

Neonatal Care Leave and Pay – Guidance note (April 2025)

Statutory Neonatal Care Leave (SNCL)

The right to take Statutory Neonatal Care Leave (SNCL) is a day one right for employees whose newborn baby, born on or after 6 April 2025, requires at least seven consecutive days of neonatal care within the first 28 days of their life.

Neonatal care includes any seven consecutive days of hospital admission the newborn baby requires, or any seven consecutive days of neonatal care the baby requires in any other specialist medical facility or under the close/continuous medical supervision of a neonatal care specialist/consultant.

Employees who have a parental relationship with the child can take one week's SNCL for each continuous 7-day period that the baby receives neonatal care as defined above, with the maximum leave permitted capped at 12 weeks. The entitlement to SNCL is in addition to any other form of statutory family leave (e.g. maternity, adoption etc) they are otherwise entitled to. The maximum SNCL entitlement remains 12 weeks, even in cases of multiple births and where more than one child requires neonatal care.

SNCL must be taken within 68 weeks of the child's birth and must be taken to provide care for the baby. In the sad circumstances where the baby dies after SNCL has been accrued, employees will still be able to take the leave.

SNCL is structured into two periods: -

- Tier 1 applies while the child is receiving neonatal care and for seven days after the care ends. Leave during this period must not be taken before the day after the first full week of neonatal care, meaning that the first week is not covered. Leave can be taken in non-consecutive weeks during Tier 1.
- Tier 2 applies to any remaining entitlement accrued and must be taken in a single consecutive block.

Notice period for taking Statutory Neonatal Care Leave (SNCL)

Employees must notify their employers if they intend to take SNCL. For leave taken during a Tier 1 period, employees must notify their employer as soon as reasonably practicable (orally or in writing) but there is no minimum notice requirement. For Tier 2 periods, written notice must be provided at least 15 days before taking a single week of leave, or 28 days before taking multiple consecutive weeks. Employers and employees may mutually agree to waive these notice requirements where necessary.

If employees have already commenced a period of family leave however, then this cannot be paused. In most cases therefore, whilst technically the leave consists of two Tiers for which the notice period and leave timings differ, nevertheless SNCL is most likely to be taken after the end of the already scheduled family leave (but still within the 68 weeks) and therefore is most likely to be taken in one consecutive block.

In practice, SNCL is only likely to be taken in the actual Tier 1 period by the child's father or mother's partner. This is because the mother is likely to already be on maternity leave during this period. It might however be used by the father or partner where, for example, paternity leave has already run out but the baby is still undergoing neonatal care.

Entitlement to Statutory Neonatal Care Pay (SNCP)

In order to also be entitled to Statutory Neonatal Care Pay (SNCP), employees must have been continuously employed for 26 weeks by the end of the relevant week (the relevant week being the same for neonatal pay as for any other family leave pay i.e. the 15th week before the baby's scheduled due date).

Employees must also earn above the current lower earnings limit (which as at April 2025 is, on average, a minimum of £125 per week – NB: this rate is reviewed annually).

For any individuals who are entitled to SNCP, this will be paid at the same rate as all other statutory family leave pay, which as at 6 April 2025 is £187.18 per week, or 90 per cent of average weekly earnings where this figure is less than £187.18 (NB: this rate is reviewed annually).

For the first week of any SNCL and SNCP entitlement an individual accrues however, the University will enhance SNCP up to the equivalent of an individual's normal full pay. Any remaining SNCL entitlement accrued will be paid at the standard SNCP rate.

Please contact the HR team at hr@worc.ac.uk or via your designated HR Business Partner if you have any queries regarding Neonatal Care Leave and Pay.