

*These notes refer to the Work and Families Act (Northern Ireland)
2015 (c.1) which received Royal Assent on 8th January 2015*

Work and Families Act (Northern Ireland) 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Time Off Work: Ante-Natal Care, Adoption Appointments

Section 17: Time off work to attend adoption appointments

Article 85ZP: Right to unpaid time off to attend adoption appointments: agency workers

Paragraph (1) creates a right for an employed adopter who has been notified by an adoption agency that a child is, or is expected to be, placed for adoption with him or her and another person, to take time off to attend an adoption appointment, provided he or she has elected to take time off under *paragraph (1) (b)*.

Paragraph (2) provides that an employee may not elect to take time off under *paragraph (1)* if he or she has already elected to take paid time off under *Article 85ZN*, or if the other adopter has already elected to take unpaid time off under *paragraph (1)(b)* or under *Article 85ZL(1)(b)*.

Paragraph (3) provides that an agency worker is not entitled to take time off to attend adoption appointments on or after the date of the child's placement for adoption with the employee.

Paragraphs (4) and (5) limit the number of adoption appointments that may be taken to two and specify that the maximum time off during working hours for these appointments is six and a half hours per appointment.

Paragraph (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.

Paragraph (7) provides that an employee is not entitled to take time off unless he or she provides to the temporary work agency or hirer (upon request) 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 *paragraph (1)(b)*. Per *paragraph (8)*, the declaration or document may be in electronic form.

Paragraph (9) makes provision to modify the operation of *Article 85ZP* where more than one child is, or is expected to be, placed as part of the same arrangement (for example, where siblings are to be placed with the same adopter). Where the adoption appointments relate to the adoption of more than one child, the effect is that the election under *paragraph (1)(b)* relates to all the children; the maximum number of adoption appointments remains two in total; and the date after which no adoption appointments can be taken is the placement date of the first child.