



London Ambulance Service **NHS**  
NHS Trust

## Adoption Leave Policy

## DOCUMENT PROFILE and CONTROL

**Purpose of the document:** To outline leave and pay provision for an employee wishing to adopt a child who is newly placed for adoption by an adoption agency.

**Sponsor Department:** People and Organisational Development

**Author/Reviewer:** Senior HR Manager. To be reviewed by March 2021

**Document Status:** Final

<b>Amendment History</b>			
Date	*Version	Author/Contributor	Amendment Details
16/07/18	2.4	IG Manager	Document Profile and Control update and formatting.
01/03/18	2.3	HR Manager	Review and minor update
11/12/14	2.2	Senior HR Manager	S1.2 added with ref. to HR040, now referenced below.
04/12/14	2.1	IG Manager	Document Profile and Control update
15/10/14	1.5	Senior HR Manager	Policy revised for improved clarity.
26/01/11	1.4	Senior HR Manager (South)	Amendments to introduction, scope and monitoring sections.
07/08/10	1.3	Senior HR Manager (South)	Added responsibilities
06/07/10	1.2	Records Manager	Added EqIA completion date and author
17/01/10	1.1	Senior HR Manager (South)	Reformatted, introduction, scope, objectives, responsibilities and implementation plan added
02/07	0.1	Senior HR Manager (South)	First Draft

**\*Version Control Note:** All documents in development are indicated by minor versions i.e. 0.1; 0.2 etc. The first version of a document to be approved for release is given major version 1.0. Upon review the first version of a revised document is given the designation 1.1, the second 1.2 etc. until the revised version is approved, whereupon it becomes version 2.0. The system continues in numerical order each time a document is reviewed and approved.

For Approval By:	Date Approved	Version
SMT	24/10/14	2.0
Director of HR & OD	02/07	1.0
<b>Ratified by Trust Board (If appropriate):</b>		

Published on:	Date	By	Dept
The Pulse (v2.4)	16/07/18	Internal Comms	Comms
The Pulse (v2.1)	15/12/14	Governance Administrator	G&A
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LAS Website (v2.4)	16/07/18	Internal Comms	Comms
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LAS Website	06/07/10	Records Manager	GCT

<b>Announced on:</b>	<b>Date</b>	<b>By</b>	<b>Dept.</b>
The RIB	16/12/14	Senior HR Manager (South)	HR
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<b>EqlA completed on</b>	<b>By</b>
21/06/10	Senior Human Resources Manager
<b>Staffside reviewed on</b>	<b>By</b>
02/03/18	Staffside leads
04/03	Staffside

<b>Links to Related documents or references providing additional information</b>		
<b>Ref. No.</b>	<b>Title</b>	<b>Version</b>
HR013	Maternity Leave and Pay Policy	
HR040	Shared Parental Leave Policy	
	NHS Terms and Conditions of Service Handbook	

Document Status: This is a controlled record as are the document(s) to which it relates. Whilst all or any part of it may be printed, the electronic version maintained in P&P-File remains the controlled master copy. Any printed copies are not controlled nor substantive.

## **1. Introduction**

- 1.1 This Policy sets out employees' entitlements to adoption leave and pay and reflects provisions set out in the NHS Terms and Conditions of Service Handbook.
- 1.2 The employee may also wish to refer to the Shared Parental Leave Policy and Procedure (HR040). To do this the mother will need to opt out of Maternity leave and notify the Trust that she wishes to opt into Shared Parental Leave – she will then be eligible for any outstanding statutory maternity/adoption pay which can be shared with her eligible partner.

## **2. Scope**

- 2.1 All employees are entitled to take 52 weeks adoption leave provided that they meet the qualifying criteria set out below.

## **3. Objective**

- 3.1 To outline leave and pay provision for those adopting a child.

## **4. Responsibilities**

- 4.1 **Staff** - are responsible for ensuring that appropriate notification is made of the intention of taking adoption leave and that the appropriate documentation is submitted.
- 4.2 **Managers** - responsible for liaising with HR to ensure that the necessary processes take place to enable the employee to take adoption leave and receive the correct pay.

## **5. Legal/Statutory position**

- 5.1 The Policy takes into account the provisions of the Paternity and Adoption Leave (Amendment) Regulations 2014. It is also in line with NHS Terms and Conditions of Service Handbook.

## **6. Eligibility**

- 6.1 The entitlement of an employee to adoption leave and pay is for those who wishing to adopt a child who is newly placed for adoption.
- 6.2 It will be available to people wishing to adopt a child who has primary carer responsibilities for that child.

- 6.3 Eligibility for occupational pay will be 12 months continuous NHS service ending with the week in which they are notified of being matched with the child for adoption. This will cover the circumstances where the employee is newly matched with the child by an adoption agency.
- 6.4 Employees do not qualify for adoption leave or pay if they:
- Arrange a private adoption;
  - Become a special guardian or kinship carer;
  - Adopt a stepchild;
  - Adopt a family member.
- 6.5 Employees who are not eligible for occupational adoption pay may still be entitled to statutory adoption pay (SAP) subject to qualifying conditions, Go to [www.gov.uk](http://www.gov.uk)

## **7. Provisions**

- 7.1 Where the child being adopted is below age 18 then the adoption leave and pay will be in line with the Trust's Maternity Leave and Pay Policy.
- 7.2 Only one person in a partnership can take adoption leave. The partner of the adopter may be entitled to Ordinary and Additional Paternity leave and pay. See policy at [Home > Managing > HR Policies and Procedures > Leave > Maternity Support \(Paternity\) Leave and Pay Policy](#)
- 7.3 Reasonable time off, to attend official meetings in the adoption process should be given.
- 7.4 Employees will be entitled to keep in touch days (KIT days) in line with the provisions set out in the Trust's Maternity Leave and Pay Policy.
- 7.5 Within the Paternity and Adoption Leave (Amendment) Regulations 2014 it highlights that if an employee has exercised the right to paid time off to attend adoption appointments they can only take adoption leave and not paternity leave.

## **8. Start date**

- 8.1 Leave can start:
- For UK adoptions – up to 14 days before the date of placement (date the child starts living with you);
  - For overseas adoptions – when the child arrives in the UK or within 28 days of this date.

## **9. Information required from the employee**

9.1 Employees are asked to provide notice as far as possible in advance that they are planning to adopt a child in order that necessary cover arrangements may be made. Within seven days of being matched with a child the employee should inform the Trust:

- How much leave he/she wants;
- The leave start date;
- The 'date of placement' i.e. the date the child is placed with the employee.

9.2 The employee should provide proof of adoption. This should show:

- The employee's name and address and that of the agency;
- The match date e.g. the matching certificate;
- The date of placement e.g. a letter from the agency;
- The relevant UK authority's 'official notification' confirming the employee's allowed to adopt (overseas adoptions only)
- The date the child arrived in the UK e.g. plane ticket (overseas adoptions only).

9.3 This should be provided with the Intention to commence Adoption Leave (See appendix A below)

## **10. Confirmation**

10.1 HR should send a letter to the employee confirming their entitlements to adoption leave and pay within 28 days.

## **11. Further information**

11.1 For further information or guidance employees should contact HR in the first instance.

<b>IMPLEMENTATION PLAN</b>				
<b>Intended Audience</b>	For all LAS staff			
<b>Dissemination</b>	Available to all staff on the Pulse			
<b>Communications</b>	Revised Procedure to be announced in the RIB and a link provided to the document			
<b>Training</b>	Briefing provided to relevant HR staff			
<b>Monitoring:</b>				
<b>Aspect to be monitored</b>	<b>Frequency of monitoring AND Tool used</b>	<b>Individual/ team responsible for carrying out monitoring AND Committee/ group where results are reported</b>	<b>Committee/ group responsible for monitoring outcomes/ recommendations</b>	<b>How learning will take place</b>
Able to monitor take up.	Reported from ESR as necessary.	Payroll	ELT.	Statutory right to take adoption leave.

**Intention to Commence Adoption Leave**

Name	
Job Title	
Location	
Expected date of placement	
Adoption Leave start date	
Likely date of return	
<p>I can confirm that I have read and understood the London Ambulance Service Adoption policy and that I wish to commence Adoption leave as outlined above.</p> <p>.....Signed</p> <p>..... Date</p>	

To be returned to the HR with your matching certificate and confirmation of the date of placement within seven days of being matched with the child.