



Procedures

Applying for Adoption Leave
Part of Supporting Family Life Overarching Policy
(UK Campuses only)

October 2015 refreshed Oct 2021

HERIOT-WATT UNIVERSITY

ADOPTION LEAVE PROCEDURES TO SUPPORT SUPPORTING FAMILY LIFE OVERARCHING POLICY

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1.	INTRODUCTION
	<p>This Procedure, which is part of the proposed Supporting Family Life suite of procedures, sets out guidance on how to request and notify the University of your adoption leave; the time off; keeping in touch; and returning to or leaving the University at the end of your adoption leave.</p> <p>This Procedure applies to employees in UK campuses only.</p>
2.	PROCEDURES FOR ADOPTION LEAVE
	<p>Notification of Intention to Adopt Notification of your intention to take adoption leave should be made to your manager as soon as possible. You should also complete the Adoption Statement contained at the end of this Appendix 3, along with a ‘matching certificate’ from an approved UK adoption agency (showing basic information including matching and expected placement dates) and submit this to Human Resources within seven days of you being notified by the adoption agency that you have been matched with a child, or as soon as reasonably practicable.</p> <p>Human Resources will notify you of the end date of the leave, within 28 days of receipt of the intention to take adoption leave. You should give at least 28 days’ notice in writing to Human Resources where practical, if you wish to change the date that you wish the adoption leave to start.</p> <p>Adoption Leave You may commence adoption leave either from the date of the child’s placement (whether this is earlier or later than expected), or from a fixed date which can be up to 14 days before the expected date of placement. Leave can start on any day of the week. After placement, you must inform Human Resources of the date on which the child was placed as soon as possible. Entitlement to adoption leave will be calculated from the agreed date of finishing work, or from the actual date you finished work, if earlier.</p> <p>Shared Parental Leave In some cases you and your spouse or partner may be eligible to opt into the shared parental leave (SPL) scheme which gives you more flexibility to share the leave and pay available in the first year after the child is placed with you. To qualify the “primary adopter” must take at least two weeks’ adoption leave. Details of SPL are set out in the SPL section of the University’s Supporting Family Life Overarching Policy.</p> <p>Other Information If you begin a period of adoption leave before the placement of the child and you are then told that the placement will not be made, or the child returns to the adoption agency, your leave will normally finish eight weeks after the end of the week of the placement not being made/child returning to the agency, or 52 weeks after you commenced adoption leave, whichever is sooner. Adoption pay will continue during the eight weeks, or 39 weeks after you commenced adoption leave, whichever is sooner. You should inform the University as soon as possible should any of these changes occur.</p> <p>Contact during adoption leave The University recommends that your line manager maintains reasonably regular contact with you during your adoption leave unless you advise them otherwise. This may be to discuss your plans for return to work, to discuss any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence. You and your manager should discuss in</p>

advance of you going on adoption leave what reasonably regular contact will mean in practice.

Keeping In Touch Days

During adoption leave it is often helpful to keep in touch with the University. The University is entitled to make reasonable contact with you during adoption leave. For example, this might be to discuss arrangements for a return to work, to arrange any training following a return to work or simply to update you on developments at work during your absence.

You can also agree to work for the University (or to attend training) for up to 10 days during your adoption leave without that work bringing the period of your adoption leave to an end and without losing adoption pay. These are known as 'keeping-in-touch' days. Any work carried out on a day is classed a day's work for these purposes.

The University has no obligation to require you to carry out any work, and you have no obligation to undertake any work, during your adoption leave. Any work undertaken, including the amount of salary paid for any work done on keeping-in-touch days, is entirely a matter for agreement between the University and you. Any keeping-in-touch days worked do not extend the period of adoption leave.

Note: we will pay you your usual contractual rate of pay for the hours you work on any KIT day. Any day on which work is done during adoption leave will count as a whole KIT day; so if you came in for a 2- hour meeting or half-day training session, for example, that would still count as one KIT day.

Returning to Work

The University expects you to return to work 52 weeks after your adoption leave commences unless you notify the University otherwise. [You will have been formally advised in writing by the University of the date on which you are expected to return to work.] If you are unable to attend work at the end of your adoption leave due to sickness or injury, the University's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

While you are under no obligation to do so, it would assist the University if you confirm as soon as convenient during your adoption leave that you will be returning to work as expected.

If you wish to return to work earlier than the expected return date, you must give the University at least eight weeks' notice of your date of early return, preferably in writing. If you fail to do so, the University may postpone your return to such a date as will give the University eight weeks' notice, provided that this is not later than the expected return date.

If you decide not to return to work after adoption leave, you must give notice of resignation as soon as possible and in accordance with the notice period in your contract of employment. If the notice period would expire after adoption leave has ended, the University may require you to return to work for the remainder of the notice period.

Coaching

The Organisational Development team within HRD offers coaching to staff who are about to go on or are returning from adoption leave.

<p>The aim is to provide additional support to you through this important time; for example, you may have concerns about how you can juggle your career aspirations with your parental responsibility and coaching can help you work through some of these issues, ensuring your transition back to work is as smooth as possible.</p> <p>If you would like to find out more about coaching or meet with one of our experienced coaches from across the University, please contact pod@hw.ac.uk or call 0131 451 3491.</p> <p>Flexible Working If you wish to change or reduce your current working pattern or hours, you may apply under the Flexible Working Policy which may be found on the: HR Policy Page under Flexible Working</p> <p>Recording Adoption Leave on Cloud ERP The HR Team will record your adoption leave absence on Cloud ERP.</p>				
3. PROCEDURES VERSION AND HISTORY				
	Version No	Date of Approval	Approving Authority	Brief Description of Amendment
	V. 1.3	07.12.2015 refreshed Oct 21	UE	Updated Procedure to reflect legislation and to link with new Supporting Family Life Overarching Policy Refreshed Oct 2021 to update HR system links



Adoption Statement - Confidential

THIS STATEMENT MUST BE LODGED WITH HUMAN RESOURCES WITHIN 7 DAYS OF THE ADOPTER BEING NOTIFIED BY THE ADOPTION AGENCY THAT S/HE HAS BEEN MATCHED WITH A CHILD

I enclose a Matching Certificate confirming that I have been matched with a child for adoption and give notice that ***I wish/do not wish** to return to work with the University at the end of my adoption leave and any period of shared parental leave.

Please accept this notification as an application for adoption leave. I will commence my adoption leave on / / . , as agreed with my Head of School/Director.

Please complete only if you intend to return to work:

My attention has been drawn to the right of the University to reclaim the whole or part of the non-statutory element of adoption pay if I fail to return to work and continue in employment for at least three months, as defined in the Supporting Family Life Overarching Policy, and I hereby undertake to refund that amount if such a situation arises.

Please complete only if you intend to return to work:

I am entitled to contractual adoption pay and wish to receive payment over:

* 26 weeks

(that is, eight weeks leave on full pay and 18 weeks on half pay followed by 13 weeks of SAP only, followed by an additional 13 weeks unpaid leave)*

Or

* 17 weeks

(that is, 17 weeks' leave on full pay followed by 22 weeks on SAP followed by additional 13 weeks' unpaid leave)

Please note that if you do not take 52 weeks' leave, the above periods will be reduced accordingly e.g. an employee taking 26 weeks of leave would receive either (i) eight weeks' full pay and 18 weeks' half pay or (ii) 17 weeks on full pay followed by 9 weeks on SAP.

At the end of my adoption leave, I would:

- * like to be paid for holiday accrued during adoption leave.
- * not wish to be paid for holiday accrued during adoption leave (I will be taking the annual leave immediately before or after adoption leave in agreement with the Head of School/Director)
- * I will confirm my intentions regarding accrued holidays at a later date.

I intend my adoption leave to end on .../.../... *(If left blank, it is assumed that adoption leave will be 52 weeks in total. If you wish to change your return date, eight weeks' notice is required. If you would like to take a period of shared parental leave you need to submit the relevant forms set out in Appendix 5.)*

Signed Date

School/Section

* Delete as appropriate