

Human Resources

# Neonatal Care Leave and Pay

## Introduction

From 6th April 2025, the Neonatal Care (Leave and Pay) Act 2023, will come into force and parents of babies born after this date will be entitled to take a minimum of 1 week Neonatal Care Leave, up to a maximum of 12 weeks. The University’s Occupational Neonatal Care Leave and Pay scheme provides enhanced benefits to those contained within the statutory provisions.

This will be in addition to other family leaves, such as maternity/adoption leave, ordinary childbirth support leave, adoption leave and shared parental leave. (subject to meeting the eligibility requirements). These measures aim to address in a small way, some of the difficulties that thousands of parents and carers can face when their baby is in neonatal care.

## Neonatal Care Leave

Neonatal Care Leave (NCL) is a day one right, with no requirement for minimum length of service. Parents are eligible if their baby is admitted to Neonatal care for 7 consecutive days or longer, within the first 28 days after birth. The entitlement applies to both parents and the leave must be taken within 68 weeks from the date of birth.

Eligible employees can take one week leave for each consecutive week that the baby receives neonatal care. The maximum leave that can be taken is 12 weeks. Neonatal leave cannot be claimed twice, where more than one baby is receiving neonatal care at the same time e.g. in the event of twins. If both babies were receiving neonatal care for a period of 6 weeks, the parents would only be entitled to take 6 weeks of NCL. Leave must be taken in blocks of at least one week, when NCL is applied for, an HR Adviser will confirm the eligibility and the dates requested can be honoured.

### Eligibility

In order to be eligible for NCL, the employee must have parental or personal relationship with the baby, falling under one of the categories below:

1. the baby’s parent
2. the partner of the baby’s mother, or
3. an intended parent of the baby

Parents who will also meet the criteria as holding a personal relationship test are:

1. The baby’s adopter
2. The baby’s adopter – where they adopted the baby from overseas
3. The baby’s prospective adopter
4. The partner of the baby’s adopter or overseas adopter

As well as meeting the parental or personal relationship criteria, a parent must also meet a caring test and be one of the following:

1. the person must have or expect to have responsibility for the upbringing of the baby;
2. if the person is the partner of the baby’s mother; at the time of the baby’s birth, the person must have or expect to have with their partner the main responsibility

### 2.2 Notification requirements

NCL can either be taken while the baby is still receiving neonatal care, or taken later by adding it on to the end of other family leave e.g. adding it on to the end of maternity leave. It is not possible to pause maternity leave to use NCL and then resume maternity leave. The leave must be taken within 68 weeks of the baby’s birth (or placement/entry, in the case of adoption.). The leave is taken in blocks of one week as a minimum.

NCL is categorised under two Tiers:

**Tier 1**

This is the period which begins when the baby starts receiving neonatal care and ends on the seventh day after the baby stops receiving neonatal care (i.e. one week after discharge).

An employee can take Tier 1 leave in continuous or non-continuous blocks of at least one week at a time (but only after the first seven days of neonatal care). Any remaining entitlement to NCL may be taken in the tier 2 period.

The eligible employee will need to notify their employer before they would be due to start work on the first day of absence, or as soon as possible thereafter. The notice to take leave does not need to be in in writing, but needs to be followed up with a completed Neonatal Care Leave Form.

**Tier 2**

Leave that is taken at any other time, during the 68 weeks. For example at the end of the another type of family leave. The eligible employee will need to provide notice at least 15 days before the start of a period of one week leave. This type of leave must be taken in one continuous block of time.

As maternity leave legally starts at the latest, the day the baby is born, maternity leave will be taken first and then neonatal care leave afterwards. Therefore, the majority of mothers/birthing parents will take Tier 2 NCL.

For a period of 2 or more weeks of leave, the employee will need to provide notice at least 28 days before the start of the leave. The notice must be in written form.

While these notification requirements are set out, the University will view these pragmatically, taking into account the employee is also coping with an ill baby and so no request for leave will be unreasonably refused.

### 2.2 Providing evidence requirements

Employees will not need to provide proof that their baby is receiving neonatal care. However, to receive leave and or pay for leave taken in either Tier 1 or Tier 2, an employee must provide the following information to the employer by completing a Neonatal Care Leave form:

* the employee’s name
* the date of the baby’s birth
* if applicable, the date of the baby’s placement with the adopter or prospective adopter
* if applicable, the date of the baby’s entry into Great Britain to live with the overseas adopter
* the date the baby started to receive neonatal care, or each date if the baby received neonatal care on 2 or more separate occasions
* if the baby is no longer receiving neonatal care, the date that the care ended
* if it is the first time a notice is being given, a declaration that the employee meets the parental relationship criteria
* that they, the employee, has cared for or intend to care for the baby during the week or weeks to which the notice relates

Once your HR Partner/Adviser has been formally notified of your due date, they will write to you to confirm your entitlements and to clarify any amendments to current family leave that has been set in place.

## 3. Neonatal care pay entitlement

### 3.1 What is Statutory Neonatal Care Pay (SNCP)?

It is a taxable weekly government benefit which is paid by the employer during Neonatal Care Leave to eligible parents or carers who qualify for SNCP.

The rate of SNCP will be the same as the other statutory payments for maternity, ordinary childbirth support, adoption leave and shared parental leave. The maximum period for which an eligible employee is entitled to received SNCP is 12 weeks.

If you qualify for SNCP it will automatically be incorporated into Occupational Neonatal Care Pay (if eligible).

### 4.2 How do I qualify for Statutory Neonatal Care Pay (SNCP)?

For eligible parents to also qualify for Statutory Neonatal Care Pay (SNCP), they must have at least 26 weeks’ continuous employment with their employer, and have average weekly earnings above the National Insurance [Lower Earnings Limit](https://www.gov.uk/government/publications/rates-and-allowances-national-insurance-contributions/rates-and-allowances-national-insurance-contributions)

### 4.3 What if I do not qualify for Statutory Neonatal Care Pay (SNCP)?

You will still be entitled to the Neonatal Care leave, and you may be able to claim a weekly payment by applying for a government allowance. Please contact your HR Adviser to discuss this further.

## 5. Occupational Neonatal Care Pay

### 5.1 How do I qualify for the University Occupational Scheme?

If you have qualified for the University Occupational Scheme for other family leave, then this entitlement applies to Neonatal Care leave pay too.

### 5.2 What does the Occupational Scheme provide?

All employees who qualify for the Scheme, regardless of their staff category, grade and hours of work, are entitled to receive full payment (inclusive of SNCP) for the period of their Neonatal Care leave.

## 6. Support for employees

### 6.1 Employee Assistance Programme

Employees can also contact our [Employee Assistance](http://www.reading.ac.uk/closed/humanresources/workingatreading/humres-EmployeeAssistanceProgramme.aspx) providers by calling 0800 085 1376 or email assist@cicwellbeing.com. You can also visit the website [www.well-online.co.uk](http://www.well-online.co.uk) . They offer a comprehensive range of support and advice services to colleagues including:

* Health and wellbeing advice and information;
* Counselling & emotional support;
* Debt & financial management;
* Legal and tax advice.

University employees also have access to Ele, a digital wellbeing platform delivered by our Employee Assistance Programme (EAP) provider, Confidential Care.

Ele is a one-stop shop for elevating health and wellbeing. With thousands of videos and resources, Ele provides easily accessible personalised support 24/7.

Here’s what Ele has to offer:

* Netflix style user experience
* Over 6,500 lived experience videos
* 2000 Blogs, podcasts & roundtable discussions with experts
* UK wide directory of 12,000 support organisations

To access Ele please visit [https://reading.elewellbeing.co.uk](https://reading.elewellbeing.co.uk/) and on the login page, click on the - **Sign in with SSO** to gain access.

### 6.3 Employee benefits

An employee who takes neonatal care leave will remain entitled to the same terms and conditions of employment, except those relating to wages and salary. That means that their holiday entitlement will continue to accrue, pension rights continue, and everything else remains the same.

### 6.4 Parent and Family Network

A staff network set up to support and foster community among colleagues with familial and other caring responsibilities for children and young people, adults or elderly family members. For staff and PHD students, they can be included in a supportive network by providing a social forum, termly meetings and talks on a range of subjects. All can join and be part of the community both online and in person. Parenting and caring for people of all ages can be challenging (albeit it very rewarding too) so the Network is there to support as well as signpost for as best they can. [Parent and Family Network](https://www.reading.ac.uk/diversity/getting-involved/networks#parentandfamilynetwork)

## 8. Returning to work

In all circumstances you should ensure that you keep in touch with your line manager and keep them fully informed of your intentions.

If you are on a fixed-term contract and your contract is due to end while you are still on Neonatal Care Leave, the case for extending or renewing your contract will be considered in the normal way. The fact that you are on Neonatal Care Leave is not material to the process to be followed or to the decision to be made.

If the decision is taken to end your contract, your employment will end on the date in your contract. However, the University will continue to consider redeployment opportunities for you until the date that your Neonatal Care Leave ends.

### Document control

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| --- | --- | --- | --- | --- | --- |
| Version | function | Approving authority | Approval date | Review period | NEXT REVIEW |
| 0.1 | Human Resources |  |  |  |  |
| 0.2 | Human Resources – after HR briefing |  |  |  |  |