



Kenworthy's

Annex (e) Chambers

KENWORTHY'S CHAMBERS MATERNITY, PATERNITY & PATERNITY AND PARENTAL LEAVE POLICY

Kenworthys Chambers recognises the right of its members to take time off to care for children. The obligations of Chambers in relation to members who take time off in such circumstances are set out below.

Maternity leave

1. Members of Chambers taking leave from chambers for the purposes of maternity leave, on notice of one month prior to the expected date of birth given to the practice manager, shall be entitled to maternity leave of up to one year (either from the date of childbirth or date of her choosing). During the non practising period from Chambers the member is entitled to retain her room in chambers without liability to pay the rent levy.
2. For a period of up to six months the member shall be relieved from paying Chambers' expenses on a specified amount of earnings to the equivalent of 30k (reviewed annually by Management Committee) of net fee's received. The member may choose when the six month period begins, i.e. may take the expenses relief whilst off on maternity leave or on return to practice, dependant on individual circumstances.
3. Should the expenses relief exceed the fixed maximum amount then the 6 month period may be cut short.
4. There shall be no minimum monthly contribution payable (set presently at £500.00 and to be reviewed annually by Treasury Committee) for a twelve month period following the birth of the child.
5. If a member of Chambers does not resume practice at the end of a period of maternity leave, on written notice of 3 months to the practice manager, the



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- maternity leave shall be extended for a further period of 12 months.
6. Whilst the member is not practising from Chambers during the extended maternity leave, there will be no liability for the rent levy and no right to a room in chambers.
 7. If the member of Chambers does not return to practice after the end of the period of extended leave, the member shall cease to be a member of chambers and shall be deemed to have resigned. In such circumstances the provisions of article 62-64 of Chambers Constitution will apply.
 8. Paragraphs 1-7 above equally apply to any member who adopts or otherwise resumes parental responsibility for a child and becomes principal carer, the date of parental responsibility to be substituted for the date of childbirth.

Paternity leave

9. A member of Chambers is entitled, on written notice to the Practice Manager, to one month's paternity leave, before or after the birth or adoption of a child or whose partner becomes the principal carer for a child (ending on a date no later than six months after the date of childbirth or adoption of a child).
10. Any member taking paternity leave shall be entitled to an exemption from chambers expenses during such leave on the first £2500.00 of net fee income received during that period; they will also be entitled to retain full membership in Chambers and will be exempt from chambers rent levy for this period.

Provisions while a member is absent from Chambers on maternity/paternity or adoption leave

11. Chambers shall ensure that members are kept informed of chambers matters during any period of absence and will encourage all members to maintain



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contact. This should include notification of any chambers meetings, items on the agenda. Discuss options and flexibility on paperwork etc. (providing they have a current practising certificate). Chambers will also notify members of social events, voting of new members, lectures, seminars and any other appropriate provision the member wishes to discuss with the Practice Manager

Returning to work following maternity or adoption leave

12. The Practice Manager and the returning member should meet at least two months before the expiry of maternity or adoption leave so that practical steps can be taken to facilitate the return.
13. The Practice Manager should communicate the members return to any relevant source of instructions as identified through consultation with the member.
14. Regular practice reviews should be scheduled during the first 12 months to monitor the development of the barristers practice. As a minimum these should take place every 3 months.
15. Chambers is receptive and supportive of flexible working patterns (see chambers flexible working policy).

Parental leave

16. The parental leave policy is designed to help working members of chambers with parental responsibility for a child achieves a more balanced work and family life. This policy will reflect the statutory right of certain employees. No one will be subject to a detriment for taking or seeking to take parental leave in accordance with this policy. The policy applies to all employees and does not form part of any employees' terms and conditions of employment.



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17. Those members are entitled to 13 weeks parental leave which must be taken in blocks of a week or more, with a maximum of four weeks in a calendar year. However if the child is disabled, leave can be taken as individual days.

18. Members are eligible for parental leave if:

- (i) They have at least one years continuous service with chambers
- (ii) They have (or expect to have) parental responsibility for a child under the age of five or have a child who is under the age of 18 and was adopted within the last five years.

19. The right to parental leave applies to a single child. If you have twins you will be entitled to 26 weeks parental leave.

20. Members who meet the above criteria and have a child who qualifies for Disability Living Allowance are eligible for 18 weeks unpaid parental leave up to the child's 18th birthday.

21. Any parental leave taken with a previous employer will count towards your entitlement. You must therefore notify Chambers of any parental leave taken from a previous employer.

Procedure

22. Members applying for parental or adoption leave must give as much notice as possible that they intend to take parental leave, with a minimum of 21 days notice to the Practice Manager. Your request should state the proposed start



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and end date of the parental leave. When making your first request you should enclose evidence such as:

- (i) a copy of the child's birth certificate (showing you are a named parent)
- (ii) papers confirming a child's adoption or the date that the adoption will start
- (iii) a record of disability living allowance payments.

23. Whilst Chambers is committed to providing parental leave for employees, flexibility will sometimes be needed in deciding how leave is taken.

24. Whilst Chambers will make every effort not to postpone parental leave, certain considerations will be made if we feel your absence from the business may be commercially damaging, we may ask you to postpone a period of planned parental leave.

- (i) When other members of chambers already on leave at the same time.
- (ii) Where more time is needed to make arrangements for cover.

25. If a postponement is necessary, we will inform you in writing within 7 days of your request and we will offer a new start and end date for your leave.

26. Parental leave cannot be postponed if you have given at least 21 days notice and plan to take the leave immediately after your child is born or placed with you for adoption, or immediately after maternity leave.



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27. Your contractual provisions relating to pay and benefits shall be suspended during any period of statutory parental leave. You will be bound by the on-going terms of your contract such as any contractual terms relating for giving notice, disciplinary/grievance procedures and the disclosure of confidential information.

Grievances and review

28. If a member has a case of financial hardship whilst taking a period of maternity or paternity leave, they may request that a different financial arrangement from that set out in this policy. Any alternate arrangements will be decided by the Management Committee.

29. If a member of Chambers has any concerns about this policy, it should be raised with Chambers Equality and Diversity Officer

Appeal

You have the right to appeal any decision made about your application for maternity, paternity, adoption or parental leave. You should submit a written appeal to the Equal Opportunities and Diversity Officer who will respond within 7 days.

Monitoring

This policy will be reviewed May annually by Chambers Equality and Diversity Officer.

Chambers employees

30. The maternity and paternity policy for all Chambers employees is in accordance with the statutory requirements set out in the Employment Rights Act (1996).(see separate policy 'Paternity Leave and Pay – Employees').