

DIVERSITY DATA POLICY

1. Officers

- a. The name of the registered data controller for Chambers is Kerry McLean and the data controller's registration number on the Data Protection register is Z2002960.
- b. The name of the Diversity Data Officer is Kerry McLean.

2. Collection of diversity data

- a. Members of Chambers' workforce (employees, members and pupils) are given the opportunity to provide their Diversity Data for collection in accordance with the Bar Standard's Board's requirements.
- b. Applicants to Chambers for tenancy, pupillage and mini-pupillage are also given the opportunity to provide their Diversity Data.
- c. The Diversity Data Officer is responsible for arranging and supervising the collection of Diversity Data.

3. Why Diversity Data is collected

- a. Members of Chambers' workforce have the opportunity to provide their Diversity Data in order for Chambers to publish an anonymous summary of such data. This provides transparency concerning recruitment and employment activities across Chambers, and analysis of Diversity Data encourages a strong, diverse and effective legal progression.
- b. Members of Chambers and pupils also have the opportunity to provide their Diversity Data (in relation to race, disability and gender) in order for Chambers to monitor the allocation of unassigned work, in accordance with Chambers' Fair Access to Work Policy.
- c. Applicants to Chambers have, where possible, the opportunity to provide their Diversity Data to enable Chambers to conduct its recruitment on a non-discriminatory basis, and to comply with its Equality and Diversity Policy and Bar Standards Board requirements.
- d. **NB. no-one is obliged to provide their Diversity Data. Members of Chambers, pupils, employees, and applicants are free to provide all, some or none of their Diversity Data.**

4. How Diversity Data is collected

- a. Diversity Data for Chambers' workforce, obtained in order for Chambers to publish an anonymous summary of such data, will be collected through completing an online survey, the details of which will be sent by email to the workforce by the Diversity Data Officer. The completed survey will be automatically returned to the Diversity Data Officer. In the event that this is impractical, a hard copy survey shall be disseminated by the Diversity Data Officer, to be returned by email or by post, in a way as to preserve confidentiality. Surveys should be completed and returned by the stated deadline.
- b. The survey form is to incorporate, or be accompanied by, a consent form, which members of Chambers' workforce must complete if Diversity Data is provided to Chambers.
- c. Diversity Data for members of Chambers and pupils, obtained in order for Chambers to monitor the allocation of unassigned work, will be collected in a process similar to that set out at paragraph 4(a) and (b) above, in a separate survey.
- d. Diversity Data for applicants will be collected through completing, where possible, an online form, as part of the application process. Where this is not possible a hardcopy form will be used. No person involved in recruitment or selection of applicants will have sight of the Diversity Data in its original non-anonymised form.

5. Keeping Diversity Data secure

- a. All Diversity Data that is collected from individuals will be kept securely. Chambers shall put the following security measures in place to protect Diversity Data:
 - Any hardcopy forms completed by individuals will be scanned and saved as below, with the hardcopy destroyed on a confidential basis;
 - All electronic forms (included those scanned), and any associated record (for example in an automatically generated Excel spreadsheet), shall be stored by the Data Diversity Officer on Chambers' computer system, and password protected.
- b. Chambers will not share Diversity Data with any third parties, save as set out above.
- c. Should any person access or disclose Diversity Data accidentally or intentionally when they are not authorised to do so, they must notify the Diversity Data Officer immediately.

6. Anonymising Diversity Data

- a. The Data Diversity Officer shall anonymise an individual's Diversity Data on receipt, as follows:
 - By allocating a number to each individual's Diversity Data, and then securely and separately keeping a list of names of persons (or other identifier) with their allocated number ("the Secure List"); and
 - By permanently deleting or removing the individual's name, identifier, email or other address otherwise connected to the Diversity Data.
- b. A separate Secure List should be prepared in relation to:
 - Diversity Data obtained in order for Chambers to publish an anonymous summary of such data. The Secure List is for the purpose of enabling an individual to effectively withdraw their consent to its use (as below) and for Chambers to be able to address informed consent to use of the data. This Secure List is to be retained for the 3-year cycle of the publishing of the anonymous summary;
 - Diversity Data obtained in order for Chambers to monitor the allocation of unassigned work. This is to enable any discriminatory practices to be identified and rectified. This Secure List is to be retained indefinitely, but individuals will be removed from it if they leave Chambers;
 - Diversity Data for applicants to Chambers. This Secure List is to enable Chambers to identify any issues as to Chambers conducting its recruitment on a non-discriminatory basis and in compliance with its Equal and Diversity Policy, and to rectify these. The Secure List is to be retained for 12 months following the end of the particular recruitment exercise, to enable diversity and equality analysis in respect of successful or unsuccessful candidates.
- c. Chambers is, in any event, required to anonymise Diversity Data before publishing it in summary form.

7. Publication of the anonymised summary of Diversity Data

- a. Chambers is required to publish Diversity Data in relation to existing members of Chambers and employees in an anonymised summary format in accordance with the requirements of the Bar Standards Board. The summary will break down the information in a way which categorises each diversity characteristic against job status

and role, in a manner which reflects seniority within Chambers. The summary will be published online on Chambers' website.

- b. Diversity Data relating to sexual orientation and religion or belief will be included in the above anonymised summary format for publication, unless there are exceptional circumstances, see:

<https://www.barstandardsboard.org.uk/uploads/assets/beat4dc04-7acd-49a8-98a23a4d345f644d/8b833ea5-5d8f-4d67-a1156687cbdce27/Supporting-Info-Chambers.pdf>

- c. Chambers will seek advance consent from individuals to publish their anonymous data in circumstances where there are fewer than 10 individuals within a published category who identify through the questionnaire with the same diversity characteristic. Chambers will not publish the anonymous data relating to those individuals, in those circumstances, unless it has consent.

8. Destruction of Diversity Data

- a. Chambers will securely destroy the Diversity Data collected promptly after the Diversity Data has been anonymised and in any event within three months following the date of collection. Secure destruction means that, as far as possible, Chambers will not hold the Diversity Data in any way where it is possible to identify an individual, noting, however, the retention of the above Secure Lists. In practice, the hard copy Diversity Data will be disposed of in the same manner as all confidential waste in Chambers, and any electronically held Diversity Data will be permanently deleted.
- b. Anonymised data, in conjunction with the Secure Lists, will be kept for the above periods for the respective secure lists, before being destroyed as above. Any analysis by Chambers of the anonymised data, which does not identify any individual, may be retained for such longer period as is reasonably necessary for the purposes of Chambers effectively fulfilling its obligations with regards to equality and diversity.

9. Questions or complaints

- a. Any person has the right to withdraw their consent or object to the use of their Diversity Data at any time.
- b. Where a person's data has already been provided and they wish to withdraw their consent to its use, they must notify the Diversity Data Officer in writing. The Diversity Data Officer will promptly delete or destroy any Diversity Data, including personal data, and will confirm that this step has been taken within 21 days of receiving notification of the withdrawal of consent.

- c. Where the anonymised data has been published (as above) in summary form, the Diversity Data Officer will not extract personal data from the published summary unless it is likely that continued publication could cause the relevant individual or someone else substantial damage or distress. In such circumstances, the Diversity Data Officer will consider the reasons put forward and will respond within 21 days from the date of notification of the withdrawal of consent to let the relevant individual known whether the Diversity Data Officer has determined that continued publication of the data is justified and, if not, to confirm the action taken to extract data from the published summary and to delete or destroy any copies. If an individual withdraws consent, and they are one of fewer than ten people whose data falls into a category of sexual orientation or religion or belief, then the relevant data must be removed immediately from the Chambers' website

- d. Any questions or complaints about this Diversity Data Policy should be addressed to the Diversity Data Officer.

This policy was adopted at a Chambers' meeting on 26 January 2023, and will be reviewed in January 2024.