

SICKNESS LEAVE POLICY

1. This policy should be read in conjunction with Chambers' Constitution and in this policy the following definitions apply:
 - a. "sickness leave" means temporary cessation of practice as a barrister by reason of ill- health which prevents that barrister from working for a period of more than 20 consecutive working days ('working days' being weekdays excluding bank or public holidays), or by reason of disability where that disability prevents the barrister from practising;
 - b. "disability" has the meaning given to it by the Equality Act 2010 (as amended);
 - c. "months rent" shall be a notional rent calculated as a percentage of a barrister's average monthly earnings for the twelve months, or if the barrister has not worked for twelve months, the number of whole months he/she has worked, immediately preceding a period of sickness leave. The percentage to be applied shall be the percentage or percentages used to calculate rent due by that barrister to Chambers in the month in which the rebate, as set out in paragraphs 9 and 10 below, is claimed. For the avoidance of doubt and to take into account fluctuations in the applicable percentage, whether by reason of changes in the budget or the barrister's income crossing a threshold, the "month's rent" shall be calculated on a month by month basis;
 - d. "minimum annual contribution" shall be the amount set from time to time in the Rent Annex to Chambers' Budget Report; and "barrister" means barrister member of Chambers, save where otherwise defined.

1. The obligation to pay the minimum annual contribution shall be suspended during periods of absence from Chambers on sickness leave for a continuous period of 20 working days or more and in cases where the period of absence from Chambers because of ill health has been for a continuous period of 60 working days or more, the obligation to pay the minimum annual contribution shall be suspended for the six months immediately thereafter.

2. A barrister who suffers from ill health which affects his or her ability to work for more than 20 consecutive working days or who suffers from a disability shall be entitled to take a period of leave or may request to alter his or her pattern of work (for example by working flexible hours or part-time or partly from home) so as to enable him or her to manage his or her illness or disability. To the extent that this may interfere with his or her normal availability for work or the way in which he or she is clerked, this should be discussed with the Head of Chambers. Any barrister seeking to work flexibly is encouraged to discuss the practicalities of his or her proposals at the earliest possible opportunity with the relevant Practice Manager.

3. A barrister's seat in Chambers will remain open to him or her for a period of up to 12 months while he or she is on sickness leave. In the case of a pupil barrister the pupillage will remain open (i.e. suspended) for a period of up to 12 months from the start of the Initial Absence Period as defined in paragraph 22 below, but this shall not be taken to extend the span of the pupillage itself which will remain for a fixed period of 6 or 12 months (as appropriate) in total.

4. Any barrister who is on sickness leave should notify Chambers via the Chief Executive as soon as reasonably practicable of the date on which he or she is likely to return to work and any subsequent changes to those dates.

5. Any barrister (other than a pupil barrister) who is suffering from a disability or an illness that he or she believes is likely to become long-term should notify Chambers via the Chief

Executive as soon as reasonably practicable of that fact and of any adjustments that he or she considers Chambers might reasonably make in order to allow his or her return to work.

This policy was adopted by the Governance Board on 28th September 2023 and will be reviewed every two years.