



Exeter College

Neonatal Care Leave policy

1. INTRODUCTION

Where you are responsible for a child receiving neonatal care within the first 28 days after birth, you have the statutory right to take Neonatal Care Leave, subject to the eligibility requirements detailed below. Under the College scheme, the right to leave and pay applies from Day 1 of your employment.

We recognise that this can be a difficult and worrying time, both physically and mentally. This policy explains your rights to time off, pay during time off, and other support offered. You will not be subject to detriment for taking neonatal care leave.

This policy is not contractual, but sets out the way in which we plan to manage Neonatal Care Leave.

2. SCOPE OF THIS POLICY

This policy covers all employees of Exeter College, including those on part-time and/ or fixed-term contracts.

3. AIMS OF THIS POLICY

This policy aims to set out our procedures for employees who wish to request to take Neonatal Care Leave, and aims to ensure that they are aware of their entitlements.

If you have any questions about this policy, or about any other aspect of your entitlements, please contact the HR Manager.

4. DEFINITIONS

‘Neonatal care’ includes:

- medical care that may be received in hospital; or
- out-of-hospital care, providing that the child was originally an inpatient and the care is under the direction of a consultant; or
- palliative or end-of-life care.

‘Parent or carer’ normally means the baby’s parents, intended parents (in relation to surrogacy), adopter or prospective adopter, or the partner of the baby’s mother or adopter/ prospective adopter, and with (or the expectation of) having responsibility for raising the child.

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5. ENTITLEMENT

You may take Neonatal Care Leave if you have parental or other prescribed responsibility for, and are caring for, a child who is (or has been) in receipt of neonatal care and you will be taking the leave in order to care for the baby.

This will apply if you are:

- a) the child's parent, intended parent, or partner of the child's mother at the date of birth; or
- b) in cases of adoption, the child's adopter, prospective adopter, or the partner of either, at the date the child is placed.

To be eligible, your child must have been admitted into neonatal care **prior to being 28 days old**, and must have received (or be receiving) neonatal care that lasts for **at least 7 full consecutive days** (starting with the day after admission).

We recognise that people other than those listed above (to whom the statutory right applies) may also want time off in these circumstances. Where this is the case for you, please speak with your line manager. Such cases will be considered separately to time off for statutory neonatal care leave.

6. AMOUNT OF LEAVE AVAILABLE

You are entitled to take one week of Neonatal Care Leave for each **full and continuous** 7-day period that your child is receiving neonatal care, up to a maximum of 12 weeks.

So, for example, if your child is in hospital for 2.5 weeks, only 2 weeks of Neonatal Care Leave is available.

If you have more than one baby in neonatal care at the same time (e.g. if you have twins), you can only claim Neonatal Care Leave for one of them, up to a maximum of 12 weeks. If your babies are in neonatal care at separate times, you'll be able to claim for each of them, up to a maximum of 12 weeks in total.

Neonatal Care Leave will normally be taken **after** you have completed any statutory family leave that you may be taking, and must be taken within 68 weeks of the baby's birth.

For example, you may be on statutory maternity, adoption, paternity, or shared parental leave whilst the child is in hospital, and then take the Neonatal Care Leave long after the child's neonatal care has ended.

The exception is Additional Paternity/ Partner Leave ('APPL'), which is a discretionary (i.e. non-statutory) entitlement provided by the College. In the event that you have booked a period of APPL to start during a period when your baby is in a qualifying period of neonatal care (and after any statutory entitlement to maternity/ paternity leave has ended), you should move on to Neonatal Care Leave **before** commencing APPL. You should then discuss with the College whether to take the APPL directly after the Neonatal Care Leave, or whether you wish to take the APPL at an agreed later time.

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7. NOTICE REQUIREMENTS

You can take Neonatal Care Leave during two periods:

- a) 'tier 1' period - this starts from the day the child starts receiving neonatal care, and ends with the 7th day after the child stops receiving neonatal care. Leave taken in this period can be taken in non-consecutive week-long blocks.
- b) 'tier 2' period - any period which is outside of 'tier 1' during which you are entitled to Neonatal Care Leave. Leave taken in this period must be taken in a single continuous block.

'Tier 1' period

During this period, you must give notice as soon as reasonably possible that you wish to take Neonatal Care Leave.

This notice can be provided verbally by telephone (to your line manager, or to the HR Manager) in the first instance, but we ask that you provide the notice prior to the start of the working day on your first day of leave, unless it is not practicable to do so. You should then also complete a 'Neonatal Care Leave Notification Form', which is available from the HR Manager upon request.

Where you have given notice of your intention to take Neonatal Care Leave before the child has stopped receiving neonatal care, you must tell us the date that the neonatal care ends, as soon as is reasonably practicable after that date.

Where the child starts to receive neonatal care again after you have told us that neonatal care has ended, you must tell us the date that the neonatal care started again and the date when it ends, as soon as reasonably practicable after each date.

'Tier 2' period

During this period, you must give written notice of:

- if you are only eligible for a single week of leave, at least 15 days' notice before the first day of Neonatal Care Leave; or
- if you are eligible for 2 or more weeks of leave, at least 28 days' notice before the first day of Neonatal Care Leave.

Notice should be provided via a 'Neonatal Care Leave Notification Form', which is available from the HR Manager upon request.

If you change your mind about taking Neonatal Care Leave within the 'Tier 2' period, you can withdraw your notice by following the same notice periods that you are required to give to take leave.

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8. TAKING LEAVE

You cannot start any period of Neonatal Care Leave before the day after the first 7-day uninterrupted period of neonatal care.

The following summarises how Neonatal Care Leave can be taken:

- all leave must be taken in minimum blocks of one week;
- any leave taken during the 'tier 1' period can be taken in discontinuous blocks of at least one week (e.g. by a father/ partner who is not within a period of statutory paternity or shared parental leave);
- any leave taken during the 'tier 2' period must be taken as a single, continuous block;
- the leave must normally be taken after you have completed any other period(s) of statutory family leave (e.g. maternity, paternity, adoption) that you may have started; and
- the leave must be taken within 68 weeks of the child's date of birth (or date of placement, in cases of adoption).

9. PAY DURING LEAVE

Under the College's discretionary arrangements, all Neonatal Care Leave (up to a maximum of 12 weeks of leave) will be paid at your full, normal rate of pay.

For the avoidance of doubt, payments under the College scheme are deemed to be inclusive of any statutory Neonatal Care Pay to which you may be entitled (i.e. the statutory element is 'made up' to full pay under the College scheme, where appropriate).

Where you are employed under a fixed-term contract which ends whilst you are in a period of Neonatal Care Leave, please speak with the HR Manager as soon as possible. Entitlement to the discretionary (i.e. full-pay) element of Neonatal Care Pay will normally expire when your fixed-term contract ends, but you may still be entitled to receive statutory payments.

10. RETURNING TO WORK

You have the right to return to work to the same job, unless you return after a specific point at which you will have the right to return to a similar job on no less favourable terms if it is not practicable for you to return to the same job.

For more information, please contact the HR Manager.

11. USE OF NEONATAL CARE LEAVE

Employees who take time off under this policy for reasons other than those for which the statutory right to neonatal care leave is intended may be subject to investigation and subsequent disciplinary proceedings.

12. MONITORING AND REVIEW OF THIS POLICY

This policy will be reviewed regularly and will be updated to ensure compliance with statutory requirements. Any queries or comments regarding this policy should be addressed to the HR Manager.

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RELATED POLICIES

We also have the following related policies:

- Carer's Leave policy
- Equality and Diversity policy
- Flexible Working policy
- Maternity, Paternity, Adoption & Shared Parental Leave policy
- Parental leave policy
- Time off for dependents policy

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