

Dear Employer,


Thank you for considering providing additional support to your employees if they have a baby in neonatal care. Having a baby born premature or sick is a very traumatic time for new parents, and this can be exacerbated if they do not receive the flexibility and support they need from their employer.

On 24th May 2023 the Neonatal Care (Leave and Pay) Bill received Royal Assent and became law. This is great news for parents and their employers. However, access to statutory neonatal leave and pay is not expected to be until April 2025. This means that 120,000 parents who would have statutory paid leave has made it more difficult for employers to support their employees. Since the Bill started to progress through Parliament last summer, many employers have been in touch with Bliss to ask for our advice on implementing their own neonatal leave and pay policy early.

In this document you will find some of our most frequently asked questions from employers - and our answers! - to help you introduce a neonatal leave and pay policy ahead of the statutory implementation date.

I hope this briefing is helpful to you in thinking about how you might be able to better support your employees – and please don't hesitate to reach out to the team at Bliss if you have any questions. Contact details can be found at the end of this document.

Yours sincerely,



Caroline Lee-Davey
Chief Executive, Bliss

Parental leave for parents of babies in neonatal care

Published 24th May 2023

This document covers:

- What is Neonatal Care?
- Why do parents need additional leave and pay?
- Why do babies need their parents with them in neonatal care?
- What will employees be entitled to from April 2025?
- How can you ensure your employees are fully supported?
- What are the benefits to employers?
- How are other employers implementing a neonatal leave and pay policy?

About Bliss

Bliss is the UK charity that champions the right of every baby born premature or sick to receive the best care. We achieve this by empowering families, influencing policy and practice, and enabling life-changing research.

As a charity, we are reliant on the generosity of individual and corporate supporters to [fund our vital work](#).

What is Neonatal Care?

One in seven babies born in the UK is admitted to neonatal care shortly after birth. Babies receive neonatal care either because they have been born prematurely (before 37 weeks of pregnancy) or at full-term but sick. For example, they might have an infection, difficulty breathing or a genetic condition. Babies who are part of a twin or multiple pregnancy are more likely to require neonatal admission after birth.

For parents of these babies, the experience is life changing. Rather than taking their baby or babies home shortly after birth, they are admitted to a specialist hospital unit to receive care which ensures they have the best possible chance of survival and quality of life. How long a baby will stay in hospital varies, from days to weeks or months. For many parents, much of their parental leave is spent on the neonatal unit, not at home bonding with their babies.

A neonatal admission can come as a shock to families, either because they have had a healthy pregnancy without any complications up until birth, or because their baby has been born prematurely without any previous indication that this might happen. However, some families will know in advance that their baby is going to be unwell after birth. The mother, or their baby, may have been diagnosed with a condition during the pregnancy. For some families this will mean that the mother has been admitted to hospital for days or weeks before the birth.

A neonatal admission can have long term impacts on the mental health of parents. 80 per cent of parents told Bliss that their mental health was worsened by their experience, and many parents are

diagnosed with post-natal depression and/or PTSD in the months after their baby is discharged home.

Why do parents need additional leave and pay?

For many families the inflexibility of the current parental leave system exacerbates the traumatic experience of parents, adding financial and emotional stress to the whole family. The impact of not receiving additional leave and pay differs depending on what type of parental leave they are entitled to.

Fathers and non-birthing parents (paternity leave)

- Fathers and non-birthing parents are routinely excluded from their baby's care by the parental leave system.
- With only two weeks of Paternity Leave available and low take up of Shared Parental Leave, many fathers and non-birthing parents return to work long before their babies are well enough to go home.
- This means that they are prevented from participating in essential caregiving activities that are associated with better outcomes for babies and parents. This includes providing skin-to-skin, changing, and feeding their baby.
- This also means that they cannot support their partner emotionally, or around decision-making, and may miss out of invaluable time with their baby, if they do not make it home.
- Recent Bliss research has found that in around 70 per cent of families with a significant neonatal stay, at least one parent returned to work while their baby or babies were still in hospital.
- The only other option for parents is usually to be signed off sick from work or take unpaid leave.
- Unsurprisingly, many parents find that taking unpaid leave is unsustainable - 1 in 4 families told us that they got into debt or borrowed money from family to sustain themselves, but even these unattractive options are not available to everyone.

Mothers and birthing parents (maternity leave)

- There is a significant impact on Maternity Leave, with mothers and birthing parents using weeks or months of their entitlement before their baby arrives home.
- Due to the [financial impact of a neonatal admission](#), many mothers return to work before they intended to, as only 39 weeks of Statutory Maternity Leave have Statutory Maternity Pay alongside.
- Babies who have spent a long time in hospital after birth may be at an earlier stage of development when their mother is due to go back to work in comparison to their full-term peers, and some will still be under the care of a neonatal or other clinical team. Families may also find it difficult to place their baby in childcare that is appropriate for their needs. Both these things can lead to parents dropping out of the workforce all together.

- There is also a serious impact on mothers and birthing parents if their partner is not able to take additional leave from work which can limit their ability to attend the unit if they are reliant on their partner for transport (e.g. after a caesarean section) or to look after older siblings. It can also mean that they hear, sometimes life changing, news about their baby's condition and make decisions about their care alone.
- For mothers of babies in neonatal care, 38 per cent said they couldn't afford to take extra time off (in a 2019 Bliss survey) and 90 per cent said they felt that the leave they were entitled to wasn't long enough. Financial pressure is another reason why some mothers leave the workforce entirely after having a baby in neonatal care, and this is more likely if their baby has had a long stay.
- This is because premature babies reach developmental milestones based on their corrected age (adjusted for due date rather than birth date) and babies who have been very unwell around birth (needing surgery etc) are likely to have lots of follow up appointments in the first year after discharge – so mothers often feel it is not practical to return to work at the end of their maternity leave

Why do babies need their parents with them in neonatal care?

Providing additional paid leave to employees if their baby is in neonatal care benefits their mental health and wellbeing, but importantly it also contributes to better outcomes for their baby long term.

Babies have the best developmental outcomes when their parents can deliver hands-on care. This includes: feeding, kangaroo-care (skin-to-skin contact), administration of some medications, changing, bathing and comfort-holding their baby. Evidence shows long periods of direct care lead to:

- increased weight gain
- improved breastfeeding rates
- improved infant reflexes at term and better gross motor development at 4-5 years and
- reduced pain during invasive procedures

Involvement in care and decision-making is also critically important to parents and contributes to improved family well-being and cohesion. Physical and emotional closeness is crucial for forming strong parent-infant bonds - evidence demonstrates that parents who can be with their babies for long periods of time report increased parental confidence, and have reduced stress and anxiety scores. They also report *feeling* like parents – which may be key for their own perceptions of attachment to their babies.

What will employees be entitled to from April 2025¹?

The Neonatal Care (Leave and Pay) Act, when implemented, will:

- Entitle mothers, birthing-parents, fathers and non-birthing parents to a day one right to leave from work if their baby receives neonatal care for more than 7 continuous days, before the baby reaches 28 days of life. The length of leave will be based on how long their baby receives neonatal care, up to 12 weeks.

¹Current planned implementation date

- Entitle employees to receive “statutory neonatal pay” for the duration of their baby’s neonatal care, up to 12 weeks if they meet minimum length of service and earning requirements (similar to other types of parental leave).
- Employees will have 68 weeks to take their leave and pay entitlement from the first date of admission to neonatal care which means that they will be able to take their full entitlement to neonatal leave and pay in addition to other types of parental leave (including maternity, paternity, adoption and parental bereavement leave and pay).
- Employees will have different notice requirements based on when they intend to take their leave: requirement to notify employer that they intend to take leave and pay immediately, if their baby is currently receiving neonatal care or very recently discharged, or to give notice at least twice as long as the length of leave being taken (capped at 4 weeks) if they intend to take leave after their baby’s stay.
- Employees who qualify for maternity leave will take their accrued neonatal leave *after* their maternity leave ends, this is because maternity leave will be triggered by the birth of the baby and cannot be paused and restarted. Similarly, if taking adoption leave, neonatal leave will be taken once this has ended.
- The interaction of other types of statutory parental leave (shared parental leave and paternity leave) with neonatal leave will be more flexible as these can be used at different times. For example, paternity leave can be used at any time between the birth of the baby and 56 days from birth (or due date in the case of prematurity).

How can you ensure your employees are fully supported?

The new statutory entitlement to neonatal leave and pay will be extremely beneficial for parents. However, as an employer who wants to go above and beyond for your employees (we know you are as you are considering implementing early!) you might want to consider going one step further by looking at:

Setting the level of pay

As a statutory entitlement, neonatal pay will be mandated at the statutory pay level (currently £156.66 per week). It is welcome that the entitlement will be paid but providing neonatal pay at this rate will be a serious barrier for many – just as statutory maternity and paternity pay rates currently are. Most families cannot have one or both incomes drop by such a significant amount for more than a few days before it becomes a barrier to taking time off. This is clearly highlighted in the uptake of full maternity and paternity leave in families on lower incomes – the lowest paid employees are less likely to take their full paternity leave, and the average length of maternity leave remains at 39 weeks, when maternity pay ends.

Having a baby is already an expensive time, but at Bliss we know that the experience of having a premature or sick baby can be even more costly. Consider paying neonatal pay at 100% of salary, or mirroring your existing maternity pay provision – paying neonatal pay at the same rate you offer new mothers.

Maximum length of leave and pay

While 12 weeks will be enough for many families, a very small number of babies will spend more time in neonatal care than 12 weeks. Consider raising the cap beyond 12 weeks for full paid leave or having some provision in your policy to offer more time at a lower rate. For example, Bliss' own neonatal leave and pay policy provides for 16 weeks at full pay, then any additional time that a baby is in neonatal care as unpaid leave.

Other ways to support your employees

Giving employees additional leave and pay is not the only way you can help support them through this difficult time. Good communication and flexibility are key to providing a supportive work environment. Here are some recommendations from parents:

- **Communication:** ensure communication is sensitive and that the frequency and mode are dictated by your employee. For example, discuss arranging some keeping in touch days. Ask whether they are happy to be contacted and what the best way to do this is for them e.g., by email, text or phone.
- **Celebration:** while we understand it can feel awkward, it is still important to acknowledge the birth of a baby. If you would usually send a card to an employee who has had a baby, do – there are lots of ideas for premature/NICU baby cards and gifts online.
- **Flexibility:** when it is time for your employee to return to work, be flexible. For some parents, their baby may still be in neonatal care, and they will require flexibility to visit the hospital, look after other children and support their partner. For others, their child may continue to have regular appointments after discharge, so will require flexibility from you as their employer to help them be there for their child and partner.

You may also want to ensure that your employee receives appropriate support by:

- **Signposting** to your organisational psychological support provision (employee assistance programme or counselling etc) and to relevant charities such as Bliss.
- Provide **support for line managers** to understand the change in the law, their role, and managing workloads if there is unexpected disruption.

What are the benefits to employers?

Most employers want to provide more support to their employees if they have a baby admitted to neonatal care – they just lack a framework to do so. The Neonatal Care (Leave and Pay) Act provides an excellent opportunity to support your employees during a challenging period of their lives.

Currently, many employees take sick leave in lieu of any other paid leave option, and some leave the workforce all together. By implementing a neonatal leave and pay policy you will:

- Ensure that the leave parents take is predictable (as far as it can be) for them as well as for you as an employer
- Improve retention by giving parents the time they need before returning to work
- Improve your offer to prospective employees by including neonatal leave and pay as part of your benefits package
- Help your employees focus on their job when they're back at work – rather than worrying about a baby still unwell in hospital.

What do parents say about having extra neonatal leave and pay?

Alice said: *“My work was incredibly supportive. They gave me around three weeks of compassionate leave and ended up introducing a new policy, where you can get up to 12 weeks of fully paid leave if you have a neonatal experience.*

So in total, I was off work for nearly 17 months once I added on my annual leave. The twins were one (corrected) by the time I went back to work, so I thankfully managed to have some proper time with them which was taken from me when they were born early.”

Read more about Alice’s story here: <https://www.bliss.org.uk/story/reflecting-on-our-neonatal-experience-is-tough-alices-story>

What do other employers say about implementing a neonatal leave and pay policy?

“At Vitabiotics, as the UK’s No1 vitamin company, providing expert nutritional care, the health and wellbeing of our consumers and our staff is a key priority for us. As a long-term supporter of the charity Bliss, we are committed to updating our HR policies to provide families with parental pay while a newborn child is in neonatal care. This has been agreed in advance of the Neonatal Leave (Care and Pay) Bill becoming a legal requirement. We hope our staff won’t ever face the situation of a child being born sick or too soon, but we hope this gives a little extra peace of mind that this policy is in place should they ever face these challenging circumstances.” Robert Taylor, Senior Vice President, Vitabiotics

Contact

For further information please contact Beth McCleverty, Senior Public Affairs and Policy Officer e: bmccleverty@bliss.org.uk t: 02073784768

With thanks to Dr Krystal Wilkinson, Reader (Associate Professor) in HRM, Manchester Metropolitan University, for reviewing this briefing.