

Temple Court Chambers

Parental Leave Policy (to be read in conjunction with Flexible Working Policy)

(as amended on 1st July 2022)

Introduction

1. In this Parental Leave policy Chambers:
 - seeks to encourage members and pupils following maternity, paternity or parental leave to return to Chambers and continue to develop successful practices which in turn contributes to the success of Chambers as a whole.
 - attempts to prevent any and all discrimination arising out of maternity, paternity and/or parental leave.
 - seeks to comply with the Bar Council's Equality and Diversity Code and the BSB's Equality Rules.
 - recognises that members and pupils are self-employed and is mindful of the potential of a disproportionate burden on members of Chambers as a whole.
 - adopt a policy that is competitive with those of other Chambers in order to attract the best candidates for pupillage and tenancy.
2. It is intended that this policy be circulated to all members, pupils, clerks and staff and ensure that they understand the policy and their role in relation to it.
3. The Equality and Diversity Officer will from time to time review this policy and raise any issues that arise with the Management Committee and/or HEAD OF Chambers.
4. Any mother and any father, with sole daytime care of a child, may take a leave of absence following the birth or adoption of a child ("Parental Leave"). Parental Leave may be extended for up to 12 months from the date of birth or adoption in respect of each child. This period is without prejudice to an individual's right to make application to chambers for further period in accordance with the Constitution of Chambers or otherwise.
5. In cases not covered by the above paragraph a father may take a period of up to 1 month's leave as Paternity Leave.

6. At least 1 month prior to the proposed date of leave, a member or pupil shall notify Chambers in writing of an intention to take Parental Leave or Paternity Leave, the intended duration of leave and the date from which the leave is intended to commence from.

Absence and Membership of Chambers

7. If after a period of 9 months of the Parental Leave, the member or pupil has not written to Chambers informing Chambers of a return date then Chambers shall write to the member or pupil on leave and invite the person on leave to state whether or not they intend to return to Chambers.
8. If the member or pupil does not return to work after the end of the 12 months of Parental Leave and the Parental Leave has not been extended by agreement with Chambers the member or pupil will be deemed to have resigned from Chambers and shall cease to be a member or pupil of chambers on the 12 month anniversary from the date of birth or adoption in respect of material child in respect of which Parental Leave was taken. For these purposes work means holding oneself out to practise as a full member of chambers.
9. If a member or pupil ceases to be a member or pupil of chambers in accordance with the above paragraph, they may re-apply to Chambers in the usual way.

Management of pigeon hole

10. The member's/pupil's pigeon hole should be monitored by the clerks on a regular basis. Where necessary the contents should be posted to the barrister at least weekly at no cost extra cost to the barrister.
11. Any cheques received during parental leave should be paid directly into the member's/pupil's account unless other arrangements have been agreed.
12. During the period of parental leave, the member/pupil should be informed by the clerk by e-mail of the dates of importance. These days should not affect the calculation of chambers parental leave benefit.

Remission from Chambers Expenses

13. Any member/pupil who has taken Parental Leave will not be required to pay the non-percentage –based element of a member's rent for the period of Parental Leave, up to a maximum period of 12 months from the date of birth or date of adoption of the child, beginning with the contribution due in the first calendar month following the month of the birth or adoption.

14. The remission from member's rent as set above during Parental Leave is available to such a member irrespective of whether they carry out any work during the material Parental Leave unless it is deemed by Chambers that the member has returned to work by reason of the amount of work carried out by the member during Parental Leave.
11. A member/pupil who has taken Paternity Leave will not be required to pay the non-percentage –based element of a member's rent for a period of one month from the date of birth or date of adoption of the child, namely the contribution due in the first calendar month following the month of the birth or adoption.
12. Members/pupils are responsible for ensuring their practising certificates and insurance are current upon return.
13. Upon returning to work following Parental Leave a member/pupil shall be required to pay the non-percentage –based element of a member's rent which is two tiers lower than the one which they would otherwise be required to pay, save that all members of chambers shall pay the lowest tier of the non-percentage based element in any event, for a period of 3 months beginning with the contribution due in the first calendar month after returning to work.
14. The Chambers' Equality and Diversity Officer will review annually the effectiveness of this policy, and where appropriate will make proposals for change to the Management Committee