

HR Committee – 11 September 2025

Neonatal Policies

Purpose	For review
Classification	Public
Executive Summary	<p>Introduction of a statutory policy for neonatal leave and pay for babies born on or after 6 April 2025 or those placed for adoption on or after 6 April 2025.</p> <p>Such an entitlement is in addition to other family policies that are likely to apply, for example maternity leave, adoption leave, paternity leave etc.</p>
Recommendation(s)	HR Committee to note the contents of the policy.
Reasons for recommendation(s)	To produce a policy that supports the Statutory right for employees to have time off for neonatal care.
Ward(s)	All
Portfolio Holder(s)	Councillor J Heron
Strategic Director(s)	Alan Bethune – Strategic Director Corporate Resources, S151 and Transformation
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Introduction

1. This report outlines the right of employees to neonatal care leave and pay following the birth of their child or those employees who are to adopt a newborn child. Two policies have been produced, Birth and Adoption which identify the rights of employees to neonatal care leave and pay.
2. This became legislation for all babies born or adopted on or after 6 April 2025 and the rights have been reproduced in the policy.
3. Neonatal care is defined as the specialised medical support and treatment provided to newborn babies, particularly those born prematurely or with medical conditions requiring extra care. This could be care in hospital or requiring ongoing care after hospital discharge, including palliative or end-of-life care.

Neonatal care Leave

4. Employees can take neonatal care leave in addition to any other statutory family-friendly related leave to which they are entitled (including maternity, adoption, paternity, ordinary parental, parental bereavement and shared parental leave). This means that employees do not have to use up any of this type of leave to account for the time caring for their baby in neonatal care.
5. This is a day one right and is available to parents or partners responsible for a child's upbringing who receive neonatal care within 28 days of birth for at least seven days. This includes adoptive parents.
6. Up to 12 weeks can be taken in blocks of at least one week. Such leave must end within 68 weeks of the child's birth.
7. There are two tiers of neonatal care. Tier 1 called initial period and Tier 2 called remaining period.

Neonatal care pay

8. Statutory neonatal pay is paid at the same rate as statutory maternity pay, statutory adoption pay or statutory paternity pay. Currently £187.18pw (or 90% of average weekly earnings, whichever is lower). This rate is set by the Government for the relevant tax year.
9. Neonatal pay is paid through payroll with deductions for tax and national insurance.

10. The employee must have at least 26 weeks continuous employment with us at the end of the relevant week to receive neonatal care pay.

Other types of leave available

11. Neonatal care leave is in addition to other statutory leave like maternity, paternity, adoption and shared parental leave.
12. Bereavement leave can still be taken if the child passes away, with potential entitlement to parental bereavement leave.

Procedure

13. If an employee has already started a period of statutory leave, for example, started maternity leave, but following birth becomes eligible for neonatal care leave, the neonatal care leave would need to be taken after the employee has completed the other statutory leave (in this case, maternity leave).
14. For each week of absence during Tier 1 employees must provide notice before they are due to start work or, where this is not possible, as soon as reasonably practicable. This reflects the fact that leave taken during this period will often be in unforeseen and emergency circumstances. Employees do not have to provide the notice in writing.
15. If an employee wishes to take neonatal care leave during the Tier 2 period, they should give notice in writing. Forms are available to complete this process.
16. This policy will be available to access on ForestNet under the "Time off for parents" tab and staff and managers will be made aware of the policy via appropriate communications.

Consultation undertaken

17. In May the policy was sent for comment to employee side, members of the employee forum, LGBTQ+ and the EDI staff group. No comments were received.
18. At EMT on 22 July 25 it was suggested that an Equality Impact Assessment be included in the report given that women tend to be more affected and that narrative also be included covering issues around LGBTQ+ and other protected characteristics.

Financial and resource implications

19. Statutory neonatal pay will be paid to eligible employees. As with all other types of statutory pay such as maternity, adoption and

paternity, the majority of the neonatal care pay is recoverable from HMRC and is automatically calculated through the RTI process by payroll.

20. In the absence of an employee the line manager should consider whether additional resources are required to covered the absence.

Legal implications

21. Statutory neonatal leave is a day one entitlement but statutory neonatal pay is subject to qualifying criteria. An employee's employment rights are protected during Neonatal Care Leave.

Risk assessment

22. None required.

Environmental / Climate and nature implications

23. None.

Equalities implications

24. Applies to all employees. A Workforce Equality Impact assessment has been produced and attached to this report. Awareness of the policy will be added to the agenda for the forthcoming meetings of the LGBTQ+ and EDI groups.

Crime and disorder implications

25. There are no crime and disorder implications arising from the recommendations.

Data protection / Information governance / ICT implications

26. All information will be processed and recorded alongside all other employee records. Neonatal pay will be administered and paid through the council's payroll system.

Conclusion

27. The policy has been produced in accordance with the Statutory Neonatal Care Pay Regulations and is to be noted by members of EMT and HR Committee.

Appendices:

Appendix 1 – Neonatal Policy
(Birth)
Appendix 2 – Neonatal Policy
(Adoption)
Appendix 3 – Workforce Equality
Impact Assessment

Background Papers:

The Statutory Neonatal Care Pay
(General) Regulations 2025