

## Adoption leave and pay

This guidance is intended for employees who are the adopting parents and their managers and sets out the adoption leave and pay entitlements.

*Throughout the guidance reference is made to the term 'employee', which means that the individual holds a University contract of employment with the Chancellor, Masters and Scholars of the University and therefore, has entitlement to employment benefits.*

It is essential that you read **all** the guidance in these adoption leave pages.

There are differences between **adoption leave** (which all pregnant employees are entitled to) and **adoption pay** (for which there are qualifying criteria).

### Overview of adoption leave

Adoption leave and pay allows one member of an adoptive couple, the one who will have the primary care responsibility for the child or children, to take time off work when their new child or children start to live with them. The purpose of the adoption leave is to allow the parent to bond with, and care for, their new child or children.

Eligible employees are entitled to up to 52 weeks' statutory adoption leave (regardless of how long they have worked for the University). It is up to the employee to decide how much of that adoption leave entitlement they take, but the law requires that a minimum of two weeks' leave must be taken immediately following the placement of the child. This is known as compulsory adoption leave. Where a couple are adopting jointly they can choose which of them will take adoption leave and pay, and the other (regardless of gender) may take paternity or birth and adoption support leave and pay. Parents may also be eligible to take Shared Parental Leave.

### Overview of adoption pay

There are two types of adoption pay:

- Statutory adoption pay (SAP) is a benefit paid by the state for up to 39 weeks, subject to eligibility criteria. When the primary adopter is employed the benefit is paid via the employers' payroll. In order to qualify for SAP an employee needs to have 26 weeks continuous employment with their employer at the 15th week before the Expected Week of Childbirth (EWC) and give correct and timely notices to her department in respect of her maternity leave.
- Contractual adoption pay is pay which an employer can offer, over and above the statutory rate. The University's contractual adoption pay scheme is exceptionally generous offering up to 26 weeks leave at the rate of full pay. During this period any SMP to which the employee is eligible is considered to form part of the payment (it is not paid in addition to full pay).

The notification requirements and all other entitlements and obligations on the employee and their department, before, during and after their adoption leave are outlined in the relevant sections in this guidance.

## University's Contractual Adoption Pay Scheme

The University's contractual adoption pay scheme entitles all eligible employees (regardless of their grade or the hours worked) to receive some pay during their adoption leave that is paid to them at their normal full rate of pay (which is above the statutory minimum).

### Qualifying for the University's contractual adoption pay scheme

In order to qualify for the contractual adoption pay scheme, at the week in which the employee is notified that they have been matched with a child the employee must:

- i. hold a current CMS contract of employment with the University; and
- ii. have at least 26 weeks' continuous service with the University, as an employee; and
- iii. have been matched with a child to be placed with them by a UK adoption agency, and be the designated primary adopter\*; and
- iv. have notified the agency that they agree that the child should be placed with them and agree the date of placement; and
- v. provide their department with the correct notification of their intention to take adoption leave; and
- vi. intend to return to work following the adoption (and return for at least three months\*\*).

*\*adoptive parents who are not the primary adopter may be eligible for paternity leave and/or shared parental leave.*

*\*\*If an employee is on a fixed-term contract, please see the relevant section below.*

Please note – with effect from 1 January 2020 the University will introduce a new scheme and all employees who have started employment before the expected week of placement will be eligible for the contractual scheme as long as they meet the other requirements of the scheme

### The benefits of the University's contractual adoption pay scheme

If the employee meets all the qualifying conditions, and their contract of employment will continue throughout the entire period of the proposed adoption leave (unless an employee is on a fixed-term contract, which is due to expire) the employee will be eligible to receive the following:

- up to 26 weeks' leave paid at the full rate of pay (inclusive of any statutory adoption pay (SAP) which is due); followed by
- up to 13 weeks' leave paid at the [statutory adoption rate of pay](#) (if an employee does not meet all the statutory qualification rules for SAP, they will only receive pay for the first 26 weeks adoption leave); followed by
- up to 13 weeks' unpaid leave.

Total = 52 weeks' leave

Payments under the University's contractual adoption pay scheme consist of two elements; contractual pay and SAP.

**SAP** is paid at a [statutory flat rate](#) set by the government. To qualify for SAP, the employee must have been continuously employed with the University for at least 26 weeks ending in the week that the employee is notified that they have been matched with a child and have average weekly earnings above the [National Insurance lower earnings limit](#). The employee must also have given their

department the correct notice and proof of adoption (if requested). The Payroll team can also help to establish whether an employee is eligible for SAP at the appropriate time.

SAP is paid over the first 39 weeks of adoption leave at the rate of:

- 90% of average weekly earnings (this figure is worked out at the week in which the employee has been notified of being matched with a child) for each of the first six weeks of adoption leave; followed by
- 33 weeks of [flat rate SAP](#) . The flat rate is set by the government and is subject to review every April.

As the University's contractual adoption pay scheme pays full pay for up to the first 26 weeks' adoption leave, any SAP which is due to the employee is automatically incorporated into the first 26 weeks' full pay. It is not paid in addition to full pay. For the next 13 weeks, the University pays SAP only (where eligible). For the final 13 weeks of adoption leave no payments are made.

In a case where the employee is adopting more than one child at the same time, the employee is entitled to the same benefits as though they were adopting one child.

### [If an employee does not qualify for the University's contractual adoption pay scheme](#)

If an employee does not meet the qualifying criteria for the University's contractual adoption pay scheme, they may still qualify for [SAP](#). An employee who is adopting a child is entitled to up to 52 weeks' adoption leave regardless of whether they qualify for any type of adoption pay.

**An employee who does not qualify for SAP or contractual pay, but who wishes to take adoption leave still needs to provide the relevant notices (including the matching certificate) to their department and to fill in an Adoption Leave Plan.**

### [If an employee decides not to return to work](#)

If an employee **decides** not to return to work at the end of their adoption leave, or returns to work for less than three months, the University reserves the right to reclaim all or part of the payments made under the University's contractual pay scheme, minus the SAP element, to which the employee was eligible. If an employee resigns during their adoption leave, they must do so in the normal way, giving the notice period stated in their employment contract.

All other contractual benefits will end as at the end date of the employee's employment with the University. An employee may continue to be entitled to SAP after employment ends. Any such payment will be paid to the employee as a lump sum amount at the end of their employment.

If an employee plans not to return to work following a period of adoption leave, **before** they go on adoption leave, then they will not be eligible for the University's contractual adoption pay scheme. The employee may still qualify to receive [SAP](#).

### [Fixed-term contracts](#)

If an employee's **fixed-term contract expires** during the adoption leave period (or the contract ends due to redundancy), they may still qualify for the University's contractual adoption pay scheme. However, the payments under the University's contractual scheme and all other contractual employment benefits will cease on the contract end date. An employee may continue to be entitled to SAP after employment ends. Any such payment will be paid to the employee as a lump sum amount at the end of their employment.

The normal arrangements for ending contracts will apply; however, it is recommended that the department contacts their HR Business Partner for guidance on the appropriate procedures

## Before the adoption

### Notification and discussions before going on adoption leave

Employees are encouraged to share the news of their plans to adopt a child with their department as soon as possible so that the department knows that the employee may require time off work to deal with issues relating to the adoption process. It will also help the department to plan ahead and make arrangements for covering the period while the employee is on leave.

In order to qualify for and to claim adoption leave and pay, an employee must notify their department **within seven days of the date that they are matched with a child**, of:

- the date that the employee was notified of having been matched with the child; and
- the date on which the child is expected to be placed for adoption or, if this has already happened, the actual date of the placement; and
- the name and address of the adoption agency; and
- confirmation that the employee is the primary carer for the child; and
- confirmation that the employee has chosen to receive [Statutory Adoption Pay](#) (SAP) (rather than statutory paternity pay) at least 28 days before the date they want it to start, or as soon as is reasonably practicable (notice can be given earlier alongside notice of the start of adoption leave).

As soon as an employee informs their department that they have been matched for adoption, the Departmental Administrator (or equivalent) should meet with them to discuss and complete the Adoption Leave Plan (which can be downloaded from the right hand side of this page), which is used to collect the above information and other details relating to the proposed adoption leave period. If the Adoption Leave Plan is completed fully by the employee and the department this will ensure that the notification requirements are met.

The employee should advise their department whether they intend to return to work after the adoption. If they do intend to return to work they should notify their department of the date on which they wish to begin their adoption leave. Within 28 days of completing the Adoption Leave Plan the department should confirm the employee's return to work date to them in writing (if the employee intends to return to work). If the employee does not intend to return to work after the adoption, their department should outline their entitlement to [statutory adoption leave and pay](#).

Additionally, the employee and the department should discuss, explore and/or agree on the following:

- 'Keeping in Touch' (KIT) days arrangements
- arrangements for staying in touch during adoption leave
- how the work will be covered in the employee's absence, and any other concerns or issues, eg issues related to externally-funded contracts
- how the employee's employment benefits are affected during a period of adoption leave
- the option (if eligible) of using the provisions under the Shared Parental Leave (SPL). Both, the employee and their partner will need to meet the eligibility criteria for the scheme, and

additional processes will need to be followed. To read more about SPL, including the eligibility criteria, please go to the Shared Parental Leave website ([UPDATE LINK](#))

### When leave can begin

An adopter can choose to begin their leave and pay on either:

- the date on which the child is placed with them for adoption; or
- a pre-determined date no earlier than 14 days before the expected date of placement, and no later than the expected date of placement.

If the department and employee fill in the Adoption Leave Plan then this will satisfy the notification requirements in this respect.

### Changing the start of adoption leave

Once an employee has notified the department of the date they wish to start their adoption leave, they can change this date as long as they notify their department of the new start date by whichever is the earlier of either 28 days before the date they originally intended to start their leave **or** 28 days before the new date they want to start their leave.

If it is not reasonably practicable for the employee to give this much notice (for example if the date of the placement of the child changes unexpectedly) then the employee should give their department as much notice as possible. The notification does not have to be in writing unless the department requests it.

### Confirmation by the department of the end date of leave

Once an employee has provided the necessary notice of the intended start date of their leave, the department should in turn notify the employee of the date on which the leave will end. This will normally be 52 weeks (one year) from the start of adoption leave. The Adoption Leave Plan and letter can be used for this purpose (found on the right-hand side).

The department should confirm with the employee the end date of the adoption leave within 28 days of the notification unless the employee has since changed the date the leave will start. In that case, the department must notify the employee of the end date within 28 days of the start of the leave.

### Time off for adoption appointments

The main adopter is entitled to take **paid** time off for up to five adoption appointments.

The secondary adopter will also be entitled to take unpaid time off for up to two appointments.

### Overseas adoptions

For practical reasons, the detailed operation of the adoption scheme differs slightly in cases of adopting a child from overseas. The department should contact their HR Business Partner if an employee is adopting a child from overseas. Further guidance will then be provided on a case-by-case basis.

## During adoption leave

This section explains:

- what an employee has to tell their department while they are on adoption leave;
- contact arrangements between department and employee during adoption leave;
- what work can be undertaken when an employee is on adoption leave.

### Contact during adoption leave

Departments and their employees will often find it helpful, **before** adoption leave starts, to discuss arrangements for staying in touch with each other. This might include agreements on the way in which contact will happen, how often, and who will initiate the contact. It might also cover the reasons for making contact and the types of things that might be discussed. There is a section on the Adoption Leave Plan for the employee to note their preferences in this respect.

During the adoption leave period, a department may make reasonable contact with an employee and, in the same way, an employee may make contact with their department. What constitutes "reasonable" contact will vary according to the circumstances. Some employees will be happy to stay in close touch with the department and will not mind frequent contact. Others, however, will prefer to keep such contact to a minimum. The frequency and nature of the contact will depend on a number of factors such as the nature of the work and the employee's post, any agreement that the employer and employee might have reached before adoption leave began as to contact and whether either party needs to communicate important information to the other, such as, for example, news of changes at the workplace that might affect the employee on their return.

The contact between department and employee can be made in any way that best suits either or both of them. For example, it could be by telephone, email, letter, involving the employee making a visit to the workplace, or in other ways.

Departments should note that they must, in any event, keep the employee informed of information relating to their job that they would normally be made aware of if they were working (such as changes to terms and conditions of employment).

### Work during the adoption leave period – 'Keeping In Touch' (KIT) days

An employee may, by agreement with their department, do up to ten days' work - known as 'Keeping in Touch' (KIT) days - under their contract of employment during the adoption leave period. Such days are different to the reasonable contact that departments and employees may have with each other, as during KIT days employees can actually carry out work for the department, for which they will be paid.

Any work carried out during the adoption pay period (39 weeks) or adoption leave period (52 weeks) will count as a whole KIT day, up to the ten day maximum. In other words, if an employee comes in for a one hour training session and does no other work that day, they will have used one of their KIT days. Once an employee has exhausted their ten KIT days, if they do any other work they will lose a week's [SAP](#) for the week in which they have done that work.

The type of work that the employee undertakes on KIT days is a matter for agreement between them and their department. They may be used for any activity which would ordinarily be classed as work under their contract but would be particularly useful, eg in enabling the employee to attend a conference, undertake a training activity or attend for a team meeting, for example.

This work during adoption leave may only take place by agreement between both the department and the employee. A department may not require an employee to work during their adoption leave if they do not want to, nor does an employee have the right to work KIT days if their department does not agree to them.

The KIT days can be undertaken at any stage during the adoption leave period, by agreement with the department with the exception that during the first two weeks after the child's placement (the compulsory adoption leave period) no work is permitted.

If it has been agreed with the department that the employee would like to work KIT days during their adoption leave, the employee will need to make sure that they respond when their department offers them this work. The department should give as much notice as possible of the work that they would like the employee to do and clarify what they will be paid for the work they do.

### Payment for keeping in touch (KIT) days

As KIT days allow work to be carried out under the employee's contract of employment, the employee is entitled to be paid for that work.

If an employee attends for work, they should be paid the equivalent of their normal hourly rate for the hours they work on the day in question. Therefore, during the period of adoption leave that they are being paid at the rate of full pay, no further payment would be due. If an employee works their KIT day(s) during a period of [SAP](#), their statutory pay should be enhanced to full pay, and if work takes place during a period of unpaid adoption leave, they should be paid the equivalent of their normal hourly rate for the hours they work. An employee will continue to be paid their SAP for the week in which the work is done.

There is a maximum limit of ten KIT days allowed under the adoption leave regulations and once an employee has used up their ten KIT days and they then do any further work, they will lose a week's SAP for the week in which they have done that work.

The hours to be worked must be agreed in advance between the department and the employee. The pay for this work should also be confirmed by the department in advance.

Any questions from departments about payment during KIT days should be directed to their HR Business Partner.

### Notification of change of return to work dates while on adoption leave

Unless otherwise notified, the date on which an employee returns to work will normally be the first working day 52 weeks after the adoption leave began. The actual return date will normally be recorded in the Adoption Leave Plan.

#### (i) Return to work before the end of the adoption leave period

If the employee wishes to return to work before the end of their full adoption leave period (this will normally be the end date that the department confirmed to the employee before they went on leave), they must give their department at least eight weeks' notice of their return to work. This notice requirement applies throughout the whole period of leave. The notice period is the minimum that the department is entitled to expect, but the department may, at its discretion, accept less notice

If the employee tries to return to work without having given the appropriate eight weeks' notice, the department may postpone the employee's return until the end of the eight weeks' notice period.

However, the department may not postpone the return to a date later than the end of the adoption leave period.

#### (ii) Return to work later than previously notified

An employee who has notified their department that they wish to return to work before the end of their 52 weeks' entitlement to adoption leave, is entitled to change their mind. However, in these circumstances, they should give their department notice of this new, later date at least eight weeks before the earlier date.

#### (iii) Employees who do not wish to return to work after adoption leave

An employee who does not wish to return to work after their adoption leave must give their department the notice of termination required by their contract of employment. However, if an employee is in the position to do so, it would be helpful to the department if they can give as much notice as possible of their intention to leave their employment.

**Please note:** If an employee does not return to work for at least three months following the adoption leave period, departments may reclaim the whole of the non-statutory element of adoption pay. If an employee cannot return to work because their fixed-term contract has ended, it would not be expected that they would be required to repay any of their adoption pay.

#### Being paid

Employees on adoption leave will be paid in exactly the same way that their salary would be paid if they were at work, on the day of the month, as set by Payroll. Whilst on full-pay adoption leave, SAP is included within pay. It is not paid in addition to full-pay.

The employee's pay slip will be sent to their department (unless a different arrangement has been agreed) and the employee can ask their department to forward it to their home address.

If an employee is sick during their adoption leave, they cannot claim sick pay. If the employee is sick when their adoption leave is due to end, they will be deemed to be an employee who has returned to work but who is on sick leave under the University's sick pay scheme.

#### Tier 2 and Tier 5 visa holders

Where the staff member taking adoption leave is a Tier 2 or Tier 5 visa holder and their period of leave will include a period paid either at the rate of statutory pay, or unpaid leave please refer to the Staff Immigration Team webpage for the latest guidance on what will need to be reported to the Home Office. For further information contact the [Staff Immigration Team](#).

#### End of contract during adoption leave

If an employee's contract is due to end during the adoption leave period, the normal arrangements for ending contracts will apply, however, it is recommended that the Departmental Administrator (or equivalent) contacts their HR Business Partner for guidance on the appropriate procedures.

If the employee has provided written confirmation that they wish the department to seek suitable alternative employment for her within the University, this should be sought in the normal way.

If it has not been possible to redeploy the employee, under the normal University rules, then University pay and rights under the University's contractual adoption pay scheme end on the same day that the contract expires, and employment ends. The employee may continue to have entitlement to [SAP](#). Any such payment will be paid to the employee as a lump sum amount at the end of their employment.

## Childcare

Parents using University nursery provision, childcare vouchers or salary sacrifice schemes must contact [Childcare Services](#) **before the unpaid period**, as the schemes operate differently during the **unpaid period** of adoption leave.

## Employment benefits during adoption leave

During the whole period of adoption leave the employee is entitled to receive all their contractual benefits with the exception of remuneration. This includes all non-cash benefits such as childcare vouchers.

**Please note:** If an employee is currently using University childcare tax saving schemes (ie the [nursery fee salary sacrifice scheme](#) or the [childcare vouchers scheme](#)) it is important that they seek advice about the changes which occur within these schemes during the **unpaid period** of adoption leave. For further information visit the [Childcare Services](#) web pages.

## Annual Leave

Contractual annual leave (including bank holidays and fixed closure days) will accrue throughout the full 52 weeks of adoption leave.

Departments may wish to ask employees to take any accrued annual leave prior to their adoption leave. Departments may also ask that an employee takes at least 28 days' annual leave (the annual statutory holiday requirement) before they go on adoption leave if they will not return to work before the end of the current leave year. In the event that an adoption leave period crosses over two annual leave years, the employing department may ask an employee returning to work to use up the balance of their annual leave from the leave year that has ended at the end of their adoption leave period. It is not possible for an employee to take annual leave at the same time as adoption leave. This will assist departments in managing the larger amounts of annual leave that will be accrued during adoption leave.

However, departments retain the right to make annual leave arrangements with their employees to fit in with operational requirements. Employees must agree when they will take annual leave in advance with their department, and they may wish to consider retaining some of their annual leave to allow them to take time off as required to look after their children should they be ill, or need some additional support whilst settling into a nursery or with new childcarers. It should be clarified to the employee early on that whilst a small amount of paid leave is available to staff for dealing with domestic emergencies, this is not intended to cover foreseeable domestic problems such those outlined above, and in most cases it would be anticipated that annual leave would be used to cover such circumstances.

If an employee wishes to take annual leave at the end of their adoption leave period, they are deemed to have returned to work at the notified date and then they may take their annual leave as agreed with their department.

## Pensions

When an employee is on adoption leave, their normal employee contributions to their pension will continue to be deducted at the appropriate rate while they are on full pay and when they are on SAP. The University will also continue to make its contributions at the appropriate rate. When the employee is on zero pay, no contributions are payable by either them or the University.

If, when an employee returns to work, they would like to make up the pensions contributions that they did not pay because they were on reduced or zero pay during adoption leave, the employee may do so. The [Pensions Office](#) will be able to advise the employee on their individual situation.

#### Sickness during/at the end of adoption leave

The University follows the same rules as are applied to statutory payments and sick pay cannot be claimed at the same time as adoption pay. Employees are therefore disqualified from receiving sick pay until the period of paid adoption pay has ended.

If an employee comes to the end of adoption leave and is too ill to return to work (for any reason), they should still notify the department in the normal way that they wish to return to work. If an employee remains too ill to return to work after the date on which they were intending to return to work, they must provide the department with a medical certificate and should be treated as though they had returned to work and were absent from work due to sickness.

The University sick leave scheme only covers the sickness of the employee and not sickness suffered by any of their dependents.

## After adoption leave

This section explains:

- an employee's rights on returning to work following adoption leave; and
- matters relating to taking time off to care for sick dependents or domestic emergencies.

### Rights on return to work

An employee may not return to work before the end of their compulsory two-week adoption leave period, from the date of placement.

An employee who is returning to work after a period of OAL only, is entitled to return to the same job in which they were employed before they went on leave, on terms and conditions that are the same, or no less favourable than those that would have applied had the employee not been absent on adoption leave (unless a redundancy situation has arisen or a fixed-term contract has come to an end).

An employee who is returning to work after a period of AAL, or a period of at least four weeks' parental leave on top of their OAL, will normally return to the same job they were in before they went on leave. However, if there is a reason other than redundancy which means that it is not reasonably practicable for the University to permit them to return to the same job, they are entitled to return to a different job which is both suitable for them and appropriate in the circumstances, on terms and conditions that are no less favourable than they would have been had the employee not been absent (unless a redundancy situation has arisen or a fixed-term contract has come to an end).

Employees have the right to request flexible working (ie a change to their hours, times or place of work) and the employing department must deal with the request in accordance with the University's flexible working request procedure. If an employee wishes to work a flexible working pattern on a temporary basis to ease their return to work, they should discuss this with their department as soon as possible. It may be possible to use accrued annual leave for this purpose.

Employees returning from adoption leave may also have a separate entitlement to Parental Leave which is a period of unpaid leave.

### Changing hours of work

#### Temporary changes

If an employee requests a temporary change to their normal working hours at the end of adoption leave, the department should, subject to operational needs, consider allowing them the opportunity to return to their normal working hours (before the change occurred) on a phased basis. Accrued annual leave may also be used to facilitate such a request.

If an employee would like to return to work gradually at less than their normal full-time hours, they should discuss this possibility with their department before they begin their adoption leave. This will allow departments time to arrange cover. Departments are asked to consider such requests favourably where at all possible, but any arrangement will depend on the operational needs of the department.

It is important to note that this flexibility of return does not allow an employee to choose from week to week what hours they would like to work. The intention is for employees and departments to agree a regular timetable of hours to help an employee to return to full-time work as smoothly as possible. Any arrangements must be agreed with the Head of Department so that they fit into the

operational requirements of the department and/or group with whom the employee works. For the period of part-time work, employees will be paid at the appropriate pro-rata rate. This will have implications for pensions contributions which employees may wish to discuss with the [Pensions Office](#).

### Permanent changes

Following adoption leave, an employee's legal right is to return to the job which they held prior to their adoption leave. If an employee decides that they would like to amend their working hours permanently, they may apply to their department under the University's flexible working procedures. The department must deal with the request in accordance with the University's flexible working request procedure. A flexible working request might include shorter hours or working fewer weeks of the year, but agreement to this type of request is dependent upon the operational requirements of the department. For any period worked part-time, pay and pensions contributions will be adjusted accordingly.

### Annual leave / caring for those who are sick, and dealing with domestic emergencies

In the early days of settling a child into a new care arrangement, in a nursery or with a childcarer, there are often quite a number of matters which may require new parents to be absent from the workplace, such as minor illness to be dealt with, or problems with settling into the new care arrangements. Parents may wish to consider retaining some of their accrued holiday leave to enable them to deal with these situations.

Whilst absence from work to attend to an emergency such as the sickness of a member of an employee's immediate family or equivalent, or to attend to a family or domestic emergency will normally be paid in the first instance, it is intended that this is to enable employees to make the necessary arrangements for continued care or attention. Such paid leave will therefore normally be very limited (from half a day to no more than two days) and is not intended to cover repeated absences for minor problems, but rather to deal with exceptional circumstances. Additional leave, which will normally be unpaid or taken as annual leave, may be granted. In certain exceptional circumstances a department may grant a further limited period of paid leave for these purposes. It is important that these provisions are not abused and departments will monitor the frequency of leave requests. For further information go to the staff handbooks.

Wherever possible employees must apply in advance to the Departmental Administrator, or Head of Department, or to the person to whom they would normally report sickness absence, and should not leave their place of work without having obtained permission from an appropriate person.

## Adoption leave checklist (for departments)

Managing the leave: this checklist should be used as a guide to ensure that all aspects of an employee's adoption leave have been addressed.

### Before the adoption leave starts

#### a) When your employee tells you of his or her intention to adopt:

1. Check that you have received notification of the impending adoption within seven days of the parent being matched with a child or as soon as is reasonably practicable.

Notification should include the date when the child is expected to be placed with the employee and the date when the employee wants their adoption leave to start.

2. Ensure that you have received a matching certificate from the adoption agency. A matching certificate is documentary evidence of your employee's right to adoption leave.

Employees can ask their adoption agency for a matching certificate, which will also include basic information on matching and expected placement dates.

#### b) Within 28 days of being notified of impending adoption:

1. Check that you have issued a copy of the Adoption Leave Plan. Completing the adoption plan is not a legal requirement in order for an employee to be able to claim adoption leave and pay, but it will give you all the information which you will need to manage the leave, such as when the child is going to be placed, and when adoption leave will start. If you can go through the form with your employee, it will help to ensure that your employee understands their entitlements and obligations.

2. Ensure that you have kept a copy of the Adoption Leave Plan for your records and that you have given the employee a copy.

3. Check that you have acknowledged receipt of this information (see sample letter).

4. Explain the time scales for notification and direct your employee to the information on adoption leave on the Personnel Services website.

5. Check that you have completed and sent the payroll notification form to payroll so that they can calculate pay and leave entitlements.

6. Discuss the employee's wishes regarding arrangements for keeping contact during the maternity leave.

7. Discuss the option of KIT days, what these might entail and how payment for these will be arranged.

### During the Adoption leave

1. Keep in contact with the employee about any changes in the workplace or regarding their employment, as previously agreed with them.

2. If KIT days are worked, ensure that the employee is notified well in advance of these and that payment is made, as appropriate.

3. If the employee contacts you to request a change to a return to work date, ensure that you have been given 8 weeks' notice of the new date and confirm the new date in writing within 28 days of the notification.

## Return to work

1. Consider a return to work plan, it can be difficult for an employee to return to work after a long break
2. Give serious consideration to any request for flexible working.