

## Neonatal Care Leave Policy and Procedure

Reference	Neonatal Care Leave Policy and Procedure
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# Neonatal Care Leave Policy and Procedure

## Introduction

This policy sets out the rights of employees to Neonatal Care Leave (NCL) and pay following the birth or adoption of a child. It applies to employees whose child is admitted to neonatal care, including those who have adopted a child, those in "foster to adopt" situations, and those expecting legal parenthood via surrogacy.

We understand that having a child in neonatal care is an extremely stressful and challenging experience. As an organisation, we are committed to supporting employees and ensuring they can be by their child's side while maintaining their own health and wellbeing.

This policy does not form part of an employee's contract and may be subject to change.

## Scope

This policy applies to employees employed by us. It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation.

## What is NCL?

NCL is designed to assist new parents of babies who are admitted into neonatal care.

In this policy, neonatal care means:

- medical care that your child receives in a hospital;
- medical care that your child receives in any other place providing:
  - your child was previously admitted to a hospital as an inpatient and needs continuing care after leaving the hospital;
  - the care is under the direction of a consultant; and
  - the care involves ongoing monitoring and visits from healthcare professionals arranged by the hospital where your child was an inpatient; or
- palliative or end-of-life care.

## **Requesting support**

If you are finding it difficult to cope at work because your child is in neonatal care, you are encouraged to speak to your line manager. If for any reason you are unable to approach your line manager, you can speak to People Services, or request a referral to Occupational Health.

We realise that this may not be an easy subject to talk about. However, we urge you to be as open as possible about any particular issues that you are experiencing to ensure that you are provided with the right level of support.

Any information disclosed by you during discussions with your line manager or the People Services department will be treated sensitively and in strict confidence.

## **Entitlement to NCL**

Whatever your length of service, you have a statutory right to take NCL if at the date of the child's birth:

- The employee is the birth parent, the primary adopter, a prospective adopter in a foster-to-adopt arrangement, an overseas adopter, or a legal parent under a surrogacy arrangement.

or

- you are the partner of the child's mother and have main responsibility for the upbringing of the child (apart from the mother). In this policy, partner includes someone, of whatever sex, who lives with the mother or the child in an enduring family relationship but who is not their child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

Additionally, the following conditions must be satisfied:

- your child was born on or after 6 April 2025;
- your child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child is born);
- the neonatal care has lasted seven days or longer without interruption (the seven days are counted from the day after the neonatal care started);
- you are taking the leave to care for your child (however, see If you suffer a bereavement below); and
- you have complied with the relevant notice and declaration requirements set out in this policy (see Notice to take NCL below).

## **Duration of NCL**

Employees are entitled to one week of NCL for every week their child spends in neonatal care, up to a maximum of 12 weeks. Leave must be taken in full-week blocks

and must be used within 68 weeks of the child's birth. A week is defined as a period of seven days starting from the day after the neonatal care began.

- The maximum number of weeks that you can take as NCL is capped at 12 weeks.
- Any NCL must be taken in blocks of at least one week.
- You can take only up to 12 weeks' NCL, even if multiple children from the same pregnancy require neonatal care.

### **Timing of NCL**

You can start your leave on any day after your child has received seven days of uninterrupted neonatal care.

The seven days are counted from the day after the neonatal care started. For example, if your child's started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means that you can start your NCL on any day from 15 April.

Any NCL must end within 68 weeks of your child's date of birth.

The right to NCL is in addition to any other statutory leave that you may be entitled to, such as maternity, adoption, paternity, ordinary parental, parental bereavement or shared parental leave (see Other statutory leave below).

### **How NCL may be taken**

NCL is available to take in two tiers:

- **Tier 1:** Can be taken flexibly while the child is still in neonatal care – this begins when your child starts receiving neonatal care and ends on the seventh day after your child is discharged. If you take NCL in the tier 1 period, you can take it in one continuous block or a number of non-continuous blocks of a minimum of one week at a time.
- **Tier 2:** Must be taken in one continuous block after the child is discharged, within 68 weeks of birth. - This is any remaining period (within 68 weeks after your child's date of birth) that is not part of the tier 1 period. if you take NCL during the tier 2 period, you must take the leave in one continuous block.

You should be aware that the relevant notice requirements differ depending on whether you take your leave in the tier 1 or tier 2 period (see Notice to take NCL below).

### **Notice to take NCL**

- **Tier 1:** Employees should notify their line manager or HR as soon as possible before taking leave.

#### *Notice during the tier 1 period*

For each week of NCL that you wish to take in tier 1, you should notify Line Manager by telephone or email, preferably before your first day of absence in that week.

However, we understand that this is likely to be a challenging time for you, so please give notice as soon as is reasonably practicable for you to do so.

You are also required to give notice of your intention and entitlement to take NCL using our [Form to provide notice of intention and entitlement to take NCL \(birth\)](#). This form contains a declaration that will need to be signed by you.

There is no expectation on you to complete this form straightaway while your child is receiving neonatal care. However, we do request that the form is sent to us within 28 days of the first day of your NCL, or if this is not possible, as soon as it is reasonably practicable.

#### *Notice during the tier 2 period*

- **Tier 2:** Employees must provide written notice at least 15 days before taking a single week or 28 days before taking multiple consecutive weeks.

If you wish to take NCL in the tier 2 period, you will need to give notice in writing of your intention and entitlement to take NCL using our [Form to provide notice of intention and entitlement to take NCL \(birth\)](#). This form contains a declaration that will need to be signed by you.

If you are taking a single week of NCL, your notice should be received by us at least 15 days before the first date that you have chosen for your leave to start, or if this is not possible, as soon as it is reasonably practicable.

If you are taking two or more consecutive weeks of NCL, your notice should be received by us at least 28 days before the first date that you have chosen for your leave to start, or if this is not possible, as soon as it is reasonably practicable.

#### **Changing your NCL plans**

If you have submitted a notice of intention and entitlement to take NCL during the tier 2 period but wish to cancel your leave, you must inform your line manager using the [form for employee to cancel NCL \(birth\)](#).

If you intended to take a single week of NCL, you must submit this form at least 15 days before the first date that you had chosen for your leave to start.

If you intended to take two or more consecutive weeks, you must submit this form at least 28 days before the first date that you had chosen for your leave to start.

#### **Late notice**

We understand that having a child in neonatal care is an incredibly difficult time for parents. Please be assured that if it is not possible for you to meet the timeframes for giving or withdrawing notice as set out in this policy, we may accept later notice than this and, in some cases, we may waive the requirement for you to give notice altogether.

## **Starting your NCL**

Your NCL will start on the date that is specified in your notice.

Alternatively, if you give notice on the same day that you want to begin your leave and you are already in work on that day, your NCL will start on the following day.

If we have agreed to waive the notice requirements, your NCL will begin on a day that is mutually agreed between the employee and University.

## **Other statutory leave**

You are entitled to take NCL in addition to any other statutory leave that you may be entitled to, including maternity, adoption, paternity, ordinary parental, parental bereavement and shared parental leave. A table of other types of statutory parental leave can be found at the end of this policy.

If you have already started a period of statutory leave, but subsequently become eligible for NCL, you can take your NCL after completing the other statutory leave, provided that your NCL is taken within 68 weeks of your child's birth date.

- If the employee is taking a period of paternity leave, shared parental leave, parental leave or parental bereavement leave, more flexibility can be provided as to when the leave can be taken. The [table](#) below outlines the eligibility entitlement and timings for each leave type.
- If NCL is being taken immediately, or directly after the period of family leave, the line manager must notify People Service of these arrangements.
- If the employee chooses to take the leave at a different time, the employee must ensure that they provide advanced notice to take this leave.

If you have already started a period of NCL during the tier 1 period but need to begin another type of statutory leave, your NCL will be temporarily paused immediately before the other statutory leave begins. You can then resume the remaining weeks of your NCL in one of two ways:

- if you are still within the tier 1 period - immediately after the end of the other period of statutory leave; or
- if you have transitioned into the tier 2 period - immediately after any other NCL taken during the tier 2 period.

You cannot take NCL in the tier 2 period if, at the time of giving notice, you are aware that the leave will overlap with another type of statutory leave.

## **Neonatal care pay**

You will continue to be paid your normal rate of pay while taking NCL provided:

- you are entitled to take NCL as outlined in the requirements of this policy;
- you have continuous employment with us at the end of the relevant week. Liverpool Hope University has set eligibility for enhanced pay from day one regardless of service;
- you remain in continuous employment from the end of the relevant week (or from the child's birth if they were born before the relevant week);
- you have complied with the relevant notice and evidential requirements and are able to provide the declarations as set out in this policy; and
- you have confirmed when you wish to start receiving statutory neonatal care pay within your [Form to provide notice of intention and entitlement to take NCL \(birth\)](#).

Payment of enhanced neonatal care pay is inclusive of any entitlement to statutory neonatal care pay that may be due to you for the same period.

### **Changes affecting your entitlement to NCL and pay**

You must keep line manager informed about the date that your child's neonatal care ends as soon as reasonably practicable after the care has ended.

If your child starts receiving neonatal care again, after you have informed us that the care has ended, you must keep your line manager informed of the new start and end dates.

### **If you suffer a bereavement**

Employees who have accrued entitlement to NCL can still take the NCL that they have accrued if their child passes away.

Employees may also be entitled to parental bereavement leave in these circumstances under our [Parental bereavement leave policy](#).

If you have suffered a bereavement, please contact your line manager or People Services so that we can discuss other support mechanisms that we may be able to offer you.

### **Your rights during NCL**

During NCL, all the terms and conditions of your contract except normal pay will continue. Your pay will be replaced with enhanced neonatal care pay if you are eligible for it. However, other benefits such as holiday entitlement will continue to accrue and pension contributions will continue as normal.

### **Holiday entitlement**

You will continue to accrue your holiday entitlement during your NCL.

Any statutory holiday entitlement that has not been taken because of NCL can be carried over into the next holiday year.

### **Pension contributions**

We will continue to make pension contributions based on your normal pay during any period of paid NCL. The contributions that you make will be based on the actual pay that you receive during your NCL.

The organisation's pension contributions will cease during any period of unpaid NCL.

### **Contact during NCL**

We reserve the right to maintain reasonable contact with you during your NCL. This may be to discuss your plans for taking leave, to discuss any special arrangements to ease your time away from work, or to update you on developments at work during your absence.

### **Returning to work after NCL**

You have the right to resume working in the same job and on the same terms and conditions if returning to work from a period of isolated NCL.

If you return from a period of NCL that follows on immediately from another period of statutory leave (such as maternity, adoption, paternity, parental bereavement or shared parental leave) and your total time on leave is more than 26 weeks, you have the right to return to the same job wherever possible. However, if this is not reasonably practicable, we will offer you a suitable alternative job on terms and conditions that are no less favourable.

This also applies if you have taken NCL consecutively with a single period of more than four weeks of ordinary parental leave.

### **Data protection**

When dealing with NCL and pay, we will process any personal data collected in accordance with our [data protection policy](#). In particular, we will record only the personal information required and keep the information only for as long as necessary.

This policy aligns with the UK's NCL and pay legislation, including the April 2025 amendments.



### **Other types of Parental Leave**

Leave type	Leave entitlement	Neonatal leave entitlement
<a href="#">Paternity</a>	<ul style="list-style-type: none"> <li>Eligible employees can take up to 2 weeks paternity leave.</li> <li>This leave must be taken by no later than one year from the birth of the child.</li> </ul>	<ul style="list-style-type: none"> <li>Eligible employees must have taken their neonatal leave no later than 68 weeks from the child's date of birth.</li> <li>In the case of SPL, neonatal leave can be taken during this period as employees can pause and restart their leave providing leave is taken within 1 year of the child's birth.</li> </ul>
<a href="#">Shared Parental Leave</a>	<ul style="list-style-type: none"> <li>Eligible employees can take up to 50 weeks SPL between them.</li> <li>The mother/primary adopter must curtail their maternity/adoption leave.</li> <li>The mother/primary adopter's partner must have taken their paternity leave before SPL can commence.</li> <li>SPL must be taken within one year of the birth/placement of the child.</li> </ul>	
Parental (Unpaid)	<ul style="list-style-type: none"> <li>Employees are entitled to 18 weeks leave for each child and adopted child, up to their 18th birthday. This leave is unpaid.</li> <li>4-weeks of parental leave can be requested each year for each child.</li> </ul>	
<a href="#">Parental Bereavement</a>	<ul style="list-style-type: none"> <li>Eligible employees can take 2 weeks paid leave for each child who has died or was stillborn.</li> <li>Employees can take this leave in one block or in two blocks.</li> <li>Employees who suffer a stillbirth or neonatal death after 24 weeks of pregnancy will retain their Entitlement to <a href="#">maternity/adoption/paternity</a> leave in addition to Parental Bereavement Leave.</li> </ul>	

	<ul style="list-style-type: none"><li>• The leave must finish within 56 weeks of the date of the death or stillbirth.</li></ul>	
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# Understanding if neonatal care leave applies

