


# **Neonatal Care Leave Policy**

**Guidance for School Staff**



**April 2025  
Version 1.0  
Human Resources**

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## 1. Scope

This policy sets out the statutory rights and responsibilities of employees whose baby requires neonatal care. It provides details of Neonatal Care Leave (NCL) and Neonatal Care Pay (NCP), ensuring parents can balance their work and family responsibilities during challenging times. Point 13 below gives further details of Neonatal Pay.

We understand that having a child in neonatal care is an extremely stressful and challenging experience. The school are committed to supporting you and doing what we can to help ensure that you are able to be by your child's side while looking after your own health and wellbeing.

## 2. What is neonatal care leave?

Neonatal care leave is designed to assist new parents of babies who are admitted into neonatal care.

In this policy, neonatal care means:

- medical care that your child receives in a hospital;
- 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 was an inpatient; or
- palliative or end-of-life care.

The right to neonatal care leave is in addition to any other statutory leave that you may be entitled to, such as maternity, adoption, paternity, ordinary parental, parental bereavement or shared parental leave (see Other statutory leave detailed in point 12 below).

## 3. Requesting support

If you are finding it difficult to cope at work because your child is in neonatal care, you are encouraged to speak to your headteacher. If for any reason you are unable to approach your headteacher, you can speak to the schools HR.

We realise that this may not be an easy subject to talk about. However, we urge you to be as open as possible about any issues that you are experiencing to ensure that you are provided with the right level of support.

Any information disclosed by you during discussions with your head teacher or HR will be treated sensitively and in strict confidence.

## **4. Entitlement to neonatal care leave**

Whatever your length of service, you have a statutory right to take neonatal care leave if at the date of the child's birth:

- you are the child's parent and have responsibility for the upbringing of the child; or
- you are the partner of the child's mother or birth parent and have main responsibility for the upbringing of the child (apart from the mother or birth parent).

In this policy, partner includes someone, of whatever sex, who lives with the mother or birth parent or the child in an enduring family relationship but who is not their child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

Additionally, the following conditions 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 is 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 (however, see If you suffer a bereavement below); and
- you have complied with the relevant notice and declaration requirements set out in this policy (see Notice to take neonatal care leave below).

## **5. Amount of neonatal care leave you can take**

The amount of neonatal care leave that you can take is one week for every week your child has spent in neonatal care without interruption. A week is defined as a period of seven days starting from the day after the neonatal care began.

The maximum number of weeks that you can take as neonatal care leave is capped at 12 weeks.

Any neonatal care leave must be taken in blocks of at least one week.

You can take only up to 12 weeks' neonatal care leave, even if multiple children from the same pregnancy require neonatal care.

## **6. Timing of neonatal care leave**

You can start your leave on any day after your child has received seven days of uninterrupted neonatal care.

The seven days are counted from the day after the neonatal care started. For example, if your child's started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means that you can start your neonatal care leave on any day from 15 April.

Any neonatal care leave must end within 68 weeks of your child's date of birth.

## **7. How neonatal care leave may be taken**

Neonatal care leave is available to take in two tiers:

- The "tier 1 period" begins when your child starts receiving neonatal care and ends on the seventh day after your child is discharged. If you take neonatal care leave in the tier 1 period, you can take it in one continuous block or a number of non-continuous blocks of a minimum of one week at a time. This is likely to be taken by the father, non birth parent or secondary adoptor.
- The "tier 2 period" is any remaining period (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, you must take the leave in one continuous block. This is likely to be taken by the mother, birth parent or main adoptor.

You should be aware that the relevant notice requirements differ depending on whether you take your leave in the tier 1 or tier 2 period (see Notice to take neonatal care leave below).

## **8. Notice to take neonatal care leave**

### *Notice during the tier 1 period*

For each week of neonatal care leave that you wish to take in tier 1, you should notify your headteacher by telephone or email, preferably before your first day of absence in that week. However, we understand that this is likely to be a challenging time for you, so please give notice as soon as is reasonably practicable for you to do so.

You are also required to give notice of your intention and entitlement to take neonatal care leave using our form (appendix 1), to provide notice of entitlement and intention to take neonatal care leave. This form contains a declaration that will need to be signed by you.

There is no expectation on you to complete this form straightaway while your child is receiving neonatal care. However, we do request that the form is sent to us within 28 days of the first day of your neonatal care leave, or if this is not possible, as soon as it is reasonably practicable.

### *Notice during the tier 2 period*

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 using our form to

provide notice of entitlement and intention to take neonatal care leave. This form contains a declaration that will need to be signed by you.

If you are taking a single week of neonatal care leave, your notice should be received by us at least 15 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.

If you are taking two or more consecutive weeks of neonatal care leave, your notice should be received by us 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.

## **9. Changing your neonatal care leave plans**

If you have submitted a notice of entitlement and intention to take neonatal care leave during the tier 2 period but wish to cancel your leave, you must inform your headteacher using our form (appendix 1), to provide notice of entitlement and intention to take neonatal care leave.

If you intended to take a single week of neonatal care leave, you must submit this form at least 15 days before the first date that you had chosen for your leave to start.

If you intended to take two or more consecutive weeks, you must submit this form at least 28 days before the first date that you had chosen for your leave to start.

## **10. Late notice**

We understand 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 than this and, in some cases, we may waive the requirement for you to give notice altogether.

## **11. Starting your neonatal care leave**

Your neonatal care leave will start on the date that is specified in your notice.

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.

If we have agreed to waive the notice requirements, your neonatal care leave will begin on a day that is mutually agreed between us.

## **12. Other statutory leave**

You are entitled to take neonatal care leave 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.

If you have already started a period of statutory leave, but subsequently become eligible for neonatal care leave, you can take your neonatal care leave after completing the other statutory leave, provided that your neonatal care leave is taken within 68 weeks of your child's birth date.

If you have already started a period of neonatal care leave during the tier 1 period but need to begin another type of statutory leave, your 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:

- if you are still within the tier 1 period - immediately after the end of the other period of statutory leave; or
- if you have transitioned into the tier 2 period - immediately after any other neonatal care leave taken during the tier 2 period.

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.

### **13. Neonatal Care Pay (NCP)**

Statutory neonatal care pay is payable during your neonatal care leave period, provided that you are entitled to it.

The rate of statutory neonatal care pay is set by the Government for the relevant tax year, or at 90% of your average weekly earnings (whichever is lower). You can find details of the current Government statutory payment rates [here](#).

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;
- you remain in continuous employment from 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
- you have confirmed when you wish to start receiving statutory neonatal care pay within your form to provide notice of entitlement and intention to take neonatal care leave.

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. In all other cases, it means the week before the neonatal care begins.

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

## **14. Changes affecting your entitlement to neonatal care leave and pay**

You must keep your headteacher informed about the date that your child's neonatal care ends as soon as reasonably practicable after the care has ended.

If your child starts receiving neonatal care again, after you have informed us that the care has ended, you must keep your headteacher informed of the new start and end dates.

## **15. If you suffer a bereavement**

Employees who have accrued entitlement to neonatal care leave can still take the neonatal care leave that they have accrued if their child passes away.

Employees may also be entitled to parental bereavement leave in these circumstances, under our bereavement leave policy.

If you have suffered a bereavement, please contact your head teacher so that we can discuss other support that we may be able to offer you.

## **16. Rights during Neonatal Care Leave**

Employment rights such as the accrual of annual leave and the right to return to their post will continue during Neonatal Care Leave as do terms binding on the employee. The employee has the right not to be subject to detriment because of taking Neonatal Care Leave.

## **17. Pension**

We will continue to make pension contributions based on your normal pay during any period of paid neonatal care leave. The contributions that you make will be based on the actual pay that you receive during your neonatal care leave.

The school's pension contributions will cease during any period of unpaid neonatal care leave.

## **18. Contact during neonatal care leave**

We reserve the right to maintain reasonable contact with you during your neonatal care leave. This may be to discuss your plans for taking leave, to discuss any special arrangements to ease your time away from work, or to update you on developments at work during your absence.



## **19. Returning to work after neonatal care leave**

You have the right to resume working in the same job and on the same terms and conditions if returning to work from a period of isolated neonatal care leave.

If you return from a period of neonatal care leave that follows on immediately from another period of statutory leave (such as maternity, adoption, paternity, parental bereavement or shared parental leave) and your total time on leave is more than 26 weeks, you have the right to return to the same job wherever possible. However, if this is not reasonably practicable, we will offer you a suitable alternative job on terms and conditions that are no less favourable.

This also applies if you have taken neonatal care leave consecutively with a single period of more than four weeks of ordinary parental leave.

## **20. Record Keeping**

All requests for Neonatal Care Leave should be recorded on the form (appendix 1), which provides notice of entitlement and intention to take neonatal care leave.

Managers and employees are responsible for ensuring no more than the statutory entitlement (see Section 4.) is taken. As this is a statutory entitlement, changing jobs internally or externally will not re-set the entitlement.

## **21. Data Protection**

Any data collected and processed as part of employing and managing employees is held securely. It is accessed by, and disclosed to, individuals only for the purposes of completing that specific procedure, process or activity.

Records are retained and destroyed in accordance with the organisations Retention Schedule.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Data Protection Policy immediately. It may also constitute a disciplinary offence, which may be dealt with under the Disciplinary Procedure.

## 22. Appendix 1

### Neonatal care leave: Notice of entitlement and intention

Your name:	
Job title:	
I am notifying you of my intention and entitlement to take neonatal care leave, along with the necessary declarations.	
<b>Section A: information to be provided by employee</b>	
My child was born on:	
My child started receiving neonatal care on:	
My child's neonatal care has continued without interruption:	
My child's neonatal care ended on (if applicable):	
I choose to start and end my neonatal care leave on the following dates  (leave in tier 1 may be taken in a number of non-continuous blocks of a minimum of one week at a time and leave in tier 2 must be taken in one continuous block - see below for more information)	
I intend to take neonatal care pay on the following dates (if applicable):	

<b>Section B: declaration to be completed by employee</b>	
I [satisfy/will satisfy] the following eligibility requirements to take neonatal care <u>leave</u>	
I am the child's parent and at the date of the child's birth [I have/expect to have] responsibility for the child's upbringing <b>OR</b>	
I am the partner of the child's mother or birth parent and at the date of the child's birth [I have/expect to have] main responsibility for the child's upbringing (apart from the mother or birth parent)	
<b>AND</b>	
I [am taking/have taken] the leave to care for my child	
I [satisfy/will satisfy] the following eligibility requirements for neonatal care <u>pay</u> (if applicable)	
I [have/will have] 26 weeks' continuous employment by the end of the week immediately before the one in which my neonatal care leave starts <b>OR</b>	
I am entitled to statutory maternity or paternity pay and have 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth	
<b>AND</b>	
I remain in continuous employment from the end of that date (or from the child's date birth if they were born before that date)	

**I will immediately inform the school of any changes affecting my entitlement to neonatal care leave and pay.**

**Signed:**

**Date:**

## Notes

This form is to confirm your notice and entitlement to take neonatal care leave (and pay, where applicable).

Neonatal care leave is designed to assist new parents of babies who are admitted into neonatal care. You can choose to start your leave on any day after your child has received seven days of uninterrupted neonatal care - the seven days are counted from the day after the neonatal care started.

In this form, "neonatal care" means:

- medical care that your child receives in a hospital;
- 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 was an inpatient); or
- palliative or end-of-life care.

Please see our Neonatal care leave policy for more information on your entitlement to neonatal care leave and pay, how much leave you can take, when you can start your leave and what to do if you have already started or will be taking another form of statutory leave, such as maternity, adoption, paternity, ordinary parental, parental bereavement or shared parental leave.

### *Notice during the tier 1 period*

- The "tier 1 period" begins when your child starts receiving neonatal care and ends on the seventh day after your child is discharged.
- If you take neonatal care leave in the tier 1 period, you can take it in one continuous block or a number of non-continuous blocks of a minimum of one week at a time.
- There is no expectation on you to complete this form straight away while your child is receiving neonatal care. However, we do request that the form is sent to your headteacher within 28 days of the first day of your neonatal care leave, or if this is not possible, as soon as it is reasonably practicable.

### *Notice during the tier 2 period*

- The "tier 2 period" is any remaining period (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, you must take the leave in one continuous block.
- If you are taking a single week of neonatal care leave during the tier 2 period, this form should be received by us at least 15 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.

- If you are taking two or more consecutive weeks of neonatal care leave, this form should be received by your headteacher 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.

### **Changes affecting your entitlement to neonatal care leave and pay**

You must keep your headteacher informed about the date that your child's neonatal care ends as soon as reasonably practicable after the care has ended.

If your child starts receiving neonatal care again, after you have informed us that the care has ended, you must keep your headteacher informed of the new start and end dates.

### **Data protection**

Any data collected and processed as part of employing and managing employee's is held securely. It is accessed by, and disclosed to, individuals only for the purposes of completing that specific procedure, process or activity.

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## Version Control

Version	Date	Author	Summary of Changes
1.0	April 2025	Morgan Logan	Legislative changes – Introduction of Neonatal Care Leave and Pay 2025

