

SCOPE

This document establishes the Adoption Leave Policy for Galliford Try Employment Limited. References in this policy to the ‘Company’ are to Galliford Try Employment Limited. References in this policy to ‘our people’ are to employees of Galliford Try Employment Limited.

PURPOSE

The Galliford Try Employment Limited Adoption Leave Policy describes the rights of our people to a number of adoption benefits.

The Galliford Try Employment Limited Adoption Leave Policy will be brought to the attention of all our people. The policy does not form part of our people’s contract of employment and may be amended by the Company from time to time. It will be reviewed annually.

GENERAL DATA PROTECTION REGULATION

Be aware that whenever we are collecting, using, retaining, transferring or disposing of any information about a person (“processing of personal data”) in connection with the subject matter of this policy we have numerous obligations under the General Data Protection Regulations (GDPR). Any failure to comply with GDPR can have serious results including breach of the person’s rights and financial penalties for the Company. You must not proceed with any processing of personal data unless you have first read and complied with the Group Data Protection Policy, reference HR-POL-004, which can be found on the HR policy page of Galileo. If you have any questions about GDPR compliance please contact the Chief Information Officer, the Head of Information Security and Compliance or Legal Services.

| ABBREVIATIONS / DEFINITIONS | |
|-----------------------------|---------------------------|
| SAP | Statutory Adoption Pay |
| OAL | Ordinary Adoption Leave |
| AAL | Additional Adoption Leave |
| EPD | Expected Placement Date |

| OUTPUTS | | | |
|---------------|---|----------------|------------------|
| Reference No. | Document Title | Responsibility | Retention Period |
| HR-FRM-005 | Maternity or Adoption Leave end notice form | Employee | 7 Years |

PROCEDURAL REQUIREMENTS**1. UK Adoption Leave**

- 1.1 Adoption leave comprises two types – Ordinary Adoption Leave (OAL) which is for 26 weeks and Additional Adoption Leave (AAL) which is for a further 26 weeks. In total, you can take up to 52 weeks of Adoption Leave. Adoption leave is available only if there is an agency involved; it is not provided if you are formally adopting a stepchild or relative.
- 1.2 If you have a child placed with you under a local authority "fostering for adoption" or "concurrent planning" arrangement, or you are entering into a surrogacy arrangement under which you will be applying for a parental order, you may also be entitled to adoption leave and pay. Please speak to your line manager or the HR Hub for further information.

1.3 Eligibility for Adoption Leave

- You must be an employee.
- You must be newly matched with a child by an adoption agency.
- You must have been given written notice by an adoption agency that you have been matched with a child for adoption and you have been given a date on which the agency expects that it will place a child in your care with a view to adoption (Expected Placement Date (EPD)).
- You must have notified the adoption agency that you agree that the child should be placed with you on the EPD.
- Your spouse or partner will not be taking adoption leave with any other employer.

1.4 You will NOT be eligible for Adoption Leave if you:

- Arrange a private adoption.
- Become a special guardian, adopt a stepchild or family member.
- Have a child through surrogacy but are not eligible for a parental order.

1.5 Notification**1.5.1 In order to be entitled to adoption leave you must give us written notice of:**

- The EPD; and
- The date you have chosen for your period of leave to begin.

1.5.2 This notice must be given to us no later than 7 days after the date on which you were notified that you have been matched with the child for adoption. If it is not reasonably practicable for you to comply with that time limit, you must give notice to us as soon as it is possible.

We will provide you with a written acknowledgement letter confirming your expected return to work date within 28 days of receiving your notification for leave request.

1.6 Duration of Leave

- 1.6.1 The period of Ordinary Adoption Leave (OAL) is 26 weeks.
- 1.6.2 Additional Adoption Leave (AAL) is a further period of up to 26 weeks immediately following OAL. Entitlement to leave is subject to compliance by you with the various conditions, notification requirements and evidential requirements set out in this policy.
- 1.6.3 Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

1.7 Evidential Requirements

1.7.1 You provide us with proof of the adoption; this is usually a Matching Certificate from an official UK adoption agency.

1.8 Commencement of Adoption Leave

Ordinary Adoption Leave can commence on a predetermined date which is no more than 14 days before the EPD or the 'actual' date on which the child is placed with you for adoption, but no later.

2. Overseas Adoption

To be eligible for overseas adoption leave, the conditions are the same except that you must:

- Tell us the date of the official notification and the estimated date for the child's arrival in the UK within 28 days of getting the notification.
- Tell us the actual date the child arrived in the UK within 28 days of this date.
- Tell us the number of days leave you are intending to take and the date from which you want the leave to start, giving us 28 days' notice.

2.1 Notification

2.1.1 To be entitled to overseas adoption leave you must give us written notice of:

- The EPD; and
- The date on which you have chosen that your period of leave will begin.

2.1.2 This notice must be given to us no later than 7 days after the date on which you were notified that you have been matched with the child for adoption. If it is not reasonably practicable for you to comply with that time limit, you must give notice to us as soon as is possible.

We will provide you with a written acknowledgement letter, providing your expected return to work date, within 28 days of receiving your notification for leave request.

2.2 Duration of Leave

This is the same as for UK Adoption Leave.

2.3 Evidential Requirements

To be entitled to overseas adoption leave you must, at least 28 days before your intended start date, provide us with:

- a Matching Certificate from the adoption agency confirming:
- the name and address of the adoption agency that matched the child with you;
- the name and date of birth of the child;
- the date on which you were notified that you had been matched with the child; and
- the EPD.
- written confirmation of intent to take statutory adoption pay (SAP) and not statutory paternity pay.

2.4 Commencement of Overseas Adoption Leave

Leave can start when the child arrives in the UK or within 28 days of this date

3. All Adoptions

Confirmation by the Company

Within 28 days of receiving notification from you of the date on which you will start your adoption leave, we will write to you to inform you of the date we expect you to return to work if you take your full entitlement to adoption leave ("Expected Return Date").

If you subsequently vary the date that your adoption leave starts, we will notify you of your Expected Return Date within 28 days after the commencement of adoption leave.

3.1 Adoption Appointments

3.1.1 If you are the principal adopter, you are eligible to paid time off to attend up to five adoption appointments. If you are the second adopter, you are entitled to unpaid time off to attend up to two adoption appointments.

3.1.2 We ask you to give your line manager as much notice as is reasonably possible of the appointment. You will be paid your normal salary when attending adoption appointments.

3.2 Variation of the Date of Commencement of Adoption Leave

If you have notified us of the date when you intend to start your adoption leave and you later want to change that date, you can do so provided you notify us of the variation at least:

- 28 days before the date on which the child is to be placed for adoption; or
- 28 days before the predetermined date previously specified by you as the date when your leave will commence.

3.3 Right to Return to Work from Ordinary Adoption Leave

You have the right to return to the same job in which you were employed before your absence (subject to any redundancy situation). Your terms and conditions of employment will be the same as they would have been if you had not been absent as a result of adoption leave.

3.4 Right to Return from Additional Adoption Leave

You have the right to return to the same job in which you were employed before your absence (unless there is a redundancy situation). If it is not reasonably practicable for us to permit you to return to that job, you may be offered another job which is both suitable for you and appropriate in the circumstances. The job will be on terms and conditions, including those relating to remuneration, which are no less favourable than those which would have applied had you not been absent at any time since the commencement of your adoption leave period.

3.5 Redundancy during Adoption Leave

If it is not practicable, by reason of redundancy, for you to return to employment or if your position becomes redundant during your adoption leave, you will be entitled to be offered any available alternative employment which is both suitable and appropriate with us, or an associated employer, under a new contract. The contract should be for work which is suitable and appropriate for you to do in the circumstances and provide employment and terms and conditions which are not substantially less favourable than those which would have applied to you had you returned to the position in which you were previously employed.

3.6 Expected Return Date

As detailed under the Notification section above, we will inform you by letter of your expected return date. We will expect you to return on this date unless you inform us otherwise. It is helpful if you confirm during your adoption leave that you will be returning to work as expected.

3.7 Returning Early

If you wish to return to work earlier than the expected return date, you must give us 8 weeks prior notice. If insufficient notice is given, we may postpone your return by 8 weeks or to the end of the relevant adoption leave period, whichever is earlier.

3.8 Resignation

If you decide not to return to work following your adoption leave, you should give us the required notice under your contract of employment. If you decide you do not wish to return at the end of adoption leave you will continue to be entitled to Statutory Adoption Pay, if eligible, and adoption leave, even though you are not coming back. However, you may not be entitled to Company Adoption Pay if you are not returning to work.

3.9 Pay whilst on Adoption Leave – made up of Company Adoption Pay (CAP) / Statutory Adoption Pay (SAP)

3.9.1 You are entitled to receive Company Adoption Pay (CAP) / Statutory Adoption Pay (SAP) provided you comply with the following requirements:

- You have been continuously employed for at least 26 weeks at the end of your Qualifying Week and are still employed with us during that week;
- Your average weekly earnings during the eight weeks ending with the Qualifying Week are at least equal to the Lower Earnings Limit for National Insurance Contributions (the Relevant Period); and
- You have provided us with all relevant notifications detailed above.

3.9.2 From 16 September, the amount of adoption pay will be calculated as outlined below;

- 26 weeks full pay and
- 13 weeks SAP (subject to the conditions set out at clause 3.9.5 and 3.9.6)

For information regarding the actual amount of adoption pay you will receive please contact the HR Hub.

3.9.3 Any CAP received by you is inclusive of your entitlement to SAP. The rate of SAP that is payable is calculated as follows:

- During the first 6 weeks, SAP is paid at a rate of 90% of your average weekly earnings calculated over the Relevant Period; and
- During the remaining 33 weeks, SAP is paid at a fixed rate, set by the government each tax year

3.9.4 Payment of CAP or SAP will cease if you return to work during the respective 39-week payment period.

3.9.5 Payment of CAP is conditional upon you confirming in writing, prior to starting adoption leave, that you intend to return to work for at least 12 months after adoption leave. If you do not provide this written confirmation, you will only receive SAP (if eligible).

3.9.6 If you do not return to work at the end of your adoption leave, or if you leave employment within 12 months of the date of your return to work, you will be required to pay back the difference between the CAP received by you and your entitlement to SAP.

For information regarding the repayment of CAP please contact the HR Hub.

4. Returners Bonus – effective from 16 September 2024

Provided you return to work following your adoption leave and continue to be employed 12 months after the date you returned to work, you will be eligible to receive a returners bonus payment of £2,500, subject to tax and NI deductions. The payment will be non-pensionable and will be paid in your salary the month following the relevant anniversary date.

Eligibility

Applies to all returners who are on a period of adoption leave from 16 September 2024 onwards subject to the eligibility criteria and rules below;

- You must be employed by the Company 12 months after the date you returned to work
- You must have been employed by the Company continuously for the 12 months from the date of your return to work from adoption leave, without any breaks in service.
- You must not have started another period of adoption leave; taken a career break or a period of sabbatical leave during the 12 months following your return-to-work date.
- You must not have served or have been served notice to terminate your employment with the company at the point that the payment is due. If at the payment date you are no longer employed by the Company, or either you or the Company has given notice to terminate your employment, the returner's bonus will not be payable.
- The Company reserves the right to delay, reduce or remove any returners bonus payment if you are; subject to formal or informal actions (e.g. performance improvement plans, informal/formal warnings) regarding your performance, conduct or capability during all or part of the returning period; or if you are under investigation in respect of such matters up to and including the payment date; or if your performance is deemed to have fallen short of expectations. If this situation arises this will be clearly outlined and explained to you.

Rules

- No pro-rating will be applied to the returner's bonus payment based on part-time or flexible working arrangements.
- The returners bonus payment will be non-pensionable and subject to tax and NI deductions.
- The payment will be processed automatically in your monthly salary via payroll based on the date of your return to work following your adoption leave as recorded in Orbit in the following months payroll.
- Any returners bonus payments made under the Adoption Leave Policy will be at the sole discretion of the Executive Board.
- The returners bonus payment is non-contractual and does not form any part of your terms and conditions of employment.

5. Status of contract of Employment during Ordinary Adoption Leave and Additional Adoption Leave

All terms and conditions applicable to you including benefits, other than remuneration, will be preserved during both OAL and AAL. Remuneration is salary or wages. In particular:

- Benefits in kind such as life insurance, payment of professional subscriptions, eligibility to participate in the Share Scheme and private medical insurance will continue;
- You will continue to receive your car allowance or, if you have a company car, you will retain your company car. If you have a fuel card, this will be retained; you will need to continue to comply with the reporting requirements and to pay for private fuel where this is due;
- Annual leave entitlement under your contract will continue to accrue.

6. Obligations of Our People

Your implied obligation of good faith to the Company and any terms and conditions of your employment relating to points below will continue to apply during OAL and AAL:

- Notice of termination of the employment contract by you;
- The disclosure of confidential information;
- The acceptance of gifts or other benefits, or
- Your participation in any other business.

7. Holiday Entitlement

During your periods of absence on OAL and AAL you will continue to accrue your holiday entitlement (contractual and statutory) in the usual way. If a public holiday falls within your period of adoption leave, you will be given an additional day of annual leave in lieu of that day. We encourage you to use your accrued leave immediately before or after your period of adoption leave. You should discuss your holiday plans with your line manager in good time before starting your adoption leave. If you do not return to work following adoption leave you will be paid for any accrued and untaken holiday.

8. Pension

- 8.1 Your right to receive pension contributions from us continues throughout any period of paid adoption leave (i.e. up to 39 weeks if you meet the eligibility requirements for Statutory Adoption Pay). During this period, your employee contributions will also continue.
- 8.2 If you return to work after a period of unpaid adoption leave, you will be given the opportunity to pay additional pension contributions to cover the weeks of unpaid adoption leave during which no contributions were made. If you make such contributions, we will pay employer contributions for this period.

9. Disrupted Adoption

Adoption leave is disrupted if it has started but:

- you are notified that the placement will not take place; or
- the child is returned to the adoption agency after placement; or
- the child dies after placement.

In cases of disruption, your entitlement to adoption leave and pay will continue for a further eight weeks from the end of the week in which the disruption occurred, unless your entitlement to leave and/or pay would have ended earlier.

10. Keeping in Touch Days

- 10.1 You can attend work for up to 10 ‘keeping in touch’ days during your adoption leave. These days can be used to keep you up to date with developments within the Company, to attend training or to plan and facilitate your return to work. This will not affect your adoption pay and leave entitlements. Pay for any days worked will be at your standard basic salary rate and will be inclusive of any adoption pay entitlements.
- 10.2 Keeping in touch days are optional and there is no obligation on you to undertake any work during adoption leave, or any obligation on us to provide work. You will not suffer any detriment if you turn down the opportunity to work on these days.

We are permitted to make reasonable contact with you from time to time during your adoption leave. We may choose to contact you to plan for your return to work or to let you know about workplace developments.

11. Useful Contacts

HR Hub by telephone on 01455 231828 or by email to HR.Hub@gallifordtry.co.uk.
Local HR contacts for advice and guidance