

## **Adoption Leave**

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### **1. Introduction**

This Adoption Policy (the “Policy”) applies to Productions affiliated with The Walt Disney Company Ltd. in the UK (collectively the “Production”).

The Policy applies to all cast and crew directly employed by the Production regardless of age, disability, race, ethnicity, religion or belief, sex, gender identity, gender expression or sexual orientation, whether married, in a civil partnership, pregnant or on maternity. It does not apply to loanouts, agency workers, self-employed contractors, consultants, volunteers, or those partaking in work experience.

The Policy does not form part of the Production’s Deal Memo or any other contractual terms, and we may amend it at any time.

Any information you provide to us about your health will be processed lawfully and in accordance with the Production’s Cast and Crew Data Protection Notice.

We endeavour to ensure all expectant parents are given support around the time of adoption of a child. This Policy outlines the statutory rights and responsibilities of cast and crew relating to adoption leave and pay.

### **2. Key terms**

#### **Additional Adoption Leave (AAL)**

Starting on the last day of OAL and running up until 52 weeks leave in total have been taken (inclusive of OAL)

#### **Expected Week of Placement (EWP)**

The week, starting on Sunday, in which your placement is expected to begin

**Engaged**

For the use of this Policy, the term “engaged” refers to those who are directly employed by the Production as PAYE

**Keeping in Touch (KIT) Days**

Up to 10 days you can work during adoption leave without ending OAL or AAL

**Ordinary Adoption Leave (OAL)**

The first 26 weeks of adoption leave

**Statutory Adoption Pay (SAP)**

A weekly payment for those on adoption leave at a rate decided by the Government, subject to eligibility

**Supervisor**

For the use of this Policy, the Supervisor is the person you report into regardless of their title

**3. Notification process****a) Adoption leave (UK adoptions)**

Please share that you are adopting as soon as you feel comfortable doing so and within 7 days of being notified that you have been matched with a child from the adoption agency.

Make sure to follow up any conversations that you have with your Supervisor or HR in writing.

We require a scanned copy of the signed and dated matching certificate provided by the adoption agency.

If some of the details change as you get nearer to the adoption date, just let us know so that we can advise.

You may bring forward or postpone your adoption leave start date in writing giving at least 28 days’ notice of the new date or as soon as is reasonably practicable.

**b) Adoption leave (Overseas adoptions)**

Please share that you are adopting as soon as you feel comfortable doing so, and within 28 days of getting your official notification. You should also share with us the date you expect the child to arrive in the UK.

Make sure to follow up any conversations that you have with your Supervisor or HR in writing.

If some of the details change as you get nearer to the adoption date, just let us know so that we can advise.

You may bring forward or postpone your adoption leave start date in writing giving at least 28 days’ notice of the new date or as soon as is reasonably practicable.

**c) Adoption leave (Surrogacy arrangements)**

Please share that you are adopting as soon as you feel comfortable doing so, and please let us know if you are using a surrogate to have a baby. You will need to share with us the due date and when you want to start taking your leave at least 15 weeks before the expected week of birth.

You may bring forward or postpone your adoption leave start date in writing giving at least 28 days' notice of the new date or as soon as is reasonably practicable.

Once we have received your notification, we will write to you to confirm your entitlements within 28 days.

#### **4. Adoption leave allowances**

If you are a Primary Adopter, you are entitled to 52 weeks of adoption leave.

There are differences on when this can start, which are dependent on the situation. Adoption leave may begin:

- On the date the child starts living with the crew member or up to 14 days before the expected placement date (UK adoptions).
- When the child arrives in the UK or within 28 days of this date (overseas adoptions).
- The day the child is born or the day after (parents in surrogacy arrangements).

The first 26 weeks of your 52 weeks of leave are known as Ordinary Adoption Leave (OAL) and the second 26 weeks are known as Additional Adoption Leave (AAL).

When a child is placed with an individual for adoption, it is the adopter who is entitled to adoption leave and the partner/second parent can take a period of Paternity Leave.

If two people jointly adopt then they can choose which one will be eligible for Adoption Leave and which for Paternity Leave.

An individual cannot take both Paternity and Adoption Leave but both adopters are able to use Shared Parental Leave.

#### **5. Attending appointments**

If you're eligible for adoption leave based on the criteria and notification process above, you can also get paid time off work to attend up to 5 adoption appointments after you've been matched with a child.

The Production has the right to ask you to provide proof of an appointment.

If possible, schedule such appointments for the start or at the end of the day and let your Supervisor know with as much notice as possible.

If you are using a surrogate to have a baby, as the intended parent, you can attend up to 2 unpaid antenatal appointments with the person giving birth.

#### **6. Adoption pay**

Based upon your length of engagement, you may be entitled to receive SAP.

You will qualify for SAP if you meet the following criteria:

- You have been continuously engaged with us for at least 26 weeks by the week you were matched with a child, or the 15<sup>th</sup> week before the estimated week of childbirth for surrogacy arrangements
- Your average weekly earnings are not less than the lower earnings limit set by the Government each tax year
- You have complied with the Production notification process

Payment will be made at 90% of your average weekly earnings (before tax) for the first 6 weeks. This is followed by up to 33 weeks at SAP (or 90% of your average weekly earnings, whichever is lower). SAP is paid at a prescribed rate set by the Government for the relevant tax year.

If you commence employment with another company whilst receiving SAP from the Production, you must notify HR.

If you are not eligible for SAP, we will issue you with a SAP1 form to confirm this.

## **7. Annual leave and bank holidays**

You will continue to accrue annual leave while on adoption leave and can take annual leave immediately before or after your adoption leave.

You will also accrue your Bank Holiday allowance while on adoption leave. These days can be taken following the end of your adoption leave. If you are unable to reasonably do so, you may be paid in lieu for any untaken bank holidays in your first salary after your adoption leave.

## **8. Keeping in touch (KIT) days**

You may work up to 10 days during your adoption leave without losing your statutory payments. This is not compulsory and must be discussed and agreed with your Supervisor.

KIT days will be paid in addition to any SAP payments in the following pay period of the KIT day being worked.

KIT days can be used as a half day or a full day. These are an opportunity for you to meet with your Supervisor and/or to help you gradually return to work.

## **9. Disrupted placement**

If the placement is disrupted or the adoption does not go ahead and you have already commenced adoption leave, your entitlement to any adoption leave and pay will end 8 weeks from the end of the week in which the disruption occurred.

In the unfortunate circumstance that a placement is disrupted due to the death of your newly adopted child, and you are already on adoption leave, then the adoption leave will continue for 8 weeks after the end of the week in which your child passed away.

In the situations above, including in surrogacy arrangements if your baby is stillborn after 24 weeks, or in the event of a neonatal death, you will be able to take Parental Bereavement Leave following your leave.

We would ask that you let us know of any disrupted placement that may occur as soon as you are able to.

## **10. Your pension**

The Production will pay your employer contributions throughout your adoption leave, and while you are receiving SAP your personal deductions will continue at the same percentage as usual. The deductions will be based on the amount of any adoption pay you are receiving, unless you inform Payroll that you wish to make up any shortfall. Once SAP payments are over, these payments will stop.

## **11. Returning to work**

You are welcome to come back to work anytime from 2 weeks after the placement date up to the end of the 52 weeks of adoption leave.

The Production expects you to return to work on your documented return date, unless you provide the Production with 8 weeks' prior written notice that your leave dates are changing. The Production reserves the right to postpone your return-to-work date if you haven't given us the correct details or adequate notice that we need to be ready for you to come back.

If you come back to work before or at the end of the period of OAL, then you have the right to return to the same role as when you left for adoption leave. However, if you return after the OAL, you will be returned to the same role if possible, or a similarly situated role on no less favourable terms and conditions. If the production you were engaged on when you were placed on adoption leave has wrapped, there is no obligation to place you on a different production.

In the event of the Production or department closing or wrapping as per the usual production lifecycle, your Supervisor/Production office/HR will be in contact with you. If you are in receipt of SAP, any remaining SAP will be paid out as a lump sum.

If you decide that you do not wish to return to work after your adoption leave, you are required to give us notice of your resignation. Your notice period to resign is as set out in your contract of engagement. This notice can run alongside adoption leave and pay.