

Parental Leave Policy

1. Purpose and Scope

Great James Street Chambers ("GJS") is committed to supporting members and staff during pregnancy, childbirth, adoption, pregnancy loss and the early stages of parenthood.

This policy sets out the rights, entitlements and procedures relating to parental leave and support for:

- Self-employed barristers (Members, Pupils and Door Tenants); and
- Employed staff (clerks, administrators and other employees).

The aim is to ensure a fair, supportive and legally compliant approach that recognises the independent nature of the self-employed Bar while maintaining Chambers' operational needs.

2. Definitions

Member: A self-employed barrister who is a member of Chambers (including provisional members)

Pupil: A barrister undertaking pupillage within Chambers.

Employee: Any person employed by Chambers, including clerks, administrative staff, and other salaried personnel.

Partner: The child's father, the mother's spouse, civil partner, or partner (including same-sex partners)

Expected Week of Childbirth (EWC): The week, beginning on a Sunday, in which a baby is expected to be born.

3. Maternity Policy for Self-Employed Barristers

3.1 Overview

Self-employed barristers are not employees of Chambers and are not entitled to statutory maternity leave or pay. Chambers nevertheless seeks to provide a supportive environment and offers the provisions set out below.

3.2 Leave from Practice

Members may take leave from practice around the time of a child's birth or adoption. The duration of leave is flexible and will be agreed on an individual basis.

Members are requested to give at least eight weeks' written notice of the intended start date and anticipated return date, where reasonably practicable.

3.3 Support During Leave

Members on leave will continue to receive Chambers communications, invitations to training and social events, and other updates, unless they request otherwise. Members are encouraged to maintain contact with clerks regarding potential return-to-work dates, ongoing cases, and opportunities

3.4 Return to Practice

Members should provide at least eight weeks' notice of their intended return date. Chambers will support a phased return to practice where requested, including flexible diary management and prioritisation of suitable instructions.

3.5 Pupillage

Pupils who become pregnant or whose partner becomes pregnant during pupillage, should notify the Head of Pupillage or their supervisor as soon as possible. A tailored plan will be agreed, which may include deferral or extension of pupillage without prejudice to career progression.

4. Maternity Policy for Employees (Clerks and Other Staff)

4.1 Eligibility

All employees, regardless of length of service, are entitled to maternity leave around the time of their child's birth or adoption. Statutory Maternity Pay (SMP) depends on length of service and earnings.

4.2 Maternity Leave Entitlement

- Ordinary Maternity Leave (OML): 26 weeks.
- Additional Maternity Leave (AML): 26 weeks.
- Total: Up to 52 weeks' leave.

4.3 Enhanced Maternity Pay

Employees who meet statutory eligibility criteria will receive:

- Weeks 1–13: 100% of average weekly earnings (enhanced maternity pay);
- Weeks 14–39: Statutory Maternity Pay (SMP);
- Weeks 40–52: Unpaid leave (if taken).

If an employee does not return to work for at least three months following maternity leave, Chambers may reclaim only the enhanced element of maternity pay (being the amount paid in excess of SMP).

4.4 Notification Requirements

Employees must:

- Notify Chambers by the 15th week before the EWC of their pregnancy, expected due date, and intended start date of maternity leave.
- Provide a MAT B1 certificate issued by a doctor or midwife.

4.5 Ante-Natal Care Employees are entitled to reasonable paid time off for ante-natal appointments. All appointments should be booked with the Senior Clerk with as much notice as possible.

4.6 During Maternity Leave

- All terms and conditions of employment, except salary, continue during maternity leave. This includes all commission payments.
- Employees continue to accrue annual leave and pension benefits.
- Up to 10 “Keeping in Touch” (KIT) days may be worked by agreement, without ending maternity leave.

4.7 Returning to Work

- Employees returning after OML are entitled to return to their original role.
- Employees returning after AML are entitled to return to their original role or a suitable alternative on no less favourable terms.
- Employees must provide at least 8 weeks’ notice if they wish to return earlier than originally stated.

4.8 Flexible Working Requests

Chambers encourages a supportive approach to returning parents. Employees may request flexible working arrangements (e.g. part-time, adjusted hours), which will be considered in line with business needs.

5. Paternity Leave and Support for Self-Employed Barristers

5.1 Overview

Self-employed barristers are not entitled to statutory paternity leave, but Chambers recognises the importance of parental involvement and offers the following support.

5.2 Paternity Leave

- Members may take leave from practice around the time of their child's birth or adoption. The time taken as leave is not restricted and will be negotiated on an individual basis.
- Members should give at least 4 weeks' notice where possible.

6. Paternity Leave and Pay for Employees

6.1 Eligibility Employees may be entitled to statutory paternity leave if they:

- Have 26 weeks' continuous service by the 15th week before the EWC; and
- Are the biological father, spouse, civil partner, or partner of the mother/adopter.

6.2 Paternity Leave Entitlement Eligible employees are entitled to:

- Up to 2 weeks' paid paternity leave to be taken as either one week or two consecutive weeks.
- Leave must be taken within 56 days of the child's birth or placement.

6.3 Paternity Pay

Employees will receive 2 weeks at 100% of normal weekly pay (enhanced paternity pay) during paternity leave.

Those not qualifying for enhanced pay will receive Statutory Paternity Pay (SPP) at the statutory rate or 90% of average weekly earnings (whichever is lower).

6.4 Notification Requirements

Employees must notify Chambers by the 15th week before the EWC of:

- The expected week of childbirth
- The intended start date of leave
- The duration of leave

7. Shared Parental Leave (Employees)

Eligible employees may be entitled to Shared Parental Leave (SPL) and Statutory Shared Parental Pay in accordance with the Shared Parental Leave Regulations 2014.

SPL allows eligible parents to share up to 50 weeks of leave and up to 37 weeks of statutory pay following the birth or adoption of a child.

Employees wishing to enquire about or request SPL should contact the Senior Clerk as early as possible. SPL will be administered in accordance with statutory requirements. Unless expressly stated otherwise, Chambers does not provide enhanced Shared Parental Pay.

8. Statutory Parental Leave (Employees)

Employees may be entitled to unpaid statutory parental leave of up to 18 weeks per child (up to the child's 18th birthday), in accordance with the Maternity and Parental Leave etc. Regulations 1999.

Requests should be made to the Senior Clerk and will be considered in line with statutory requirements and operational needs.

9. Pregnancy Loss

GJS recognises that pregnancy loss — including miscarriage, ectopic pregnancy, molar pregnancy, stillbirth, or neonatal death — is a deeply distressing experience. Chambers is committed to providing compassionate support to anyone affected.

9.1 Support for Employees

(a) Miscarriage (before 24 weeks)

- Employees (and their partners) who experience pregnancy loss before 24 weeks are entitled to up to 2 weeks' paid compassionate leave.
- This leave is separate from annual leave or sick leave.
- Additional paid or unpaid leave, flexible working, or a phased return can be arranged upon request.

(b) Stillbirth or Neonatal Death (after 24 weeks)

- If a baby is stillborn after 24 weeks of pregnancy, or dies shortly after birth, the employee remains entitled to full maternity or paternity leave and pay as if the baby had been born alive.
- Partners remain entitled to full paternity leave and pay

(c) Medical Appointments and Support

- Paid time off will be granted for medical appointments, counselling, or support group attendance relating to pregnancy loss.

(d) Confidentiality and Sensitivity

- All disclosures will be treated sensitively and confidentially.

- Employees are encouraged (but not obliged) to speak with the Management Committee to discuss support needs.

10. Flexible Working

Employees returning from parental leave may request flexible working arrangements. Such requests will be considered in accordance with Chambers' Flexible Working Policy and applicable statutory requirements.

Members and pupils may also request flexible or phased returns to practice, which will be considered constructively on an individual basis.

11. Non-Discrimination and Confidentiality

Chambers is committed to ensuring that no member, pupil or employee is treated less favourably because of pregnancy, maternity, paternity, adoption, shared parental leave or related matters.

No individual will be subjected to detriment or victimisation for exercising rights under this policy or for raising related concerns.

All information relating to parental leave will be handled confidentially and sensitively.

12. Governance and Review

Overall responsibility for this policy rests with the Management Committee, supported by the Senior Clerk.

This policy will be reviewed periodically to ensure it remains legally compliant and aligned with Chambers' equality and diversity framework.