

## EQUALITY & DIVERSITY POLICY

We are committed to eliminating unlawful discrimination and to promoting equality and diversity within our policies, practices and procedures. We aim to encourage, value and manage diversity and are committed to equality for all our staff members including potential staff members. These principles of equality of opportunity and non-discrimination also apply to our professional dealings with clients and others.

We treat everyone equally and with the same attention, courtesy and respect regardless of:

- pregnancy and maternity
- marital or civil partnership status
- gender reassignment
- sex or sexual orientation
- race or racial group (including colour, nationality and ethnic or national origins)
- religion or belief
- age or
- disability.

These are referred to as Protected Characteristics throughout this policy.

We take all reasonable steps to ensure that the firm and its staff do not unlawfully discriminate under:

- the Equality Act 2010
- the Employment Rights Act 1996
- the Human Rights Act 1998
- the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2000
- the Work and Families Act 2006
- the Civil Partnership Act 2004 and

any other relevant legislation in force from time to time relating to discrimination in employment and the provision of goods, facilities or services.

Our firm is particularly concerned that the principles of equality of opportunity and non-discrimination are maintained in the following areas:

- existing staff members
  - progression including promotion and transfers
  - performance management, learning and development including appraisals and training opportunities
  - terms of employment, benefits, facilities and services
  - grievance and disciplinary
  - dismissals, resignations and redundancies
- job applicants
  - recruitment and selection
- clients and access to our services
- engagement with third parties including suppliers and experts.

All staff are expected to pay due regard to the provisions of this policy and their obligations in the SRA's Standards and Regulations and have personal responsibility for ensuring compliance with them when undertaking their jobs or representing our firm and which extends to their treatment of job applicants, existing or former employees, clients, external suppliers and/or visitors.

All staff must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, consultants, Partners, interns, agency workers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with clients, suppliers or other work-related contacts) and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- a) Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay
- b) Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such requirement could be discriminatory unless it can be justified
- c) Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-Harassment and Bullying Policy
- d) Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment
- e) Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability and failure to make reasonable adjustments to alleviate disadvantages caused by a disability
- f) Dual discrimination: where someone is treated less favourably because of more than one protected characteristic.

### ***Staff members & Job applicants***

We will appoint, train, develop, reward and promote staff members on the basis of merit and ability.

We treat all job applicants equally and fairly and do not unlawfully discriminate against them. We do this by ensuring that we operate an open and fair recruitment process, using selection criteria which does not discriminate, and making fair and lawful decisions. In particular:

- assumptions that only certain types of person will be able to perform certain roles will not be made
- individual job applicants will be assessed according to their individual qualities and personal merit
- qualifications or criteria including the requirement for the use of years of experience which may have the effect of inhibiting applicants will only be retained where they can be objectively justified
- age limits which may have the effect of inhibiting applicants will generally not be permitted unless there is a particular objective justification for their requirement

- where any criteria for recruitment and selection may have the effect of putting a person with a disability at a substantial disadvantage due to their disability, reasonable adjustments may need to be made to eliminate or reduce the disadvantage

Our procedures for recruitment and selection and the interview process are set out in [Section 5](#).

We consider all staff members to be equal and aim to create a working environment which is free from unlawful discrimination. This applies equally to voluntary positions and anyone undertaking work experience with us. This will, for example, include arrangements for employment, recruitment and selection, terms and conditions of employment, progression, access to training opportunities, conditions of service, access to promotion and transfers, grievance and disciplinary processes, dress code, work allocation and any other employment related activities. In particular:

- our policies and procedures for performance management, learning and development are developed and reviewed so as to ensure that they are not discriminatory and do not normally result in an imbalance in treatment between staff members
- terms of employment, pay, benefits, facilities and services available to staff members are reviewed regularly so as to ensure that they are provided in a way which is not discriminatory
- qualifications or criteria for promotion, appraisal, transfer and training, such as length of service or years of experience which may discriminate against certain staff members will only be permitted where they can be objectively justified
- where any criteria for promotion, appraisal, transfer or training or the provision of terms of employment, pay, benefits, facilities and services may have the effect of putting a person with a disability at a substantial disadvantage due to their disability, reasonable adjustments may need to be made to eliminate or reduce the disadvantage. In particular, in accordance with our [Flexible Working Policy](#), we actively consider the making of reasonable workplace adjustments to ensure that staff members with a disability, vulnerability or particular need are fully supported and are not put at a substantial disadvantage compared to other staff
- we will monitor the physical features of our premises to improve access and working arrangements for all staff but staff members who experience any difficulties at work are encouraged to raise these issues as soon as possible in accordance with our [Flexible Working and Workplace Arrangements Procedures](#).

### ***Clients and access to services***

Wherever possible, we take steps to promote equal opportunity in relation to access to the legal services that we provide, taking account of the diversity of the communities that we serve, in order to ensure that, subject to funding or other reasonable constraints, our services are accessible to all clients.

We are committed to meeting the diverse needs of clients. We take steps to identify the needs of clients in the community and develop plans and procedures setting out how we will meet clients' needs and for ensuring the services which we provide are accessible to all. We take into account, in particular, the needs of clients with a disability and clients who are unable to communicate effectively in English. In particular, we make reasonable adjustments to ensure that clients with a disability, vulnerability or particular need are not placed at a substantial disadvantage and do not pass on the costs of adjustments to these clients. We consider whether particular groups are predominant within our client base and, where possible, ensure that their needs are met.

### ***Experts & Third Parties***

We do not unlawfully discriminate in dealings with experts and third parties. All experts and third parties are instructed from a register of experts and have been assessed by the firm as being capable of meeting both our firm's and our clients' requirements. Experts and third parties are instructed because they satisfy our selection criteria.

### ***Monitoring Diversity & Collating Equality Data***

We monitor and record, at least annually, equality & diversity information about job applicants on the basis of gender, marital status, age, disability, religion and ethnic groups. We ask job applicants if they would be willing to complete our Equality & Diversity Monitoring Form, a copy of which is at **Appendix Two**, noting that they have the right to refuse to do so or to choose only to answer selected questions at their own discretion.

We monitor and record equality & diversity information about existing staff members including key personnel on the basis of gender, sexual orientation, age, disability, religion, ethnic groups as well as other questions based upon the staff member's social and educational background as requested by the SRA. We ask staff members to complete the SRA's diversity monitoring form as recommended and updated by the SRA from time to time, noting that staff members have the right to refuse to do so or to choose only to answer selected questions at their own discretion. The data is collated and submitted to the SRA as and when required, usually bi-annually.

All monitoring data will be reviewed by Phil Walsh and he will be responsible for consideration of whether any remedial action should be implemented in particular where any equality and diversity issues including any under-representation of any of the groups above is identified. In such cases, the firm may seek professional advice from an employment specialist and/or the Equalities and Human Rights Commission in relation to the appropriate remedial action to be taken. It is recognised that such remedial action could include the identification of specific training needs and/or the taking of positive action to increase employee diversity

Phil Walsh is responsible for implementing and monitoring our Equality & Diversity Policy. In particular, he is responsible for:

- ensuring that adequate resources are available to meet equality and diversity needs
- providing equality & diversity information to the Legal Aid Agency as required in relation to staff and clients under the terms of the LAA Contracts
- reporting to the management team on compliance
- promoting a culture of equality and diversity awareness and compliance by means of education and training and overseeing arrangements for the sharing of information on equality and diversity. This may include informing staff of any new updates on equality and diversity including bulletins or articles published by regulators and/or in the legal press, or online training and webinars with Delta.Net
- providing assistance to any individual staff members who have been assigned responsibility for any specific equality and diversity actions

- considering whether clients have any vulnerabilities which may, in accordance with our [Vulnerable Clients Policy](#), require us to take additional care and/or make reasonable adjustments to ensure that we meet their needs and provide our services in a manner in which facilitates their ability to make informed decisions
- considering whether reasonable adjustments need to be made for clients, third parties and staff members. Requests for adjustments and flexible working arrangements are considered in accordance with our [Flexible Working Policy](#)
- ensuring that appropriate action is taken in relation to any non-compliance identified under this policy or barriers to equal opportunities and
- reviewing this policy annually to verify it is in effective operation.

### ***Equality & Diversity Training***

Our equality & diversity training and communication objectives are reviewed at least annually and detailed in our Equality and Diversity Training and Communication Plan.

All staff members are informed of this policy as part of their induction.

We ensure that all managers and supervisors with responsibility for any of the areas of particular concern as set out above are provided with appropriate equality and diversity training and/or written instructions where necessary, which may be updated as required.

Other staff members may also be required to attend training on compliance with equality & diversity requirements. We identify additional equality and diversity training needs as and when appropriate and address them as part of staff members' training plans.

### ***Non-compliance***

We treat seriously all complaints of unlawful discrimination made by any of our staff, clients, barristers, experts or other third parties and will take action where appropriate.

Any staff member who believes that they may have been unfairly discriminated against are invited to raise a grievance in accordance with our [Grievance Procedure](#). Staff members will not be victimised for raising a grievance in good faith. Grievances will be dealt with seriously in accordance with our Grievance Procedure and the complainant will be informed of the outcome.

Other complainants of unlawful discrimination including job applicants, clients and other third parties are invited to raise a formal complaint which will be handled in accordance with our [Complaints Handling Procedure](#).

Where acts of unlawful discrimination, harassment or victimisation and/or failure to comply with this policy by any member of staff are identified, Phil Walsh will ensure that our [Disciplinary Procedure](#) is followed and this may result in disciplinary proceedings being instigated.

He also monitors the number and outcome of complaints of discrimination.