



Adoption Policy

I Introduction

1.1 Employees can take up to 52 weeks' Statutory Adoption Leave. The first 26 weeks is known as 'Ordinary Adoption Leave', the last 26 weeks as 'Additional Adoption Leave'.

1.2 Leave can start:

- on the date the child starts living with the employee or up to 14 days before the expected placement date (UK adoptions)
- when an employee has been matched with a child to be placed with them by a UK adoption agency
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (parents in surrogacy arrangements)

1.3 Statutory Adoption Pay (SAP) for employees is:

- 90% of their gross average weekly earnings for the first 6 weeks
- £139.58 a week or 90% of their gross average weekly earnings (whichever is lower) for the next 33 weeks

Tax and National Insurance need to be deducted.

1.4 Some employees won't qualify for both leave and pay, to qualify for:

(i) Statutory Adoption Leave employees must:

- give Triple C (Liverpool) the correct notice
- be classed as an employee

Employees don't have to give Triple C (Liverpool) proof of the adoption or surrogacy unless we request it.

(ii) Statutory Adoption Pay employees must:

- have worked for Triple C (Liverpool) continuously for at least 26 weeks by the week they were matched with a child
- be on Triple C (Liverpool) payroll and earn at least £112 a week in an 8-week period - the 'relevant period'
- give Triple C (Liverpool) the correct notice
- give Triple C (Liverpool) proof of the adoption or surrogacy

There are special rules for some employee situations, e.g. if they leave, become sick or if they or their child dies.

(iii) Overseas adoptions, the conditions are the same, except the employee:

- must have 'official notification' (permission from a UK authority) that they can adopt from abroad
- must fill in the declaration on form SC6 if they're adopting a child with their partner

Form SC6 confirms they're not taking paternity leave or pay.

(iv) Employees in surrogacy arrangements, the other conditions are the same except for Statutory Adoption Pay they must have worked for Triple C (Liverpool) continuously for at least 26 weeks by the 15th week before the week the baby is due.

If Triple C (Liverpool) ask, employees must give proof that they intend to become the baby's legal parent.

1.5 Employees won't qualify for either adoption leave or pay if they:

- become a special guardian or kinship carer
- adopt a stepchild
- adopt a family member or stepchild
- adopt privately, e.g. without permission from a UK authority or adoption agency

1.6 Notice doesn't have to be in writing unless Triple C (Liverpool) request it.

1.7 Employees must usually give Triple C (Liverpool) 28 days' notice before they want to be paid Statutory Adoption Pay, unless the time between the child being matched and placed is less than that.

2 Statutory Adoption Leave

2.1 Within 7 days of being matched with a child, employees must tell Triple C (Liverpool):

- how much leave they want
- their leave start date
- the 'date of placement' - the expected or actual date the child is placed with them

Triple C (Liverpool) will write within 28 days to them confirming the employees leave start and end date.

2.2 Employees in surrogacy arrangements must tell Triple C (Liverpool) at least 15 weeks before the due date, when they want to start their leave. Triple C (Liverpool) can ask for this in writing.

2.3 Employees must tell Triple C (Liverpool) about changes to leave dates at least 28 days before their original start date or the new start date - whichever is earlier.

2.4 Triple C (Liverpool) will write to the employee if you have to amend their leave start and end dates.

2.5 Employees must give 8 weeks' notice if they want to change the date they return to work.

2.6 Overseas adoptions - The rules are different for leave if it's an overseas adoption. Employees must tell Triple C (Liverpool):

- the date of their 'official notification' and the expected date the child arrives in the UK - within 28 days of getting the notification
- the actual date the child arrives in the UK - within 28 days of this date
- how much leave they want and when they want it to start - giving you 28 days' notice

2.7 Triple C (Liverpool) have 28 days to write to the employee confirming their leave start and end date.

3 Proof of adoption/surrogacy arrangements

3.1 Employees must give Triple C (Liverpool) proof of adoption to qualify for Statutory Adoption Pay. Proof isn't needed for Statutory Adoption Leave unless Triple C (Liverpool) ask for it.

3.2 For adoption, the proof must show the:

- name and address of the agency and employee
- date the child was matched, e.g. the matching certificate
- the expected or actual date of placement, e.g. a letter from the agency
- the relevant UK authority's 'official notification' confirming the parent is allowed to adopt (overseas adoptions only)
- the date the child arrived in the UK, e.g. plane ticket (overseas adoptions only)

- 3.3 Triple C (Liverpool) must keep records of the proof.
- 3.4 Proof of Surrogacy arrangements isn't needed for leave or pay unless Triple C (Liverpool) ask for it.
- 3.5 If Triple C (Liverpool) ask, employees must give a written statement ('statutory declaration') to confirm they intend to apply for a parental order in the 6 months after the baby's birth.

4 Refusing pay or leave

4.1 Statutory Adoption Leave

- Triple C (Liverpool) can't refuse adoption leave or change the amount of leave employees want to take off.
- For adoption, Triple C (Liverpool) can delay the start date if the employee doesn't have a reasonable excuse for giving the wrong amount of notice. To delay it, write to the employee within 28 days of their leave request.

4.2 Statutory Adoption Pay

- Triple C (Liverpool) can refuse Statutory Adoption Pay if the employee doesn't qualify.
- To refuse it, give the employee form SAPI within 7 days of Triple C (Liverpool) decision. The employee must get this form within 28 days of their request for Statutory Adoption Pay or the date they were matched with the child (whichever is earlier).

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