

Neonatal Care Leave and Pay Procedure

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Procedure Author – People Governance Manager
Procedure Owner – Vice-Principal (People & Student Wellbeing)
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1. Introduction

The University is committed to supporting colleagues in achieving a healthy work-life balance and recognises the importance of family and personal wellbeing. As part of this commitment, we provide a wide range of family-friendly provisions, including neonatal care leave and pay.

If your baby requires neonatal care, we want to ensure you have the time and support you need. This procedure sets out your entitlement to neonatal leave and pay (if eligible).

2. Scope of Procedure

This Procedure applies to all individuals employed by the University of the West of Scotland under a contract of employment.

3. Definitions

- NCL - Neonatal Care Leave
- SNCP - Statutory Neonatal Care Pay.

4. Eligibility

- NCL is a day-one right, there is no qualifying service requirement.
- SNCP - there is a qualifying service requirement to receive SNCP of at least 26 weeks continuous service (see section 6).

NCL becomes available when:

- A baby is admitted to neonatal care within the first 28 days of life and remains under neonatal care for at least 7 further continuous days (starting the day after admission).
- Neonatal care includes:
 - Medical care in hospital;
 - Medical care following hospital discharge;
 - Ongoing supervision by a consultant with healthcare monitoring;
 - Palliative care.

Eligible individuals include:

- The child's biological parents;
- The partner of the child's birth parent;
- A prospective adopter or their partner.

The parent or prospective parent must intend to assume parental responsibility. In the case of a partner, they must expect to share the main parental responsibility.

5. Entitlements - Leave

If you are eligible, you will accrue one week of NCL for every seven full and consecutive days your baby spends in neonatal care, up to a maximum of 12 weeks. Your entitlement begins once your baby has spent at least seven continuous days in neonatal care, starting from the day after their admission. You can begin taking your leave from day 8 of your baby's hospital stay (the day after the first 7-day qualifying period ends). For every additional seven continuous days your baby remains in neonatal care, you will accrue a further week of leave, up to the 12-week maximum. This limit applies even if you have twins or multiple children from the same pregnancy or adoption who are receiving neonatal care.

There are two types of NCL periods, depending on when you take the leave. These are referred to as the Tier 1 and Tier 2 periods.

- **Tier 1 Period:** The Tier 1 period covers the time during which your baby is receiving neonatal care and continues for up to seven days following discharge. It begins on the day neonatal care commences and ends on the seventh day after care ceases. In the case of twins or multiple births, where more than one baby is receiving neonatal care, the Tier 1 period will continue until the seventh day after the final baby is discharged from neonatal care.
- **Tier 2 Period:** Tier 2 starts 7 days after your baby is discharged from neonatal care and must be taken in full consecutive weeks within 68 weeks after your baby's birth. If your baby goes into neonatal care while you are already on Maternity Leave or Adoption Leave, you cannot use NCL at the same time. Instead, your NCL will begin after your maternity or adoption leave has ended.

If you are taking Shared Parental Leave or Paternity Leave, you can use your NCL in two ways:

- Before starting your Paternity Leave or Shared Parental Leave, or
- Between blocks of Shared Parental Leave that you had already arranged before your baby was admitted to neonatal care (this also applies if the Shared Parental Leave is for another child).

If you choose to take your NCL starting at least one week after your baby has left neonatal care, you must take the full amount of leave in one continuous block. This can be either before or after your Paternity Leave or Shared Parental Leave.

6. Entitlements - Pay

To qualify for SNCP, you must have at least 26 weeks' continuous service by the end of the relevant qualifying week.

The qualifying week is:

- the 15th week before the baby is due (if you qualify for Statutory Maternity or Paternity Pay),

- the week you are notified of a match for adoption (if you qualify for Statutory Adoption Pay), or
- the week immediately before the baby enters neonatal care (in all other cases).

You must also earn a salary equivalent to or greater than the [lower earnings limit as specified by the Government](#).

The rate of SNCP is determined annually by the Government and is paid at the prescribed statutory rate or 90% of average weekly earnings, whichever is lower. If you do not meet the eligibility criteria for SNCP, you will remain entitled to take NCL on an unpaid basis.

7. Notifying the University

We recognise the sensitivities of a newborn baby receiving neonatal care; however, it is important that you provide notification of your intention to take neonatal leave as soon as possible.

Tier 1 (leave taken during neonatal care or within the first week after):

- You must tell your line manager on the day you wish your leave to start, ideally before your normal start time (notice can be given by phone). Written notice is not required at this stage.
- If you need to continue leave for another week, you must let your line manager know by the end of the previous week.
- If your baby is expected to remain in neonatal care for a longer period, your manager may agree less frequent contact.
- You must confirm the date your baby leaves neonatal care as soon as possible.
- To claim SNCP, you must provide written notice (e.g. email or letter) within 28 days of starting leave.

Tier 2 (leave taken more than one week after neonatal care has ended):

- If you are taking one week of leave, you must give at least 15 days' written notice.
- If you are taking two or more weeks of leave, you must give at least 28 days' written notice.
- Written notice can be provided by email or letter.

Your line manager will notify the People and Wellbeing Team, who will ensure that the leave is accurately recorded and processed.

8. During NCL

Your terms and conditions remain the same during any period of NCL (except salary).

9. Impact on maternity leave and other types of family leave

This procedure does not affect existing rights to maternity leave and pay, paternity leave, or any other statutory family leave.

Maternity leave remains a distinct entitlement, designed to give birth parents the opportunity to take up to 52 weeks at home with their newborn. Once maternity leave has commenced, it cannot be paused or restarted. However, Neonatal Care Leave and Pay provides additional leave at the end of the maternity leave period where a baby has required neonatal care.

Other forms of statutory family leave - such as parental leave, paternity leave, and shared parental leave - interact more flexibly with Neonatal Care Leave. These types of leave can be taken at different times. For example, paternity leave may be taken at any point from the birth of the baby up to 56 days after birth (or due date in the case of premature birth), while Neonatal Care Leave can be taken at any time up to 68 weeks from the baby's birth or placement for adoption.

10. Support

We recognise that this can be a particularly difficult period for parents, especially for those whose baby requires neonatal care. To support our colleagues and their immediate families, UWS provides free, confidential, and personalised health and wellbeing advice through the Employee Assistance Programme (EAP). The programme offers access to counselling with trained professionals, as well as a range of wellbeing resources.

This service is available 24 hours a day, 365 days a year, through our EAP provider, Health Assured. Support can be accessed by calling 0800 028 0199 or by visiting healthassured.eap.co.uk.

11. Monitoring and Review

This Procedure will be reviewed regularly to ensure it remains effective and compliant with legal requirements. The University is committed to continuous improvement and may update the Procedure in light of feedback, changes in legislation, or best practices.

Appendix 1

APPLICATION FOR NEONATAL CARE LEAVE AND PAY

Section A – Your details

1.Name	
2.Position Held	
3.Department /Division	
4.Email address	

Section B – Details of entitlement and leave dates

5. Baby's date of birth or date of placement for adoption	
6. Date your baby started receiving neonatal care in hospital	
7. If your baby's neonatal care ended in hospital, please provide the end date.	
8. Did your baby continue to receive neonatal care leave in another setting under the direction of a consultant following discharge from hospital e.g. care provided by a neonatal outreach team received at home. This does not include routine care by the community midwife service.	Yes ☐ No ☐ If yes please specify the date that this neonatal care ended (dd/mm/yyyy)
9. How many complete weeks was your baby receiving neonatal care for (including any neonatal care received following discharge from hospital under the direction of a consultant? (You accrue 1 week of neonatal care leave for each full week your baby is receiving neonatal care up to a maximum of 12 weeks.)	
10. Are you taking any other type of family leave in addition to neonatal care leave (please select those that apply)? If you are taking maternity/adoption leave, the neonatal care leave entitlement that you have accrued needs to be taken after you have taken all the maternity/adoption leave you intend to take.	Maternity/adoption leave ☐ Paternity leave ☐ Shared parental leave ☐

11. Are you completing this form retrospectively to record the dates of neonatal care leave that you have already taken or to request to take accrued neonatal care leave in the future?

- ☐ I am completing this form to record a period of neonatal care leave that I have already taken (go to question 12)
- ☐ I am completing this form to request to take accrued neonatal care leave in the future (go to question 13)

12. When completing this form retrospectively (to record the dates of neonatal care leave that you have already taken) please specify below the start dates of the period of neonatal care leave that you have taken. Include start and end dates for each block of leave taken (please note neonatal care leave can only be split into blocks when your baby is in neonatal care and for 7 days after the end of neonatal care).

13. If you are requesting to take accrued neonatal care leave in the future, please specify below the start and end dates of the leave requested. Include start and end dates for each block of leave taken (please note accrued neonatal care leave can only be split into blocks when your baby is in neonatal care and for 7 days after the end of neonatal care).

Section C – Colleague declaration

Sign below to confirm that these details are correct and to confirm that you are taking neonatal leave to care for your baby.

Signed _____

Date _____