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| PCC LOGO | Adoption Policy |

Document Overview

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| **Purpose** | The purpose of this policy is to inform you of your rights when you are adopting a child. This policy applies to all staff with a contract of employment. |
| **Confidentiality** | This document is not confidential. |
| **Document owner** |  |
| **Status note** | Draft/Final |
| **Distribution** | All PCC staff. |
| **Required action** |  |
| **Proposed next step** |  |

Version History

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| **Version** | **Date** | **Status Note** |
| 1 | 05.06.2023 | HR Template |
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1. Adoption Leave
	1. If you are adopting a child you have the right to take 52 weeks' adoption leave.
	2. If you are an employee of the PCC you will be entitled to take adoption leave provided:
		1. you have been matched with the child for adoption by a UK adoption agency;
		2. you have notified the agency that you agree that the child should be placed with you and you have agreed on the date of placement;
		3. you have not already taken ordinary adoption leave in relation to this child as a result of that child being placed, or expected to be placed, with you as a foster parent by a local authority in a ‘fostering to adopt’ arrangement; and
		4. you have complied with the notification/evidential requirements below.
	3. Adoption leave is made up of 26 weeks of ordinary adoption leave (OAL) and a further 26 weeks of additional adoption leave (AAL) starting immediately after OAL.
	4. Statutory adoption leave can start either:
		1. from the date the child starts living with you
		2. up to 14 days before the date the child is expected to start living with you.
2. Adoption Pay
	1. To be eligible for Statutory Adoption Pay you must meet the requirements in paragraph 1.2 above and:
		1. earn on average in the previous eight weeks at least the lower earnings limit for national insurance contributions;
		2. have worked continuously for the Company for at least 26 weeks ending with the week in which notification was received of having been matched with the child for adoption (the Qualifying Week);
		3. be absent from work due to adoption leave;
		4. have elected to receive SAP (which is only possible if you have not elected to receive statutory paternity pay (SPP). If you are in doubt about whether you qualify you should contact Human Resources;
		5. have notified the Company of your wish to claim SAP; and
		6. have provided the documents/information in paragraph 3.2 below.
	2. For the first six weeks SAP is payable at the earnings related rate (equivalent to 90% of earnings) and for the remaining 33 weeks at the statutory rate as set by the Government, (or 90% of average weekly earnings if this is less than the standard rate).
	3. Employees of PCC NAME will receive the first 26 weeks’ adoption leave on full pay (Occupational Adoption Pay) and 13 weeks at Statutory Adoption Pay rate. They may also wish to take a further period of 13 weeks unpaid adoption leave after the period of paid adoption leave. Either partner may receive Adoption Pay, but not both.
	4. Failure to return to the PCC after receiving Occupational Adoption Pay:
	5. Employees are advised that the PCC reserves the right to reclaim the non-statutory element of adoption pay, if the employee fails to return to duties and/or continue in their role for at least three months following each period of adoption leave. These three months are in addition to any accrued annual leave during the paid time off. Therefore, when returning from leave, if any accrued annual leave is taken, the employee will be required to work a further 3 months to qualify for the additional adoption pay.
	6. If an employee is unable to return to duty after one period of adoption leave due to another adoption, but still intends to return to duty after this, then they will continue to benefit from any Occupational Adoption Pay and not repay the previous Occupational Adoption Pay, the employee must agree to return to duty for a longer period of time than three months i.e. three further months for each consecutive adoption leave.
	7. Where an employee is made redundant or their fixed term contract ends while they are on Adoption leave, and they therefore cease to be employees of the PCC, there will be no requirement to repay the Occupational Adoption Pay.
3. Matching
	1. You must tell us within seven days of being told that you have been matched with a child, if this is not possible you must tell us as soon as possible.
	2. Once you have been matched with a child you must give us documentary proof to show that you have the right to paid Statutory Adoption Leave. This is usually a matching certificate from the adoption agency. The adoption agency must be recognised in the UK.
4. Terms and Conditions while on Adoption leave
	1. While you are taking ordinary adoption leave, your contract of employment will continue and you will receive the benefit of the usual terms and conditions of your employment, except those relating to remuneration, i.e. salary/wages.
	2. You have a right to return to the same job if you return to work either during or at the end of Ordinary Adoption Leave. If you take any additional adoption leave, you have the right to return to work in the same position unless that is not reasonably practicable you will be entitled to return to another suitable and appropriate job, on terms and conditions that are no less favourable.
5. Adoption Appointments
	1. Adoptive parents will have the right to attend ‘adoption appointments’ (up to five for the main adopter (which will be paid) and up to two (which will be unpaid) for the secondary adopter).
6. Keeping in Touch Days (KIT days)
	1. We may make reasonable contact with you from time to time during your Adoption leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.
	2. You may ask or be asked to work (including attending training) on up to 10 "keeping-in-touch" days (KIT days) during your adoption leave. KIT days are not compulsory and must be discussed and agreed with your line manager and HR.
	3. You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any adoption pay entitlement. Alternatively, you may agree with your line manager to receive the equivalent paid time off in lieu.

If you require further information about adoption leave and pay you should speak to Human Resources.

The above information is given for guidance purposes only and confers no extra rights to you beyond those provided by statute.