



ADOPTION POLICY AND PROCEDURE

NOVEMBER 2024

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SECTION 1 – INTRODUCTION

1. INTRODUCTION

- 1.1 The Company recognises that the adoption provisions are complex and that there are a lot of things to think about when you are looking to adopt a child, such as your entitlements (e.g. during adoption leave and on your return to work), the options available to you and the processes you need to be aware of and follow.
- 1.2 We hope that everyone has a happy and smooth adoption but appreciate that individual circumstances mean that the adoption experience is different for everyone and can be more difficult for some; we will do everything we can to support employees.
- 1.3 We also recognise that the effects of an adoption placement ending can be extremely distressing, and we are committed to supporting employees at these times and we have included signposting to relevant information and support.
- 1.4 You may wish to read this policy as a whole or go to the relevant section by clicking on the links in the contents list. A handy checklist has been provided for you ([Section 4](#)), to make sure you remember all the actions that you need to take.

2. PURPOSE

- 2.1 The Company's Adoption Policy is designed to encourage open discussion with employees to ensure that any questions and/or issues can be resolved as quickly as possible and to ensure that the Company:
 - complies with relevant employment legislation;
 - follows best practice; and
 - signposts employees to sources of support.

3. SCOPE

- 3.1 This is a group level policy that applies to all employees of Anglian Water Group Limited and its subsidiaries (including but not limited to Alpheus Environmental Limited, AVH Parks Limited, TIDE Services Limited and AWG Group Limited) but excluding Anglian Water (Ireland) Limited and Wave Limited (and their respective subsidiaries, which include Celtic Anglian Water Limited and Anglian Water Business (National) Limited).
- 3.2 Company Adoption Pay provisions detailed in this policy are effective from 1st April 2024 and will only apply to adoption leave started on or after 1st April 2024.
- 3.3 Adoption leave and pay are not available where:
 - the adoption is private, i.e. where an employee adopts or fosters to adopt a family member;
 - where an employee becomes a special guardian or kinship carer; and
 - a child is not newly matched for adoption, e.g. when a stepparent is adopting a partner's child.

4. STATUS

4.1 This Policy is a Collective Agreement.

5. POLICY OWNER

5.1 Head of Employee Relations.

6. RECORDS

6.1 It is the Company's standard practice that all written correspondence will be sent by email. Where this is not possible (i.e. the employee has not provided a personal email account), it will be sent by standard mail.

6.2 All information will be held on the employee's record in accordance with the Company's Data Retention [Policy](#).

7. FURTHER ASSISTANCE

7.1 Other types of leave be available also to parents – please see [Lighthouse](#) for our Shared Parental Leave, Paternity Leave, Parental Leave and Time off for Dependants Policy and Procedures.

7.2 If you have other questions about this policy contact your [Employee Relations Manager/Advisor](#).

7.3 If you have questions about the Workday process contact PeopleSupport@anglianwater.co.uk.

LAST REVIEWED

November 2024

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SECTION 2 – YOUR RIGHTS

1. GENERAL

1.1 Couples

If you are in a couple jointly adopting a child, only one of you can get adoption leave and pay. You should decide between yourselves who will get it. The partner who does not get adoption leave and pay might be able to get [paternity leave and pay](#).

Both of you might also be able to use [shared parental leave and pay](#) to take time off. If you would like to talk to someone to work out what is best for you, please contact your [Employee Relations Manager / Advisor](#).

1.2 Surrogacy

You might be entitled to adoption leave, pay and other rights but you **must** apply to become the legal parent within 6 months of the child's birth. You must apply for:

- a parental order – if one intended parent is genetically related to the child; OR
- an adoption order – if the intended parents are not genetically related to the child.

If you are a couple having a baby through surrogacy, one of you can take adoption leave and the other can take [paternity leave](#). If you would like to talk to someone to work out what is best for you, please contact your [Employee Relations Manager / Advisor](#).

1.3 Fostering to adopt

You might be entitled to adoption leave, pay and other rights but you **must** provide evidence that a child has been placed or matched with you, e.g. a letter from an adoption agency.

1.4 Adopting more than one child

If you adopt or foster to adopt two or more children on the same placement, you're only entitled to one period of adoption leave.

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2. ENTITLEMENTS WHILST AT WORK

2.1 Adoption appointments

Once you have been matched with a child, you are entitled to take paid time off to attend up to five adoption appointments, all of which must have been arranged/requested by the adoption agency and **must** be taken before your child is placed with you.

If you are in a couple jointly adopting a child, only one of you can elect to take this time off as paid; the other can elect to take unpaid time off to attend up to two adoption appointments.

The purpose of the appointment is to enable you to have contact with the child (e.g. to bond with them before the placement) or for any other purpose connected with the adoption (e.g. to meet with the professionals involved in the care of the child).

You can book time off for these appointments in Workday, by choosing short term absence – Discretionary paid leave and adding 'adoption appointment' to the comments box.

2.2 Annual leave and bank holidays

You are encouraged to book and take any accrued annual leave before the start of your adoption leave.

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3. **ADOPTION LEAVE AND PAY**

3.1 Summary table

What you are entitled to will depend on your length of service, your earnings and when you are matched with a child (UK adoption) / your adoption is due to commence (Overseas adoption). The table below provides an easy reference summary for you. This is followed by a more detailed explanation of each area of entitlement and the qualifying conditions for each.

Length of Service / Earnings	Adoption Leave	Adoption Pay
More than 1 year's continuous service ending with the week that they are notified of being matched with a child (or for overseas adoption – more than 1 year at point adoption leave is due to begin) and earnings are above the lower earnings limit for national insurance.	Up to 52 weeks	Company Adoption Pay (CAP) ±3 26 weeks' full pay plus 26 13 weeks at the lower statutory rate ¹ (and must return to work for a minimum 26 weeks) OR Statutory Adoption Pay (SAP) 6 weeks at 90% (or 90% if average pay is lower) of average pay plus 33 weeks at the lower statutory rate (do not need to return to work)
More than 26 weeks' continuous service ending with the week that they notified of being matched with a child (or for overseas adoption – more than 26 weeks at point adoption leave is due to begin) and earnings are above the lower earnings limit for national insurance.	Up to 52 weeks	Statutory Adoption Pay (SAP) as above
Less than 26 weeks' continuous service ending with the week that they notified of being matched with a child (or for overseas adoption – more than 26 weeks at point adoption leave is due to begin) OR earnings are above the lower earnings limit for national insurance.	Up to 52 weeks	Not eligible for Company or Statutory Adoption Pay. You may get support from your local council instead.

¹ The current rate can be found at <https://www.gov.uk/browse/childcare-parenting>

3.2 Types of adoption leave

Ordinary Adoption Leave (OAL) and Additional Adoption Leave (AAL) - all employees (regardless of their length of service) are entitled to up to 26 weeks' ordinary (statutory) adoption leave and 26 weeks' additional (company) adoption leave (totalling 52 weeks). A distinction is made between the two types of leave because there are different remuneration conditions and return to work rights between the first and second six months.

3.3 Eligibility criteria

To be eligible for adoption leave you must:

- be an individual adopting a child or be one member of a couple adopting a child jointly (only one of you may take adoption leave and pay);
- have been matched with a child to be placed with you by a UK adoption agency;
- have notified the agency that you agree that the child should be placed with you and have agreed the date of placement; and
- notify the Company of when you want to take your adoption leave (by booking the leave on Workday) no more than seven days after you have been notified that you have been matched with a child.

For overseas adoptions you must:

- have received 'official notification' – this confirms you have been assessed and approved as being a suitable adoptive parent;
- notify the Company within 28 days of receiving official notification; and
- give at least 28 days' notice of the start of your leave (by booking the leave on Workday).

3.4 Starting adoption leave

You **must** give notice of your intention to take adoption leave:

- within 7 days (UK adoptions) of either:
 - being matched with a child for adoption; or
 - your adoption placement being confirmed, if you're fostering a child permanently and becoming their legal parent ('fostering to adopt').
- within 28 days (overseas adoptions) of receiving your official notification.

You do this by requesting your adoption leave (both ordinary and additional) on Workday (shown as statutory and company adoption leave respectively) and uploading a copy of your matching certificate/official placement letter to Workday. You should discuss and agree your adoption leave start date with your manager (taking into account any annual leave that you must take before your adoption leave begins) **before** submitting the details on Workday. If you want to change your adoption leave start date you have to give four weeks' notice.

You may choose to start your adoption leave:

- up to 14 days before the date the child starts living with you (UK adoptions);
- when the child arrives in the UK or at the latest within 28 days of this date (overseas adoptions); or
- the day the child's born or the day after (if you've used a surrogate to have a child).

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3.5 Adoption pay

What you receive in adoption pay will depend on your length of service, earnings and whether you intend to return to work or not. There are three possibilities:

Statutory Adoption Pay (SAP) – to be eligible for this you must have:

- more than 26 weeks' continuous service:
 - ending with the week in which you are notified of having been matched with the child (UK adoptions); or
 - by the time the adoption leave is due to begin (overseas adoptions); or
 - at 15 weeks before the week your baby is due to be born (surrogacy).
- average gross weekly earnings at least equal to the lower earnings limit for National Insurance (NI) purposes;
- provided notice in Workday of the date you intend to start your adoption leave; and
- provided proof of adoption (e.g. letter from adoption agency).

SAP is payable for up to 39 weeks once you start your adoption leave. It is paid into your bank account on the normal monthly pay date and is subject to tax, national insurance and agreed pension contributions. Any other regular payments will be deducted also, unless they are suspended or cancelled.

SAP is currently 90% of normal weekly earnings for the first six weeks, followed by a basic rate for 33 weeks, or 90% of normal weekly earnings if lower. SAP is paid as a weekly rate, with the week starting on the day of week you start your adoption leave, e.g. Thursday. Your monthly salary during your adoption leave will include SAP for complete weeks (e.g. Thursday to Wednesday) in that month.

There is no requirement for you to return to work to receive SAP and no requirement to repay SAP if you choose not to return to work.

Company Adoption Pay (CAP) – to be eligible for this you must have:

- at least 1 year's continuous service ending with the week in which you are notified of having been matched with the child (or for overseas adoptions at least 1 year's continuous service by the time the adoption leave is due to begin);
- provided notice in Workday of the date you intend to start your adoption leave; and
- provided proof of adoption (e.g. letter from adoption agency).

CAP is payable for up to 39 weeks once you start your adoption leave. It is paid into your bank account on the normal monthly pay date and is subject to tax, national insurance and agreed pension contributions. Any other regular payments will be deducted also, unless they are suspended or cancelled.

CAP is made up of 26 weeks on full basic pay excluding overtime or bonus, (SAP payments are included in this pay) plus a further 13 weeks at the SAP basic rate.

CAP is payable on the condition that you must return to work for a minimum of 26 weeks after adoption leave (periods of sick leave do not count as working), or you will be required to pay back the CAP (less the SAP entitlement).

If you are unsure about whether you want to return to work, you may opt to receive SAP only and receive the balance of your CAP after completing 26 weeks on your return to work.

No Adoption Pay – where you have less than 26 weeks' continuous service and your earnings are below the lower earnings limit for national insurance. If you are not entitled to SAP, People and Payroll Services will send you a form (SAP1) explaining why you are not eligible for SAP once you provide notice in Workday of the date you intend to start your adoption leave. You may get support from your [local council](#) instead.

3.6 If the unexpected happens

We recognise that sadly some adoption placements will not continue, e.g. if:

- you've started your adoption leave and the agency tells you the placement cannot happen;
- the child dies during adoption leave; or
- the child is returned to the adoption agency.

In these circumstances your adoption leave and pay will end 8 weeks after the placement ceases, for whatever reason. However, if your adoption leave expires prior to the end of the eighth week, your adoption leave will end on the expiry of the adoption leave period.

In some circumstances the Company's [Bereavement Policy](#) may also apply.

Please make sure your manager is made aware as soon as possible so that appropriate support and advice can be given.

3.7 Annual leave and bank holidays

You will continue to accrue annual leave and bank holidays (on a pro-rata basis if you work part-time) while on adoption leave. If you worked full time prior to adoption leave you will accrue leave on a full-time basis during adoption leave, even if you subsequently return to work on a part-time basis.

To calculate accrued leave whilst on adoption leave, divide the total yearly leave entitlement by 12 and multiply this by the number of completed months of adoption, e.g. 23 days/12 months = 1.9 x 4 months on maternity leave = 7.5 days

Any leave accrued or carried over from the previous leave year **must** be taken before you return to work (i.e. taken at the end of the adoption leave) unless otherwise agreed with your manager.

Any leave accrued from the current leave year may be used when you return to work – just book it on the appropriate system, e.g. Workday, WFM, MyAnglianWater and Holiday Planner in line with the Annual Leave Policy.

3.8 Pension

During **paid** adoption leave you will continue to pay your current percentage of pension contributions, based on the actual pay received. For any period of **unpaid** adoption leave you will have the option of making up your missed pension contributions on your return to work – if you want to make up your contributions,

you have to make and confirm this decision within 60 days of your return. The Company will continue to pay its share of pension contributions during the entire paid adoption leave period based on your usual salary (see summary table below).

	Pension	Employee pays contributions based on	Employer pays contributions based on
OAL and first 13 weeks of AAL (26 weeks), whether or not CAP/SAP is paid	Counts in full	Actual CAP and/or SAP (if any) received	Notional full pay
Last 13 weeks of AAL (13 weeks unpaid) where: <ul style="list-style-type: none"> the employee opts to pay contributions to cover this period the employee does not opt to pay contributions to cover this period 	Counts in full Does not count	Notional pay based on the rate of CAP and/or SAP received on the last day of paid adoption leave Not applicable – no contributions due	Notional full pay Not applicable – no contributions due

Payroll will contact you on your return to work to discuss if you wish to make up your missing contributions.

3.9 Other benefits

You will retain all benefits while on adoption leave, e.g. work mobile phone and membership of the Company's private health care scheme continues (you will continue to be taxed monthly on the latter). Some benefits, like your company car/cash allowance you can keep or choose to return to avoid the tax implications of the benefit.

Loyalty Saving Scheme – you can choose to make up payments missed during periods of no pay. If you choose to keep saving without making up the missed payments, at the end if you are eligible for a bonus this will be paid pro-rata, based on months you have paid into the scheme. Payroll will contact you on your return to work to discuss if you wish to make up your missing payments.

3.10 Contractual obligations

Whilst on adoption leave you will continue to be bound by all of the terms of your contract of employment except the right to be paid, including the implied obligations of good faith and confidentiality. You are not permitted to work for any other employer or organisation, whether paid or otherwise, during your adoption leave.

3.11 Reasonable contact

Reasonable contact is permitted and actively encouraged during your adoption leave – you should agree with your manager when and how you would like to be contacted, e.g. phone or email. Your work IT account will be frozen during your

adoption leave; your Line Manager will be able to ask for it to be made available if you need access, e.g. for KIT Days.

3.12 Keep in touch days (KIT days)

You can agree with your manager to take up to 10 Keep In-Touch (KIT) days during your ordinary or additional adoption leave without losing statutory payments or bringing your leave to an end. These days are optional and are designed to give you the opportunity of keeping up to date while on leave and/or to ease your return to work and are paid at your normal daily rate (calculated Payroll). You will need to record these days for payment in Workday > Time.

'Work' means any work done under the contract of employment and may include training or any activity undertaken for the purpose of you keeping in touch with the workplace.

3.13 Transfer of leave and pay

Shared parental leave is a way that you can commit to ending your adoption leave and pay at a future date, and to share the untaken balance of your leave and pay as shared parental leave and pay with your partner, or to return to work early from adoption leave and opt in to shared parental leave and pay at a later date. For more information see the Shared Parental Leave Policy on [Lighthouse](#).

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4. RETURNING TO WORK

4.1 Confirming your return

You **must** tell us of your intention to return to work **at least 8 weeks before** your intended return date by submitting the details on Workday.

This means that you should contact your manager to discuss and agree your return to work arrangements, including the return date, hours of work and whether or not you wish to return on a part time basis (for 13 weeks or permanently²), and arrangements for using up any accrued annual leave before you return **before** submitting the details on Workday.

If you fail to give 8 weeks' notice of your return, we may postpone your return by eight weeks or to the end of your adoption period if that is shorter.

If you change your mind **after** you have submitted the details on Workday, you must give at least eight weeks' notice of your new proposed return date.

You cannot extend your adoption leave beyond 52 weeks using annual leave. However, you can extend it by up to 4 weeks by using unpaid Parental Leave. For more information see the Parental Leave Policy on [Lighthouse](#).

We recognise that for some returning to work after adoption leave may be an anxious time. We will do everything we can to make you feel comfortable, bring you up to date and ease your return. Please discuss and agree with your manager

² You will be required to submit a [Flexible Working Request](#).

(before you return to work) a return to work plan to help make this as smooth as possible.

4.2 The right to return to the same job

On returning from **ordinary** adoption leave (i.e. by the end of the first 26 weeks of adoption leave) you are entitled to return to the job you held before your maternity leave.

On returning from **additional** adoption leave (i.e. during or at the end of the second 26 weeks of adoption leave) you are entitled to return to the job you held before your adoption leave, but if it is not reasonably practicable for the Company to give you exactly the same job back, you are entitled to a suitable job at the same level with terms and conditions at least as good as the previous job.

If there is a redundancy situation during your adoption leave or within 18 months of the placement of your child you are entitled to be offered any suitable alternative vacancy.

4.3 Returning part-time

You may return from adoption leave on a part-time basis for up to 13 weeks (all terms and conditions, such as pay and annual leave, will be pro-rata for this period). You will be required to complete a temporary [Flexible Working Request](#) prior to your return to confirm the details.

4.4 Sickness following adoption leave

If you are ill immediately following your adoption leave, the normal rules on sickness absence will apply. If you have received CAP any sickness absence will not count towards the required 26 weeks return to work.

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SECTION 3 – SUPPORT

Our independent Employee Assistance helpline (EAP) may be able to help. It is a confidential service, available 24 hours a day, 7 days a week. They provide health and wellbeing support for employees during their employment. Their telephone number is **0800 243 458**. You can find out more about this service on [Lighthouse](#).

There are a number of external organisations that offer adoption support:

[Coram](#) – offers support with parenting skills and signposts to other areas of support for adopted children.

[Adoption UK](#) – a charity providing support, community and advocacy for all those parenting or providing support to children who cannot live with their birthparents.

[We Are Family](#) - a peer to peer support community by adopters, for adopters; there for parents throughout their adoption journey.

[Family Lives](#) - Support for parents of children with an adoption plan, placed for adoption or adopted.

[GOV.UK](#) - the Government website sets out general information on adoption.

[ACAS](#) –provides information on adoption rights. ACAS also runs a free telephone helpline service.

[Working Families](#) - provides information and advice for parents and carers. They have online information and a telephone helpline.

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SECTION 4 – EMPLOYEE CHECKLIST

ACTIONS		DONE √
1	As soon as possible – talk to your manager. Let them know that you are going through the adoption process. An early and informal conversation will help your manager provide any support you need.	
2	Discuss with your manager when you will go on adoption leave. Make sure you have calculated the annual leave you are entitled to before you go on adoption leave – you are encouraged to book and take this before your adoption leave starts.	
3	<p>You must give notice of your intention to take adoption leave:</p> <ul style="list-style-type: none"> • within 7 days (UK adoptions) of either: <ul style="list-style-type: none"> ○ being matched with a child for adoption; or ○ your adoption placement being confirmed, if you’re fostering a child permanently and becoming their legal parent (‘fostering to adopt’). • within 28 days (overseas adoptions) of receiving your official notification. <p>You do this by requesting your adoption leave (both ordinary and additional) in the absence section on Workday (shown as statutory and company adoption leave respectively) and uploading a copy of your matching certificate/official placement letter to Workday. Remember without this adoption pay cannot be processed.</p>	
4	Think about your options for transferring leave to your partner – see our Shared Parental Leave Policy .	
5	Discuss with your manager how you wish to remain in contact throughout your adoption leave (e.g. phone or personal email). Agree with your manager the things that you want to be kept up to date with.	
6	If the unexpected happens, and your adoption placement ends during your adoption leave - tell your line manager and seek support and advice. Remember your adoption leave will end eight weeks after the placement ends.	

7	<p>If you agree to attend work for a Keeping in Touch (KIT) Day, make sure that you book this on Workday to ensure you get paid. Your manager will need to let the service desk know in advance if you need access to your IT account.</p>	
8	<p>Contact your line manager to discuss and agree your return to work arrangements, including the return date, hours of work and whether or not you wish to return on a part time basis (for 13 weeks or permanently*), and arrangements for using up any accrued annual leave before you return before submitting the details on Workday.</p> <p>*You will be required to complete a Flexible Working Request.</p> <p>Remember You must tell us of your intention to return to work at least 8 weeks before your intended return date by submitting the details on Workday.</p> <p>If you fail to give 8 weeks' notice of your return, we may postpone your return by eight weeks or to the end of your adoption period if that is shorter.</p> <p>Once you have submitted the details on Workday, if you change your mind you must give 8 weeks' notice of your new return date.</p>	
9	<p>Agree a return to work plan with your manager – returning after a long time away can feel like being a new starter.</p>	
10	<p>Remember if you have taken a period of unpaid adoption leave and want to make up your pension contributions / payments into the Loyalty Savings Scheme, you must tell People & Payroll Services within 60 days of the end of your adoption leave.</p>	

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SECTION 5 – MANAGER CHECKLIST

PRIOR TO ADOPTION LEAVE		DONE √
1	Ensure that you allow your employee a reasonable amount of paid time off to travel to, and to attend, up to five adoption appointments.	
2	Make appropriate cover arrangements, which should take into account the employee's right to return.	
3	Maintain reasonable contact with your employee. Agree with the employee before they go on adoption leave what this contact will include, e.g. discussion about their return to work, arranging Keeping in Touch (KIT) Days and keeping them up to date about significant changes at work.	
DURING ADOPTION LEAVE		DONE √
4	At the start of your employee's adoption leave make sure you have actioned all notifications in Workday. It is important that you follow the process on Workday for freezing their IT account. If you fail to do this the IT account will be closed and a new account will have to be opened (with a new name) for your employee on their return from adoption leave. If your employee needs access to their IT account, e.g. for a KIT Day, you will need to ask the service desk, by email, to open their account (giving at least 5 working days' notice) – remember to ask for it to be frozen again once the KIT Day is over, or the account may be closed.	
5	Maintain reasonable contact with your employee.	
6	Authorise payment for any work/training done on KIT Days (up to a maximum of 10 attendances, either half or full days) by approving claims on Workday.	
RETURN TO WORK		DONE √
7	You need to keep an employee's post available for them on their return to work as they will have a statutory right to return to work after: - 'ordinary' adoption leave (OAL) to the same job; and/or	

	- 'additional' adoption leave (AAL) to a 'job of the same kind' on no less favourable terms and conditions, e.g. in relation to grade, hours and location.	
8	<p>If an employee wishes to return to work <u>before</u> the expected end of their OAL or AAL, they must give you 8 weeks' notice of this in writing. If they do not provide the required notice you can postpone their return date. Please speak to your ER team about how to do this if you wish to exercise this right.</p> <p>An employee may also opt to extend their adoption leave, i.e. to take more OAL or AAL as previously indicated. In order to do this, they must provide you with 8 weeks' notice in writing. Any extension must be within the maximum entitlement of 52 weeks.</p>	
9	Some employees may wish to exercise their statutory right under the Flexible Working Regulations to request a temporary/permanent change to their contract of employment on their return to work. If this is the case, you must follow the Company's guidance and procedures for dealing with such requests .	
10	Agree a Return to Work Plan with your employee before they return to work. This should help your employee with their re-introduction to the workplace, making sure it covers any changes in ways of working, policies etc. It should help welcome your employee back and facilitate a smooth return.	

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