

EQUALITY AND DIVERSITY POLICY

Chambers as a set are firmly committed to the promotion and advancement of equality. The policy and procedures contained within this document constitute our Equality and Diversity Policy and are endorsed by every member of chambers and employees. It is expected that each member of chambers or staff will act in accordance with this policy.

This document shall be amended in accordance with developments in the BSB Handbook, Statutes and Statutory Regulation, and reviewed at least every two years.

Chambers Equal Opportunities Policy Statement

1. Chambers is committed to ensuring that all those who form a part of the Tanfield Chambers are treated fairly and are afforded equality of opportunity. Chambers is committed to ongoing review of its policies and practices to ensure that it continues to achieve that aim.
2. The Governance Board shall ensure so far as reasonably practicable that all who work within Chambers as a whole including its committees, its members, its pupils (including mini-pupils) and its staff comply with Rule rC12 of the BSB Handbook prohibiting any form of unlawful discrimination against, victimisation or harassment of any person on the grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, gender re-assignment, sexual orientation, marital or civil partnership status, disability, religion or belief, age or pregnancy and maternity.
3. Chambers has set up an Equality and Diversity Committee to monitor and review this policy and its implementation and has appointed an Equality and Diversity Officer.

Procedures and plan to promote and implement our Equality and Diversity Policy

4. In order to promote and advance equality, both within Chambers and externally, the procedures in the following sections have been endorsed by members of Chambers and employees. The policy and its implementation will be reviewed regularly by the Equality and Diversity Committee to ensure that it complies with the requirement of Rule rC110 of the BSB Handbook and any appropriate remedial action identified in the light of that review will be taken.

Reasonable Adjustments Policy

5. Chambers has a reasonable adjustments policy aimed at supporting disabled clients, its workforce and others including temporary visitors.

Marketing

6. Chambers shall make every effort to ensure that marketing opportunities arranged by Chambers offer an equal opportunity for members of chambers to participate and benefit, regardless of their age, race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, marital status, disability, religion or belief.
7. Chambers will ensure that marketing and networking activities, such as giving or attending seminars or attending social events for the purposes of marketing are organised so that all tenants can, so far as practicable, be equally involved. Where it is not possible or appropriate for the whole of the relevant team to attend the event, Chambers will endeavour to ensure that such networking opportunities are publicised to all tenants and that there is a fair allocation of the opportunities to attend such events.
8. Chambers will be proactive in ensuring that tenants are given such fair opportunities for marketing and networking and will:
 - a. Promote transparency about marketing and networking opportunities by ensuring that all tenants are notified of or have the opportunity to view a diary containing details of all events which are wholly or partly funded by Chambers, all events

which are attended by any practice manager, and all seminars and talks given to solicitors (with the title of such talks and seminars);

- b. Discuss marketing during each practice meeting with tenants and identify the extent to which Chambers has provided the tenant with marketing opportunities, the extent to which the tenant has been proactive in seeking opportunities and the aspirations of the tenant with regard to marketing over the following year.
9. Chambers will retain a discretion as to whether it is appropriate to include pupils in marketing events. However, pupils will usually be invited to attend seminars given by members of Chambers where there is an element of education involved

Advertisements and website

10. Adverts and Chambers' website shall comply with our equal opportunities policy and shall state that "we are an equal opportunities organisation". This is applicable to adverts for the recruitment of support staff, tenants and other notices in publications.

Recruitment, Selection and Monitoring

Recruitment of pupils

11. Chambers has set up a Pupillage Committee to oversee the recruitment of pupils to Chambers and applications for pupillage are dealt with in accordance with the Pupillage Policy. The Pupillage Committee shall be responsible for implementing the selection procedure which is set out in the Pupillage Policy and summarised below.
12. Chambers' Data Diversity Officer is responsible for gathering statistical information to facilitate the monitoring of the diversity of applicants throughout the application process.

Recruitment of Tenants

13. The recruitment policy in respect of tenants shall recognise:

- a. that where a vacancy in Chambers has arisen, it would normally be appropriate to advertise and shall be advertised appropriately; and
 - b. that as a matter of reality some recruitment of experienced tenants does take place by informal means and that applications for a seat in Chambers may be made on the sole initiative of the applicant.
- 14. Chambers has set up a Recruitment Committee to oversee the recruitment of tenants to Chambers. The Committee shall be responsible for establishing a long-term recruitment policy for Chambers and for implementing the selection procedures set out below. The Recruitment Committee shall ensure that its policy is compliant with equality and diversity principles and any relevant guidance set out in the Equality and Diversity Rules in the BSB Handbook.

Selection of Pupils, Tenants and Staff

- 15. Those involved in short listing and interviewing are aware of our Equal Opportunities Policy. The selection policy shall:
 - a. be transparent;
 - b. not be subject to change during the selection process;
 - c. be based on objective and explicit criteria which relate to the demands of the work;
 - d. be applied equally,
 - e. judge individuals on their merits;
 - f. be free at all stages, from assumptions based on stereotypical views or expectations of the behaviour and characteristics of any particular group;
 - g. not be subject to the will or unexplained veto of one person alone, but instead reflect the views of the relevant interview panel or committee or meeting as the case may be.

Mini-Pupillages

16. Chambers provision for mini-pupillage is set out in its Mini Pupillage Policy.
17. There is a nominated Mini-Pupillage Administrator who shall be responsible for dealing with all applications for mini-pupillage.
18. The mechanism for making an application will be advertised on Chambers' website and will consist of a written application by way of covering letter and CV to be addressed to the Mini Pupillage Administrator. Applicants will be asked to identify in their covering letter whether they require any reasonable adjustments in order to enable them to undertake a mini pupillage. Applicants will be invited at their option to submit a completed diversity monitoring questionnaire.
19. Chambers is unable to offer mini pupillages to all who apply and, therefore, to ensure equality of opportunity, the Mini Pupillage Administrator will so far as necessary allocate mini pupillages using objective criteria which shall be set out in the Mini Pupillage Policy.
20. In order to ensure that mini-pupillage is a valuable learning experience for mini-pupils, chambers will ordinarily expect applicants to have reached the final year of undergraduate study or to have commenced the law conversion course prior to undertaking a mini-pupillage.
21. Chambers will not discriminate on grounds of age save in respect of mini pupillage where for reasons of student safeguarding and because of the sensitivities involved with family proceedings and Court of Protection proceedings, Chambers will not ordinarily and in its discretion where there is reasonable justification for doing so offer a mini pupillage to an applicant who remains at school.
22. Chambers considers this policy to be objectively justifiable based on the safeguarding requirements of schools and the sensitivity and subject matter of certain cases, in particular family cases and cases which concern a person who lacks capacity.

Monitoring

23. The recruitment of tenants, pupils and staff over a period of time will be reviewed by the Equality and Diversity Committee to check whether Chambers' policies are being carried out and whether they are working.
24. Such reviews will include:
 - a. collecting and analysing data broken down by race, disability and gender;
 - b. investigating the reasons for any disparities in that data; and
 - c. taking appropriate remedial action i.e. action aimed at removing or reducing the disadvantage experienced by particular groups.
25. In respect of data on pupils, this will be reviewed annually. In respect of data on tenants, this will be reviewed every three years unless the numbers change to such a degree as to make more frequent monitoring appropriate.
26. Monitoring data will be anonymous. The identity of individuals will be concealed in the analyses of data by identifying individuals only by a number.
27. When requesting equality information, an explanation for its collection will be given. This will state why the information is being requested and for what purposes it will be used. The explanation will emphasise confidentiality and state who will have access to the information. It will also explain that answering the questions is not compulsory. It will also be made clear to those completing the monitoring form that their response to the question on disability will only be used for monitoring purposes. An additional question will be included to enable disabled individuals to raise any need for reasonable adjustments related to their recruitment, employment in or membership of chambers and applicants will be asked whether they require any reasonable adjustments in the recruitment process as part of the covering letter.
28. In analysing the data, the Equality and Diversity Committee will:

- a. gauge whether the application rates of different groups are proportionate to these groups' representation on the Bar Professional Training Course (for pupillage) or among suitably qualified barristers (for tenancies) or the population from which selection is to be made (for chambers' staff);
- b. where under-representation of particular groups is identified, the Equality and Diversity Committee may recommend using positive action to encourage applications from members of those groups;
- c. check whether the representation of different groups among those shortlisted is proportionate to their representation among applicants. If there is a disparity, the reasons for different shortlisting rates will be investigated;
- d. examine the success rates for different groups at the interview stage. Any differences will be investigated to ensure that there is no direct or indirect discrimination in the treatment of candidates. Training interviewers in fair recruitment will be considered if disparities are identified in the analysis of interview monitoring data. Exercises used at this stage will be reviewed if the analysis suggests that they are contributing to disparities;
- e. look at the overall likelihood of different groups being appointed, i.e. the proportions of appointments from each group.

Allocation of work

- 29. Distribution of work to pupils is covered in the Pupillage handbook.
- 30. The distribution of work to members of Chambers shall be carried out on the basis of the skills and experience required for each case. Any concerns should be raised with the members' Practice Manager in the first instance, or if that is not appropriate with the Chief Executive.
- 31. Chambers computer system can produce print outs of "work done", "payment summaries", "distribution of work reports" and "case origin analysis" reports to analyse individual practices if necessary. Reports of this kind should be used as a matter of course during individual practice development meetings. The practice managers regularly review the

allocation of work to junior tenants and pupils, in particular, to ensure that junior tenants are exposed to a wide range of solicitors and are experiencing a wide range of work. Such reviews should be recorded in writing.

Instructions to the practice managers concerning discriminatory instructions

32. The stages of dealing with a discriminatory request have been set in out in a detailed document. “*Instructions to clerks concerning Discriminatory Instructions*” has been circulated to all the practice managers.
33. The practice managers are aware that under s. 47 (6) of the Equality Act 2010 it is unlawful for any person in instructing a barrister, to discriminate against them. In addition, the Solicitors Regulation Authority Code of Conduct prohibits solicitors from discriminating unlawfully against any person in the course of their professional dealings.
34. If a practice manager receives a request that is discriminatory, for example a request for a barrister of a particular sex or race, the practice manager should explain that such a request is unlawful.
35. It is Chambers’ policy that no practice manager shall comply with any request or requirement to discriminate on unlawful grounds in the choice of barristers and if a solicitor refuses to modify or withdraw the unlawful request, the work should be politely refused. The practice manager should then make a full note of the incident and refer it to the Equality and Diversity Officer for further action to be taken with the appropriate professional disciplinary body.

Treatment of Lay and Professional Clients

36. Chambers is committed to the provision of an equally high quality service to all clients regardless of their age, race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, marital status, disability, religion or belief.
37. Chambers will treat seriously any complaint about unequal treatment on grounds of age, race, colour, ethnic or national origin, nationality, citizenship, sex, gender reassignment,

sexual orientation, marital status, disability, religion or belief. Any such complaint should be made to through the Chambers Complaints Procedure and the Equal Opportunities Officer notified of it.

Career Development

38. Chambers will arrange regular practice meetings for members of Chambers. The purpose of these meetings is to enable discussion of work allocation, work opportunity and development of individual practices. These meetings will be organised by the members' practice manager and will be scheduled to take place annually. Such meetings are recorded and those records are kept by the practice manager and copied to the member.
39. Further, all members of Chambers have the opportunity to meet with their practice manager, either formally or informally, to discuss career development as and when they or the practice managers feel it necessary or desirable.
40. Pupil supervisors will discuss career development with pupils and, where appropriate, with the practice managers and the Equality and Diversity Officer.

Mentoring

41. All pupils and new members of Chambers will be allocated a mentor who will be selected in the case of pupils by the Director of Pupillage and in the case of new members by the Deputy Head of Chambers. The scheme is open to all other members of Chambers on request.
42. Chambers has developed a mentoring scheme where advice and guidance can be offered regarding practice development and/or any other issues arising within Chambers. The mentoring scheme supports members who wish to apply for silk or judicial appointment; explore other opportunities for example, sitting on Tribunals or becoming a mediator or arbitrator; assist members who are returning from parental leave or a career break and address other issues which may arise.

Contracts and treatment during employment

- 43. Contracts of employment have undergone a thorough review to ensure that there is appropriate parity of terms between staff and to ensure that Chambers is meeting its obligations in relation to equality of opportunity.
- 44. A statement confirming our commitment to Equal Opportunities is included in every revised contract of employment. A copy of our policy is provided during induction.
- 45. During employment, the selection of staff for promotion or training shall be determined without discrimination. Such benefits as are available to staff shall be available to male and female staff equally. Any specific cultural need of staff shall be accommodated in so far as it is reasonable to do so. Annual appraisals are conducted and recorded in writing.

Parental Leave and Flexible Working

- 46. Chambers policy with regard to parental leave and flexible working for staff is set out in the contracts of employment and the staff handbook.
- 47. Chambers has adopted a Parental Leave Policy and a Flexible Working Policy which is applicable to members and pupils.

Sickness Leave

- 48. Chambers has a Sickness Policy which deals with Chambers' approach to periods of absence by its members and its treatment of them connected to sickness or disability.

Harassment and Internal Grievance Policy and Procedures

- 49. Harassment is any form of unwanted conduct which has the aim or effect of diminishing a person's dignity or creating a humiliating or offensive environment for that person. The fact that one person may be able to ignore or deal comfortably with certain behaviour does not mean that it is acceptable if directed at another. A single incident may constitute

harassment if it is sufficiently serious. The motive or intention of the perpetrator is normally irrelevant.

50. Chambers has a harassment policy which sets out Chambers' view on harassment and what constitutes harassment but also a procedure for raising a complaint. The policy applies to all members and employees of Chambers, barrister assistants and pupils and copies of the policy can be provided on request. A copy is also contained on Chambers' intranet.
51. Chambers also has various procedures for raising grievances if for any reason the Harassment Policy is not appropriate, being:
 - a. For members of staff, there is a grievance procedure which each member of staff is made aware of at induction, reference is made in their contract of employment and they are notified that copies are available from the Chief Executive;
 - b. For members of chambers, the Chambers' Constitution provides for dispute resolution at paragraph 17;
 - c. For pupils there is a grievance procedure set out in the appendix to the Pupillage Policy which each pupil receives on induction.

Workforce Diversity Data Collection and Publication

52. Chambers has a Diversity Data Policy on the collection, publication, retention and destruction of diversity data.

Information/Training

53. All new material regarding Equality and Diversity shall be circulated to members of Chambers, pupils, barrister assistants and employees. A distribution list shall be attached to relevant documents to ensure that everyone has seen them.
54. Copies of this and other chambers policies are held on the S drive and the intranet which is accessible to all members and staff (the few members of chambers whose computers

are not networked will be able to access this material on request from the Equality and Diversity Officer or Chief Executive).

55. A file collating relevant documents is kept in the Chambers' Administrators room for general use.
56. Chambers wide training will be organised as and when necessary and where appropriate training for individual members of Chambers will be organised or funded by Chambers.
57. As a minimum Pupil supervisors and at least one member of each of the Pupillage Committee, the Recruitment Committee, the Equality and Diversity Committee and the Governance Board and key members of the practice management team will be expected to attend Equality and Diversity training. Chambers will fund their attendance on such training, along with that of any other member of chambers who is specifically asked by the Governance Board to attend such training.

Approved by Governance Board, 1st March 2018