

**CAERPHILLY COUNTY  
BOROUGH COUNCIL**

**DIRECTORATE OF  
EDUCATION AND LEISURE**

**Recommended  
ADOPTION LEAVE SCHEME  
(School Based Staff)**

***SEPTEMBER 2005***

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### **NOTE**

This policy has been developed using the Corporate Policy as its base and is recommended to Governing Bodies for adoption. Support in managing issues in relation to the subject matter of this policy can only be offered to schools where the LEA recommended policies and procedures have been adopted and in line with any Service Level Agreement with Education Personnel Services that may be in force at the time.

This document is available in large print.

## GLOSSARY OF TERMS

**Adopter** is a person who has been matched with a child for adoption or, if a couple have been matched jointly, the member of that couple who has chosen to take adoption leave. Only one member of a couple is entitled to adoption leave.

**Adoption Agency** is the agency as defined under the Adoption Act 1976 in England and Wales. In Scotland, it has the meaning given to it under the Adoption (Scotland) Act 1978.

**Convention Countries** – Countries, which have ratified the Hague Convention. The Convention aims to ensure that intercountry adoptions take place in the best interests of the child and with respect for their fundamental rights and without any profits being made from the process. It also aims to establish a system of co-operation amongst the countries that have ratified the Convention and to secure the recognition of adoption orders between countries. It is proposed that adoption orders made in these countries will be automatically recognised under UK law and providing that one or both of the adopters are British citizens, the order conveys British citizenship to the child.

**Designated countries** – adoptions made in these countries are recognised under UK law (so there is generally no need for the parents to adopt once the child enters the UK, although they may want to apply to the Home Office for citizenship).

**Disruption to placement** – this occurs when the placement comes to an end. This may happen for a number of reasons e.g. the child goes back to the Adoption Agency for whatever reason or the child dies.

**Matched** has the meaning of a person being matched with a child for adoption when an Adoption Agency decides that the person would be a suitable adoptive parent for the child, either individually or with another person.

**Non-Designated countries** – adoptions made in these countries are not recognised under UK law (so if adoptive parents wish to have their child's adoption recognised in the UK they must formally adopt once the child enters the UK – the adoption order confers citizenship).

**Notified of having been matched** – a person is notified of having been matched with a child on the date on which they receive notification of the agency's decision under regulation 11(2) of the Adoption Agencies Regulations 1983 or regulation 12(3) of the Adoption Agencies (Scotland) Regulations 1996.

**Placement** – the placement of a child for adoption occurs when the child goes to live with the adopter permanently with a view to being formally adopted in the future.

**Partner** - a partner means a person who lives with the adopter and the child in an enduring family relationship but is not an immediate relative.

**Relevant Domestic Authority** – the relevant domestic authority is the Secretary of State for Health except in two cases. In the case of an adopter to whom the Intercountry Adoption (Hague Convention) Regulations 2003 (See above for the definition of Convention Countries) apply and who is habitually resident in Wales, the relevant domestic authority means the National Assembly for Wales. In the case of an adopter to whom the Intercountry Adoption (Hague Convention) (Scotland) Regulations 2003 apply and who is habitually resident in Scotland, the relevant domestic authority means the Scottish Minister.

## 1.0 SECTION 1 – POLICY STATEMENT

- 1.1 The Governing Body/Caerphilly County Borough Council believes that its employees are its most valuable resource and as a result high attendance at work by its employees plays a key role in providing efficient and effective services to the residents of the County Borough.
- 1.2 The Governing Body/The Council recognises that employees who adopt a child need time to settle into the new family situation. Lack of recognition of employees' outside commitments help to contribute to negative effects, which may result in low morale, poor service provision and excessive overhead costs.
- 1.3 The Governing Body's/The Council's aim is to ensure that the administration of adoption leave is applied in a fair, equitable and consistent way across the whole of the school and Council's Directorates by adopting a positive and proactive approach. This policy and the accompanying procedures are designed to help Headteachers/Nominated Officers deal fairly, equitably and consistently with all their employees. **The aim of the policy is to be supportive to employees to allow them to adapt to their new family situation and help balance the work - life issues in the best possible way.**

## **2.0 SECTION 2 – SCOPE OF THE POLICY**

### **2.1**

For the purposes of this document, the term employee includes all school based staff employed by the Governing Body and those staff who work predominantly in the school, but who are centrally funded by the LEA. In dealing with applications for adoption leave from this latter group of staff, it is expected that a nominated senior officer from the appropriate service area will consider the applications in consultation with the headteacher of the host school.

2.2 Applications for adoption leave from Headteachers will need to be considered by the Chair of Governors/Panel of the Governing Body.

2.3 This policy will be effective from the date of adoption by the Governing Body.

### **3.0 SECTION 3 – KEY PRINCIPLES**

- 3.1 The Paternity and Adoption Leave Regulations 2002 and the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002 set out employees' rights to this leave. Under this scheme, employees are entitled to 26 weeks paid adoption leave and 26 weeks unpaid leave subject to the qualifying conditions outlined below. With the exception of teaching staff who currently have different maternity leave entitlements, this entitlement is in line with the entitlements under the Maternity Leave Scheme. A copy of a grid summarising the entitlements and notifications and an Adoption Leave application form is attached Appendix B.
- 3.2 All employees, subject to the eligibility and qualifying service (see Sections 4 and 5), who adopt children or who are newly matched for adoption are entitled to adoption leave. Employees in these circumstances also become eligible for parental leave. A period of parental leave may be added on to a period of adoption leave subject to the normal notice requirements, unless there are any exceptional circumstances, being followed. Please see the Governing Body's/Council's Parental Leave Scheme.
- 3.3 Adoption leave and Statutory Adoption Pay are not available where the child is not newly matched for adoption, for example when a step parent is adopting a partner's children.
- 3.4 Adoption leave cannot be transferred from one parent to the other. It is only open to one member of a couple or to an individual who adopts. The partner of an individual who adopts, or the other member of a couple who are adopting jointly, will be entitled to paternity leave.
- 3.5 When an employee is on a period of unpaid adoption leave, their pension rights are frozen until the employee returns to work. Employees may choose to pay contributions for any period of unpaid adoption leave period so that the period of absence will count in full for pension purposes. If an employee, before going on adoption leave was paying additional contributions to increase their pension benefits then these remain payable. They are calculated on the rate of pay that would have been received if not on adoption leave. The additional pensions benefits will then accrue in full.
- 3.6 Applications for adoption leave must be submitted to the employee's Headteacher/Nominated Officer in writing. This notification must include the date on which the leave is to commence and must be given within 7 days of the employee being notified of being matched with a child. All applications for adoption leave should be forwarded to the Directorate Personnel Unit for retention on the employee's personal file. The Directorate Personnel Unit will notify the relevant Payroll section for the financial adjustments to be made.
- 3.7 Headteachers/Nominated Officers are entitled to ask for evidence that the employee is being matched with a child for adoption. This will take the form of the Headteacher/Nominated Officer being shown the original of the Matching Certificate from the Adoption Agency. A copy of the Matching Certificate should be sent to the Directorate Personnel Unit for retention on the employee's personal file.
- 3.8 Whilst an employee is on a period of adoption leave, Headteachers/ Nominated Officers must keep in touch with them, informing them of any work related matters. This will allow for an easier return to work, which will be beneficial to the Headteacher/Nominated Officer, employee and their colleagues. All employees on adoption leave are entitled to receive copies of the Council's weekly vacancies

circular, if they so wish. Employees will be asked to indicate whether they wish to receive a copy prior to the commencement of their adoption leave.

- 3.9 It will be assumed that an employee will be returning at the end of Ordinary Adoption Leave, or if they are entitled to Additional Adoption Leave at the end of that period. If an employee wants to return earlier than this they must give 28 days' notice of their intention to return in writing to their Headteacher/Nominated Officer and the Directorate Personnel Unit.
- 3.10 A grid outlining an employee's entitlements, notification periods and qualifying service is attached at Appendix A.
- 3.11 This policy must also be cross-referenced with other Council policies and strategies. The main ones are: -
- Leave of Absence Policy
  - Paternity Leave Scheme
  - Parental Leave Scheme
  - Equal Opportunities Policy Statement
  - Redeployment Policy
  - Managing Attendance Procedure
  - Maternity Leave Policy

#### **4.0 SECTION 4 – ENTITLEMENT TO ADOPTION LEAVE**

- 4.1 Any employee, subject to satisfying the qualifying service requirements (See Section 5) who adopts a child and chooses to take adoption leave is entitled to 26 weeks paid adoption leave and 26 weeks unpaid adoption leave. Employees are only entitled to one period of adoption leave even if more than one child is placed for adoption at one time. Paid time off will be granted to employees for familiarisation sessions with the child/children prior to the adoption. Paid time off will also be granted for appearances at court, as appropriate.
- 4.2 Employees who are adopting a child will be entitled to take parental leave because they will have parental responsibility when they adopt. See the Governing Body's/Council's Parental Leave Scheme. Parental leave may be taken at the end of adoption leave.
- 4.3 It will be assumed that an employee is returning to work at the end of the period of unpaid adoption leave unless the Headteacher/Nominated Officer has been informed otherwise. If an employee wishes to return from adoption leave earlier, they must give their Headteacher/Nominated Officer 28 days notice of their intention to do so.

## 5.0 SECTION 5 – QUALIFYING SERVICE

5.1 In order to qualify for adoption leave, an employee must have **at least 26 weeks' continuous service** with the Council ending with the week in which the adopter is notified of having been matched with the child. In addition the employee must:-

- Have been matched with a child to be placed with them by a UK Adoption Agency.
- Have notified the agency that they agree that the child should be placed with them and of the date of placement.
- Notify their Headteacher/Nominated Officer of when they want to take their adoption leave within 7 days of the date on which they are notified of having been matched with the child.
- Notify their Headteachers/Nominated Officers that they want to receive Statutory Adoption Pay at least 28 days before they want it to begin and have average earnings at or above the Lower Earnings limit for National Insurance, which applied at the end of the matching week.

In exceptional cases where the required notice cannot be given, the Governing Body/Council will use its discretion with regard to the payment of Statutory Adoption Pay.

Adoption leave may start on any day of the week.

5.2 Employees who have 26 weeks' continuous service with the Council leading into the week in which they are notified of being matched with a child for adoption are entitled to

- **6 weeks** at 90% average weekly earnings
- **20 weeks** flat rate Statutory Adoption Pay

Employees who have more than one years' continuous service with the Council leading into the week in which they are notified of being matched with a child for adoption are entitled to

- **6 weeks'** at 90% earnings (offset against payments made by way of Statutory Adoption Pay)
- **12 weeks** half pay plus Statutory Adoption Pay (as long as it does not exceed full pay)
- **8 weeks** Statutory Adoption Pay

In order to qualify for the half pay element, an employee must have stated, in writing, that they are returning to work after the period of adoption leave for a period of at least three months. Any employee who does not return to work for a period of three months must repay the half pay element that they have received.

5.3 Where an employee returns to local government service following a break for adoption reasons, or reasons concerned with caring for children or other dependants, they will be entitled to have their previous service taken into account in respect of the sickness and maternity schemes provided that the break in service does not exceed eight years and that no permanent paid full time employment has been taken in between. For the purpose of the entitlement to annual leave the eight years time limit does not apply provided that no permanent full time employment has been taken in between (Support staff only).

- 5.4 If an employee leaves their job for any reason (including dismissal) they are still entitled to Statutory Adoption Pay. However, if they start work for a different employer (one they were not employed by in the week they were notified of having been matched with the child) they will not be able to receive Statutory Adoption Pay for any week they do any work for the new employer. If the contract ends before pay starts, pay shall begin fourteen days before the expected date of placement, if the contract ends within those fourteen days, pay begins the day following the last day of work.

An eligible employee is still entitled to Statutory Adoption Pay if their contract ends after the child is placed. However, if they start work for a new employer they cannot get Statutory Adoption Pay for any week they work for the new employer.

- 5.5 If an employee changes their job before the placement, they will not qualify for adoption leave but if they start work for a different employer (one they were not employed by in the week they were matched with the child) an employee will not be able to receive Statutory Adoption Pay for any week they do any work for the new employer.
- 5.6 If an employee is not entitled to Statutory Adoption Pay, they must be given a written statement to this effect.

## 6.0 SECTION 6 – NOTICE PERIODS

- 6.1 Employees must make every effort to give as much notice as possible of their intention to take adoption leave. This notification **must be in writing and within 7 days** of being notified by their Adoption Agency that they have been matched with a child for adoption, unless this is not reasonably practical. This notification must inform their Headteacher/Nominated Officer: -
- That they intend to take adoption leave
  - When the child is expected to be placed with them and
  - When they want their adoption leave to start. This date should be no more than 14 days before the date on which the child is expected to be placed for adoption and no later than the date of placement.
- 6.2 Adoption leave may be granted to employees who have not given the required notice in exceptional circumstances at the discretion of the Headteacher/Nominated Officer. Such discretion must not be unreasonably withheld. Prior to the refusal of an application for adoption leave, the application must be discussed with the Chair of Governors/Head of Personnel or their representative.
- 6.3 Adopters can change their mind about the date on which they want to start their leave providing they tell their Headteacher/Nominated Officer at least 28 days in advance, unless this is not reasonably practicable. If an employee wishes to return from adoption leave early, they must give their Headteacher/Nominated Officer at least 28 days notice. If the employee does not give the required notice, the Headteacher/ Nominated Officer is able to delay the return until the 28 days notice has been received although this can not be postponed past the date on which the leave was due to end. If an employee's return has been postponed because they have not given the required notice, the Governing Body/Council is under no contractual obligation to pay them until the date to which the return is postponed if they return to work before that date.
- 6.4 Headteachers/Nominated Officers must respond to the employee within 28 days of the employee's notification of their leave plans. This response must set out the date on which they expect the employee to return to work if the full entitlement to adoption leave is taken.
- 6.5 If an employee begins a period of adoption leave before the placement of the child and is then informed that the placement will not be made or during adoption leave the child dies or returns to the Adoption Agency, the employee's leave will normally finish eight weeks after the end of the week in which the disruption took place. Payment of statutory adoption pay continues for eight weeks after the end of the week in which the disruption takes place or the end of the paid period of adoption leave if that is sooner. Employees must give their Headteacher/Nominated Officer 28 days' notice if they are returning to work earlier than expected because of a disruption.
- 6.6 If the date of the placement changes, the employee should discuss the earlier date with their Headteacher/Nominated Officer and give the appropriate notice. If an employee has started a period of adoption leave before the actual date of placement, and the placement is delayed they cannot stop the leave and start it again at a later date.
- 6.7 After the placement has taken place, employees must notify their Headteacher/ Nominated Officer, in writing, of the date that the placement took place.

## **7.0 SECTION 7 - RETURNING TO WORK AFTER A PERIOD OF ADOPTION LEAVE**

- 7.1 If an employee undertakes a period of adoption leave they are entitled to return to the same job unless a redundancy situation has occurred during the adoption leave period.
- 7.2 During a period of adoption leave, employees continue to benefit from their statutory rights along with some of their terms and conditions of employment. These include:-
- Notice periods.
  - Accrual of annual leave.
  - Compensation if the employee is made redundant. It is also unlawful for an employer to select an employee solely or mainly on the basis that they are taking, proposing to take or have taken adoption leave.
  - The benefit of the Governing Body's/Council's disciplinary and grievance procedures.
  - Pay rises/regradings on their return to work if these have occurred while the employee is on adoption leave.

Employees who are only eligible for adoption leave, will not be eligible for essential car user allowance during this period.

During ordinary adoption leave employees who would normally receive the essential user car allowance or telephone allowance will continue to do so in full for the 26 week period.

During the 26 weeks' additional leave period essential car user allowance will not be paid.

- 7.3 A period of adoption leave counts towards continuous service for the purposes of all statutory employment protection rights including the calculation of a redundancy payment.
- 7.4 Where a pensionable employee is on unpaid adoption leave, normal pension contributions must be paid on the first 30 (or up to 30) days of any continuous period of leave. Normal contributions for the remaining period can be paid by election within 30 days of returning to work. Further advice and information on paying backdated contributions is available from the Payroll Manager at Ystrad Fawr.
- 7.5 If an employee does not wish to return to work at the end of a period of adoption leave, they must give their Headteacher/Nominated Officer notice in the usual way.
- 7.6 Failure to return to work following a period of ordinary adoption leave or a period of additional adoption leave without producing a medical certificate or any acceptable explanation will be regarded as a repudiation of an employee's contract of employment with effect from the date that they should have returned to work.

## 8.0 SECTION 8 - PAYMENT DURING A PERIOD OF ADOPTION LEAVE

8.1 Employees are entitled to 52 weeks adoption leave, 26 weeks paid and 26 weeks unpaid leave.

Employees who have 26 weeks' continuous service with the Council leading into the week in which they are notified of being matched with a child for adoption are entitled to payment at the rate of

- **6 weeks** at 90% average weekly earnings
- **20 weeks** flat rate Statutory Adoption Pay

Employees who have more than one years' continuous service with the Council leading into the week in which they are notified of being matched with a child for adoption are entitled to payment at the rate of

- **6 weeks'** at 90% earnings (offset against payments made by way of Statutory Adoption Pay)
- **12 weeks** half pay plus Statutory Adoption Pay (as long as it does not exceed full pay)
- **8 weeks** Statutory Adoption Pay

In order to qualify for the half pay element, an employee must have stated, in writing, that they are returning to work after the period of adoption leave for a period of at least three months. Any employee who does not return to work for a period of three months must repay the half pay element that they have received.

8.2 Employees who are only eligible for adoption leave, will not be eligible for essential car user allowance during this period.

During ordinary adoption leave employees who would normally receive the essential user car allowance or telephone allowance will continue to do so in full for the 26 week period.

During the 26 weeks' additional leave period essential car user allowance will not be paid.

**9.0 SECTION 9 - SICKNESS AT THE END OF A PERIOD OF ADOPTION LEAVE**

- 9.1 If an employee is ill at the end of a period of adoption leave, they must follow the Governing Body's/Council's Managing Attendance Procedure in the normal way.

## 10.0 SECTION 10 – ADOPTING A CHILD FROM OVERSEAS

- 10.1 The provisions of the policy shall apply to any employee who adopts a child from abroad with the following amendments.
- 10.2 To qualify for adoption leave and Statutory Adoption Pay, an employee who adopts from overseas **must have received** an official notification. The law defines official notification as a written notification, issued by or on behalf of the relevant domestic authority, that the authority 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.
- 10.3 Employees may choose to start their adoption leave from: -
- the date that the child enters the UK
  - from a fixed date (as notified to their employer) up to 28 days after the date the child enters the UK.
- 10.4 Adoption leave cannot be used to cover the period employees spend travelling overseas to arrange the adoption or visiting the child.
- 10.5 Employees must inform their Headteacher/Nominated Officer, in writing, of the date on which they receive the official notification and the date the child is expected to enter the UK, within 28 days of receiving the official notification. Employees must tell their Headteacher/Nominated Officer no later than 28 days after the child's entry into the UK, the child's date of entry into the country. As soon as an employee becomes aware that they are not going to be adopting the child, they must inform their Headteacher/Nominated Officer.
- 10.6 In order to claim Statutory Adoption Pay, employees must provide their Headteacher/Nominated Officer with: -
- The original of the official notification, 28 days before they wish to claim Statutory Adoption Pay, as evidence of their entitlement.
  - A declaration that they are not also claiming Statutory Paternity Pay.
  - Further evidence of the date of entry, such as a plane ticket or copies of entry clearance documents within 28 days of the child entering the UK.

Copies of these documents should be forwarded to the Directorate Personnel Unit for retention on the employee's personal file.

## **11.0 SECTION 11 - REVIEW OF POLICY**

- 11.1 The content of this policy will be reviewed every two years from the date of recommendation by the LEA.

**SEPTEMBER 2005**

APPENDIX A

	LESS THAN 26 WEEKS' SERVICE	More than 26 weeks' but less than one year's service	Employees with more than one year's service
<b>LEAVE ENTITLEMENT</b>	No entitlement	26 weeks' ordinary adoption leave 26 weeks' additional adoption leave	26 weeks' ordinary adoption leave 26 weeks' additional adoption leave
<b>ADOPTION PAY</b>	No entitlement	<p>Where an individual has 26 weeks' continuous employment leading into the week in which they are notified of being matched with a child for adoption and the earnings are higher than the lower earnings limit for NI contributions, an employee will receive</p> <p><b>6 weeks</b> at 90% average weekly earnings</p> <p><b>20 weeks</b> flat rate Statutory Adoption Pay</p> <p>Only one period of adoption leave will be allowed irrespective of how many children are placed at <b>the same time</b>.</p> <p>Leave can start on any day of the week.</p> <p>Leave can start from the</p> <ul style="list-style-type: none"> <li>• Date of the child's placement (whether this is earlier or later than expected) or</li> <li>• From a fixed date which can be up to 14 days before the expected date of placement.</li> </ul>	<p><b>6 weeks'</b> at 90% earnings (offset against payments made by way of Statutory Adoption Pay)</p> <p><b>12 weeks</b> half pay plus Statutory Adoption Pay (as long as it does not exceed full pay)</p> <p><b>8 weeks</b> Statutory Adoption Pay</p> <p>In order to qualify for the 12 weeks half pay, an employee must have given confirmation in writing of their intention to return to work for a period of at least three months. If they do not return for a period of three months, they will be required to repay the half pay element of their adoption pay. If an employee decides not to return to work, they must still give proper notice. Their decision will not affect their entitlement to Statutory Adoption Pay.</p> <p>Only one period of adoption leave will be allowed irrespective of how many children are placed at <b>the same time</b>.</p> <p>Leave can start on any day of the week.</p> <p>Leave can start from the</p> <ul style="list-style-type: none"> <li>• Date of the child's placement (whether this is earlier or later than expected) or</li> <li>• From a fixed date which can be up to 14 days before the expected date of placement.</li> </ul>

<p><b>NOTIFICATION: EMPLOYEES</b></p>	<p>No entitlement</p>	<p>The employee must give notification to the employer within 7 days of being notified of being matched with a child or as soon as is reasonably practicable.</p> <p>The employee must notify, in writing, the date the child is expected to be placed with them for adoption and the date that the employee wishes to commence their leave.</p> <p>Employees may change their mind about the start date providing they give 28 days notice to the employer, if this is reasonably practicable.</p> <p>Employees must show their employers the original of the 'Matching Certificate' as evidence of proof for Statutory Adoption Pay.</p>	<p>The employee must give notification to the employer within 7 days of being notified of being matched with a child or as soon as is reasonably practicable.</p> <p>The employee must notify, in writing, the date the child is expected to be placed with them for adoption and the date that the employee wishes to commence their leave.</p> <p>Employees may change their mind about the start date providing they give 28 days notice to the employer, if this is reasonably practicable.</p> <p>Employees must show their employers the original of the 'Matching Certificate' as evidence of proof for Statutory Adoption Pay.</p>
<p><b>NOTIFICATION: EMPLOYER</b></p>	<p>No entitlement</p>	<p>The employer must notify the employee within 28 days of receiving the employee's notification of leave setting out their expected return date, if the full entitlement to adoption leave is taken, and their right to return.</p>	<p>The employer must notify the employee within 28 days of receiving the employee's notification of leave setting out their expected return date, if the full entitlement to adoption leave is taken, and their right to return.</p>

<b>RIGHT TO RETURN TO WORK</b>	No entitlement	<p>An employee who returns to work after taking only <b>ordinary adoption leave</b> will be entitled to return to the job in which they were employed before the leave began provided they did not take any additional adoption leave or more than 4 weeks parental leave.</p> <p>Where a period of <b>additional adoption leave</b> has been completed, an employee is entitled to return to the job in which employed prior to adoption or, where not reasonably practical, a job where work is similar to that under the original contract and the terms and conditions are not less favourable.</p>	<p>An employee who returns to work after taking only <b>ordinary adoption leave</b> will be entitled to return to the job in which they were employed before the leave began provided they did not take any additional adoption leave or more than 4 weeks parental leave.</p> <p>Where a period of <b>additional adoption leave</b> has been completed, an employee is entitled to return to the job in which employed prior to adoption or, where not reasonably practical, a job where work is similar to that under the original contract and the terms and conditions are not less favourable.</p>
<b>Exercise of the right to return to work</b>	No entitlement	<p>It will be assumed that an employee will be returning at the <b>end</b> of additional adoption leave</p> <p>28 days notice must be given to the employer if an employee wants to return prior to this date</p>	<p>It will be assumed that an employee will be returning at the <b>end</b> of additional adoption leave</p> <p>28 days notice must be given to the employer if an employee wants to return prior to this date</p>
<b>Essential Car User &amp; Telephone Allowances</b>	No Entitlement	<p>During ordinary adoption leave employees who would normally receive the essential user car allowance or telephone allowance will continue to do so in full for the 26 week period.</p> <p>During the 26 weeks additional adoption leave period, essential user car allowance or telephone allowance will not be paid.</p>	<p>During ordinary adoption leave employees who would normally receive the essential user car allowance or telephone allowance will continue to do so in full for the 26 week period.</p> <p>During the 26 weeks additional adoption leave period, essential user car allowance or telephone allowance will not be paid.</p>

## ABSENCE ON ACCOUNT OF ADOPTION LEAVE

To: Headteacher/Nominated Officer

From: \_\_\_\_\_ (Name of Employee)

Service Area: \_\_\_\_\_

Section/Establishment: \_\_\_\_\_

Post Held: \_\_\_\_\_

I wish to confirm that I am adopting a child and the anticipated week of placement is the week commencing \_\_\_\_\_

I have read the Governing Body's/Council's Adoption Leave Scheme and am aware of the provisions.

- 1\*. I do not wish to take advantage of the adoption leave provisions under the Adoption Leave Scheme and conditions of service under which I am employed, nor do I wish to take advantage of my right to return to work under the scheme. I therefore wish to terminate my employment and claim my 26 weeks' Statutory Adoption Pay entitlement.
- 2\*. I intend to take advantage of the adoption leave provisions under the Adoption Leave Scheme. The matching certificate confirming the adoption is attached / will be forwarded as soon as possible (***please delete as appropriate***). I intend to return to work following my period of adoption leave.
- 3\*. I intend to take advantage of the adoption leave provisions under the Adoption Leave Scheme. At this stage I am not sure if I will be returning to work but nevertheless wish to retain my right to return under the provisions of the Governing Body's/Council's Adoption Leave Scheme. I understand that should I decide to return to work prior to the end of the ordinary adoption leave or (where applicable) additional adoption leave, written notification of my intended return date must be provided at least 28 days prior to that date.

\*Tick appropriate box, indicating acceptance of either 1,2 or 3.

Please indicate if it is your intention to take advantage of the additional adoption leave provision of 26 weeks unpaid leave (if applicable). Yes  No I wish the weekly vacancy circular to be forwarded to me during my period of adoption leave.   
Please tick the box as appropriate.

I acknowledge that I have read and understood the Governing Body's/Council's Adoption Leave Scheme and I recognise my obligations under the policy.

I also note that if I indicate to the Governing Body's/Council my intention to return to work after a shorter period than the 26 or 52 weeks and I then submit a medical certificate before my notified date of return my statutory right of return is only extended by up to 4 weeks from the earlier date.

I understand that if I do not return to work for a period of at least 3 months after the end of my adoption leave entitlement that the monies paid to me in excess of Statutory Adoption Pay during the 12 weeks half pay period will be repayable to the Governing Body/Council.

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

Please send a copy of the completed form to both the Directorate Personnel Unit and the Directorate Payroll Unit.