Applecroft School



Adoption Leave Policy

Review Cycle:	**Annually**
Person Responsible:	**Headteacher**
Date of Issue:	**October 2026**
Review Date:	**October 2027**

The Professional Associations and/or Trade Unions have been consulted on this policy, and the school has adopted the contents based on HFL Education recommendation.

Adoption Leave Policy

1) Introduction:

School Vision
'To be a positive and inspiring community that nurtures each individual and empowers leaders for life'.

School Mission Statement
'Nurturing Potential, Inspiring Minds, Changing Lives'.

School Values

- Ambition and Leadership
- Kindness and Supportiveness
- Respect and Honesty
- Determination and Resilience.

2) Scope:

This policy sets out the entitlements of employees of Applecroft School in respect of adoption pay and leave under both the statutory and contractual schemes.

This policy has been subject to consultation with Trade Unions. It does not form part of anybody's contract of employment and may be varied.

3) Entitlement to Adoption Leave:

Irrespective of length of service, employees are entitled to take up to 52 weeks of adoption leave, consisting of 26 weeks' ordinary adoption leave, plus 26 weeks of additional adoption leave immediately following ordinary adoption leave.

Only one period of leave is available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

If the child's placement ends during the adoption leave period, the adopter can continue adoption leave for up to eight weeks after the end of the placement.

Applecroft School is committed to promoting equality, diversity and inclusion. Adoption leave and pay provisions will be applied fairly and consistently, regardless of age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, marital status, pregnancy or maternity.

Employees may also be entitled to additional leave and pay provisions where other statutory family leave rights apply.

4) Commencing Adoption Leave:

Employees can choose to start leave:

- 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 or
- for adoptions from overseas, the adoption leave period may begin on the date the child enters Great Britain.

Leave can start on any day of the week.

5) Introductory Appointments:

If you are eligible for adoption leave, you have the right to paid time off work for up to five adoption appointments after they've been matched with a child.

You are entitled to take up to 6.5 hours for each appointment. This time includes travel to and from the appointment.

You are required to show your line manager or Headteacher an appointment card or other evidence of the appointment.

6) Statutory Adoption Pay (SAP):

If you have been continuously employed for at least 26 weeks ending with the week in which you are notified of having been matched with a child, you are entitled to 39 weeks' Statutory Adoption Pay (SAP). The first six weeks is payable at 90% of your average weekly earnings and the next 33 weeks of payment at the current rate of SAP (or 90% of your average weekly earnings if this figure is less than the statutory rate.

Adopting a child from overseas - the requirements are the same if adopting from overseas, except you must have been continuously employed for at least 26 weeks at the start of the week when the pay will begin.

In surrogacy arrangements - the requirements are the same, except you must have been continuously employed for at least 26 weeks up to any day in the 15th week before the baby is due.

6.1 Teachers

The Conditions of Service for Teachers (Burgundy Book) provides for statutory adoption pay only.

6.2 Support Staff

In addition to the provisions under the statutory adoption scheme, support staff employees with one year or more continuous service will be eligible to receive occupational adoption pay as follows:

Occupational adoption pay equivalent to 12 weeks at half pay, paid between the 7th and 18th week of ordinary adoption leave, provided the employee agrees to return for at least 3 months to the same employer, or a new employer following a TUPE in the same post.

The combined statutory adoption pay, and occupation adoption pay will not exceed the normal contractual earnings for a week.

7) Notice of Intention to take Adoption Leave:

You are required to inform us of your intention to take adoption leave within 7 days of being notified by an adoption agency that they have been matched with a child for adoption within the UK.

- adopting a child from overseas – notice must be given no later than 28 days after the date official notification is received.
- in surrogacy arrangements - at least 15 weeks before the due date, you must tell us when the baby is due and when they want to start leave.

You need to tell your line manager or Headteacher in writing:

- when the child is expected to be placed with you/when the baby is due
- when you want your adoption leave to commence.

You can change your mind about the date on which they want your leave to start providing you tell us at least 28 days in advance (unless this is not reasonably practicable).

8) Proof of Adoption:

You must provide your line manager or Headteacher with documentary evidence from the adoption agency as evidence of entitlement to Statutory Adoption Pay (SAP). You can also ask for this as evidence of entitlement for adoption leave. You should ask the adoption agency for this documentary evidence, which may be provided in the form of a matching certificate which includes basic information on matching and expected placement dates.

- adopting a child from overseas – in addition to above you will need to provide the relevant UK authority's 'official notification' confirming that you are allowed to adopt, and evidence of the date the child arrived in the UK, for example a plane ticket
- in surrogacy arrangements – proof is not required for SAP and leave; however, we may ask you for a written statement that confirms you intend to apply for a parental order in the 6 months after

the baby's birth and that you expect the order to be granted (for example because you do not have any convictions involving children, and the birth mother or father agree to the arrangement)

- If you're fostering to adopt, you must provide us with evidence of a placement (for example, a letter from the adoption agency).

9) Return to Work after Adoption Leave:

If you intend to return to work at the end of the full period of adoption leave, you do not have to give any further notification to us.

Should you wish to return to work before the end of the adoption leave period, you must give us 28 days' notice of the date you intend to return.

You have the right to resume working in the same job if returning to work from ordinary adoption leave. If you return to work after a period of additional adoption leave, you are entitled to return either to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.

If you do not return to work by the end of the adoption leave this will be treated as an unauthorised absence, unless you are sick and produce a current medical certificate before the end of the adoption leave period.

If you decide during adoption leave that you do not wish to return to work, you should provide a written resignation to your line manager as soon as possible and in accordance with the terms of your contract of employment.

10) Reasonable Contact:

Whilst on adoption leave, we would like to keep you up to date with what is going on at work and give you the opportunity to get in touch with us if needed. This is known as 'reasonable contact' and simply formalises good communication practices between line managers/Headteacher and employees on adoption leave. Employees should agree with line managers/Headteacher before commencing adoption Leave, the level of contact which will be maintained during the period of leave.

11) Keeping in Touch (KIT) Days:

You may undertake ten 'Keeping in Touch Days' during adoption leave. This allows you to work under their contract of employment for up to ten days and receive payment, as agreed with the Headteacher, without bringing adoption leave to an end. Please note any part of a day worked will count as one KIT Day.

The KIT days are not limited to an employees' usual job and could be used for training or other events or to ease the return to work.

Any KIT Day must be agreed with the Headteacher. There is no obligation on us to offer you KIT days or by that token, for you to complete KIT days.

12) Holiday Entitlement:

Holiday entitlement continues to be accrued at the rate provided under the contract of employment during adoption leave. This entitlement applies to all employees including term time only workers and teachers.

12.1 Teachers

The 'Conditions of Service for School Teachers' makes no reference to an entitlement to annual leave for teachers. There is however a statutory right to a minimum of 28 days per annum under UK legislation. Periods of closure count towards this entitlement, consequently it is unlikely that teachers returning to their posts following a period of maternity leave will have acquired a right to additional annual leave. It is possible that teachers who resign their post and do not return could have an outstanding balance of annual leave payable.

12.2 Term-time only workers

To calculate the entitlement to annual leave, it is necessary to carry out a 'Balance of Salary'

calculation at the start of the adoption leave period and a second calculation at the end of the leave period. This calculation takes into account the start date with the school and the number of completed weeks of the academic year up to the point adoption leave starts. The proportion of completed weeks will then be compared to the salary paid for the same period. In most cases this results in a payment of a balance of salary, however, there may be instances where the salary paid exceeds the weeks which have been worked and a recovery of salary is necessary.

Once you return to work, a second calculation is carried out to identify whether you are entitled to a payment in respect of annual leave accumulated whilst on maternity leave.

Please note: the date on which adoption leave starts and ends can significantly affect the balance of salary calculation. Please contact Hertfordshire Payroll Transactions Team to establish how this is likely to affect you.

13) Pension Plan:

Contributions to the Local Government and Teachers Pension Scheme will automatically continue to be deducted from actual pay if employees are members of the scheme on paid adoption leave.

13.1 Local Government Pension Scheme member only

If you take unpaid adoption leave, you must decide whether to pay pension contributions for this period and upon your return to work. You will be given the opportunity to purchase contributions for any period of unpaid adoption leave.

Contributions will be based on the pay you were receiving the day before unpaid leave started. Should you wish to purchase service for periods of unpaid adoption leave, you should contact the LPP Local Government Pension Scheme Administration team on 0300 323 0260 within 30 days of your return to work.

14) Dismissal Protection:

Where it is not practicable by reason of redundancy for us to permit a return to work in the substantive post, you shall be entitled to be offered a suitable alternative vacancy where one exists, on a first refusal basis, provided that the work to be done in that post is suitable and appropriate to the circumstances. In addition, the capacity and place you are to be employed and the terms and conditions of employment should not be substantially less favourable, than if they were able to return in the job as originally employed.

Suitable alternative employment may also be offered if exceptional circumstances other than redundancy (e.g., a general reorganisation), which would have occurred if employees had not been absent, necessitate a change in the job in which you were employed prior to your absence. The work to be done should be suitable and appropriate to the circumstances and the capacity and place you are to be employed and your terms and conditions of employment should not be less favourable to you than if you had been able to return to the job in which you were originally employed.

The protected period will be 18 months from the placement for adoption.

15) Financial Support for Childcare:

15.1 Childcare voucher scheme

The Childcare Voucher Scheme, which is now closed to new applicants, enables you to exchange part of your salary for Childcare Vouchers which are exempt from Tax and National Insurance. Participation in the Childcare Scheme will not affect adoption pay and will continue during the adoption leave period.

15.2 Government Tax-Free Childcare

Tax-Free Childcare allows eligible working families to claim 20% of their childcare costs, up to £2,000 per child per year (or £4,000 for a child with a disability), from the Government. Employees cannot open a Tax-Free Childcare account for a newborn child until 31 days before the return to work. However, employees can have Tax-Free Childcare accounts for any older children while on adoption leave for the newborn. You will be able to retain and pay into those accounts during the adoption leave period.

16) Flexible Working:

Prior to or when an employee returns from adoption leave, if you wish to be considered for part-time hours, they must apply in writing under the Flexible Working Policy.

Employees have a statutory right to request flexible working from the first day of employment. Requests will be considered in accordance with the school's Flexible Working Policy.

17) Shared Parental Leave:

Shared parental leave enables adopters to commit to ending their adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave with their partner, or to return to work early from adoption leave and opt in to shared parental leave and pay at a later date.

For more information, please see Shared Parental Leave Policy (Birth).

18) Paternity Leave Pay:

Paternity leave is available to the spouse, civil partner or partner of an individual who has adopted a child. Where a couple adopt a child jointly, one may take adoption leave and the other paternity leave. They are entitled to choose for themselves which adoptive parent takes which type of leave.

For more information, please see the Paternity Leave Policy.

19) Pay Review whilst on Adoption Leave:

Employees are entitled to a pay review whilst on adoption leave in the same way that you would be if you weren't on adoption leave.

If following a pay review, you become eligible for a pay rise between the start of the original calculation period and the end of the adoption leave, both the higher and standard rate of SAP and OAP will be recalculated to take account of the employee's pay rise. This means that your SAP and OAP will be recalculated and increased retrospectively. In some cases, you may qualify for SAP or OAP if you did not previously. You will be paid a lump sum to make up any difference between SAP or OAP already paid and the amount payable as a result of the pay rise.

20) No Return to Work:

If you do not return to work on the agreed date, they may be subject to disciplinary action in the same way as any other employee who has failed to return to work following a period of absence.

21) Job Opportunities whilst on Adoption Leave:

Whilst on adoption leave you have the same opportunities to access job vacancies, promotion, and development opportunities. Before commencing adoption leave, you should discuss with the school how they would like to be notified of any opportunities that arise that you wouldn't otherwise be aware of from other publicised sources, e.g., Teach in Herts.

Notification of Intention to take Adoption Leave

Please hand the completed form to your Line Manager/ Headteacher.

Personal Details

Preferred title……

Full name……

Home Address……

…… Post Code ……

Home Telephone Number……

National Insurance Number……

Personnel Number……

Employer…… Employer Ref. No……

Post Held……

Teaching staff ☐ Non-teaching staff ☐

Your dates for pay and leave

The child's placement is due to take place on ……

I would like to start my adoption leave on ……

I enclose proof of adoption as detailed in the adoption leave policy ☐

Declaration

I confirm that the child whom I am adopting has been newly matched by an approved adoption agency and I am the only individual taking adoption leave in respect of the adoption of this child

The information provided in this application is true and accurate

Signed …… Date……

Authorisation

I have checked the above information

Signed …… Date ……

Headteacher/Line Manager

Once signed by both parties, please send to payroll provider for processing.