

Date ratified at Directors
Meeting
14 July 2025



Review
Audit & Risk and
Resources Committee

NEONATAL CARE LEAVE & PAY POLICY

THE TRUST MISSION STATEMENT

*Inspired by the life of Christ we provide an exceptional education in our Catholic schools
which enables our children:*

- to fully embrace all possibilities
- to flourish
- to develop their faith

and therefore to choose a path that enables them to be a positive influence upon our world.

'Prepare the Way' The Gospel of St Mark 1:3

St John the Baptist Catholic Multi Academy Trust
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If you need this document in large print, audio, Braille, alternative format or in a different language please contact the Company Secretary on 01603 611431 and we will do our best to help.

1. Introduction

We understand that the birth of a baby should be a time of joy, but sometimes babies need additional medical care and support in their early days. When this happens, it can be an extremely distressing and uncertain time for families. This policy sets out your entitlement to neonatal care leave and pay, designed to support you when your baby requires specialist medical care. We are committed to providing you with the time and flexibility you need during what can be one of the most challenging periods for any parent, while ensuring you understand your rights and the support available to you.

2. Eligibility

You may be eligible for statutory neonatal care leave and pay if you or your partner have a baby that needs neonatal medical care.

The baby must have been born on or after 6 April 2025, and must:

- Receive neonatal care for a minimum of 7 uninterrupted days, and
- Enter neonatal care within 28 days of being born

Neonatal care covers:

- Hospital treatment, including any treatment in a special care baby unit (SCBU), local neonatal unit (LNU) or neonatal intensive care unit (NICU)
- Treatment in a maternity home, clinic or hospital outpatient department
- Ongoing monitoring and home visits from healthcare professionals, directed by a consultant and arranged by the hospital where the child was an inpatient
- End-of-life (palliative) care

2.1. Who Is Eligible

You're eligible for neonatal care leave if you're taking leave to care for a child and you are:

- The child's parent
- The child's intended parent
- The partner of the child's mother
- The child's adopter or prospective adopter (or partner of the same) including where the child is adopted from overseas

You must also have or expect to have responsibility for the child's upbringing – or in the case of partners, the main responsibility apart from the child's mother or adopter.

You are eligible for neonatal care leave from the first day of employment at the Trust.

3. When Leave Can Start

You can start neonatal care leave after the baby has received 7 uninterrupted days of neonatal care, not counting the day on which the neonatal care started.

The first week of neonatal care before you can start neonatal care leave is called the "waiting period".

You can take neonatal care leave at any time after the waiting period, but you must take all leave within 68 weeks of the baby's date of birth.

During the waiting period you will most likely already be on maternity, paternity, adoption, or shared parental leave. However, if this is not the case and you need to take time off, please speak to your line manager. We will do our best to accommodate your needs, and you'll likely be able to take paid annual leave or unpaid time off for dependants.

4. How Much Leave You Can Take

The minimum period of neonatal care leave you can take is 1 week, and the maximum is 12 weeks.

Each uninterrupted week of neonatal care is called a "qualifying week". Part weeks are not included.

If you're adopting: a qualifying week only includes the time that the child spends in neonatal care after the date the child was placed with you or, for adoption from overseas, after the date the child entered Great Britain.

5. How It Works

You must take any period of neonatal care leave in full weeks (meaning 7 consecutive days).

There are 2 tiers of leave:

5.1 Tier-1 leave starts after the waiting period and lasts until 7 days after the baby has left neonatal care.

You can either:

- Take tier-1 leave in 1 continuous period, or
- Split the leave into multiple periods of 1 or more whole weeks

If the child is discharged from neonatal care, but neonatal care starts again within the first 28 days after birth for a further qualifying week or more, the tier-1 period will resume until 7 days after neonatal care ends.

5.2 Tier-2 leave:

- Applies to any leave you take after the tier-1 period ends
- Can be taken up to 68 weeks after the child's birth
- Must be taken in 1 continuous block, in whole weeks

This allows you to use any unused leave for ongoing care, bonding time, or medical appointments even after your baby has left neonatal care.

Example: Your baby spends 4 weeks in neonatal care, giving you an entitlement to 4 weeks of leave. During the tier-1 period (while baby is in care and the week after discharge), you take 2 weeks of leave. You still have 2 weeks remaining from your 4-week entitlement. These 2 weeks become tier-2 leave, which you could take later - for example, when your baby has routine follow-up appointments, or when you want additional time for bonding and settling at home.

6. Giving Notice for Leave

We understand that it may be distressing to have a baby in neonatal care, and that it may be difficult for you to give us the necessary notice for neonatal care leave. If this is the case, please speak to your manager as soon as possible, and the Trust will work with you to come up with an arrangement that works for you – this may, in certain circumstances, include an agreement to waive the requirement to give notice for leave.

6.1 Tier-1 leave (from when the baby has been in neonatal care for 7 consecutive days, until 7 days after they've left neonatal care):

- You must give us notice of neonatal care leave before you are due to start work. If you've already started work, the neonatal care leave will start on the following day
- If you need leave to continue, you must give us notice again by the end of the previous week
- You should tell us when the baby leaves neonatal care as soon as possible
- The notice does not need to be in writing

6.2 Tier-2 leave (when the baby left neonatal care more than 1 week ago):

- If you wish to take 1 week of leave, you must give us at least 15 days' notice before the first day of leave
- If you wish to take 2 or more weeks of leave, you must give us at least 28 days' notice before the first day of leave
- You should give us notice for leave in writing

7. Neonatal Care Pay

7.1 Eligibility

Staff eligible for neonatal care leave may also qualify for statutory neonatal care pay if they have:

Been continuously employed by the Trust for at least 26 weeks by the end of the "relevant week", which is the 15th week before the:

- Expected week of childbirth, or
- Week in which the adoption agency or local authority notified them of a match, or
- Week before neonatal care starts (in any other cases)

Received normal weekly earnings of not less than the government's "lower earnings limit", over an 8-week period ending with the "relevant week" (see above). See the government's

website for the latest "lower earnings limit": <https://www.gov.uk/employers-neonatal-care-pay-leave/eligibility>

7.2 How Much Pay You're Entitled To

You can find the latest statutory weekly rate of neonatal care pay on the government's website – <https://www.gov.uk/employers-neonatal-care-pay-leave>.

Staff can only be paid statutory neonatal care pay for the whole weeks of neonatal care leave that they take.

7.3 Giving Notice for Neonatal Care Pay

Tier-1 period (from when the baby has been in neonatal care for 7 consecutive days, until 7 days after they've left neonatal care): you must give notice for pay within 28 days after the start of your neonatal care leave.

Tier-2 period (when the baby left neonatal care more than 1 week ago): if you want to take:

- 1 week of pay, you must give us at least 15 days' notice before the first day of your tier-2 neonatal care leave
- If you wish to take 2 or more weeks of leave, you must give us at least 28 days' notice before the first day of leave

8. Details You Should Provide When Giving Notice of Neonatal Care Leave and Pay

You should provide the following details to us, in writing, within 28 days after the start of your neonatal care leave:

- Your name
- The child's date of birth
- The start and end dates of any period of neonatal care (if known)
- The date the period of neonatal care leave started or will start
- The number of weeks you have taken, or intend to take, neonatal care leave
- UK adoption cases: date of the placement
- Overseas adoption cases: the date the child entered Great Britain

You must also provide:

- A declaration that the purpose of your leave is to care for the child
- A declaration that you have parental responsibility for the child, if this is the first time you're giving notice for neonatal care pay and leave

9. Cancelling Neonatal Care Leave

You can:

- Cancel any future planned weeks of neonatal care leave that are due to start in tier 2. You should give written notice of at least 15 days for 1 week of leave, and at least 28 days for 2 or more weeks of leave

You cannot cancel notice for leave if the baby is in neonatal care or in the first week after (tier 1).

10. Taking Neonatal Care Leave with Other Types of Family Leave

Taking neonatal care leave does not affect your entitlement to other types of family leave and pay, including:

- Maternity leave and pay
- Adoption leave and pay
- Paternity leave and pay
- Shared parental leave and pay
- Unpaid parental leave

If you are taking any of these types of family leave at the time the child starts neonatal care, you can take neonatal care leave after the other type of family leave ends. You should give the relevant period of notice (see section 7.3) and written information (see section 8) set out above.

If your neonatal care leave is interrupted by the start of another pre-booked period of statutory family leave (such as paternity leave, unpaid parental leave or shared parental leave):

- During a tier-1 period (where the baby is in neonatal care or it ended within the last week), you can resume the interrupted neonatal care leave period straight away after the other leave ends
- During a tier-2 period (where the neonatal care ended more than a week ago), you must add the remainder of the interrupted neonatal care leave onto any further period of neonatal care leave that you are intending to take

You must make sure that any neonatal care leave you're taking later than a week after the baby leaves neonatal care is not interrupted by the start of another period of family leave that you've booked. This is because you can only take tier-2 leave in a single block.

11. Employment Rights During Leave

An employee who takes neonatal care leave has the right not to be dismissed or subjected to any other detriment by reason of taking the leave. Continuous service will continue to accrue during Neonatal Care Leave for both teaching and non-teaching employees.

During neonatal care leave an employee has a statutory right to continue to benefit from all the terms and conditions of employment which would have applied to them had they been at work, except for the terms relating to wages or salary. The employee remains bound by their obligations of good faith, as well as any contractual terms relating to the giving of notice, disclosure of confidential information, acceptance of gifts and benefits and freedom to participate in another business/work elsewhere.

12. The Right to Return from neonatal care leave

An employee who has taken neonatal care leave has the right to return to the same job that they were employed to do immediately prior to taking the leave. This right depends on the neonatal care leave having been one of the following:

- (a) An isolated period of leave.
- (b) The last of two or more consecutive periods of statutory leave (maternity, adoption, shared parental leave, parental and paternity leave) which did not include any:
- (c) Period of parental leave of more than four weeks; or
- (d) Period of statutory leave which when added to any other periods of statutory leave (excluding parental leave) taken in relation to the same child means that the total statutory leave taken in relation to that child totals more than 26 weeks.

If the above does not apply, and it is not reasonably practicable for the employer to return the employee to the job they were doing before their neonatal care leave, the employer is entitled to propose an alternative job for the employee to return to which is both suitable for them and appropriate for them to do in the circumstances.

13. Additional Support

The Trust understands that each staff member's circumstances may differ. If you need additional support, please discuss this with your line manager and we will do our best to help you.

14. Policy monitoring and review

This policy will be reviewed every 4 years or as legislation or other matters dictate.