

**Formal consultation response from the Chartered Institute of Payroll Professionals in
respect of: Neonatal leave and pay**

**Organisation response to be submitted to: Department for Business, Energy and Industrial
Strategy**

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Dear Sirs

By Email

Introduction

The Chartered Institute of Payroll Professionals (CIPP) is grateful to have the opportunity to comment on the consultation for neonatal leave and pay. We are pleased to be able to feed into the policy and operational changes that arise from this consultation, and hope that this written response will form the basis of an ongoing relationship with the department for Business, Energy and Industrial Strategy (BEIS). The CIPP gives permission for you to include us in the list of organisations involved in the consultation exercise. Company information about the CIPP and its role in representing employers can be found at the end of this response.

Purpose of response

Our response aims to provide a summary of quantitative results taken from our electronic survey gathering responses from CIPP members and other payroll tax professionals to the consultation questions. We also held a Think Tank roundtable on 20 August and our response incorporates qualitative results through the views and experiences shared by members in attendance.

Key findings

Eligibility

- There is overwhelming support for the introduction of neonatal pay and leave, with all Think Tank attendees and 87% of survey respondents agreeing that this should be available to those with main caring responsibilities. There was also the suggestion, though not a view held by all, that this should be extended to grandparents needed to care for older siblings of the baby in neonatal care.
- Though differing views were held on the specifics of when this leave should be taken, before or after other parental leave, 75% of respondents agreed that neonatal leave and pay should be restricted to parents whose children had spent a minimum of two weeks in neonatal care.
- Other circumstances which respondents felt should be considered for inclusion within the scope of neonatal leave and pay include:
 - *If this is considered, should it not be applied to all children regardless of age?*
 - *There are implications around still births and babies born prematurely which needs to be considered alongside this.*
 - *Where the diagnosis of a serious illness/disability requiring lengthy hospital stays happens later in maternity leave rather than at birth.*
 - *Any time a child is receiving life supporting treatment whether this is an illness or resulting from an accident*
 - *If the baby needs special additional care at home*
 - *Babies born with complex conditions which means they may not live past a certain age eg 21*

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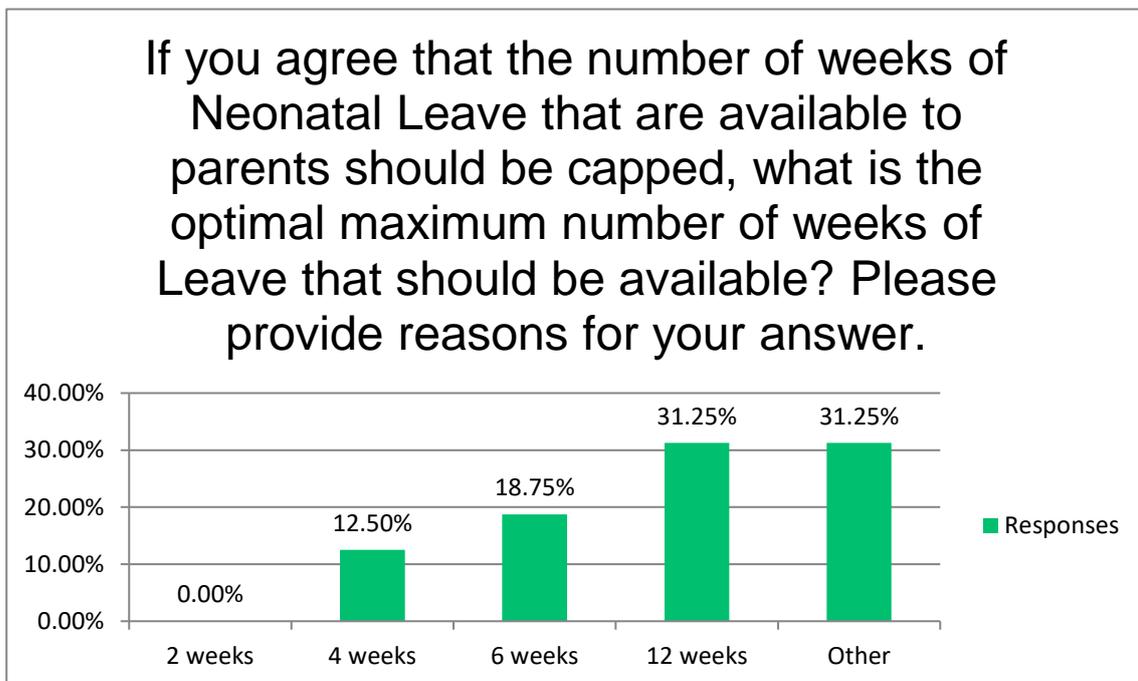
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Qualifying conditions for neonatal leave and pay

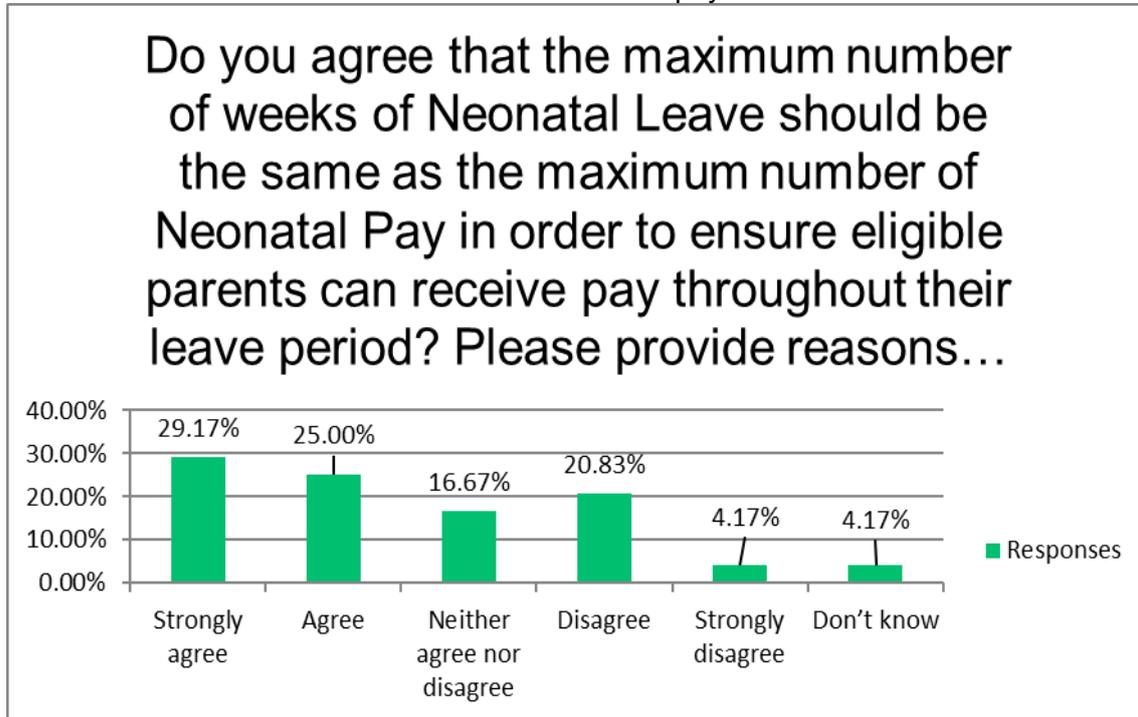
- 96% of respondents agree that neonatal leave should be a day one right, though fewer (81%) agreed that the conditions for neonatal pay should mirror that of statutory paternity and shared parental pay. Of those who disagreed, most felt that statutory pay should also be a day one right.

Length of entitlement

- Although two thirds of respondents agreed that entitlement to neonatal leave should be capped, there were 17% who felt strongly that it shouldn't. The comments reflected the difficulties faced by all in this situation with one explaining:
"Neonatal Care could span a considerable time, if there was a cap then this could impact the support that the parents need. But on the other hand employers could have employees off for say up to two years if the cap was 12 months for example."
- The chart below shows that opinions varied widely on the optimal maximum number of weeks leave which should be available. Suggestions from those who selected "other" varied from 6 months, to a cap of 4 weeks at 100% neonatal pay tapering down over a period of another four weeks.



- Opinion was even more divided when considering whether the number of weeks for neonatal leave should be the same as for neonatal pay.



When neonatal leave and pay can be taken

- There was broad agreement to the suggestion that neonatal leave and pay should follow on from other family related leave with 63% agreeing or strongly agreeing that this will make the process easier.

Notice and evidence requirements

- With the acknowledgement that providing notice in these circumstances is not always easy, 57% of respondents agreed that both mothers and fathers / partners should be required to give notice of the end of their other leave entitlement before taking neonatal leave.
- Both survey respondents and delegates at the Policy Think Tank agreed that mothers are in a better position to provide a longer notice period than fathers / partners with the overarching theme being that notice should be provided as soon as possible.
- Delegates at the Policy Think Tank also expressed concerns about how neonatal leave would interact with shared parental leave, given that neonatal leave will be taken after all other parental leave, but shared parental leave can involve periods of leave interspersed with periods at work.

- Whilst everyone agreed that there should be some communication between fathers / partners and their employers, opinion was split whether this should take place weekly or be more light touch.
- Around 80% of respondents agreed that mothers, fathers and partners should be asked to provide evidence of entitlement before taking neonatal leave, however what form that evidence should take is less clear cut. This view was replicated at the Policy Think Tank with most suggesting that any evidence should be provided through the NHS such as an admission or discharge form, but with an acknowledgement that this proposal would require agreement from the NHS.

Employment protections

- There was overwhelming agreement that parents taking neonatal leave should have the same employment protections and right to return to work as employees on parental leave in respect of older children.

Conclusion

Overall there is broad agreement with the proposals contained within this consultation, however the CIPP acknowledges that there are issues still to be resolved regarding notice periods, evidence of entitlement and the interaction with shared parental leave.

The CIPP encourages BEIS to continue engaging and involving stakeholders as it explores ways in which these issues can be resolved.

Yours faithfully



Helen Hargreaves MSc ChFCIPPdip

Should you require clarification of any of the points that have been made in this response, please do not hesitate to contact me or another member of the Policy team.

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Company Information

The Chartered Institute of Payroll Professionals (CIPP) is the Chartered association for payroll, pensions and reward professionals in the UK. With more than 9,500 individuals benefitting from the CIPP's membership benefits, support and education services, the Institute is dedicated to raising the profile of payroll in businesses across the UK and internationally.

Its education portfolio has been developed based on business and individual needs to ensure that it is providing the most relevant training in the market; while its policy and research team represent the members at government consultation forums on the 185+ pieces of legislation that affect payroll and pensions in the UK, ensuring members are up to date and their views are heard.

The CIPP also offers compliance health checks in payroll processes and procedures to ensure that organisations are complying with legislation to avoid non-compliance penalties, and CIPP members are governed by a code of conduct ensuring they remain highly professional, up to date, and compliant.

The mission statement of the CIPP is:

Leading payroll and pension professionals through education, membership and recognition

Representation

The views of the Chartered Institute are sought and valued by Government departments and other organisations, as witnessed by its representation on bodies ranging from HMRC, and other external Employer Consultation Groups. The Institute, through its Policy team headed up by Helen Hargreaves, has been responding to consultation documents and attending consultation meetings for more than 20 years.

As a result of this sustained effort, we have created sound working relationships with the DWP, HMRC, BEIS and other Government departments.

The Chartered Institute operates an Advisory Service staffed by professionals able to provide accurate and authoritative advice on a wide range of topics. It also runs national forums which allow members direct contact with representatives from HMRC and other relevant bodies and also provides a forum for members to input and feedback on the CIPP's policies.

Education

The Institute validates and controls a wide range of professional qualifications in both the payroll and pensions sectors, from Payroll Technician Certificate level to Masters level. IPP Education, a wholly owned subsidiary of the CIPP, delivers the qualifications and provides tutors at officially recognised standards. IPP Education also runs a comprehensive range of short training courses throughout the UK.

Events

The CIPP also runs a series of conferences throughout the year, culminating in the Annual Conference and Exhibition.

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