**Letter responding to employee who has notified of their intention to take adoption leave**

*[Insert name]*

*[Insert address]*

*[Insert date]*

*Note*

*Employers must respond within 28 days of receipt of employee’s notification.*

Dear *[insert name]*,

**Re: Acknowledgement of right to statutory adoption leave and pay**

Thank you for informing me about your plans to adopt and that you intend to take statutory adoption leave. I would like to extend my congratulations to you.

I have taken this opportunity to outline your entitlements to adoption leave and pay.

You have notified us that you would like to start adoption leave on *[insert date]* and I confirm this date as your start date.

You are entitled to a maximum of 52 weeks’ adoption leave in total, broken down as follows:

• 26 weeks’ Ordinary Adoption Leave; and

• 26 weeks’ Additional Adoption Leave that starts immediately after Ordinary Adoption Leave.

Adoption leave can commence, at the earliest, two weeks before the expected date of placement.

You can change the start date that is confirmed above provided you give at least 28 days’ notice. If you want to bring the date forward, please give at least 28 days’ notice of the new proposed start date; if you want to push the start date back, please let me know at least 28 days before the original start date. If it is not reasonably practicable to keep to these notification deadlines, you must inform us of a date change as soon as is reasonably practicable.

To change the start date of leave in relation to an overseas adoption to the date that the child enters Great Britain, please give us at least 28 days’ notice ending on the date you have already notified us as the expected placement date.

*[Select from the paragraphs below and delete as appropriate]*

You are entitled to receive Statutory Adoption Pay (SAP) from the Company. SAP is payable for a maximum of 39 weeks. Generally speaking, the first six weeks of SAP is paid at 90% of your average weekly earnings. The remaining maximum 33 weeks is paid at the standard rate, however, if 90% of your average weekly earnings is less than the standard rate, you will receive 90% of your average weekly earnings for the entire adoption pay period.

*[OR]*

Unfortunately, you are not entitled to receive Statutory Adoption Pay as you do not meet the qualifying conditions. The attached SAP1 form provides more information on this. You may be entitled to alternative financial assistance and your adoption agency may be able to provide more information on this.

In the case of an overseas adoption, you will need to fill in form SC6 (Statutory adoption pay and adoption leave when adopting from abroad) which you can obtain from the HR department.

Unless you inform us otherwise, we will assume that you will take your full 52-week entitlement to adoption leave. I have therefore calculated your return-to-work date as *[insert date]*. If you would like to return earlier than this, please give us at least eight weeks’ notice. If you do not provide the required notice, we may postpone your return date to one which would provide us with eight weeks’ notice from the date you informed us of your wish to return early, or until the date on which your adoption leave would normally end, *[insert end of adoption leave date]*, whichever is sooner.

We will also require eight weeks’ notice of your intention to take shared parental leave, if this is what you wish to do. The aim of shared parental leave is to give you the flexibility to decide who, between you and your partner, will take time off after the adoption, and how much time you will take off. There are various qualifying criteria attached to shared parental leave so if you are thinking you would like to take shared parental leave, please ask me for more information.

If it is your intention not to return to work after your adoption leave, please give us the length of resignation notice as required in your contract of employment. You will remain entitled to SAP regardless of this.

During your adoption leave, you may work for up to 10 days without losing your entitlement to adoption leave and pay.These are called Keeping in Touch (KIT) days. KIT days are intended to help you keep in touch with us and allow you to do some work during your adoption leave for which you will receive your normal rate of pay offset against SAP. KIT days may only be taken where the dates are mutually agreeable for us both.

Once again, I would like to congratulate you on the impending adoption and I am available to answer any questions you have about your entitlement.

Yours sincerely,

*[Insert name]*

*[Insert job title]*