



Becoming an adoptive parent

If you want to take additional time off work to look after a child who has recently been adopted you may be entitled to Additional Statutory Paternity Pay (ASPP) and/or Additional Paternity Leave (APL) if you were jointly matched for adoption with another person who is entitled to Statutory Adoption Pay (SAP).

What to do now

Make sure you and the adopter sign the declaration and give the form to your employer at least eight weeks before you want to start your time off work.

Your employer will confirm your entitlement to ASPP and/or APL within four weeks of receiving your application.

Terms and conditions

Who can get ASPP and/or APL

Entitlement to ASPP and/or APL applies to the adoption of a child jointly matched with you on or after 3 April 2011.

ASPP is available to any employee (male or female) who has been jointly matched for adoption alongside their spouse, partner or civil partner who has taken adoption leave for the child.

In Northern Ireland, unmarried couples are unable to adopt a child jointly.

Partner means a person who lives with the person receiving SAP in an enduring family relationship but are not an immediate relative of the adopter.

How to get ASPP and/or APL

To get ASPP and/or APL you need to:

- intend to care for the child during the ASPP and/or APL Period, and
- be continuously employed by the same employer for at least 26 weeks ending with the week the adopter is notified of being matched with a child, and
- continue to be employed by the same employer up to the start of your period of ASPP and/or APL, and
- have average earnings over a set period above a set amount.

Your employer will work these conditions out for you.

When ASPP and/or APL can start

The earliest your ASPP and/or APL can start is 20 weeks after the child has been placed for adoption.

You cannot start your ASPP and/or APL before the adopter has returned to work and stopped receiving SAP.

If the co-adopter takes annual leave or sick during the adoption pay period, this does not count as a return to work.

If you change your mind

You can change your mind about taking ASPP and APL, but you need to give your employer at least six weeks notice before the original start date or the new start date, whichever is earlier.

If you do change your mind, you and your employer may find it helpful if you filled in a new form SC8 Additional Statutory Paternity Pay/Additional Paternity Leave – becoming an adoptive parent.

If you need to change the dates of your leave and pay with less than six weeks notice, please discuss this with your employer.

If, after applying for ASPP you no longer satisfy any of the conditions, or the joint adopter no longer intends to return to work you need to tell your employer in writing as soon as possible.

When ASPP and/or APL can be paid

ASPP is only payable during the joint adopter's pay period. That is the 39 consecutive weeks in which SAP would be payable if the co-adopter had not returned to work.

APL must be taken in complete continuous weeks and can apply for a minimum of two weeks and a maximum of 26 weeks. APL can continue until one year after the child was placed for adoption, but any leave taken after the SAP pay period ends will be unpaid.

What your employer might ask you for

Your employer might ask you, within 28 days of providing the information on this form, to send them:

- one or more documents issued by the adoption agency which matched the child with the adopter
 - the name and address of the agency
 - the date on which the adopter was told that they were matched with the child
 - the date on which the agency expects to place the child with the adopter
- the name and business address of the adopter's employer (or, if self-employed, the adopter's business address).

These should be sent within 28 days of the date of request.

How much ASPP can you get?

You will get the current weekly rate of ASPP at the time of your payment, or 90% of your average weekly earnings, whichever is less.

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Further information and other help

Depending on your circumstances you may not qualify for ASPP. Your employer will let you know and give you form ASPP1. If this is the case you will get more advice and information at the time. If you are in any doubt about your entitlement talk to your employer.

For more information on ASPP and APL go to www.direct.gov.uk/workandfamilies

If you are not entitled to ASPP you should contact your adoption agency to find out if you can get any other help. You can also contact any Jobcentre Plus office.

For more information on Social Security benefits or any other government help go to www.dwp.gov.uk

Disagreements

If you disagree with your employer's decision not to pay you ASPP, ask your employer to explain it to you. If you still disagree then you can contact our Statutory Payments Disputes Team on **0191 225 5221**.

Penalties

Penalties may be charged where a person, either fraudulently or negligently, gives incorrect information or makes a false statement or declaration for the purpose of claiming entitlement to statutory adoption, ordinary statutory paternity, additional statutory paternity, statutory maternity, or statutory sick pay.

What to do next

After you have read the terms and conditions and if you think you might qualify, complete the form below.

Application for Additional Statutory Paternity Pay/ Additional Paternity Leave when becoming an adoptive parent. You must inform the Principal of your intention to take Additional Paternity Leave and provide the following information not less than eight weeks before the date chosen for additional paternity leave to begin.

Your dates for pay and leave

Date the adoption agency told you that you that you had been matched with a child. (**ASPP is only payable for a child matched on or after 3 April 2011**).

/ /

Date the child was placed

/ /

I would like my ASPP to start on

/ /

Date I want my ASPP to end

/ /

I would like my APL to end

/ /

Your declaration

Surname

First name(s)

TR Number

I declare that:

- I will care for the child during the ASPP period, and
- I have been jointly matched for adoption with my spouse, partner or civil partner who has taken adoption leave to care for the child, and
- The information I have provided is correct.
- Matching evidence enclosed. **(must be provided within 28 days of the date of application)**

Signature

Date

Details of the joint adopter of the child (to be completed by the adopter of the child who applied for SAP)

Surname or family name

First Name (s)

Home Address

Name and address of Employer

Date your SAP period started

Date you intend to return to work

Date you stopped or intend to stop receiving SAP

National Insurance Number

Declaration of the adopter of the child

You need to be able to tick all the boxes for your spouse, partner or civil partner to get ASPP

I declare that:

- I am entitled to SAP
- This is the only application of ASPP for this child
- I have told my employer the date I expect to return to work
- I consent to the information I have provided being processed by the employer
- The information I have provided is correct

Signature

Date

Give this form to your employer, but keep the terms and conditions for your records

PRINCIPAL'S APPROVAL

The above-named teacher's paternity leave has been approved.

I agree to inform the Department of Education of start and end dates of leave notice, or any variation within 28 days of receipt of application as per TNC 2011/05.5

Signed: _____ Date

/	/
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(Principal)

School Ref: _____

I enclose the following:

- SC8 – Application (page 3)
- SC8 – Joint Adopter Details (page 4)
- SC8 – Principal's Approval (page 5)
- Copy matching evidence

• **Please return this form to:**

Department of Education
Teachers' Pay and Pensions Team
(Pay Section)
Waterside House
75 Duke Street
Gobnascale
LONDONDERRY
BT47 6FP

Your declaration

VARIATION OF DATES

A teacher must notify the Principal, in writing at least 28 days before the day on which he/she proposes to return, of the date of his/her intended return if this is before or after the date specified.

Surname

First name(s)

TR Number

I wish to amend my original application dates

Date the adoption agency told you that you that you had been matched with a child. (**ASPP is only payable for a** / /
child matched (on or after 3 April 2011).

Date the child was placed / /

I would like my **amend** ASPP to start on / /

Date I want my **amended** ASPP to end / /

I would like my **amended** APL to end / /

I declare that:

- I will care for the child during the ASPP period, and
- I have been jointly matched for adoption with my spouse, partner or civil partner who has taken adoption leave to care for the child, and
- The information I have provided is correct.

Signature

Date / /

The above-named teacher's amended paternity leave has been approved.

Signed: _____ Date / /

(Principal)

School Ref: _____