

# CHILDREN AND FAMILIES ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 8 – Time Off Work: Ante-Natal Care Etc**

#### ***Section 128: Time off work to attend adoption appointments***

#### **Section 57ZJ: Right to paid time off to attend adoption appointments**

654. Section 57ZJ creates a new right for employees to take paid time off work to attend adoption appointments.
655. Subsection (1) creates a right for an employed single adopter who has been notified by an adoption agency that a child is to be, or is expected to be, placed for adoption with him or her, to take time off to attend an appointment for the purpose of having contact with the child or for any other purpose connected with the adoption (an “adoption appointment”).
656. Subsection (2) creates a right for an employee who has been notified by an adoption agency that a child is to be, or is expected to be, placed for adoption with the employee and another person jointly, to take time off to attend an adoption appointment, provided they have elected to exercise the right to take time off under this subsection.
657. Subsection (3) provides that the employee cannot elect to take time off under subsection (2) if they have already elected to take time off under section 57ZL(1)(b) (unpaid time off), or if the other joint adopter, being an employee or an agency worker, has already elected to take time off under subsection (2)(b) or section 57ZN(2)(b).
658. Subsection (4) provides that an employee is not entitled to take time off to attend adoption appointments under section 57ZJ on or after the date of the child’s placement for adoption with the employee.
659. Subsection (5) limits the number of adoption appointments that may be taken under section 57ZJ to no more than five for any particular adoption.
660. Subsection (6) limits the maximum amount of time off for each adoption appointment to six and a half hours.
661. Subsection (7) provides that the adoption appointment must have been arranged by or at the request of the adoption agency which made the notification of the placement or the expected placement for adoption.
662. Subsection (8) provides a single adopter is not entitled to take time off under subsection (1) unless he or she provides their employer upon request with a document showing the date and time of the adoption appointment in question and that it has been arranged by an adoption agency.
663. Subsection (9) provides that a joint adopter employee is not entitled to take time off under subsection (2), unless the employee provides their employer upon request with

*These notes refer to the Children and Families Act 2014  
(c.6) which received Royal Assent on 13 March 2014*

a document that shows the date and time of the adoption appointment and a signed declaration stating that they have made an election to take time off under subsection (2) (b).

664. Subsection (10) provides that the document that shows the date and time of the appointment or the declaration relating to the election under subsection (8) or (9) can be in electronic form.
665. Subsection (11) makes provision to modify the operation of section 57ZJ where more than one child is to be, or is expected to be, placed as part of the same arrangement (for example, where siblings are to be placed with the same adopter) so that, where the adoption appointments relate to the adoption of more than one child: the election under subsection (2)(b) relates to all the children, the maximum number of adoption appointments remains five in total, and the date after which no time off can be taken to attend an adoption appointment is the placement date of the first child.
666. Subsection (12) provides that the working hours of an employee are to be taken to be any time in accordance with the employee's contract of employment that they are required to be at work.
667. Subsection (13) provides that in section 57ZJ "adoption agency" has the meaning given in section 2 of the Adoption and Children Act 2002 or as defined in section 119(1)(a) of the Adoption and Children (Scotland) Act 2007.