

Title of POL: Adoption Policy  
 Custodian: Chief People Officer  
 Version Number: 06  
 Issue date: 27.03.26  
 Review date: 27.03.29

**POLICY (POL)**

<b>Title of Policy</b>	Adoption Policy		
<b>What type of document is this?</b>	Policy (POL)	<b>Policy Reference Number</b>	HHH-POL-028
<b>Purpose of POL</b>	<p>Welcoming a child into your family is a life-changing event, and there is much to consider. This policy is designed to provide clarity to employees on what to expect when they decide to adopt a child. For any questions, employees are encouraged to contact the People Team as their first point of contact on (<a href="mailto:hrrhub@helpinghands.co.uk">hrrhub@helpinghands.co.uk</a>).</p>		
<b>ROLES AND RESPONSIBILITIES</b>			
Include in this section details of the key roles and associated responsibilities relevant to the document			
<b>Roles</b>	<b>Responsibility</b>		
Chief People Officer	Responsible for reviewing and updating this policy and ensuring that the policy is communicated across the company through the Senior Management Team(s)		
Helping Hands Managers	Responsible for implementing and embedding this policy within all teams across the company		
Helping Hands Employees	Responsible for adhering to this policy as directed by Line Managers		
<b>Scope of POL</b>	<p>This policy outlines the arrangements for adoption leave and pay for colleagues in the following situations:</p> <ul style="list-style-type: none"> <li>(a) Adopting a child through a UK adoption agency or overseas.</li> <li>(b) Fostering a child with the intention of possible adoption.</li> <li>(c) Having a child through a surrogate</li> </ul> <p>In certain circumstances, colleagues and their spouse or partner may also be eligible for the Shared Parental Leave (SPL) scheme,</p>		

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which provides greater flexibility in sharing leave and pay during the first year after the child is placed.

This policy applies to all eligible colleagues. It does not apply to agency workers, consultants, or self-employed contractors.

This policy does not form part of any colleagues' contract of employment. Helping Hands reserves the right to amend or adjust this policy at any time as necessary. We may also vary the policy as appropriate in any case.

**1. Introduction**

This policy outlines the arrangements for adoption leave and pay for employees in the following situations:

- (a) Adopting a child through a UK adoption agency or overseas.
- (b) Fostering a child with the intention of possible adoption.
- (c) Having a child through a surrogate

In certain circumstances, employees and their spouse or partner may also be eligible for the Shared Parental Leave (SPL) scheme, which provides greater flexibility in sharing leave and pay during the first year after the child is placed.

This policy applies to all eligible employees. It does not apply to agency workers, consultants, or self-employed contractors.

This policy does not form part of any employees' contract of employment. Helping Hands reserves the right to amend or adjust this policy at any time as necessary. We may also vary the policy as appropriate in any case. Compliance with statutory adoption pay rules will continue to follow current legislative requirements.

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## 2. Entitlement to Adoption Leave

In adoption cases or fostering for adoption cases, employees are entitled to adoption leave if they meet all the following conditions:

- They are adopting a child through a UK adoption agency, overseas, or they are a local authority foster parent who has been approved as a prospective adopter.
- The adoption agency or local authority has given written notice that it has matched a colleague with a child for adoption, or that it will be placing a child with them under a fostering for adoption arrangement and tells them the date the child is expected to be placed into their care (Expected Placement Date).
- The colleague has notified the agency that they agree to the child being placed with them on the Expected Placement Date.

In a surrogacy case, employees are entitled to adoption leave if all the following conditions are met.

- A child who is biologically the child of the colleague's spouse, partner, or child who is biologically the child of both the colleague and their partner.
- The colleague expects to be given parental responsibility for the child under a parental order from the court. The child must live with the colleague, or intend to when they are in the UK, and they must apply for the parental order within six months of the child's birth.

Only one parent can take adoption leave. If their spouse or partner takes adoption leave with their employer, employees will not be entitled to adoption leave but they may be entitled to paternity leave and/or shared parental leave.

The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave (OAL) and 26 weeks' Additional Adoption Leave (AAL).

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**Notification Requirements: Adoption Cases**

Not more than seven calendar days after the agency or local authority notifies a colleague in writing that it has matched them with a child the colleague must give us notice in writing of the Expected Placement Date and intended start date for adoption leave.

We will then write to the colleague within 28 days to inform them of the date they would be due to return to work (assuming they take the full entitlement).

Once a colleague receives the matching certificate issued by the adoption agency, they must provide us with a copy.

If the child is being adopted from overseas, employees must inform their Line Manager or People Team of the date of entry and provide evidence such as clearance documents.

**Notification Requirements: Surrogacy Cases**

In a surrogacy case, employees must inform their Line Manager in writing of their intention to take adoption leave and give the Expected Week of childbirth. Employees must give this information by the end of the 15th week before the due date.

We will then write to the colleague within 28 days to inform them of the date they would be due to return to work (assuming they take the full entitlement).

**3. Starting Adoption Leave**

For adoption or fostering-to-adopt cases, Ordinary Adoption Leave (OAL) can begin on a predetermined date up to 14 days before the Expected Placement Date or on the placement date itself, but no later.

If employees wish to change the Intended Start Date, they must notify us in writing, providing as much notice as possible. Ideally, this should be at least 28 days before either the original Intended Start Date, or the new Intended Start Date (if bringing the date forward). We will confirm your new Expected Return Date in writing within 28 days of receiving your request.

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For surrogacy cases, OAL will begin on the day the child is born unless the colleague is at work, in which case it will start the following day. Please note that the start date in surrogacy cases cannot be changed.

Before the adoption leave begins, we will discuss arrangements for covering responsibilities and any opportunities for staying in touch during the leave, should colleague's wish to do so.

#### **4. Adoption Pay**

Statutory adoption pay (SAP) is payable for up to 39 weeks. To be eligible for SAP a colleague must:

- Have been continuously employed for at least 26 weeks up to any day in the week they are matched with a child and are still employed by us during that week.
- Provide us with a matching certificate issued by the adoption agency.
- Provide at least 28 days' notice (or, in instances where that is not possible, as much notice as possible) of the intention to take adoption leave.

SAP is calculated as follows:

First six weeks: SAP is paid at the Earnings-related Rate of 90% of the employees' average earnings over the Relevant Period.

Remaining 33 weeks: SAP is paid at the Prescribed Rate which is set by the government for the relevant tax year, or the Earnings-related Rate if this is lower.

SAP accrues with each complete week of absence and payments are made on the next normal payroll date. Income tax, National Insurance and pension contributions are deducted as appropriate.

If a colleague leaves employment for any reason (for example, if they resign or are made redundant) they are still eligible for SAP if they have already been notified by an agency that they have been matched with a child.

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In such cases, SAP starts 14 days before the Expected Placement Date; or the day after their employment ends, whichever is the later.

## **5. Terms and Conditions During Adoption Leave**

All the terms and conditions of employment remain in force during SAP and AAL, except for the terms relating to pay.

In particular benefits in kind such as life insurance and health insurance and pension, if applicable shall continue. Annual leave entitlement under the contract of employment shall continue to accrue.

## **6. Time Off for an Adoption Appointment**

Employees are entitled to reasonable time off work to attend an Adoption appointment. All time off will be paid at the colleague's normal rate of pay.

### **In cases of Adopting a Child with Another Person**

Where employees and their partner are adopting a child, employees must decide who will be treated as the primary adopter and who will be treated as the secondary adopter for the purposes of time off. Employees must inform the People Team ( [hrhub@helpinghands.co.uk](mailto:hrhub@helpinghands.co.uk) ) who is the primary and secondary adopter prior to the first request for time off for an adoption appointment. This will affect how much time employees can take off.

Employees will usually choose to be the primary adopter if they intend to take adoption leave when the child is placed with them. Employees would not be able to take paternity leave if they have elected to be the primary adopter.

Employees will usually choose to be the secondary adopter if they intend to take paternity leave when the child is placed with them, although they may be able to take adoption leave if your partner is not taking it.

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## 7. How to book Time Off

Employees must provide as much notice of the appointment as possible. Employees must provide their Line Manager with a signed statement or an email confirming the date and time of appointment and that the appointment has been arranged or requested by the adoption agency.

## 8. Annual Leave

Annual leave will accrue at the rate provided under the contract of employment. Any holiday entitlement for the year that cannot reasonably be taken before starting adoption leave can be carried over to the next holiday year and must be taken immediately before returning to work unless the manager agrees otherwise.

## 9. Keeping in Touch

We may make reasonable contact with employees from time to time during adoption leave.

Employees may work (including attending training) on up to ten days which means it is ten durations you can be paid for work (Keeping in Touch Days) during adoption leave without bringing the adoption leave to an end. This is not compulsory and must be discussed and agreed with the Line Manager.

Employees will be paid at the normal basic rate of pay for time spent working on a Keeping in Touch Day.

## 10. Returning to Work

We will expect employees back at work on the Expected Return Date unless advised otherwise. It will help us if, during the adoption leave, employees are able to confirm that they will be returning to work as expected.

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If a colleague wishes to return to work earlier than the Expected Return Date, they must give us at least eight weeks' notice in writing. If employees do not give enough notice, we may postpone the return date until eight weeks after the notice was given, or to the Expected Return Date if sooner.

If employees wish to return later than the Expected Return Date, they should either:

- request unpaid parental leave, giving us as much notice as possible but not less than 21 days: or
- request paid annual leave in accordance with the contract of employment, which will be at our discretion.

Employees are entitled to return to work in the same position as they held before commencing leave. The terms of employment shall be the same as they would have been if the colleague had not been absent. However, if the colleague has taken any period of Additional Adoption Leave or have combined adoption leave with more than four weeks' parental leave, and it is not reasonably practicable for us to allow the colleague to return to the same position, we may give them another suitable and appropriate job on terms and conditions that are not less favourable.

## 11. Deciding Not to Return

If the colleague does not intend to return to work, or are unsure, it is helpful if this is discussed with us as early as possible. If a colleague decides not to return, they should give notice of resignation in accordance with the contract.

## 12. Data protection

When dealing with adoption leave and pay, we will process any personal data collected in accordance with our [data protection policy](#) ([Privacy Information Policy](#) which can be found on the company website). In particular, we will record only the personal information required and keep the information only for as long as necessary.

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<b>TRAINING</b>	No	
Is training required?		
Details of training	N/A	
<b>COMPLIANCE</b>	Compliance with this policy will be monitored via Line Managers.	
How is compliance within this document going to be monitored?		
<b>EQUALITY IMPACT ASSESSMENT AND PROCEDURAL INFORMATION</b>		
	Positive/Negative/N/A	Comments
Does the document have a positive or negative impact on one group of people over another based on their:		
• Age?	N/A	
• Disability	N/A	
• Gender assignment?	N/A	
• Pregnancy and maternity (which includes breastfeeding)	N/A	
• Race (including nationality, ethnic or national origins or colour)?	N/A	

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• Marriage or civil partnership?	N/A	
• Religion or belief?	N/A	
• Sex?	N/A	
• Sexual orientation?	N/A	
If you have identified any potential impact (including any positive impact which may result in more favourable treatment for one particular group of people over another), are any exceptions valid, legal and/or justifiable?	N/A	
If the impact on one of the above groups is likely to be negative:		
Can the impact be avoided?	N/A	
What alternatives are there to achieving the document's aim without the impact?	N/A	
Can the impact be reduced by taking different action?	N/A	
Is there an impact on staff, customer or someone else's privacy?	N/A	
Changes since previous version	Added compliance with Fair work agency as per ERA 2025 Added Employment rights act as reference Updated language	
Who was involved in developing	Chief People Officer People Services Director ER Team Leaders	

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/reviewing/amending the document? (list titles)		
How confidential is this document	Restricted	Can be shared freely within Helping Hands but NOT outside
References	Employment Rights Act 2025	

CONTROLLED DOCUMENT