

Adoption Policy

This procedure covers the statutory rights of parents to adoption leave and pay in respect of adoptive parents who are notified that they have been matched with a child on or after 01 January 2020.

[Statutory Paternity Pay and Leave: Becoming an Adoptive or Parental Order parent \(SC4\)](#)

About This Policy

Landsec is committed to equality and diversity across the organisation and the purpose of this Adoption Policy is to provide employees with the opportunity to integrate their career with their family responsibilities.

This policy sets out the arrangements for adoption leave and pay for employees who are adopting a child through a UK adoption agency. If you are adopting through an overseas adoption agency see the **Overseas Adoption** section below. This policy only applies to employees. It does not apply to agency workers or the self-employed.

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 read over the information available then speak to the HR Department if you require further information as we recognise there are many different ways in which one might legally become a parent. We are committed to providing equal access to our policies and benefits.

If you are adopting on your own or have elected to be the primary adopter, you may take paid time off to attend an adoption appointment on up to five occasions in relation to any particular adoption.

If you are the secondary adopter, you may take unpaid time off to attend an adoption appointment on up to two occasions only.

In some cases you and your spouse or partner may be eligible to opt into the shared parental leave (**“SPL”**) scheme which gives you more flexibility to share the leave and pay available in the first year after the child is placed with you. However, one of you must take at least two weeks’ adoption leave first. Details of SPL are set out in our Shared Parental Leave Policy.

This policy does not form part of any employee’s contract of employment and we amend it at any time.

Entitlement to Adoption Leave

You are entitled to adoption leave if you meet **ALL** the following conditions:

- You are adopting a child through a UK or overseas adoption agency.
- The adoption agency has given you written notice that it has matched you with a child for adoption and tells you the date the child is expected to be placed into your care with a view to adoption (**“Expected Placement Date (EPC)”**).

- You have notified the agency that you agree to the child being placed with you on the EPC.
- Your spouse or partner will not be taking adoption leave with their employer (although they may be entitled to take paternity leave and/or shared parental leave).

The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave (**OAL**) and 26 weeks' Additional Adoption Leave (**AAL**), irrespective of whether more than one child is placed for adoption as part of the same arrangement.

Notification

Within seven days after the agency notifies you in writing that it has matched you with a child (or where that is not reasonably practicable, as soon as reasonably practicable), you must give us notice in writing of the EPC, and your intended start date for adoption leave ("**Intended Start Date**").

We will then write to you within 28 days to inform you of your Expected Return Date i.e. the end of the 52 weeks' adoption leave assuming you take your full entitlement to adoption leave.

Once you receive the matching certificate issued by the adoption agency, you must provide us with a copy.

Overseas Adoptions

If you are adopting a child from overseas, the following will apply, in addition to the rest of this policy: You must have received notification that the adoption has been approved by the relevant UK authority ("**Official Notification**").

You must give us notice in writing of:

- your intention to take adoption leave;
- the date you received Official Notification; and
- the date the child is expected to arrive in Great Britain.

This notice should be given as early as possible but within 28 days of receiving Official Notification (or, if you have less than 26 weeks' employment with us at the date of Official Notification, within 30 weeks of starting employment).

You must also give us at least 28 days' notice in writing of your Intended Start Date. This can be the date the child arrives in Great Britain or a predetermined date no more than 28 days after the child's arrival in Great Britain.

You must also notify us of the date the child arrives in Great Britain within 28 days of that date.

We may also ask for a copy of the Official Notification and evidence of the date the child arrived in Great Britain.

Starting Adoption Leave

OAL may start on a predetermined date no more than 14 days before the Expected Placement Date, or on the date of placement itself, but no later.

If you want to change your Intended Start Date, please let your line manager and HR know in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new Expected Return Date.

Shortly before your adoption leave starts we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events.

Adoption Pay

Statutory Adoption Pay ("**SAP**") is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us at the end of the ("**Qualifying Week**"), your average earnings are not less than the lower earnings limit set by the government each tax year and you have complied with the notification procedure described above. The first six weeks' SAP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year. SAP will stop being payable if you return to work sooner (except where you are simply keeping in touch in accordance with a Keeping in Touch Day (see **Keeping in Touch**)). Income tax and National Insurance are deducted as appropriate.

If at the end of the Qualifying Week you have been continuously employed for at least 26 weeks, you reach the Lower Earnings Limit for National Insurance Contributions and provided you comply with the notification requirements set out above you will qualify for Landsec's enhanced occupational adoption pay.

Employees who qualify are entitled to the following:

- 26 weeks x full pay (the enhanced element) (this includes the first 26 weeks of Statutory adoption pay - 6 weeks at the higher rate and 20 weeks at the lower rate - which are enhanced by the Landsec to equal full pay); followed by
- 13 weeks x SAP at the lower rate; followed by
- 13 weeks unpaid leave.

General Points to Consider

- "Full pay" means your normal basic salary at the start of your adoption leave (subject to the section below on pay reviews). It does not include any additional allowances or benefits.
- Deductions will be made for income tax and national insurance as appropriate
- No payment of enhanced pay shall at any time exceed the employee's normal basic salary.
- You are entitled to a maximum of 26 weeks enhanced full basic pay through any combination of leave (paternity, adoption or shared parental leave) in respect of any one adoption (regardless of whether this is an adoption of more than one child). Landsec's enhanced occupational adoption pay is only paid whilst you remain an employee and includes any SAP that may be due.

Terms and Conditions During Adoption Leave

All the terms and conditions of your employment remain in force during OAL and AAL, except for the terms relating to pay and as such all benefits (including benefits in kind), except basic salary and meal allowance (where applicable), will be maintained during this period. You remain bound by the obligations contained in your contract of employment.

You will be required to provide the HR team with your instructions in relation to some of your benefits and a form to enable you to do this will be sent to you before the commencement of your adoption leave.

Annual leave

During your adoption leave, you will continue to accrue your contractual holiday entitlement.

The aim is that where possible any outstanding leave entitlement should be taken in the leave year to which it applies; either before you start adoption leave or if this is not possible, immediately after adoption leave and before you return to work.

Any accrued but untaken holiday entitlement (including bank holidays) which is outstanding at the end of the adoption leave should be taken immediately after the adoption leave ends.

Any holiday entitlement for the year that cannot reasonably be taken before starting your adoption leave can be carried over to the next holiday year, however where possible you should try to limit carry over to one week's holiday or less and take your carried over holiday immediately after your adoption leave ends.

No payment in lieu will be made for any untaken annual leave.

However, if you decide not to return to work after adoption leave, you will be paid for all holiday entitlement accrued during your adoption leave period. All holiday dates are subject to approval by your line manager.

Pension

Your membership of the company's pension scheme will continue during your adoption leave.

Employee contributions – your employee contributions will continue during the period you are in receipt of enhanced adoption pay at the same percentage based on your actual earnings. As the scheme is a salary sacrifice scheme, for the period of your adoption leave when you are paid SAP only (i.e. no enhanced pay or car allowance, if applicable) or no pay, Landsec will pay your employee contributions, based on your notional pay (i.e. the pensionable salary you would be earning before any reductions if you were not on adoption leave on reduced pay).

Company contributions - will continue to be based on your "notional" salary (i.e. the pensionable salary you would be earning before any reductions if you were not on adoption leave on reduced pay) for the duration of your adoption leave, for a period of up to 52 weeks.

When you return from adoption leave, we will automatically revert both contributions back to what they were pre-adoption leave. If you do not return to work, you will be advised of your pension benefits options by HR.

Company Car & Car Allowance

Subject to the terms and conditions of the Company Car Scheme, you may retain your company car throughout adoption leave. Cash allowance in lieu of company car continues on the same basis.

Life Assurance

Your life cover will continue throughout the duration of your adoption leave.

Permanent Health Insurance

Your eligibility to apply for Permanent Health Insurance under any scheme operated by Landsec shall continue during your adoption leave, in accordance with the relevant requirements and rules in place from time to time.

Private Medical Insurance Scheme

You may continue your membership of the company's private medical insurance scheme during your maternity leave. Under this arrangement, while you are on maternity leave, we will continue to pay premiums for you, and, if applicable, your spouse/dependent children under 21 under the terms of your previous cover. This will continue to be a taxable benefit and the tax will be deducted from your salary while you are on paid maternity leave.

If you are paying for additional cover for a spouse and/or dependant under the company's private medical insurance scheme or they have cover under the company's voluntary schemes, you must arrange to pay the premiums due for the period of your maternity leave. You may do this by asking the HR Department to arrange for the whole of the premiums due to be deducted from your statutory or enhanced maternity pay. Alternatively, you may pay by cheque for the whole of the premium due or monthly in advance.

Childcare Vouchers

As both the childcare voucher and cycle to work schemes are paid via a salary sacrifice arrangement, for the period you are paid SAP only (i.e. no enhanced pay or car allowance, if applicable), or are on nil pay, salary sacrifice under these schemes will be suspended during this period. Instead, Landsec will cover the cost of the childcare vouchers to the provider on your behalf. Deductions to cover the cost of the vouchers, will continue to be paid by you whilst you are paid sufficient enhanced adoption pay. We will only be liable up to the amount of vouchers that you were taking before going on adoption leave or the maximum tax-free amount, whichever is lower. You may not increase the amount of childcare vouchers whilst on adoption leave.

When you return to work deductions from your salary will be re-instated automatically. In relation to the cycle to work scheme, you can choose either to extend the term by the number of months suspended or to 'catch up' by greater deductions from your pay on your return.

Should you not return to work from adoption leave, the childcare vouchers will cease. In the case of the cycle to work scheme, any remaining balance for the bike loan will be taken from your final pay from Landsec.

Give as You Earn (GAYE)

Deductions from salary will continue while you are on paid adoption leave, provided there are sufficient funds to do so. For the period of unpaid leave, deductions for GAYE will be suspended, and they will automatically be re-instated upon return from adoption leave. You can continue to manage your deductions for GAYE via workday or email hr@landsec.freshservice.com

Gym membership and Season Ticket Loans

If you participate in either the gym membership scheme or in receipt of a season ticket loan, deductions from salary will continue while you are on paid adoption leave, provided there are sufficient funds to do so. While you are on unpaid adoption leave, or there are insufficient funds, deductions will be suspended for the duration of unpaid adoption leave. Upon returning from adoption leave, deductions will re-commence and continue until the loan is re-paid.

Should you not return to work from adoption leave, any remaining balance will be taken from your final pay from Landsec.

Health Assessments

You will continue to be eligible for health assessments while on adoption leave.

Annual Bonus & Pay Review

Base salaries are reviewed annually in June and while on adoption leave your base salary will be reviewed in line with all other employees. Any salary increase will take effect with immediate effect and will be taken into account in the calculation of any SAP entitlement for the duration of the leave or any enhanced adoption pay payable from the date the salary increase takes effect. Any salary increase will also apply upon your return from adoption leave.

You will remain eligible to participate in any applicable annual discretionary bonus plan, with any bonus which the Company may determine in its absolute discretion to pay being based on the period you worked during the bonus year (1 April to 31 March).

Sharesave

While you are on paid adoption leave, and there are available funds, your savings into the Sharesave plan will continue. While you are on unpaid adoption leave (or reduced pay where there are insufficient funds) you can elect to take a "payment holiday" from the plan for a period of up to 12 months. Please contact the Payroll team if you wish to initiate a payment holiday, providing sufficient notice before you go on to reduced pay.

If you take a payment holiday, the maturity date for your plan will be extended, however you will still have to make the full quota of 36 or 60 payments before the plan can mature for you to exercise your options. Once you return from maternity leave, savings will re-start and be extended for the period of missed payments. Should you not return from adoption leave your option to exercise will lapse.

Alternatively, you can arrange to pay Equiniti directly by standing order, so that your savings are up to date, and your plan can mature on the normal date. To do this please contact Equiniti on 0371 384 2040.

Or, if you wish you can cease savings into the plan by contacting Equiniti on the above number or via your portal access and your savings to date will be returned to you. Please ensure that you also inform Payroll that you wish to cease your savings. Once you cease savings into the plan your option to exercise will lapse.

Continuity of Service

If you return after adoption leave (either to your old job or a suitable alternative) there shall be no break in your continuity of service for the purpose of statutory and contractual rights (such as notice entitlement and for service related benefits). If you reach a service related benefit during your period of adoption leave, your entitlement to that benefit will commence at that time and continue on your return from adoption leave.

Disrupted Adoption

Adoption leave is disrupted if it has started but:

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

In case of disruption, your entitlement to adoption leave and pay (if applicable) will continue for a further eight weeks from the end of the week in which disruption occurred, unless your entitlement to leave or pay would have ended earlier in the normal course of events.

Keeping In Touch

Your line manager and HR may make reasonable contact with you from time to time during your adoption leave. This may include contacting you to discuss arrangements for your return to work.

You may work or be asked to work (including attending training) for up to 10 days (Keeping in Touch Day or “KIT day”) during your adoption leave without bringing your adoption leave or SAP to an end. This is not compulsory and must be discussed and agreed with your line manager.

You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any adoption pay entitlement.

Returning to Work

Once you have notified us in writing of your Intended Start Date, we shall send you a letter within 28 days to inform you of your Expected Return Date. If your start date has been changed) we shall write to you within 28 days of the start of adoption leave with a revised Expected Return Date.

If you wish to return to work earlier than the Expected Return Date, you must give us 8 weeks’ notice. It is helpful if you give this notice in writing. If you do not give enough notice, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

If you wish to return later than the Expected Return Date, you should either request unpaid parental leave in accordance with our Parental Leave Policy or request paid annual leave in accordance with your contract, which will be at our discretion and subject to business needs.

In some cases you and your spouse or partner may be eligible to opt into the Shared Parental Leave (“SPL”) scheme which gives you more flexibility to share the leave and pay available. Please see the SPL Policy for further information.

If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply.

If you do not intend to return to work, or are unsure, it is helpful if you discuss this with your line manager as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract of employment. This does not affect your right to receive SAP.

You are normally entitled to return to work in the same position as you held before commencing leave, and on the same terms of employment. However, if you have taken any period of AAL or have combined your adoption leave with more than four weeks' parental leave, and it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, if such a role is available.

If you would like to change your hours or other working arrangements on return from adoption leave you should discuss this with your line manager and make a request under our Flexible Working Policy.