

SOUTH SQUARE

POLICY 6F - PARENTAL LEAVE

INTRODUCTION

1. This policy applies equally to all members of chambers, whether male or female, who are taking leave because they are about to become a parent through pregnancy, adoption or surrogacy.
2. In this policy, “Parental Leave” refers to leave taken from practice by a parent of a child prior to and following birth, adoption or surrogacy. This could be the mother or father of the child, and includes the married, civil or de-facto partner of a biological or adoptive parent. Parental Leave includes a situation in which there is “shared parental leave”, because more than one parent is a carer for the same child during the same period of time or during consecutive periods of time.
3. Any member of chambers is entitled to up to twelve months’ leave of absence from chambers for the purposes of Parental Leave to care for their child.
4. Parental Leave is to be commenced within twelve months of the birth of a child or a child entering a family (including as a result of, or with a view to the adoption of, that child).
5. Chambers will ensure that its Practice Managers and staff are familiar with this policy through appropriate training, and that this policy is made available to be viewed by all members, practice managers, staff and pupils on a shared drive.

AIMS

6. The main aims of this policy include:
 - a. Supporting all members of chambers in taking Parental Leave, when they wish to do so;
 - b. With respect, in particular, to female members of chambers, seeking to encourage female members following pregnancy and leave to return to chambers and to continue to build a successful practice. Chambers recognises that this is critical in ensuring the success of chambers as a whole; and
 - c. Seeking to prevent any and all discrimination arising out of Parental Leave.

FINANCIAL RELIEF DURING PARENTAL LEAVE

7. During the period of Parental Leave, a member of chambers shall be entitled to a period of up to twelve months of relief from payment of Chambers accommodation

charge, starting from the date that they commence leave and ending with their return to Chambers.

8. The provision of relief in respect of accommodation charge will be subject to the Member of Chambers carrying out no more than 100 hours of paid work prior to return to Chambers. If a barrister undertakes work part-time (in addition to the 100 hours referred to above) during the 12 month period, a reduced accommodation charge rate (to be negotiated and agreed between the Member and the Executive Committee) will be incurred and paid by the Member.
9. Upon full-time return to practice, the Member will incur and pay full accommodation charges.
10. If the Member has not returned to full-time practice after 12 months of parental leave, the Member will incur and pay full accommodation charges unless: (i) in exceptional circumstances a further rent free period is sought and granted from the Executive Committee; (ii) an associate membership has been agreed and their room has been handed back to chambers; or (iii) the Member wishes to leave Chambers and has negotiated terms of departure with the Executive Committee.
11. During the rent-free period, the Member will not be required to give up their room, but they should remove valuables and leave it unlocked, so that the space may be utilised by Chambers if necessary, in the intervening period.
12. The following will apply in respect to a Barristers' receipts charge:
 - a. Receipts charges will continue to accrue as normal during the time of parental leave and upon return to full-time practice, but shall not become payable until the Member returns to full-time practice in accordance with the remaining provisions of this clause;
 - b. Subject to (12.c) below, on return to full-time practice, the Member will be credited with an amount - not to exceed the amount owed, equivalent to the receipts charge percentage applied to their Chambers receipts over the 12-month period ending immediately before their parental leave began. That credit shall be applied in discharge or diminution of receipts charges accruing due over a maximum period of 12 months from the date of commencement of parental leave;
 - c. If the period of parental leave taken is less than 12 months, the periods referred to in (12.b) above shall be reduced commensurately to reflect the period of parental leave actually taken;

- d. Payment of the balance (if any) of monthly receipts charge accruing during the period of parental leave pursuant to (12.a) above or which falls due during the 12-month period immediately following return to full-time practice may be deferred (at the Member's request) for up to 18 months after it falls due.

SPECIFIC SUPPORT FOR WOMEN

13. Chambers (including Practice Managers and any senior members of chambers with whom the barrister is working) will accommodate and will help and support the member of chambers concerned in accommodating, time-off for fertility treatment, antenatal care and related medical and other appointments. Chambers will also ensure that appropriate adjustments and support are offered in connection with pregnancy-related health issues, particularly during early pregnancy when the barrister may not have disclosed their pregnancy. Practice Managers should be proactive and discreet in offering support, and members should be encouraged to communicate any health-related needs in confidence.
14. Chambers recognises that not all pregnancies result in a live birth, and that fertility treatment, miscarriage, stillbirth, and related experiences can have a profound physical and emotional impact. Chambers is committed to providing appropriate support to members affected by such events, which will be offered sensitively and in confidence – regardless of whether the pregnancy was previously disclosed or whether the member identifies the experience publicly.

PRE-LEAVE PLANNING

15. Any member of chambers who requires, in advance of the birth of a child or their becoming a parent, additional support for which provision is not made in this policy is encouraged to request such support, which will be handled sensitively and in confidence.
16. Any member of chambers intending to take time off from chambers for the purpose of Parental Leave is encouraged, where possible, to give written notice to the Head of Chambers, the Chambers Director and their Practice Management team, in sufficient time to enable this policy to have effect.
17. Prior to the commencement of leave, the Senior Clerk (or another appropriate Practice Manager) and the Chambers' Director should arrange to meet with the member to discuss and where appropriate agree:
 - a. The level and type of contact the member anticipates wishing to have during Parental Leave;

- b. The allocation of a mentor who is a silk or other senior member of chambers, either before leave begins or at another suitable stage during pregnancy or period of leave;
- c. How current and ongoing cases will be managed, in accordance with paragraph 18 below;
- d. Any outstanding fee invoices to be sent to solicitors;
- e. A proposed estimated return date;
- f. How, when and by whom relevant solicitors will be informed of the start and end date of Parental Leave;
- g. Arrangements for the forwarding of post and reporting to the finance team regarding electronic bank payments;
- h. Arrangements for the continued assistance from chambers' finance team for the management of the member's fee income, payment of chambers contributions or other charges, and production of any financial information necessary to enable the barrister to file income tax or VAT returns;
- i. Arrangements for the continued assistance from the Practice Management team / other appropriate staff members to oversee the prompt payment of outstanding fee invoices from solicitors; and
- j. Whether s/he intends to undertake work during Parental Leave, and if so, what chambers rent and contributions will be charged in relation to such work (see paras 8 and 12 above).

18. In relation to current cases which are ongoing at the outset of the period of leave, the member should discuss and agree the following with the senior clerk (or another appropriate Practice Manager), and a written record of any decisions taken shall be kept:

- a. Whether the member wishes to remain instructed, and what steps will be taken, so far as reasonably practicable, to discuss the future conduct of the case with the instructing solicitors to achieve this outcome;
- b. Whether the support of an additional barrister(s) will be required during the period of leave and what arrangements will be made for this, including discussions with the instructing solicitors;

- c. If the instruction of an additional barrister(s) is required, what arrangements will be made to ensure, so far as reasonably practicable, the member remains instructed and re-commences work on the case at the end of the period of leave (if the case remains ongoing at that time), subject to discussions with the instructing solicitors.

DURING LEAVE

Contact with Chambers

19. The Senior Clerk (or another appropriate Practice Manager) should communicate regularly with the member, in particular to become apprised of any changes in the barrister's plans with regard to the matters set out in paragraphs 17 and 18 above.
20. Chambers through the Senior Clerk or the Chambers' Director (or other appropriate person) will ensure that the member is kept informed of chambers meetings, important chambers decisions, seminars or conferences to be held by chambers relevant to the member's practice, marketing events and, where possible seminars or marketing events held by outside organisations.
21. Unless otherwise informed by the member, it should be assumed that s/he cannot attend chambers and team meetings and apologies for absence should be reflected in the minutes of those meetings. Minutes should be emailed to the member where appropriate.

Preparation for return to practice

22. The below measures are aimed at ensuring the member's return to chambers after Parental Leave is properly planned and managed and that steps are taken to ensure work is available for the member upon their return and to assist in every way practical in rebuilding the member's practice. This is the responsibility of both the member and chambers through the Senior Clerk and the Chambers' Director.

Keeping in Touch (KIT) days

23. Prior to the commencement of leave, the member and Senior Clerk or Chambers' Director should discuss how many KIT days should be arranged during the period of leave.
24. The purpose of a KIT day is to assist in making the return to work following leave easier for the member, and the content, frequency and number of KIT days should be designed to promote this purpose. With this in mind, dates should be arranged prior to the period of leave, although this should remain flexible.
25. Where possible the agenda for the KIT days should be planned in advance. There should be at least one meeting with the Senior Clerk (or Practice Manager) and the Chambers' Director which would be similar in content to a practice review.

Consideration should be given to arranging a meeting with one or more barristers in the same practice area as the member. KIT days can also be used for any work-related activity e.g., chambers events or conferences and chambers meetings.

26. During the period of leave, the member should be reminded by the Senior Clerk (or other appropriate Practice Manager) by email of the dates of KIT days. For the avoidance of doubt, these days should not affect the financial relief.

Pre-return to practice meeting

27. At least three months prior to the member's return to practice consideration must be given to the following:

- a. Identifying and appointing a mentor who will assist the member in settling back into practice and generally, if a mentor has not already been assigned to the barrister at the outset of the period of leave;
- b. The likely working hours, and the type, duration and location of any hearings that the member may undertake. This should include any request for flexible or part-time working;
- c. Any steps the member can take to ensure s/he is up to date with any legal developments in their relevant practice area;
- d. Reviewing the member's website profile in conjunction with the Senior Clerk (or other appropriate Practice Manager) and chambers marketing director, and where necessary updating the profile;
- e. Announcing the member's return to practice, both within chambers and externally on chambers' website and any social media platform which chambers regularly uses; and
- f. Identifying a list of relevant solicitors and writing to each of them announcing the member's return to practice.

RETURN FROM LEAVE AND CHILDCARE RESPONSIBILITIES

28. On return to work any member may work part-time or, at their request, have restrictions on work that entails travel, to enable them to manage their family responsibilities. Chambers recognises that some members may have a greater need for flexible working than others – for example, where a child has a disability or a medical condition.

29. The following adjustments should be made to accommodate the needs of members:

- a. Chambers should take reasonable steps to accommodate the childcare responsibilities of members returning from Parental Leave, when scheduling chambers meetings, other meetings (e.g. meetings of members in a particular practice area), and practice reviews. Attendance at evening or weekend meetings should not be expected, and where such meetings are necessary, remote access should be made available;
 - b. More generally, remote access should be made available to members wishing to participate in meetings from home.
 - c. Chambers should take reasonable steps, where appropriate, to support the returning member in accommodating breastfeeding; and
 - d. Chambers should provide active support for the returning member's reintegration into practice, including assistance with marketing initiatives and re-engaging with key clients and instructing solicitors.
30. Members are responsible for ensuring their practising certificates and insurance are current upon return.
31. Upon return from Parental Leave, a practice review should be held and attended by the member's mentor, Senior Clerk (or another appropriate Practice Manager) and the Chambers' Director. At that meeting, chambers should confirm its commitment to supporting the member in re-establishing their practice. The discussion shall include:
- a. The member's specific support needs as set out above;
 - b. Any other matters relevant to rebuilding their practice;
 - c. The nature and types of work which the member wishes to undertake; and
 - d. The proposed frequency of future practice reviews to monitor the rebuilding of their practice.
32. At subsequent practice reviews following return from leave, any earnings discrepancies identified through chambers' monitoring procedures should be discussed, including any contributing factors and whether it is necessary, appropriate or desirable to take any remedial actions and what such actions are.

PUPILS

Prospective pupils

33. Upon application, chambers may defer the commencement of pupillage for prospective pupils who become pregnant prior to the start of pupillage, for a period of up to 12 months.
34. Prospective pupils with existing childcare commitments may discuss with the Chambers' Director and the head of the Pupillage Committee, how their working hours during pupillage can accommodate such commitments and should be advised of their entitlement to flexible working hours in accordance with this policy.

Current pupils

35. This part of the policy applies to all pupils who are or are to become parents.
36. Pupils who become pregnant during pupillage may defer completion of the remainder of pupillage, subject to the requirements of Part V of the Bar Training Regulations.
37. Such a deferral shall not affect the overall pupillage award which shall be paid monthly during the period in which the pupil is undertaking pupillage. In the event of a rise in the pupillage award following deferral and prior to commencement of the deferred period the pupil shall be paid at the increased rate during the deferred period.
38. In the event of deferral and during the pupil's 'break' period, the Senior Clerk or Chambers' Director shall be their point of contact with chambers.
39. Chambers shall accommodate pupils' reasonable requests for flexible working hours in order to allow for childcare commitments. Such working hours should be discussed with the Senior Clerk or Chambers' Director where appropriate in consultation with the pupil's supervisor, in order to ensure that the pupil is able to complete the work that is required of them.
40. Pupils should be assured that any need to work flexible hours for reasons of childcare will not in any way affect their prospects of being recruited as a tenant.

GRIEVANCES AND REVIEW

41. If a member, pupil or prospective pupil considers that this policy has been breached or has a grievance about how it is being operated, they should address their grievance to the Head of Chambers and Chambers' Director, who will seek to take the appropriate steps for addressing any breach or grievance. In so doing, chambers will ensure that appropriate steps are taken to prevent any discrimination arising out of Parental Leave.

42. This policy was updated in November 2025. Chambers' equality and diversity officers will review it annually, and where appropriate will make proposals for changes to chambers' management committee.