



Adoption Scheme Policy - Support Staff

Produced by Schools' HR

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This policy has been consulted centrally and fully agreed by teaching trade unions. To change any aspect of this policy at a school level, the relevant body must consult appropriately with school teaching staff and their recognised trade union representatives.

Note: In this document, any reference to the terms "Governor" or "Governing Body" shall be interpreted to also mean "Trustee" or "Board of Trustees," unless the context specifically indicates otherwise.

DOCUMENT STATUS

Version	Date	Action
Previous Version	07/2021	
Current Agreed	03/2023	Agreed by Support Staff Unions.
Introduced to The Blue Coat School on 14.10.24		

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Entitlement to Adoption Leave

Adoption Leave is a scheme that allows an employee to take time from work prior to and after becoming an adoptive parent. Entitlement to Adoption leave is a 'day one' right, which means there is no qualifying employment period. You can take up to 52 weeks' Adoption Leave. The first 26 weeks is known as 'Ordinary Adoption Leave', the last 26 weeks as 'Additional Adoption Leave'.

Entitlement to Pay during Adoption Leave

Adoption Leave can be made up of a combination of both paid and unpaid leave.

Entitlement to pay during adoption leave is dependent on the employee's length of continuous Local Government service and gross monthly pay and these will determine their entitlement to payments of Occupational Adoption Pay (OAP) and/or Statutory Adoption Pay (SAP) as set out in the table below:

Continuous Service	Occupational Adoption Pay (OAP)	Statutory Adoption Pay (SAP)	Unpaid Adoption Leave
Less than 26 weeks at the expected week of placement	Nil	Nil	52 Weeks
More than 26 weeks service at the expected week of placement but in sufficient NI contributions	Nil	Nil	52 Weeks
More than 26 weeks service at the expected week of placement with sufficient NI contributions	Nil	39 Weeks	13 Weeks
More than 1 year service at 11 weeks before your expected week of placement but insufficient NI contributions	26 weeks	Nil	26 Weeks
More than 1 year service at 11 weeks before your expected week of confinement and sufficient National Insurance contributions	26 weeks	39 Weeks (ie. an additional 13 weeks)	13 Weeks

Rates of Adoption Pay

Statutory Adoption Pay is paid as follows:

- 6 weeks at 9/10ths of your average Pay
- 33 Weeks at 9/10ths of your average pay or Statutory Adoption Pay (whichever is the lower)

Occupational Adoption Pay is paid as follows:

26 weeks at 9/10ths of your average pay (at your qualifying week)

To be eligible for Occupational Adoption you must:

- Have at least one year continuous service at the 11th week before the expected week of placement
- Continue to work up to the 11th week prior to the week before the expected week of placement
- Give at least 28 days' notice of the date on which you intend to stop working

If you are entitled to Occupational Adoption Pay, your entitlement to Statutory Adoption Pay is included in your OAP and will not be paid as an additional amount of money.

An Adoption Allowance (OMA) may be payable by the administering authority.

Notification Requirements

An employee must inform their manager within seven days of being notified of the match of a child, or as soon as possible, and provide the date of placement, the date the Adoption Leave is to commence and how much adoption leave they intend to take.

The employee will be required to apply for Adoption Leave no later than 28 days before by completing an Adoption Leave Application Form and must provide this together with the Matching Certificate.

Leave Arrangements

Employees will be given reasonable time off work with pay to attend relevant meetings concerning the adoption upon presentation of evidence of appointment.

If the employee adopts 2 or more children on the same placement, they are only entitled to one period of adoption leave. If the children are on separate placements, the employee is entitled to a second period of adoption leave. The adoption leave restarts when the second placement begins.

Adoption Leave can commence up to two weeks before the child is expected to start living with the employee or as late as the day the child starts living with the employee.

Keeping in Touch Days

If agreed, an employee may undertake up to 10 Keeping In Touch (KIT) days during the Adoption Leave period without losing the right to OAP/SAP. The purpose of KIT days is to enable the employee to carry out work or training in order to keep in touch with the workplace (which may include

attendance at a meeting or a training activity). Any activity, even if it occupies less than a working day, will be counted as using one KIT day.

The employee is entitled to be paid at their contractual rate for the duration of any activity on a KIT day. When calculating the contractual rate any OAP or SAP also paid on any KIT day will be taken in to account. Alternatively, the option of adding an additional days' paid leave to the end of the Adoption leave period may be agreed.

There is no obligation on either party to offer or agree to any KIT days.

Support Staff with a designated holiday entitlement

During both Ordinary and Additional Adoption Leave the employee is entitled to their normal holiday entitlement. Bank Holidays that fall in the adoption leave period will be added to the employees leave entitlement. It is not possible to take annual leave at the same time as adoption leave. The employee should, whenever possible, take any outstanding leave before commencing adoption leave.

Statutory Leave accrued during the Adoption Leave period can be carried forward to the next leave year in which the employee returns to work.

In addition, up to five days (pro rata for part time employees) contractual annual leave can be carried forward to the leave year in which the employee returns to work by agreement.

Returning to Work

An employee should give their line manager eight weeks' notice in writing of the intended date of return to work.

Should an employee decide not to return to work for the minimum of three calendar months they will not be entitled to OAP after the first six weeks. The employee must therefore choose one of the following options for pay arrangements:

- The employee can receive their adoption pay monthly on the usual pay day. If they choose not to return to work, any OAP paid after the first six weeks of absence must be repaid

or

- The employee can opt to receive OAP for the first six weeks only of adoption leave. (Any SAP entitlement will continue to be paid). If the employee then returns to work for 13 weeks, any outstanding OAP will be paid in full.

Link to Shared Parental Leave

An employee may decide to curtail a period of Adoption Leave and choose to take Shared Parental Leave instead. Please refer to the Shared Parental Leave Policy.

Request for Adoption Leave Application Form

1. To be completed by the employee within seven days of being notified of your match:

Surname		
First Name		
Oracle Number		

Portfolio		
Service Area		
Job Title		
Grade		

Contact Details:

E-Mail Address		
Contact Telephone No		

Details of Leave:

D D M M Y Y

Date of Child's Placement						
Adoption Leave Start						

Select the payment method you require by ticking the relevant box below. If you receive your full pay entitlement and you do not return to work for at least three full calendar months (or part-time equivalent) you will be required to repay all monies that you are not entitled to:

I wish to receive my full pay entitlement	<input type="checkbox"/>
I wish to receive only 6 weeks occupational pay entitlement plus 39 weeks statutory payment (if applicable)	<input type="checkbox"/>

If you opt not to receive your full pay entitlement but subsequently return to work for 3 full calendar months (or part-time equivalent) all previously withheld payments will be paid to you.

Matching Certificate Attached	<input type="checkbox"/>
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In accordance with statutory regulations, payment cannot be processed until your Matching Certificate is received by the Payroll and Pensions Service.

D D M M Y Y

Name		Date							
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2. To be authorised by your line manager:

Manager's Name									
Email Address		Date	D	D	M	M	Y	Y	

3. Now return this Request for Adoption Leave Application Form to School Payroll who will:

- **Send a confirmation Email.**

- **Inform the Payroll and Pensions Service who will process your adoption leave request.**

- **Place an electronic copy on file, which will be retained in accordance with the Human Resource Service and Payroll and Pensions Service Data Retention Policy.**