Shared Parental Leave (SPL) allows for both parties to share statutory leave but requires one form of leave (maternity or adoption) to be terminated in order to start Shared Parental Leave.

The below guidance shows how Shared Parental Leave will work in practice.

**Eligibility**

The parent who is to take SPL must:

* have worked for the same employer for at least 26 weeks by the end of the 15th week before their baby is due or their adoption match date
* still be working for the same employer at the start of each block of leave they take

There are also earnings requirements but unless you have casual workers, this should not be of any concern (https://www.acas.org.uk/shared-parental-leave-and-pay/checking-eligibility-for-shared-parental-leave).

**What leave can be shared?**

Up to 50 weeks of leave and 37 weeks of pay can be transferred from one partner to another.

**How can I check that the leave request is genuine?**

Where Shared Parental Leave is to be used, there is a requirement for both partners to provide a statement that the request is genuine and that they both meet the eligibility requirement. You can also ask for consent to contact the other partner’s employers to verify the request. You can also ask for a copy of the birth certificate/placement certificate.

**What are SPLIT days and how should they be used?**

Up to 20 SPLIT days can be taken during Shared Parental Leave. These work the same way as KIT days; they are mutually agreed days where the employee attends work during their leave. They should be paid at normal rate (less any statutory payments due). SPLIT days can’t be ‘split’- even if only 1 hour is worked, that uses up 1 day's entitlement.

**What happens with pension and other contractual benefits?**

This depends on how your pension scheme is set up. Most churches will have a form of Group Personal Pension which is also called a ‘Defined Contribution’ scheme.

The below table summarises the guidance from the [Pensions Advisory Service](https://www.pensionsadvisoryservice.org.uk/about-pensions/when-things-change/parental-leave):

|  |  |  |
| --- | --- | --- |
| Period of Shared Parental Leave | Employer contributions | Employee contributions |
| 39 weeks paid leave | Based on pre-leave pensionable salary | Based on current take home pay |
| 13 weeks unpaid leave | Depends on contract – nil contribution unless contract states otherwise | Based on current take home pay |

If you have a Defined Benefit scheme, different rules apply. Please seek specialist advice if unsure.

**What happens with other benefits during Shared Parental Leave?**

All contractual benefits should be maintained during Shared Parental leave.

**What happens with holidays during Shared Parental Leave?**

Statutory holidays continue to accrue during Shared Parental leave and even if your contract states that holidays cannot be carried over, they should be honoured in this case. This may result in a large number of holidays owing at the time the employee is due to return to work. It may be a good idea for the employee to either tag paid annual leave onto the end of their Shared Parental leave or to use it as a phased return to work (e.g. work 3 days and take 2 days holiday each week until the annual leave is used up).

For template forms and more information refer to https://www.acas.org.uk/shared-parental-leave-forms