

Additional Information



Adoption Leave and Pay - Police Staff

URN: J-Pr-056

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Host Force: Dorset Police
Host Policy Unit: Dorset Police Legitimacy Team
Policy Owner: Alliance Head of Employee Relations – HR Operations
Policy Author: Strategy & Policy Lead Employee Relations

Policy Area: Family Leave

Associated Policy: [J-P-034 Family Leave Policy](#)
Further policies and procedures listed in 'Associated Documents' section.

Applicable to:

Devon & Cornwall Police	<input checked="" type="checkbox"/>
Dorset Police	<input checked="" type="checkbox"/>
OPCC Devon & Cornwall	<input type="checkbox"/>
OPCC Dorset	<input checked="" type="checkbox"/>
Officers	<input type="checkbox"/>
Staff	<input checked="" type="checkbox"/>

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1.0 Introduction

This guide includes quotations from, and information based on, the 'Gov.UK' website. The information from Gov.uk is provided in line with the terms of the [Open Government Licence v3.0](#).

When adopting a child an employee may, subject to meeting certain eligibility criteria, be entitled to statutory and occupational adoption leave and pay. These eligibility criteria differ for UK and overseas adoptions.

2.0 UK Adoption

The employee must produce proof of adoption, usually a matching certificate from an official UK adoption agency.

Statutory Adoption Leave (SAL)

SAL is for up to 52 weeks with no continuous service period required and is made up of 26 weeks of Ordinary Adoption Leave and 26 weeks of Additional Adoption Leave.

Only one person in a couple can take adoption leave, however their partner could take paternity (adoption support) leave instead. Where an employee is matched for adoption with more than one child at the same time, this does not increase their entitlement to adoption leave.

To be eligible, individuals must be classed as an 'employee', give the Force the correct notice and provide proof of the adoption, where requested.

Within seven days' of being matched with the child the employee must advise the Force in writing of:

- a) how much leave they want to take,
- b) the leave start date,
- c) the date the child is placed with the employee (known as the 'date of placement').

In exceptional circumstances, where it is not reasonably practicable for the employee to give seven days' notice, the notice should be given as soon as possible.

SAL can start:

- For UK adoptions - up to 14 days before the date the child starts living with the employee (date of placement),
- For overseas adoptions - when the child arrives in the UK or within 28 days of this date,
- For surrogacy arrangements – the day the child is born, or the day after.

The employee must advise the Force in writing if:

- The date of placement (or UK arrival date for overseas adoptions) changes, providing at least 28 days' notice, where practicable,

- They want to change their return to work date, giving at least eight weeks' notice.

Statutory Adoption Pay (SAP)

SAP is payable for 39 weeks' and starts when the employee takes their adoption leave. The entitlement to SAP only applies where the employee has a minimum of 26 weeks' continuous service, paid by the Force, by the week they were matched with a child, and they have provided the correct notice and proof of the adoption.

An employee must give the Force at least 28 days' notice in writing that they want to stop work to adopt a child and when they want their SAP to start. This may vary in the event of the period from matching to placing the child being less than 28 days.

An employee must provide the Force with proof of adoption to qualify for SAP; proof of adoption should include:

- The employee's name and address and that of the adoption agency,
- The match date, e.g., 'the matching certificate',
- The date of placement, e.g., a letter from the adoption agency,
- For overseas adoption only:
 - The relevant UK authority's official notification confirming the employee is allowed to adopt, and
 - The date the child arrived in the UK, which may be a copy of the plane ticket for the journey to the UK.

Employees do not qualify for SAL or pay if they:

- Arrange a private adoption,
- Become a special guardian or kinship carer,
- Adopt a stepchild who was previously living with them,
- Adopt a family member.

If an employee does not qualify for SAP, the Force will provide the employee with a Form SAP1 and an explanation as to why they are not eligible.

Occupational Adoption Pay (OAP)

OAP is payable to employees who have no less than 52 weeks' (one year's) continuous service by the time the child is matched with them.

Employees will be entitled to receive full pay for the first 26 weeks of adoption leave.

Employees can elect, with the agreement of the Force, to extend their final five weeks' adoption pay to 10 weeks at half pay, and will be entitled to be paid as follows:

Option 1

Week 1 – 26 = Full pay

Week 27 – 39 = Lower rate SAP

Option 2

Week 1 – 21 = Full pay
Week 22 – 26 = Half pay
Week 27 – 39 = Lower rate SAP

The full and half pay will be made up with a combination of occupational and statutory payments.

Please note: 50% of contractual pay can be taken during the adoption leave period or as a lump sum on return to work as per below (See 'Pay and Pensions' section).

Payroll will confirm in writing to the employee the exact adoption payments to which they are entitled.

3.0 Overseas Adoption

Employees adopting a child from overseas with their partner, must complete a Form SC6 (please see adoption leave step by step guidance), to confirm which of the couple will take adoption leave and pay, where eligible, and which will take paternity (adoption support) leave or pay, where eligible.

Please note: If adopting from overseas, evidence must be produced to confirm eligibility to adopt. Employees must also provide the right notice of intent to take a period of adoption leave. The following stages must be followed:

Notification Stages

First Stage (expected timescales):	The employee should advise their line manager and Payroll of the date of official notification and the date the child is expected to enter the UK. The appropriate notice periods, dependent on length of service, are as follows: a) Within 28 days of receiving official notification, where employed for 26 weeks or more (for pay purposes), b) Within 28 days of completing 26 weeks service for pay purposes (at which point the employee becomes eligible for statutory entitlements as per UK adoption above). Please note: If the employee is aware of the actual dates, this information can be given at this stage.
Second Stage (confirmation of arrival to the UK/ actual timescales):	The employee must provide Payroll with at least 28 days' notice of the actual date the child arrives in the UK. Please note: Notice of the actual dates can be given at the first notification stage if the date is known. Adoption leave cannot start before the child enters the UK.

Third Stage (Leave requirements):	The employee must confirm with Payroll, providing at least 28 days' notice, how much leave they would like to take and when they would like the leave to start. Please note: start and end dates will be confirmed in writing by Payroll within 28 days of receipt.
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Adoption leave can start when the child arrives in the UK or within 28 days of this date.

4.0 A-Z of Additional Information

Employees will continue to benefit from all of their contractual terms and conditions that would have applied had they been at work, except for remuneration.

Annual and Public / Bank Holiday Leave

Employees continue to accrue their annual leave entitlements whilst on adoption leave, including provision for public / bank holidays as they arise. Accrual of annual leave and public / bank holiday entitlements during the period of adoption leave is based on the employee's hours immediately prior to the commencement of adoption leave.

For additional information on annual leave and adoption please see the 'Annual Leave and Maternity Adoption and Shared Parental Leave' procedural guidance available via the People Portfolio intranet pages.

Attendance at Court

If an employee is required to attend court whilst on adoption leave, they must do so, unless certified unfit by a doctor. Attendance at court as a police witness is classed as duty. The employee should contact Payroll to advise them of the requirement to attend court and to clarify pay arrangements.

Family Leave

The partner of the primary adopter may be eligible to take paternity (adoption support) leave or shared parental leave. Please see the relevant guidance available on the People Portfolio pages of the intranet, for further details.

Flexible Working Arrangements on Return from Adoption Leave

If the employee wishes to return to work on a part time basis or on a flexible working pattern, they should complete a flexible working request (following the guidance set out in the flexible working procedure) and ensuring the completed approved request reaches HR Operations – Admin for processing at least 28 days prior to the end of their adoption leave. Employees should contact their line manager who will provide them with copies of the procedural guidance and associated forms.

Fostering for Adoption

Employees within a 'Fostering for Adoption' arrangement may, subject to meeting the eligibility criteria, be eligible for adoption leave and pay. In addition to the adoption leave and pay eligibility criteria, employees must also meet the following conditions, to provide evidence of their participation in a 'Fostering for Adoption' placement:

- a) Being a local authority foster parent,
- b) Being approved as a prospective adopter,
- c) Being notified by a Local Authority in England that a child is to be, or is expected to be, placed with the employee under Section 22C of the Children Act 1989.

The extension of adoption leave does not apply to foster care arrangements where the child's existing foster carers are looking to adopt the already placed child. The 'Fostering for Adoption' provisions only apply to new placements.

If Adoption does not take Place

Where the placement comes to an end for whatever reason during the adoption leave period, the employee may continue on adoption leave for up to eight weeks' after the end of the placement or at the end of the Additional Adoption Leave, whichever is the soonest. In this situation, please seek further advice from HR Operations - Admin.

Keeping in Contact

It is expected that line managers maintain reasonable contact with the employee during the adoption leave period; the employee and line manager should, ahead of the leave commencing, agree how this will be undertaken.

Keeping in Touch (KIT) days

KIT days will be paid at the normal hourly rate for hours / days worked.

Where an employee works a KIT day during a period of OAP at full pay, there will be no additional payment for the KIT day.

Where an employee works a KIT day during a period of SAP or OAP at half pay, the payment for the hours worked on the KIT day will be offset against the daily payment of OAP/SAP.

Where a KIT day is worked during a period of unpaid adoption leave, the employee will receive the appropriate payment for the hours worked on the KIT day.

The work undertaken during a KIT day will count as one day of the entitlement, including where the hours worked are less than a full day.

Pension benefits will accrue during the paid KIT day(s).

Pay and Pensions

- a) OAP, where applicable, is conditional upon the employee returning to work for at least one month's (four weeks) service at the end of the adoption leave period.
- b) If the employee does not return to work for at least one month (four weeks), they will be required to repay their OAP and provide the normal period of notice. The notice period can be counted as returning to work provided it is either covered by annual leave or sick leave certified by a medical certificate (fit note).
- c) Employees continue to be eligible for any nationally negotiated pay increases.

- d) In the case of a part time employee, each day of paid adoption pay is pro-rata to full time and in accordance with the employee's normal salary / working hours.
- e) The normal rate of pay to the employee during adoption leave includes SAP at the current rate, where applicable. Payment of salary during adoption leave is subject to normal tax and national insurance deductions.
- f) Adoption leave is reckonable for the purposes of incremental pay, annual leave purposes and count as continuous service. An employee is entitled to buy back, for pension purposes, reckonable service in respect of any period of adoption leave.
- g) Members of the Local Government Pension Scheme (LGPS) will continue to have their pension contributions deducted during the period they receive SOP (up to 39 weeks).
- h) During any period of unpaid adoption leave, an employee can elect to make the pension contributions that would have been paid during this time. Where the employee elects to make such contributions, Payroll will write to the employee confirming arrangements for the repayment of the contributions in question.
Please note: An opportunity for the employee to elect to pay the pension contributions will be given prior to commencing adoption leave.

Returning to Work from Adoption Leave

Following their return to work from adoption leave, the employee has the right to return to the same job under the same terms and conditions as applied, prior to undertaking adoption leave.

It is the line manager's responsibility to either update GRS or inform the relevant Resource Management Unit (D&C) / Duties (Dorset) team of the employee's return from adoption leave. Line managers of operational employees should also contact the RMU (D&C) / Duties (Dorset) team to ensure the returning employee is placed non-threshold for their first week back at work.

Support

It is the line manager's responsibility to provide appropriate support for employees who are on adoption leave. Additional support can be accessed via the Family Support Group (D&C), Support Networks (Dorset), Trade Unions and the Employee Assistance Programme (EAP).

The 'Family Leave Support Portal' is available on the Force external website, which enables employees on adoption leave to access family leave provisions and resources such as Force policies and procedures, guidance and forms, useful internal / external contacts and internal job opportunities.

Surrogacy

Employees meeting the required criteria for surrogacy arrangements will be eligible for adoption leave, paternity (adoption support) leave or shared parental leave. This will apply to employees 'who are, or expect to be, parents of the child under a parental

order'. (Source: www.xperthr.co.uk). Please refer to the procedural guidance on surrogacy arrangements.

Tax-Free Childcare

Employees may be eligible, subject to meeting the relevant criteria, to apply for [Tax-Free Childcare](#), a government scheme offering up to £500 every three months (£2,000 per year) per child, to help with the costs of childcare.

Time off for Appointments

Prior to an adoption, prospective parents may need to attend legal, medical, or social services appointments as part of the adoption procedure. After being matched with a child, the primary adopter will be eligible for paid time off work to attend up to five adoption appointments, for a maximum of six and a half hours each.

Secondary adopters will be eligible to attend up to two adoption appointments, for a maximum of six and a half hours each, however, the time to attend will be unpaid. Employees may therefore wish to consider, in liaison with their line manager, using alternatives such as annual leave, time on card, etc. for such appointments.

Where the employee needs to attend additional appointments (over and above those provided for above) they should liaise with their line manager to see if it is possible to attend using options such as annual leave, time on card, re-rostering a rest day, etc. Employees should provide evidence of appointments where requested by the line manager.

Trades Unions Subscription Payments

During any unpaid adoption leave period, any UNISON ([D&C](#)) / ([Dorset](#)) or [GMB](#) subscription payments will cease. Arrangements should be made directly with the relevant trades unions to continue membership subscription payments.

Managers should contact [HR Operations - Admin \(D&C\)](#) or [HR Ops Dorset – Admin \(Dorset\)](#) if the situation they are managing does not appear to be straightforward.

6.0 Monitoring and Review

Review and amendments will be coordinated by the Policy Unit.

The Alliance Head of Employee Relations is responsible for overseeing this document to ensure a consistent Force approach is maintained. Monitoring will be primarily carried out subject to force processes of continuing review and in line with force governance requirements.

This document will be reviewed annually subject to legislation / process changes.

Please note: Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: ._Policies@dorset.PNN.police.uk

7.0 Other Associated Documents

Policy and Procedure

- [J-Pr-234 Annual Leave – Maternity, Adoption and Shared Parental Leave](#)
- [J-Pr-046 Adoption Leave and Pay Step by Step](#)
- [J-Pr-056 Adoption Leave and Pay Additional Information – Police Staff](#)
- [J-Pr-048 Surrogacy Arrangements Procedural Guidance](#)
- [J-Pr-050 Fostering Procedure](#)
- [J-Pr-054 Shared Parental Leave Step by Step](#)

SharePoint

- [Vision, Mission & Values](#) (DCP)
- [Vision, Purpose & Priorities](#) (DP)
- [Human Rights Legislation](#)
- [Records Management](#) (DCP)
- [Records Management](#) (DP)
- [Freedom of Information Act 2000 \(FOIA\)](#)
- [Government Security Classification \(GSC\)](#)
- [UK General Data Protection Regulation /Data Protection Act \(2018\)](#)
- [Code of Ethics](#) (DCP)
- [Code of Ethics](#) (DP)
- [Standards of Professional Behaviour](#)
- [People Portfolio](#)

College of Policing

- [National Decision Model](#)
- [Authorised Professional Practice \(APP\)](#)

Other

- Equality Impact Assessment
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8.0 Version History

Version: 1.0
Date: 07/09/2021
Reason for Amendments: Initial document
Amended by: Strategy & Policy Lead – Employee Relations
Approved by: Board
Date Approved: 19/08/2021
Quality Assured: Legitimacy Team

Version: 1.1
Date: 12/12/2023
Reason for Amendments: Fit for purpose review completed, amendments include - Signpost to the Family Leave Support Portal, removal of reference to Childcare Vouchers (no longer applicable), reference where applicable to the Annual Leave – Maternity, Adoption and SPL guidance and include links, new section added into the Additional Information documents on KIT days and how they are paid according to Adoption Pay (including payment according to the hours worked). Updated to latest templates.
Amended by: Employee Relations
Approved by: HoD
Date Approved: 04/12/2023
Quality Assured: Legitimacy Team

9.0 Governance

Present Portfolio Holder: Alliance Head of People (HR Operations)
Present Document Owner: Alliance Head of Employee Relations
Present Owning Department: Alliance People Portfolio

Below details required for new documents, major amendments (Dorset only) or novel/contentious amendments (Devon & Cornwall only)

Name of Board: Strategic People Board
Chief Officer Approving: Assistant Chief Officer Devon and Cornwall
Date Approved: 19/08/2021

Business Board member approving (Devon & Cornwall only when not contentious or novel): n/a
Date approved: n/a

End of Document