



Neonatal Care Leave Policy

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DOCUMENT CONTROL

Who is this policy for?

All Trust employees.

This policy does not apply to agency workers or self-employed contractors.

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Version number

1

Date approved for use

1 April 2025

Date of review

Spring 2028

Revision History

REVISION	DATE	DESCRIPTION	AUTHOR
1	12/02/2025	New Trust policy following consultation with Trade Unions	Helen Ruddle

1. INTRODUCTION

This policy outlines the arrangements for Neonatal Care Leave (NCL) and Neonatal Care Pay (NCP).

Throughout the policy, reference is made to 'Manager'. For clarity, this means the Principal/Head of Academy if you are an academy-based employee or your Line Manager if you are a Core Team employee. If you are the Principal/Head of Academy, and you are requesting NCL, you should interpret 'Manager' as your ELT Education Lead.

We understand this will be a really difficult time for you and your family and we strongly encourage you to have open discussions with your manager or HR at the earliest opportunity so we can work with you to provide the support that is right for you.

Throughout the implementation of this policy, provision will be made for you to be accompanied to meetings by either a work colleague or a trade union representative if you wish. This is considered to support the process in the following ways:

- English may not be your first language, and a companion may be in a position to help facilitate the discussion.
- It may be necessary under the Equality Act 2010 as part of a reasonable access requirement if you are disabled.
- It can give you confidence.
- The colleague or trade union representative may have experience or prior successful arrangements and knowledge of wider workforce practices.
- To help deliver a fair and transparent process.

2. WHAT IS NEONATAL CARE?

Neonatal Care is when a baby receives any of the following types of care:

- Medical care in a hospital
- Palliative or end of life care
- Outreach care, that meets the following conditions:
 - The care is provided under the direction of a consultant doctor AND
 - The care includes ongoing monitoring by, and visits to, the baby from healthcare professionals arranged by the hospital

3. WHAT IS NEONATAL CARE LEAVE (NCL)?

Statutory Neonatal Care Leave (SNCL) is a form of leave that is available to support you in your role as a parent with a baby who is receiving neonatal care.

It provides you with support to help you to balance your work and family responsibilities during a really difficult time.

You can take SNCL in addition to other family leave entitlements (maternity, adoption, parental and shared parental leave).

SNCL must be taken within 68 weeks of the baby's birth.

Both parents can take SNCL.

NCL can be taken in one continuous period of leave, or in separate blocks of at least one full working week (Monday to Friday). However, all leave must be taken within the required 68 weeks of the baby's birth.

4. ENTITLEMENT TO STATUTORY NCL (SNCL)

With effect from April 2025, The Neonatal Care (Leave and Pay) Act 2023 will come into force.

SNCL will be a day one employment right for you as a parent meeting the qualification requirements, and where you are recognised as a parent with caring responsibilities for the child.

It is available to parents of babies who are born after 1 April 2025:

- Are admitted to hospital within the first 28 days after birth; and
- Have a continuous hospital stay of 7 full days or more.

SNCL will be one week for every one week the baby spends in neonatal care, capped at a maximum of 12 weeks. As an example, if your baby is in neonatal care for 5 weeks, you will be entitled to take up to 5 weeks of neonatal care leave. If your baby is in neonatal care for 14 weeks, you would be entitled to take the maximum of up to 12 weeks SNCL (as this is the capped maximum entitlement).

The Trust reserves the right to request evidence of neonatal care to process this leave.

5. NEONATAL CARE PAY (NCP)

5.1 Entitlement to Statutory NCP (SNCP)

You may be able to claim Statutory Neonatal Care Pay (SNCP) for up to 12 weeks (in line with the appropriate amount of NCL) if you have at least 26 weeks' continuous employment with us prior to your request for NCL and your average earnings are not less than the lower earnings limits set by the government each tax year.

SNCP is paid at a rate set by the government each year or 90% of your average weekly earnings, whichever is lower.

If you do not meet the criteria for SNCP, you will still be entitled to take the appropriate amount of NCL, but this will be unpaid. However, we encourage you to speak to your line manager or HR to explore additional support options with you. If you are a trade union member, you may also be able to apply for hardship funds through your trade union. Please contact your trade union representative for further information.

5.2 Occupational Neonatal Care Pay (ONCP)

You may qualify for enhanced Occupational Neonatal Care Pay (ONCP) if you have been continuously employed during the 12-month period before your request for leave.

ONCP is paid for the number of days the baby received neonatal care for at least 7 consecutive days but capped at 12 weeks.

ONCP is paid at full pay for up to 4 weeks, followed by 2 weeks at 90% of your normal salary and up to a further 6 weeks at 50% of your normal salary plus any SNCP that is available during that period (but not exceeding your normal salary).

As an example, if you are eligible for ONCP and your baby is in neonatal care for 5 weeks, you would be paid at full pay for 4 weeks and 1 week at 90% of your normal salary.

If you do not meet the criteria for ONCP or SNCP, you will still be entitled to take NCL, but this will be unpaid. However, we encourage you to speak to your line manager or HR to explore additional support options with you.

6. PROCEDURES

6.1. Notifying the Trust

You should notify your manager as soon as possible if your baby has been admitted into neonatal care (for at least 7 consecutive days). Your manager will make a note of the date that the baby was admitted into neonatal care and discuss your leave options with you.

You should notify your manager once the baby has been discharged from neonatal care. Your manager will make a note of the date that the baby was discharged. Once you have agreed your leave options and the neonatal dates have been confirmed, your manager will notify HR to ensure that the leave is accurately recorded and processed for you.

You can also contact your Academy HR contact or Delta HR for support and advice to discuss your options at any time.

6.2. Taking NCL

6.2.1 Maternity and Adoption

If you are the primary carer (and taking a period of maternity or adoption leave), NCL will accrue until your maternity or adoption leave has ended or has been curtailed (if moving onto Shared Parental Leave). You can choose to take NCL immediately after your maternity/adoption leave (before you return to work) or at a different time (but this must not be later than 68 weeks after the baby's birth) (see section 3 and 4).

You should discuss this with your manager as soon as possible so that the leave can be put in place to support you. Your manager will update HR to ensure this is accurately recorded and processed for you.

6.2.2 All other family leave types

If you are not the primary carer, but have parental responsibility for the child, and you are taking a period of paternity leave, shared parental leave, parental leave or parental bereavement leave, we would encourage you to talk to your manager as soon as possible so that they can see how best to support you in taking NCL. You may choose to take NCL immediately after your current leave (before you return to work) or at a different time (but this must not be later than 68 weeks after the baby's birth) (see section 3 and 4).

Your manager will update HR so that this can be accurately recorded and processed for you.

7. OTHER TERMS DURING NCL

Your terms and conditions of employment remain in force during NCL, except for the terms relating to pay.

If you receive any non-cash contractual benefits (laptop, mobile phone, etc) these must continue to be provided to you as normal during your NCL.

Holiday entitlement will continue to accrue, and your pension benefits shall continue during NCL.

8. RETURNING TO WORK

If you wish to extend your leave or combine it with other leave entitlements, we encourage you to discuss this at the earliest opportunity.

Prior to returning to work, we would recommend that you talk to your manager or HR so that we can put in place any support required for your return. We understand that returning to work can be a difficult time for parents, particularly if you have experienced a traumatic and upsetting time seeing your baby in a neonatal ward. Your baby may have ongoing medical needs requiring regular hospital appointments and check-ups when you return to work. We will support you with time off to allow you to attend these appointments. You should refer to the Trust's Carers Leave Policy and Leave of Absence Policy for further information.

9. SUPPORT

Any questions you have about matters raised in this policy should be discussed with your manager, Academy HR contact, Delta HR or your Trade Union. Any work related issues should be discussed with your manager.

You can also contact the Trust's Employee Assistance Programme (Care First) for free and confidential support and we can also refer you to Occupational Health for advice of further support that can be considered.

Other organisations that may be able to offer further support to you are:

- Bliss – supporting parents and families of premature or sick babies
www.bliss.org.uk

- NHS – services and support for parents www.nhs.uk/conditions/baby/support-and-services/services-and-support-for-parents/

10. SPECIAL CIRCUMSTANCES

10.1 The child dies

If a child dies following an eligible stay in neonatal care, you would still be able to take any accrued SNCL and SNCP within 68 weeks of the child's birth. In this situation, we would also discuss other supportive options with you such as the Trust's Parental Bereavement Leave Policy and Leave of Absence Policy.

See section 9 for information of support available to you.

10.2 Multiple births

The maximum entitlement (12 weeks) does not increase if there are multiple births. The entitlement will only be triggered if one or more of the babies each spend 7 or more continuous days in neonatal care, i.e., a total of 12 weeks between them.

10.3 Readmissions

In the unfortunate event that your baby is admitted to neonatal care (for a period of at least 7 consecutive days), discharged and then readmitted to neonatal care (for a period of at least 7 consecutive days), providing the second admittance occurs before the baby is 28 days old, both instances will count towards SNCL (the 12 weeks).

11. MONITORING AND REVIEW

Through monitoring and review, the Trust will ensure that

- Individual records will be treated as confidential
- Consistency of application and adherence to Equality legislation
- An Equality Impact Assessment is completed.

This policy will be reviewed every three years, or when there are changes to relevant legislation by the Trust in consultation with recognised Trade Unions.

APPENDIX 1 – FLOWCHART – DOES NEONATAL CARE LEAVE APPLY

