

## Neonatal Care Leave Guidance

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<b>Responsible Team</b>	Human Resources
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### 1) Purpose

Following the birth of a baby, parents may expect to spend a few days in the hospital before being discharged and returning home. However, parents whose baby is admitted into neonatal care may be required to spend an unexpected amount of time in the hospital.

As a result, impacted parents will often spend a period of their family leave and pay while their baby is still in the hospital. By the time their baby is discharged, they will have less leave remaining, meaning they may return to work without having had the same bonding time as other new parents.

The Neonatal Care (Leave and Pay) Act 2023 provides additional leave to parents whose baby is receiving or has received neonatal care after birth. Neonatal Care Leave (NCL) provides dedicated leave, allowing parents to spend more time providing crucial care for their baby, without the added worry of returning to work too soon.

It is recognised that having a baby in neonatal care is likely to be an incredibly stressful and challenging experience. The University is dedicated to supporting its employees during this challenging time by providing clear guidance on how to apply for neonatal care leave, alongside directing employees to additional support resources.

Employees are encouraged to reach out to their line manager or HR Employment Services via [UniCore](#) or [HR-Employment-Services@nottingham.ac.uk](mailto:HR-Employment-Services@nottingham.ac.uk) if they have any questions or require further assistance with the application of this guidance.

This guidance applies to employees only.

### 2) Support for parents

In addition to Neonatal Care Leave, the University has the following support available:

#### *Parenting Staff Network*

The University's Parenting Network is a supportive community for staff, offering a space to share experiences. The network provides an informal forum for discussing parenting challenges, balancing work and home life, and encouraging mutual support at any stage of the parenting journey.

#### *Haven Staff Network*

The Haven is a peer support network for colleagues who may have experienced the devastating loss of a child to miscarriage, compassionate induction/TFMR, stillbirth, or infant death. The network also support and connect colleagues who may have experienced fertility/family-planning issues (for medical or health reasons, or due to lack of opportunity/resources) and may be 'childless not by choice, or 'finally parenting' (including

potentially through paths such as surrogacy, adoption, donor conception). The network help develop and navigate University processes, offer and receive mutual support, and connect to other sources of information and care.

### *Employee Wellbeing Resources*

The University has several employee wellbeing resources available. This includes the University counselling service, the [Employee Assistance Programme](#) and mental health and wellbeing [resources](#). Further information can be located on [the Staff Wellbeing](#) webpage.

### **3) Definition of Neonatal Care**

Under the Neonatal Care (Leave and Pay) Act 2023, "neonatal care" is defined as care of a medical or palliative kind for a baby born on or after 6 April 2025 that is provided:

- i. in a hospital;
- ii. where the baby was an inpatient in hospital and the care is received upon that baby leaving hospital;
- iii. under the direction of a consultant in any place other than a hospital;
- iv. through ongoing monitoring arranged by the hospital and conducted by healthcare professionals; or
- v. as palliative or end-of-life care.

In addition, the care must start within 28 days of the baby's birth, counted from the day after the date of the baby's birth.

### **4) Neonatal Care Leave (NCL)**

All employees, from the first day of their employment, are entitled to take up to 12 weeks of NCL where their baby is admitted to neonatal care for at least seven consecutive days.

The amount of NCL that can be taken is one week for every completed week a baby has spent in neonatal care without interruption. One week is defined as a period of seven days, starting from the day after the neonatal care began.

To qualify, the employee must be the baby's biological or adoptive parent, intended parent (in surrogacy or adoption), or partner to the baby's mother and must have, or expect to have, responsibility for raising the child.

NCL must be taken to care for the child.

NCL is available to all employees whose baby:

- is born on or after 6 April 2025
- received neonatal care lasting seven days or longer without interruption (starting from the day after neonatal care started)

Where more than one child is receiving neonatal care at the same time (e.g., in the case of twins or multiple births), the entitlement to neonatal care leave and pay is limited to a single period of leave and cannot be accrued for each individual child. Entitlement will be calculated based on the longest time any one child is under neonatal care.

Additionally, where both parents are employed by the University, each parent is individually entitled to NCL.

## 5) Statutory Neonatal Care Pay (SNCP)

Depending on an employee's length of service with the University, they may qualify for statutory neonatal care pay (SNCP) at the rate specified on the [GOV.UK](https://www.gov.uk) website.

Employees are entitled to up to 12 weeks of SNCP if they meet the following criteria:

- Have at least 26 weeks of continuous service with the University by the end of the qualifying week (definitions on the qualifying week can be found in each of the respective [Maternity](#), [Adoption](#) or [Paternity](#) Leave policies)
- Earn above the Lower Earnings Limit for National Insurance contributions

Once a period of leave has been processed, the HR Employment Services Team will write to the employee and confirm their eligibility for SNCP.

## 6) Interaction with other family leave

NCL does not affect an employee's entitlement to other family leave and pay, such as [maternity](#), [adoption](#), [paternity](#), [shared parental](#) leave and pay. However, NCL cannot be taken at the same time as another period of leave.

### For employees on Maternity/Adoption Leave

Employees on Maternity or Adoption leave during their baby's neonatal care must take any accrued NCL after their leave ends. If an employee chooses to curtail their Maternity or Adoption leave early to take NCL, they cannot resume the maternity or adoption leave after NCL ends.

### For employees taking Paternity Leave

Employees entitled to Paternity Leave may wish to take annual leave initially or commence Paternity Leave from the day of the baby's birth, before taking any accrued NCL following this. To change a period of Paternity Leave, employees should consult the Ordinary Paternity Leave [webpage](#).

### For employees taking Shared Parental Leave (SPL)

Employees taking SPL will likely have agreed on the leave dates in advance. Any planned SPL must not overlap with a period of NCL. If employees wish to modify their SPL, they should submit a service request through [UniCore](#) to the HR Employment Services team.

## 7) Taking Neonatal Care Leave

NCL can start on any day **after** the baby has received seven days of uninterrupted neonatal care. The seven-day count begins the day after neonatal care starts. For example, if care begins on 7 April, the count starts on 8 April, allowing NCL to begin from 15 April. Whilst leave cannot be taken until seven days of neonatal care have passed, it accrues from day one of neonatal care.

NCL must be taken in blocks of at least one full week and must end within **68 weeks** of a baby's date of birth or placement.

### Taking leave during the time a baby is receiving neonatal care (and up to seven days after the baby has stopped receiving neonatal care)

Employees can take NCL flexibly and in non-consecutive weeks while their baby is receiving neonatal care and for up to seven days after care ends. This flexibility also

applies where the baby is discharged but re-admitted to neonatal care within 28 days of birth.

The employee should inform their line manager of their NCL before work on their first day of NCL, or as soon as possible. If NCL extends beyond one week, the employee must notify their line manager at the start of each subsequent week. Additionally, the employee should confirm the end date as soon as practicable to ensure timely payroll processing.

Please see [example three](#).

### **Taking leave after the baby has stopped receiving neonatal care**

After the baby has stopped receiving neonatal care for at least seven days, accrued NCL must be taken in one continuous block.

During this period, the employee should inform their line manager of their intention to take neonatal leave in writing i.e. via email, and in line with the relevant notice period below:

- Where taking a single week of leave, employees should inform their line manager at least 15 days before the leave starts
- Where taking two or more weeks, employees should inform their line manager at least 28 days before the leave starts

Please see [example one](#).

### **Waiving notice requirements**

The University recognises that having a child in neonatal care is a difficult time for parents and circumstances may not always allow for the notice period to be met. In such cases, where agreed between both the employee and the University, the notice period may be waived to provide additional flexibility and support during a challenging time.

### **Applying for neonatal care leave**

Employees are not required to provide evidence of their baby's neonatal care but must provide their line manager, or another designated individual with the following information:

- Date of baby's birth or adoption placement
- Date neonatal care began
- If neonatal care has ended, the date it stopped
- Start date of NCL
- End date of NCL
- If curtailing maternity, adoption, paternity or shared parental leave the date this leave will end

By providing this information, employees are confirming the following:

- the leave is being taken to care for the baby\*
- they meet the eligibility of NCL based on the relationship to the baby

Where the employee is unable to enter this information themselves in [UniCore](#) within the Document of Records section, then the line manager/designated individual will be responsible for inputting this information.

The line manager/designated individual may also input the absence into UniCore within the Document of Records Section as an open-ended absence until they have been formally notified of the end date.

### **\*Parental Bereavement**

Employees who have accrued entitlement to NCL may still take this leave even if their baby sadly passes away and the requirement for NCL to be used to care for the baby is disapplied.

In such circumstances, employee's may also be eligible for parental bereavement leave. For further details, please refer to the University's [Special Leave Policy](#).

Employees or managers seeking further guidance on leave arrangements are encouraged to contact the HR Employment Services Team via the HR Helpdesk in [UniCore](#) or via HR-Employment-Services@nottingham.ac.uk.

### **8) Continuity of employment and other contractual entitlements**

Except for normal pay, which is replaced by SNCP where the employee is entitled to it, all terms and conditions of employment should remain the same during an employee's NCL. This includes the accrual of annual leave.

During paid NCL, pension contributions will be calculated as if the employee were receiving their normal salary and employee contributions will continue based on actual earnings, ensuring uninterrupted membership benefits.

During unpaid NCL, employees may be able to continue their pension contributions (subject to scheme rules) and are advised to contact the Payroll & Pensions Team (email [payroll@nottingham.ac.uk](mailto:payroll@nottingham.ac.uk) or [pensions@nottingham.ac.uk](mailto:pensions@nottingham.ac.uk)) to discuss the options available.

### **9) Associated Documents**

#### **Associated policies**

- [Maternity Leave Policy](#)
- [Adoption Leave Policy](#)
- [Ordinary Paternity Leave](#)
- [Statutory Parental Leave](#)
- [Shared Parental Leave Policy](#)
- [Special Leave Policy](#)

### **10) Examples**

The following examples illustrate how employees may take neonatal care leave, either in continuous or non-continuous blocks, and during or after their baby's neonatal care. While not exhaustive, these examples aim to help employees understand their options.

#### **Example one – Taking neonatal care leave following maternity leave**

Employee A gives birth to their baby. Their baby received neonatal care for a total period of **six weeks**.

Employee A's maternity leave was triggered by the birth of their baby and therefore started automatically on the day after the baby's birth. Employee A takes their standard 52 weeks of maternity leave.

As their baby was in neonatal care for over seven consecutive days, they are eligible to take neonatal care leave. Employee A applies to take **six weeks of neonatal care leave**

(matching the baby's time in neonatal care) to begin immediately after their maternity leave by informing their line manager 28 days before the end of their maternity leave.

As the neonatal care for their baby has ended at the time of Employee A taking the leave, it must be taken in one continuous block.

Employee A's line manager completes the Document of Record Form in UniCore.

As Employee A meets the eligibility criteria, they will receive statutory neonatal care pay during their six weeks leave.

### **Example two – Taking neonatal care leave following paternity leave**

Employee B's partner gives birth to their baby. Their baby received neonatal care for a period of **four weeks**.

As the partner, Employee B commences their **two weeks of statutory paternity leave entitlement** immediately after the baby's birth.

As the baby spent more than seven consecutive days in neonatal care, Employee B qualifies for neonatal care leave. Employee B applies to take **four weeks of neonatal care leave** (matching the baby's time in neonatal care) to begin immediately after their paternity leave by informing their line manager of the leave the day before their neonatal leave starts.

As they meet the eligibility criteria, Employee B will also receive statutory neonatal care pay during their four weeks leave.

### **Example three – Taking neonatal care leave non-consecutively with paternity leave**

Employee C's partner gives birth to their baby.

Employee C continues working as usual during the first week while their baby is receiving neonatal care. Once their baby has spent more than seven consecutive days in neonatal care, Employee C informs their manager of their intent to start neonatal care leave on the eighth day after birth.

They take a **one-week block of neonatal care leave**, followed immediately by **one week of paternity leave**.

As their baby remains in neonatal care after this period, Employee C returns to work for one week before applying for a **second one-week block of neonatal care leave** to cover the remainder of the hospital stay.

After spending a total of five weeks in neonatal care, the baby is discharged. Employee C then takes their remaining **one week of paternity leave**, followed immediately by the remaining **three weeks of neonatal care leave**. As the baby has been out of neonatal care for seven days at this point, this leave must be taken in one continuous block.

As Employee C meets the eligibility criteria, they will receive statutory neonatal care pay for both periods of neonatal care leave.

### **Example four – Curtailing maternity leave to take neonatal care leave**

Employee D gives birth, and their baby receives neonatal care for 10 weeks from birth.

As maternity leave is automatically triggered by childbirth, Employee D's maternity leave begins the day after the birth. They take their maternity leave but choose to curtail it at the end of the paid period (39 weeks) by informing their line manager and HR.

After this, Employee D arranges with their line manager to take four weeks of accrued annual leave before starting their neonatal care leave. They then apply to take the full **10 weeks of neonatal care leave, 28 days in advance of the leave**, in one continuous block before returning to work. The leave is taken within the 68 weeks following their baby's birth, in line with regulations.

Since Employee D meets the eligibility criteria, they will receive statutory neonatal care pay for the entire duration of their neonatal care leave.

As a result, their statutory maternity pay (39 weeks), will be effectively extended by an additional 10 weeks of paid time off under statutory neonatal pay. This means they will receive statutory pay for a total of 49 weeks, ensuring financial support throughout both their maternity leave and the neonatal care leave period.

### **Example five – Taking neonatal care leave following a bereavement**

Employee E's partner gives birth to their baby, who required neonatal care.

Employee E initially takes **two weeks of paternity leave** to support their partner and spend time with their baby in the hospital. After three weeks in neonatal care, their baby sadly passes away.

Following this, Employee E is entitled to **parental bereavement leave**, which provides up to **two weeks of leave** and where eligible, statutory pay for parents who experience the death of a child under the age of 18. Employee E notifies their line manager and chooses to take this leave immediately.

During their baby's time in hospital, Employee E had not yet taken any accrued neonatal care leave. As the baby had spent three weeks in hospital, Employee E had accrued **three weeks of statutory neonatal care leave and pay**, which they remained eligible to take even after their baby's passing.

Having received support to understand their entitlements and options from HR, upon completing two weeks of paid **parental bereavement leave**, Employee E then takes **three weeks of paid neonatal care leave**. This provides Employee E with additional time away from work to grieve and support their partner during this difficult period.