



9.1 EQUAL OPPORTUNITIES AND DIVERSITY POLICIES & PROCEDURES

EQUALITY AND DIVERSITY POLICY

THE COMPANY COMMITMENT

This Company declares its commitment to the principles of equality and diversity and to observing legislative requirements (in particular the Equality Act 2010) relating to discrimination and promoting equality and diversity. This applies to the Company's professional dealings with staff (including applicants and former members of staff) and Directors, other solicitors, barristers, clients and third parties.

We will not, in our professional dealings with employees, Directors, barristers, other lawyers, clients or third parties discriminate, without lawful cause, against any person, nor victimise or harass them on the grounds of:

- (a) race or racial group (including colour, nationality and ethnic or national origins);
- (b) sex (including marital, civil Directorship status, gender reassignment, pregnancy, maternity and paternity);
- (c) sexual orientation;
- (d) religion or belief;
- (e) age; or
- (f) disability (the "Protected Characteristics").

We will take such steps, and make such adjustments, as are reasonable in all the circumstances in order to prevent any of our employees, Directors, suppliers or clients who are disabled from being placed at a substantial disadvantage in comparison with those who are not disabled. If you are disabled or become disabled, we encourage you to tell us so that we can support you as appropriate and make reasonable adjustments as required.

FORMS OF DISCRIMINATION

The following are the kinds of discrimination, which are against the Company's policy:

- (a) Direct discrimination, where a person is treated less favourably on the grounds of race, racial group, colour, ethnic or national origins, sex, pregnancy, marital status, disability or sexual orientation, religion or belief, or age.
- (b) Indirect discrimination, where an apparently neutral provision, criterion or practice would put a substantially higher proportion of people with a Protected Characteristic, at a particular disadvantage compared with other persons unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

- (c) Victimisation, where someone is treated less favourably than others because he or she has taken action. e.g. raising a complaint or supporting another in such a complaint in good faith against the Company relating to discrimination or harassment under section 27 of the Equality Act 2010.
- (d) Harassment, when one person subjects another to “unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment” (section 26 of the Equality Act 2010). Harassment may involve physical acts or verbal and non-verbal communications and gestures, related to a Protected Characteristic. However, harassment of any type will not be tolerated.
- (e) We will not discriminate against a person due to their association with someone with one of the Protected Characteristics e.g. a spouse or family member.

EMPLOYMENT & TRAINING

As an employer, the Company will treat all employees and job applicants equally and fairly and not discriminate unjustifiably against them. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation and any other employment related activities.

Questions concerning health or disability will not be asked at interview unless the particular job requires a specific level of fitness intrinsic to the role.

DIRECTORS

Arrangements for selecting Directors, their terms and conditions of Directorship, access to benefits, facilities or services and termination arrangements will be reviewed and amended where necessary to prevent discrimination on any of the Protected Characteristics.

BARRISTERS AND THIRD PARTIES

Barristers will be instructed on the basis of their skills, experience and ability. The Company will not, on any of the Protected Characteristics, avoid briefing a barrister and will not request barristers' clerks to do so.

Clients' requests for a named barrister should be complied with, subject to the Company's duty to discuss with the client the suitability of the barrister and to advise appropriately.

The Company will discuss with the client any request by the client that only a barrister who is not disabled or who is of a particular gender, marital status, race, racial group, colour, ethnic or national origin, nationality, religion or belief, sexual orientation or age group be instructed. In the absence of a valid reason for this request, which must be within the exemptions permitted by the anti-discrimination legislation, the Company will endeavour to persuade the client to modify their instructions. Should the client refuse to modify such instructions, the Company will cease to act.

The Company will treat all suppliers, potential suppliers and other third parties fairly, and will not discriminate against them on any of the Protected Characteristics.

All lists of approved suppliers and databases of expert witnesses, contractors, agents and other third parties who, or which, are regarded as suitable to be instructed by those within the Company have been compiled only on the basis of the ability of those persons or organisations to supply goods or services of a particular type and contain no discriminatory exclusion, restriction or preference.

CLIENTS

The Company is generally free to decide whether to accept instructions from any particular client, but any refusal to act will not be based upon any of the Protected Characteristics.

The Company will take steps to meet the different needs of particular clients arising from its obligations under the anti-discrimination legislation (such as the Equality Act 2010) and the Solicitors' Code of Conduct 2007, Rule 6 – Equality and Diversity.

PROMOTING EQUALITY AND DIVERSITY

Employees and Directors will be informed of this Equality and Diversity Policy.

This policy will be made available to clients, the Solicitors Regulation Authority and relevant third parties when required.

In all its dealings, including those with suppliers, contractors and recruitment agencies, the Company will seek to promote the principles of equality and diversity.

IMPLEMENTING THE POLICY

Responsibility

Ultimate responsibility for this policy rests with the Directors of the Company. The Company has appointed the Practice Manager to have operational responsibility for implementing, communicating, monitoring, evaluating and updating this policy.

All employees and Directors of the Company are expected to pay due regard to the provisions of this policy and are responsible for ensuring compliance with it when undertaking their jobs or representing the Company. In particular Directors and other managers are expected to lead by example in this regard.

Acts of discrimination or harassment on any of the Protected Characteristics, or any other failure to comply with this policy by employees or Directors of the Company, may result in disciplinary action. Acts of discrimination or harassment on any of the Protected Characteristics by those acting on behalf of the Company will lead to appropriate action including termination of service where appropriate.

COMPLAINTS OF DISCRIMINATION

The Company will treat seriously, and will take action where appropriate concerning, all complaints of discrimination or harassment on any of the Protected Characteristics made by employees, Directors, clients, barristers or other third parties. Complaints will be investigated in accordance with the Company's grievance or complaints procedure and the complainant will be informed of the outcome.

MONITORING AND REVIEW

The operation of this policy will be monitored and reviewed by the Managing Director in a manner proportionate to the size and nature of the Company at the time on an ongoing basis to measure its progress and judge its effectiveness.

In particular, the Company will, as appropriate, monitor and record:

- (a) The gender and ethnic composition of the workforce and Directors as well as the number of disabled staff and Directors at different levels of the organisation.
- (b) The ethnicity, gender and disability of all applicants, short-listed applicants and successful applicants for jobs and training contracts.
- (c) The ethnicity, gender and disability of all applicants for promotion (including to Directorship) and training opportunities and details of whether they were successful.
- (d) The number and outcome of complaints of discrimination made by staff, Directors, barristers, clients and other third parties.
- (e) The disciplinary action (if any) taken against employees by race, gender and disability.

If it is possible to do so without causing offence or discomfort to those whom it is intended to protect, the sexual orientation and religion or belief of Directors and staff will be monitored so as to ensure that they are not being discriminated against.

This information will be used to review the progress and impact of the Equality and Diversity Policy. Any changes required will be made and implemented.

Whilst all employees should adhere to the Company's Equality and Diversity Policy, solicitors should note that the duties set out here also form part of the Solicitors' Code of Conduct and as such any breach of the Equality and Diversity Policy may additionally result in external disciplinary action.