



TEN OLD SQUARE

Equality and Diversity

Parental Leave Policy

Definitions

1. “parental leave” refers to leave taken by the main carer of a child following birth or adoption of a child of any age. This could be the mother, father or adoptive parent of either sex.

Aims and purpose

2. It is the aim of this policy to:
 - encourage members following parental leave to return to chambers and continue to build successful practices;
 - prevent discrimination on grounds of parental responsibility;
 - encourage and support members taking time off following the birth or adoption of a child without suffering financial hardship;
 - comply with the requirements of the Code of Conduct and accompanying Guidelines.

Circulation

3. This policy is circulated to all members, clerks and staff all of whom are required to:
4.
 - read and understand the policy; and
 - understand their role in relation to the policy.

Review of this Policy

5. This policy is reviewed by chambers Equality and Diversity Officers every two years.

Period of Parental Leave and Right of Return

6. Every member of chambers is entitled to return to chambers within a period of one year after giving birth or adopting a child for whom they are the primary carer.
7. Members of chambers are required to notify Chambers' Management Committee and clerks of their intention to take a period of parental or adoption leave not less than 3 months before the commencement of the period of leave indicating the estimated commencement date and likely date of return.
8. If a member wishes to take leave for a period longer than 12 months, the Chambers Management Committee shall have a discretion to extend the period of parental leave beyond 12 months and arrangements should be made with Chambers' Management Committee. For the avoidance of doubt, in such circumstances the Chambers' Management Committee can agree that the individual should have a right to return to Chambers after the extended period of parental leave.
9. If a member is absent from chambers for more than 12 months without agreeing an extension with Chambers' Management Committee, her/his automatic right to return to chambers ceases unless such absence is due to consecutive births.
10. Where membership ceases by virtue of the provisions in paragraph 9, a member can re-apply to Chambers in the usual way.

Payment of Rent and Chambers' Expenses During Parental Leave

11. The sums payable by members to Chambers are made up of four elements:
 - (a) Rent and Rates
 - (b) General Expenses (percentage share of expenses other than rent and rates equivalent to the respective members' percentage contribution to Chambers' turnover)
 - (c) Clerk's fees
 - (d) Other recoverables (e.g. practising certificate fees, subscriptions, travel expenses which relate to individual members)
12. A member of chambers taking a period of parental leave is entitled to 6 months' free of Rent and Rates provided that the member has not returned to practice in Chambers during the rent free period. A failure to make a payment to Chambers on account of Rent and Rates by standing order (or at all) during any rent free period shall not be treated as default for the purposes of the Chambers Rules
13. Clerk's Fees and recoverables (other than rent and rates) shall continue to be payable during any period of parental leave.

14. The Chambers Management Committee shall have discretion to waive payment of General Expenses by a member taking parental leave during the period of parental leave, up to a maximum period of 6 months. In exercising its discretion the Chambers Management Committee shall take into account all relevant circumstances including but not limited to:
 - (a) The personal circumstances of the member taking parental leave
 - (b) The current level of General Expenses
 - (c) The likely contribution of the member taking parental leave to General Expenses
 - (d) The amount of the standing order payable to Chambers by the member
 - (e) The aged debt of the member taking parental leave
15. For the avoidance of doubt, the failure of a member of chambers to make a payment on account of General Expenses by standing order (or at all) during the currency of a waiver under paragraph 14 shall not be treated as default for the purposes of the Chambers Rules
16. In the absence of a waiver under paragraph 14, General Expenses shall continue to be payable during any period of parental leave.
17. The power under paragraph 14 is without prejudice to and is in addition to any other power of the Chambers Management Committee to waive General Expenses under the Rules.
18. The Chambers' Management Committee may, if in all the circumstances it thinks fit, extend any rent free period beyond the period of 6 months specified in paragraph 12.

Arrangements During Leave ¹

19. A member on parental or adoption leave is encouraged to maintain contact with Chambers.
20. Chambers Management Committee will ensure that the member is:
 - offered opportunities to do appropriate work if this is requested and;
 - invited to training events, social occasions, marketing events and chambers meetings and;
 - is consulted on any significant issues affecting the practice of chambers, including but not limited to issues as to recruitment of a new tenant and budget issues and;

¹ For further guidance and information please see the Bar Council maternity leave and career break checklist on the Bar Council website (<http://www.barcouncil.org.uk/guidance/MaternityPaternityLeavePoliciesThingstothinkabout/>)

- provided with copies of or access to minutes of the meetings of the Chambers' Management Committee
- receives assistance with the re-establishment of their practice on return to work, including (where requested) the arrangement of a "practice meeting" with the Senior Clerk within two weeks before the member returns to work.

Undertaking work during leave

21. Informal working arrangements during a period of parental leave do not affect a member's entitlement to the six month period free of rent, provided that the Chambers Management Committee is kept informed of the arrangements by the member of chambers and is satisfied that the level of work being undertaken does not constitute a return to practice.

Return from Leave

22. It is the policy of Ten Old Square to enable parents to work reduced hours on return from a period of parental or adoption leave. This should be discussed with Chambers' Management Committee and the Senior Clerk.

Complaints

23. Any member who wishes to make a complaint regarding a breach of this policy should in the first instance contact Chambers' Equality and Diversity Officers.

Contact

24. Chambers Equality and Diversity Officers are Susannah Meadway and Jeremy Callman
25. The Chambers Management Committee is the point of contact for all queries regarding this policy.