

SecureCare

ADOPTION LEAVE POLICY

SecureCare (the “Company”) ensure that as far as possible our employees can combine their career and family responsibilities. We recognise that parenthood brings additional responsibilities and have put this policy in place in order to retain valued workers who have adopted, or wish to adopt, children.

This policy sets out the arrangements for adoption leave and pay for employees who are:

- Adopting a child through a UK adoption agency
- Fostering a child with a view to adoption
- Having a child through a surrogate mother

Adoptions from overseas are not dealt with in this policy.

The employee and his or her spouse/partner may be eligible for Shared Parental Leave, which gives employees more flexibility to share the available leave and pay.

This policy only applies to employees and does not apply to agency workers or self-employed contractors. This policy does not form part of any employee’s contract of employment and the Company may amend it at any time.

Time Off for Adoption Appointments

Employees who are adopting a child are entitled to take time off to attend adoption appointments. The appointment must have been arranged by, or at the request of, the adoption agency. The time off must be taken before the date of the child's placement for adoption with the employee.

An employee adopting a child alone is entitled to take paid time off to attend up to five adoption appointments. Where an employee is part of a couple jointly adopting a child, the couple can elect for one of them to take paid time off to attend up to five adoption appointments. The other can elect to take unpaid time off to attend up to two adoption appointments.

Entitlement

For staff to be eligible for Adoption Leave they must meet all the following requirements. They must:

- be adopting a child through a UK adoption agency or be a local authority foster parent who has been appointed as a prospective adopter
- have received written notice from the adoption agency or local authority that they have matched the employee with a child and advised the expected placement date
- have agreed with the adoption agency or local authority that a child should be placed with them for adoption

Adoption leave may be available for employees who are adopting through an overseas adoption agency.

In respect of surrogacy, an employee is entitled to adoption leave if all the following requirements are met:

- If a surrogate mother gives birth to a child who is biologically the child of either the employee, or the employee’s spouse or partner (or both the employee and his/her spouse or partner)

- The employee expects to be given parental responsibility under a parental order from the court. The child must live with the employee and the employee must apply for the parental order within six months of birth

Only one parent can take adoption leave. If the employee's spouse or partner takes adoption leave with his or her employer, the employee may still be entitled to paternity leave. The employee may also qualify for Shared Parental Leave.

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

Adoption Leave

In respect of adoption or fostering for adoption, OAL may start on a date of the employee's choosing no more than 14 days before the expected placement date or on the placement date itself.

Employees can change the date on which their Adoption Leave is to start by giving at least 28 days' notice to the Managing Director.

Within 28 days of receiving the notice of intention to take Adoption Leave, the Company will write to the employee confirming the latest date on which the employee must return to work after Adoption Leave.

Adoption Pay

For 39 weeks of the 52-week period, employees are entitled to receive Statutory Adoption Pay (SAP) provided that he or she has at least 26 weeks' continuous employment with the Company ending with the Qualifying Week (the week in which the adoption agency or local authority notified you of a match or the 15th week before the Expected Week of Childbirth) and the employee's average earnings are not less than the lower earnings limit set by the government.

SAP is paid at 90% of normal earnings for the first six weeks followed by 33 weeks at the rate set by the government for the relevant tax year (or 90% of earnings if lower than the Government's rate).

Rights during Adoption Leave Period

During OAL and AAL, the employee's contract of employment subsists throughout his/her absence and he or she will continue to benefit from his/her terms and conditions of employment, except for the right to remuneration.

If the employee is a member of the pension scheme, the Company shall make pension contributions during OAL and any period of paid AAL, based on the employee's normal salary. Any employee contributions will be based on the amount of any adoption pay the employee is receiving unless the employee informs the Managing Director that he or she wishes to make up the shortfall.

Employees can agree to work for the Company (or attend training) for up to 10 days during their Adoption Leave without that work bringing to an end their Adoption Leave. These are known as 'keeping in touch' (KIT) days. The Company has no right to require employees to carry out any work and employees have no right to undertake any work during Adoption Leave. Employees will be paid at their normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any adoption pay entitlement.

The Company may make reasonable contact with the employee during adoption leave, although this will be kept to a minimum.

Returning to work after Adoption Leave

Employees must return to work on the expected return date unless they advise the Company otherwise. Employees who wish to return to work early must give the Company at least eight weeks' notice. Employees who do not wish to return to work should give notice in accordance with their contract of employment.

On returning from OAL, the employee will be entitled to return to the job in which s/he was employed before his/absence on terms and conditions not less favourable than those which would have applied if s/he had not been absent.

The employee is entitled to return after AAL to the same job or, if it is not reasonably practicable for us to provide that, to a job which is both suitable for him/her and appropriate for him/her to do in the circumstances. The terms and conditions of such employment will be the same as would have been applied to him/her if s/he had not been absent.

Employees who wish to change their hours or other working arrangements on returning from adoption leave should make a request under the Flexible Working Policy.

Shared Parental Leave

Shared Parental Leave (SPL) enables adopters to commit to ending their adoption leave and pay at a future date and to share the untaken balance of leave and pay with their partner, or to return to work early from adoption leave and opt into SPL at a later date.

In order to be able to take SPL, the employee and his/her partner must meet various eligibility requirements and have complied with the necessary curtailment, notice and evidence requirements, including the adopter curtailing his or her adoption leave.

Data Protection

When managing an employee's adoption leave and pay, the Company will store personal information securely. Any information gathered will be held in accordance with the Company's Data Protection Policy.

This Policy will be regularly reviewed and updated as necessary. The management team endorses these Policies and is fully committed to their implementation.

This Adoption Leave Policy has been approved & authorised by:

Signature:

Signed by: ROBERT STEVENSON
Position: DIRECTOR

Date:
Review date: