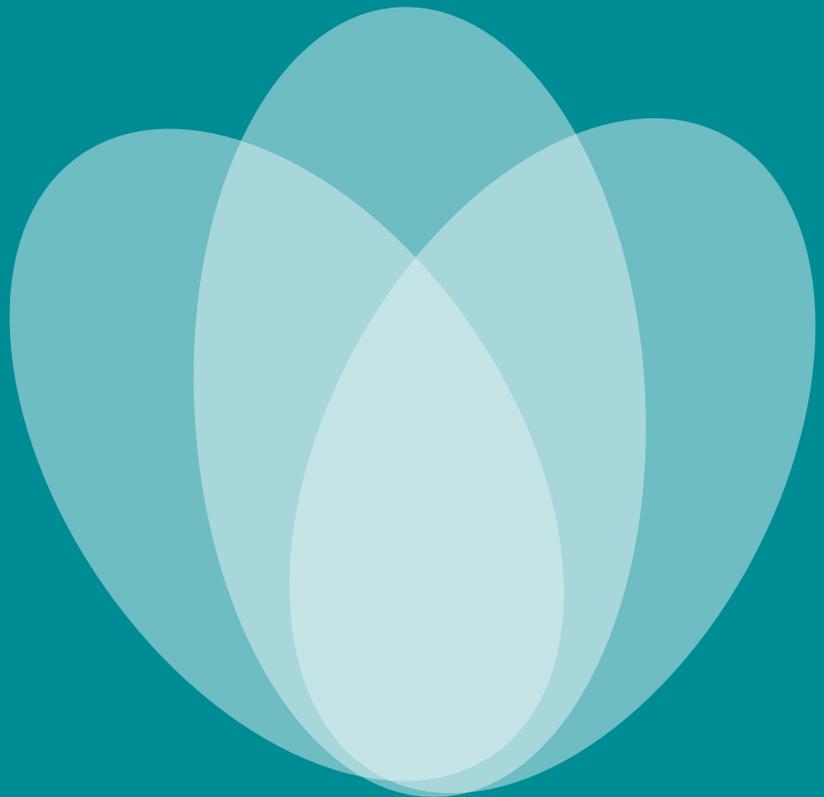


Neonatal Care (Leave and Pay) Bill



Neonatal Care (Leave and Pay) Bill Members briefing

The need for additional paid leave for parents of babies in neonatal care is clear. This Bill would provide essential support and help to keep families together when a baby or babies are born premature or sick.

Without access to additional time off when a baby is hospitalised after birth, fathers and non-birthing parents are routinely excluded from their baby's care by the parental leave system, and often have no choice but to return to work while their baby is still in hospital. Mothers and birthing parents use up much of their entitlement before their babies are home and often return to work earlier than intended due to the financial pressure.

By supporting this Bill, Members will be providing essential support to tens of thousands of parents every year across Scotland, England, and Wales.

What is the purpose of this Bill?

The Neonatal Care (Leave and Pay) Bill seeks to provide additional leave and pay for employees with responsibility for children receiving neonatal care.

Current proposals for the policy are:

- I. An entitlement to Neonatal Leave for both parents while a baby is receiving hospital care for parents who qualify for maternity, paternity or adoption leave.
- II. An entitlement to Neonatal Pay for parents who meet minimum service and earning requirements.

How will the Bill work in practice?

- Qualifying parents will be entitled to additional leave and pay if their baby spends more consecutive days being cared for in a health setting before they reach 28 days of life.
- Qualifying parents will be entitled to up to 12 weeks paid leave.
- Leave will be taken after maternity, paternity, adoption and bereavement leave and must be taken within 68 weeks of first admission to neonatal care.

The Bill will fulfil the Government commitment to provide additional leave for parents of babies in neonatal care. This commitment has been made repeatedly over the last three years in the House of Commons Chamber, written answers, the Government's response to the Good Work Plan consultation¹, in the Conservative Manifesto and the March 2020 Budget.

Why do we need this legislation?

One in seven babies born in the UK receive some level of neonatal care shortly after birth. While some of these babies will receive just days of care, many will remain in hospital for weeks or months. Around 50,000 babies in the UK spend more than one week in neonatal care after birth every year.

For many families the inflexibility of current parental leave laws exacerbates the traumatic time experienced by parents and add to the stress of the whole family.

¹<https://www.gov.uk/government/consultations/good-work-plan-proposals-to-support-families>

Fathers and non-birthing parents

"I had to attend work shifts because I couldn't afford to keep losing money which meant I couldn't be with him and was often in another city to him."

Dad to a baby who spent time in neonatal care in 2021

- 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, 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 and changing and feeding their baby.
- 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.

Mothers and birthing parents

- There is a significant impact on Maternity Leave, with mothers and birthing parents using weeks or months of their entitlement before their baby is home.
- Due to the financial impact of a neonatal admission, many mothers return to work before they had 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 peers, and some will still be under the care of a neonatal or other clinical team.
- Families may find it difficult to place their baby in childcare that is appropriate for their needs and can lead to parents dropping out of the workforce all together.

"I started maternity leave straight away but it meant it ended sooner than I wanted once my son was discharged. I ended up having 6 months off sick as I couldn't face leaving him and going back so soon."

Mother of a baby who spent 20 weeks

Employers

- The vast majority of employers want to provide more support to their employees through a neonatal admission but lack the framework to do so.
- Employers support this policy. In the Government's response to the consultation it is noted that there was very little difference between businesses and the other respondents in their support for Neonatal Leave and Pay – 99% of responses were in favour of the principle.
- Many parents take sick leave in lieu of any other paid leave option, and some leave the workforce all together.
- Taking sick leave is not a sustainable alternative to appropriate leave and pay. Unlike the vast majority of parental pay, statutory sick pay cannot be reclaimed by employers and this is costing employers significant sums of money.
- Employers would be able to reclaim the cost of neonatal pay, representing a significant saving for employers.
- Neonatal leave and pay would make managing staff absences for this reason easier as it would provide a much more predictable pattern of leave than ad hoc sick or unpaid leave.

What is neonatal care?

For every seven babies born in the UK, one baby 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 twin or multiple pregnancies 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 in hospital or caring for a poorly baby at home, rather than getting time to bond with their babies.

How does a neonatal stay affect parents?

The experience can be extremely traumatic, and this is exacerbated by the lack of support available to employed parents.

When one parent is forced to return to work this can cause challenges for the whole family attending the neonatal unit. For example, it may:

- Limit the other parent's ability to attend the unit if they are reliant on their partner for transport (e.g. after a caesarean section).
- For parents of twins and multiples, where it is not uncommon for babies to be treated in separate hospitals or in different areas of the same hospital, the time they have to care for each of their babies may be further limited.
- Families with older siblings find that the parent who is not working may also not be able to spend as much time in hospital if they need to look after other children at home.
- Parents will have to hear, sometimes life changing, news about their baby's condition and make decisions about their care alone.

There is a serious financial impact to having a baby in neonatal care. The additional cost, for families responding to a Bliss survey was £282 per week or £2,256 over the course of their baby's stay in hospital.

The additional financial costs associated with neonatal care coupled with inadequate parental leave and pay can lead to reductions in the family budget, negatively affect parents' physical and emotional well-being and stop them seeing their baby or babies.

Bliss research has found that:

- More than half of families said their finances affected their ability to spend time with their baby.
- One in four families had to borrow money or increase their debt because of their baby's neonatal stay.
- 80 per cent of parents report that their mental health became worse after their neonatal experience.

Why do parents need to be involved in their baby's care?

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 can:

- Increase weight gain.
- Improve breastfeeding rates.
- Improve infant reflexes at term and better gross motor development at 4-5 years.
- Reduce 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, 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.

For further information, please contact:

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"I felt as though I missed out on the opportunities to be there and to be a part of any key decisions that had to be made immediately as part of Joseph's care. Financially, even if my employer had offered it, I wouldn't have been able to afford to take time off work unpaid."

Tom, dad to Joseph, born 14 weeks early in 2018