



University  
of Glasgow | Human  
Resources

# Adoption Leave Policy



## Adoption Leave Policy

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Appendix I – Adopting a Child from Overseas

# 1. Introduction

- 1.1 The University is committed to supporting employees to understand the choices available to them when planning for the adoption of a child. Families now have additional options open to them with regards to managing time off during the first year of their child's adoption and this policy should be read in conjunction with the University's policies on [Paternity Leave](#) and [Shared Parental Leave](#) to ensure that employees are fully aware of all of the options available to them and their family.
- 1.2 The University provides Enhanced Adoption Pay, which exceeds the statutory provision. Additionally, the [University Nursery](#) provides childcare at subsidised rates depending on availability.
- 1.3 This Policy, which also applies to employees adopting children from overseas (see Appendix I), sets out all entitlements and associated processes that apply to the available adoption leave and pay options.
- 1.4 The following definitions are used within this policy:

<u>Matching Week</u>	The week commencing the Sunday on or immediately prior to the date on which the adopter was told that they have been told by the adoption agency that they have been matched with a child for adoption.
<u>Ordinary Adoption Leave (OAL)</u>	The first 26 weeks of adoption leave to which members of staff are entitled provided they have complied with the notification requirements set out below. During this period of leave, the employee will continue to receive all relevant terms and conditions of employment except (unless otherwise agreed) salary and pension.
<u>Additional Adoption Leave (AAL)</u>	A further period of 26 weeks' adoption leave directly following OAL to which members of staff may be entitled provided the OAL has not ended prematurely because of a disrupted placement of the child. During this period of leave, employees will continue to receive all relevant terms and conditions of employment except (unless otherwise agreed) salary and pension.
<u>Statutory Adoption Pay (SAP)</u>	This is paid by the University to staff who meet the statutory conditions. SAP is paid at the statutory rate as set by the Government for the relevant tax year, or 90% of an employee's average weekly earnings if this is lower than the rate set by the Government.
<u>Enhanced Adoption Pay (EAP)</u>	This is an enhanced rate paid by the University in addition to (or on top of) any SAP entitlement as an additional and flexible benefit to eligible staff, to allow them to receive full or half pay (depending on the option chosen) for a period of time.

<u>Shared Parental Leave</u>	An alternative or supplementary option to adoption leave, which allows a parent or carer to reduce their adoption leave entitlement and share the remainder of their time off with their partner (if eligible). Details are available in the University's Shared Parental Leave Policy.
<u>Official Notification</u>	This relates specifically to overseas adoptions and is notification in writing from the relevant domestic authority (usually the Department of Health) that it is prepared to issue a certificate to the overseas authority concerned with the adoption of the child, or has issued a certificate and sent it to that authority, confirming in either case that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.

1.5 The provisions of this policy apply to all employees (including same-sex partners), irrespective of the type of contract they have. Any questions or concerns should be directed to the relevant College/University Services HR Team.

## 2. Adoption Leave and Pay Entitlement

2.1 All employees who adopt (and are the main adopter) are entitled to take up to 52 week's adoption leave, unless the placement is disrupted in any way. This is not pro-rated for part-time workers and it does not require a minimum length of service however it is subject to satisfying the notification requirements at Section 3 below.

This 52 week is split into two blocks, referred to as:

- Ordinary Adoption Leave (OAL) for 26 weeks
- Additional Adoption Leave (AAL) for 26 weeks

2.2 The University offers an Enhanced Adoption Leave Scheme (EAP) which exceeds the statutory provision by providing 18 weeks of an employee's full salary during adoption leave. In order to make this additional benefit more flexible, the University offers eligible employees options when deciding how they wish to receive their Enhanced Adoption Pay (EAP). There is no minimum service requirement for this benefit and staff are required simply to be an employee of the University at the Matching Week.

2.3 Employees with variable hours will have their Enhanced Adoption Pay calculated based on average earnings over the 12 months preceding the Matching Week, if no clear or established hours are scheduled over the adoption pay period.

2.4 Where a couple adopts a child jointly, the adoption leave entitlement is only available to one member of the couple. The couple will be able to elect which partner takes adoption leave whilst the other partner may be entitled to paternity leave, or alternatively the couple may consider using Shared Parental Leave instead. Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's child/children.

2.5 Parents in a surrogacy arrangement who are entitled to and intend to apply for a Parental Order, will be able to take adoption leave, paternity leave or shared parental leave providing they meet the normal qualifying conditions.

2.6 Employees may also qualify for Statutory Adoption Pay (SAP) if they have a minimum of 26 weeks service prior to the week in which the employee is notified of having been matched with a child (or has received 'official notification' in the case of an overseas adoption) and have average earnings above the "lower earnings limit" for national insurance purposes for the relevant period. Those entitled to SAP will receive this directly from the University. Details of how this is paid is broken down in the table below.

2.7 Enhanced Adoption Pay plus Statutory Adoption Pay (SAP) not exceed full normal pay. In instances where this is the case then a reduction will be made so that full pay is not exceeded.

2.8 Employees who are not eligible for Statutory Adoption Pay (SAP) may be able to receive additional financial support from their local Council.

2.9 The different entitlements to adoption leave and pay are as shown below:

<b>Enhanced Adoption Pay Options</b>	
<p><b><u>Option A</u></b></p> <p>9 weeks' leave at full pay, followed by;</p> <ul style="list-style-type: none"> <li>• 18 weeks' leave at half pay (SAP* will also be paid at this time in addition to half pay, if eligible), then;</li> <li>• 12 weeks' leave at the appropriate rate of SAP (if eligible), then;</li> <li>• 13 weeks' unpaid.</li> </ul> <p><i>(SAP elements will be paid at the appropriate rate provided the employee meets the eligibility criteria laid out by the <a href="#">Government</a>)</i></p> <p><i>During full pay periods, SAP is included such that no employee may receive more than full pay.</i></p>	<p><b><u>Option B</u></b></p> <p>18 weeks' leave at full pay, followed by;</p> <ul style="list-style-type: none"> <li>• 21 weeks' leave at the appropriate rate of SAP (if eligible), then</li> <li>• 13 weeks' unpaid.</li> </ul> <p><i>(SAP elements will be paid at the appropriate rate provided the employee meets the eligibility criteria laid out by the <a href="#">Government</a>)</i></p> <p><i>During full pay periods, SAP is included such that no employee may receive more than full pay.</i></p>

2.9 In circumstances where an employee is adopting a school age child, it is recognised that the default adoption leave arrangements may not be best placed to suit their needs. In such cases, the University will support the employee to best consider all available options.

### **3. Time Off for Appointments**

3.1 An employee who is adopting a child may be allowed to take paid time off in order to attend appointments in relation to adoption in the UK, as per the following:

- The main adopter will be able to take paid time off for up to five appointments
- The secondary adopter will be able to take unpaid time off for up to two appointments.

- 3.2 Adoption appointments are appointments made by an adoption agency relating to a child being placed for adoption. Employees may be requested by the University to provide evidence of such appointments. Time off for appointments does not cover time spent travelling overseas to arrange an adoption or to visit a child.
- 3.3 Intended parents in a surrogacy situation may also take unpaid time off to attend up to two appointments relating to the surrogacy.

## 4. Notification Process

- 4.1 It is recognised that adoptive parents may not be given much notice of the date when the adoption will take place and may therefore not always be able to give lengthy notice to the University. However, adoptive parents requesting leave should give as much notice as possible to their line manager. The notification process is as detailed below:
- 4.2 Employees should inform their line manager that they wish to take adoption leave within 7 days of having been notified by the adoption agency that they have been matched with a child (unless this is not reasonably practicable) or have received 'official notification' in the case of an overseas adoption.
- 4.3 Employees should then enter their request for adoption leave through [Employee Self Service](#), where they will be required to state: the date that they expect the child to be placed with them; when they intend the leave to commence (28 days' notice of this date should be given); and the scheme (either Option A or B) they wish to take. Employees must also declare that they have elected to receive Adoption Pay rather than Paternity Pay in respect of the adoption.
- 4.4 The Adoption Certificate (or other appropriate documentation issued by the relevant adoption agency) should be forwarded to the relevant College/University Services HR team as soon as possible;
- 4.5 On having been notified of the request for adoption leave, College/University Services HR will write out to the employee to confirm the leave and pay arrangements. The adoption leave entitlement will be calculated from the date of cessation of work.

## 5. Commencement of Adoption Leave

- 5.1 Leave must be taken from the date of the child's placement (whether this is earlier or later than expected) or from a fixed date which can be up to 14 days before the expected date of placement. Leave can start on any day of the week.
- 5.2 For overseas adoptions, adoption leave can start on the day on which the child enters the UK or on a chosen date no later than 28 days after the child enters the UK. Adoption leave cannot be used to cover periods of time spent traveling overseas to arrange the adoption or to visit a child.
- 5.3 Employees can change the date on which they wish the adoption leave to start provided that they give 28 days' written notice of the new start date to their line manager (with a copy to the relevant College/University Services HR team), or, if that is not possible, they notify them as soon as reasonably practicable.

- 5.4 Confirmation of the actual date of placement must be forwarded once the placement has taken place.

## 6. Keeping In Touch During Adoption Leave

- 6.1 It is important that the University maintains reasonable contact with its employees and this is particularly relevant during longer term periods where employees are out of the workplace. Reasonable contact can allow discussions to take place around return to work plans; to ensure employees are aware of any possible career opportunities; to discuss any special arrangements or training required in order to ease their return to work or simply to update them on developments at work during their absence. Before any period of adoption leave begins the line manager should discuss arrangements with the relevant employee around how contact will be maintained during their period of leave.
- 6.2 Keeping in Touch (KIT) Days - On agreement with their line manager, employees may work up to a maximum of 10 days during their adoption leave period. These days are known as 'Keeping In Touch' (KIT) days. These days may be taken at any stage during the adoption leave, except within the first 2 weeks after adoption. Keeping in touch days should be mutually agreed – i.e. the employee is not required to undertake such days and the University is not obliged to agree to them. Employees will receive the normal hourly/salary rate for the hours worked on such days; inclusive of any adoption pay they are currently receiving (i.e. adoption pay will be 'topped up' by salary to the level of normal pay). The type of work undertaken should be agreed between the employee and their line manager. KIT days can be used to attend (but are not limited to) training courses, staff meetings, away days or performance & development reviews and should not necessarily be restricted to the performance of the employee's normal duties. It is the responsibility of the line manager to monitor KIT days, and to record these within [Manager Self Service](#) within 5 days of the employee attending work.

## 7. Shared Parental Leave (SPL)

- 7.1 Shared Parental Leave allows eligible parents to convert any remaining adoption leave into Shared Parental Leave which can then be shared between both parents as they wish in order to share the care of their child during the first year. Full details can be found in the University's [Shared Parental Leave Policy](#).

## 8. Returning to Work after Adoption Leave

- 8.1 Change of return date – notice required – If an employee intends to return to work before the end of their full adoption leave period (i.e. 52 weeks) they must give 8 weeks' written notice of the date on which they intend to return to their line manager (with a copy to the relevant College/University Services HR team). If the required notice is not given, the line manager may postpone their return until the full 8 weeks' notice has been given.
- 8.2 Right to return to the same/similar role – An employee returning to work from a period of ordinary adoption leave will generally return to the job in which they were employed prior to the leave, on the terms and conditions that would have applied had the employee not been absent. Where an employee is returning from a period of additional adoption leave, they are entitled to return either to the same job, or if this is not reasonably practicable (for example due to a unit restructure), to an equivalent job which would be considered suitable

alternative work, on terms and conditions no less favourable than would have applied if the employee had not been absent.

8.3 Flexible Working – On returning from a period of adoption leave, an employee may wish to consider applying for a change to their working hours/pattern. Employees considering this option should look at the University's [Flexible Working Policy](#) for further details.

8.4 Employees may also wish to familiarise themselves with relevant leave policies such as [Ordinary Parental Leave](#) and [Emergency Time Off to Care for Dependants](#) and/or with facilities such as the [Childcare Voucher Scheme](#) or [University Nursery](#).

8.5 Academic Staff may wish to refer to the Academic Returners Research Support Scheme which provides.

8.6 Sickness Absence – Any absence following the end of the period of adoption leave will be managed in accordance with the University's [Managing Attendance Policy](#)

## 9. Employees not Returning to Work

9.1 If an employee does not intend to return to work, they must comply with their obligation to give notice as set out in their terms and conditions of employment.

9.2 The University will reclaim the whole or part of the non-statutory element of adoption pay if an employee does not return to work, through choice, for a period of at least 3 months following their return from adoption leave. For the avoidance of doubt, this does not apply in cases of redundancy or where a contract comes to an anticipated end date.

## 10. Disruption to the Placement

10.1 In the event of a disruption to the placement of a child, the entitlement to leave will remain in place for 8 weeks following the disruption (or until the end of the employee's adoption leave period if that is sooner). A disruption will be deemed to have occurred where an employee has commenced adoption leave prior to the child's placement and they are then informed that the placement will not be made; where the child is returned to the adoption agency during the adoption leave; or when a child dies during the adoption leave. Members of staff must give 8 weeks' notice if they are returning to work earlier than expected because of a disrupted placement.

## 11. Additional Information

11.1 Only one period of adoption leave is available irrespective of how many children are adopted as part of the same arrangement.

11.2 During periods of adoption leave employees are entitled to all relevant terms and conditions of employment (except for payment of salary/pension where appropriate) which would have applied had they not been absent.

11.3 Where an employee exercises their right to return to work following a period of adoption leave, the period of absence will be considered as continuous service with the University for the purpose of seniority, redundancy rights and other similar rights.



- 11.4 Pension rights and contributions shall be managed in accordance with the provisions of the relevant superannuation scheme, providing that these provisions do not conflict with any statutory requirements that may apply at the time.
- 11.5 Employees will be entitled to progress through the normal annual increments on the University's salary scale in accordance with their terms and conditions of employment, to take effect from the normal incremental date.
- 11.6 Annual leave entitlement will continue to accrue, as normal, during ordinary and additional adoption leave. Any accrued annual leave may be used in lieu of an equivalent amount of unpaid adoption leave subject to the approval of the Head of School/RI/University Service.
- 11.7 During periods of adoption leave, employees are required to fulfill the obligations of their terms and conditions of employment with the University, except where those obligations are inconsistent with the right to leave.

## 12. Other Provisions

- 12.1 Average weekly earnings will be calculated in accordance with the statutory adoption pay regulations that apply at that time.

## 13. Review

- 13.1 This policy will be regularly reviewed by the University and may be amended at any time following appropriate consultation.

## 14. Further Information

For further advice and information on this policy, please contact your [College/University Services HR team](#).

The following links may also be helpful:

[Shared Parental Leave Policy](#)

[Paternity Leave Policy](#)

[Parental Leave Policy](#)

[Emergency Time Off to Care for Dependents](#)

[University of Glasgow Childcare Voucher Scheme](#)

[University Nursery](#)

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