

**ADOPTION FAQs**

Below is a list of frequently asked questions. For more detailed information and a full explanation please read the BU [‘Adoption Leave and Pay’ information](https://intranetsp.bournemouth.ac.uk/policy/Adoption%20Leave%20and%20Pay.docx).

**I’m adopting a child - when and how should I let the University know that I have been matched? Congratulations! Notice of your intention to take adoption leave and to start adoption pay must be given to a member of Human Resources at least 28 days in advance of the leave starting and within 7 days of you being notified by the adoption agency that you have been matched with a child for adoption, unless this is not reasonably practicable.**

**You can do this by completing the “**[Application for Adoption Leave and Pay” form](https://intranetsp.bournemouth.ac.uk/policy/Adoption%20Leave%20and%20Pay.docx) **and sending it to Human Resources (the form must be signed and sent hard copy to Human Resources) along with the matching certificate or ‘official notification’ in the case of an overseas adoption.**

**I’m having a baby through a legal surrogacy arrangement - when and how should I let the University know?**

**Congratulations! You should give notice of your intention to take adoption leave and start adoption pay by the Qualifying Week (the 15th week before the birth mother’s due date).**

**You can do this by completing the “**[Application for Adoption Leave and Pay” form](https://intranetsp.bournemouth.ac.uk/policy/Adoption%20Leave%20and%20Pay.docx) **and sending it to Human Resources along with a copy of the birth mother’s MATB1 form. You may also be asked to sign a declaration that you will be applying for a Parental Order within 6 months of the baby being born.**

**I don’t want my line manager to know I am planning to adopt a child at the moment, but I have lots of questions. Who can I speak to?**

**You are able to speak in confidence to an HR Adviser who can be contacted on ext. 61133.**

**You can also contact the Employee Assistance Programme, which provides all staff with a free and confidential helpline with unlimited access to information, advice and support, and onward referral to telephone or face-to-face counselling where appropriate. The service is available 24 hours, 365 days a year Tel: 0800 1116 387.**

**When should I notify my line manager that I have been matched?**

**Employees should tell their employer within seven days of being told that they have been matched with a child. If this is not possible you must tell your employer as soon as possible.**

**What happens once I’ve told my line manager I’m matched to adopt a child or that I’m entering into a legal surrogacy arrangement?**

**Your manager should meet with you. You should complete the “**[Application for Adoption Leave and Pay” form](https://intranetsp.bournemouth.ac.uk/policy/Adoption%20Leave%20and%20Pay.docx) **and send it in hard copy to HR, and also give a copy to your line manager. You should send documentary proof to show that you have the right to paid Statutory Adoption Leave. This is usually a matching certificate from the adoption agency, but may also be an official notification (in the case of an overseas adoption) or a copy of the birth mother’s MATB1 form (in the case of a legal surrogacy arrangement).**

**How much adoption leave am I entitled to?**

**You are entitled to up to 52 weeks’ adoption leave, regardless of how long you have worked at the University. The University assumes you will be taking 52 weeks adoption leave unless you tell us otherwise. Statutory Adoption Leave is made up of:**

* 26 weeks of Ordinary Adoption Leave
* 26 weeks of Additional Adoption Leave

**What is the earliest date or the latest date I can start adoption leave?**

Adoption leave can start from:

* The date the child starts living with you or up to 14 days before the date the child is expected to start living with you; or
* When the child arrives in the UK or up to 28 days afterwards (overseas adoption); or
* The date the child is born or the day after (legal surrogacy arrangements).

**What if I need to change the date my leave starts?**

You may bring forward / postpone the date on which you intend your adoption leave to start provided that you notify Human Resources in writing at least 28 days before the new start date (except where this is not reasonably practicable).

**Do I need to take my full entitlement to adoption leave?**

No, you can choose when you return to work providing you follow the notice requirements outlined in the ‘[Adoption Leave and Pay’ information.](https://intranetsp.bournemouth.ac.uk/policy/Adoption%20Leave%20and%20Pay.docx)

**How much of my adoption leave is paid?**

The exact amount of adoption pay you will receive depends on how long you have worked at the University, what your weekly earnings are and (for Enhanced Adoption Pay) whether you return to work after your adoption leave. The [‘Adoption Leave and Pay’ information](https://intranetsp.bournemouth.ac.uk/policy/Adoption%20Leave%20and%20Pay.docx) explains in more detail what you will be entitled to during your adoption leave.

If you have more than 52 weeks continuous service at the “Matching Week” (or by the time you get the ‘official notification’ or by the Qualifying Week) you will be entitled to 26 weeks Enhanced Adoption Pay (EAP) at full pay, followed by 13 weeks Statutory Adoption Pay (SAP). The rest of the adoption leave period is unpaid. The EAP includes any entitlement to Statutory Adoption Pay (SAP).

If you do not qualify for adoption pay you will not receive any salary, but will be provided with an SAP1 form by the Payroll Department. You may be able to use this form to claim other benefits from the Department for Work and Pensions.

**Do I pay tax on my adoption pay?**

Yes, both EAP and SAP are treated as earnings and are therefore subject to Income Tax and National Insurance deductions.

**Am I still eligible to receive adoption pay if I am employed on a Fixed Term or Part Time Hourly Paid contract of employment?**

Provided you have been employed for 26 weeks prior to the Matching Week (or the date you receive the ‘official notification’ or the Qualifying Week), are still employed in that week and you satisfy the national insurance lower earnings limit rule and other conditions regarding notification you will be entitled to the adoption entitlement that your continuous service qualifies you for. If your contract ends between the Matching Week (or the date you receive the ‘official notification’ or the Qualifying Week) and the end of the statutory adoption pay period the University will continue to pay your statutory adoption pay until the end of the statutory adoption pay period, even though you are no longer an employee.

**My partner has been matched to adopt. What leave am I entitled to?**

The partner of an individual who adopts, or the secondary adopter if a couple are adopting jointly, may be entitled to [paternity/partner leave and pay](https://intranetsp.bournemouth.ac.uk/policy/Paternity_Partner%20Leave%20and%20Pay.doc) and/or [shared parental leave.](http://intranetsp.bournemouth.ac.uk/policy/Shared%20Parental%20Leave%20and%20Pay%20Oct%202015.doc)

**Am I still eligible for pay progression whilst on adoption leave?**

During your adoption leave you will continue to be eligible for general pay awards and consideration for pay progression/salary increments providing that you meet the scheme’s criteria.

**Do I accrue annual leave when I’m on adoption leave?**

Yes. Your annual leave entitlement will continue to accrue at your contractual rate during your adoption leave. This is inclusive of UK recognised public/bank holidays as well as any planned University closure days at the discretion of the Vice-Chancellor, pro rata for part-time staff.

You should take any annual leave you have accrued up to your adoption leave start date, before your leave starts.

You can use any annual leave accrued during your adoption leave either prior to your adoption leave commencing, or immediately following your adoption leave, i.e. once your adoption leave ends, but prior to returning to work.

You should be aware that once you return to work the normal rules for carrying annual leave forward will apply.

**How do I receive my payslips while I’m on adoption leave?**

You can login to the [CoreHR portal](https://hrportal.bournemouth.ac.uk/pls/coreportal_live/cp_por_public_main_page.display_login_page) while you are on adoption leave and check your payslips in the usual way.

You will need to install VMWare which allows BU to maintain the required security measures in order to protect the personal data held in the CoreHR system that are available via the Portal. You can find instructions on how to install VMWare to your specific device [here](https://bournemouth.service-now.com/sp?id=search&q=horizon). If you have any difficulties with installing VMWare you will need to contact the IT Service Desk, however, if once it has been installed you continue to have difficulties in accessing the Portal please email [corehrsupport@bournemouth.ac.uk](mailto:corehrsupport@bournemouth.ac.uk).

**What happens to my pension contributions whilst I am on adoption leave?**

If you are a member of an Occupational Pension Scheme, pensionable service will continue to be accrued as normal during ordinary adoption leave, regardless of whether you are entitled to receive adoption pay.

Whilst on paid adoption leave, pension contributions will continue to be deducted from your salary. Should you opt for the additional unpaid Adoption Leave and adoption pay has expired, your pension contributions will cease. During any period of unpaid adoption leave it is possible to arrange to make pension contributions / buy additional pension in order to avoid a gap in the contribution record.

**Do I need to use my annual leave to attend adoption/ante-natal appointments, or am I entitled to take this time off?**

If you are the main adopter, you will be able to take paid time off for up to five adoption appointments. If you are the secondary adopter, you will be entitled to take unpaid time off for up to two appointments. In the case of a legal surrogacy arrangement, you are entitled to take unpaid time off to accompany the birth mother to up to two ante-natal appointments.

**What contact do I have with my manager whilst I’m on adoption leave?**

You and your Line Manager are encouraged to maintain reasonable contact whilst you are on adoption leave. This may be to discuss your plans for returning 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.

The way in which contact will be made and the frequency of any contact should be discussed and agreed by you and your Line Manager prior to your adoption leave.

**What are KIT days?**

While you are on adoption leave, you can take up to 10 paid ‘Keeping in Touch’ days (also referred to as ‘KIT’ days), without your adoption leave or pay being affected. You are not obliged to undertake any work during your adoption leave if you prefer not to.

You will need to agree the arrangements for any KIT days, in advance, with your line manager, who will inform HR that you will be undertaking a KIT day. HR will then confirm the details of your KIT day(s) in writing. Children cannot be brought to the workplace on KIT days.

If an employee works more than ten keeping-in-touch days then their adoption leave and pay will automatically come to an end.

**Are the 10 KIT days pro-rated for part time staff?**

No, up to 10 KIT days are available to all eligible staff, no matter what their hours of work are.

**Do I have to let BU know when I want to come back?**

Once you have submitted your[‘Application for Adoption Leave and Pay’ form](https://intranetsp.bournemouth.ac.uk/policy/Adoption%20Leave%20and%20Pay.docx)to HR, you will be sent your notification of the date that you are expected to return to work. This will always be 52 weeks from the date you are planning to start your adoption leave. If you are going to take 52 weeks then you don’t have to do anything else. But if you want to come back sooner, then you need to give the University at least 8 weeks’ notice of the date you are intending to return using the [return to work form](https://www.brookes.ac.uk/services/hr/handbook/family/maternity/appendices/appendixD_confirm_return.doc).

**Will my continuity of service be affected by taking adoption leave?**

No. Where a member of staff returns to work following adoption leave, the period of absence due to adoption leave does not affect the accrual of continuous service.

**If I want to change the dates or amounts of leave I’m going to take. What do I need to do?**

Before you start adoption leave you can change the date that you want to start but you have to give the University 28 days’ notice of the new date, if that’s possible. Once you’ve started adoption leave if you want to change the date you’re due to come back you have to give the University at least 8 weeks’ notice.

**What happens if I am ill during my adoption leave?**

**If you have a period of illness after the placement or birth of your child, the University will not need to be informed as your adoption rights will be unaffected - either your adoption pay will continue to be paid or your unpaid leave will continue.**

**If you are unwell and your return to work is imminent, we would advise you to contact the HR team as this may affect the date you return to work.**

**What is my entitlement to adoption leave if I decide to leave the University before my notified start date of adoption leave?**

**You will not be eligible for adoption leave but may still be eligible for Statutory Adoption Pay (SAP).**

**What if I resign and don’t return from adoption leave?**

**If you decide not to return to work after your period of adoption leave then you should notify your Line Manager and Human Resources, in writing, giving your contractual period of notice and stating the date of your resignation. If you do not specify a date then your resignation will be effective from the end of the statutory adoption pay period.**

**If you have received EAP you will be required to pay this back to the University.** On confirmation of your resignation to leave the University an HR and Payroll representative will calculate and notify you of this overpayment; and discuss an acceptable repayment plan to the individual and to the employer.

**What about flexible working?**

**Full consideration will be given to requests from members of staff who wish to change their working pattern upon return from adoption leave. Staff members should submit a flexible working application as far in advance of the return date as reasonably practicable.**

**Flexible working in the context of the “right to request” applies to a permanent change to an employee’s contract of employment and does not cover occasional or temporary changes.**

**For further details please refer to the University’s** [Right to Request Flexible Working](http://intranetsp.bournemouth.ac.uk/policy/flexible-working.docx) document**.**

**Can I still claim childcare vouchers when receiving adoption pay?**

**Whilst on adoption leave you will be able to continue sacrificing enhanced adoption pay (over and above SAP) and receive vouchers.  If you do then your reduced salary will be used for adoption pay calculations.  Under a recent legal change, as childcare vouchers via a salary sacrifice scheme are deemed to be a non-pay benefit, the University will then continue to provide you with the same amount of vouchers per month even when you are not in receipt of sufficient pay to sacrifice.  These will be funded by the University.**

**What happens if I am taken into legal custody during my adoption leave?**

You aren’t entitled to SAP (or EAP) for any SAP pay week that you are in legal custody (this usually means you are in prison) or for any week in the pay period after that.

It’s your responsibility to tell us if you are detained in legal custody.

You aren’t in legal custody if you are:

* voluntarily helping police with their enquiries
* out on bail
* serving a suspended sentence