement to paid leave on public or bank holidays. The Early May bank holiday is the only bank holiday that falls during term time. For the purposes of annual leave, the Early May bank holiday will be classed as a school closure which counts against the statutory annual leave entitlement of 28 days.
- Under the Working Time Regulations, it is not possible for a payment in lieu of annual leave that has not been taken except on termination of employment, e.g. if the teacher decides not to return to work following the adoption leave period.
- Please see [Appendix K](#) for examples of scenarios in respect of accrued annual leave.

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## 6. Notice Requirements

### 6.1 Notice of intention to take Adoption Leave:

Employees are required to give written notice of their intention to take adoption leave within 7 days of having been notified of a match with a child for the purposes of adoption. The notice must state the expected date of placement and the date the adoption leave will begin.

### 6.2 Notice of date on which Adoption Leave is to commence:

Employees are required to give 28 days' written notice of the date they wish to start the adoption leave (see Adoption Leave Request Form at [Appendix D](#)). Where it is not practicable to comply with the notice requirements, notice should be

given as soon as possible, and adoption leave will start on the date the child is placed for adoption.

### 6.3 Notice of variation to the commencement date:

Once notice has been given and the employee later wishes to change the intended start date, they are required to give at least 28 days' written notice before the amended start date (see Adoption Leave Request Form at [Appendix E](#)). Where it is not practicable to comply with the notice requirements, notice should be given as soon as possible.

If the employee fails to give the required notifications within the specified time limits, they may lose their right to Adoption Pay and to start Adoption Leave on the intended start date.

### 6.4 Acknowledgement by the school:

Within 28 days of the employee's written notification, the school\* should write to the employee setting out their Adoption Leave and Pay entitlement and their expected date of return based on the adoption leave start date notified by the employee and a reminder of the implications on pay in the event that the employee does not return to work after the adoption leave period.

\*Where the school has an SLA with the Schools HR Co-operative – Contracts Management Service, this exercise will be undertaken by them. Their ability to comply with the 28 day period referred to will depend on when the relevant details and paperwork are received from the school.

The Step by Step Notification Process and procedure is outlined in [Appendix C](#).

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## 7. Adoption Pay

### 7.1 Statutory Adoption Pay (SAP):

#### 7.1.1 Eligibility Criteria:

To qualify for SAP, employees have to meet conditions based on their length of service and level of earnings as below:

- They must have at least 26 weeks' continuous service with their employer by the week they are matched with a child for adoption
- Their earnings must be equal to or above the lower limit for National Insurance Contributions – refer to [GOV.UK](#) for the prevailing Lower Earnings Limit (LEL).

#### 7.1.2 SAP Rates:

SAP will be paid at:

- 90% of employee's average weekly earnings (higher rate) or
- [Prevailing Statutory Adoption Pay rate](#) (lower rate), (whichever is lower).

SAP is payable for 39 weeks. For the first 6 weeks it is paid at 90% of the average weekly earnings. The following 33 weeks will be paid at 90% of the average weekly earnings or at [the prevailing SAP rate](#) per week (whichever is lower).

SAP is paid by the employer in the same way, time and frequency as normal salary and it is subject to deductions for Income Tax and National Insurance Contributions.

## 7.2 Adoption Allowance (AA):

If the employee does not qualify for SAP, they may be able to claim AA from their local Job Centre Plus office, provided they satisfy the National Insurance Contributions conditions based on their previous employment or self-employment.

AA payments are made weekly for a maximum period of 39 weeks and are paid out at the same rate as SAP.

If the employee has been assessed as not being entitled to SAP, they will be sent a SAPI Form from the school's payroll provider.

## 7.3 Occupational Adoption Pay (OAP):

OAP is conditional on the employee:

- Having not less than 52 weeks' continuous service/locally recognised service by the week they are matched with a child for adoption, and
- Returning to work for 13 weeks (or an equivalent extended period if returning on reduced hours) at the end of their adoption leave.

OAP is paid at equivalent to 50% of the employee's salary for a period of 12 weeks.

Employees can choose to receive this payment as follows:

- Spread over a period of 12 weeks following the first 6 weeks at SAP or AA (and concurrent with the lower rate SAP)
- Spread over the 33 weeks following the first 6 weeks at SAP or AA (and concurrent with the lower rate SAP)
- When they return to work, at the end of their adoption leave when it will be paid to them as one lump sum.

In the event the employee does not return to work for the specified equivalent period after the end of their adoption leave, and OAP has been paid to them during their adoption leave, they will be required to repay the OAP element of the adoption pay including the corresponding National Insurance Contributions.

## 7.4 Entitlement to Adoption Pay - Summary:

Entitlement to adoption pay and the corresponding qualifying criteria is set out below and in the Adoption Leave & Pay Chart at [Appendix A](#):

**Teachers with 52 weeks' continuous service/locally recognised service by the week they are matched with a child, and meet the qualifying criteria for SAP as stated above, will receive adoption pay as follows:**

- 4 weeks at full pay (offset against payments made by way of SAP)
- 2 weeks at 90% of salary (offset against payments made by way of SAP)
- 12 weeks at 50% of salary (OAP) plus lower rate SAP
- 21 weeks at lower rate SAP.

The remaining period of adoption leave i.e. 13 weeks will be on an unpaid basis.

**Teachers with 52 weeks' continuous service/locally recognised service by the week they are matched with a child but who do not meet the qualifying criteria for SAP as stated above, will receive adoption pay as follows:**

- 4 weeks at full pay (offset against payments made by way of AA)
- 2 weeks at 90% of salary (offset against payments made by way of AA)

- 12 weeks at 50% of salary (OAP) plus AA if eligible
- There is no entitlement to SAP
- Employee may be entitled to AA for the remaining 21 weeks.

**NB:** Eligibility for AA will be assessed and paid by the local Job Centre Plus Office.

**Teachers with less than 52 weeks' continuous service/locally recognised service by the week they are matched with a child, but who meet the qualifying criteria for SAP as stated above, will receive adoption pay as follows:**

- 6 weeks at 90% of salary
- 33 weeks at lower rate SAP
- There is no entitlement to OAP.

The remaining period of adoption leave i.e. 13 weeks will be on an unpaid basis.

**Teachers with less than 52 weeks' continuous service/locally recognised service by the week they are matched with a child and who do not meet the qualifying criteria for SAP as stated above:**

- No entitlement to SAP
- No entitlement to OAP
- May be eligible for AA.

**NB:** Eligibility for AA will be assessed and paid by the local Job Centre Plus Office.

## 7.5 Proof and Declarations

Employees are required to provide to the school evidence of their entitlement to SAP in the form of:

- i. A letter/matching certificate from the Adoption Agency (see Section 4 of this Policy) and
- ii. A declaration that they have elected to receive SAP and not Statutory Paternity Pay

This information and declaration should be provided by the employee at least 28 days before the date on which SAP is to commence or, if that is not reasonably practicable, as soon as possible thereafter.

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## 8. Right to take Time Off to Attend Adoption Appointments

The primary adopter is entitled to take paid time off for up to 5 adoption placement appointments after they have been matched with a child.

If there is a secondary adopter, they will be entitled to take unpaid time off for up to 2 adoption placement appointments.

There is no qualifying period of service required before an employee can apply to take time off for these appointments.

Employees wishing to take time off to attend these appointments should:

- Give reasonable notice of the appointment
- Submit their request in writing to the Headteacher
- Confirm that the purpose of the time off is to attend adoption appointments
- Produce evidence of the appointment if requested to do so.

The template forms at Appendices I and J can be used for this purpose.

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## 9. Return to Work

### 9.1 Returning to work after OAL:

Employees are entitled to return to the same job on the same terms and conditions of employment as if they had not been absent unless this is not reasonably practicable due to a restructuring/redundancy situation.

### 9.2 Returning to work after AAL:

Employees are entitled to return to the same job on the same terms and conditions of employment as if they had not been absent. However, where a restructuring/redundancy situation has occurred or there is some other reason why it is not reasonably practicable for the employee to return to the same job, they are entitled to return to another job that is both suitable and appropriate for them to do in the circumstances. This must be on terms and conditions that are no less favourable that would have applied had they not been absent.

### 9.3 Restructuring /Redundancy exercise during period of Adoption Leave:

Please refer to the HR model [Redundancy Policy](#) for further details of rights of employees who are on adoption leave during a restructuring/redundancy exercise.

### 9.4 Return to work – Notice Requirements:

- If the employee intends to return to work at the end of the full adoption leave period (i.e. after 52 weeks), they will not be required to give any further notification of their return to work.
- If the employee wishes to return to work from adoption leave earlier than the date originally agreed, they must give the school at least 21 days' notice of the revised date of return to work. The Notification of Early Return to Work Form at [Appendix H](#) can be used. Failure to give the appropriate notice may result in the return being delayed.
- If the employee does not intend to return after their adoption leave, they are required to give the school notice of resignation in accordance with the terms and conditions of their contract of employment. Where the employee does not return to work (or returns to work for a period which is less than 13 weeks), any OAP which has been paid to them during their adoption leave, will have to be repaid including the corresponding National Insurance Contributions.

### 9.5 Return to Work Interview:

The employee's manager is required to undertake a return to work interview with the employee upon their return to work.

### 9.6 Flexible working upon a return to work:

If the employee wants to request returning to work on a different work pattern prior to their return, they can make a request using the school's [Flexible Working Policy](#).

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## 10. Rights during Adoption Leave

Adoption leave is regarded as continuous service and does not constitute a break in service. All contractual terms and conditions (except for normal remuneration) should continue throughout a period of adoption leave including the accrual of annual leave. During this period, the employee will continue to be bound by the terms of their contract of employment including the implied term of trust and confidence and any terms as to notice of termination by them.

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## 11. Pension – Teachers' Pension Scheme

If the employee is a member of the Teachers' Pension Scheme, any paid part of their adoption leave will count as

pensionable service. This means that deductions will be made from all adoption pay they receive from the employer. The employee can elect to pay contributions for the unpaid period of adoption leave when they return to work.

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## **12. Arrangements unique to Surrogacy, Overseas Adoptions, and Fostering for Adoption**

### **12.1 Surrogacy**

Employees may be entitled to Adoption Leave and Pay if a child has been placed with them through a surrogacy arrangement.

The intended parent will need to apply for a Parental Order within 6 months after the child's birth.

The school may ask for a written statement (statutory declaration) to confirm that the employee has applied or will apply for the Parental Order in the 6 months after the child's birth and that they expect to be granted the Order. This declaration needs to be signed in the presence of a legal professional.

For SAP, employees are required to have worked continuously for their employer for at least 26 weeks by the 15th week before the baby is due. They must inform their employer of the due date and when they intend to start their leave at least 15 weeks before the expected week of birth. Adoption leave can start on the day the child is born or the day after. All other qualifying conditions for Adoption Leave and Pay are the same as for adoptive parents.

### **12.2 Overseas Adoptions**

Employees must tell their employer:

- The date of their 'official notification' confirming they are allowed to adopt
- The estimated date the child arrives in the UK – within 28 days of receiving the notification
- The actual date the child arrives in the UK – within 28 days of this date
- How much leave they require and the start date – giving 28 days' notice to the employer.

Adoption leave can start when the child arrives in the UK or within 28 days of that date.

For SAP, employees are required to have worked continuously for their employer for at least 26 weeks by the time they receive the official notification. All other qualifying conditions for Adoption Leave and Pay are the same as for adoptive parents.

### **12.3 Fostering for Adoption**

Employees may, as a foster parent, be entitled to Adoption Leave and Pay if, as an approved prospective adopter, they look after a child as part of a "fostering to adopt" arrangement and they have been notified of a child's placement.

Proof may be required in the form of a written notification of a fostering for adoption placement.

Adoption leave can start when the child begins to live with the employee.

All other qualifying conditions for Adoption Leave and Pay are the same as for adoptive parents.

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## **13. Responsibilities: Employee and Headteacher/Line Manager**

Please see [Appendix B](#) for specific responsibilities of the employee and those of the Headteacher/Manager.

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## **14. Protection from Detriment or Dismissal**

An employee has the right not to be subjected to detrimental treatment or be dismissed because they are exercising their rights under this policy in taking or seeking to take adoption leave.

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### 15. Appendix A - Adoption Pay and Leave Chart – Teachers

At least 52 weeks' continuous service/locally recognised service by the week employee is matched with a child for the purposes of adoption	At least 26 weeks' continuous service/locally recognised service with the employer by the week employee is matched with a child for the purposes of adoption	Entitlement to Adoption Pay	Entitlement to Adoption Leave
Yes	Yes	<ul style="list-style-type: none"> <li>• 4 weeks at full pay</li> <li>• 2 weeks at 90% of salary</li> <li>• 12 weeks at 50% of salary (OAP) plus SAP</li> <li>• 21 weeks at lower rate of SAP.</li> </ul>	26 weeks' OAL 26 weeks' AAL
Yes	No	<ul style="list-style-type: none"> <li>• 4 weeks at full pay</li> <li>• 2 weeks at 90% of salary</li> <li>• 12 weeks at 50% of salary (OAP) plus AA if eligible</li> <li>• May be eligible for AA for remaining 21 weeks</li> <li>• No entitlement to SAP.</li> </ul>	26 weeks' OAL 26 weeks' AAL
No	Yes	<ul style="list-style-type: none"> <li>• 6 weeks at 90% of salary</li> <li>• 33 weeks at the lower rate of SAP</li> <li>• No entitlement to OAP.</li> </ul>	26 weeks' OAL 26 weeks' AAL
No	No	<ul style="list-style-type: none"> <li>• No entitlement to SAP</li> <li>• No entitlement to OAP.</li> </ul>	26 weeks' OAL 26 weeks' AAL

SAP Rate: 6 weeks at the higher rate (90% of your salary)  
 33 weeks at [the prevailing Statutory Adoption Pay rate](#) (lower rate) or 90% of your salary whichever is lower  
**NB:** Eligibility to AA will be assessed and paid by your local Job Centre Plus Office.

**Key:**

SAP: Statutory Adoption Pay

AA: Adoption Allowance

OAP: Occupational Adoption Pay

OAL: Ordinary Adoption Leave

AAL: Additional Adoption Leave

## 16. Appendix B - Responsibilities of Employees and Headteacher/Line Manager

### Responsibilities of Employees and Headteacher/Line Manager

Employees	Headteacher/Line Manager
<p>Employees have specific responsibilities they need to fulfil in order to be entitled to the appropriate adoption benefits:</p> <ul style="list-style-type: none"> <li>• To inform the Headteacher of their intention to adopt as early on in the process as possible.</li> <li>• To give formal notification to the school of their intention to take adoption leave within 7 days of having been notified of match with a child for the purposes of adoption.</li> <li>• To provide 28 days' notice of the date they wish adoption leave to start.</li> <li>• To provide 28 days' notice if they wish to change the adoption leave start date from an earlier notified date.</li> <li>• To provide confirmation of adoption in the form of a Matching Certificate from the Adoption Agency.</li> <li>• To provide 21 days' notice of their intention to return to work from adoption leave if this is earlier than the original notified date.</li> <li>• To provide notice in accordance with the terms of their contract of employment, if they do not intend to return to work after the period of adoption leave.</li> </ul>	<p>It is the responsibility of the Headteacher/Line Manager:</p> <ul style="list-style-type: none"> <li>• To confirm adoption leave and pay entitlement in writing to the employee within 28 days of receiving written notification of intention to adopt.</li> <li>• To notify the Payroll Provider accordingly within the same timescales to ensure timely accurate payment.</li> <li>• To notify the employee in writing of their expected return date based on the start date notified by them.</li> <li>• To notify the employee of any pay implications in the event that they choose not to return to work.</li> <li>• To keep in touch with the employee on a reasonably regular basis during the course of their leave so that they remain informed about developments at work.</li> <li>• To agree and arrange with the employee any necessary KIT days during the course of their leave. The school will also liaise with Schools HR to ensure appropriate salary payments are made for KIT days.</li> <li>• To allow the employee to return to the same job on the same terms and conditions (subject to what is stated in Section 9 of this Policy).</li> <li>• To carry out a return to work interview with the employee.</li> <li>• (Where the school has an SLA with the Schools HR Co-operative – Contracts Management Service, the school must provide any information related to the employee's adoption leave arrangements promptly to the Schools HR Contracts Management Service so that they can provide the necessary advice and write to the employee confirming adoption leave and pay entitlement within the required timescales).</li> </ul>

## 17. Appendix C - Step-by-Step Notification Process & Procedure

<b>Step-by-Step Notification Process &amp; Procedure</b>		
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<b>Step 1</b>	Employee advises manager of intention to adopt	As early on in the process as possible.
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<b>Step 2</b>	Employee formally gives notice of the intention to take adoption leave	Within 7 days of having been matched with a child for the purposes of adoption.
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<b>Step 3</b>	Employee formally gives notice of the date they wish adoption leave to start	28 days before start date of adoption leave. Adoption leave cannot start any earlier than 14 days before the date of placement.
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- Employees can use the Adoption Leave Request Form at [Appendix D](#) and send it to the school.
- Attach a copy of Matching Certificate from the Adoption Agency as confirmation of Adoption Leave.
- (Where the school has an SLA with the Schools HR Co-operative – Contracts Management Service, the school will promptly forward the documents to the Contracts Management Service to action).

<b>Step 4</b>	School (or the Schools HR Contracts Management Service if applicable) writes to employee	Within 28 days of receipt of written notification.
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School (or the Schools HR Contracts Management Service if applicable) will confirm to the employee in writing their entitlement to adoption pay and leave and their expected date of return.

<b>Step 5</b>	If the employee wishes to change the start date of their adoption leave from a date notified earlier	Minimum 28 days' notice required before start date of revised date.
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If the employee wishes to change their adoption leave start date, from a date they have notified earlier, they must notify the school in writing. They can use the form at [Appendix E](#).

<b>Step 6</b>	Notification of Early Return from Adoption Leave	21 days' notice prior to the revised return date.
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If the employee wishes to return to work earlier than the agreed date, they must notify the school in writing 21 days before the revised return date. Failure to give appropriate notice may result in the return being delayed. They can use the form at [Appendix H](#).

<b>Step 7</b>	Return to Work	On return date.
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The employee's manager is required to carry out a return to work interview with them.

## 18. Appendix D - Adoption Leave Request Form

### Adoption Leave Request Form

Name of School: \_\_\_\_\_

#### Employee Details

Name: \_\_\_\_\_

Post Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

#### Adoption Details

Date Matched with a Child: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (dd/mm/yyyy)

Expected Date of Placement: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (dd/mm/yyyy)

I would like to start Adoption Leave on: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (dd/mm/yyyy)

My Adoption Leave will end on: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (dd/mm/yyyy)

Matching Certificate from Adoption Agency attached: Yes / No\*

\*(If No, please forward separately as soon as available)

#### Occupational Adoption Pay

Occupational Adoption Pay (OAP) represents payment equivalent to 12 weeks at 50% of salary. It is paid subject to your returning to work for a minimum of 13 weeks, or an equivalent extended period if returning on reduced hours, after your adoption leave.

If you qualify for OAP, please select one of the following options:

- I intend to return to work after my adoption leave, and I would like OAP to be paid monthly, as half pay for 12 weeks following the 6 weeks at SAP/AA
- I intend to return to work after my adoption leave, and I would like OAP to be spread over the 33 weeks following the 6 weeks at SAP/AA
- I intend to return to work but cannot commit at this stage, and I would prefer for OAP to be paid to me as a lump sum on my return to work.
- I DO NOT INTEND** to return to work following my adoption leave and am therefore not entitled to OAP.

*Declarations:*

- i. *I understand that in the event I do not return to work and have elected to have OAP paid to me during my adoption leave, I will be required to repay this element of the adoption pay and corresponding National Insurance Contributions.*
- ii. *I confirm that I am not/will not be in receipt of Statutory Paternity Pay.*

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## 19. Appendix E - Notification of Change in Start Date of Adoption Leave

### Notification of Change in Start Date of Adoption Leave

Name of School: \_\_\_\_\_

### Employee Details

Name: \_\_\_\_\_

Post Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

### Start of Adoption Leave

I wish to change the start date of my Adoption Leave. The leave was due to start on *(insert date)*:

\_\_\_\_\_

The revised start date of my Adoption Leave will be *(insert date)*: \_\_\_\_\_

**Notification of change to the start date of your adoption leave must be received at least 28 days before the intended start date of your adoption leave. Failure to give meet the notice period may result in loss of your right to adoption pay and to start adoption leave on the intended date.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## 20. Appendix F - Keeping in Touch (KIT) Days Record Form

**Keeping in Touch (KIT) Days Record Form**

Name of School: \_\_\_\_\_

**Employee Details**

Name: \_\_\_\_\_

Post Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**KIT Details**

This form should be used to record Keeping in Touch Days worked by an employee on Adoption Leave. You may not exceed 10 KIT days during Adoption Leave.

Start Date	End Date	Balance	Employee's Signature	Manager's Signature



## 22. Appendix H - Notification of Early Return to Work

### Notification of Early Return to Work

Name of School: \_\_\_\_\_

### Employee Details

Name: \_\_\_\_\_

Post Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

### Return to Work

This is to notify you that I will be returning to work from adoption leave earlier than the previously notified date of *(insert date)*: \_\_\_\_\_

The revised date of my return to work from adoption leave will be *(insert date)*: \_\_\_\_\_

**You must give at least 21 days' notice if you are returning to work earlier than the previously agreed return date. Failure to give the required period of notice may result in your return to work being delayed. Please return the form to the school.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### 23. Appendix I - Request for Time Off to Attend Adoption Appointment Form – Primary Adopter

Request for Time Off to Attend Adoption Appointment Form – Primary Adopter

<b>Name:</b>	
<b>Post Title:</b>	
<b>Line Manager:</b>	
<p>I am the <b>Primary Adopter</b>.</p> <p>The purpose of the time off that I am requesting is to attend the adoption appointment/s.</p> <p>Proof provided? Y/N</p>	
<b>Date of Appointment:</b>	
<b>Time of Appointment:</b>	
<b>Location of the Appointment:</b>	
This is the 1 <sup>st</sup> of the 5 appointments that I am entitled to take time off for:	
This is the 2 <sup>nd</sup> of the 5 appointments that I am entitled to take time off for:	
This is the 3 <sup>rd</sup> of the 5 appointments that I am entitled to take time off for:	
This is the 4 <sup>th</sup> of the 5 appointments that I am entitled to take time off for:	
This is the 5 <sup>th</sup> and final appointment that I am entitled to take time off for:	
<b>Employee's Signature:</b>	
<b>Date:</b>	
<b>Manager's Signature:</b>	
<b>Date:</b>	

## 24. Appendix J - Request for Time Off to Attend Adoption Appointment Form – Secondary Adopter

Request for Time Off to Attend Adoption Appointment Form – Secondary Adopter

<b>Name:</b>	
<b>Post Title:</b>	
<b>Line Manager:</b>	
<p>I am the <b>Secondary Adopter</b>.</p> <p>The purpose of the time off that I am requesting is to attend the adoption appointment/s.</p> <p>Proof provided? Y/N</p>	
<b>Date of Appointment:</b>	
<b>Time of Appointment:</b>	
<b>Location of the Appointment:</b>	
<b>This is the 1<sup>st</sup> of the 2 appointments that I am entitled to take time off for:</b>	
<b>This is the 2<sup>nd</sup> of the 2 appointments that I am entitled to take time off for:</b>	
<b>Employee's Signature:</b>	
<b>Date:</b>	
<b>Manager's Signature:</b>	
<b>Date:</b>	

## 25. Appendix K - Examples of Scenarios for Accrued Annual Leave

### Examples of Scenarios for Accrued Annual Leave

#### Scenario 1

The teacher is taking OAL only and starts adoption leave on 01 October.

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
		OAL	OAL	OAL	OAL	OAL	OAL					
<b>School Closures</b>		1 week		2 weeks Christmas		1 week		2 weeks** Easter		1 week	2 weeks	4 weeks

\*\*March or April

The teacher will benefit from up to 9 weeks of school closure following her return from adoption leave to offset the statutory annual leave entitlement of 28 days (5.6 weeks). Therefore, there is no additional entitlement to annual leave.

#### Scenario 2

The teacher is taking OAL only and starts adoption leave on 01 March.

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
							OAL	OAL	OAL	OAL	OAL	OAL
<b>School Closures</b>		1 week		2 weeks Christmas		1 week		2 weeks** Easter		1 week	2 weeks	4 weeks

\*\*March or April

The teacher will already have had the benefit of 4 weeks of school closure prior to going on adoption leave. There will be an additional entitlement of 8 days which will be carried over to the next leave year as the teacher is returning on 01 September. This will be taken following the first 28 days of annual leave entitlement in school closure periods for that leave year.

#### Scenario 3

The teacher is taking OAL and AAL and starts adoption leave on 01 October.

##### Leave Year 1

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
		OAL	OAL	OAL	OAL	OAL	OAL	AAL	AAL	AAL	AAL	AAL
<b>School Closures</b>		1 week		2 weeks Christmas		1 week		2 weeks** Easter		1 week	2 weeks	4 weeks

**Leave Year 2**

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
	AAL											
<b>School Closures</b>		1 week		2 weeks Christmas		1 week		2 weeks** Easter		1 week	2 weeks	4 weeks

\*\*March or April

**Leave Year 1** – The teacher has had no annual leave but has an entitlement to 28 days (5.6 weeks) which will be carried over to the next leave year on her return from adoption leave in October.

**Leave Year 2** – The teacher will benefit from 13 weeks of school closure to offset her annual leave entitlement for both Year 2 (28 days, 5.6 weeks) and following this the annual leave entitlement due to her for Year 1 (28 days, 5.6 weeks) i.e. 11.2 weeks in total. There will be no additional entitlement to annual leave.

**Scenario 4**

The teacher takes OAL only and starts adoption leave on 01 January but decides to resign and does not return at the end of the adoption leave period.

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
					OAL	OAL	OAL	OAL	OAL	OAL		
<b>School Closures</b>		1 week		2 weeks Christmas		1 week		2 weeks** Easter		1 week	2 weeks	4 weeks

\*\*March or April

The teacher has not worked a full leave year and will be entitled to a pro-rated statutory annual leave entitlement i.e. 10 months (Sept to Jun). Pro-rated entitlement for 10 months =  $28/12 \times 10 = 23$  days. The teacher will benefit from 3 weeks (15 days) of school closure prior to going on adoption leave and will therefore have an outstanding annual leave entitlement of 8 days. Therefore 8 days' pay in lieu will be due on termination.

Policy created: 04/2011

**15 Jan 2025**

Policy has been reviewed and refreshed. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

**27 Oct 2022**

Policy has been reviewed and refreshed. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

**02 Nov 2021**

Policy has been reviewed and refreshed. Refer to the Schedule of Amendments for full detail. [Schedule of amendments](#)

