

Adoption Leave and Pay Procedure

1. Purpose

The purpose of this procedure is to provide adoption leave and pay to our eligible adopting employees. Adoption leave and pay is a statutory right that have been supplemented to provide the benefits detailed below.

This procedure has been developed in line with, and should be interpreted in the light of, our organisational values: compassionate, courageous, inclusive and dynamic.

2. Scope

This procedure applies to all British Red Cross (BRC) staff. It does not apply to, consultants, self-employed contractors, volunteers or interns.

3. Procedure Statement

The BRC is committed to supporting employees in balancing work and family life and ensuring adoptive parents have the time and financial security needed to care for their child.

All primary adopting employees are entitled to 52 weeks adoption leave, which is made up of 26 weeks ordinary adoption leave, and 26 weeks' additional adoption leave. This also applies to our employees who are fostering a child permanently and becoming their legal parent, known as 'fostering to adopt'.

3.1. Setting Out the Process

3.1.1. Notification

3.1.1.1. In situations where more than one of the prospective parents is working, only one parent (the primary caregiver) is entitled to adoption leave from their employer. The other adopting parent, who is the secondary caregiver, may be entitled to [secondary caregiver leave](#). Furthermore, only one period of adoption leave may be taken in cases of multiple adoptions.

3.1.1.2. Employees intending to take adoption leave must advise their line manager within seven days of being notified by an approved adoption agency that they have been newly matched with a child for adoption and evidence should be provided.

3.1.1.3. If this is not practicable, as much notice as possible should be given. Employees may change their mind about the date on which they intend to start their adoption leave, so long as they notify the BRC of the revised start date at least 28 days before the date in question.

3.1.1.4. The BRC will respond within 28 days confirming the employee's leave and pay entitlements.

3.1.2. Pre-adoption Meetings

3.1.2.1. Single adopters may attend up to five paid adoption appointments.

3.1.2.2. Joint adopters may elect for one person, known as the primary adopter, to attend up to five paid appointments and the secondary adopter may attend up to two unpaid adoption appointments.

3.1.2.3. The time off must be taken before the date of the child's placement for adoption and the maximum time off during working hours per appointment is capped at 6.5 hours.

3.1.2.4. No qualifying period of employment is necessary for this day one right.

3.1.2.5. Time off for pre-adoption meetings should be agreed in advance with the line manager and should be supported by an appointment card or some other appropriate document.

3.1.2.6. In cases of joint adoptions, the primary adopter should provide a signed declaration stating they have elected to exercise the right to time off to attend the paid appointments and the secondary adopter can be asked to produce a signed declaration stating they have elected to exercise the right to time off to attend the unpaid appointments.

3.1.2.7. The primary adopter taking paid time off for appointments is likely to also be the adopter taking adoption leave and pay. This is because the primary adopter is not entitled to take secondary caregiver leave. Therefore, the secondary adopter, taking unpaid time off for appointments, is likely to also take secondary caregiver leave and pay.

3.1.3. Adoption Leave

3.1.3.1. Primary adopters are entitled to 26 weeks' ordinary adoption leave followed by 26 weeks' additional adoption leave, providing they supply the BRC with evidence of the approved match and give 28 days' notice of their intention to take adoption leave.

3.1.3.2. During adoption leave the employee is entitled to all contractual benefits except for remuneration, which is detailed under section 3.1.4, Adoption Pay.

3.1.3.3. Adoption leave may start on the date on which the child is placed with the adopting parent, or a date that is no more than 14 days before the expected date of placement.

3.1.4. Adoption Pay

3.1.4.1. Employees who have 26 weeks of continuous service up to the beginning of the approved match, and average weekly earnings of at least or equal to the lower earnings limit for National Insurance (NI) contributions are entitled to be paid for the first 39 weeks. The BRC enhances the statutory entitlement to as follows: 100 per cent pay for the first six weeks of adoption leave, followed by 50 per cent pay plus lower statutory adoption pay for the next 12 weeks (this cannot exceed full pay), then the lower rate of statutory adoption pay for the next 21 weeks.

3.1.4.2. For employees who are eligible for Statutory Adoption Pay and have 52 weeks continuous service at the date on which their adoption leave begins, the BRC will further enhance the statutory entitlement. They will receive: 100 per cent pay for the first six weeks of adoption leave, followed by 50 per cent pay plus lower statutory adoption pay for the next 12 weeks (this cannot exceed full pay), then either 50 per cent of pay or the lower rate of statutory adoption pay for the next 21 weeks, whichever is greater.

3.1.4.3. Adoption pay is paid in the normal way (into the employee's bank or building society account) at the usual pay intervals and is subject to tax and NI deductions. Statutory adoption pay cannot be paid more than 14 days prior to the expected date of the approved match.

3.1.4.4. International staff with 26 weeks continuous service by the beginning of the week of the approved adoption match, who are exempt from paying UK taxes will not be entitled to the UK statutory adoption payments. Therefore, the pay entitlement in this instance will be: 100 per cent pay for the first 6 weeks, followed by 50 per cent of pay for the next 12 weeks. The remaining weeks will be unpaid.

3.1.4.5. In the case of international staff with 52 weeks service at the date at which their adoption leave begins the entitlement will be: 100 percent of regular pay for the first 6 weeks, 50 per cent of regular pay for the next 33 weeks.

3.1.4.6. Adoption pay calculations include per diem payments.

3.1.5. Adoption Pay for Employees on Fixed-Term Contracts

3.1.5.1. In cases where an employee qualifies for statutory adoption pay and is on a fixed-term contract which ends before adoption leave would commence:

- i. statutory adoption pay will be paid as a lump sum at the end of the fixed-term contract;
- ii. following this the employee will be made a leaver and no further payments can be made via payroll.

3.1.5.2. Employees on a fixed-term contract who meet the eligibility criteria will receive the same enhanced adoption pay as permanent employees. If the employee wishes to commence their adoption leave prior to the end date of the fixed-term contract, the enhanced and statutory adoption payment above will be paid monthly until the end date of the fixed-term contract. Any remaining statutory adoption pay will be paid in a lump sum at the end of the fixed-term contract. No payments, including enhanced adoption pay, will be made for any adoption leave after the end of a fixed-term contract, as employment will cease along with the entitlement to employee benefits.

3.1.5.3. If an employee is on a fixed-term contract and qualifies for the statutory and enhanced adoption pay, and their adoption leave occurs mid-way through the contract, i.e. they will be returning to the fixed-term contract following adoption pay, they will receive the same enhanced payment as outlined above.

3.1.5.4. If an employee does not qualify for statutory adoption pay, they may be able to get support from their [local council](#) instead.

3.1.5.5. The employee must inform the BRC if they start work for another employer or is taken into legal custody. In these instances, entitlement to statutory and enhanced adoption pay from the BRC is likely to cease.

3.1.6. Pension Arrangements

3.1.6.1. An employee who is a member of the BRC pension scheme will continue to have pension contributions paid for the duration of the paid part of the adoption leave.

3.1.6.2. The employee's contributions will be based on actual pay, whilst the employer's contributions will be based on the employee's pre-adoption leave salary.

3.1.7. Keeping-in-Touch (KIT) Days

- 3.1.7.1.** Employees may participate in up to ten KIT days with the prior agreement of their line manager.
- 3.1.7.2.** The purpose of a KIT days is to enable the employee to keep in touch with their work during their period of adoption leave. Examples might include: to participate in a training event, to attend a meeting or to undertake a discrete piece of work.
- 3.1.7.3.** KIT days will only be arranged with the mutual consent of the employer and the employee.
- 3.1.7.4.** KIT days will be paid at the rate of the employee's normal contractual earnings, in addition to any statutory or enhanced adoption leave payment and will not affect adoption leave and pay (if applicable).
- 3.1.7.5.** Any work done on a day during adoption leave will count as a whole KIT day (even if only part of a day is worked).
- 3.1.7.6.** Employees may not take part in a KIT day after the end of adoption leave.
- 3.1.7.7.** Line managers should inform the Advice and Casework Team (A&C) of KIT days when they are taken, and the A&C Team will process these for payment in the next available payroll.

3.1.8. Annual Leave

- 3.1.8.1.** An employee will continue to accrue annual leave during the full duration of their adoption leave.
- 3.1.8.2.** Employees should normally take the annual leave accrued up to the point they start their adoption leave before they go on adoption leave.
- 3.1.8.3.** Annual leave accrued during the adoption leave period may be carried over to the next leave year in circumstances where it has not been possible to take the leave in the current leave year, e.g. where the adoption leave period straddles two leave years or the individual has returned to work at the end of the leave year. The limit of five days carry over does not apply in these situations.
- 3.1.8.4.** It is not possible to take annual leave during adoption leave.
- 3.1.8.5.** A period of unpaid ordinary parental leave may be taken at the end of the adoption leave period (refer to the [Ordinary Parental Leave Procedure](#)).

3.1.9. End of Adoption Leave

- 3.1.9.1.** If an employee wishes to return to work before the end of the agreed adoption leave period, they should give their line manager at least eight weeks' notice of the date on which they wish to return.
- 3.1.9.2.** An employee wishing to work under different conditions to those they were contracted to prior to the adoption leave (e.g. part-time, remote working or flexible hours), they should discuss this with their line manager as early as possible and confirm the request in writing, so that every effort may be made to accommodate the request.
- 3.1.9.3.** If an employee does not wish to return to work at the end of their adoption leave, they should confirm this in writing as soon as the decision is made, giving the required notice under their contract of employment.
- 3.1.9.4.** The adopting employee is entitled to return to their same job on the same terms and conditions at the end of their leave. However, if it is not reasonably practicable for them to return to the same role, the organisation will look for suitable alternative roles, on terms and conditions, which are not less favourable to their original role.
- 3.1.9.5.** Employees who take adoption leave have extended redundancy protection. The protection period begins on the day the employee's adoption leave starts, and ends 18 months from that date, or from the date the child enters England, Scotland or Wales if it's an overseas adoption.

3.2. Lessons Learned from Procedure Evaluation

The changes made to this procedure directly arise from obtaining feedback from key stakeholders (Staff Association, People Support, Business Partners, Advice and Casework, International HR and the Diversity Networks).

4. Responsibilities

The Chief Operating Officer together with the Senior Director of People are responsible for oversight of this procedure.

The Senior Director of People ensures implementation and compliance with this procedure.

The Owner (Chief Operating Officer) oversees the development or review of the procedure document and provides support to the Lead (People Policy Advisor).

The Lead undertakes the procedure review under the guidance, and with the support, of the Owner.

The People Services team provide advice and support for the implementation of this procedure.

All employees are responsible for complying with, and adhering to, this procedure.

5. Governance

Associated policy document/s	<ul style="list-style-type: none"> • HR Policy Framework • Secondary Caregivers Leave Policy • Maternity Leave Policy • Flexible Working Policy 	
Supporting procedure document/s	<ul style="list-style-type: none"> • Maternity Leave and Pay Procedure • Shared Parental Leave and Pay Procedure • Secondary Caregivers Leave Procedure • Ordinary Parental Leave Procedure • Adoption Leave and Pay Procedure • Annual Leave Procedure • Flexible Working Procedure • Home Working Procedure • Neonatal Care Leave and Pay Procedure 	
Procedure/s superseded	N/A	
Legislation/ regulatory requirements and standards	<ul style="list-style-type: none"> • The Paternity and Adoption Leave Regulation 2002 • The Maternity Leave, Adoption Leave and Shared Parental Leave (amendment) Regulation 2024 • The Paternity and Adoption Leave (Adoption from Overseas) Regulations 2010 	
Endorsing Authority; Endorsement date	Head of People Advisory; 04 2025	
Approval Authority; Approval date	Head of People Advisory; 04 2025	
Procedure Owner	Chief Operating Officer	
Procedure Lead	People Policy Advisor	
Date effective	04 2025	
Interim update date	N/A	
Review date	04 2028	
Version	4.0	
Keywords	Paternity leave; maternity leave, adoption, caregiver, secondary, parental, adopter, keeping-in-touch, KIT, pension, neonatal care, statutory	
Revision history	Version	Summary of change (s)
	1.0	Original document (recorded).
Feb 2009 Interim update		

Jan 2014 major update	2.0	Employees must earn an average of £109 per week to qualify for statutory payment. Payment for KIT days should be made as and when taken.
April 2015 Interim update	2.1	New entitlements to pre-adoption meetings. Reference made to new shared parental leave policy. Line managers should inform HR of KIT days when they are taken, and HR will process these for payment. Employees must earn an average of £112 per week to qualify for statutory payment. Format updated.
November 2016 Interim update	2.2	Replaced HR representative with 'P&L Advice and Support'
June 2017 Interim update	2.3	Review date aligned with related leave procedures.
December 2017 Interim update	2.4	Updated to align with new HR Policy Framework and corporate procedure template.
March 2018 Interim update	2.5	Employees must earn on average £113 per week to qualify for payment for the first 39 weeks.
June 2018 Major Review	3.0	Update to reflect new enhanced maternity pay benefits Staff with at least one year's service at the date on which their adoption leave begins will be entitled to Occupational Maternity Pay, as follows: 6 weeks at full pay; 12 weeks at half pay plus SMP; 21 weeks at half pay or SMP, whichever is the greater. Staff who do not have the qualifying service but are eligible for SMP will be entitled to the current level of Occupational Maternity Pay, as follows: 6 weeks at full pay; 12 weeks at half pay plus SMP; 21 weeks at SMP.

January 2020 Interim update	3.1	Updated to clarify that KIT days are paid in addition to any statutory or enhanced adoption pay.
September 2020 Interim update	3.2	Update to clarify eligibility to enhanced adoption pay. No legal updates required currently fit for purpose push back review date to align with family friendly policies review.
June 2021 Interim update	3.3	Review date pushed back to allow for wider consultation.
March 2022 Major Review	3.4	Reviewed as fit for purpose. Format updated.
April 2025 Major Review	4.0	Reviewed as fit for purpose. Format updated. Added extended redundancy protection under 3.1.9. Added definitions. Compliant with Policy and Procedure Framework.

Appendix: Definitions

Primary Adopter: In the context of adoption and employment law, it is the parent who is eligible to take statutory adoption leave and pay.

Primary Caregiver: A person who is the primary carer of a newborn or newly adopted child. The primary carer is the person who meets the Child's needs more than anyone else. According to UK law, only one person can be a Child's primary carer.

Redundancy: Redundancy refers to the termination of an employee's position by an employer due to factors such as economic downturn, technological advancements, organisational restructuring, or the closure of a business unit

Secondary Adopter: Is the partner of the primary adopter who may be eligible for Secondary Caregiver Leave and/or Shared Parental Leave.

Secondary Caregiver: A person who has parental responsibility for the Child but is not the Primary Caregiver.

Statutory Pay: a group of defined payments which are required to be paid for a range of different absences including maternity, paternity and adoption.

Statutory Rights: the legally guaranteed minimum rights that an employee is entitled to, as defined by law (statutes) and cannot be undermined by an employment contract.