



Neonatal Care Leave and Pay Policy

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1. Introduction

Employees are entitled to neonatal care leave (if they meet the eligibility criteria) for a baby born on or after 6th April 2025 and the baby has received medical or palliative neonatal care for at least 7 consecutive days within the first 28 days after birth.

Our group understands that if an employee is considering the use of this policy, they will be going through a difficult and stressful period. The organisation is committed to supporting our employees to both be able to be with their baby and look after their own wellbeing throughout this period.

2. Scope of Policy

This policy and procedure applies to all employees.

3. Legislation

This entitlement has been introduced through the Neonatal Care (Leave and Pay) Act 2023 and comes into effect on 6th April 2025.

4. Definition

Neonatal care means:

- medical care received in hospital
- medical care received in any other place where:
 - the baby was an inpatient in hospital and the care is received upon the baby leaving the hospital
 - the care is under the direction of a consultant
 - the care included ongoing monitoring by, and visits to the baby from, a healthcare professional arranged by the hospital where the baby was an inpatient
- palliative or end of life care

5. Eligibility

Neonatal Care Leave

An employee will have the right to neonatal care leave if they meet the following criteria:

- At the date of birth they are the baby's parent, intended parent (under a surrogacy arrangement) or the partner of the baby's mother.
- At the date of birth, they are the baby's adopter or prospective adopter or the partner of the adopter or prospective adopter (including children adopted from overseas).
- Have or expect to have the responsibility for the upbringing of the child.
- Take the leave to care for the baby who has received neonatal care.

Neonatal Care Pay

Employees with 26 weeks continuous service by the end of the relevant week, who earn above the lower earnings limit and who are entitled to neonatal care leave are also entitled to statutory neonatal care pay. The rate for statutory neonatal care pay is set by the government and reviewed annually in April.

The relevant week is deemed to be:

- For births, the week preceding the 15th week before the expected week of childbirth.
- For adoption, the week in which the adopter is notified of being matched with the baby.
- For any other cases, the week immediately before the week in which the neonatal care starts.

6. Leave Entitlement

If an employee meets the eligibility criteria detailed in this policy, they have the right to one week of neonatal care leave for every week their baby is in neonatal care, up to a maximum of 12 weeks. An employee can take one week's leave for every uninterrupted week that the baby is receiving neonatal care.

Neonatal care leave must be taken within 68 weeks of the baby's birth.

Neonatal care leave and pay is additional to statutory rights for other types of family leave such as maternity, adoption, paternity and shared parental leave.

Where 2 or more babies from the same pregnancy require neonatal care, the following points apply:

- If the babies receive neonatal care at same time the leave will accrue once.
- If the babies receive neonatal care at different times the leave accrues for each baby.
- The number of weeks leave available remains at the maximum of 12 weeks.
- The 68 weeks within which the leave must be taken is based on the date of birth of the first baby.

7. Types of Leave

Neonatal care leave can be taken in 2 ways:

- **Tier 1**
This begins when the baby receives neonatal care and ends on the seventh day after the baby is discharged. Neonatal Leave in tier 1 can be taken in a continuous block or a non-continuous block of one week at a time and up to 12 weeks.
- **Tier 2**
This begins once the tier 1 period has ended and must be taken within 68 weeks after the birth. Tier 2 leave must be taken in one continuous block. This type of leave is most likely to apply to employees who are already on maternity or adoption leave as they will exhaust their maternity or adoption leave first.

8. Requesting Leave

Employees are encouraged to speak to their line manager as soon as possible if they may be taking neonatal care leave, this will help us to provide appropriate support and information regarding these entitlements.

To apply for leave employees should complete the form at appendix 1 which covers the required information to process the leave request.

We understand that it may be difficult to comply with notice periods, however, where possible we would ask that the following notice is provided:

For tier 1 leave we require 15 days' notice for each period of absence.

For tier 2 leave we require 28 days' notice.

9. Cancelling Leave

An employee can cancel leave which falls under the category of tier 2 leave. They should provide 15 days' notice for one weeks leave and 28 days notice for longer periods of leave.

10.Contractual Benefits

All terms and conditions in your contract, apart from salary, continue to apply during the leave period.

11.Support for Employees

We encourage employees to seek support from their line manager and agree the best way to communicate throughout periods of leave.

Employees may seek assistance from the company health plan provider Simplyhealth (telephone number 0800 975 3356).

12.Other Related Policies and Procedures

- Attendance and Absence Management Policy
- Data Protection Policy
- Flexible Working Policy
- Flexi Procedure
- Stress and mental wellbeing at work
- Staff Terms and Conditions of Employment

13.UK General Data Protection Regulation 2021

The organisation will treat personal data in line with our obligations under the UK General Data Protection Regulation 2021 (UK GDPR) and our own Data Protection Policy. Information regarding how personal data will be used and the basis for processing personal data is provided in our Fair Processing Notice.

14. Review of Policy

This Policy will be reviewed every three years or earlier in line with regulatory or legislative guidance / changes or good practice guidelines.

15. Equality Impact Assessment

This Policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.

Appendix 1

Neonatal Leave Request Form

Baby's date of birth Date of adoption placement Date the baby entered the UK (for overseas adoption).	
Date(s) that neonatal care started.	
Date neonatal care ended (if appropriate).	
Date you request your neonatal care leave to start.	
How many weeks neonatal care leave are you applying for?	

<p>I request to apply for the neonatal care leave as detailed above.</p> <p>I can confirm I have read and understood the Neonatal Care Leave and Pay Policy and meet the criteria as set out within the policy.</p>	
Employee name:	
Employee sign:	
Date form submitted:	

Manager name:	
Manager sign:	
Date request received:	