

Step by Step



Neonatal Care Leave and Pay

URN: J-Pr-330

Version: 1.0
Effective Date: 07/04/2025
Version Date: 07/04/2025
Review Date: 07/04/2027

Host Force: Dorset Police
Host Policy Unit: Dorset Police Legitimacy Team
Policy Owner: Alliance Head of Employee Relations
Policy Author: Strategy & Policy Lead (ER)

Associated Policy: [J-P-034 Family Leave Policy](#)

Applicable to:

Devon & Cornwall Police	<input checked="" type="checkbox"/>
Dorset Police	<input checked="" type="checkbox"/>
OPCC Devon & Cornwall	<input checked="" type="checkbox"/>
OPCC Dorset	<input checked="" type="checkbox"/>
Officers	<input checked="" type="checkbox"/>
Staff	<input checked="" type="checkbox"/>

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1.0 Introduction

Before reviewing the following step by step, individuals and line managers must ensure that they have familiarised themselves with the overarching Family Leave Policy (J-P-034) and any associated family leave policy that may apply to the circumstances, setting out the Force's provisions and eligibility criteria in full.

[J-P-054 Adoption Leave and Pay Policy \(Police Officers\)](#)

[J-P-056 Adoption Leave and Pay Policy \(Police Staff\)](#)

[J-P-160 Compassionate Leave Policy \(including Parental Bereavement Leave\)](#)

[J-P-048 Maternity Leave Policy \(Police Officer\)](#)

[J-P-050 Maternity Leave Policy \(Police Staff\)](#)

[J-P-078 Parental Leave \(Unpaid\) Policy](#)

[J-P-076 Paternity Leave \(Maternity – Adoption Support\) Policy](#)

[J-P-052 Shared Parental Leave Policy](#)

Please note: Devon & Cornwall Police and Dorset Police operate as a Strategic Alliance, overseen by their respective Office of the Police and Crime Commissioner (OPCC). Each body operates as a separate employer, although they are referred to as 'the Force'. Where the OPCC adopt this procedure, some tasks may be undertaken by alternative roles.

Neonatal Care Leave (NCL) provision comes into effect on 6 April 2025 and will apply to eligible individuals where the date of the baby's birth, adoption placement or in the case of overseas adoption, the child's entry into Great Britain, falls on or after 6 April 2025.

The Force recognises the emotional pressure placed on individuals in circumstances where their newborn baby is receiving neonatal care and will provide the appropriate support wherever this is reasonably possible. The NCL provision will allow eligible individuals with parental responsibility and other personal relationships to extend their family leave entitlement to spend further time with their baby, in circumstances where the baby has been admitted into neonatal care for a continuous period of at least seven days before they are 28 days old.

NCL is an additional entitlement to other forms of statutory family leave provisions, to include maternity, paternity (maternity / adoption support), adoption, shared parental leave, parental leave (unpaid) and parental bereavement leave. NCL may be taken at the time the baby is receiving neonatal care or following discharge from neonatal care, during a period(s) when the individual is not receiving any other form of statutory leave and pay entitlement.

All individuals have a day one right to take NCL, subject to meeting the eligibility criteria. The entitlement to receive statutory Neonatal Care Pay (NCP) is subject to meeting a qualifying continuous service period and minimum earnings eligibility criteria. Please see Section 2.0 'Eligibility' for further details.

Where an individual confirms their intention to take NCL, the line manager must treat this in the strictest of confidence and information must not be shared unnecessarily or

without agreement. A level of care and compassion should be applied to individual circumstances, whilst respecting the individual's right to privacy and confidentiality.

The line manager is responsible for ensuring that the individual is signposted to the appropriate support, which may include Occupational Health (OH), the Employee Assistance Programme (EAP), Trade Unions / Staff Associations (where a member) and the Family Support Group (D&C) / Support Networks (Dorset), as appropriate. In addition, there are a number of charities that can support individuals in these circumstances, for example, 'Bliss', a dedicated charity for babies born premature or sick. A link is available within Section 9.0 'Supporting Links and Guidance'.

Where an individual involved in any element of this process has, or is considered likely to have, a disability under the Equality Act 2010 and requires reasonable adjustments to support participation in the application of this procedure, they should highlight this at the earliest opportunity. The Force will make the necessary reasonable adjustments wherever possible.

2.0 Eligibility

Definition of Neonatal Care

The Neonatal Care (Leave and Pay) Act 2023 defines neonatal care as 'care that starts before the end of a period of 28 days, beginning with the day after the date of the child's birth'. For the purpose of eligibility under this procedure, the medical care must be either:

- received in hospital,
- received in any other place which meets the following criteria:
 - the baby was an inpatient in hospital and the care is received upon leaving hospital,
 - the care is under the direction of an NHS consultant; and
 - the care includes ongoing monitoring and visits to the baby by healthcare professionals arranged by the hospital,
- palliative or end of life care.

Neonatal Care Leave (NCL)

The entitlement to NCL is available from day one of service / employment, subject to meeting the following eligibility criteria:

- the individual is serving with / employed by the Force at the time of notification,
- the individual is either:
 - the biological parent,
 - the baby's adopter / prospective adopter (including overseas adopters),
 - the partner of the mother or adopter / prospective adopter (including overseas adopters), or
 - the intended parent (surrogacy),

- the individual has, or expects to have, responsibility for the upbringing of the child,
- the baby is under 28 days of age at the time of the first admission into neonatal care,
- the baby is receiving, or has received, continuous neonatal care for at least seven days, either in hospital and / or within another agreed care setting (see 'Definition of Neonatal Care' above). **Please note:** For the purpose of eligibility, 'day one' of the first seven-day period is the day after the neonatal care starts. NCL may be accrued where the baby is receiving neonatal care on two or more separate occasions, providing that on each occasion the duration of care lasts for seven days without interruption.

Neonatal Care Pay (NCP)

The entitlement to statutory Neonatal Care Pay (NCP) is subject to meeting the following additional eligibility criteria:

- the individual has a minimum of 26 weeks' continuous service by the end of the 'relevant week' (see 'The Relevant Week' below),
- the individual is earning above the 'Lower Earnings Limit' for National Insurance contributions, which is assessed by calculating the average weekly earnings over an eight-week period, ending on the last day of the 'relevant week'.

Eligible individuals will be paid NCP at the current weekly statutory rate, or 90% of their average weekly earnings (whichever is lower), equivalent to the number of complete weeks that the baby has received neonatal care.

Where an individual is eligible to receive NCL but does not qualify for NCP, the time off will be unpaid.

Agency workers are entitled to take NCL, however this will be unpaid. Individuals may be eligible to receive NCP through their respective recruitment agency.

The Relevant Week

Where the individual is entitled to statutory maternity, paternity (maternity / adoption support), adoption, or shared parental pay, the 'relevant week' will align with the week that is already specified as the 'relevant week', i.e., the 'qualifying' or 'matching' week, for the individual to be eligible to receive that entitlement to statutory pay. The 'relevant week' starts on a Sunday and ends on a Saturday.

Example:

An individual entitled to receive statutory maternity pay (SMP) has an expected due date on 1 May 2025. The 'relevant week' is defined within the maternity procedure as the end of the 15th week before the expected date of childbirth, i.e., the 'qualifying week'. The end of the qualifying week for the purpose of entitlement to statutory

maternity pay is Saturday 18 January 2025. To be eligible for NCP, the individual must have 26 weeks' continuous service by 18 January 2025, in line with their entitlement to receive SMP.

Where the individual does not meet the criteria to receive statutory maternity, paternity (maternity / adoption support), adoption, or shared parental pay, the 'relevant week' for the purpose of eligibility to receive NCP is defined as the end of the week immediately before the one in which neonatal care starts.

Please refer to the relevant family leave procedure for further information, available within Section 9.0 'Supporting Links and Guidance'.

3.0 Entitlement

Eligible individuals are entitled to a minimum of one week and up to a maximum of 12 weeks of NCL, which must be taken within 68 weeks of the birth, adoption placement, or in the case of overseas adoption, the child's entry into Great Britain.

The time off must be equivalent to the number of complete weeks that the baby has received neonatal care, e.g., where the baby is in neonatal care for 10 days, an eligible individual will be entitled to receive NCL for one week.

A 'week' is defined as a period of seven calendar days and applies equally to those who work full or part time hours. The leave may begin and end on any day of the week.

NCL is available as an independent entitlement to individuals with parental responsibility or other personal relationship with the baby, e.g., both biological / adoptive / intended parents are entitled to the leave and pay, subject to meeting the eligibility criteria.

In the case of multiple births, e.g., twins, there will be no provision for additional NCL where more than one baby is receiving neonatal care during the same time period.

Where the individual experiences the loss of a baby following a period of neonatal care, they will remain entitled to take the accrued leave equivalent to the number of complete weeks that the baby was in neonatal care (where eligible). The individual may also be entitled to parental bereavement leave available via J-Pr-272 'Compassionate Leave' procedure; please see link at Section 9.0 'Supporting Links and Guidance'.

4.0 Categories of NCL

The Neonatal Care Leave and Pay Regulations 2025 sets out that NCL is categorised into two tiers, referred to as the 'Tier One' and 'Tier Two' periods. The categories are described in further detail below:

Tier One Period

The 'Tier One' period applies while the baby is receiving neonatal care and ends seven days after the baby is discharged. NCL may be taken in this period following the first uninterrupted seven-day period of neonatal care, with 'day one' of the seven day qualifying period commencing the day after neonatal care starts.

NCL during Tier One is likely to be taken at short notice due to the urgent and unpredictable nature of neonatal care. The NCL may be taken in consecutive or non-consecutive periods of at least one week and for up to 12 weeks, during periods when the individual is not in receipt of other forms of statutory pay.

Tier One NCL is likely to be taken by individuals receiving statutory pay entitlements that are flexible in terms of when they are received, e.g., in combination with shared parental leave (SPL) or paternity (maternity / adoption support) leave. **Please note:** Individuals taking SPL are unable to take NCL during the first two weeks following the date of birth or adoption placement (known as the Compulsory Maternity / Adoption Leave Period).

Example:

An individual is scheduled to take two weeks' paternity leave from 1 May following the birth of their baby on 28 April. On 29 April the baby is admitted into neonatal care for three complete weeks. The individual may elect to take their paternity leave and accrued NCL in the following way:

Week	Leave Type
1 - 7 May	Paternity Leave
8 – 14 May	NCL
15 – 21 May	NCL
22 - 28 May	NCL
29 May – 4 June	Paternity Leave

Tier Two Period

The 'Tier Two' period applies from the eighth day after the baby is discharged from neonatal care and ends within 68 weeks of the birth, adoption placement, or in the case of overseas adoption, the child's entry into Great Britain.

NCL during Tier Two is likely to be planned in advance and must be taken in one continuous block (for up to 12 weeks).

Tier Two NCL is likely to be taken by individuals on maternity or adoption leave (excluding SPL), on the basis that they will usually be in receipt of maternity or adoption pay at the time their baby is receiving neonatal care. Statutory maternity and adoption pay cannot be paused and restarted, therefore accrued NCL in Tier Two may subsequently be taken in one of the following ways:

- on conclusion of the statutory maternity pay (SMP) / statutory adoption pay (SAP) entitlement, i.e., after 39 weeks,
- on conclusion of the unpaid maternity / adoption leave entitlement, i.e., after 52 weeks, or
- following the individual's return to work, provided it is taken within 68 weeks of the birth, adoption placement or the child's entry into Great Britain (overseas adoption), at a time mutually agreed between the line manager and individual.

Example:

An individual commences maternity leave on 1 May. The baby is born on 10 May and is immediately admitted into neonatal care for six complete weeks. The individual may elect to take their maternity leave and accrued NCL in the following way:

Week	Leave Type
1 – 39	Maternity Leave (SMP period)
40 – 52	Maternity Leave (unpaid period)
53 – 58	NCL

NCL Spanning Both Tier Periods

Where an individual elects to take NCL over a period which falls within both the Tier One and Tier Two periods, the leave must be taken in accordance with the relevant criteria applicable to each tier, e.g., NCL taken in Tier One may be taken non-consecutively, whereas any remaining NCL taken in Tier Two must be taken in one continuous block.

5.0 Annual and Public / Bank Holiday Leave

Individuals continue to accrue their annual leave entitlements whilst on NCL, including provision for public / bank holidays as they arise. Accrual of annual leave and public / bank holiday entitlements during the period of NCL is based on the individual's hours immediately prior to the commencement of NCL.

Where NCL is taken directly following another family leave entitlement, e.g., maternity or adoption leave, annual leave and public / bank holiday entitlements will be based on the individual's hours prior to commencement of that leave.

For additional information on annual leave following family leave, please see J-Pr-234 'Annual Leave - Maternity, Adoption and Shared Parental Leave' procedural guidance, available via Section 9.0 'Supporting Links and Guidance'.

6.0 Attendance at Court

Where an individual is required to attend court whilst on NCL, they must do so, unless certified unfit by a doctor.

Attendance at court as a police witness is classed as duty time and the individual should be compensated with the appropriate time off in lieu (TOIL) equivalent to the hours worked, which must be taken within three months of the individual's return to work.

7.0 Pay, Pensions and Terms and Conditions

Upon return to work from NCL, the individual has the right to return to the same job under the same terms and conditions that applied prior to taking NCL.

NCL is reckonable for the purposes of incremental pay, annual leave purposes and will count as continuous service.

Members of the Police Pension Scheme (Officers) / Local Government Pension Scheme (LGPS) (employees) will continue to have their pension contributions deducted during the period they receive statutory neonatal care pay (for up to 12 weeks).

Any period of unpaid NCL will not count for pension purposes unless the individual elects to purchase the amount of pension lost during the period of unpaid absence. A request must be made within 30 days of their return to work or within 30 days of leaving, where they do not return to work. Further information is available from the Payroll team.

8.0 For Further Assistance

Please contact [HR Operations \(D&C\) - Admin](#) or [HR Ops Dorset – Admin](#) if further support is required.

9.0 Supporting Links and Guidance

[J-Pr-046 Adoption Leave Step by Step](#)

[J-Pr-234 Annual Leave – Maternity, Adoption and Shared Parental Leave procedure](#)

[J-Pr-272 Compassionate Leave \(including Parental Bereavement Leave\) Step by Step](#)

[J-Pr-086 Dependants Leave \(inc. Carer's Leave\) Step by Step](#)

[J-Pr-310 Flexible Working Step by Step](#)

[J-Pr-080 Maternity Leave Step by Step](#)

[J-Pr-084 Parental Leave \(Unpaid\) Step by Step](#)

[J-Pr-082 Paternity Leave \(Maternity – Adoption Support\) Step by Step](#)

[J-Pr-054 Shared Parental Leave Step by Step](#)

[The Neonatal Care \(Leave and Pay\) Act 2023](#)

[Bliss Website \(dedicated charity for babies born premature or sick\)](#)

[Contact details for RMU \(D&C\) / For Duties \(Dorset\)](#), refer to local email address

[J-Pr-334 Family Leave Glossary](#)

[Family Leave Support Pages \(intranet\)](#)

[Family Leave Support Portal \(internet\)](#)

[Family Support Group](#)

[Support Networks \(Dorset\)](#)

[HR Privacy Notice](#)

Forms

[Notice of Entitlement and Intention to Take Neonatal Care Leave and Pay Form](#)

10.0 Flowchart

1. Individual provides notice to their line manager of their intention to take Neonatal Care Leave (NCL)

The individual must contact their line manager as soon as reasonably practicable to discuss their eligibility and confirm their intention to take Neonatal Care Leave (NCL), providing the date of the baby's admission into neonatal care and the date(s) that they wish to take NCL.

The notice required will be dependent on whether leave is taken within the 'Tier One' or the 'Tier Two' period (see Section 4.0 'Categories of NCL' for further details on the definitions):

Tier One NCL (applies to the period of neonatal care and up to seven days after discharge)

NCL within the 'Tier One' period may be taken in weekly non-consecutive periods or in one continuous block, after the first seven-day qualifying period of neonatal care.

The individual should inform their line manager verbally or in writing preferably before their start time on the first day of absence for each relevant week of NCL. **Please note:** The line manager is responsible for reviewing and confirming the individual's eligibility prior to the individual taking NCL.

The individual is responsible for keeping the line manager informed of the relevant start and end dates of periods of NCL that they wish to take, including the date the baby is discharged from neonatal care, as soon as reasonably practicable.

Eligible individuals are required to provide notice to receive statutory neonatal care pay (NCP) within 28 days from the start date of the first period of NCL (or as soon as reasonably practicable), by completing a 'Notice of Entitlement and Intention to take Neonatal Care Leave and Pay Form' and submitting this to the line manager for review. Alternatively, where the individual is unable to provide written notice, the line manager may complete the form on the individual's behalf. Please see link available within Section 9.0 'Supporting Links and Guidance'.

Tier Two NCL (applies from the eighth day after discharge from neonatal care)

NCL within the 'Tier Two' period must be taken in one continuous block.

Individuals intending to take NCL and receive NCP within Tier Two must complete a 'Notice of Entitlement and Intention to Take Neonatal Care Leave and Pay Form' (available within Section 9.0 'Supporting Links and Guidance') and submit this to their line manager for review, providing the relevant period of notice as follows:

1. Cont'd	<ul style="list-style-type: none"> - for a single week; at least 15 days' notice before the first day of leave, - for two or more consecutive weeks; at least 28 days' notice before the first day of leave. <p>Where appropriate, any period of notice may be waived by mutual agreement between the line manager and individual.</p>
2. Line manager reviews eligibility and entitlement, provides authorisation and submits form to HR Operations - Admin	<p>The line manager will review the written notice and confirm that the individual meets the eligibility criteria in line with Section 2.0 'Eligibility' and is entitled to receive NCL and NCP for the dates specified in line with Section 3.0 'Entitlement'.</p> <p>Where applicable, the line manager may request further clarification to confirm the individual's eligibility to take NCL.</p> <p>NCL is a legislative entitlement and where the individual meets the eligibility criteria, the leave cannot be declined. Where the individual elects to take NCL following their return to work, they should mutually agree with their line manager a suitable time to take the leave in accordance with the relevant legislative timescales.</p> <p>Where the individual meets the eligibility criteria, the line manager will email the completed 'Notice of Entitlement and Intention to Take Neonatal Care Leave and Pay Form' to HR Operations – Admin, copying in the individual by email.</p> <p>Where an individual notifies the line manager of their intention to take further periods of non-consecutive NCL (Tier One only), the line manager is responsible for notifying HR Operations – Admin of the relevant dates by email.</p> <p>Where applicable, the line manager will signpost the individual to the appropriate support, available through Occupational Health (OH), the Employee Assistance Programme (EAP), Trade Unions / Staff Associations and the Family Support Group (D&C) / Support Networks (Dorset), as applicable.</p>
3. HR Operations – Admin acknowledge receipt and submit to Payroll for processing	<p>HR Operations – Admin will acknowledge receipt of the 'Notice of Entitlement and Intention to Take Neonatal Care Leave and Pay Form' to the line manager and individual and email a copy to the Payroll team.</p>
4. Payroll calculate and process payment(s)	<p>The Payroll team will calculate and process the appropriate statutory payment(s), including updating the HR System.</p>

5. The individual withdraws their notice to take NCL (Tier Two only)	<p>Where the individual wishes to withdraw their notice to take future NCL within the Tier Two Period, they should notify their line manager by email.</p> <p>Where the original notice was for:</p> <ul style="list-style-type: none"> - one week; the individual must withdraw their notice no later than 15 days before the original NCL start date, - two or more consecutive weeks; the individual must withdraw their notice no later than 28 days before the original NCL start date. <p>Where appropriate, the period of notice may be waived by mutual agreement between the line manager and individual.</p> <p>The line manager must email the notification to the Payroll team (copying in HR Operations – Admin), who will make any necessary pay adjustments, including updating the HR System.</p>
6. Line manager updates RMU / Duties	<p>It is the line manager's responsibility to either update GRS or inform the relevant Resource Management Unit (D&C) / Duties (Dorset) team of the commencement of the leave period, using the link within Section 9.0 'Supporting Links and Guidance'.</p>
7. Line manager provides support and maintains contact with the individual	<p>The line manager should agree a suitable method of contact and keep in touch with the individual during their NCL, where not previously arranged as part of another family leave procedure.</p> <p>Additional support can be accessed via OH, the EAP, Trade Unions / Staff Associations, Family Support Group (D&C), and Support Networks (Dorset), as appropriate.</p> <p>Line managers should signpost individuals to the 'Family Leave Support Portal', available on the Force external website, which enables individuals on NCL to access the family leave provisions, useful contacts and resources.</p>
8. Individual discusses return to work with the line manager	<p>The individual should make early contact with their line manager to discuss and agree their return to work.</p> <p>Where NCL has been taken directly following another family leave provision, e.g., maternity / adoption or SPL Leave, the individual should refer to the return-to-work procedures and timescales detailed within the family leave step by step guide that applies, available with Section 9.0 'Supporting Links and Guidance'.</p> <p>Should an individual wish to alter their working hours / patterns they must submit a flexible working request accordingly. A link to J-Pr-318 'Flexible Working' procedure is available within Section 9.0 'Supporting Links and Guidance'.</p>

9.	Line manager requests reinstatement of computer access (where applicable)	IT equipment which has been idle for 60 days or over will be decommissioned, unless the line manager has requested retention of IT access via an alternative family leave procedure. Where applicable, the line manager will raise an incident via MyIT, providing the individual's details and the date of return to work, at least three working days in advance, to ensure systems access is granted.
10.	Line manager updates RMU / Duties	It is the line manager's responsibility to either update GRS or inform the relevant RMU (D&C) / Duties (Dorset) team of the end of the leave period, using the link within Section 9.0 'Supporting Links and Guidance'.
11.	Individual returns to work	The line manager should welcome the individual back to the workplace and ensure that all relevant practical arrangements are in place to support them, including signposting to other leave provisions that may apply to their circumstances, e.g., dependants leave (including carer's leave (unpaid)) and parental leave (unpaid); please see links available within Section 9.0 'Supporting Links and Guidance'.

Managers should contact [HR Operations \(D&C\) - Admin](#) or [.HR Ops Dorset – Admin](#) if the situation they are managing does not appear to be straightforward.

11.0 Monitoring and Review

Review and amendments will be coordinated by the Policy Unit.

The Alliance Head of Employee Relations is responsible for overseeing this procedure to ensure a consistent Force approach is maintained. Monitoring will be primarily carried out subject to Force processes of continuing review and in line with Force governance requirements.

This document will be reviewed every two years subject to legislation / process changes.

Please note: Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: .Policies@dorset.PNN.police.uk

12.0 Version History

Version: 1.0
Date: 07/04/2025
Reason for Amendments: Initial document.
Amended by: Employee Relations
Approved by: Board
Date Approved: 26/03/2025
Quality Assured: Legitimacy Team

13.0 Governance

Present Portfolio Holder: Head of People (HR Operations)
Present Document Owner: Alliance Head of Employee Relations
Present Owning Department: Alliance People Portfolio
Name of Board: Strategic People Board
Chief Officer Approving: ACO (D&C) and ACO People, Director of People and Support Services (Dorset)
Date Approved: 26 March 2025
