

Adoptive Leave

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Adoptive Leave

1. Purpose

The purpose of this Policy is to inform all employees 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.

2. Scope

This Policy covers employees who are qualifying adopters while in the employment of the Law Society.

3. Policy

3.1. Entitlements and Conditions

Under our adoptive leave Policy, employees have the following entitlements:

- Adoptive parents are entitled to 24 consecutive weeks adoptive leave, commencing from the date of placement of the child.

- They must give the Law Society at least four weeks written notice of their intention to take adoptive leave and also forward to the [Human Resources Department](#) any documentation confirming the adoption of their child and specifying the expected week of adoption.
- They must give the Law Society at least four weeks written notice of their intention to return to work.
- They are also entitled to take additional adoptive leave of up to 16 weeks, commencing immediately after the end of the adoptive leave.
- They must inform the Law Society in writing of their intention to take the 16 weeks additional leave not later than four weeks before the end of the 24-week adoptive leave period.
- In the case of an international adoption, all or part of the additional adoptive leave can be taken before the placement of their child; if employees wish to avail of this option, they must inform the Law Society in writing four weeks before the leave is due to begin.

3.2. Time off to attend preparation classes

Employees (both 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.

Employees must give written notification to their line manager and the Human Resources Department of the dates and times of the classes, or class, at least two weeks before the first class.

3.3. Annual leave and public holiday benefit

While on adoptive leave and additional adoptive leave, employees will retain their full entitlement to annual leave and public holiday benefit. They will be notified of the number of public holidays for which they are entitled to benefit, and they will agree with their line manager when these paid days will be taken.

Any request for annual leave must be made as per the Law Society's annual leave Policy. Such requests will be treated in the same way as an annual leave application from any other employee, taking account of business and resourcing issues.

3.4. Additional adoptive leave and sickness

Employees may request to terminate unpaid additional adoptive leave in the event of medically certified illness, thereby allowing them to transfer to the sick leave scheme. This is subject to approval by the Law Society. Requests for termination of the additional adoptive leave and acceptance of this by the Law Society must be in writing.

Please note that if they choose to transfer to the sick leave scheme, then the remainder of the additional adoptive leave cannot be taken at a later date following the period of sick leave.

3.5. Postponement of adoptive leave

Adoptive leave and/or additional adoptive leave may be postponed in the event of the hospitalisation of their child, subject to the agreement of the Law Society.

Employees 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.

3.6. Payment during leave

During adoptive leave, employees who have the necessary PRSI contributions are entitled to Adoptive Benefit from the Department of Social Protection. It is recommended that you apply at least six weeks before the start date of your adoptive leave. Claims should be made on AB1 forms, which are available on www.gov.ie.

During adoptive leave and additional adoptive leave, employees will be deemed to be in employment and their employment rights, with the exception of remuneration, are preserved as if they were present at work.

Subject to the employee having completed 12 months' service on the date the adoptive leave commences; the Law Society will make up the shortfall between the social welfare adoptive benefit payment and the employee's salary for the first 24 weeks of adoptive leave. The Law Society will not pay the employee during any period of additional adoptive leave.

3.7. Employment protection

An employee on adoptive leave will be treated as if they were not absent from work. When adoptive leave ends, an employee will be entitled to return to their usual job so far as it is reasonably practicable. However, if this is not possible, the employee will be offered suitable alternative work, with the terms and conditions not less favourable than those they had in their original job. However, employees must give at least four weeks written notice of their return-to-work date.

During the 16-week period of additional adoptive leave, no payment is made by the Department of Social Protection

3.8. Adoptive leave notifications

Employees 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.

4. Review

This Policy will be reviewed from time to time and may be subject to change. For information on potential reviews please contact the [Human Resources Department](#).

Version History

Date	Amendment	By	Version no.	Review Due
29/05/2025	Service requirement for paid leave reduced from 24 months to 12 months	HR Administrator	V1.0	10/10/2027