

EQUALITY AND DIVERSITY POLICY

1. Statement of policy

- a. Chambers is committed to promoting and advancing equality and diversity with respect to the provision of services to clients, the recruitment and retention of members of Chambers, staff, clerks, pupils and mini-pupils, patterns of working, and allocation of work. Chambers intends to create and promote a culture that actively values diversity, and recognises that people from different backgrounds and experiences offer valuable insight and improve Chambers as a whole.
- b. Chambers is committed to compliance with all relevant equality legislation, including but not limited to the Equality Act 2010, Codes of Practice, and relevant best practice guidance. This policy is intended to build upon and enhance understanding and implementation of the existing statutory framework, and to ensure that equality and diversity is promoted through an effective policy and action plan.
- c. Chambers has a zero-tolerance approach to discrimination, harassment, victimisation, and all other forms of unfair and/or unequal treatment. Chambers aims, therefore, to pro-actively tackle any such discrimination or unfair treatment, and to ensure that no individual or group is directly or indirectly discriminated against for any reason relating to employment or accessing services. However, Chambers also recognises that positive action may be lawful and appropriate in certain cases.
- d. Chambers recognises that equality of opportunity is fair, commercially advantageous and constitutionally important. To that end, Chambers has in place a Fair Access to Work Policy, Recruitment Policies for tenants and staff, and a Pupillage Policy.

2. Application of this policy

- a. This policy applies to all people for whom Chambers constitutes a working environment, including members, employees, clerks, pupils, mini-pupils, work experience students, temporary workers, those who provide services to Chambers such as contract cleaners, accountants and IT consultants.
- b. This policy also applies to all applicants for employment, mini-pupillage, pupillage and tenancy.

3. Definition of equality and diversity

- a. Equality is understood to mean equality of opportunity, and ensuring that no person is treated differently or discriminated against because of their characteristics. With

respect to equality of opportunity, Chambers aims to ensure that everybody has an equal chance to take up opportunities, and to make full use of the opportunities on offer and to fulfil their potential.

- b. Diversity is understood to mean taking account of, and celebrating the differences between people and groups of people. Chambers aims to promote personal dignity and respect, and to recognise, value and take account of people's different backgrounds, knowledge, skills, expertise and experiences in order to create a productive and effective workplace.

4. Definition of discrimination

- a. The Equality Act 2020 prohibits discrimination on the following grounds:

- Race (including colour, nationality, and ethnic or national origins);
- Sex;
- Pregnancy and maternity;
- Disability;
- Sexual orientation;
- Marriage and civil partnership;
- Religion or belief;
- Age;
- Gender reassignment.

- b. The following types of conduct are prohibited by the Equality Act 2020 in the areas of employment and provision of services (save that the characteristics of age and marriage/civil partnership are excluded in relation to the latter):

- Direct discrimination (including combined discrimination);
- Discrimination arising from disability;
- Indirect discrimination;
- Failure to make reasonable adjustments;
- Harassment;

- Victimisation.
- c. Pursuant to section 47 of the Equality Act 2020:
- A barrister or clerk must not discriminate against a person in the arrangements they make for deciding to whom to offer a pupillage or tenancy, as to the terms upon which pupillage or tenancy is offered, and by not offering a person pupillage or tenancy;
 - A barrister or clerk must not discriminate against a pupil or tenant as to the terms upon which they are a pupil or a tenant, in the way the pupil or tenant is afforded access, or not afforded access, to opportunities for training or gaining experience or receiving any benefit, facility or services, by terminating the pupillage, by subjecting a pupil or tenant to pressure to leave Chambers, or by subjecting the pupil or tenant to any other detriment;
 - A barrister or clerk must not harass a pupil or tenant, or any applicant for pupillage or tenancy;
 - A barrister or clerk must not victimise anyone in relation to the arrangements made for deciding to whom to offer pupillage or tenancy, the terms on which pupillage or tenancy is offered, or by not offering pupillage or tenancy to a person.
 - A barrister or clerk must not victimise a pupil or tenant as to the terms upon which they are a pupil or a tenant, in the way the pupil or tenant is afforded access, or not afforded access, to opportunities for training or gaining experience or receiving any benefit, facility or services, by terminating the pupillage, by subjecting a pupil or tenant to pressure to leave Chambers, or by subjecting the pupil or tenant to any other detriment;
 - No person may, in relation to instructing a barrister, discriminate against, harass or victimise the barrister.
 - Barristers and clerks have a duty to make reasonable adjustments.

5. Equality and diversity personnel

- a. Chambers shall at all times have an Equality and Diversity Committee comprising not less than three members of Chambers. Chambers shall endeavour to ensure that the membership of the Equality and Diversity Committee is as representative of the membership of Chambers as possible.
- b. Chambers shall at all times have not less than two Equality and Diversity Officers. The Equality and Diversity Officers shall be senior members of Chambers who have been trained in equality and diversity and who sit on the Equality and Diversity Committee.

The Equality and Diversity Officers shall be chosen by the membership of the Equality and Diversity Committee. The names and contact details of the Equality and Diversity Officers shall be published on Chambers' website. The Equality and Diversity Officers shall have primary responsibility for:

- The review, updating and implementation of this policy and the Equality Action Plan;
 - The review of Chambers' policies to ensure compliance with this policy;
 - The provision of equality and diversity training to all members of Chambers and staff;
 - The giving of advice to members of Chambers, employees and clerks on equality and diversity issues, whether because a request has been made or because the Equality and Diversity Officers consider that an issue has arisen;
 - Being available to members of Chambers or employees to offer advice, and to provide an informal option for the resolution of grievances;
 - Monitoring Diversity Data and the allocation of unassigned work, and ensuring that any necessary remedial actions or investigations are developed and added to the Equality Action Plan.
- c. Chambers shall at all times have a Diversity Data Officer, whose name shall be notified to the Bar Standards Board and published on Chambers' website. Chambers has a separate written Diversity Data Policy.

6. Recruitment and selection

- a. All members of Chambers and staff involved in recruitment and selection shall have received appropriate equality and diversity training and/or shall have studied the Bar Council's Fair Recruitment Guide.
- b. Chambers has written policies in relation to the recruitment of tenants, staff and pupils. Those documents set out the procedures by which tenants, staff, pupils and mini-pupils are recruited and selected. With respect to the recruitment and selection of pupils and mini-pupils, the Pupillage Policy sets out the criteria against which applications and candidates are assessed.
- c. Diversity Data is collected in respect of all applicants to Chambers for tenancy and pupillage. The Diversity Data Officer is responsible for the collection, analysis and dissemination of such data in accordance with the Diversity Data Policy.

- d. No applicant for employment, tenancy, pupillage or mini-pupillage will be discriminated against in relation to any protected characteristic, or otherwise treated unequally or unfairly, save where Chambers is required to do so by law (e.g. in respect of immigration status) or where such treatment constitutes lawful and appropriate positive action. Chambers will make reasonable adjustments for disabled candidates.
- e. Chambers recognises that the Bar, and in particular the chancery and commercial Bar, face significant issues with under-representation of certain groups, both in relation to recruitment and retention. Where appropriate and lawful, Chambers will utilise legitimate positive action in the recruitment and selection of candidates for employment, tenancy, pupillage and mini-pupillage in order to tackle inequality and a lack of diversity. For example, Chambers currently operates a Social Mobility Mini-Pupillage Scheme, which has the clearly stated objective of tackling an evidenced problem with social mobility at the Bar. Where such positive action is intended, Chambers will ensure that any such action is justified in advance by evidence or data, and that recruitment processes will be conducted with a high degree of transparency.

7. Fair access to work and the allocation of unassigned work

- a. Chambers has a written Fair Access to Work Policy.

8. Reasonable adjustments

- a. Chambers has a written Reasonable Adjustments Policy.

9. Parental leave

- a. Chambers has a written Parental Leave Policy, which is reflected in the terms of the Chambers Constitution.

10. Flexible working

- a. Chambers has a written Flexible Working Policy.

11. Complaints and grievances

- a. Chambers has a written Complaints Procedure for Clients, and a written Complaints Procedure for Staff.

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