

Neonatal Care Leave and Pay Policy

Scope of Policy

The policy applies to all employees of Priory Medical Group.

Priory Medical Group recognise the importance of supporting its employees should their newborn baby be required to have an extended stay in Neonatal Care in hospital.

It should be an exciting time for all those involved when a baby has been born, but when the baby is unwell it can be a very stressful and worrying time for the parents, so here at PMG we strive where possible to support our staff during this difficult time.

Neonatal Care Leave Overview

The Neonatal Care (Leave and Pay) Act is intended to support parents of babies who are admitted into neonatal care within 28 days of birth. Eligible employees will be able to take up to 12 weeks of paid leave in addition to their other family leave entitlements such as maternity and paternity leave. Neonatal Care Leave is a day-one right. The Act will come into force on 6th April 2025.

Eligibility for Neonatal Care Leave (NCL)

In order to qualify for Neonatal leave (NCL) the following conditions must be met:

- You must be an employee.
- The baby must be born on or after 6th April 2025
- At the birth of the baby, you must be the baby's parents, intended parents (in relation to surrogacy) or partner* (see definition below) to the baby's mother and you must have or expect to have responsibility for raising the child (similar rules apply in relation to adoption).
- The newborn must be admitted to neonatal care within the first 28 days of birth and must remain in neonatal care for at least 7 continuous days.
- Neonatal care leave must be taken to provide care for the baby.



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*Partner is defined as a person who lives with the baby's mother or adopter and is in an enduring family relationship with them but is not a relative (parent, grandparent, grandchild, sibling, aunt, uncle, niece or nephew).

Eligibility for Neonatal Care Pay (NCP)

In order to qualify for Neonatal Care Pay (NCP), the following additional conditions must be met:

You must have been employed by your employer for a continuous period of at least 26 weeks ending with the relevant week (which is the 15th week before the week in which the baby is due (approximately the 25th week of pregnancy). For babies born before the relevant week, please see the Q& A below.

Your average gross weekly earnings must be at least equal to the lower earnings limit for National Insurance (NI) purposes. In April 2024-25, this is £123 per week.

As a rule, your earnings will be averaged over a period of at least 8 weeks up to and including the last pay day before the end of the relevant week. This period is called the 'relevant period'.

These conditions are the same as the conditions for Maternity and Shared Parental Pay.

Neonatal Care Pay is paid at a flat rate per week (please speak to HR for current rates) or 90% of average weekly earnings, if this is less.

How much leave can you take and when can the leave be taken?

Parents can take one week's Neonatal Care Leave in respect of each interrupted week (7 days) that their baby receives neonatal care. The maximum amount of leave is 12 weeks. The first period of 7 days begins with the day after the day your baby first receives neonatal care.

Leave must be taken within the first 68 weeks of the baby's birth (or placement in the case of adoption). As many people will already be on some form of family leave while their baby is in neonatal care, neonatal leave will often be taken after neonatal care has ended and at the end of maternity/shared parental or adoption leave.

However, there will be instances where individuals will take neonatal leave while their baby is still receiving neonatal care, for example partners whose paternity leave entitlement has run out while their baby is still receiving care.

There are two categories of neonatal leave depending on when the leave is taken, and these are referred to as **Tier 1 or Tier 2 periods**.



Tier 1 period leave applies to leave taken while your baby is still receiving care and up to a week post discharge. Tier 1 leave can be taken in non-continuous blocks of a minimum of one week at a time. The Tier 1 period leave ends on the 7th day after the day your baby stops receiving neonatal care.

Tier 2 period leave applies to all other leave and must be taken in one continuous block.

How much notice is required to take Neonatal Care Leave?

The required length of notice differs depending on when the leave is taken.

For each week of Tier 1 period leave (leave to be taken while your baby is still receiving care), notice must be given before you are due to start work on your first day of absence in that week unless it is not reasonably practicable in which case you must give as much notice as soon as it is reasonably practicable.

For a single week of Tier 2 period leave, notice must be given no later than 15 days before the first day of the Neonatal Care Leave to which the notice relates.

For two or more consecutive weeks of Tier 2 Leave, notice must be given no later than 28 days before the first day of the neonatal care leave to which the notice relates.

How much notice is required for Neonatal Care Pay?

The required length of notice differs depending on the period the pay relates to.

For each week of statutory pay beginning in Tier 1 period, notice must be given within 28 days from the first day of the period the notice relates to unless it is not possible to give this much notice, in which case notice must be given as soon as reasonably practicable.

For a single week of statutory pay beginning in the Tier 2 period, notice must be given no later than 15 days before the first day of the pay week which the notice relates to. This is the same as the corresponding notice requirements for Neonatal Care Leave.

For two or more consecutive statutory pay weeks beginning in the Tier 2 period, notice must be given no less than 28 days before the first day of the first week the notice relates to unless it is not possible to give this much notice, in which case notice must be given as soon as practicable. This is the same as the corresponding notice requirements for Neonatal Care Leave.

How do I give notice to take Neonatal Care Leave and Neonatal Care Pay?

In order to take Neonatal Care Leave and Neonatal Care Pay, you must provide the HR/Payroll team with notice stating:

- **Your name**
- **Your baby's date of birth (or date of placement/entry to Great Britain if adopting)**
- **The start date or dates of neonatal care**
- **The date neonatal care ended (if applicable)**
- **The date on which you would like to take the leave (and pay)**
- **The number of weeks of Neonatal Care Leave (and pay) the notice is being given for**
- **Confirmation that the leave is being taken to care for the baby**
- **Confirmation that you are eligible to take the leave due to your relationship with the baby**

If you have given notice before your baby has stopped receiving neonatal care, you must inform HR/Payroll the date that neonatal care ends, as soon as is reasonably practicable after that date.

Reviewed 6th February 2025

Reviewed by Joanne Fox HR Manager

Review due 6th February 2026