



# Premature Birth and Neo-Natal Policy

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## 1. Introduction

South Cambridgeshire District Council is committed to equality of opportunity in employment for all its staff, and to developing work practices that support work-life balance. This document is a guide to the rights of employees who have premature babies, or babies who are unwell when they are born. Further advice is available from the Human Resources Team.

SCDC reserves the right to make amendments to this policy to reflect the changes in the statutory provision of relevant legislation.

## 2. Maternity and Paternity Provisions

All employees are entitled to maternity and paternity leave. For further details of entitlements please see the **Maternity Policy** and the **Paternity Leave Policy**.

Employees are also entitled to take shared parental leave with a partner. For more details please see the **Shared Parental Leave Policy**.

## 3. Stillbirth, Miscarriage, or Live Birth

### Stillbirth or miscarriage

If you have a stillbirth on or after the 25<sup>th</sup> week of your pregnancy you will still be eligible for maternity leave and SMP in the usual way, and Occupational Pay if you qualify for this.

If you miscarry earlier than the 25<sup>th</sup> week of your pregnancy you will not qualify for SMP and any time off will count as sickness absence. The Council's Sickness Absence Policy will be followed and the Council will endeavour to support you throughout this difficult time.

### Live birth before the 25<sup>th</sup> week of pregnancy onwards

If, at any point in your pregnancy, you give birth to a live child you will be entitled to SMP in the usual way and Occupational Pay if you qualify for this, even if the child later dies.

## 4. Additional Leave and Pay Entitlement

### Premature Leave

A premature birth is defined as any birth before the 37<sup>th</sup> week of pregnancy (including multiple births, e.g. twins).

If an employee, or their partner, gives birth prematurely the employee will be entitled to additional maternity/paternity leave. This leave will be equal to the number of weeks before the Expected Due Date that the birth took place.

*For example, if the birth took place in the 35<sup>th</sup> week of pregnancy, that would be 5 weeks before the expected due date, so the employee would be entitled to an additional 5 weeks maternity/paternity leave.*

### Neo-Natal Leave

Neo-natal leave would apply to employees whose baby/babies are unwell when born, and must remain in a neo-natal unit following their birth for 1 week or longer. The employee would be entitled

to additional maternity/paternity leave equal to the number of weeks the child/children must remain in the neo-natal unit, or until the 28<sup>th</sup> day after the Expected Due Date (whichever is earliest).

*For example, if a baby was born on their Expected Due Date but remained in the neo-natal unit for a further two weeks, the employee would be entitled to an additional two weeks leave.*

### **Pay**

Both types of leave would be paid at full pay, and they can be taken consecutively.

The additional pay would be paid at the beginning of the maternity/paternity leave, and would not be required to be repaid under any circumstances.

## **5. Notification**

The Council understands that it may not always be possible to notify us immediately of a premature birth, or a neo-natal care situation. However, we ask that the parent or a family member informs us as soon as possible so that we can ensure the correct maternity/paternity pay is received. We also ask that the employees then keep us informed of any changes.

The Council would require evidence of the premature birth/neo-natal care when possible. This could be in the form of a birth certificate or a copy of a discharge letter.

## **6. Additional Support Available**

The Council has a range of support available for all staff, and would encourage employees to access these when necessary.

### **Counselling**

The Council has a confidential counselling service available. Employees on maternity/paternity leave are welcome to access this service. Please contact HR for details of how to do this.

### **Returning to work**

On an employee's return to work we would recommend they meet with their line manager to discuss if any further support is required. This might include temporary adjustments to duties or working hours. Employees are also welcome to meet with HR.

All employees with at least 26 weeks' continuous service also have a legal entitlement to make flexible working requests. For more details please see our **Flexible Working Policy**.

## **7. Terminology**

<b>Premature birth</b>	A premature birth is defined as any birth which takes place before the 37 <sup>th</sup> week of pregnancy.
<b>Neo-natal</b>	The definition of neo-natal is "relating to new-born children". A child is classed as a neonate from their birth until the 28 <sup>th</sup> day after their Expected Due Date.