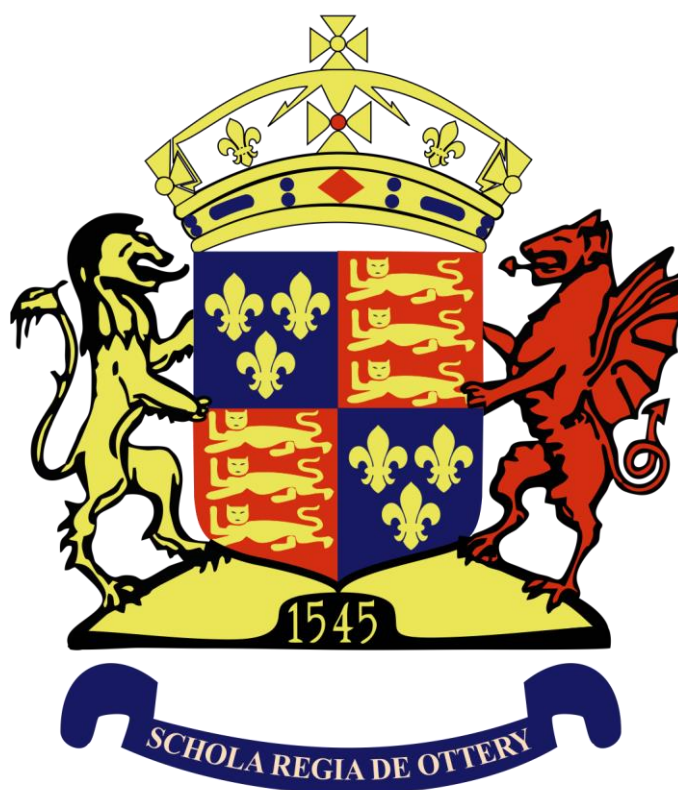




Neonatal Care Leave Policy

The King's School
Cadhay Lane
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EX11 1RA

Policy Change Control

Policy Owner	Director of Finance & Operations
Approved By	Resources Committee
Date of Last Approval	New
Next Revision Due	October 2026

[illegible]

1. Scope

This policy outlines the neonatal care leave and pay entitlements for employees of The King's School Academy Trust, in accordance with legislation, local and statutory conditions of service.

2. Legislation

The Neonatal Care Leave Policy is in accordance with:

- Neonatal Care Leave and Miscellaneous Amendments Regulations 2025
- Statutory Neonatal Care Pay (General) Regulations 2025 .

3. Principles

- The entitlement to neonatal care leave (NCL) applies when a child, or children (in the case of multiple births) born on or after 6th April 2025 requires medical or palliative care in the first 28 days after birth and they remain in care for at least 7 consecutive days.
- Neonatal care leave (NCL) is available to employees who are:
 - The child's or children's parent,
 - The partner of the child's or children's primary carer,
 - The intended parent of the child or children, who is expected to be responsible for the upbringing of the child or children.

For the purposes of this policy the term 'parent' refers to all of the above.

- For the purposes of this policy, 'neonatal care' means:
 - Medical care received in hospital; or
 - Medical care received elsewhere in circumstances where the baby has been an inpatient but continues care after they have left hospital, remaining under the direction of a consultant and subject to ongoing monitoring and visits by health care professionals arranged by the hospital where they were an inpatient; or
 - Palliative or end-of-life care
- The entitlement to NCL is a day one employment right (there is no continuous service requirement).
- Eligible employees can take NCL in addition to any Maternity, Adoption, Maternity and Adoption Support Leave or Shared Parental Leave. For the purposes of this policy the term 'family leave' refers to all of the above.
- If both parents of the child or children work for The King's School, both parents are entitled to take NCL.

4. Roles and responsibilities

Employees:

- Inform the line manager if their child is admitted to neonatal care.
- Will provide written notification of the dates of the NCL and a declaration that they are a main carer of the child or children.

Line Manager:

- Inform the employee of their entitlement to NCL and pay if applicable.
- Record the dates of NCL in the school's absence management system.
- Ensure written notification is received and attached to the employee record.

Rights and entitlements

6.1 Neonatal Care Leave (NCL) Entitlement

- Eligible employees are entitled to take a minimum of one week (7 calendar days) and up to a maximum of 12 weeks neonatal care leave from work following the birth of one or more children.
- The entitlement to NCL only applies after the baby has been in care for 7 consecutive days.
- Eligible employees must take the NCL before the end of the 68th week after the birth.
- NCL can only be taken in blocks of one-week but can be taken in non-consecutive weeks of more than one occasion.
- A parent is entitled to take NCL per child in the case of multiple births if the children require neonatal care at separate times and only up to a maximum of 12 weeks in total. For example, in the case of twins requiring neonatal care in separate weeks the maximum leave would be 6 weeks for each child, 12 weeks in total. The NCL must still be for a minimum of a week for each child, days per child cannot be added up to make a week. If the children are receiving neonatal care at the same time the NCL cannot be accrued per child.
- NCL can be taken at the time the child is receiving the care or can be taken at a later date, i.e. following a different type of family leave. The timing of the leave is referred to as a Tier 1 or Tier 2 period of leave.
- A Tier 1 period of leave is taken after the child has been receiving care for 7 consecutive days or more. The parent can only begin the NCL on the 8th day the child is receiving neonatal care and will continue for the equivalent time the child receives neonatal care and ends with the 7th day after the day the child or children stops receiving the neonatal care.
- Tier 2 period means any period of time which is not a Tier 1 period of leave and can be taken after another type of family leave, and is equivalent to the number of complete weeks the child or children received neonatal care.

6.2 Neonatal Care Pay Entitlement

- Employees who have 26 weeks of continuous service before the 'relevant week' and earn above the Lower Earning Limit over an 8-week period ending with the end of the 'relevant week' are eligible to receive Statutory Neonatal Care Pay (SNCP) at the statutory rate or 90% of weekly earnings whichever is lower, [see GOV.UK for current rates](https://www.gov.uk/statutory-neonatal-care-pay).
- The 'relevant week' will be different depending on the type of family leave the employee is already entitled to.

- If the parent does not qualify for a statutory payment according to the other type of family leave they are taking, they may still qualify for SNCP if they have 26 weeks service by the week before the neonatal care starts.
- Employees with one year continuous service before the date the child or children are admitted to neonatal care will be entitled to take up to 12 weeks NCL on full contractual pay.
- In line with Maternity and Adoption Policies, if the employee decides not to return to work for at least 3 months after all the family leave has been taken, they will be required to repay the contractual pay element of the neonatal care leave pay received. They will not be asked to repay the Statutory Neonatal Care Payment received. However, in recognition of the circumstances in which an individual takes neonatal care leave there may be exceptional reasons when an employee is not required to repay the contractual pay, this will need to be authorised by a Head Teacher in consultation with HR.

6.3 Employee rights

- Employees taking NCL have the right to return to work to the same job, or in the case of redundancy to a suitable alternative (where one exists).
- Employees retain their terms and conditions of employment during any NCL, including accrual of annual leave.

7. Notification and communication

NCL can be taken at different times and has different notification procedures according to when the leave is taken. Employees must ensure their line manager is notified as soon as possible after the child is admitted to and discharged from medical care, or in the case of palliative care the date the baby died. The employee may ask someone to do this on their behalf.

7.1 Tier 1 leave

For a Tier 1 period of leave, the notification can be as soon as it is known that the baby will be receiving care for at least one week or as reasonably practicable thereafter. The initial notification does not need to be in writing and the leave can be taken non-consecutively. The leave can be taken while the baby is receiving neonatal care and for 7 days after the baby is discharged. Verbal notification needs to be followed up within 28 days with written notification covering the information set out below.

7.2 Tier 2 leave

Tier 2 leave is taken at the end of other family leave. In this situation, an employee must give a minimum of 15 days' notice for a single week of leave, or 28 days' for two or more consecutive weeks of leave. This leave can only be taken in one consecutive block.

If another type of family leave has started, i.e. maternity, adoption or statutory paternity leave it cannot be stopped to take neonatal leave, the neonatal leave will have to be added to the end of the relevant family leave.

7.3 Notification to take NCL must be in writing and include:

- The employee's name.

- The date of birth of the child or children or the date of adoption placement, or in the case of an overseas adoption the date the child enters Great Britain.
- The start date of the neonatal care and if no longer receiving the care the date it ended (if applicable). If there are separate occasions the start and end dates of each occasion.
- The date on which the employee wants to start taking NCL and the number of weeks they want to take.
- Confirmation of the employee's relationship to the child or children and a declaration that the employee intends to care for the child during the dates of the neonatal care.

The line manager is responsible for recording the NCL in the school's absence management system and ensuring the written notification from the employee is recorded on the employee file, link to guidance.

8. *Annual Leave and public holidays entitlements*

Contractual annual leave and entitlement to public holidays continues to accrue during NCL.

Annual leave can be carried over to a new leave year but must be taken by 31st August of that year. Equivalent arrangements can be made for employees who not on an April to March leave year.

It will not be possible for employees to obtain payment in lieu of any untaken annual leave instead of taking leave before or after neonatal care leave (and other family leave if applicable).

9. *Pension*

9.1 Local Government Pension Scheme (LGPS) members

- During any period of paid neonatal care leave, LGPS members will continue to pay basic pension contributions on the pay received but The King's School will pay pension contributions on the pay the employee would have received had they been at work (Assumed Pensionable Pay (APP)). The service will count as normal for pension purposes, i.e. as if the employee had been at work.
- During any period of unpaid neonatal care leave, pension will not accrue, unless the employee elects to pay Additional Pension Contributions (APC) by buying the 'lost' pension.
- If an employee elects to buy the 'lost' pension by paying an APC within 30 days of returning to work, the employer must pay two thirds of the total cost with the remaining third being paid by the employee. If the election is not made within the 30-day period then the employee will pay the full cost, unless the employer uses their discretion to contribute towards the cost, see Pension Discretion Policy.
- If the employee wishes to buy the 'lost' pension they need to read the employee factsheet [Buying Lost Pension for an Absence from 1st April 2014](#) which can be found on the Peninsula Pensions website, which explains how to calculate the cost and then what the process is.

9.2 Teachers Pensions

- During the period of paid neonatal care leave, pension contributions will continue and will be deducted from the teacher's pay in the usual manner.
- Any unpaid period will not be pensionable/reckonable.
- Contact Teachers Pensions on 0845 6066166 and ask for information on family leave which is also available online at www.teacherspensions.co.uk .

