



University of  
St Andrews

## Neonatal care leave

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<b>Purpose</b>	The purpose of this policy is to inform employees of their right to request a period of neonatal care leave when their baby requires neonatal care.

<b>Version number</b>	<b>Purpose / changes</b>	<b>Document status</b>	<b>Author of changes, role and school / unit</b>	<b>Date</b>
1.0	New policy for employees commencing family leave with effect from 11/09/23 onwards.	Published	Lisa Stewart HR	11/09/2023

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## 1. Introduction

- 1.1 In advance of the Neonatal Care (Leave and Pay) Act 2023 (expected to come into force in April 2025), the University has introduced support for parents of babies who require neonatal care (for at least 7 consecutive days) before the baby reaches 28 days of life. It is envisaged that this leave will allow parents to extend their time off with their baby at home when they are out of hospital instead of using their parental leave.

## 2. Purpose

- 2.1 The purpose of this policy is to inform employees of their right to request a period of neonatal care leave ("NCL") when their baby requires neonatal care. This leave is in addition to existing parental leave entitlements namely: maternity, adoption, paternity, shared parental, parental and parental bereavement leave, collectively known as "family leave".

## 3. Neonatal care definition

- 3.1 Neonatal care means care of a medical or palliative nature which lasts for at least 7 consecutive days within the first 28 days of birth.

## 4. Scope and eligibility

- 4.1 This policy applies to all current University employees who commence family leave on or after 11/09/2023.
- 4.2 Employees who have a child that meets the definition of neonatal care in [section 3](#) will be eligible to request NCL.
- 4.3 Employees who met the eligibility criteria to receive the University's occupational/enhanced package for the child (as outlined in the relevant policy e.g. maternity, paternity) will be entitled to take this leave at full pay. Employees who did not meet this criteria are eligible to take this leave as unpaid.

## 5. Key principles of neonatal care leave

- Both parents are entitled to take NCL.
- Eligible employees will be entitled to NCL on full pay, equivalent to the number of days the baby received neonatal care for at least 7 consecutive days. This leave is capped at 12 weeks.
- NCL is prorated to the normal weekly hours of work and payment will be based on the normal rate of pay (e.g. if the employee normally works 21.75 hours per week, and the baby received neonatal care for 1 calendar week/7 days, the employee would be eligible to 21.75 hours at their normal rate of pay).
- NCL can be taken in one block (e.g. at the end of the family leave) or taken as non-consecutive periods of at least one week.
- NCL must be taken no later than 68 weeks from the child's date of birth.
- The University reserves the right to request evidence of neonatal care to process this leave.
- The right to NCL is per child therefore if an employee has multiple births (e.g. twins) and both require neonatal care, the total NCL will be added together. This will be capped at 12 weeks in total.

- In the unfortunate event that a baby is admitted to neonatal care (for a period of at least 7 consecutive days), discharged, and then readmitted to neonatal care (for a period of at least 7 consecutive days), providing that the second admittance occurs before 28 days of birth, both instances will count towards NCL.
- Where an employee is taking NCL immediately after the period of family leave, no additional notice will be required as this should have already been confirmed as part of the return to work process. If the employee is taking their NCL at a later date (e.g. not immediately after family leave), employees should give their line manager notice of at least twice the length of the period of leave to be taken, capped at 4-weeks (e.g. if the employee is requesting 1 week of NCL, they should request this at least 2 weeks in advance).
- There may be exceptional situations where the line manager may have to refuse a request for NCL (if not taken immediately) due to operational demands. Where requests to take NCL are declined, the line manager should ensure that the employee is given appropriate opportunity to take the leave at the earliest possible time and confirm to the employee the reason for declining the request.
- NCL is provided in addition to other leave types mentioned in the [Special Leave Policy](#).

## 6. Procedures

### 6.1 Notifying the University

- 6.1.1 Employees should notify their line manager if their baby has been admitted into neonatal care (for at least 7 consecutive days). The line manager should take a note of the date that the baby was admitted into neonatal care and discuss with the employee their leave options (as confirmed in [section 6.2](#)).
- 6.1.2 The employee should notify their line manager once the baby has been discharged from neonatal care. The line manager should take a note of the date that the baby was discharged. Once the leave options have been agreed and the neonatal dates have been confirmed, the line manager must notify [HR Support](#) to ensure that the leave is accurately recorded and processed.
- 6.1.3 Employees can contact their [HRBP](#) for support and advice to discuss their options at any time.

### 6.2 Taking NCL

#### 6.2.1 Maternity and Adoption

- If the employee is the primary carer (and taking a period of maternity or adoption leave), the leave can be taken **after** their maternity/adoption leave has ended or curtailed (if moving onto Shared Parental Leave). They can choose to take this leave immediately after maternity/adoption leave (before they return to work) or at a different time (no later than 68 weeks after the baby's date of birth).
- [HR Support](#) will write to the employee approximately 10 weeks prior to the end of their leave confirming the expected date of return to work. Employees should ensure that they respond to this letter to confirm that they are intending to return to work on the date confirmed in the letter and whether they intend to take NCL (and annual leave) directly after their maternity/adoption leave.

- 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 as confirmed in [section 5](#).

## 6.2.2 All other family leave types

- 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 [HR Support](#) 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 as confirmed in [section 5](#).

Leave type	Leave entitlement	Neonatal leave entitlement
<b>Paternity</b>	<ul style="list-style-type: none"> <li>• Eligible employees can take up to 3 weeks paternity leave.</li> <li>• 2 weeks of this leave must be taken within <u>56 days of the birth of the child (or due date if the baby is early)</u></li> <li>• The additional week can be taken as one block or intermittent days by <u>no later than one year from the birth of the child.</u></li> </ul>	<ul style="list-style-type: none"> <li>• Eligible employees must have taken their neonatal leave no later than <u>68 weeks from the child's date of birth.</u></li> </ul>
<b>Shared Parental</b>	<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>• <u>SPL must be taken within one year of the birth/placement of the child.</u></li> </ul>	<ul style="list-style-type: none"> <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>
<b>Parental (Unpaid)</b>	<ul style="list-style-type: none"> <li>• Employees are entitled to 18 weeks leave for each child and adopted child, up to their 18<sup>th</sup> birthday. This leave is unpaid.</li> <li>• 4-weeks of parental leave can be requested each year for each child.</li> </ul>	
<b>Parental Bereavement</b>	<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> </ul>	

	<ul style="list-style-type: none"> <li>• Employees who suffer a stillbirth or neonatal death after 24 weeks of pregnancy will retain their entitlement to maternity/adoption/paternity leave in addition to Parental Bereavement Leave.</li> <li>• <u>The leave must finish within 56 weeks of the date of the death or stillbirth.</u></li> </ul>	
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## 7. During NCL

7.1 All terms and conditions remain the same during a period of NCL (except salary if employees do not meet the eligibility criteria).

## 8. Returning to work

8.1 Employees should refer to the relevant parental leave policy for details on planning for their return to work.

8.2 The University understands that returning to work can be a difficult time for parents, particularly those who have experienced a traumatic and upsetting time seeing their baby in a neonatal ward. Babies can have ongoing medical needs requiring regular hospital appointments and check-ups when the parent returns to work. The University will support time off with pay to allow parents to attend these appointments. Employees should refer to “Carers Leave” in the [Special Leave Policy](#) for further information.

## 9. Support

9.1 Any questions employees have about matters raised in this policy should be raised with their [HRBP](#). Any work-related issues should be addressed with their line manager. Further internal and external support can be found in [Appendix A](#) and [Appendix B](#).

9.2 Employees may be able to claim for funds via the Scottish Government [Young Patients Family Fund](#) which is designed to provide a financial contribution towards the cost of having a child (under 18) in hospital which includes neonatal care. Expenses can be claimed for transport, meals, parking and accommodation.

## 10. Version control

10.1 This policy is non-contractual and may be amended at any time.

10.2 This policy will be reviewed periodically in conjunction with the University’s recognised Trade Unions. Any feedback on the policy content should be directed in the first instance to the [HRBP team](#) or via the [HR Feedback Form](#).

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## Appendix A: Internal Support

Name of Department	Contact details	Service provided
Chaplaincy	<a href="https://www.st-andrews.ac.uk/chaplaincy/">https://www.st-andrews.ac.uk/chaplaincy/</a> <a href="mailto:chaplaincy@st-andrews.ac.uk">chaplaincy@st-andrews.ac.uk</a> 01334 462866 or 462492	Offers pastoral care and support for any employee, regardless of religion or belief (including non-belief). This includes sympathetic, confidential listening and a safe place to talk to someone about any issues affecting health and wellbeing.
Equality Diversity and Inclusion (EDI)	<a href="https://www.st-andrews.ac.uk/hr/edi/">https://www.st-andrews.ac.uk/hr/edi/</a> <a href="mailto:diversity@st-andrews.ac.uk">diversity@st-andrews.ac.uk</a> 01334 461649	Provides support to members of the University community (staff, students, visitors) on EDI, in liaison with the HR Business Partner or Student Services as appropriate.
Human Resources	<a href="https://www.st-andrews.ac.uk/hr/">https://www.st-andrews.ac.uk/hr/</a> <a href="mailto:hr.general@st-andrews.ac.uk">hr.general@st-andrews.ac.uk</a> (general email enquiries) 01334 463096	Provides support to employees of University of St Andrews. <ul style="list-style-type: none"> <li>• HR web and policy page</li> <li>• Dedicated <a href="#">HR Business Partner</a> team for each School and Unit</li> </ul>
Mediation	<a href="https://www.st-andrews.ac.uk/hr/edi/mediation/">https://www.st-andrews.ac.uk/hr/edi/mediation/</a> <a href="mailto:mediation@st-andrews.ac.uk">mediation@st-andrews.ac.uk</a>	The Mediation Service is a service for all staff and students and members of the public who are connected to the University who want to resolve disagreement informally.
Occupational Health	<a href="https://www.st-andrews.ac.uk/ehss/occupationalhealth/">https://www.st-andrews.ac.uk/ehss/occupationalhealth/</a> 01334 462750/2752 <a href="mailto:occhealth@st-andrews.ac.uk">occhealth@st-andrews.ac.uk</a>	Employees can refer themselves to OH for confidential health advice at any time. <ul style="list-style-type: none"> <li>• One-to-one consultation/ appointments</li> <li>• Expert support and advice</li> <li>• Recommended adjustments to support the employee</li> <li>• Partnership with external health practitioners i.e., counselling services and Cognitive Behavioural Therapy (CBT).</li> </ul>
OSDS	<a href="https://www.st-andrews.ac.uk/osds/">https://www.st-andrews.ac.uk/osds/</a> 01334 467198 <a href="mailto:osds@st-andrews.ac.uk">osds@st-andrews.ac.uk</a>	Organisational and Staff Development Services (OSDS) is the University's central provider of professional development for all University staff and is also responsible for a wide range of organisational development projects and initiatives.
Trade Union Representatives	<a href="https://www.st-andrews.ac.uk/staff/wellbeing/workplace-wellbeing/">https://www.st-andrews.ac.uk/staff/wellbeing/workplace-wellbeing/</a>	Trade union representatives are trained to deal and support employees with any workplace related matters of concern.
Wellbeing Officer/Director (Schools)  Wellbeing Champion (Units)	<a href="https://www.st-andrews.ac.uk/staff/wellbeing/wellbeing-officers/">https://www.st-andrews.ac.uk/staff/wellbeing/wellbeing-officers/</a>  <a href="mailto:wellbeingforstaff@st-andrews.ac.uk">wellbeingforstaff@st-andrews.ac.uk</a>	The Wellbeing Officer/Director, or Champion can signpost available resources, services and activities to colleagues. The role is not intended to act as a health/wellbeing practitioner or to tackle individual health/wellbeing issues.

## Appendix B: External Support



Name of organisation	Contact Details	Service Provided
Bliss	<p><a href="https://www.bliss.org.uk/">https://www.bliss.org.uk/</a></p> <p>Do you need emotional support, information or have a question about your neonatal journey? Our team is here to help you whatever stage you are at. You are not alone. Email us at <a href="mailto:hello@bliss.org.uk">hello@bliss.org.uk</a></p> <p>Tel: 020 7378 1122</p>	We're here to support parents and families of premature or sick babies.
Simpsons Special Care Babies	<p><a href="https://www.sscb.org/parent-care-in-neonatal-unit">https://www.sscb.org/parent-care-in-neonatal-unit</a></p> <p><a href="mailto:info@sscb.org">info@sscb.org</a></p> <p><a href="https://www.sscb.org/contact-us">https://www.sscb.org/contact-us</a></p> <p>“A helping hand” booklet which provides tips and input from other parents who have experienced their baby in a neonatal ward:</p> <p><a href="https://www.sscb.org/files/ugd/726d09_0162f72b65804e829b4f5ba2f64ba0bb.pdf">https://www.sscb.org/files/ugd/726d09_0162f72b65804e829b4f5ba2f64ba0bb.pdf</a></p>	Simpsons Special Care Babies is an entirely voluntary run charity, founded in Edinburgh in 1985. Our primary objective is to support the specialist care that the wonderful staff of the Simpson Neonatal Unit provide to babies born prematurely or sick, both within Edinburgh and throughout the country.
NHS guidance	<p><b>Babies who need extra care:</b>  <a href="https://www.nhsinform.scot/ready-steady-baby/labour-and-birth/after-the-birth/babies-who-need-extra-care">https://www.nhsinform.scot/ready-steady-baby/labour-and-birth/after-the-birth/babies-who-need-extra-care</a></p> <p><b>Services and support for parents:</b>  <a href="https://www.nhs.uk/conditions/baby/support-and-services/services-and-support-for-parents/">https://www.nhs.uk/conditions/baby/support-and-services/services-and-support-for-parents/</a></p> <p><b>NHS Fife Neonatal Care:</b>  <a href="https://www.nhsfife.org/services/all-services/maternity/neonatal-unit/">https://www.nhsfife.org/services/all-services/maternity/neonatal-unit/</a></p> <p><b>NHS Tayside Neonatal Services:</b>  <a href="https://www.nhstayside.scot.nhs.uk/OurServicesA-Z/NHSTCommunityChildYoungPeopleandFamilies/PROD_346045/index.htm">https://www.nhstayside.scot.nhs.uk/OurServicesA-Z/NHSTCommunityChildYoungPeopleandFamilies/PROD_346045/index.htm</a></p>	

## Appendix C: Frequently Asked Questions

### My baby has been admitted into neonatal care at birth. What do I need to do?

As soon as is reasonably practicable, you should contact your line manager to notify them of the situation. In the event that your baby spends 7 consecutive days in neonatal care, you will be eligible to request neonatal care leave "NCL". You should ensure that your line manager is made aware of the admission and discharge date in order to process the leave. **NCL must be taken no later than 68 weeks from the child's date of birth.**

- For employees taking maternity or adoption leave: NCL can be used after your family leave has ended.
- For employees taking Shared Parental Leave: NCL can be taken before, during or after your leave.
- For all other family leave types (e.g. paternity): NCL can be taken before or after your leave however it should be noted that paternity leave must be taken no later than 56 days from the child's date of birth so it is recommended that paternity leave is taken in the first instance.

### Is neonatal care leave paid?

If you met the eligibility to receive the University's enhanced/occupational package for the child, then the NCL will be paid at full pay equivalent to the number of days the baby received neonatal care (for at least 7 consecutive days). This leave is capped at 12 weeks. If you did not meet the eligibility criteria, you can still take this leave however this will be unpaid. Note: The leave is pro-rated to your contracted weekly hours of work.

### My baby was admitted into neonatal care after they were born. I am currently on paternity leave. Should I pause my paternity leave and take neonatal leave instead?

No, you cannot pause and restart a period of paternity leave. You should continue your paternity leave and arrange with your line manager and HR when you want to take your neonatal care leave.

### Do I need to take neonatal care leave immediately after my family leave?

No. NCL can be taken at any time up until 68 weeks from the child's date of birth. (The only exception to this is that maternity and adoption leave is driven by the date of birth/placement of the child therefore NCL must be taken once maternity/adoption leave ends).

If you are not taking the leave immediately or directly after a period of family leave, you will need to provide notice to your line manager of at least twice the length of the period of leave to be taken, capped at 4-weeks (e.g. if you are requesting 1 week of NCL, you should request this at least 2 weeks in advance).

### Do I need to take the neonatal care leave (NCL) all at once?

No. You can take NCL in non-consecutive blocks however the minimum leave you can take in a block is one-week. Employees must ensure that advanced notice is provided to the line manager in order to take this leave if the leave is not being taken immediately or directly after a period of family leave.

**I have had twins, both of which required a period in neonatal care. Twin 1 was admitted for 5 weeks and twin 2 was admitted for 8 weeks. Am I entitled to take NCL for both children?**

Yes. The leave is capped at 12 weeks therefore, in this situation, you would be entitled to a total of 12 weeks NCL.