

CHILDREN AND FAMILIES ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

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

Section 128: Time off work to attend adoption appointments

Section 57ZL: Right to unpaid time off to attend adoption appointments

673. Subsection (1) creates a right for an employed 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 and another person jointly, 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”), provided he or she has elected to take time off under subsection (1)(b).
674. Subsection (2) provides that an employee may not elect to take time off under subsection (1) if they have already elected to take paid time off under section 57ZJ, or if the other joint adopter has already elected to take unpaid time off under subsection (1) (b) or under section 57ZP(1)(b).
675. Subsection (3) 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.
676. Subsections (4) and (5) limit the number of adoption appointments that may be taken under section 57ZL to two appointments of six and a half hours each.
677. Subsection (6) 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.
678. Subsection (7) provides that an employee is not entitled to take time off under this section 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, and a signed declaration that he or she has made an election for the purposes of subsection (1)(b). The declaration or document may be in electronic form (subsection (8)).
679. Subsection (9) makes provision to modify the operation of section 57ZL 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 (1)(b) relates to all the children, the maximum number of adoption appointments remains two 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.

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

680. Subsection (10) 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.
681. Subsection (11) 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.