

Frequently asked questions

This document should be read in conjunction with the adoption leave policy.

Adoption Leave

When do I need to notify my manager of my intention to adopt a child?

Individuals **adopting a child from within the UK** must notify the University of their intention to take adoption leave within seven days of being notified of being matched with a child for adoption.

Individuals **adopting a child from overseas** must notify the University of their intention to take adoption leave no later than 28 days after the date of receipt of official notification of the adoption, or the date which the employee completes 26 weeks' continuous service at Warwick (whichever is later).

Individuals who will **become a legal parent for a child under a surrogacy arrangement** need to provide notification to the University by the end of the 15th week before the week of childbirth (i.e. by the 25th week of pregnancy)

For all requests, the individual will be required to complete the University's [maternity/adoption leave plan](#) and upload it to Success Factors. Further information detailing how to record adoption leave can be found in the [how to record Adoption Leave in Success Factors guide](#).

Can both adoptive parents take adoption leave?

The right to adoption leave is available to one member only of a couple. It is up to the adoptive parents to decide which of them takes the adoption leave. The adoption leave policy applies to all employees and their partner regardless of the gender identity of the employee's partner.

If my partner takes adoption leave, am I eligible to receive any time off?

The partner of an individual who adopts, or the other member of a couple who are adopting jointly, may be entitled to a period of paid paternity leave, providing they meet the paternity leave criteria. Please refer to the [paternity leave policy](#) and frequently asked questions.

Am I entitled to paid time off to go to adoption appointments?

The primary adoptive parent has a right to up to five days of paid time off to attend adoption related appointments. Colleagues are requested to provide the line manager/Heads of Department with reasonable notice of the appointments. The other adoptive parent can elect take paid time off to attend up to five adoption appointments (the equivalent of 2.5 days leave). Individuals may be requested to provide evidence of appointments to their line manager.

Do I qualify for adoption leave?

Employees are eligible to take up to 52 weeks of adoption leave from the first day of employment.

The right to statutory adoption leave (26 weeks of ordinary adoption leave followed immediately by up to 26 weeks of additional adoption leave) is available to employees who:

- Have been notified by an approved adoption agency within the UK that they (alone or jointly) have been matched with a child for adoption,

- Are adopting a child from overseas and who have received official notification from the relevant UK authority that they have been assessed and approved as being suitable adoptive parents,
- Have a child placed with them by a local authority in a 'foster to adopt' arrangement,
- Become the legal parents of a child as a result of a parental order were the child is born under a surrogacy arrangement

Do I qualify for adoption pay?

There are two qualifying elements to receive adoption pay:

- a) **Statutory adoption pay** – the primary adopter must have 26 weeks of continuous service by the week in which notification of matching was given by the adoption agency **and** earn above the lower earnings limit of £123 per week
- b) **University adoption pay** – the primary adopter must have completed one year's service with the University by the week they were notified of the match **and** earn above the lower earnings limit of £123 per week. The employee must for UK adoptions have been newly matched with a child by an adoption agency, or for overseas adoption have received official notification of the adoption. For surrogacy arrangements the employee must have completed 26 weeks' continuous service by the 15th week before the baby is due (i.e. by the 25th week of pregnancy)

What adoption pay am I eligible to receive?

If you are eligible to receive **statutory adoption pay** only, a maximum of 39 weeks of statutory adoption pay is payable. For the first six weeks of adoption leave, the payment is 90% of the individual's average weekly payment. For the next 33 weeks, the payment will be £156.66 or 90% of average weekly earnings (whichever is lower) Statutory adoption pay rates may change in line with national increases. The latest rates can be found [here](#).

If you are eligible to receive **university adoption pay**, there are two payment options:

Option A:

Ten weeks of normal pay followed by;

Twenty weeks of normal pay plus statutory adoption pay (where this does not exceed normal full pay) followed by;

Nine weeks of statutory adoption pay followed by;

Up to thirteen weeks of unpaid adoption leave.

Option B:

Twenty weeks of normal full pay followed by;

Nineteen weeks of statutory adoption pay followed by;

Up to thirteen weeks of unpaid adoption leave.

How can I calculate what adoption pay I will receive?

If you are eligible to receive University adoption pay, there is a [spread sheet](#) on the University webpages that calculates an approximation of adoption pay you will receive on a week by week basis to enable you to decide which option you would like to choose. You will need to have your latest payslip to hand to input your monthly gross pay into the calculator.

I am adopting more than one child. Am I entitled to additional adoption leave?

The duration of adoption leave is not extended where more than one child is adopted as part of the same adoption arrangement. Where a child is adopted with a separate, subsequent matching certificate, the employee may commence a second period of adoption leave.

If the individual meets the eligibility requirements, they will qualify for a second payment of statutory adoption pay. However, the maximum payment that an individual can receive at any time is the equivalent of their normal full pay (where they qualify for University adoption pay).

When can I commence adoption leave?

Adoption leave for a child adopted from within the UK may start up to 14 days prior to the child's placement date and must start at the latest on the first day of placement of the child.

Adoption leave for a child adopted from overseas may start from the date of the child's entry into the UK or from a predetermined date up to 28 days after that date.

If there is a surrogacy arrangement, adoption leave will begin the day the child is born or the day after the birth.

Can I change the start date of my adoption leave?

An individual may bring forward their adoption leave start date, provided they advise the change in writing at least 28 days before the new start date, or, if that is not possible, as soon as is reasonably practicable.

What happens if the adoption is not successful and the child ceases to live with me?

If the adoption is disrupted and the child ceases to live with the primary adopter, the adoption leave and pay will continue until the end of the eighth week after the child ceases to live with the primary adopter.

Will I still accrue annual leave whilst I am on adoption leave?

Individuals will accrue normal contractual annual leave during adoption leave. In accordance with University policy, leave for the year to 30 September will be lost if not taken by 31 March in the calendar year following the leave year. However, if adoption leave prevents an individual from taking accrued leave before 31 March, the leave owing may be carried over into the new leave year as exceptional carry forward.

Please note that annual leave may only be taken before or after a period of adoption leave.

Do I still get statutory and customary holidays whilst I'm off on adoption leave?

Statutory and customary holidays continue to accrue during any period of adoption leave and will be added onto an individual's Success Factors balance when you return to work.

Will I still receive a salary increment and/or a cost of living increase whilst on adoption leave?

Increments and/or cost of living increases will continue during leave and will be taken into account when calculating pay and adoption pay.

I work in an academic department, does eligibility for study leave accrue during adoption leave?

Eligibility for study leave will continue to accrue during adoption leave.

What happens with my pension contributions during adoption leave?

Members remain in their existing pension scheme during adoption leave. Subject to scheme rules for USS, NHS or UPS contributions will be as follows:

- During any normal full pay period, contributions will be deducted and made as usual
- During any periods of reduced pay or adoption pay, employee contributions will be deducted based on the level of actual pay or adoption pay. The University will make up normal member contributions and pay employer's contributions as if the employee was being paid normal full pay.
- In some circumstances during any periods of unpaid leave, pension membership can be suspended.

Employees are strongly advised to contact the Pensions Team (HR.Pensions@warwick.ac.uk) prior to adoption leave commencing in order to understand any specific pension implications relating to their individual circumstances.

Will my period of adoption leave be counted as continuous service at the University?

Yes, service whilst on adoption leave will count as continuous service with the University.

Will I be contacted by my manager during adoption leave?

The line manager (or equivalent) may want to make reasonable contact with the employee during their adoption leave. Reasonable contact will vary according to individual circumstances and should be agreed between both the employee and the line manager (or equivalent) prior to going on adoption leave.

What is a keeping in touch (KIT) day?

An individual can work up to 10 days during adoption leave without this affecting your right to statutory adoption pay. These days are known as "keeping in touch days" or "KIT days" These days provide a means to be updated on relevant work or job-related matters and must be taken in agreement with your line manager or Head of Department. There is no requirement for individuals to carry out KIT days, nor for departments to agree to them.

What pay do I receive when I work a keeping in touch (KIT) day?

Any number of hours worked on a KIT day constitutes one KIT day and employees will receive a normal day's full pay inclusive of any current adoption payments.

For example:

- During the period of full pay, no further payment would be due
- During the period of statutory adoption pay, payment would be enhanced to full pay
- During the period of unpaid leave, payment would be at full pay

Your line manager or Departmental Administrator will need to log on Success Factors that a KIT day has been worked in order for the relevant payment to be processed. A guide with instructions is available [here](#).

Am I entitled to return to the same job following a period of adoption leave?

Individuals taking no more than 26 weeks' adoption leave in total are entitled to return to the same job. If the total absence period is more than 26 weeks, individuals are entitled to return to the same

job, or if that is not practicable, to return to a suitable alternative job on no less favourable terms and conditions. For more information, please contact your [HR Business Partner](#).

If a post becomes at risk of redundancy whilst an employee is on adoption leave and 18 months following the date of placement (or date of entry into Great Britain if it is an overseas adoption) they will be contacted and consulted about the situation, in accordance with the relevant University procedure. An employee on adoption leave and 18 months following the date of placement, whose post is made redundant has the right to be offered suitable alternative employment in preference to other employees who may be at risk. Your line manager and [HR Business Partner](#) will be able to provide additional information regarding this.

What happens if I want to return from adoption leave early?

Individuals may return to work earlier or later than previously notified on their adoption form provided eight weeks' written notice has been given.

What happens if I want to end adoption leave early to take shared parental leave?

A couple who adopt a child may be entitled to Shared Parental Leave of up to 50 weeks, to be shared between them during the first year of the adoption, if they meet the eligibility requirements.

Further information can be found [here](#).

Can I return to work on a part time or more flexible basis?

Employee's have the statutory right to request flexible working. A formal application would need to be made for your request to be considered in line with the University's [Flexible Working Guidelines](#)

What happens if I don't want to return to work after adoption leave?

Individuals who do not wish to return to work following adoption leave should inform their manager/Head of Department of this in writing, giving the notice required in their terms and conditions of employment. The University will reclaim the non-statutory elements of adoption pay if an individual does not return to work for at least six months after the end of adoption leave.

What happens if my fixed term contract expires during my period of adoption leave?

Individuals whose fixed term contracts are due to expire during adoption leave are eligible to opt for redeployment within the University in accordance with the University's [Redeployment Policy and the Fixed Term Contract Policy](#).

If an individual is not redeployed and their employment ends, they will not be required to pay back the non-statutory elements of adoption pay.

I am on a career break. Am I eligible for adoption pay?

Individuals on a career break will not be eligible for University adoption pay.

Who can I contact if I require further information on adoption leave?

If you have any further queries please discuss these with your line manager or contact your [HR Business Partner](#)