



GIG
CYMRU
NHS
WALE S

Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board

Reference Number: UHB 251
Version Number: 2a
Date of Next Review:
Previous Trust/LHB Reference Number:

ADOPTION LEAVE AND PAY PROCEDURE

Introduction and Aim

The rules covering adoption and pay are fairly complex; this procedure ensures that employees of Cardiff and Vale University Health Board (the UHB) are informed of their entitlements and provides a straightforward summary of the actions they and their managers need to take.

Objectives

- To provide comprehensive information to employees on their entitlements with regards to adoption leave and pay
- To provide the fair, consistent and effective application of adoption provisions

Scope

This procedure applies to all staff.

Equality Impact Assessment

A stand-alone Equality and Health Impact Assessment has not been completed, because this procedure and the Maternity, Adoption, Paternity and Shared Parental Leave Policy is covered by the 'family friendly policies' EHIA. This EHIA found there to be a positive impact.

Documents to read alongside this Procedure

[Maternity, Adoption, Paternity and Shared Parental Leave Policy](#)
[Flexible Working Policy](#)
[Risk Assessment for New and Expectant Mothers Procedure.](#)
[Payroll Overpayment/Underpayment Policy](#)
[Shared Parental Leave Procedure](#)

Approved by

Employment Policy Sub Group

Accountable Executive or Clinical Board Director

Executive Director of Workforce and OD

Author(s)

Workforce Governance Manager / BDA

Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Governance Directorate.](#)

Document Title: Adoption Procedure	2 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

Summary of reviews/amendments			
Version Number	Date of Review Approved	Date Published	Summary of Amendments
1	21.01.15	<i>TBA</i>	Content previously included within the Maternity, Adoption and Paternity Guidance Notes. A new policy has been developed and separate procedures written to support it.
2	09.01.2019	22.01.2019	<p>Payslips are no longer posted to employee's home address during the Adoption Leave period as they are available online.</p> <p>References to 'confirmation of return to work forms' replaced with PIF forms</p> <p>Section on Special Guardianship Order added.</p> <p>Section on keeping in touch reworded to make it clearer</p>
2a		29/04/2019	Statement added to reflect monthly pay arrangements (section

Document Title: Adoption Procedure	3 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

Contents Page

1	Responsibilities	
2	Entitlement To Adoption Leave & Pay	
3	General Conditions for Adoption Leave and Pay	
4	Keeping in Touch During Adoption Leave	
5	Return to Work	
6	Surrogacy and Adopting from Overseas	
Appendices		
1	Flow chart of entitlements	
2	Continuous service	
3	Working for the Temporary staffing office	

Document Title: Adoption Procedure	4 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

1 RESPONSIBILITIES

1.1 Employee

- To inform their manager as soon as they know they have been matched with a child
- To access this procedure on the UHB website, from their manager or from the HR Operations Centre and seek additional advice if necessary
- To make an [application](#) to take adoption leave
- To provide the matching certificate
- To inform their manager of their intentions regarding returning to work

1.2 Manager

- To ensure the employee has a copy of this procedure and seeks additional advice from HR Operations Centre if necessary
- To ensure that the employee is aware of their rights and obligations under this procedure and is afforded time off and all other entitlements
- To ensure that the countersigned adoption leave application form is forwarded to the HR Operations Centre along with original matching certificate
- To keep the employee who is on adoption leave informed about developments in the UHB and the department
- Inform Payroll when the employee goes on and returns from adoption leave

1.3 H R Operations Centre

- To advise the employee of their rights and obligations
- To administer the adoption leave provisions in conjunction with payroll

1.5 Payroll

- To ensure that payments are made in line with both current Occupational and Statutory regulations
- To ensure that the matching certificate has been received
- To ensure that payments are made in line with normal salary crediting
- To ensure that the employee's membership to the NHS Pension Scheme is protected during paid and unpaid adoption leave
- To issue an SAP exclusion form promptly to employees not entitled to statutory benefits, to enable the employee to claim directly from Jobcentre Plus

2 ENTITLEMENT TO ADOPTION LEAVE & PAY

All employees are entitled to take up to 52 weeks adoption leave. The amount of pay they will receive depends on length of service.

Document Title: Adoption Procedure	5 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

Details of leave and pay entitlements are attached as [Appendix 1](#).

2.1 Commencing Adoption Leave

Adoption leave can start from the date of the child's placement (even if this is earlier or later than expected) or from a fixed date which can be up to 14 days before the expected date of the placement.

It is possible for an employee to change the start date of their adoption leave after notifying the UHB of their plans provided they give their manager at least 28 days written notice (unless this is not reasonably practicable).

2.2 Notification Requirements

To qualify for adoption leave, an employee must notify the UHB by completing an [adoption leave application form](#). The application form must be counter signed by the line manager.

The original matching certificate must be attached to the application and sent to the HR Operations Centre for processing.

Please see section 6.2 for notification requirements for overseas adoptions.

2.3 If the Adoption Process Breaks Down

If the adoption process breaks down during the adoption leave period the employee will need to discuss entitlements with their line manager and the HR Advisory Team as soon as possible.

2.4 Statutory Adoption Pay

If an employee has at least 26 weeks' continuous service at the week they are notified of being matched with a child, they will normally be entitled to receive Statutory Adoption Pay (SAP) whether or not they intend to return to work.

Statutory Adoption Pay is payable for a maximum of 39 weeks. During the first 6 weeks this is either the statutory SAP pay rate or 90% of the salary, **whichever is higher**. After this time the employee will be paid at the rate of either the statutory SAP pay rate or 90% of the salary, **whichever is less**.

Statutory pay rates can be found on the [HM Revenues and Custom website](#)

2.5 Occupational Adoption Pay

Those staff that have 12 months continuous service with one or more NHS employer at the week they are notified of being matched with a child and intend to return to work for a minimum of 3 months are also entitled to occupational adoption pay.

Document Title: Adoption Procedure	6 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

This is paid at 8 weeks full pay (inclusive of Statutory Adoption Pay (SAP) and 18 weeks half pay plus SAP.

By prior agreement, occupational adoption pay (the full and half pay entitlement) may be paid in a different way, for example as a fixed amount spread equally over 26, 39 or 52 weeks. Employees who are interested in finding out more about this option and what their pay would be should contact Payroll for more information as it does have a significant impact on the pay received at the beginning of the adoption leave period.

Full pay is calculated by taking the average over the eight week period prior to the qualifying week. The qualifying week is 15 weeks before the matching date. Monthly paid staff will have their average calculated using the two pay periods that precede the qualifying week (based on the pay date). Where the pay date falls prior to or during the qualifying week, this period will be included.

If an employee is on sick leave attracting reduced sick pay during the period used for calculating adoption pay, average weekly earnings are calculated on the basis of notional full sick pay.

If an employee is on an Employment Break or is away from the workplace for any other reason (e.g. secondment, parental leave, unpaid Maternity/Adoption Leave etc.), or if their salary is reduced because of Additional Annual Leave, Childcare Vouchers or any other salary sacrifice scheme during this 8 week period, the amount of adoption pay they are entitled to may be reduced. As this will vary depending on the timing of the absence from the workplace / reduction in salary, employees in this position are advised to seek personalised guidance from HR.

Adoption pay will be paid into the employee's bank account on the same day that they would receive their salary and will be subject to the usual deductions for tax, National Insurance and pension contributions.

If an employee opts to receive occupational adoption pay and then does not return to undertake the required 3 months of work, they may be liable to repay the difference between statutory adoption pay and the occupational adoption pay received.

2.6 Adoption Allowance

If an employee is not eligible for Adoption Pay, they may be entitled to claim Adoption Allowance direct from the Department for Works and Pensions. To do this they need to complete the SAP1 form which will be provided by Payroll.

2.7 Employees Not Returning To NHS Employment

Document Title: Adoption Procedure	7 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

If an employee decides that they do not wish to return to work with the NHS after their adoption leave they may still be entitled to pay which is equivalent to SAP (provided they meet the qualifying criteria set out in Section 2.4).

2.8 Employees Who are Undecided About Returning To NHS Employment

On the Adoption Leave Application Form employees are given the opportunity to indicate that they are undecided about whether or not to return to work following their adoption leave. If an employee indicates that this is the case, and they meet the qualifying criteria set out above, they will receive SAP. They will then be contacted by the HR Operations Centre 12 weeks before the end of their adoption leave to ask if they intend to exercise their right to return to work. Failure to respond to this correspondence within 28 days of receipt may jeopardise their return to work.

If an employee decides to return to work they will then be eligible to claim the extra adoption pay that they would have received if they had indicated that they would be returning to work (if they meet the criteria set out in paragraph 2.5). They are obliged to return to work within this UHB or another NHS organisation for a minimum period of 3 months to receive this money.

If an employee decides to exercise their right not to return to work, they should contact their manager and inform them of this decision to enable them to make arrangements for ending their contract of employment. Employees will not have to pay back any of their adoption pay to the UHB should they decide not to return to work as long as they indicated on their application form that they were undecided about their intentions.

2.9 Adoption Leave whilst on a Fixed Term or Training Contract

If an employee's contract expires more than 15 weeks before the week they are notified of being matched with a child, the employee is not entitled to adoption leave or pay and their contract will terminate on the existing day of termination.

If the employee's contract expires less than 11 weeks before they are notified of being matched with a child, or during the employee's adoption leave, they will be entitled to the same adoption leave and pay as if they had a permanent contract.

If the employees contract expires between the 11th and the 15th week before they are notified of being matched with a child, then they will not be entitled to OAP but may be entitled to SAP. If the employee has sufficient service to entitle them to SAP, this will be paid and the fixed term contract extended to enable them to take their adoption leave.

Where the employee's contract expires during the employee's adoption leave, the employee will not be entitled to return to work.

If the employee is a medical practitioner or is participating in a planned

Document Title: Adoption Procedure	8 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

rotation of appointments as part of a training programme, the employee has the right to return to the same post or in the next planned post irrespective of whether the contract would otherwise have ended if the adoption had not occurred. In this case, the contract will be extended to enable the training programme to be completed.

3 GENERAL CONDITIONS FOR ADOPTION LEAVE AND PAY

3.1 Prior to Adopting

Employees are entitled to reasonable paid time off to attend official meetings provided adequate notice is given (their statutory entitlement is paid time off for up to 5 meetings).

The adoptive parents will need to identify who the primary carer will be. Only the primary carer will be entitled to adoption leave and pay, but the partner of the primary carer may be entitled to paternity leave and pay.

The primary carer may choose to end their adoption leave early and go onto shared parental leave, which is available for both parents. Further information about this is available in the Shared Parental Leave Procedure.

3.2 Annual Leave and Bank Holidays

Employees continue to accrue annual leave and bank holidays during their adoption leave.

If the employee has any outstanding annual leave before the start of their adoption leave, they should discuss and agree with their manager whether it would be a good idea to take some or all of it before their adoption starts (including any additional annual leave purchased). If this is not possible, the employee should discuss and agree with their manager the possibility of taking accrued annual leave when they return from adoption leave, either in a single period or to allow a short period of part-time working, especially where the employee may be carrying annual leave/bank holidays over into a new leave year.

If the employee has indicated that they do not intend to return to work at all, any outstanding annual leave for the entire period of adoption leave will ideally need to be taken prior to the employees adoption leave starting.

N.B. it is not possible for employees to take annual leave while on adoption leave as this will bring their adoption leave to an end.

Payment in lieu may be considered as an option where accrual of annual leave exceeds normal carry over provisions. Managers should discuss this with the appropriate Directorate Manager/budget holder on a case by case basis.

Document Title: Adoption Procedure	9 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

3.3 NHS Pension Scheme

All adoption leave periods will be counted as continuous service for the purpose of the NHS Pension Scheme.

Contributions will be deducted as usual while an employee is on paid adoption leave.

Contributions due for the unpaid section of an employee's adoption leave will be accumulated and recovered over the same number of periods as the unpaid leave on the employee's return to work. If an employee prefers to pay their contributions during their unpaid leave they should contact the payroll department to discuss this.

3.4 Contractual Rights

During adoption leave (both paid and unpaid) employees retain all of their contractual rights except remuneration.

Taking a period of adoption leave will not affect the employee's incremental date, pay awards or continuous service.

3.5 Secondary Assignments

If an employee has more than one assignment with the UHB, their adoption pay will be paid from their primary assignment and they will receive one payslip for the duration of their adoption leave.

3.6 Car Users Allowance

If an employee is in receipt of a regular car users allowance during the period in which their adoption pay is calculated (see section 2.5) this allowance will be included in their average adoption pay and will not be paid as a separate element until their return to work.

3.7 Pregnancy or Subsequent Adoptions Occurring During Adoption Leave

Paid and unpaid adoption leave counts as continuous and qualifying service for subsequent periods of maternity or adoption leave. This means that an employee who becomes pregnant or is notified that they have been matched with another child while already on adoption leave is entitled to a further period of maternity or adoption leave.

However, as maternity and adoption are calculated on the level of average weekly earnings during the 8 week period qualifying period (i.e. 15 weeks prior to the expected week of childbirth or matching week), the employee may not qualify for any pay during the subsequent period of leave.

Document Title: Adoption Procedure	10 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

4 KEEPING IN TOUCH DURING ADOPTION LEAVE

Before starting adoption leave, the employee and their manager should discuss and agree any voluntary arrangements for keeping in touch during employee's adoption leave including:

- i) any voluntary arrangements that may help them keep in touch with developments at work and, nearer the time of their return, to help facilitate their return to work
- ii) keeping the employer in touch with any developments that may affect their intended date of return.

The law allows employees to attend work on a maximum of 10 'Keeping in Touch' (KIT) days during their adoption leave to facilitate a smooth return to work. These days can be consecutive, can be shorter than a normal working day and can include training sessions etc. Working for part of a day counts as one of the 10 KIT days. Any such KIT days and the arrangements for them must be agreed by both the employee and their manager and neither can insist on KIT days being used.

If a KIT day is worked the employee's adoption pay/allowance will be made up to full pay for those hours worked. If the employee is on unpaid adoption leave they will be paid at the normal hourly rate

Managers must keep a record of all hours worked on KIT days and inform payroll of these using the Payroll Information Form (PIF). Payment of KIT days will be made on the return from adoption leave and will not be made on an 'as and when basis'.

5 RETURN TO WORK

5.1 Employees are entitled to return to work to their original job under their original contract and on no less favourable terms and conditions. If this is not reasonably practicable they will be found suitable alternative employment, where the terms and conditions are not substantially less favourable than their original job.

5.2 If the employee has stated on their Adoption Leave Application Form that they intend to return to work they must present themselves for work on their first working day after the date set out in the letter confirming their adoption leave and pay entitlements.

If they have stated on their Adoption Leave Application Form that they have not decided whether or not they intend to return to work, the HR Operations Centre will write to them to ask if they intend to exercise their right to return to work (see Section 2.8).

If they wish to return to change their adoption leave end date they may do so, but they are required to give at least 28 days written notice of this change. Failure to do so may result in the delay of their return to work.

Document Title: Adoption Procedure	11 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

Employees who return to work prior to the end of the 39 weeks SAP and then take sick leave of more than 3 calendar days (and before the end of the 39 weeks) are entitled to receive SAP. In this instance they will see a mixture of Occupational Sick Pay and SAP on their payslip.

The manager must complete the Payroll Information Form (PIF) to inform Payroll of their return from adoption leave. Failure to do this may result in a delay in their pay. If they have worked KIT days their manager should indicate this on the PIF form.

Employees taking annual leave at the end of adoption leave will be deemed to have returned to work on the first day of annual leave and managers must submit a confirmation of return to work form confirming the employee's return effective from this date.

If the employee is unable to return to work on the date notified because of sickness, the UHB's normal procedures for managing sickness absence will apply and the employee should notify their manager in the usual way.

If the employee wishes to resign during or after a period of adoption leave, they should give written notice to their manager in the usual manner.

5.3 Flexibility

If at the end of their adoption leave an employee wishes to return to work on different hours, their manager should facilitate this wherever possible, with them returning to work on different hours in the same job. If this is not possible, the manager must provide written, objectively justifiable reasons for this and the employee should return to the same grade and work of a similar nature and status to that which they held prior to their adoption leave.

If it is agreed that an employee may return on a flexible basis, including changed or reduced hours, for an agreed temporary period this will not affect their right to return to their job under their original contract at the end of the agreed period. (n.b. this will not effect Adoption Pay as this is calculated before commencing Adoption Leave).

To apply for a change in hours employees should refer to the [Flexible Working Policy](#). It is recommended that they discuss this with their manager in the first instance and apply as soon as possible as the process is lengthy.

5.4 Postponing A Return to Work

Employees will not ordinarily be able to postpone their return to work following adoption leave. However, the return to work may be postponed in exceptional circumstances. The extension of unpaid contractual leave should be discussed on a case by case basis and decided by the manager (with advice from Human Resources if appropriate). This would only be agreed in exceptional circumstances.

Document Title: Adoption Procedure	12 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

5.5 Failure to return to work

If an employee states on their adoption leave application form that they intend to return to work for the UHB or for another NHS employer, they must do so within 15 months of the beginning of their adoption leave. They will be required to work for a minimum of 3 months. If they fail to do so they will be liable to pay back the difference between occupational and statutory adoption pay.

However, the UHB has some discretion to waive their rights to recovery if it is believed that the enforcement of this provision would cause undue hardship or distress. In addition, the UHB may waive the rights to recovery if the employee returns to work on the Temporary Staffing Office (see [Appendix 3](#) for details).

5.6 Employment Break

It may be possible for an employee to take an employment break immediately after their adoption leave. However, if they do not return to work within the NHS for a minimum of 3 months at the end of the employment break, they will have to re-pay the difference between occupational and statutory adoption pay. Employees have 15 months from the start of their adoption leave to return to work before becoming liable to refund adoption pay but this 15 month period is suspended for the duration of an employment break.

5.7 Shared Parental Leave

Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year following adoption by giving parents more flexibility in considering how to best care for, and bond with, their child. A total of up to 52 weeks leave can be taken, which can be a combination of Adoption Leave and Shared Parental Leave. However, before either parent can take Shared Parental Leave, the adopter must give notice of their intention to end their adoption leave early.

All eligible employees have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay.

The rules covering Shared Parental Leave are fairly complex; the Shared Parental Leave Procedure ensures that employees are informed of their entitlements and provides a summary of the actions they and their managers need to take.

6 SURROGACY AND ADOPTING FROM OVERSEAS

6.1 Surrogacy

Document Title: Adoption Procedure	13 of 17	Approval Date: 03 Apr 2019
Reference Number: 251		Next Review Date: 09 Jan 2022
Version Number: 2a		Date of Publication: 29 Apr 2019

The UHB is keen to support staff involved in the surrogacy process. Legal and occupational entitlements may vary according to an individual's circumstances. Employees are therefore advised to contact the HR Operations Centre as soon as possible for personalised guidance.

6.2 Adopting from overseas

If the employee is adopting from overseas, the rules for entitlement are similar to those for domestic adoptions, however the start date for adoption and the notification requirements are different, as follows:

Commencing Adoption Leave

Adoption leave can start from the date the child enters the UK, or on the following day if the employee is at work that day, or on a date chosen by the employee no later than 28 days after the child enters the UK.

Notification Requirements

To qualify for adoption leave an employee must provide official notification from the relevant domestic authority, confirming that the authority is prepared to send or has sent a certificate of eligibility to the relevant overseas authority responsible for the adoption. This must be done within 28 days of receiving the notification.

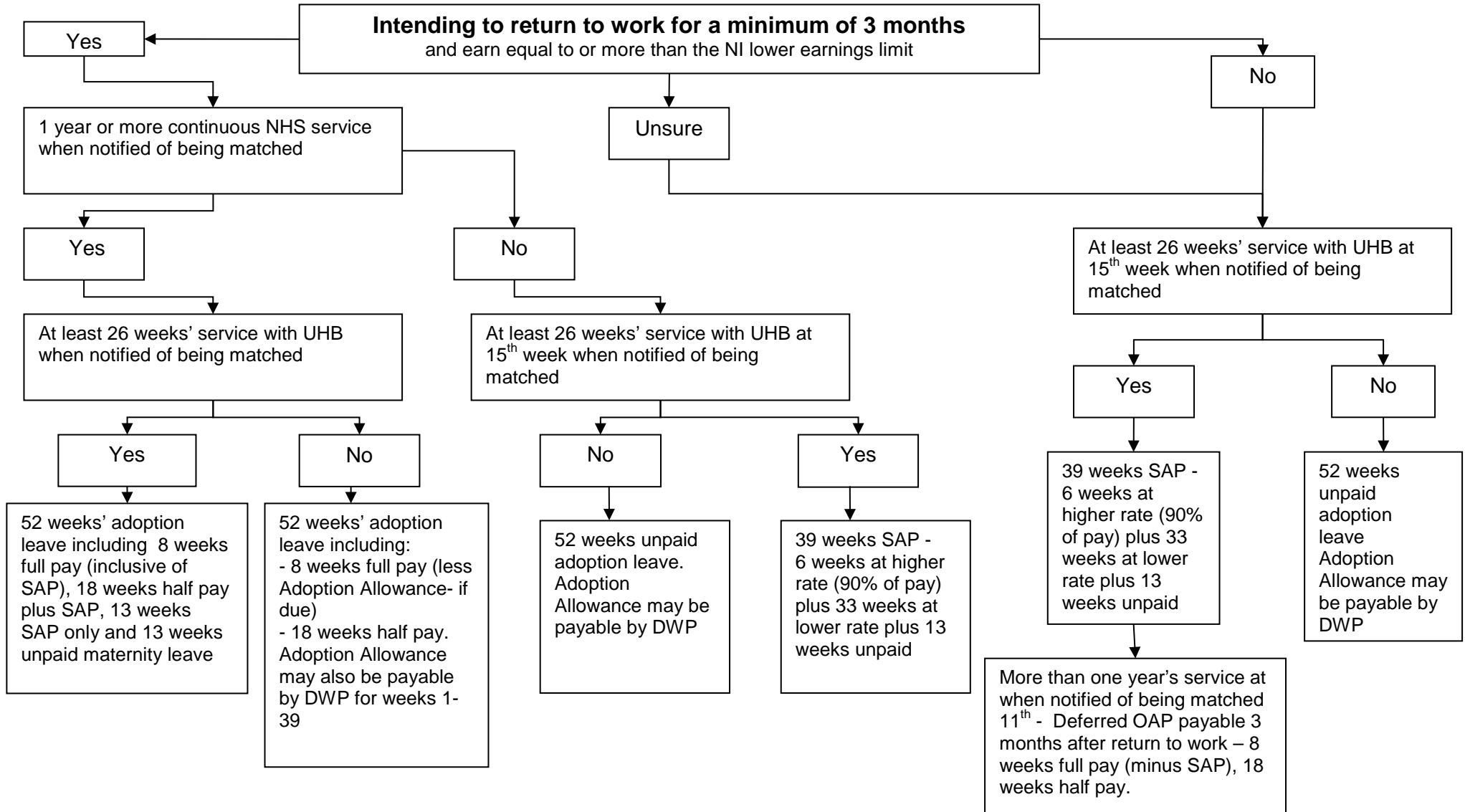
The employee must also give evidence of the date the child entered the UK. This can be a plane ticket or copies of entry clearance documents. This must be done within 28 days of the child entering the UK.

6.3 Special Guardianship Order

Employees caring for children under a Special Guardianship Order are not entitled to Adoption Leave or Pay, however, the UHB would like to support them during this time. Employees are encouraged to speak to their managers at the earliest possible opportunity and speak to the HR Operations Centre for personalised advice as they are considered on a case by case basis.

Document Title: Adoption Procedure	14 of 17	Approval Date: 21 Jan 2015
Reference Number: TBA		Next Review Date: dd mmm yyyy
Version Number: 1		Date of Publication: dd mmm yyyy

Appendix 1 – Entitlements to Adoption Leave and Pay Flow Chart



Document Title: Adoption Procedure	15 of 17	Approval Date: 21 Jan 2015
Reference Number: <i>TBA</i>		Next Review Date: dd mmm yyyy
Version Number: 1		Date of Publication: dd mmm yyyy

APPENDIX 2 – CONTINUOUS SERVICE

For the purposes of calculating whether or not an employee meets the twelve months continuous service with one or more NHS employer qualification, the following provisions shall apply:

- i. NHS employers includes health authorities, NHS Boards, NHS Trusts, Primary Care Trusts and the Northern Ireland Health Service;
- ii. A break in service of 3 months or less will be disregarded (though not count as service).

The following breaks in service will also be disregarded (though not count as service):

- Employment under the terms of an honorary contract,
- Employment as a locum with a general practitioner for a period not exceeding twelve months,
- A period of up to twelve months spent abroad as part of a definite programme of postgraduate training on the advice of the Postgraduate Dean of Faculty Advisor in the specialty concerned,
- A period of voluntary service overseas with a recognised relief organisation for a period of twelve months (this may be exceptionally extended for twelve months at the discretion of the employer which recruits the employee on her return),
- Absence on a career break in accordance with the provisions of Section 36 of the Agenda for Change Handbook,
- Absence on maternity leave (paid or unpaid) as provided for under this agreement.

Employers may at their discretion extend the period specified for breaks in service which will be disregarded (though not count as service).

Employment as a trainee with a General Medical Practitioner in accordance with the provisions of the Trainee Practitioner Scheme shall similarly be disregarded and count as service.

Document Title: Adoption Procedure	16 of 17	Approval Date: 21 Jan 2015
Reference Number: TBA		Next Review Date: dd mmm yyyy
Version Number: 1		Date of Publication: dd mmm yyyy

APPENDIX 3 – WORKING FOR THE TEMPORARY STAFFING OFFICE

1. WORKING FOR THE TEMPORARY STAFFING OFFICE WHILE ON ADOPTION LEAVE

Employees are not allowed to work for the Temporary Staffing Office while on paid adoption leave. However, they are entitled to work a maximum of 50% of your substantive post hours per week for the Temporary Staffing Office during their unpaid leave period. If they exceed this limit it will constitute a return to work. Employees are encouraged to work any shifts in the area in which they are substantively employed.

2. RETURNING TO WORK FOR THE TEMPORARY STAFFING OFFICE

Employees who do not return to the UHB or another NHS employer would ordinarily have to repay any enhanced occupational maternity pay they have received. However, in order to retain the skills and experience of employees, the UHB supports the waiver of the right to recover the enhanced maternity pay for those employees who are automatically eligible to join the Cardiff and Vale UHB Temporary Staffing Office (i.e. current staff in unqualified or qualified nursing posts, or other areas covered by the Temporary Staffing Department) as long as they work a minimum of 18 shifts within 15 months of commencing their adoption leave.

Rules

1. Employees are only permitted to work for the Temporary Staffing Office during their unpaid adoption leave.
2. Working for the Temporary Staffing Office will not constitute a return to work and they will be treated in the normal way as an employee who does not return to work after a period of adoption leave in all aspects apart from this one exception.
3. There is no mutuality of obligation and all conditions working as a Cardiff and Vale **BANK ONLY** staff will apply.
4. Working for the Temporary Staffing Office is on a casual basis with no contracted hours and it is intended for work on a day by day basis when required by the clinical areas. Employees may work any flexible hours to suit their requirements, as there is no contract for working any hours each week. There is no guarantee of regular hours by the UHB or the employee. Availability of work depends on individual area requirements. There is no sick pay. They will be paid for hours worked. All shifts worked will be paid at the current agreed hourly rate for Bank Only staff.
5. It is their responsibility to ensure that they work the minimum of 18 shifts within 15 months of the beginning of their adoption leave.
6. Once the 18 shifts have been worked the Temporary Staffing Office will notify Payroll.
7. If they do not complete the 18 shifts within the specified time period, Payroll will be instructed to pursue the overpayment procedure as set out in the [Payroll Overpayment/Underpayment Policy](#).

Document Title: Adoption Procedure	17 of 17	Approval Date: 21 Jan 2015
Reference Number: <i>TBA</i>		Next Review Date: dd mmm yyyy
Version Number: 1		Date of Publication: dd mmm yyyy