

drb Ignite Multi Academy Trust

Adoption Policy

Trust vision

The Trust has been established through a shared belief that lives can be transformed by what goes on in schools. We believe that the process of teaching and learning shapes futures. To this end our vision is to give every child learning experiences that excite them and give them the power to begin to shape their own lives.

All pupils achieve the highest standard of educational outcomes regardless of circumstances or background.

Policy rationale

The Trust is deeply committed to the promotion of equality of opportunity for all staff and works positively to support staff who are also parents themselves. This Policy demonstrates the commitment of the Trust to support staff who are adoptive parents with the aim of enabling them to manage work and family commitments successfully.

For note:

The Policy uses the following definitions:

- **Adopter** - the person who is eligible for adoption leave and/or pay. This person can be male or female.
- **Partner** - the person who is the partner of the adopter. This can be a spouse, civil partner or a partner who is living in an enduring relationship with the adopter and the adopted child.

Implementation of statutory requirements

The Trust works hard to build and sustain a strong track record as a diverse, fair and flexible employer. By doing so, trustees believe the Trust will be able to attract and retain high calibre staff and effectively support their career progression. This is especially important for staff who are adoptive parents. To achieve this, the Trust will ensure it is fully compliant with all adoption legislation

Complying with legislation on adoption leave and pay

- The Trust complies with legislation which entitles staff who are newly adopting a child to:
 - 26 weeks' ordinary adoption leave (OAL)
 - 26 weeks' additional adoption leave (AAL)
 - the right to return to the same job held with the same terms and conditions, unless after additional adoption leave, this is not reasonably practicable.

- Most employees will also qualify for *Statutory Adoption Pay (SAP)*.
- Entitlement to statutory rights is dependent on the correct implementation of the adoption procedures, as defined by legislation.
- Staff will only be entitled to adoption leave and pay when the child has been newly matched for adoption i.e. this Policy will not apply in circumstances where a step-parent adopts a partner's child.
- From April 2015, adoption leave is available to staff from the first date of their employment. In addition, *Statutory Adoption Pay* will be enhanced to 90% for the first six weeks. Any member of staff in a surrogacy arrangement, who meets the relevant qualifying criteria and who applies for a parental order in relation to a child born under a surrogacy agreement, will also qualify for adoption leave and pay.
- For adoptions within the UK, the earliest a staff member can start their *Ordinary Adoption Leave* is 14 days before the expected date of placement. Once the adoption leave has commenced, there is a compulsory adoption leave period of a minimum of two weeks before a member of staff can return to work.
- For overseas adoptions, it is the position of *HM Revenue and Customs* that the staff member cannot start their adoption leave until the child has entered the UK.

Implementing *Statutory Adoption Pay (SAP)*

The qualification period for *Statutory Adoption Pay* is 26 weeks of continuous service with the Trust ending with the week in which the adopter is notified of having been matched with a child by adoption authorities. This is provided that normal weekly earnings at this point are not less than the lower earnings limit for National Insurance contributions for the eight-week period ending with the week in which the adopter was notified of being matched.

Staff must:

- be on the Trust payroll and earn at least £120 a week in an 8-week period - the 'relevant period'
- give the Trust the [correct notice](#)
- give the Trust [proof of the adoption](#)

For note:

More information can be found on: <https://www.gov.uk/national-insurance>

Rates of Statutory Adoption Pay

Statutory Adoption Pay (SAP) for staff is:

- 90% of gross average weekly earnings for the first 6 weeks
- £151.97 a week or 90% of their gross average weekly earnings (whichever is lower) for the next 33 weeks

Tax and National Insurance need to be deducted.

The Trust will calculate a staff member's adoption leave and pay using the: [maternity and paternity calculator](#).

For note:

Staff who do not qualify for SAP may be able to receive financial support from their adoption agency or local Jobcentre Plus Office.

For more information <https://www.gov.uk/employers-adoption-pay-leave>

Pay for staff in surrogacy arrangements

The requirements are the same for staff in surrogacy arrangements, except they must have been continuously employed by the Trust for at least 26 weeks up to any day in the 15th week before the baby is due.

If the Trust ask for it, they must also provide [proof that they intend to become the baby's legal parent](#).

Who cannot qualify

Staff will not qualify for either adoption leave or pay if they:

- become a special guardian or kinship carer
- adopt a stepchild or family member
- adopt privately, for example without permission from a UK authority or adoption agency

Monitor and Review

Monitoring and review	Director of Operations Trustees
Links	Leave of Absence Policy
Staff responsible	Headteachers School Business Managers
Date approved	July 2021
Sign off by Trust Chair	 Date: July 2021
Review date*	July 2023

*Please note that should there be any changes/further national guidance issued relevant to this policy, it will be updated accordingly prior to the review date shown above and referred to the next Trust Board meeting.

Change Management

Issue No	Change date	Change description
1.0	Dec'16	Initial release
2.0	Nov'18	Rebranded, updated and signed off
3.0	July 21	Reviewed