



Manager Guidance – Adoption Leave (Teachers)

Introduction

This guidance is based on the Scottish Negotiating Committee for Teachers SNCT49 Maternity and Adoption Leave and Pay.

Adoption Leave

All employees are entitled to 52 weeks adoption leave (AL) regardless of length of service. The 52 weeks comprises of 26 weeks' Ordinary Adoption Leave and 26 weeks' Additional Adoption Leave.

The adoption leave may begin:

- a) From the date of the child's placement or
- b) From a fixed date up to 14 days before the expected date of placement.

Where more than one child is placed as part of the same adoption arrangement, only one period of leave will be granted.

Where a couple jointly adopts a child, the couple must choose one person to take the adoption leave.

Adoption Pay

An employee with less than 26 weeks' continuous service prior to the week in which he/she is notified of being matched with a child for adoption is entitled to 52 weeks' Adoption Leave without pay.

An employee with at least 26 weeks' continuous service prior to the week in which he/she is notified of being matched with a child for adoption will be entitled to be paid:

- a) Occupational Adoption Pay (OAP) and Statutory Adoption Pay (SAP) for the first 13 weeks. Taken together these payments will be equal to the employee's normal salary.
- b) Statutory Adoption Pay (SAP) for the next 26 weeks provided that the employee's average weekly earnings are not less than the lower earnings limit for National Insurance contribution liability.

Notification of Start of Adoption Leave

An employee must inform the council in writing of his/her intention to take Adoption Leave within 7 days of being notified by their adoption agency that they have been matched with a child for adoption, where this is reasonably practicable.

Such notification must include:

- a) the expected placement date and
- b) the date on which they intend to start their adoption leave and
- c) a matching certificate from the adoption agency



Notification of return from Adoption Leave

An employee who wishes to return to work prior to the end of the adoption leave period must give the council 28 days' notice. If the appropriate notice is not given, the council may postpone his/her return for up to 28 days or to the end of the adoption leave period if this is earlier.

Pre Adoption Meetings

An employee who is adopting will be allowed to take such reasonable time off without loss of pay as is required to attend pre-adoption meetings, on production of evidence of appointments if required by the council.

Step	Task	Who does it
1	Notify ESC of intention to commence Adoption Leave	Employee
2	Input adoption dates to iTrent	HR Operations Team
3	Issue of appropriate letter to employee detailing entitlements along with return to work proforma	HR Operations Team
4	Issue details to manager detailing employee adoption dates	HR Operations Team
5	Notify ESC/Manager when returning from adoption leave	Employee
6	Update iTrent with adoption end date	HR Operations Team
7	Issue employee with letter confirming return and advise manager of date	HR Operations Team
8	Adjust holiday entitlement (Psychologists and Continuous Improvements Officers only)	HR Operations Team

What do I as a manager need to know?

Notifications for both commencement and return of adoption leave should be sent to the ESC as soon as possible to ensure the employee's pay is calculated accurately.

For employee's returning from adoption leave you must ensure that they are registered with the GTC as their membership could have lapsed.

To ensure compliance with the Council's ICT Access procedures, where an employee has access to IT systems, you should arrange for their access to be suspended during their adoption leave. Equally, upon an employee's return, you should arrange for their access to be restored.

How do I get further help with this?

Further guidance can be found in the following:

Adoption Policy



You can contact your HR Operations teams:

[HR Operations Team 1](#) – Adult Health & Social Care and Chief Executive Services

[HR Operations Team 2](#) - Enterprise & Communities

[HR Operations Team 3](#) - Education & Families Service