



ADOPTION LEAVE & PAY HR 31(f)

DEFINITION

Adoption leave is the right for an adoptive parent ('adopter') to paid time off work following the new placement of a child.

SCOPE

This policy applies to all eligible employees (male or female) of the channel. Freelancers are not entitled to take adoption leave.

GENERAL PRINCIPLES

- Eligible employees can take a period of up to 52 weeks' adoption leave when a child is newly placed for adoption.
- Only one period of leave is available irrespective of whether more than one child is placed for adoption as part of the same arrangement at any one time.
- Statutory Adoption Pay ('SAP') is payable to qualifying individuals for the first 26 weeks (ordinary adoption leave). SAP is paid at £100 per week or 90% of average weekly earnings if these are less than £100. The remaining period of adoption leave (additional adoption leave) is unpaid.
- Channel 4 has enhanced the minimum statutory adoption pay available. This means that employees with at least 12 months' continuous service by the week prior to the expected week of placement will be entitled to 4 weeks' full pay, inclusive of any SAP entitlement.
- All contractual benefits continue to apply as normal during adoption leave except for salary and pension. However, the channel will allow adopters who return to work to make up any lost pension contributions retrospectively.
- Adopters may apply to add a period of Parental Leave (up to a maximum of 4 weeks in any calendar year) to their adoption leave. For more information regarding Parental Leave, click [here](#).
- Employees returning from ordinary adoption leave have the right to return to the same job. Employees who return from additional adoption leave are entitled to return to the same job or, if this is not reasonably practicable, they are entitled to return to a suitable alternative job.

Eligibility

To qualify for adoption leave: -

- an employee must be *newly* matched with a child for adoption by an adoption agency. Please note that adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example, when a step-parent is adopting a partner's children or in the case of adoption by a child's existing foster parents
- the child must be under the age of 18
- the employee must have worked continuously for the channel for 26 weeks ending with the week in which they are notified of being matched with a child for adoption. The qualifying period is dependent upon the date of *matching* not the date of *placement*
- the child must be matched or placed on or after 6th April 2003

To qualify for Statutory Adoption Pay (SAP), an employee must also: -

- notify the channel of when they want to receive SAP at least 28 days before the date they want it to begin.
- have average weekly earnings at or above the Lower Earnings Limit for National Insurance which apply at the end of the matching week. As of 6th April 2003, this is £77.00 per week.

To qualify for Channel 4 Adoption Pay, an employee must have: -

- 12 months' continuous service with the channel prior to the expected week of placement.

Where an employee is entitled to both leave and pay, the notice an employee gives for leave can count for SAP as well.

Where an employee is not eligible for SAP, they should first contact their adoption agency. The local authority responsible for overseeing the adoption has an obligation to make an assessment of the financial support they may need. In addition, they may be able to claim Income Support, Housing and Council Tax Benefit, Child Tax Credit and Working Tax Credit.

Start of Adoption Leave

Adopters can choose the start date of their adoption leave. The start date will be either the date of the child's placement, i.e., when the child takes up permanent residence (whether this is earlier or later than expected) or

if pre-notified, 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.

If an employee begins a period of adoption leave before the placement of the child and is then told that the placement will not be made, or, during adoption leave the planned adoption does not take place or is disrupted for any reason, then the adoption leave will normally finish eight weeks after the end of the week in which the disruption took place.

Notice Requirements

The sooner an adopter can give notice of adoption the better, so that preparations can be made for your departure and to arrange leave cover. However, adopters should inform the channel of their intention to take adoption leave no later than 7 days of being notified by their adoption agency that they have been matched with a child for adoption, unless it is not reasonably practicable to do so. Adopters also need to: -

- Inform their HR Officer when the child is expected to be placed with them
- Inform their HR Officer when they intend their adoption leave to start
- Provide appropriate documentary evidence as evidence of their entitlement to Statutory Adoption Pay. Adopters will be given a [matching certificate](#) from their adoption agency which includes basic information on matching and expected placement dates.

You may give these notifications at different times. You can notify us by letter or e-mail or by using the [Adoption Leave Notification Form](#). Adopters can change their mind about the date on which they want their leave to start providing they give the channel 28 days' notice.

Return to work after adoption leave

Adopters who intend to return to work at the end of their full adoption leave entitlement do not have to give any further notification to the channel. They will simply be expected back at work on the first working day following the end of their adoption leave.

Adopters who wish to return to work before the end of their adoption leave period, must give the channel 28 days' notice of the date they intend to return to work.

Glossary of Terms

The **placement** of a child for adoption occurs when the child goes to live with the adopter permanently.

A person is **matched** with a child for adoption when an adoption agency decides that person would be a suitable adoptive parent for the child, either individually or with another person.

A person is **notified of having been matched** with a child on the date on which they receive notification of the agency's decision.

An **adopter** is a person who has been matched with a child for adoption or, if a couple has been matched jointly, the member of the couple who has chosen to take adoption leave and/or Statutory Adoption Pay. Where a couple has been matched jointly, only one member can legally take adoption leave and/or Statutory Adoption Pay. The other member (regardless of gender) will be entitled to take Paternity Leave.

An **adoption agency** is a local authority or registered adoption society.

A **partner** means a person who lives with the adopter and the child in an enduring family relationship but is not an immediate relative. This may include a male or female in a same sex relationship.

A **matching certificate** is documentary evidence that an employee has been matched with a child. It is sent by the Adoption Agency and will include: the name and address of the agency, the name and address of the adopter, the date on which the adopter was notified that they had been matched with the child, the date on which the agency expects to place the child with the adopter, and if the placement has already occurred, the date of the placement.

Other references: [Parental Leave](#)
[Paternity Leave](#)
[Work Life Balance Policy](#)
[Emergency and Compassionate Leave](#)
[Flexible Working Policy](#)

Last updated: March 2003