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<b>Policy Name</b>	<b>Neonatal Care, Leave and Pay Policy</b>
<b>Policy Author</b>	<b>EVH Model</b>
<b>Approved by Sub Committee</b>	<b>N/A</b>
<b>Approved by Management Committee</b>	<b>May 2026</b>
<b>Latest date of Next Review</b>	<b>May 2029</b>

West Whitlawburn Housing Co-operative will provide this policy on request at no cost, in larger print, in Braille, in audio or other non-written format, and in a variety of languages. Please contact the office.



HAPPY TO TRANSLATE

**Registered with the Scottish Housing Regulator No. 203**  
**Registered Charity No. SCO38737, VAT Registration No. 180223636**  
**Registered society under the Co-operative and Community Benefit Societies Act 2014**

## **1. Introduction**

**1.1** Employees are entitled to neonatal care leave (if they meet the eligibility criteria) for a baby born on or after 6<sup>th</sup> April 2025 and the baby has received medical or palliative neonatal care for at least 7 consecutive days within the first 28 days after birth.

**1.2** EVH understands that if an employee is considering the use of this policy, they will be going through a difficult and stressful period. West Whitlawburn Housing Co-operative (WWHC) is committed to supporting our employees to both be able to be with their baby and look after their own wellbeing throughout this period.

## **2. Scope of Policy**

**2.1** This policy and procedure apply to all employees.

## **3. Legislation**

**3.1** This entitlement has been introduced through the Neonatal Care (Leave and Pay) Act 2023 and comes into effect on 6<sup>th</sup> April 2025.

## **4. Definition**

**4.1** Neonatal care means:

- medical care received in hospital
- medical care received in any other place where:
  - the baby was an inpatient in hospital, and the care is received upon the baby leaving the hospital
  - the care is under the direction of a consultant
  - the care included ongoing monitoring by, and visits to the baby from, a healthcare professional arranged by the hospital where the baby was an inpatient
- palliative or end of life care

## **5. Eligibility**

**5.1** Neonatal Care Leave

**5.2** An employee will have the right to neonatal care leave if they meet the following criteria:

- At the date of birth they are the baby's parent, intended parent (under a surrogacy arrangement) or the partner of the baby's mother.
- At the date of birth, they are the baby's adopter or prospective adopter or the partner of the adopter or prospective adopter (including children adopted from overseas).
- Have or expect to have the responsibility for the upbringing of the child.
- Take the leave to care for the baby who has received neonatal care.

### **5.3 Neonatal Care Pay**

5.4 Employees with 26 weeks continuous service by the end of the relevant week, who earn above the lower earnings limit and who are entitled to neonatal care leave are also entitled to statutory neonatal care pay. The rate for statutory neonatal care pay is set by the government and reviewed annually in April.

5.5 The relevant week is deemed to be:

- For births, the week preceding the 15<sup>th</sup> week before the expected week of childbirth.
- For adoption, the week in which the adopter is notified of being matched with the baby.
- For any other cases, the week immediately before the week in which the neonatal care starts.

## **6. Leave Entitlement**

**6.1** If an employee meets the eligibility criteria detailed in this policy, they have the right to one week of neonatal care leave for every week their baby is in neonatal care, up to a maximum of 12 weeks. An employee can take one week's leave for every uninterrupted week that the baby is receiving neonatal care.

**6.2** Neonatal care leave must be taken within 68 weeks of the baby's birth.

**6.3** Neonatal care leave and pay is additional to statutory rights for other types of family leave such as maternity, adoption, paternity and shared parental leave.

**6.4** Where 2 or more babies from the same pregnancy require neonatal care, the following points apply:

- If the babies receive neonatal care at same time the leave will accrue once.
- If the babies receive neonatal care at different times the leave accrues for each baby.
- The number of weeks leave available remains at the maximum of 12 weeks.
- The 68 weeks within which the leave must be taken is based on the date of birth of the first baby.

## **7. Types of Leave**

**7.1** Neonatal care leave can be taken in 2 ways:

## **Tier 1**

This begins when the baby receives neonatal care and ends on the seventh day after the baby is discharged. Neonatal Leave in tier 1 can be taken in a continuous block or a non-continuous block of one week at a time and up to 12 weeks.

## **Tier 2**

This begins once the tier 1 period has ended and must be taken within 68 weeks after birth. Tier 2 leave must be taken in one continuous block. This type of leave is most likely to apply to employees who are already on maternity or adoption leave as they will exhaust their maternity or adoption leave first.

## **8. Requesting Leave**

**8.1** Employees are encouraged to speak to their line manager as soon as possible if they may be taking neonatal care leave, this will help us to provide appropriate support and information regarding these entitlements.

**8.2** To apply for leave employees should complete the form at appendix 1 which covers the required information to process the leave request.

**8.3** We understand that it may be difficult to comply with notice periods, however, where possible we would ask that the following notice is provided:

- For tier 1 leave we require 15 days' notice for each period of absence.
- For tier 2 leave we require 28 days' notice.

## **9. Cancelling Leave**

**9.1** An employee can cancel leave which falls under the category of tier 2 leave. They should provide 15 days' notice for one weeks leave and 28 days notices for longer periods of leave.

## **10. Contractual Benefits**

**10.1** All terms and conditions in your contract, apart from salary, continue to apply during the leave period.

## **11. Support for Employees**

**11.1** We encourage employees to seek support from their line manager and agree the best way to communicate throughout periods of leave.

**11.2** Employees also have access to the employee counselling through our partner Rowan Consultancy.

## **12. General Data Protection Regulations**

**12.1** WWHC will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy.

**13. Equalities**

13.1 We are committed to ensuring equal opportunities and fair treatment for all people in our work. In implementing this Policy, we will provide a fair and equal service to all people, irrespective of factors such as gender, race, disability, age, sexual orientation, language or social origin, or other personal attributes.

**14. Review of Policy**

**14.1** This policy and the procedures contained within it will be reviewed every 3 years or if legislation changes.

## Appendix 1 - Neonatal Leave Request Form

<ul style="list-style-type: none"> <li>Baby's date of birth</li> <li>Date of adoption placement</li> <li>Date the baby entered the UK for overseas adoption</li> </ul>	
Date(s) that neonatal care started	
Date neonatal care ended (if appropriate).	
Date you request your neonatal care leave to start.	
How many weeks neonatal care leave are you applying for?	

I request to apply for the Neonatal Care Leave as detailed above.

I can confirm I have read and understood the Neonatal Care Leave Policy and meet the criteria as set out within the policy.

Employee name:	
Employee sign:	
Date form submitted:	

Manager name:	
Manager sign	
Date request received:	

## Equalities Impact Assessment

Policy/Project/Service Information			
<b>Lead Officer</b>	Corporate Services Officer		
<b>Policy / Project / Service</b>	Neonatal care, leave and pay policy	<b>New Policy / Project / Service or revision of existing?</b>	New
<b>Is this a reassessment following amendments being required at a previous assessment?</b>	No		
<b>Briefly describe the aims, objectives and purpose of the policy / project / service.</b>	To ensure all employees are aware of their rights regarding neonatal care and leave and that all employees are supported in their journey to becoming parents either through birth or adoption, specifically where the child requires medical or palliative neonatal care. Further aims to reduce financial hardship and support new parents.		
<b>Who is intended to benefit from the policy / project / service? (E.g. applicants, tenants, staff, contractors)</b>	All employees		
<b>What outcomes are wanted from this policy / project / service? (E.g. the measurable changes or benefits to members/ tenants / staff)</b>	Happy, supported staff who are inclined to remain in the labour market.		

Consultation
<b>Who have you engaged and consulted with as part of your assessment?</b> N/A – EVH model policy & legislation

<b>Equalities Impact Assessment</b>			
<b>Which protected characteristics could be affected by the policy, practice, or service?</b>		<b>Identify any positive impact/s that could result for each of the protected characteristic groups.</b>	<b>Identify any negative impact/s that could result for each of the protected characteristic groups.</b>
<b>Age</b>			
<b>Disability</b>	<b>x</b>	Aims to provide extra time for recovery, particularly beneficial for mothers who have experienced complex births or for parents managing the long-term health implications of a premature baby.	
<b>Gender Reassignment</b>	<b>x</b>	The policy is consistent with existing parental rights whereby biological parents, partners (including same-sex partners), adopters and intended parents (in surrogacy arrangements) are eligible for the leave and pay.	
<b>Marriage &amp; Civil Partnership</b>			
<b>Race</b>	<b>x</b>	Research suggests higher neonatal admission rates among certain ethnic minority groups; therefore, this policy is expected to have a higher positive impact on these groups.	
<b>Religion/Belief</b>			
<b>Pregnancy/Maternity</b>	<b>x</b>	Policy provides leave in addition to statutory leave and therefore pregnant women and/or new mothers will be supported further via this policy.	
<b>Sex</b>	<b>x</b>	Benefits both parents but expected to benefit fathers or partner who may have used all	

		statutory paternity leave before the baby is discharged.	
<b>Sexual Orientation</b>	<b>x</b>	Benefit same-sex couples who choose to adopt a child and where that child may require medical or palliative neonatal care.	

<b>Action Plan To Mitigate Negative Impact</b>		
<b>What action/s are required to address the impacts arising from this assessment?</b>		
<b>Protected characteristics</b>	<b>Action</b>	<b>Implementation Date</b>
<b>Age</b>		
<b>Disability</b>	Publicising awareness to all employees of the policy and training for managers on the policy and supporting staff (in general).	
<b>Gender Reassignment</b>	As above	
<b>Marriage &amp; Civil Partnership</b>		
<b>Race</b>	As above	
<b>Religion/Belief</b>		
<b>Pregnancy/Maternity</b>	As above	
<b>Sex</b>	As above	
<b>Sexual Orientation</b>	As above	
<b>Human Rights</b>		

<b>Final Decision</b>	<b>Tick relevant box</b>	<b>Include explanation where appropriate</b>
<b>Approved for implementation without change</b>	x	

<b>Amend or change the Policy/Project/Service</b>		
<b>Continue the Policy/Project/Service without change (despite impact)</b>		
<b>Stop the Policy/Project/Service</b>		
<b>Lead Officer Signature</b>	R.Hosie	
<b>Date</b>	24/04/2026	
<b>Date approved by Management Committee/ Sub Committee</b>	27/05/2026	