

---

# Adoption Procedure

---

<b>Committee considering report:</b>	Delegated Officer Decision
<b>Date of Committee:</b>	10 December 2019
<b>Portfolio Member:</b>	Councillor Howard Woollaston
<b>Report Author:</b>	Katie Penlington
<b>Forward Plan Ref:</b>	DOD3862

---

## 1. Purpose of the Report

- 1.1 To seek approval for amendments to the adoption procedure which has been updated to reflect legislation and best practice as part of a scheduled review.
- 1.2 The adoption procedure details the entitlements and responsibilities that apply when employees request leave and/or pay for the purposes of adopting children. It applies to all employees of West Berkshire Council, including those in schools which adopt the procedure.
- 1.3 The availability of Statutory Adoption Pay and Statutory Adoption Leave was extended in 2015 to include foster parents who have been approved for adoption under a foster to adopt arrangements, and to intended parents of a child born in a surrogacy arrangement where they are eligible for, and intend to apply for (or have already obtained) a parental order making them the legal parents of the child. The Council's procedure has been updated to include details of foster to adopt and surrogacy. Forms notifying the Council/school of the intention to take adoption leave, and where eligible to claim adoption pay have also been revised.
- 1.4 The procedure has been updated in section 7 to reflect current rate of statutory adoption pay
- 1.5 The document has been amended at 9.2 to correct information regarding a teacher's return to work on part time hours having claimed occupational adoption pay.
- 1.6 Data Protection information has been added at section 19
- 1.7 The document has also been amended to clarify the following:
- 1.8 Payments where an employee receives essential car user allowance at 13.3
- 1.9 Occupancy and payments where an employee has an occupancy agreement at 13.5
- 1.10 KIT (Keeping in Touch) days in section 15 and returning to work following adoption leave in section 16
- 1.11 The last date of employment following resignation is the date notice expires in section 16
- 1.12 Closure of the Childcare Voucher scheme at 20.4

## 2. Recommendation

2.1 The Chief Executive is recommended to approve the Adoption Procedure.

## 3. Implications

- 3.1 **Financial:** There is a potential financial impact as the law has extended entitlement to adoption pay to people meeting eligibility criteria in foster to adopt arrangements and in relevant surrogacy arrangements.
- 3.2 **Policy:** Addition of wording around occupancy agreements following consultation with Legal Services
- 3.3 **Personnel:** More employees may be entitled to claim adoption leave and pay.
- 3.4 **Legal:** Amended to reflect availability to adoption leave and pay to foster parents approved to adopt under a foster to adopt arrangement and surrogacy arrangements where the employee applies for and expects to be granted a parental order.  
Addition of wording around occupancy agreements following consultation with Legal Services
- 3.5 **Risk Management:** N/A
- 3.6 **Property:** N/A
- 3.7 **Other:** N/A

## 4. Other options considered

4.1 None; the amendments to the Adoption Procedure are relatively minor and reflect changes in legislation and current practice.

## Appendices

4.2 Appendix A – Adoption Procedure