



Warwickshire Pride

Registered Charity Number: 1162449

Adoption Leave Policy

Policy Statement

The organisation encourages employees to have a balance between their work and family commitments, believing that it ensures a more effective and efficient workforce.

This Adoption Leave Policy has been developed to provide employees with guidance as to their entitlements and the procedure to follow for adoption leave.

Adoption leave is the right to take paid leave when a child up to 18 years of age is newly placed with an employee for adoption. No employee will be treated less favourably, suffer detriment, or be dismissed because he or she requests, or takes, adoption leave.

However, the misuse of adoption leave (such as the use of leave for reasons other than to care for the child or failure to follow the correct procedure) may result in disciplinary action.

In addition to adoption leave, eligible employees who are responsible for a baby born on or after 6th April 2025 that requires neonatal care are entitled to neonatal care leave. For details on your entitlement to time off, pay during leave and support available, you should read our separate Neonatal Care Leave Policy.

Procedure

Eligibility

To qualify for adoption leave an employee will need to satisfy the following conditions. The employee must:

- be newly matched with a child for adoption by an approved adoption agency
- have worked continuously for the organisation for 26 weeks leading into the week in which he or she is notified of being matched with a child for adoption
- forward their Matching Certificate from the adoption agency to the HR department or line manager 28 days before he or she wishes the adoption leave to commence (this is evidence of adoption to qualify for entitlement to adoption leave and pay)

Where a couple adopt a child jointly, only one of them is entitled to take adoption leave and the couple can choose which. The other parent may, depending on their circumstances, be entitled to paternity leave.

Entitlement to leave

The primary rationale for adoption leave is to ensure that the new parent can take time off work to bond with the child once they start living with the adoptive parent.

Adoption leave and pay is available to:

- individuals who adopt
- one member of a couple where a couple adopt jointly (the couple may choose which partner takes adoption leave).

Those who are eligible are entitled to up to a total of 52 weeks' leave as follows:

- 26 weeks' ordinary adoption leave
- 26 weeks' additional adoption leave.

Employees can choose to start their leave on:

- the date of the child's placement
- a fixed date which can be up to 14 days before the expected date of placement
- any day of the week.

Employees are only entitled to one period of adoption leave even if more than one child is placed for adoption at the same time.

Employees must notify the HR department or line manager that they intend to take adoption leave within seven days of being notified by the adoption agency that they have been matched with a child for adoption, or as soon as reasonably practicable.

Employees must tell the organisation when:

- the child is expected to be placed with them
- they want their adoption leave to start.

Should employees wish to change the date on which they want their leave to start they must give at least 28 days' notice of the revised start date.

Entitlement to Pay

The first 39 weeks of adoption leave is paid at the statutory adoption pay (SAP) rate or 90% of average weekly earnings if these are less than this sum.

The remainder of the adoption leave is unpaid.

Should the employee not qualify for SAP he or she may be able to seek financial support from the local authority. Additional financial support may be available through:

- housing benefit
- council tax benefit
- tax credits

Rights During Adoption Leave

An employee on either ordinary or additional adoption leave has the right to the continuation of all contractual terms and conditions of employment, except pay. These will include, for example, accrual of holiday entitlement, retention of company car, use of company mobile phone, etc, that would have applied but for the employee's absence. Although not entitled to be paid, the employee may qualify for statutory adoption pay.

Keeping in Touch Days

The organisation may, at its discretion, offer an employee on adoption leave the opportunity to do some work for up to 10 "keeping in touch days" (KIT days). These days may be either separate days or one or more blocks of several days. Examples include the opportunity to attend a relevant training course or a request to attend a departmental meeting. An employee offered such work is not obliged to agree to do it. If, however, they do agree, their line manager will discuss the terms of the work assignment including what they will be paid. Agreeing to work for up to ten keeping in touch days will not affect the employee's SAP entitlement, or their entitlement to continue on adoption leave until the due return date.

Keeping in Touch Days

It is presumed that employees will return to work at the end of their full adoption leave entitlement. However, if they intend to return to work before the end of the adoption leave period they must write to the HR department giving at least eight weeks' notice of their intended date of return. If the employee fails to do so, the organisation may delay his or her return until the eight week period has expired, or the end of the ordinary or additional adoption leave period, whichever is earlier.

An employee is entitled to return to the same job as before on the same terms and conditions of employment at the end of ordinary adoption leave, unless a redundancy situation arises.

An employee is entitled to return to the same job at the end of his or her additional adoption leave, unless it is not reasonably practicable for the employer to allow him or her to do so. In such circumstances they will be offered a suitable alternative position, on no worse terms and conditions.

If an employee cannot return to work at the end of their full adoption leave period because of illness, they should follow the normal contractual procedures for sickness absence as laid out in the terms and conditions of employment

If an employee does not wish to return to work after adoption leave, they are required to give the organisation notice in accordance with their contractual notice period, as set out in their terms and conditions of employment.

The organisation may make reasonable contact with an employee to plan their return to work.

Overseas Adoptions

Employees who are adopting a child from overseas are entitled to take adoption leave if they have worked for the organisation for at least 26 weeks at the time the adoption leave is to start, they are the adopter and they have received official notification from the central authority that it has, or is prepared to, issue a certificate that the employee has been approved as being eligible to adopt and has been assessed and approved as a suitable adoptive parent.

The length of adoption leave, the entitlement to pay, the rights during adoption leave, the entitlement to KIT days and the rights on return to work are the same as for an employee who is adopting in the UK.

There are three stages to the notification process:

- the employee should tell the HR department the date when official notification has been received, and also tell them the date on which the child is due to enter the UK. If the employee has worked for the organisation for 26 weeks or more they must inform the HR department within 28 days of receiving notification. If the employee has worked for the organisation for less than 26 weeks they must tell the HR department within 28 days of completing 26 weeks' service.
- the employee must give at least 28 days' notice of the date on which they want adoption leave and pay to start. This cannot start before the child enters the UK. This information can be given at the first stage of the notification process if it is known at this time. If the employee changes their mind about this date at least 28 days' notice must be given

- the employee must tell the HR department when the child enters the UK, and must do this within 28 days of entry. If the employee is claiming adoption pay evidence of entry must be given (eg a visa stamp).

Procedure for Adoption Leave

- inform the HR department/line manager that they are adopting a child within seven days of being notified of the match with the child, and confirm when the child is expected to be placed with them and when they want their adoption leave to commence
- forward their Matching Certificate as proof

The HR department or line manager should:

- send the employee a confirmation letter detailing their adoption leave and statutory adoption pay entitlements
- inform payroll and the pension administrator

The employee must:

- give eight weeks' notice, if they intend to return before the end of their full adoption leave entitlement, or
- give contractual notice of termination if they intend not to return to work after adoption leave

Last reviewed: February 2026

Next review due: January 2027