



ADOPTION LEAVE POLICY

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hebridean housing
partnership

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INTRODUCTION

- 1.1 This policy sets out the adoption leave and pay entitlements and the procedures for employees to request adoption leave. It is based on the statutory minimum requirements for adoption leave.
- 1.2 The entitlement to Statutory Adoption Leave (SAL) applies to any employee newly adopting a child up to the age of 18. The entitlement to SAL applies irrespective of whether the employee is entitled to Statutory Adoption Pay (SAP).
- 1.3 Parents adopting step-children of a partner do not qualify for SAL or SAP, although they may qualify for parental leave.

WHAT IS ADOPTION LEAVE (SAL)

- 2.1 SAL may be taken by an employee when a child up to 18 years of age is placed with them for adoption, provided they meet certain qualifying conditions. In most cases, the employee will also be entitled to receive Statutory Adoption Pay (SAP).
- 2.2 Where a couple (whether opposite sex or same-sex partners) are adopting jointly, only one person may take SAL (and receive SAP). This person will be the Lead Adopter and the other partner will be the Secondary Adopter. The Secondary Adopter may be entitled (subject to meeting certain eligibility criteria) to take one or two weeks' paid paternity leave and/or a period of unpaid parental leave.
- 2.3 Employees who become parents through a surrogacy arrangement may be entitled to SAL and SAP, provided they meet the eligibility criteria and intend to apply for, or have applied for a parental order within the required legal timeframe.

RIGHTS PRIOR TO SAL

- 3.1 Employees that are adopting are entitled to time off for adoption appointments to either have contact with the child, or for another purpose connected to the adoption.
- 3.2 The Lead Adopter is entitled to up to five paid adoption appointments (each of not more than 6.5 hours in length).

- 3.3 The Secondary Adopter is entitled to up to two adoption appointments, without pay (each of no more than 6.5 hours).

ELIGIBILITY FOR SAL

- 4.1 To qualify for SAL an employee must be newly matched with a child for adoption by an approved adoption agency and have notified the Personnel Section in accordance with this policy. There is no qualifying service for SAL. It is a day-one right for eligible employees.

NOTICE REQUIREMENTS

- 5.1 The employee must notify HHP of their intention to take SAL within seven days of being notified of a match by the adoption agency unless this is not reasonably practicable.
- 5.2 The following details must be provided in writing to the Personnel Section:
- Confirmation that they intend to take SAL;
 - When the child is expected to be placed with them;
 - When they would like their SAL/SAP period to commence.
- 5.3 The employee can change their mind over when they would like to commence their SAL provided they give at least 28 days' notice of the change (unless this is not reasonably practicable).
- 5.4 The employee must provide documentary evidence of the placement for adoption in the form of a matching certificate.

HOW MUCH LEAVE MAY BE TAKEN

- 6.1 An eligible employee is entitled to an overall entitlement of 52 weeks' SAL (comprising 26 weeks' Ordinary Adoption Leave (OAL) followed immediately by a further 26 weeks of Additional Adoption Leave (AAL)).
- 6.2 The employee can start their leave on any day of the week, from either the actual date of the child's placement, or a predetermined date no more than 14 days before the expected date of placement.
- 6.3 Only one period of leave is permitted for each placement regardless of how many children are placed at that time as part of the same arrangement.

- 6.4 If, for some reason, the placement is not successful and ends after the SAL period has begun, the employee will be allowed to continue their leave for a maximum of eight weeks after the end of week the placement ends, or until the end of the maximum leave period, if that is sooner.
- 6.5 If the employee starts their SAL before the child is placed, they need to be sure that the placement is going ahead. If it is delayed once the employee has started their leave, they cannot stop their leave and start it again at a later date.

SHARED PARENTAL LEAVE

- 7.1 Employees entitled to SAL may be able to convert a period of this into a period of Shared Parental Leave (SPL) and pay, subject to meeting the required eligibility and notifications requirements.

PAY AND BENEFITS DURING SAL

- 8.1 Most employees are entitled to receive SAP during their SAL. In addition to the eligibility requirements for SAL listed above, to be entitled to SAP the employee must have:
- Worked for HHP for at least 26 weeks continuously by the week they were matched with the child;
 - Earned more than the lower earnings limit in the eight weeks prior to the notification of placement (the Personnel Section can provide further details about this);
 - Notified the Personnel Section at least 28 days' notice of the date they want SAP to start.
- 8.2 The maximum entitlement to SAP is 39 weeks' pay. Employees will receive higher rate SAP in respect of the first six weeks (90% of average earnings) and the flat lower rate of SAP for the remaining entitlement.
- 8.3 An employee who is not entitled to SAP will be sent a letter explaining why they are not eligible.

TERMS AND CONDITIONS DURING SAL

9.1 During OAL and AAL the employee's contract of employment continues as normal with the exception of remuneration.

This includes:

- paid holiday entitlement which continues to accrue (the employee cannot take accrued holiday during their SAL but can, with agreement, take it immediately before and/or at the end of the leave period)
- benefits such as share schemes, the reimbursement of professional subscriptions, the use of a company car and/or mobile phone (unless provided for business use only) will continue.

9.2 During periods of paid SAL the organisation will continue to pay pension contributions, which will be calculated as if the employee was in receipt of their normal remuneration.

9.3 If the employee normally makes pension contributions, these will also continue during periods of paid leave but will be based on what the employee is actually paid rather than on their normal remuneration.

RETURNING TO WORK

10.1 If the employee intends to take their full SAL entitlement, there is no need to formally notify the organisation of their return to work.

10.2 The employee is allowed to return early from leave. However, they must provide (preferably in writing) eight weeks' notice of their intended early date of return.

10.3 If the adoption placement is disrupted and the employee is returning earlier than expected, they still need to give the eight weeks' notice.

10.4 If the employee attempts to return early without notification, we may delay the return by up to eight weeks, provided this does not extend beyond the end of their maximum leave entitlement. However, all reasonable steps will be taken to ensure the employee can return early if they wish to.

- 10.5 The employee has the right to return to the same job following a period of OAL.
- 10.6 Following AAL the employee is also entitled to return to the same job unless there is a good reason why they cannot do so, in which case the employee must be offered a similar job on terms and conditions that are no less favourable than their original job.
- 10.7 If the employee decides not to return to work at all at the end of their SAL, they must tender their resignation giving their usual period of notice

WORKING DURING SAL

- 11.1 An employee can, by agreement, work during their SAL for up to 10 “keeping in touch” (KIT) days without bringing their SAL to an end or losing SAP.
- 11.2 An employee does not have to work on such a day if they do not wish to do so. Equally, the organisation is not obliged to offer any KIT days.
- 11.3 Before the employee works on a KIT day, they must agree with their line manager the amount of pay that they will receive for that day and for that week.
- 11.4 The total duration of SAL period will remain at 52 weeks, regardless of whether or not an employee works on one or more KIT day.

CONTACT DURING ADOPTION LEAVE

- 12.1 We are entitled to make reasonable contact with the employee during their SAL. We may contact the employee, e.g. to discuss whether or not their planned date of return to work has changed or is likely to do so.
- 12.2 The employee is also entitled to make reasonable contact with the organisation during their SAL, e.g. to discuss any flexible working arrangements that may be requested in accordance with the Flexible Working Policy.

EQUALITIES MONITORING

- 13.1 This policy aligns with the **Equality Act 2010** and promotes equality, diversity, and human rights. It ensures no employee is disadvantaged due to protected characteristics, and adoption leave and pay are applied consistently among eligible staff. Reasonable adjustments will be made for disabled employees or those with additional needs. The policy supports broader equality obligations and is applied fairly, transparently, and without discrimination.

RELATED POLICIES

14.1 The following policies are related to this Policy.

- Dignity At Work
- Neonatal Leave Policy
- Equality, Diversity & Inclusion Policy
- Flexible Working Policy
- Shared Parental Leave Policy
- Parental Leave Policy
- Paternity Leave Policy
- Special Leave Policy

MONITORING AND REVIEW OF POLICY

15.1 This policy will be reviewed every three years in line with the policy review schedule. More frequent reviews will be considered if there is a need to respond to new legislation.

INTERPRETATIONS & ABBREVIATIONS

The following interpretation and abbreviations are used in this policy:

WORD	INTERPRETATION
<i>HHP or Partnership</i>	Hebridean Housing Partnership
<i>Board</i>	Means the Board of the Hebridean Housing Partnership
<i>Board Members</i>	All Members of the Board including co-opted Members
<i>RTO</i>	Registered Tenants' Organisation



HHP is a registered society under the Co-operative and Community Benefit Societies Act 2014, Registered Number: 2644R(S), Registered Office: Creed Court, Gleann Seileach Business Park, Willowglen Road, Stornoway, Isle of Lewis HS1 2QP. It is a charity registered in Scotland, Charity Number: SC035767, registered as Registered Social Landlord with the Scottish Housing Regulator, Registration Number: 359 and registered as a Property Factor, Registration Number PF000183

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