

Maynooth University's Adoptive Leave Policy

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1. Policy Statement

- 1.1. As an equal opportunities' employer, Maynooth University is committed to supporting staff who wish to avail of adoptive leave. This policy informs all staff members covered by the Adoptive Leave Acts 1995 and 2005 and Family Leave and Miscellaneous Provisions Act 2021 of their rights and entitlements while in this employment.
- 1.2. This policy covers staff who are qualifying adopters while in the employment of the Maynooth University. All full-time and part-time staff members are covered by this policy.

2. Leave Entitlements

- 2.1. Under the University's Adoptive Leave policy, staff have the following entitlements:
 - 24 consecutive weeks paid adoptive leave, commencing from the date of placement of the child;
 - Staff members are also entitled to take additional unpaid adoptive leave of up to 16 weeks, commencing immediately after the end of the paid adoptive leave;
 - In the case of a foreign adoption, all or part of the additional unpaid adoptive leave can be taken before the placement of the child. If a staff member wishes to avail of this option, they must inform their Head of Department and Human Resources office, in writing, four weeks before the leave is due to begin.

3. Time off to attend preparation classes

- 3.1. Parents are entitled to time off during working hours without loss of pay to attend preparation meetings and pre-adoption classes with social workers/ Health Service Executive officials, which are held within the State, and are required as part of the pre-adoption process.
- 3.2. Staff must give written notification to their Head of Department and the Human Resources office (humanresources@mu.ie), of the dates and times of the classes, or class, at least two weeks before the first class.

4. Annual leave and public holiday benefit

- 4.1. While on adoptive leave and additional adoptive leave, staff will retain their full entitlement to annual leave and public holiday benefit.
- 4.2. Any request for annual leave must be made as per the University's annual leave policy. Such requests will be treated in the same way as an annual leave application from any other staff member, taking account of business and resourcing needs.

5. Additional adoptive leave and sickness

- 5.1. Staff may request to terminate unpaid additional adoptive leave in the event of medically certified illness, thereby allowing the staff member to transfer the leave to sick leave. This is subject to approval by the University. Requests for termination of

the additional adoptive leave and acceptance of this by the University must be in writing.

- 5.2. Please note that if a staff member chooses to transfer any unpaid additional adoptive leave to sick leave, then the remainder of the additional adoptive leave cannot be taken at a later date following the period of sick leave.

6. Postponement of adoptive leave

- 6.1. Adoptive leave and/or additional adoptive leave may be postponed in the event of the hospitalisation of the child, subject to the agreement of the University.
- 6.2. Staff should request the postponement of the leave in writing as soon as possible. This request should also include a letter of confirmation from the hospital.

7. Payment during leave

- 7.1. During adoptive leave (including additional adoptive leave), a staff member's continuity of employment in respect of any rights (whether statutory, contractual or otherwise) are preserved.
- 7.2. In addition to Statutory Adoptive Benefit pay, the University provides staff with their normal salary on a 'top-up' basis for the duration of the 24 weeks paid adoptive leave. To receive the benefit of paid adoptive leave, a staff member must claim Statutory Adoptive Benefit at least six weeks before the commencement of their adoptive leave. Further detail on timelines can be found at [Appendix 1](#).
- 7.3. The University will then pay the staff member their full salary, less their Social Welfare Adoptive Benefit entitlements, for the duration of the 24 weeks paid adoptive leave. Staff working on a part-time or job share basis, and those availing of a Shorter Working Year, receive the benefit of paid adoptive leave on a pro-rata basis.
- 7.4. During the 16-week period of additional unpaid adoptive leave, no payment is made by the Department of Social Protection.
- 7.5. Accrued annual leave and public holidays are taken immediately following all of the adoptive leave (paid and unpaid) and prior to returning to work.
- 7.6. If a staff member is on their probationary period, this will be suspended during the adoptive leave (paid and unpaid).

8. Adoptive leave notifications and applying for adoptive leave

- 8.1. Staff who are entitled to avail of leave under the Adoptive Leave Acts 1995 and 2005 and Family Leave and Miscellaneous Provisions Act 2021 must comply with certain notification procedures in order to be eligible for protection under the Acts. They are required to provide written notification of their intention to take adoptive leave and additional adoptive leave; to attend pre-adoption classes and preparation meetings; and of their intention to return to work. All protection and entitlements under the Acts are subject to satisfactory written notification.

- 8.2. As soon as practicable, and not later than four weeks before their adoptive leave is due to start, a staff member who intends to take adoptive leave must notify the University accordingly by submitting an application for adoptive leave, to their Head of Department and subsequently to Human Resources office. In addition, the staff member should provide Human Resources with a copy of a certificate of placement confirming the date of placement of the child.
- 8.3. Once the staff member's adoptive leave request has been processed and dates confirmed, the Human Resources office will liaise with the staff member directly to take any necessary follow-up action, including making arrangements for the completion of the staff member's Social Welfare Adoptive Benefit Form (AB1) and with the Head of Department on associated matters.
- 8.4. If a staff member wishes to take additional (unpaid) adoptive leave, parents leave or parental leave, they should notify Human Resources and their Head of Department accordingly, in writing as soon as practicable, and not later than the dates set out in the adoptive leave confirmation letter. A summary of other available leave is included below.

Leave Type	Who may avail of it?	Duration	Salary impact
Parental leave	Parents and guardians of children under 12	26 weeks	Unpaid leave.
Parent's leave	Parents of children under 2 years of age Parents of adopted children in the first 2 years of the placement of the child	9 weeks	Parent's Benefit is paid for 9 weeks. Maynooth University does not pay your salary during this time.

9. Returning from Adoptive Leave

- 9.1. Following adoptive leave (including additional adoptive leave), staff have a right to return to their original post under terms and conditions no less favourable than those that would have been applied if they had not been absent on such leave.
- 9.2. The right to return to work does not extend to staff whose fixed-term or specified-purpose contracts of employment come to an end during such leave. In such cases, it

will be clarified by Human Resources that their contract will end prior to the staff member taking their adoptive leave.

10. Early Return

- 10.1. If a staff member wishes to return to work prior to the agreed end date of their adoptive leave (paid and/or unpaid), they must notify the Human Resources office accordingly in writing with a minimum of four weeks' notice.
- 10.2. If a staff member does not wish to return to work after their adoptive leave (paid and unpaid), they must provide the appropriate notice of resignation (as stipulated in their contract of employment) in writing to their Head of Department and the Human Resources office

Appendix 1

Request	Notice needed	Who to provide notice to
Provide dates and times to attend pre-adoption classes and preparation meetings.	At least two weeks before the first class.	Head of Department and the Human Resources office.
Claim Statutory Adoptive Benefit to receive paid adoptive leave.	At least 5 weeks before the commencement of adoptive leave.	Department of Social Protection.
Submit an application for adoptive leave.	At least four weeks before their adoptive leave is due to start.	Head of Department and Human Resources.
Apply for additional (unpaid) adoptive leave, parents leave or parental leave.	Not later than the dates set out in the adoptive leave confirmation letter.	Human Resources and their Head of Department.
Return to work prior to the agreed end date of adoptive leave.	A minimum of four weeks.	Human Resources office.
Resign at the end of adoptive leave.	Provide the appropriate notice of resignation (as stipulated in their contract of employment).	Head of Department and the Human Resources office.

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