# Neonatal Care Leave Policy

| | |
|---|---|
| **Applies to** | All employees |
| **Does not apply to** | Workers and self-employed contractors |
| **Policy owner** | HR Manager |
| **Version** | 1.0 |
| **Last reviewed** | 20/07/2026 |
| **Next review** | 20/07/2027 |

We understand that things do not always go to plan when it comes to pregnancy and birth. If your baby needs neonatal care, we want you to be able to focus entirely on them. This policy explains the leave and pay you are entitled to during that time.

This policy does not form part of your contract of employment. Statutory rights always prevail where they differ from this policy.

## 1. What counts as neonatal care?

For the purposes of this policy, neonatal care means:

- medical care received in hospital
- medical care received after discharge from hospital, where the care continues under the direction of a consultant and includes ongoing monitoring by or visits from healthcare professionals arranged by the hospital
- palliative or end of life care

## 2. Who is eligible?

You may be eligible to take neonatal care leave if you have, or expect to have, responsibility for the child's upbringing and you are:

- the child's parent
- the partner of the child's mother, with main responsibility for the child's upbringing alongside the mother
- the child's adopter
- the partner of the child's adopter, with main responsibility for the child's upbringing alongside the adopter
- the child's overseas adopter or their partner, with the relevant responsibility for the child's upbringing

The leave must be taken for the purpose of caring for the child.

## 3. How much leave are you entitled to?

You are entitled to one week's leave for every week your child spends in neonatal care, up to a maximum of 12 weeks. To qualify, your baby must have received at least seven consecutive days of neonatal care starting within the first 28 days after birth - your entitlement to start taking leave begins once those seven consecutive days have passed.

Leave must be taken before the end of 68 weeks (approximately 16 months) from the date of your child's birth (or, in adoption cases, from the relevant placement or entry date).

### Multiple children

If you have more than one child in neonatal care at the same time - for example, twins - your entitlement accrues once, not once per child. If they are in neonatal care at different times, each child's period of care is treated separately.

### Tier 1 and Tier 2 leave

There are two tiers of neonatal care leave, and they have different rules about how the leave must be taken:

- Tier 1 leave is leave taken while your child is still receiving neonatal care, or within seven days of their discharge. During this period, you can take leave in non-consecutive weeks - you do not need to take it all at once.

- Tier 2 leave is leave taken more than seven days after your child's discharge. This leave must be taken in consecutive weeks.

If a period of tier 1 leave is interrupted because another type of family leave begins, your neonatal care leave ends immediately before that other leave starts. Any remaining neonatal care leave entitlement must be taken immediately after the other leave ends - either as tier 1 leave if you are still within that period, or as tier 2 leave (consecutively) if the tier 1 period has passed.

## 4. Telling us you want to take neonatal care leave

You must give us written notice each time you want to take a period of neonatal care leave. The notice requirements depend on when your leave will start:

| When leave starts | Amount of leave | Notice required |
|---|---|---|
| Tier 1<br>(during neonatal care or within 7 days of discharge) | Any amount | Before your start time on your first day of absence, or as soon as reasonably practicable |
| Tier 2<br>(more than 7 days after discharge) | 1 week | At least 15 days before the leave starts |
| Tier 2<br>(more than 7 days after discharge) | 2 or more weeks | At least 28 days before the leave starts |

Your notice must include:

- your name
- your child's date of birth - or in adoption cases, the date of placement or entry into Great Britain
- the date or dates your child started receiving neonatal care
- the date the neonatal care ended, if it has ended by the time you give notice
- the date you want your leave to begin
- the number of weeks of leave you are giving notice for
- a statement that you are taking the leave to care for your child and that you are eligible

If you give notice while your child is still receiving neonatal care, you must also let us know the date the care ends as soon as reasonably practicable after it does. If neonatal care starts again after you have told us it ended, please let us know the new start date as soon as possible.

We may waive or reduce the notice requirements if we consider it reasonable to do so in the circumstances.

## 5. Neonatal care pay

You may be eligible for Statutory Neonatal Care Pay (SNCP) during your neonatal care leave. SNCP is paid at the government-set rate for up to 12 weeks. The current rate is published at gov.uk.

### If you have already qualified for maternity, paternity or adoption pay for this child

If you have already qualified for Statutory Maternity Pay, Statutory Paternity Pay or Statutory Adoption Pay in connection with this child, you will be eligible for SNCP provided you give the required notice and documentation.

### If you have not qualified for any of those payments

You may still be eligible for SNCP if you have at least 26 weeks' continuous employment with us by the end of the week before your child's neonatal care starts, and your average weekly earnings are at least the lower earnings limit for National Insurance contributions (the current figure is published at gov.uk).

Tax and National Insurance are deducted from SNCP in the usual way.

## 6. How neonatal care leave works alongside other family leave

Neonatal care leave is entirely separate from maternity, paternity, adoption and shared parental leave. Taking neonatal care leave does not reduce any of those entitlements - it is in addition to them. If you qualify for more than one type of leave, you can take them consecutively to make the most of all your entitlements.

## 7. Your terms and conditions during neonatal care leave

All your contractual terms and conditions, with the exception of pay, continue throughout neonatal care leave. Your holiday continues to accrue. When you return, you have the right to return to the same job on the same terms and conditions as before your leave.

## 8. Protection from unfair treatment and redundancy

You are protected from dismissal, detriment or any other unfair treatment as a result of taking or seeking to take neonatal care leave. If you believe you have been treated unfairly for this reason, please speak to your line manager or raise a grievance.

### Redundancy

If a redundancy situation arises while you are on neonatal care leave, or in the 18 months following your child's birth where you have taken at least six consecutive weeks of neonatal care leave, you have the right to be offered any suitable alternative vacancy that exists. This protection does not apply if you are already covered by the equivalent protection under maternity, adoption or shared parental leave.

## 9. Questions and administration

The HR Manager is responsible for the administration of this policy. If you have any questions, please speak to your line manager in the first instance or contact suebailey@ansteyhorne.co.uk.

*Related policies: Family Friendly Policy - Holiday Policy - Absence Management Policy*

*This policy does not form part of any contract of employment. Statutory rights always prevail where they differ from this policy.*