

## HUMAN RESOURCES POLICY

### Neonatal Care Leave Policy

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## 1 Policy statement

- 1.1 This policy sets out the rights of employees to neonatal care leave following the birth of their child. The policy also applies to employees who are adopting a child, including those in a “foster to adopt” situation and employees who expect to become the legal parents of a child born under a surrogacy arrangement.
- 1.2 Neonatal care leave is designed to support parents of babies who are admitted into neonatal care within 28 days of birth.
- 1.3 Eligible employees will be able to take up to 12 weeks of paid neonatal care leave in addition to their other family leave entitlements such as maternity, adoption, shared parental and paternity/maternity support leave.
- 1.4 Imperial’s Values are at the very centre of our work and guide our behaviour as a community, across all levels. This policy aims to protect and promote our Values of Respect, Collaboration, Excellence, Integrity and Innovation.

## 2 Scope

- 2.1 The policy applies to all employees of Imperial College London. It does not apply to workers, contractors, consultants or any self-employed individuals working for the university.
- 2.2 The policy applies to the parents of babies born **on or after 6 April 2025** who meet the eligibility and notification requirements set out within the policy.

## 3 Equality and Diversity

- 3.1 Imperial is committed to equality, diversity and inclusion. Implementation of this policy must be clear and transparent and not subject to any unfair discriminatory practices.
- 3.2 This policy is inclusive and applies to all employees irrespective of any protected characteristic.

## 4 What is neonatal care?

- 4.1 In this policy, neonatal care means medical care for a baby that begins within the first 28 days of the baby’s birth and is either:
  - medical care that your child receives in a hospital;
  - or
  - 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 for your child.

## 5 Eligibility for neonatal care leave

5.1 All our employees, regardless of length of service are entitled to neonatal care leave if **at the date of the child's birth**:

- You are the child's parent, the child's intended parent (applicable to surrogacy) or the child's adopter/prospective adopter and have responsibility for the upbringing of the child; or
- You are the partner\* of the child's mother, adopter/prospective adopter and have or expect to have main responsibility for the upbringing of the child (apart from the mother).

5.2 Additionally, you must meet the following eligibility conditions:

- your child must have started to receive 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; and
- you have complied with the relevant notice and notification requirements set out in this policy.

### For adoptions within the UK

5.3 You are entitled to neonatal care leave if at the date the child is placed for adoption:

- you are the child's adopter and have or expect to have responsibility for the upbringing of the child; or
- you are the child's prospective adopter (in a "foster to adopt" arrangement) and have or expect to have responsibility for the upbringing of the child; or
- you are the partner\* of the child's adopter or prospective adopter and have main responsibility for the upbringing of the child (apart from your partner).

### For adoptions from overseas

5.4 You are entitled to neonatal care leave if at the date the child enters Great Britain:

- you are the child's overseas adopter and have or expect to have responsibility for the upbringing of the child; or
- you are the partner\* of the child's overseas adopter and have main responsibility for the upbringing of the child (apart from your partner).

### If you are having a child through a surrogacy arrangement

5.5 You are entitled to neonatal care leave if at the date of the child's birth:

- you have applied or intend to apply for a parental order within a period of six months;
- you expect the parental order to be granted; and
- you have or expect to have responsibility for the upbringing of the child.

\* Partner includes someone, 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.

## 6 How much neonatal care leave can you take?

- 6.1 You can take one week of neonatal care leave for every week your child has spent in neonatal care without interruption. A week is defined as a period of seven days starting from the day after the neonatal care began.
- 6.2 In cases specifically related to adoption, you will only be able to take leave in respect of neonatal care that falls after the date the child has been placed with you for adoption (for adoptions within the UK) or after the child has entered Great Britain (for adoptions from overseas).
- 6.3 The maximum number of weeks that you can take as neonatal care leave is capped at 12 weeks, even if multiple children from the same pregnancy require neonatal care.
- 6.4 Any neonatal care leave must be taken in blocks of at least one week.

## 7 Neonatal care leave and pay

- 7.1 Regardless of your length of service, if you are eligible for neonatal care leave, you will continue to be paid your normal rate of pay while taking neonatal care leave, providing you comply with the relevant notification requirements (see 10).
- 7.2 Payment of neonatal care leave pay includes any entitlement to statutory neonatal care pay that you may be entitled to for the same period.

## 8 When can you take neonatal care leave?

- 8.1 Neonatal care leave must end within the first **68 weeks** of the baby's birth.
- 8.2 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 started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means that you can start your neonatal care leave on any day from 15 April.
- 8.3 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 e.g. at the end of maternity leave.
- 8.4 Alternatively, neonatal leave can be taken while your baby is still receiving neonatal care e.g. if you are a partner and your paternity/maternity support leave entitlement has run out while your baby is still receiving neonatal care.
- 8.5 The right to neonatal care leave is **in addition** to any other leave that you may be entitled to, such as maternity, adoption, paternity/maternity support leave, parental leave, parental bereavement or shared parental leave.

## 9 How can you take neonatal care leave?

- 9.1 Neonatal care leave is available to take in two tiers:

### Tier 1: Immediate, flexible leave

- Can be taken while your baby is still receiving care (but not before it is accrued, as described above), and up to a week post discharge.

- Can be taken in non-consecutive blocks of a minimum of one week at a time and can be taken around other pre-booked leave types.
- The Tier 1 period leave ends on the 7th day after the day your baby stops receiving neonatal care.
- Is typically used by the partner of the mother, (or person other than the mother with parental responsibility), or where there is pre-booked shared parental leave.

#### **Tier 2: Planned leave post-discharge**

- The tier 2 period is any remaining period that is not part of the tier 1 period.
- Can be taken from the second week after discharge up to 68 weeks after birth.
- Must be taken in one continuous block.
- Is typically used after pre-booked maternity/adoption leave.

## **10 Notification and notice to take neonatal care leave**

10.1 Depending on when you intend to take neonatal care leave, there are different requirements for giving notice to take your leave:

#### **Notice during the Tier 1 period**

10.2 For each week of neonatal care leave that you wish to take in tier 1, you should notify your line manager and the Staff Hub by 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.

#### **Notice during the Tier 2 period**

- 10.3 If you wish to take neonatal care leave in the tier 2 period, you will need to notify your line manager and the Staff Hub by email in advance of your intention to take neonatal care leave.
- 10.4 If you are taking a single week of neonatal care leave, your notice should be received by the Staff Hub 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.
- 10.5 If you are taking two or more consecutive weeks of neonatal care leave, your notice should be received by the Staff Hub 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.

#### **Information to provide in your notification**

- 10.6 In your notification to your line manager and the Staff Hub of your intent to take neonatal care leave during either the tier 1 or the tier 2 period, you will need to provide the following information within your email:
- 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 neonatal care leave
  - The number of weeks of Neonatal Care Leave 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
- The dates of any maternity, adoption, paternity/maternity support or shared parental leave that you have already taken or plan to take

## **11 Starting your neonatal care leave**

- 11.1 Your neonatal care leave will start on the date that is specified in your notice.
- 11.2 If you give notice on the same day that you want to begin your leave and you are already working on that day, your neonatal care leave will start on the following day.

## **12 Changing your neonatal care leave plans**

- 12.1 If you have submitted a notice of intention to take neonatal care leave during the tier 2 period but wish to cancel your leave, you must inform your line manager and the Staff Hub by email.
- 12.2 If you intended to take a single week of neonatal care leave, you must submit this at least 15 days before the first date that you had chosen for your leave to start.
- 12.3 If you intended to take two or more consecutive weeks, you must submit this at least 28 days before the first date that you had chosen for your leave to start.

## **13 Neonatal care leave and other family leave**

- 13.1 You are entitled to take neonatal care leave **in addition** to any other statutory family leave that you may be entitled to including maternity, adoption, paternity/maternity support, parental, parental bereavement and shared parental leave.
- 13.2 If you have already started a period of statutory leave, but subsequently become eligible for neonatal care leave, you can take your neonatal care leave after completing the other statutory leave, provided that your neonatal care leave is taken within 68 weeks of your child's birth date.
- 13.3 If you have already started a period of neonatal care leave during the tier 1 period but need to begin another type of statutory leave, your neonatal care leave will be temporarily paused immediately before the other statutory leave begins. You can then resume the remaining weeks of your neonatal care leave 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 neonatal care leave taken during the tier 2 period.
- 13.4 You cannot take neonatal care leave 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.

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

- 14.1 Employees who have accrued entitlement to neonatal care leave can still take the neonatal care leave that they have accrued if their child passes away.
- 14.2 Employees may also be entitled to parental bereavement leave in these circumstances. Please see the [Special Leave Policy](#).
- 14.3 You may also wish to access support from various [baby loss organisations](#).

## **15 Terms and conditions of service**

- 15.1 During neonatal care leave, all the terms and conditions of your employment will continue and you will accrue your contractual annual leave, including bank holidays and university closure days during your neonatal care leave.
- 15.2 If you are a part-time employee, your entitlement to bank holiday and university closure days will be calculated pro rata for the period of your neonatal leave.

## **16 Keeping in touch**

- 16.1 Your manager may make reasonable contact with you during your neonatal leave. This may be to discuss your plans for taking leave, to discuss any special arrangements, or to update you on developments at work during your absence.

## **17 Returning to work after neonatal care leave**

- 17.1 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 neonatal care leave.
- 17.2 If you return from a period of neonatal care leave 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 unless a redundancy situation has arisen.
- 17.3 If there is a reason other than redundancy (such as operational demands or a need for a change in working practices) which makes it not reasonably practicable for you to return to the same job, you are entitled to return to a job suitable to you and appropriate in the circumstances, with terms and conditions which are not less favourable than your original job.
- 17.4 This also applies if you have taken neonatal care leave consecutively with a single period of more than four weeks of ordinary parental leave.

## **18 Support**

- 18.1 If you are finding it difficult 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 the HR team.
- 18.2 Alternatively, you can seek support from Confidential Care, the university's employee assistance provider. Confidential Care has a free 24-hour confidential advice line available for practical and emotional support.
- 18.3 If you want to consider flexible working on your return to work, further information can be found in the [Flexible Working Policy](#).
- 18.4 If you want to consider extended time off to care for your child, you may wish to consider [Parental Leave](#).
- 18.5 The [Parent's Network](#) webpage provides a one stop shop for all relevant policies and information related to being a parent at Imperial and enables you to build networks with your colleagues which will provide mutual support.

## 19 Related policy and guidance

- [Maternity Leave Policy](#)
- [Paternity and Maternity Support Leave](#)
- [Adoption Leave](#)
- [Special Leave Policy \(includes Parental Leave and Parental Bereavement Leave\)](#)
- [Flexible Working Policy](#)