

NEONATAL CARE LEAVE AND PAY POLICY & PROCEDURE

1. INTRODUCTION

Neonatal care leave supports parents of babies who require neonatal care (for at least 7 consecutive days following the day after the date of birth) before the baby reaches 28 days of life. This is in addition to other types of family leave, such as maternity leave, adoption leave, paternity/ parental leave and shared parental leave.

We know that some parents reading this policy may have a baby in neonatal care or have experienced loss. There is sensitive content within this document, so if you would prefer to speak to someone directly, please contact your line manager for advice.

1.1 Purpose

- 1.1.1 This policy sets out neonatal care leave and pay entitlements, eligibility requirements and the rights and responsibilities of employees during and after neonatal care leave.

1.2 Scope

- 1.2.1 This policy applies to all University employees who are parents of babies born on or after the 6 April 2025, who require neonatal care.
- 1.2.2 In this policy, neonatal care means:
- 1.2.2.1 Medical care that your child receives in hospital;
 - 1.2.2.2 Medical care that your child receives in any other place providing:
 - your child was previously admitted to a hospital as an inpatient and needs continuing care after leaving the hospital;
 - the care is under the direction of a consultant; and
 - the care involves ongoing monitoring and visits from healthcare professionals arranged by the hospital where your child is an inpatient; or
 - palliative or end-of-life care.
- 1.2.3 The right to neo-natal care leave applies where at the time of the baby's birth or date of adoption placement, or entry into Great Britain where the adoption is from overseas, you are:
- a) the child's parent and have responsibility for their upbringing, or
 - b) the child's adopter (or prospective adopter in a 'foster to adopt' arrangement) and have or expect to have responsibility for their upbringing, or
 - c) having the child through surrogacy and have applied or intend to apply for a parental order within 6 months, expect the parental order to be granted and have or expect to have responsibility for the child's upbringing, or

- d) the partner of the child's birth parent, primary adopter, or prospective adopter and have main responsibility for the child's upbringing (apart from the birth parent).

1.2.4 Additionally, the following requirements must be satisfied:

- your child was born on or after 6 April 2025;
- your child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child was born);
- the neonatal care has lasted seven days or longer without interruption (the seven days are counted from the day after the neonatal care started);
- you are taking the leave to care for your child; and
- you have complied with the relevant notice and requirements set out in this policy (see 2.5 below)

1.2.5 All our policies to support parents apply equally to all staff regardless of biological sex or gender.

2. POLICY

2.1 Length of neonatal care leave

- 2.1.1 The amount of neonatal care leave you can take is one week for every complete week your child has spent in neonatal care without interruption, up to a maximum of 12 weeks. A week is defined as a period of seven days starting from the day after the neonatal care began.
- 2.1.2 Any neonatal care must be taken within 68 weeks of the child's birth and in blocks of at least one week.
- 2.1.3 The maximum entitlement is 12 weeks neonatal care, even if multiple children from the same pregnancy require neonatal care.

2.2 Timing of neonatal care

- 2.2.1 You can start your leave on any day after your child has received seven days of uninterrupted neonatal care.
- 2.2.2 The seven days are counted from the day after the neonatal care started. For example, if your child started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means you can start your neonatal care leave on any day from 15 April.
- 2.2.3 Any neonatal care leave must end within 68 weeks of your child's date of birth.
- 2.2.4 The right to neonatal care leave is in addition to any other statutory leave that you may be entitled to, such as maternity, adoption, ordinary paternity, parental, parental bereavement or shared parental leave. There may be restrictions as to when leave can be taken as family leave may not be paused. Please see section 2.7 for more information regarding taking neonatal care leave alongside other types of leave.

2.3 How neonatal care leave can be taken

Neonatal care leave is structured and available to be taken in two tiers:

- 2.3.1 The "tier 1 period" can be taken while your child is in neonatal care and ends on the seventh day after your child is discharged. If you take neonatal care leave in the tier 1

period, leave can be taken in one continuous block or in non-continuous blocks of a minimum of one week at a time.

- 2.3.2 For example, if a baby requires 5 weeks and a day neonatal care following birth and the parent has already commenced a period of paternity/ partner leave, that leave cannot be paused. The parent could either end paternity/ partner leave early and lose entitlement to any remaining period, or complete the period of paternity/ partner leave and choose to take accrued neonatal care leave at a later date. The parent chooses to complete the 2 weeks paternity/ partner leave immediately after the birth, and commence neonatal care leave once their paternity/partner leave ends. As this would fall within the tier 1 period the 5 weeks could be taken as one block of 4 weeks or in continuous blocks of at least one week in duration. Any neonatal care leave accrued and not taken during the tier 1 period could be taken later during the tier 2 period but must be taken in one continuous block.
- 2.3.3 The “tier two period” is any remaining period following your child leaving neonatal care (within 68 weeks after your child’s date of birth) that is not part of the tier 1 period. If you take neonatal care leave during the tier 2 period, it must be taken in one continuous block up to 68 weeks after the birth.
- 2.3.4 Following the example in 2.3.2, the parent took 2 weeks paternity/ partner leave immediately after birth and then two periods of one weeks neonatal care leave, returning to work for 1 week between the two periods as follows:
- Week 1 – Neonatal care commenced, and paternity/ parental leave taken
 - Week 2 – Paternity / parental leave taken
 - Week 3 – Neonatal care leave
 - Week 4 – Returned to work
 - Week 5 – Neonatal care leave
 - Week 6 – Baby discharged from neonatal care

As the baby was in neonatal care for 5 weeks and 1 day, the parent has 3 weeks of neonatal care remaining. The parent could give notice to take the remaining 3 weeks of accrued neonatal care leave one month later, during the tier 2 period. This leave must be taken as one continuous block and allows the parent to take additional time off to support the baby’s continued care at home.

- 2.3.5 Notice requirements will differ depending on whether leave is taken in the tier 1 or tier 2 period (see section 2.4 below).

2.4 Notice to take neonatal care leave

2.4.1 Notice during the tier 1 period:

- 2.4.1.1 For each week of neonatal care leave that you wish to take in tier 1, you should notify your manager prior to your first day of leave, or as soon as is reasonably practicable to do so. Line managers should then notify Human Resources of the leave via email.

2.4.2 Notice during the tier 2 period:

- 2.4.2.1 if you wish to take neonatal care leave in the tier 2 period, you will need to give notice in writing of your intention and entitlement to take neonatal care leave by completing the relevant form on TopDesk.

- 2.4.2.2 if you are taking a single week of neonatal care leave, your notice should be ideally submitted 14 days before the first date that you have chosen for your leave to start, or if this is not possible, as soon as is reasonably practicable.
- 2.4.2.3 if you are taking two or more consecutive weeks of neonatal care leave, your notice should ideally be submitted at least 28 days before the first date that you have chosen for your leave to start, or if this is not possible, as soon as it is reasonably practicable.

2.5 Changing your neonatal care leave plans

- 2.5.1 If you have submitted a notice of intention and entitlement to take neonatal care leave during the tier 2 period, but wish to cancel your leave, you should inform your line manager in accordance with the timescales below wherever possible:
 - 2.5.1.1 if you intended to take a single week of neonatal care leave, you must notify your line manager at least 7 days before the first date that you had chosen for your leave to start.
 - 2.5.1.2 if you intended to take two or more consecutive weeks, you should notify your line manager at least 14 days before the first date that you had chosen for your leave to start, or as soon as it is reasonably practicable.
- 2.5.2 The University understands that having a child in neonatal care is an incredibly difficult time for parents. Please be assured that if it is not possible for you to meet the timeframes for giving or withdrawing notice as set out in this policy, we will accept later notice wherever possible and, in some cases, may waive the requirement for you to give notice altogether. Please discuss leave requirements with your line manager at the earliest available time.

2.6 Starting your neonatal care leave

- 2.6.1 Your neonatal care leave will start on the date that is specified in your notice.
- 2.6.2 Alternatively, if you give notice on the same day that you want to begin your leave and you are already in work on that day, your neonatal care leave will start on the following day.

2.7 Other statutory leave

- 2.7.1 You are entitled to take neonatal care in addition to any other statutory leave that you may be entitled to, including maternity, adoption, paternity, ordinary parental, parental bereavement and shared parental leave.
- 2.7.2 If you have already started a period of statutory leave, but subsequently become eligible for neonatal care leave, you may not pause that leave in order to take your neonatal care leave. Doing so would end entitlement to that leave type. For example, neonatal care leave cannot be taken in the middle of a period of maternity leave without ending and forgoing any further entitlement to maternity leave and pay. Entitlement to neonatal care leave may be taken after completing the other statutory leave, provided that your neonatal care leave is taken within 68 weeks of your child's birth date. For example, taking 52 weeks maternity leave followed by the maximum 12 weeks neonatal care leave.
- 2.7.3 If you have already started a period of neonatal care leave during the tier 1 period but wish to begin another type of statutory leave, you may do so at the end of a weekly block of neonatal care leave. The neonatal care leave will be temporarily paused immediately

before the other statutory leave begins. You can then resume the remaining weeks of your neonatal care leave in one of two ways:

- 2.7.3.1 if you are still within the tier 1 period – immediately after the end of the other period of statutory leave; or
- 2.7.3.2 if you have transitioned into the tier 2 period – immediately after any other neonatal care leave taken during the tier 2 period.
- 2.7.4 You cannot take neonatal care leave in the tier 2 period if, at the time of giving notice, you are aware that the leave will overlap with another type of statutory leave.

2.8 Neonatal care pay

2.8.1 Statutory neonatal care pay

2.8.1.1 Statutory neonatal care pay may be payable during your neonatal care leave period. If you do not meet the criteria, you can still take neonatal care leave, but the period of leave following the occupational pay period will be unpaid.

2.8.1.2 The rate of statutory neonatal pay is set by the Government for the relevant tax year, or at 90% of your average weekly earnings (whichever is lower).

2.8.1.3 You will qualify for statutory neonatal care pay if:

- you are entitled to take neonatal care leave
- you have at least 26 weeks' continuous employment with us at the end of the relevant week (or from the child's birth if they were born before the relevant week);
- your average weekly earnings are not less than the lower earnings limit for national insurance contributions;
- you have complied with the relevant notice and evidential requirements and are able to provide the declarations as set out in this policy; and
- you have confirmed when you wish to start receiving statutory neonatal care pay with your line manager.

2.8.1.4 In this policy, "relevant week" means the 15th week before the expected week of childbirth if you are entitled to statutory maternity or paternity pay. For adoption, it means the week in which you or the adopter are notified of being matched with the child for adoption purposes. In all other cases, it means the week before the neonatal care begins.

2.8.1.5 Neonatal care is treated as earnings and is therefore subject to PAYE and national insurance deductions.

2.8.1.6 If you work for more than one employer, you should contact the payroll and pensions department so that you can be fully informed as to any possible impact on your eligibility for neonatal care leave pay.

2.8.2 Occupational neonatal care pay:

2.8.2.1 You will continue to be paid your normal rate of pay for the first two weeks of taking neonatal care leave provided:

- you are entitled to take neonatal care leave;
- you have complied with the relevant notice and evidential requirements and are able to provide the declarations as set out in this policy; and

- you have confirmed when you wish to start receiving statutory neonatal care pay with your line manager.
- following the two weeks on full pay, any remaining period of neonatal care leave (maximum 10 weeks) will either be paid at the statutory neonatal care leave pay rate (subject to eligibility criteria) or unpaid.

2.9 Changes affecting your entitlement to neonatal care leave and pay

- 2.9.1 You must keep your line manager informed about the date that your child's neonatal care ends as soon as reasonably practicable after the care has ended.
- 2.9.2 If your child starts receiving neonatal care again, after you have informed us that the care has ended, you must keep your line manager informed of the new start and end dates.

2.10 Changes in circumstances (bereavement or disrupted placement)

- 2.10.1 The loss of a child is devastating, and we sincerely hope that none of our staff will experience this. The University acknowledges that the ending of adoption placement or bereavement can be extremely difficult. We endeavour to support parents and carers affected in a compassionate manner and it is therefore important that entitlements in such unfortunate circumstances are easily accessible and digestible.
- 2.10.2 In the sad circumstances that the baby dies, eligible members of staff remain entitled to take neonatal care leave.
- 2.10.3 In relation to adoption, and in the unfortunate event that an adoptive parent is informed that the placement of a child will not go ahead, or it ends early and after official notification has been received by the University, the period of neonatal care leave may still apply.
- 2.10.4 Following a period of neonatal care leave, individuals may also be entitled to a period of parental bereavement leave. Further details of this can be found in the University's parental bereavement leave and pay policy.
- 2.10.5 Individuals are encouraged to seek support via their line manager. The University is aware that this can be an extremely difficult time, and managers are encouraged to offer support through such a period. Guidance on the application of the of the policy and/ or entitlement to leave can be obtains from the HR department.

2.11 Your rights during neonatal care leave

- 2.11.1 During neonatal care leave, all the terms and conditions of your contract except normal pay will continue. Your pay will be replaced with occupational neonatal care pay for the first two weeks of leave, then statutory pay for the remainder. Other benefits will continue to accrue and pension contributions will continue as set out below.

2.12 Holiday entitlement

- 2.12.1 During your neo-natal care leave you retain your entitlement to accrue annual leave, including public holidays and discretionary leave days.

2.13 Pension contributions

- 2.13.1 Pension rights and contributions shall be managed in accordance with the provisions of the relevant superannuation scheme, providing that these provisions do not conflict with any statutory requirements that may apply at the time.
- 2.13.2 The salary exchange for those staff who participate in Payflex+ will continue whilst you are in receipt of sufficient occupational neonatal care pay but will cease for staff on statutory neonatal care leave only. The University will maintain the same level of contributions and pension benefits for the whole neonatal leave period. Further information on Payflex+ can be found on the University website or by contacting the Payroll and Pensions team.
- 2.13.3 You are advised to contact Payroll and Pensions for details of how neonatal care absence will affect your pension, particularly if you make Additional Voluntary Contributions.

2.14 Reasonable Contact

- 2.14.1 The University may make reasonable contact with you during your neonatal care leave. This may be, for example, be to discuss your plans for taking leave, returning to work, to discuss any special arrangements to ease your time away from work, or to update you on developments at work during your absence.

2.15 Support

- 2.15.1 The University recognises that returning to work after neonatal care leave can be challenging, both emotionally and physically, especially during the first few weeks. The University aims to provide appropriate support and encourages you to seek advice and support if you are in need of it. Such advice and support can be obtained by contacting your line manager. Resources are also available through the Occupational Health Intranet Page.

3. ROLES AND RESPONSIBILITIES

3.1 Employee

- a) to ensure that appropriate and timely notification is given, and all relevant forms are completed/ submitted.

3.2 Line Manager

- a) to provide support to members of their team who are parents of babies admitted to neonatal care.
- b) To ensure that Human Resources are notified of leave and any changes to dates in a timely manner.

3.3 Human Resources

- a) to provide further guidance on the application of this policy when required.

4. RELATED POLICIES AND PROCEDURES

- a) Maternity Leave Policy
- b) Parental Leave Policy
- c) Adoption Leave Policy
- d) Shared Parental Leave and Pay Policy & Procedure

- e) Paternity/ Partner Leave & Pay Policy
- f) Parental Bereavement Leave & Pay Policy
- g) Flexible Working Policy

5. REVIEW, APPROVAL & PUBLICATION

- 5.1 As a general principle, the policy will be reviewed by Human Resources, in consultation with recognised Trade Unions after three years or where operational and/ or legislative requirements change. Any revisions will be approved in accordance with UEC and Council procedures, where applicable.
- 5.2 This policy is not contractual and is not intended to be incorporated into individual terms and conditions of employment. It may be subject to review, amendment or withdrawal.
- 5.3 This policy will be published on the University policy zone web page and will also be accessible via the Human Resources web pages.
- 5.4 Equality issues have been considered during the development of this policy and all protected characteristics have been considered as part of the Equality Analysis undertaken.

6. DOCUMENT CONTROL INFORMATION

Document Name	Neonatal care leave and pay policy
Owner	Chief People Officer, Human Resources
Version Number	1.0
Equality Analysis Form Submission Date	July 2025
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Related University Policy Documents	Maternity Leave Policy Parental Leave Policy Adoption Leave Policy Shared Parental Leave and Pay Policy Paternity/ Partner Leave & Pay Policy Parental Bereavement Leave & Pay Policy Flexible Working Policy
<i>For Office Use – Keywords for search function</i>	Neonatal