



ADOPTION POLICY & PROCEDURE

Mission Statement

WeST holds a deep seated belief in education and lifelong learning. Effective collaboration, mutual support and professional challenge will underpin our quest to ensure that all of the children and adults we serve are given every opportunity to fulfil their potential and succeed in life.

Westcountry Schools' Trust adopted this policy in July 2019.

Westcountry Schools' Trust will review this policy biannually

NB For the purpose of this Policy the term "**Responsible Officer**" will refer to Principal/Headteacher, CEO, Executive Primary Principal or TLI Director.

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Policy

1.0 Introduction

- 1.1 This policy applies to all staff employed by Westcountry Schools Trust (WeST), including school support staff and teachers.

2.0 Policy

- 2.1 This policy sets out the rights of WeST employees to time off before adoption placement, adoption leave and pay in accordance with national, local and statutory conditions of service. Nothing in the provisions shall be construed as providing rights less favourable than statutory rights.

3.0 Scope

- 3.1 This policy applies to all staff employed by WeST, regardless of the number of hours worked per week.
- 3.2 This policy provides for adoption leave to an employee who is adopting a child, and adoption pay if eligible, regardless of gender.
- 3.3 Where a couple are jointly adopting, the other adoptive parent, if they are employed by WeST, may be entitled to time off before adoption placement, adoption support leave and pay (also known as statutory paternity leave and pay), as set out in the Paternity Policy, regardless of gender. (If he/she is not employed by WeST, he/she may be entitled to take adoption support/ paternity leave and pay with his/her employer).
- 3.4 Where an employee is adopting individually, only he/she is entitled to take time off before adoption placement, adoption leave, and adoption pay if eligible – although his/her partner may be entitled to adoption support/ paternity leave and pay, as outlined above.
- 3.5 Adoption support leave and pay cannot be taken by the same person under the same adoptive arrangement.
- 3.6 There are two elements to this policy, the statutory entitlements and the contractual entitlements. The policy incorporates an amalgamation of the two sets of entitlements.

4.0 Principles

- 4.1 Employees are free to exercise their rights to time off before adoption placement, adoption leave, and adoption pay if eligible, and the right to return to work.

- 4.2 Full consideration is given to the full range of flexible working arrangements when requested by employees returning to work after adoption leave and these are arranged wherever possible in response to such requests.
- 4.3 Where a couple is jointly adopting, requests by the other adoptive parent, if they are employed by WeST, for flexible working arrangements around or after the time of the adoption placement, are treated sympathetically.

5.0 Right to time off before Adoption Placement (see also Section 13.2)

- 5.1 Prospective adoptive parents have the right to take time off work to meet the child that they are set to adopt before the adoption placement begins or for any other purpose connected with the adoption.
- 5.2 Employees with 1 year's continuous service may take up to 5 days paid leave for visits prior to the placement, which may include one court appearance following placement, related to the adoption order.
- 5.3 An employee is not entitled to take time off under this provision unless the appointment has been arranged by – or at the request of – the adoption agency.
- 5.4 Where the length of service is less than 1 year, the primary adopter may take time off to attend up to 5 appointments. Each of those appointments may last up to 6.5 hours.
- 5.5 Employees with less than 1 year's length of service have the right to be paid at their normal hourly rate for the number of hours that the employee is actually absent (up to 6.5 hours) on no more than 5 occasions.
- 5.6 The primary adopter's partner (where his or her partner is adopting the child jointly) is permitted to attend up to 2 appointments, but on an unpaid basis. These appointments are subject to the same time restrictions (maximum 6.5 hours). The relevant appointments must be arranged at the request of the adoption agency.
- 5.7 An employee (or employee's partner) is not entitled to take time off under this provision after the date of the child's placement. The reader should refer to the Paternity Policy in this case.
- 5.8 WeST may request that the employee (or employee's partner) produce a document showing the date and time of the appointment. This may be provided in electronic form.
- 5.9 There is no increase to these provisions in cases where more than one child is to be [or is expected to be] placed.

Procedure

6.0 Notification and commencement of adoption leave

- 6.1 An employee must inform his/her line manager in writing of his/her intention to take adoption leave within 7 days of being notified by his/her adoption agency that they have been matched with a child for adoption, unless this is not reasonably practicable. The letter must include the expected date of placement and the date when they intend to start his/her adoption leave. A copy of this letter must be forwarded to HR Admin or the School Administrator together with documentary evidence from his/her adoption agency in the form of a 'matching certificate' as evidence of his/her entitlement to Statutory Adoption Pay (SAP).
- 6.2 The Line Manager (usually the Headteacher/Principal or TLI Director) or the School Administrator will inform Payroll Section who will send the employee an Adoption Information letter, which includes the relevant payroll notification form that must be completed and returned to Payroll as soon as possible. A copy of the form must be given to the line manager who must arrange for it to be placed on the employee's personnel file. Please speak to the Trust HR team for further advice.
- 6.3 The line manager will respond within 28 days setting out the date on which the employee is expected to return to work if the full entitlement of adoption leave is taken.
- 6.4 When the employee begins adoption leave, the line manager must ensure that the 'Online Absence Report' is completed, or relevant payroll system, stating the date that the employee commenced adoption leave.
- 6.5 The line manager should also make a note of when the employee is expected to return to ensure that a further payroll system notification is completed at that time notifying Payroll of the employee's return to work. The reason for absence should be indicated in the 'other' category and 'adoption leave' should be clearly written in the box.
- 6.6 If a performance appraisal is due whilst the employee will be on adoption leave, the line manager should agree with the employee to either carry this out before he/she starts his/her leave or upon his/her return.
- 6.7 An employee should discuss the management of his/her annual leave with his/her line manager at the earliest opportunity so that he/she is able to take his/her annual leave around the needs of the service (see Guidance).
- 6.8 If a temporary replacement is required to cover an employee's adoption leave, the temporary employee must be informed in writing that his/her employment will be terminated on the return to work of the employee who has taken adoption leave.

7.0 Contact during adoption leave

- 7.1 Managers will maintain reasonable contact with an employee during his/her adoption leave period to discuss issues such as return to work and will keep him/her informed of vacancies, any significant workplace developments and training opportunities.
- 7.2 Contact will not constitute 'work' and not therefore count towards the 10 days 'Keeping in Touch' days (see Section 7) or bring the adoption leave period to an end.

8.0 Working during adoption leave/'Keeping in Touch' days

- 8.1 An employee can work 10 'Keeping in Touch' days during his/her adoption leave without bringing his/her adoption leave to an end. Working for part of a day will count as one day.
- 8.2 Work is defined as any work carried out under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.
- 8.3 A manager cannot insist that an employee carries out any work and equally an employee cannot insist on being given any work to do.
- 8.4 An employee's adoption leave will not be extended due to the fact that he/she has carried out some work during this period.
- 8.5 An employee will not lose any Statutory Adoption Pay (SAP) for working up to 10 days.
- 8.6 An employee will be paid his/her normal rate of pay for any work carried out under the contract of employment and this will be offset against any SAP due for each day.
- 8.7 An employee will lose their SAP for any week in which they do any further work.

9.0 Return to work after adoption leave

- 9.1 **Return at the end of Ordinary Adoption Leave (OAL)** – If the employee chooses to return when the OAL period ends after 26 weeks, he/she does not have to give specific notice, although he/she should confirm to his/her line manager the date he/she wishes to return so that arrangements can be made.
- 9.2 **Return during Ordinary Adoption Leave (OAL)** – If the employee chooses to return before the 26 weeks have elapsed, he/she must give notice, in writing if requested, at least 21 days before his/her return. Where the notice given is less than 21 days, the employer may postpone the return to ensure 21 days' notice but not beyond the period of the adoption leave period.
- 9.3 **Return at the end of Additional Adoption Leave (AAL)** – If the employee chooses to return when the AAL period ends, he/she does not have to give specific notice.
- 9.4 **Return during Additional Adoption Leave (AAL)** – If the employee chooses to return before the 52 weeks have elapsed, he/she must give notice, in writing if requested, at least 21 days before his/her return. Where the notice given is less than 21 days' notice, the employer may postpone the return to ensure 21 days' notice but not beyond the end of the adoption leave period.
- 9.5 **Altering an early return date** – If an employee changes his/her mind about the date he/she intends to return, where he/she has already notified an early return date, he/she must give 21 days' notice before the new date, and at least 21 before the original early return date.
- 9.6 **Return to work and sickness absence** – If the employee is unable to return to work on the expected date due to sickness, he/she has still exercised his/her right to return to work by complying with the notification procedure. He/she will then commence a period of sickness absence, and be treated as any other employee who is absent due to sickness, including his/her payment of sick pay, as appropriate.
- 9.7 The line manager should ensure that the 'Online Absence Report' or other payroll notification is completed upon the employee's return to work.
- 9.8 The line manager and employee should calculate any entitlement to public/extra statutory holidays that occurred during the adoption leave period and make arrangements for the taking of substitute days.

10.0 Flexible working requests

- 10.1 An employee returning to work may make a request to work flexibly, as set out in the Trust's Flexible Working Requests Policy

Types of flexible work patterns include the consideration of flexi-time, part-time working, job share as well as other flexible working arrangements where these meet the needs of the service.

11.0 Choosing not to return to work

- 11.1 The employee must give normal notice of resignation if he/she does not intend to return to work after his/her adoption leave.
- 11.2 The employee will have received a lower rate of adoption pay or will have to pay back any half pay received, as part of Contractual Adoption Pay (CAP). Payroll will notify the employee of their particular circumstances.
- 11.3 The last day of adoption leave will be the last day of service, unless the employee has given written notice that he/she wishes to resign on an earlier date.
- 11.4 The line manager will need to ensure that a Leaver's Form (or relevant payroll system) is completed, confirming the end of the employee's employment.

Guidance

12.0 Adopting a child from overseas

- 12.1 To qualify for adoption leave and pay, an employee who adopts from overseas must have received written official notification issued by or behalf of a relevant UK authority (usually the Department of Health) which confirms that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.
- 12.2 To receive adoption leave, and pay if eligible, the employee must submit to Payroll (via HR Admin or school administrator) the following evidence:
 - a copy of the official notification at least 28 days before he/she wishes to claim Statutory Adoption Pay (SAP)
 - 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.

13.0 Adoption leave entitlements

- 13.1 An employee is entitled to take 26 weeks of **Ordinary Adoption Leave (OAL)** followed immediately by 26 weeks **Additional Adoption Leave (AAL)**. An employee's maximum entitlement is thus to take up to 52 weeks' adoption leave.
- 13.2 In addition, employees with 1 year's continuous service may take up to 5 days paid leave for visits prior to the placement, which may include one court appearance following placement, related to the adoption order.
- 13.3 To qualify for these entitlements, the employee must have been newly matched with a child for adoption by an approved adoption agency.

The entitlements do not apply to step family adoption, although, leave, equivalent to the compassionate leave provisions for sickness should be allowed for an employee taking the main caring responsibility.

A foster parent only qualifies for these entitlements if the child that he/she has fostered is then matched with him/her for adoption by a UK adoption agency. Adoption via a court does not count. The child is then actually placed with him/her for adoption. The adoption leave only relates to the actual placement for adoption – any period of foster caring does not count.

Where a foster parent does not qualify, as set out above, leave, equivalent to the compassionate leave provisions for sickness should be allowed for an employee taking the main caring responsibility. However, in cases where there has been a period apart between fostering and adoption, a period of one months' unpaid leave may also be allowed.

- 13.4 Only one adoptive parent (the main adoptive parent) is entitled to take adoption leave.
- 13.5 Only one period of adoption leave and pay can be taken in the case of multiple adoptions i.e. where more than one child is adopted as part of the same arrangement.
- 13.6 In some cases more than one child may be placed with the adopter under separate arrangements within the period of adoption leave for the first child. This can happen where two or more siblings are adopted from the same family.

When a 2nd child is placed with the adopter, the employee will only be entitled to a further period of Statutory/Contractual Adoption Pay (SAP and CAP) and Adoption Leave where each child has been placed under separate adoption arrangements. If a separate Matching Certificate is issued this would be considered as a separate arrangement.

Entitlement to a further period of adoption leave and up to a further 39 weeks of CAP/SAP will commence from the date the second child is placed with the adopter.

13.6.1 CAP/SAP

Where the two periods of CAP/SAP and adoption leave overlap, payment of the first period of CAP/SAP will continue, regardless of the commencement of the second period of payment. However, the total amount of CAP may be reduced if payment of this means that they receive more than their normal rate of pay at any one time.

SAP is calculated using the "relevant period", which is an 8-week period immediately prior to the matching week. Therefore, the amount of CAP/SAP payable to the adopter for the 2nd period of adoption leave will be affected by the salary they are receiving during the 8 week period immediately prior to the 2nd matching date. If they are in the unpaid period of the first Adoption leave, they may not qualify for SAP for the second adoption leave.

13.6.2 Adoption Leave

The first period of adoption leave will stop from the date when the second period of leave starts. The 2nd period of leave will be made up of 26 weeks OAL and 26 weeks AAL.

- 13.7 The employee can choose to start his/her adoption leave either from the date of the child's placement, or a fixed date up to 14 days earlier. For overseas adoptions, the employee may choose to start his/her adoption leave either from the date the child enters the UK, or a fixed date no later than 28 days after the date the child enters the UK.
- 13.8 To be eligible for adoption leave, the employee must meet specific notification requirements (see Procedure).
- 13.9 Adoption leave can begin on any day of the week and the adoptive parent may choose to take less than his/her full entitlement.
- 13.10 One week's adoption leave will be equal to the duration of the period for which the employee is normally required to work in one week under his/her contract of employment.
- 13.11 The adoptive parent will be able to change his/her mind about the date on which they want his/her leave to start providing he/she provides notification at least 28 days in advance of the start of his/her leave (unless this is not reasonably practicable).
- 13.12 If the child's placement ends during the adoption leave period, providing more than 8 weeks of leave remain, the employee will be able to continue adoption leave for up to 8 weeks after the child stopped living with him/her.

14.0 Adoption pay

- 14.1 Entitlement to adoption pay is based on an employee's length of continuous service. The charts outlined in Appendix 1 (applicable to all employees excluding teachers) and Appendix 2 (applicable to teachers) provide more detailed information.
- 14.2.1 An employee may be eligible for one or more of the following payments, and entitlement will begin when he/she commences OAL:
- **Statutory Adoption Pay (SAP)** - An employee is eligible for SAP providing he/she meets certain criteria. The Payroll Section will advise the employee of his/her entitlement. SAP payments are paid at 90% of average weekly pay for the first 6 weeks, followed by 33 weeks at a flat rate, or, at 90% of average weekly earnings if this is less. Current rates are available from the Gov.UK website.

- **Contractual Adoption Pay (CAP)** - This will depend on an employee's length of service (see Appendices 1 and 2 for details, and clause 13.3 below).

Both SAP and CAP are treated as earnings and are therefore subject to PAYE and national insurance deductions.

- 14.3 If an employee has declared that he/she will be returning to work following his/her adoption leave, he/she must return to local government employment or WeST for a period of time in order to 'protect' his/her Contractual Adoption Pay (CAP). The period for which the employee must return is 3 months in local government service and for teachers 13 weeks with WeST, regardless of the number of hours worked. Contractual payments are made at the normal pay interval (less normal deductions) or withheld until the employee returns to work, when the amount is paid as a lump sum (less normal deductions).
- 14.4 If an employee decides not to return to work (i.e. resigns) or the contract ends for a reason other than redundancy whilst on adoption leave, CAP ceases when the employment ends. The employee is required to repay the half pay elements of CAP (12 weeks) paid up to and including the last day of employment if he/she does not return to local government/WeST employment (as set out in 13.3). Payroll will notify the employee of the amount. (This applies to employees on permanent and fixed term contracts).
- 14.5 If an employee is made redundant whilst on adoption leave, CAP ceases on the last day of employment. The employee is not required to pay back any half pay elements of CAP (12 weeks) paid up to and including the last day of employment. (This applies to employees on permanent and fixed term contracts).
- 14.6 The employee will not have to refund SAP payments.
- 14.7 To be eligible for adoption pay, an employee must meet specific notification requirements (see Procedure).
- 14.8.1 If the adopted child's placement ends during the adoption leave period and SAP is being paid, SAP payments will end 8 weeks after the end of the pay week in which the child stopped living with the employee.
- 14.9 Adoption pay will cease in any week following the week in which the adopted child reaches 18 years of age.

15.0 Annual leave entitlement during adoption leave

(not applicable to teachers or school staff who take their holidays during school closure periods)

- 15.1 Adoption leave does not affect annual leave entitlement i.e. when taking adoption leave the employee will still be entitled to his/her full annual leave allowance within the year(s) in which the adoption leave falls.
- 15.2 If an employee's adoption leave spans two annual leave years, they will be able to carry forward their contractual entitlement into the new leave year. However, the manager should be proactive about managing the amount of leave that the

employee will have, and discuss the options available as early as possible (see Procedure). These options could be to:

- take annual leave before the start of the adoption leave;
- start the adoption leave earlier than anticipated and fit in the annual leave before returning to work;
- return before the end of the adoption leave so that the remaining leave can be taken before the end of the annual leave year;
- take annual leave at the end of adoption leave, fitting it in before returning to work.

Any leave carried over must be taken by 31st August of the subsequent leave year.

- 15.3 During adoption leave annual leave will accrue in the same way as it did before the absence began. If the employee returns to work on a reduced hours basis, on the date of return to work the annual leave will begin to be calculated at the new pro-rata rate.
- 15.4 If the employee decides not to return to work, annual leave will accrue up to the final date of service.
- 15.5 If, during the adoption leave period, the employee subsequently decides not to return to work and too much annual leave has been taken, there will be a requirement to pay back any overtaken annual leave.

16.0 Annual leave entitlement during adoption leave

(applicable to teachers and school staff who take their holidays during school closure periods)

- 16.1 a The leave year for teachers, for the purpose of establishing annual leave entitlement, whilst on adoption leave is 1 September to 31 August.
- b The leave year for support staff on NJC terms and conditions, for the purpose of establishing annual leave entitlement, whilst on adoption leave is 1 April to 31 March.
- 16.2 Following the introduction of the Working Time (Amendment) Regulations 2007, which came into effect on 1 October 2007, the statutory leave entitlement has increased to 28 days (5.6 weeks), pro rata for those working part time. This is not an additional entitlement to annual leave on top of the current school closure arrangements.
- 16.3 Employees on adoption leave are entitled to the statutory annual leave under the Working Time Regulations. Employees taking adoption leave must be able to take the statutory annual leave, as set out above, at a time outside of the adoption leave. Annual leave entitlement can be offset by any period of school closure that has taken place in the leave year in question i.e. both before and after the adoption leave period.
- 16.4 On return from adoption leave, employees must be allowed to take any outstanding leave during term time during that leave year if there are insufficient

school closures to accommodate leave in that leave year. Where the return from adoption leave is so close to the end of the leave year that there is not enough time to take all of the annual leave entitlement, an employee must be allowed to carry over any balance of leave to the following leave year. Employees can be required to take this during the remaining periods of school closure after the statutory annual leave for that leave year has been accommodated.

- 16.5 It will not be possible for employees to obtain payment in lieu of untaken annual leave instead of taking leave during the leave year. However, payment in lieu may be necessary, if the employee does not return to the job following adoption leave. Payment will be made in accordance with the Working Time Regulations and is not pensionable.

Please contact the HR team for further advice.

17.0 Public and extra statutory holiday entitlement during adoption leave

(not applicable to teachers or school staff who take their holidays during school closure periods)

- 17.1 **Full time employees** - During OAL, an employee is entitled to accrue public holiday entitlement as those public holidays and extra statutory days fall, with a substitute day of paid leave being provided at another time.

An employee who is due to have a child placed with him/her for adoption, or who has a child adopted from overseas entering the UK, during OAL and AAL, is entitled to accrue public holiday entitlement as those public holidays and extra statutory days fall, with a substitute day of paid leave being provided at another time.

- 17.2 **Part time employees** - During OAL an employee is entitled to accrue pro-rata public holiday and extra statutory day entitlement, as those days fall, and will be given a substitute day of paid leave at another time.

An employee who is due to have a child placed with him/her for adoption, or who has a child adopted from overseas entering the UK, during OAL and AAL, is entitled to accrue pro-rata public holiday and extra statutory day entitlement, as those days fall, and will be given a substitute day of paid leave at another time.

- 17.3 **Term time employees** - Term time only employees should be given a substitute day of paid leave during term time, where a public holiday/extra statutory day falls during their OAL period. This should be managed locally, in the same way as the additional day of annual leave after 10 years' continuous service.

An employee who is due to have a child placed with him/her for adoption, or who has a child adopted from overseas entering the UK, should be given a substitute day of paid leave during term time where a public holiday/extra statutory day falls during their OAL or AAL period.

- 17.4 Substitute days of leave may be taken immediately following the end of the period of adoption leave, which should allow for any adoption cover arrangements to be

managed most effectively. Alternatively, any substitute days of leave may be added to the leave entitlement to be taken upon the return to work. In all cases, this should be recorded on leave cards in the normal manner.

- 17.5 **Technology Day** – For support staff where applicable, the former Technology Day has been added to the extra statutory days therefore entitlement for this day continues to accrue during periods of OAL and AAL and this entitlement added to annual leave.

18.0 Pension contributions during adoption

18.1 Teachers:

- During the period of paid adoption leave, pension contributions will be paid and deducted from the teachers' pay in the usual manner.
- Any unpaid period will not be pensionable/reckonable.
- Contact Teachers Pensions online at www.teacherspensions.co.uk

18.2 All Other Employees:

- During any period of paid or unpaid statutory adoption leave, employees who are members of the Local Government Pension Scheme (LGPS) will pay basic pension contributions on the pay actually received but WeST will pay pension contributions on the pay the employee would have received had she been at work (Assumed Pensionable Pay (APP)). The pension will accrue as normal as if the employee had been at work.
- During any period of unpaid additional Adoption Leave, pension will not accrue, unless the employee elects to pay Additional Pension Contributions (APC) by buying the 'lost' pension.
- If an employee elects to buy the 'lost' pension by paying an APC within 30 days of returning to work, the employer must pay 2/3rds of the total cost with the remaining 1/3rd being paid by the employee. If the election is not made within the 30 day period then the employee will pay the full cost, unless the employer chooses to contribute towards the cost.
- If the employee wishes to buy the 'lost' pension they need to read the employee factsheet ([ABSENCES – Buying lost pension from 1st April 2014 by paying Additional Pension Contributions \(APC\)](#)) which can be found on the Peninsula Pensions website, which explains how to calculate the cost and then what the process is.
- Where an employee works on a Keeping in Touch Day, both the employee and the employer will pay contributions based on the pay the employee receives for that day and it will count in full for pension purposes

19.0 Right to return to work

- 19.1 An employee has the right to return to work, at any time during either OAL or AAL. Alternatively, he/she may take his/her full period of adoption leave and return at the end of this period. (See Procedure).

- 19.2 'Return to work' means to the job to which the employee was employed under his/her original contract of employment, and on terms and conditions not less favourable than those which would have been applicable to him/her if he/she had not been absent. 'Job' for this purpose, means the nature of the work that he/she is employed to do and the capacity and place in which he/she is so employed.
- 19.3 Where it is not practicable by reason of redundancy for the employer to permit the employee to return to work in his/her job, the employee shall be entitled to be offered a suitable alternative vacancy where one exists. The duties in that post should be suitable for the employee and appropriate to the circumstances. Also, the capacity and place in which he/she is to be employed and his/her terms and conditions of employment should not be substantially less favourable to him/her than if she had been able to return to the job in which he/she was originally employed.
- 19.4 Suitable alternative employment as described above may also be offered if exceptional circumstances other than redundancy (e.g. a general reorganisation), which would have occurred if the employee had not been absent, necessitate a change in the job in which he/she was employed prior to his/her absence.

20.0 Return to Local Government service following a resignation and break for adoption reasons

(not applicable to teachers)

- 20.1 Where an employee returns to local government service following a break for maternity or other reasons concerned with caring for children or other dependants he/she will be entitled to have previous service taken into account in respect of the following provisions provided that the break in service does not exceed eight years and that no permanent paid full time employment has intervened:
- Sickness provisions
 - Maternity provisions
 - Adoption provisions
 - Period of notice to terminate employment
- 20.2 For the purpose of the calculation of entitlement to annual leave, the 8 years time limit does not apply, provided that no permanent full time employment has intervened.
- 20.3 The calculation of continuous service for rights against unfair dismissal or redundancy payments is not included within this contractual provision.
- 20.4 If an employee chooses to return to local government with WeST, he/she may be asked to complete and sign a form confirming his/her service and that no paid employment has intervened.

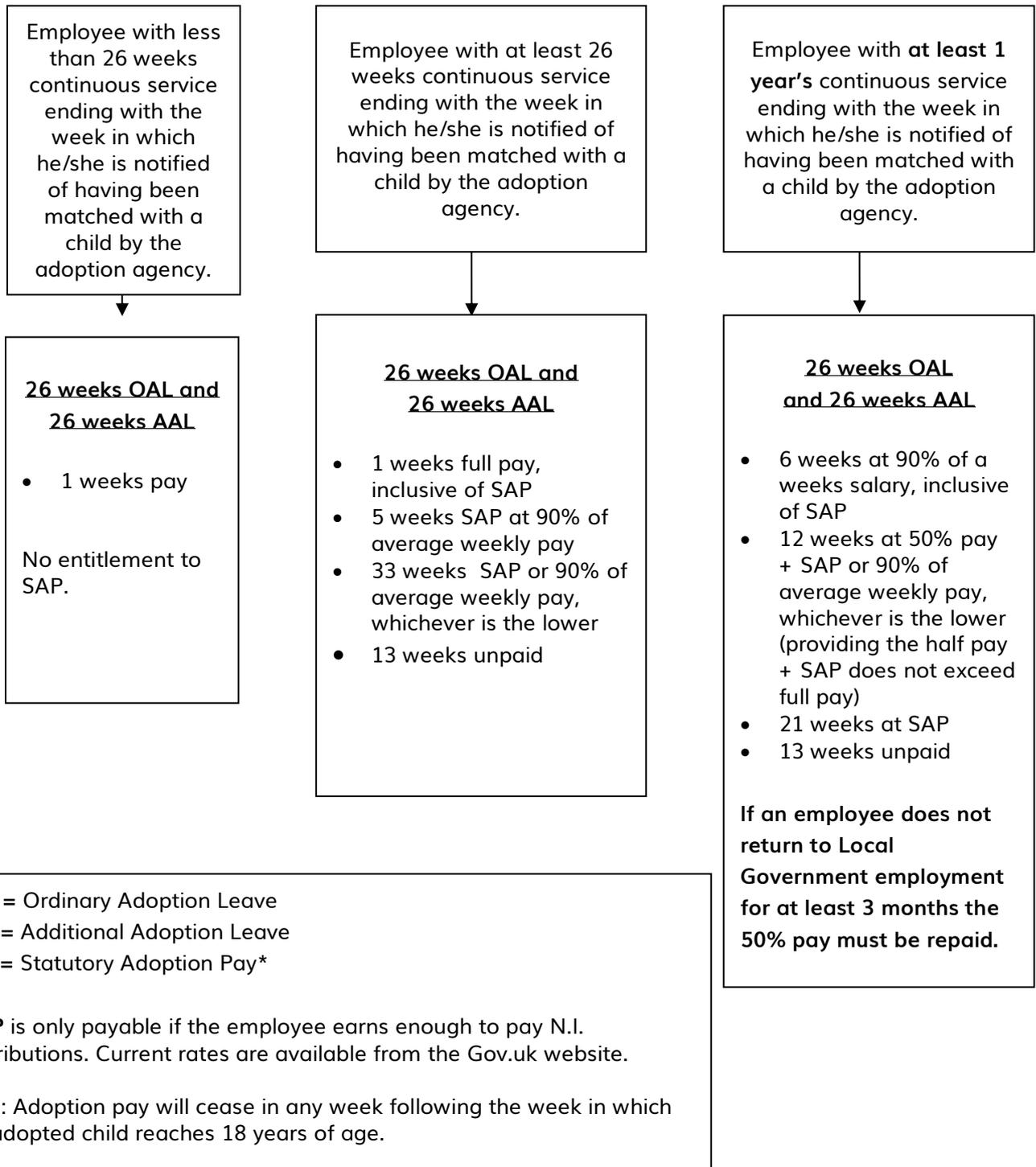
21.0 Equalities

- 21.1 WeST is committed to equality in its adoption policy.

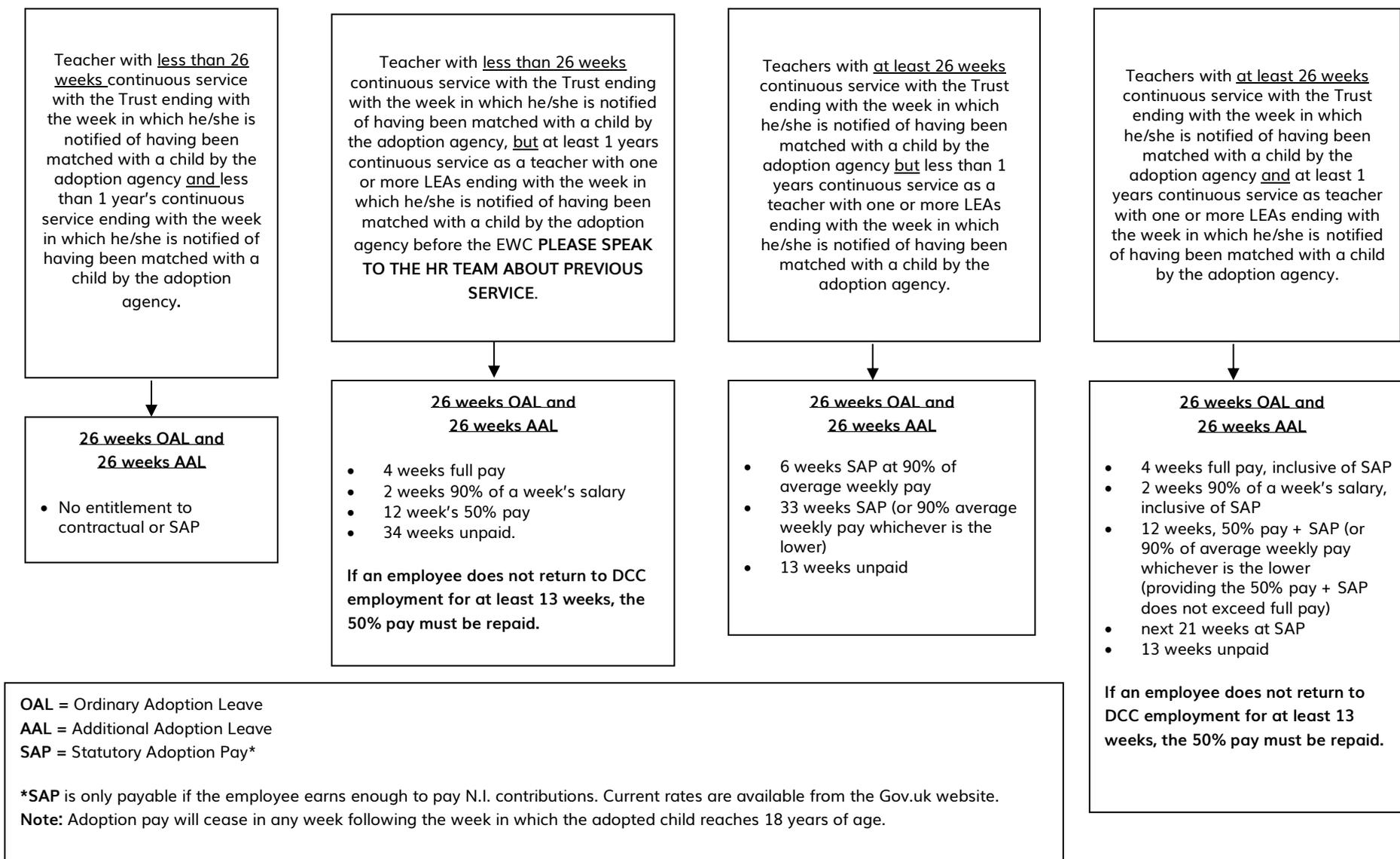
21.2 The conditions for qualification for leave and pay under the adoption leave policy will not disadvantage any employee on the grounds of age, race or ethnicity, disability, gender and marital status, gender identity or sexual orientation, religion or belief.

Appendix 1

All Employees (excluding Teachers) Adoption Benefits Flow Chart



Appendix 2 Teachers Adoption Benefits Flow Chart



Appendix 3 – Terms and Abbreviations

Additional Adoption Leave (AAL)	An additional 26 weeks adoption leave, immediately following Ordinary Adoption Leave (OAL), which gives the right to 52 weeks (one year's) adoption leave in total, regardless of length of continuous service.
Continuous service (excluding teachers)	Continuous service includes continuous previous service with any public authority to which the Redundancy payments Modification Order (Local Government) 1983 (as amended) applies.
Continuous service (Teachers)	Continuous service includes continuous previous service as a teacher with any Local Authority under the Redundancy Payments Modification Order.
Contractual Adoption Pay (CAP)	This is the payment made by WeST over and above SAP, as part of the employee's Conditions of Service.
Job	For this purpose, means the nature of the work that the employee is employed to do and the capacity and place in which he/she is so employed.
Ordinary Adoption Leave (OAL)	26 weeks adoption leave.
Return to Work	Means to the job to which the employee was employed under his/her original contract of employment, and on terms and conditions not less favourable than those which would have been applicable to him/her if she had not been absent.
Statutory Adoption Pay (SAP)	Providing the entitlement and National Insurance contribution criteria are met the employee will be entitled to SAP. This payment is made by WeST on behalf of the Department for Work and Pensions. Current rates are available from the Gov.uk website.
Week	An employee can start to receive his/her SAP on any day of the week.
Week's Pay	This is usually the amount payable by WeST to the employee under his/her current contract of employment for working his/her normal hours in a week.

WeSTcountry Schools Trust (WeST)

Appendix 4 - Useful Contacts and Information

WeST HR Team

01752 891754 Ext 1765
Email: hr@westst.org.uk

Please contact your school/setting administrator for contact details for your local payroll/pensions provider.

HM Revenue & Customs

<https://www.gov.uk/government/organisations/hm-revenue-customs>

Department for Work & Pensions

<https://www.gov.uk/government/organisations/department-for-work-pensions>

Gov.uk

<http://www.gov.uk>

WeSTcountry Schools Trust (WeST)

POLICY HISTORY

Policy Date	Summary of Change	Contact	Version / Implementation Date	Review Date
15.11.2012	Update to reflect change of forms from CTP15/16 to ADOPT 5/6 Update to 5.3 to reflect line manager responsibility	HR Direct	15.11.2012	
01.11.2013	Amendment to 14.2 regarding carryover of annual leave. Update HR Direct to HR ONE Helpline	HR ONE	01.11.2013	
26.6.2014	Update to Section 18 as result of changes to LGPS, effective 1/4/14	HR ONE	26.6.14	
08.12.2014	Update to Section 14, 15 and 16 to encompass staff who work in schools and take their leave during school closure periods	HR ONE	01.01.15	April 2015
24.12.2014	New Section added (Section 5) to cover provisions for time off before adoption placement	HR ONE	05.04.15	April 2015
20.04.2015	Update to reflect the changes to Statutory Adoption Pay, for placements on or after the 5 April 2015.	HR Direct	05.04.15	April 2015
01.09.2018	Policy adopted by WeST	WeST HR	01.09.18	April 2019
March 2019	Review and consultation with JCNC	WeST HR	March/April 2019	
May 2019	Review by Trust Board & subject to local consultation, agreed 11 July 2019 at Trust Board.	WeST HR	May 2019	Biannually or at change in Statutory guidance.