

## EQUALITY, DIVERSITY AND INCLUSION POLICY

### Everybody wins with equality

#### 1 Purpose

- 1.1 This document sets out our approach to equality, diversity and inclusion (EDI) and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 1.2 We are committed to promoting equality of opportunity, not just in employment but to our clients, prospective clients, visitors, and those who provide services to us and to our clients.
- 1.3 We are signatories to The Law Society's Diversity and Inclusion Charter, which is a public commitment to develop and implement best practice in equality, diversity and inclusion.

#### 2 To Whom Does This Policy Apply?

- 2.1 This policy covers all individuals working for us irrespective of their status, level or grade. It therefore includes employees, workers, consultants, contractors, trainees, Partners, managers, officers, directors, all, homeworkers, agency staff and volunteers (collectively known as **staff** in this policy).
- 2.2 All staff have a duty to act in accordance with this policy and to treat each other (and those named at 1.2) with dignity and respect at all times, and not to discriminate against or harass others. We will not tolerate any discriminatory practices or behaviour.
- 2.3 This policy does not form part of any employee's contract of employment, and we may amend it at any time.

#### 3 Policy Statements

- 3.1 We believe that we are stronger together and that our differences make us strong. We know that we are more confident, more effective and perform at our best when we can completely be ourselves, and that the more diverse perspectives we have, the more we are able to learn, grow and thrive.
- 3.2 We are committed to promoting a culture that supports and values diversity and inclusion. Our aim is for our firm to be truly representative of all sections of society and for all staff to feel respected and able to give their best.

- 3.3 You, any job applicant and any individual with whom we have professional dealings, will receive equitable, respectful and courteous treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (Protected Characteristics).
- 3.4 We will go beyond the legally defined Protected Characteristics to ensure equality of treatment to all regardless of socio-economic status, neuro diversity and intersectionality. Any reference to Protected Characteristics in this policy includes these attributes.
- 3.5 We acknowledge that everybody's needs are different and that some people may need more support than others in order to thrive as equals.
- 3.6 While the firm is free to decline to act for a particular client, that decision must never be made on the grounds of a Protected Characteristic or because of any other bias or prejudice.
- 3.7 Training will be provided in EDI and staff are required to attend such training as may be provided from time to time, including but not limited to attending training courses or taking part in e-learning initiatives and reading updates to this policy.

#### **4 Personnel Responsible For This Policy**

- 4.1 The Board has overall responsibility for this policy but has delegated day-to-day responsibility for overseeing its implementation, monitoring and annual review to the Human Resources Director. Any questions concerning the operation of this policy should be directed to the Human Resources (HR) team or the Equality, Diversity and Inclusion Partner, currently Sam Dickinson.
- 4.2 Those working at management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy to promote our aims and objectives with regard to equal opportunities and diversity.
- 4.3 All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with it and act in accordance with its aims and objectives. Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the HR team or Sam Dickinson.

#### **5 Discrimination**

- 5.1 You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace and on work-related trips or events including social events. Further you must not use

any personal social media or online account to harass, bully or discriminate against any person or act in any way that may be a breach of this policy.

- 5.2 Direct discrimination occurs where someone is put at a disadvantage for a reason related to one or more of the Protected Characteristics. For example, rejecting a job applicant because of their religious beliefs would be direct discrimination.
- 5.3 Indirect discrimination occurs where 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. If such criteria cannot be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex.
- 5.4 Harassment 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.
- 5.5 Victimisation is retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- 5.6 Disability discrimination 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. Penalising an employee because of disability related absences might amount to disability discrimination.

## **6 Diversity and Inclusion**

- 6.1 Diversity is about recognising difference. It is acknowledging the benefit of having a range of perspectives in decision-making and the workforce being representative of the firm's clients and the community we serve.
- 6.2 Inclusion is where people's differences are valued and used to enable everyone to thrive at work. An inclusive working environment is one in which everyone feels that they belong, that their contribution matters, and they are able to perform to their full potential, no matter their background, identity or circumstances.
- 6.3 We will actively seek to increase the number of staff from groups/communities that are underrepresented in law as a whole or in our firm and actively seek to improve the diversity of our workforce.
- 6.4 The firm will make every effort to reflect its commitment to diversity and inclusion in its marketing and communication activities.

## **7. Recruitment and Selection**

- 7.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person and with the involvement of the HR team, where possible. Our recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.
- 7.2 Vacancies, when advertised externally, should be advertised to as diverse a labour market as possible. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. They will include the agreed policy statement on equal opportunities and a copy of this policy will be made available on request.
- 7.3 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they can commit to out of hours networking.
- 7.4 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the HR team. For example:
- (a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
  - (b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
  - (c) Positive action to recruit people with disabilities.
  - (d) Equal opportunities monitoring (which will not form part of the selection or decision-making process).
- 7.5 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the HR team or UK Visas and Immigration.
- 7.6 Offers of employment are subject to receipt of satisfactory references, including background checks and a right to work check. Once an offer of employment is accepted verbally or by email, our screening provider will make contact with prospective employees.

## **8 Staff Training and Promotion and Conditions of Service**

- 8.1 Staff training needs will be identified through regular staff performance reviews. All staff will be given appropriate access to training as required to enable them to progress and all promotion decisions will be made on the basis of merit.
- 8.2 Steps will be taken to identify and remove unnecessary or unjustifiable barriers and to provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.
- 8.3 We will endeavour to accommodate the requirements of the religious, cultural, medical and domestic responsibilities of staff. If you have any such requirements, please discuss matters with the HR team, your Head of Department or the Equality, Diversity and Inclusion Partner.

## **9 Termination of Employment**

- 9.1 We will monitor redundancy criteria and procedures to ensure that they are fair and objective and are not directly or indirectly discriminatory.
- 9.2 We will also ensure that disciplinary procedures are carried out fairly and without discrimination, whether they result in the giving of disciplinary warnings, dismissal or other disciplinary action.

## **10 Disability**

- 10.1 If you have a disability or become disabled in the course of your employment with us, we encourage you to tell us about your condition so that we can support you as much as possible.
- 10.2 We are committed to facilitating the employment of people with disabilities and to achieve this aim we will:
  - (a) take reasonable steps to ensure that the working environment and working practices do not prevent people with disabilities from taking up positions for which they are suitably qualified and the best person for the job;
  - (b) endeavour to avoid barriers to the employment of people with disabilities when acquiring and fitting out buildings and when devising working practices; and
  - (c) make reasonable adjustments where possible to ensure that no person with a disability is placed at an unreasonable disadvantage.
- 10.3 We ask that you advise us of any reasonable adjustments to your working conditions or duties which you consider to be necessary, or which would assist you. We may wish to consult with you and with your medical adviser

about possible reasonable adjustments. Careful consideration will be given to any such proposals, and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, if there are reasons why it will not be reasonable to accommodate a suggested adjustment, we will ensure that we inform you of the basis of our decision and try to find an alternative solution where possible.

- 10.4 We will monitor the physical features of our premises to consider whether they place people with disabilities at a substantial disadvantage compared to others. Where possible and proportionate, we will take steps to improve access for people with disabilities.

### **11 Fixed-Term Employees**

We monitor our use of fixed-term employees and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

### **12 Part Time Workers**

- 12.1 We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities.
- 12.2 We will ensure requests to alter working hours are dealt with appropriately as flexible working requests.

### **13 Barristers, Other Experts (“Experts”) and Suppliers**

- 13.1 Experts should be instructed on the basis of their skills, experience and ability. The firm will not, on the grounds of the Protected Characteristics avoid briefing an expert and will not request barristers’ clerks to do so.
- 13.2 Clients’ requests for a named expert should be complied with where possible, subject to the firm’s duty to discuss with the client the suitability of the expert and to advise appropriately.
- 13.3 The firm has a duty to discuss with a client any request they make that only an expert with (or without) a particular Protected Characteristic be instructed. The firm will endeavour to persuade the client to modify any instructions which appear to be given on discriminatory grounds. Should the client refuse to modify such instructions, the firm will cease to act.

### **14 Service to Clients**

- 14.1 We are committed to providing exceptional service to clients irrespective of their Protected Characteristics.

- 14.2 If any client raises a complaint alleging that they have been discriminated against, we will investigate in accordance with our Complaints Procedure.

## **15 Breaches of the Policy**

- 15.1 If you believe that you may have been disadvantaged on any of the grounds listed in this policy, you are encouraged to raise the matter with our Equality and Diversity Partner or through our Grievance Procedure. If you believe that you may have been harassed on any of the grounds listed in this policy, you are encouraged to raise the matter with our Equality, Diversity and Inclusion Partner or through our Anti-Harassment and Bullying Policy.
- 15.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach of this policy which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.
- 15.3 Any Partner or member of staff who is found to have committed acts of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct or, in the case of Partners, represent a breach of the Members Agreement, and, as such, may result in summary dismissal or, in the case of Partners, compulsory retirement. We will always take a strict approach to serious breaches of this policy.

## **16 Review and Monitoring**

- 16.1 In line with initiatives from the Legal Services Board and Law Society to promote diversity within the legal profession, we will collect, report and publish data about the diversity of our workforce in order to meet the regulatory objectives in the Legal Services Act 2007 of 'encouraging an independent, strong, diverse and effective legal profession'.
- 16.2 We will also use diversity data to help ensure we comply with our obligations under the Equality Act 2010 and to assist us in promoting equality, diversity and inclusion through our policies, practices and procedures.
- 16.3 We urge all staff to complete diversity monitoring questionnaires when requested so that we can better identify, understand and overcome barriers that applicants and employees face. Diversity information is covered by the Data Protection Act meaning access to it is limited to a small number of individuals and it is treated with the utmost confidence. Any information published will be on an aggregate and anonymous basis.