

Work Allocation Equality Monitoring Policy

Preliminary

1. This Policy is intended to implement section 6 of the Bar Standard Equality Rules (“Guidance”) insofar as that section is relevant to work allocation equality monitoring.
2. The key purposes are:
 - a. to monitor the allocation of Unassigned Work (as defined below) in respect of certain protected characteristics; and
 - b. to implement remedial action to remove any disadvantage experienced by those groups’ members.

Protected characteristics

3. The protected characteristics that apply to the Policy are race, disability, sex, pregnancy and maternity and age.
4. Additional protected characteristics may be applied to the Policy at the discretion of the Governance Board (“GB”) on the recommendation of the Equality and Diversity Committee (“EDC”).

Definitions

5. The Policy adopts the following definitions in the Guidance:

“Regular Review” – in respect of data on pupils it is likely to be considered reasonable that regularly should mean annually. In respect of tenants it is likely to be considered reasonable that regularly should mean every three months unless the numbers change to such a degree as to make more frequent monitoring appropriate

“Unassigned Work” – includes both instructions which are sent into Chambers (whether in hard copy, electronically or by any other means) and instructions in respect of which any enquiry is made (whether in hard copy, electronically, by telephone, in person or by any other means) prior to them being sent into Chambers. Work is Unassigned Work if at the point of enquiry and/or at the point at which it is sent into Chambers the person instructing does not state that it is to be assigned to a named member of Chambers

“Investigate” – investigate means considering the reasons for any disparity in the data

“Remedial Action” – any action aimed at removing or reducing the disadvantage experienced by particular groups

Anonymity

6. For the purpose of monitoring Unassigned Work, monitoring data will not be anonymous.

Monitoring Unassigned Work

7. Work monitoring is to be an active exercise to identify discrepancies in how work is being allocated in Chambers so that these can be investigated.
8. Chambers will keep a database of work allocated to pupils and tenants including those returning from parental leave.
9. Chambers will record whether the work came into Chambers marked for a particular barrister or pupil or whether it was allocated and, if so, to whom it was allocated and who was responsible for allocating the work. The purpose of the record is to enable the identification of patterns of work allocation. Where possible, Chambers will use LEX in order to record diversity data in relation to work allocation.
10. The patterns that will be considered are earnings, quality of work and sources of work. If a disparity is identified the next step will be to consider the reasons for the disparity. In

considering the disparity, regard will be had to whether there is a rational and acceptable reason.

11. The EDC will carry out a Regular Review of work allocation reports so as to Investigate and decide on what Remedial Action might be necessary. EDC will have access to financial information for pupils and members of Chambers including but not limited to aged debts, work done and receipts.
12. If patterns are identified which appear to disadvantage individuals from particular groups referable to a protected characteristic, EDC will seek to ensure that this is addressed through the Practice Managers. If the issue is not or cannot be addressed through the Practice Managers, the EDC will refer the issue to GB for it to be addressed by GB.

Referral

13. A member, pupil or employee of Chambers may refer a question concerning the allocation of Unassigned Work to the EDC for it to Investigate and if appropriate recommend Remedial Action.

Issues of work allocation unrelated to a protected characteristic

14. If in the course of monitoring or an Investigation the EDC identifies any pattern of interest or other issue in the allocation of work which is not related to a protected characteristic, the EDC shall report that matter to the GB.

This policy was adopted on 1st March 2018