

Neonatal Leave and Pay Policy

1. Statement

We are committed to supporting employees if their baby is admitted into neonatal care.

We have developed a Neonatal Care Leave Policy to assist you if your baby is admitted into neonatal care within 28 days of birth. In accordance with the Neonatal Care (Leave and Pay) Act eligible employees can take up to 12 weeks of paid leave in addition to their other family leave entitlements such as maternity and paternity leave.

2. Scope

The policy applies to all employees of the organisation.

3. Legal Compliance

The Neonatal Care (Leave and Pay) Act effective from 6th April 2025 is intended to support parents of babies who are admitted into neonatal care within 28 days of birth.

3. What is Neonatal Care?

There are three categories of medical care which will count as neonatal care, these are:

- Any medical care received in hospital
- Medical care undertaken by a consultant or healthcare professional following discharge from hospital that requires ongoing monitoring and further visits;
or
- Palliative or end of life care.

Unfortunately, any medical care which does not fall within the definition above will not qualify, nor will any medical care which does not begin within the first 28 days of the baby's birth.

3. Eligibility for Neonatal Care Leave (NCL)

Neonatal **Leave** is a day-one right.

In order to qualify for Neonatal leave (NCL) the following conditions must be met:

- You must be an employee
- The baby must be born on or after 6th April 2025
- At the birth of the baby, you must be the baby's parent, intended parent (in relation to surrogacy) or partner (see definition below) to the baby's mother and you must have or expect to have responsibility for raising the child.
- The newborn must be admitted to neonatal care within the first 28 days of birth and must remain in neonatal care for at least 7 continuous days. The first period of 7 days begins with the day after the day your baby first receives neonatal care.
- Neonatal care leave must be taken to provide care for the baby

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- Neonatal care leave must be taken in blocks of a week.

Partner is defined as a person who lives with the baby's mother or adopter and is in an enduring family relationship with them but is not a relative (parent, grandparent, grandchild, sibling, aunt, uncle, niece or nephew).

4. Eligibility for Neonatal Care Pay (NCP)

To qualify for Neonatal Care Pay (NCP) you must:

- Have been employed by the organisation for a continuous period of at least 26 weeks ending with the **relevant week** (which is the 15th week before the week in which the baby is due (approximately the 25th week of pregnancy)).
- Your average gross weekly earnings must be at least equal to the lower earnings limit for National Insurance (NI) purposes.
- Your earnings will be averaged over a period of at least 8 weeks up to and including the last pay day before the end of the relevant week. This period is called the '**relevant period**'.

Neonatal Care Pay is paid at the statutory rate per week or at 90% of average weekly earnings, if this is less. Neonatal Care Pay may be paid for a maximum of 12 weeks and is payable within the first 68 weeks of the child's birth.

5. Amount of leave and when it can be taken

Eligible employees can take one week's Neonatal Care Leave for each week (7 days) that their baby receives neonatal care. The maximum amount of leave is 12 weeks. The first qualifying period of 7 days begins with the day after your baby first receives neonatal care (i.e. days 2-8 of neonatal care).

Neonatal care Leave can be taken from the day after the first qualifying period. This means that you are not able to start neonatal leave until day nine.

Leave must be taken within the first 68 weeks of the baby's birth (or placement in the case of adoption). Where an employee is already be on some form of family leave (while their baby is in neonatal care) the neonatal leave can be taken after neonatal care has ended and at the end of maternity/shared parental or adoption leave.

There will be instances where an employee takes neonatal leave while their baby is still receiving neonatal care, for example partners whose paternity leave entitlement has run out while their baby is still receiving care.

6. Phases of Neonatal Leave

There are phases of neonatal leave depending on when the leave is taken. The phases are referred to as Tier 1 or Tier 2 periods.

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1. The first phase, “**Tier 1**”, starts when the child begins neonatal care (after the seven-day qualifying period) and concludes seven days after the care ends. During this phase, leave can be taken in non-continuous blocks of at least one week.
2. The second phase, “**Tier 2**”, covers the remaining part of the 68-week period and requires the leave to be taken in one continuous block.

7. Notice Periods for taking Neonatal Leave

The required length of notice differs depending on when the leave is taken.

For each week of **Tier 1 leave** (i.e. leave taken while your baby is still receiving care) the notice must be given before you are due to start work on your first day of leave. You must give as much notice as practical.

Notice during a Tier 1 period does not need to be in writing.

Tier 1 period leave is only likely to be taken by a father or the mother’s partner, as the mother is likely to already be on Maternity leave during the Tier 1 period. If you are already on paternity leave when you wish to take Tier 1 period leave, you must notify your Manager before the time you are due to start work after paternity leave, that you wish to take Neonatal Care Leave.

For a single week of **Tier 2 leave**, notice must be given no later than 15 days before the first day the of the Neonatal Care Leave to which the notice relates.

For two or more consecutive weeks of **Tier 2 Leave**, notice must be given no later than 28 days before the first day of the neonatal care leave to which the notice relates. The leave can only be taken in a single block.

Only a Director or Senior Manager has the authority to waive these notice requirements.

7. How to Give Notice to take Neonatal Leave

To take Neonatal Care Leave you should provide the following information:

- Your name
- Your baby’s date of birth
- The start date or dates of neonatal care
- The date neonatal care ended (if applicable)
- The date on which you would like to take the leave
- The number of weeks of Neonatal Care Leave the notice is being given for
- Confirmation that the leave is being taken to care for the baby
- Confirmation that you are eligible to take the leave due to your relationship with the baby

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7. Employee Rights and Obligations during and after Neonatal Care Leave

As with all statutory family leave, when you are on Neonatal Care Leave, you will continue to benefit from the terms and conditions of your employment, except pay.

Your continuity of employment is not disrupted and you will continue to accrue your statutory holiday.

During Neonatal Care Leave, you remain bound by your contractual obligations to the Company including your obligations of confidentiality. You are not permitted to work for another employer during Neonatal Leave without written authorisation from a Director.

8. Keeping in Touch

During a period of Neonatal Care Leave your manager will arrange to maintain weekly contact with you.

You may prefer to nominate a close friend or family member as the contact point for your manager to communicate with if this is easier for you.

9. Support for Parents

Whilst on Neonatal Care Leave and in the period following the leave you might need additional external support. The following charities might be able to help you:

[Bliss](#) - Support and information for parents with a baby in neonatal care

[Mind](#) - Mental health information and support

10. If Neonatal Care Leave interrupts other Statutory Leave.

If parents take tier 1 leave which interrupts another statutory leave the Neonatal Care Leave will end straight away.

The Neonatal Leave which has not been taken will be added to the end of the leave it interrupted. This will only apply if it is still in the tier 1 period.

If your baby has not been receiving care for a week or more at the end of the interrupted leave, the leave period is now in tier 2. Any remaining Neonatal Care Leave plus the interrupted leave must be taken together.

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Policy Issue Date	Director Signature
17 th April 2025	