



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 8 weeks before you want to start your time off work.

Your employer will confirm your entitlement to ASPP and/or APL within 28 days of receiving your application.

Terms and conditions

Who can get ASPP and/or APL

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
- 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
- continue to be employed by the same employer up until the end of the week before the ASPP and/or APL period begins
- for ASPP only, have average earnings over the relevant period above a set amount

Your employer will work out these conditions for you.

You must fill in this form and give it to your employer at least 8 weeks before you want to start receiving ASPP.

Your employer may accept this written notification late if there is good reason for delay.

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 leave during the adoption pay period, this does not count as a return to work.

From 5 April 2015

ASPP will no longer be available for children matched or placed for adoption on or after 5 April 2015 in Great Britain, but you may be entitled to Shared Parental Pay and Leave.

For more information go to www.gov.uk/shared-parental-leave-and-pay

If you change your mind

You can change your mind about taking ASPP and APL. But you need to give your employer at least 6 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 fresh 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 6 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.

The adopter must have at least 2 weeks of the SAP pay period remaining.

APL must be taken in complete continuous weeks and can apply for a minimum of 2 weeks and a maximum of 26 weeks. APL can continue until 1 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 match 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

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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More 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.gov.uk/paternity-pay-leave
- www.acas.org.uk

Guidance for Northern Ireland is available from www.nidirect.gov.uk

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.gov.uk

Disagreements

If you disagree with your employer's decision not to pay you ASPP, ask your employer to explain it to you. You must do this within 6 months of the first day that your employer gives you their decision. If you still disagree and you have also sought more information about ASPP from www.gov.uk you can then contact HMRC Statutory Payments Disputes Team on **03000 560630**.

Penalties

We may charge penalties where a person, either fraudulently or negligently, gives incorrect information or makes a false statement or declaration for the purpose of claiming entitlement to ASPP.

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

Your dates for pay

Surname or family name

First name(s)

Date the adoption agency told you that you had been matched with a child DD MM YYYY

Date the child was placed DD MM YYYY

I would like my ASPP to start on DD MM YYYY

Date I want my ASPP to end DD MM YYYY

I would like my APL to start on DD MM YYYY

Date I want my APL to end DD MM YYYY

National Insurance number

Your declaration

I declare that

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

Signature

Date DD MM YYYY

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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)

Address

Postcode

Date your SAP period started DD MM YYYY

Date you intend to return to work DD MM YYYY

Date you stopped or intend to stop receiving SAP
DD MM YYYY

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 for ASPP for this child for this employment ☐
- I have told my employer the date I expect to return to work (not applicable if self-employed) ☐
- I agree to the information I have given being used by the employer ☐
- the information I have given is correct ☐

Signature

Date DD MM YYYY

Give this form to your employer at least **two** weeks before the day you wish to start your ASPP. Keep a copy so that you have a record of the terms and conditions.