St Paul's CE Primary School

Premature Baby and Neonatal Care Leave and Pay Policy

Agreed by Governing Body on:	04.02.2026
Policy Review Date:	February 2027

Premature Baby and Neonatal Care Leave and Pay Policy

Introduction

We recognise the unique needs of employees whose babies are born prematurely (between 24 and 37 completed weeks of pregnancy) or at full term where they are sick and require neonatal care and we provide leave and pay arrangements to support both parents in such circumstances.

This policy sets out the entitlement to occupational premature baby leave and pay and to statutory neonatal care leave and pay, as outlined in the Neonatal Care (Leave and Pay) Act 2023, for eligible employees. This is in addition to other family leave such as maternity, maternity support, adoption, paternity, shared parental, parental and parental bereavement leave.

Equality and Diversity Statement

The school is committed to equality, creating fair and equitable outcomes for our staff, and embraces diversity in our working environment. Our policies, procedures and guidance apply to all employees inclusive of age, disability, gender, marriage and civil partnership, pregnancy and maternity, 'race', religion or belief, sex and sexual orientation.

Employer with heart commitment to you

We have committed to The Smallest Things charity's 'employer with heart' charter.

In doing this, we recognise the significant impact a premature birth has on a family, both financially and emotionally, and understand that the neonatal journey does not end when you leave hospital.

We understand that:

- time spent in hospital looking after a newborn in a neonatal unit should not be anyone's sole experience of maternity or paternity leave
- parents need time to recover from the trauma of a premature birth and neonatal intensive care stay
- parents need time to bond with their baby without the pressure and worry of work and pay
- parents of premature babies may need more flexibility when they return to work and on an ongoing basis

What is premature birth?

Premature babies are born between 24 and 37 completed weeks of pregnancy.

What is neonatal care?

Neonatal care means medical care which lasts for at least 7 consecutive days within the first 28 days of birth as follows:

- medical care received in a hospital

- care given to the baby after leaving hospital, under the direction of a consultant
- care or monitoring under the direction of a consultant but away from the hospital
- palliative or end of life care.

Notification of a premature birth or admission to neonatal care

Premature birth will automatically start your maternity leave. For babies born before 24 weeks please see the special leave policy.

We understand that you may not be able to immediately contact work about the birth of your child at this stressful time.

However, as soon as you are able, you should contact your line manager to let them know that your baby has been born prematurely and/or that it has been admitted into neonatal care (for at least 7 consecutive days). Your manager will take a note of the date that the baby was born or admitted into neonatal care and discuss your leave options with you.

When possible, please provide a copy of the birth certificate or the hospital discharge letter.

Premature baby leave and pay

Eligibility to receive premature baby leave and pay

All employees are eligible to receive premature baby leave and pay if they are the parent of a premature baby (a baby born between 24 and 37 completed weeks of pregnancy).

It is available from the first day of your employment and there is no minimum qualifying length of service.

Premature baby leave and pay entitlements

You will receive one day's premature baby leave pay (pro-rata) for every day your baby was born prior to their due date. This is calculated at your normal daily pay rate immediately prior to the maternity leave start date.

There is no requirement to repay premature baby leave pay if you subsequently decide not to return to work following your family leave.

Neonatal care leave and pay

Eligibility to receive neonatal care leave and pay

All employees are eligible to receive neonatal care leave if their baby receives neonatal care for more than 7 consecutive days within the first 28 days following the birth.

There is no minimum qualifying length of service to receive neonatal care leave.

You will be eligible for statutory neonatal care pay if you have 26 weeks' continuous service at the date your baby is first admitted to the neonatal unit, and your average earnings are not less than the limit for national insurance contributions.

Neonatal care leave and pay entitlements

You will receive one week's leave, up to a maximum of 12 weeks, for every full week your baby needs neonatal care until they are discharged.

If you have a multiple birth (for example twins) and both require neonatal care, you can take up to a total 12 weeks' neonatal care leave, even if multiple children from the same pregnancy require neonatal care.

In the unfortunate event that your 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 7 consecutive days), providing that the second admittance occurs within 28 days of birth, both instances will count towards neonatal care leave.

The rate of statutory neonatal care pay is set by the government for the relevant tax year, or at 90% of your average weekly earnings (whichever is lower), see neonatal care pay and leave information on the government website for the current rate.

There is no requirement to repay statutory neonatal care leave pay if you subsequently decide not to return to work following your family leave.

Who can take premature baby leave and neonatal care leave?

Both parents are entitled to take premature baby leave and neonatal care leave.

If you are not the baby's parent, you will also be eligible to apply for premature baby or neonatal care leave if you are:

- the husband or partner of the mother (or adopter) - this includes same-sex partners
- the child's adopter
- the intended parent (if you're having a baby through a surrogacy arrangement and eligible to apply for a parental order)

How to take the leave

Premature baby leave

Mother/birth parent

- the additional leave is added to the end of your maternity or shared parental leave
- this is either after your 52-week maternity leave entitlement has finished, at any point when you choose to end your maternity leave early or after you have taken shared parental leave.
- it is taken in one block and cannot be split

Partner of birth parent

- the additional leave is added to the end of your paternity, maternity support or shared parental leave
- it is taken in one block and cannot be split.

Neonatal care leave

Neonatal care leave is available to take in two tiers:

Tier 1

- Is the period when your child is receiving neonatal care including 1 week after the care has ended.
- It can be taken in non-continuous blocks of a minimum of one week at a time.

Tier 2

- Applies to leave taken more than 7 days after the neonatal care has ended
- It must be taken in one continuous block and before the end of 68 weeks from the date of your child's birth

This is likely to be used to extend time off work after other leave ends, effectively compensating for the time spent in hospital.

Notice requirements for taking premature baby leave

We understand that you may not be able to contact work straight away about the birth of your child at this stressful time. However, you, or a family member/friend, should notify the headteacher or school business manager of your intention to take premature baby leave as soon as possible.

For employees requesting premature baby leave immediately following the two-week compulsory maternity leave period or standard paternity or maternity support leave, applications may be made by email or telephone to your line manager to ensure quick, straightforward arrangements during this sensitive time.

Line managers should respond promptly.

Where premature baby leave is requested following a longer period of maternity leave or shared parental leave, employees will be required to complete the premature and neonatal care leave form.

In all cases, premature baby leave will commence at the conclusion of any other statutory or occupational family leave, extending the total leave period.

Notice requirements for taking neonatal care leave

Neonatal care leave – notice for leave during tier 1 period

Employees should provide notice of their leave before they are due to start work on the first day of absence in that neonatal care leave week, or where this is not possible, as soon as reasonably practicable.

Notice can be provided to your manager by email or telephone.

Neonatal care leave – notice for leave during tier 2 period

There are different notice requirements depending on how many weeks of neonatal care leave are being requested:

- For a single week of leave, notice must be given no later than 15 days before the first day of the leave
- For two or more consecutive weeks' leave, notice must be given no later than 28 days before the first day of the leave

Notice should be given in writing to your manager using the premature baby and neonatal care leave form.

What happens if premature baby leave and neonatal care leave overlap?

If your baby is born prematurely and needs neonatal care, subject to you meeting both sets of eligibility requirements, you will be entitled to both types of leave but they will run concurrently and your occupational premature baby leave pay will be inclusive of any entitlement to statutory neonatal care leave pay that may be due to you for the same period.

Example 1

If your baby is born at 38 weeks and receives neonatal care for more than 7 consecutive days within the first 28 days following the birth:

You will not be entitled to premature baby leave or pay, but you will be entitled to neonatal care leave and, if you are eligible, statutory neonatal care pay.

Example 2

If your baby is born at 36 weeks and spends 4 full weeks in neonatal care before being discharged:

- You will be entitled to premature baby leave on full pay for the number of days between the birth date and the due date.
- You will also be entitled to neonatal care leave which will run concurrently and, if eligible, statutory neonatal care pay.
- The premature baby leave pay will be inclusive of any statutory neonatal care pay due.

Example 3

If your baby is born at 36 weeks and spends 8 full weeks in neonatal care before being discharged, you will be entitled to:

- 4 weeks of premature baby leave on full pay (this is the number of days between the birth date and the due date).
- You will also be entitled to 8 weeks' of neonatal care leave and, if eligible, 8 weeks' statutory neonatal care pay.

- These leave periods will run concurrently, meaning that you will be able to take 8 weeks leave in addition to any other family leave.
- 4 weeks will be on premature baby pay (full pay) inclusive of any statutory neonatal care pay you are eligible to receive for this period. If eligible, you will also be paid an additional 4 weeks of statutory neonatal care pay.

Terms and conditions during premature baby and neonatal care leave

During any period of either premature baby or neonatal care leave an employee will be entitled to all their existing terms and conditions, other than those relating to pay in the case of neonatal care leave.

Holiday entitlement during premature baby and neonatal care leave

Entitlement to annual leave (including bank holidays) will continue to accrue.

You cannot take holiday during family leave.

For TTO staff, accrued holiday will normally be offset against any periods of school closure falling before or after the family leave period in each leave year. Should you not return to work after a period of family leave, and there is outstanding leave accrued, this will be paid in lieu.

For all other staff, please speak to your line manager to book annual leave either before or after your family leave.

Neonatal care leave - protection from redundancy

Employees on neonatal care leave placed at risk of redundancy have priority over other employees to be offered a suitable alternative vacancy, if one is available, before being made redundant.

If they take six continuous weeks or more of leave, they continue to receive this protection until 18 months from the child's birth date or placement for adoption.

For more information, please refer to the redeployment policy.

Other family leave

Premature baby leave and neonatal care leave and pay are in addition to any other family leave and pay you may receive and will not affect this.

You may be entitled to other family leave and should follow the correct notification process if you wish to take this. This includes maternity leave, paternity leave, maternity support leave, parental leave and shared parental leave.

Returning to work

We understand that returning to work can be a challenging time for any new parent.

When a baby has been born prematurely or has required neonatal care they may have ongoing medical needs, requiring regular hospital appointments and additional check-ups. You may require greater flexibility at work, on a temporary or permanent basis.

We recommend that you discuss any support required as early as possible. This could include temporary or permanent changes to duties or hours of work.

See the flexible working policy for further details.

You may be entitled to paid leave to support your child, such as emergency dependant's leave. See the special leave policy for further details.

Further support

The school provides free access to a confidential counselling, information and advice service, Care First. This is available to all employees and can be accessed at any time, including whilst on leave.

You can speak to your line manager or a member of SLT, at any time, if you require workplace support or advice.

Some external agencies that offer information and support are:

- Tommy's pregnancy and baby charity
- Bliss charity for babies born premature or sick
- The Smallest Things premature baby charity

Signed:…….(Chair of Governors). Date:……

Signed:…….(Headteacher). Date:……