

## EQUALITY AND DIVERSITY POLICY

*References to Chambers in this policy relate to Tanfield Chambers Services Limited.*

### **A. Introduction**

1. This is Chambers' Equality and Diversity Policy. Chambers is required to have such a policy by rule C110.1 of the Bar Standards Board Handbook. This policy is effective, in this version, from the date of its approval by the Governance Board, set out below.

### **B. Chambers Equal Opportunities Policy Statement**

2. Tanfield Chambers is committed to ensuring that all are treated fairly and are afforded equality of opportunity. We believe in acceptance without exception and that everyone should be allowed to be their authentic self.
3. Preventing discrimination, victimisation or harassment and ensuring equality of opportunity, require that nobody is treated less favourably because of their age; disability; gender reassignment; marital or civil partner status; pregnancy or maternity; race; religion or belief; sex; or sexual orientation (the "**Protected Characteristics**").
4. Promoting diversity includes, preventing discrimination and ensuring equality of opportunity as well as taking steps to increase the representation of minority and underrepresented groups at the Bar and within Chambers.
5. This policy sets out Chambers' overarching rules, principles and procedures for preventing discrimination, ensuring equality of opportunity, and promoting diversity.
6. Chambers also has a number of more specific policies that aim to secure equality and diversity within Chambers. All such policies in force from time to time, together with this policy, shall be available on the WIDE (Wellbeing Inclusivity Diversity and Equality) section of Chambers' website.

### **C. Scope**

7. This policy applies to all individuals working at all levels of Chambers, including members of Chambers, employees, pupils, mini-pupils, consultants, contractors, casual and agency staff (“**persons working within Chambers**”).
8. This policy does not form part of any employee’s contract of employment and Chambers may amend it at any time.
9. The Protected Characteristics listed in paragraph 3 are those characteristics protected under the Equality Act 2010. References to “improper” conduct in this policy refer to conduct that would be unlawful under the Equality Act.
10. We remind everyone to whom this policy is addressed that the responsibility to ensure that there is no unlawful or improper discrimination rests not only with Chambers but also with each of you as individuals, and that claims for unlawful discrimination can be brought against you personally. You must therefore ensure that you do not unlawfully or improperly discriminate, or assist others to do so.
11. Chambers takes a strict approach to breaches of this policy, and its other policies aimed at securing equality and diversity within Chambers. In particular:
  - (1) Breaches by employees will be dealt with in accordance with the Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.
  - (2) Breaches by other persons working within Chambers will be dealt with in accordance with our Equality Procedures.

### **D. Responsibility for equality and diversity matters in Chambers**

12. Chambers Governance Board has overall responsibility for equality and diversity matters within Chambers.
13. Chambers Governance Board have appointed at least one Equality and Diversity Officer and a WIDE (Wellbeing Inclusivity Diversity and Equality) Committee, which the Equality and Diversity Officer(s) chair.
14. The Diversity Officer and WIDE Committee, are responsible for monitoring the effectiveness of this policy and the other policies referred to in paragraph 6 above, and for ensuring that:
  - (1) such policies are regularly reviewed;

- (2) Chambers has an action plan for implementing such policies, in accordance with rule C110.2 of the Bar Standards Board Handbook;
  - (3) all members of all selection panels complete training in fair recruitment and selection processes (in accordance with r.C110.3.c of the Bar Standards Board Handbook), and that at least all those involved in managing or overseeing Chambers' selection processes have received equality training in respect of issues affecting applicants from the groups referred to in paragraph 32 below;
  - (4) persons working within Chambers are periodically notified of the existence of such policies, and of the methods for raising any queries, concerns, issues, complaints or grievances set out in section I below; and
  - (5) Chambers complies with, and where appropriate goes beyond, its obligations under rules C110–C112 of the Bar Standards Board Handbook, and its legal obligations in respect of equality and diversity.
15. Chambers Governance Board have appointed a Diversity Data Officer to collect, diversity data from Chambers workforce, analyse that data with the WIDE Committee and publish a summary of it on Chambers' website at least every 3 years.

#### **E. Preventing discrimination**

16. You must not unlawfully or improperly discriminate against other people, including (but not limited to) members of Chambers, employees, pupils, mini-pupils, those applying for, or formerly in, such roles, clients, customers, 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.
17. The following forms of discrimination are prohibited under this policy and may be unlawful:
- (1) Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views.
  - (2) 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 a requirement is discriminatory unless it is justified.

- (3) Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
  - (4) Disability discrimination: as well as direct and indirect discrimination, disability discrimination includes unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.
18. Harassment, which is also prohibited and may also be unlawful, is addressed by Chambers' separate Harassment Policy.

#### **F. Equal opportunities**

19. Equality of opportunity means that equal work and employment opportunities are provided to all existing members of Chambers, pupils, mini-pupils, and employees, and in the recruitment of new members of Chambers, pupils, mini-pupils and employees.
20. This means that all work and employment opportunities must be provided, and all recruitment must be conducted, without unlawful or improper discrimination:
- (1) in recruitment of any kind including members of Chambers, pupils and mini-pupils and employees. This includes the arrangements made for selection, any terms of engagement or employment provided, and in offering or refusing a person work or employment;
  - (2) in all dealings with or on behalf of Chambers and members of Chambers, pupils, mini-pupils and employees;
  - (3) in affording access to opportunities for promotion, career development, transfer and training;
  - (4) in the terms on which pupillage or employment is offered and in affording access to any benefits, facilities or services;
  - (5) in ensuring that no individual is victimised for complaining in good faith of unlawful or improper discrimination or giving evidence about such a complaint;
  - (6) in the manner in which and the reasons for which employees are dismissed, and

(7) in ensuring that employees, pupils, mini-pupils and members of Chambers are not treated unfavourably in any other way.

21. Additional provisions in these respects are set out in Chambers' Equal Access to Work and Opportunities Policy is available on the WIDE (Wellbeing Inclusivity Diversity and Equality) section of Chambers' website.

*Part-time and fixed-term work*

22. Part-time and fixed-term employees must be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a *pro rata* basis where appropriate), unless different treatment is justified.

23. Specific provisions in respect of flexible working are set out in Chambers' Parental Leave and Flexible Working (Members of Chambers) Policy and the Staff Handbook

*Disabilities*

24. If you are disabled or become disabled, Chambers encourages you to discuss what reasonable adjustments or support may be appropriate. Specific provisions are set out in Chambers' Reasonable Adjustments Policy (Members of Chambers) and the Staff Handbook.

**G. Language**

25. The language used to describe protected characteristics such as disability, gender expression or identity, race and sexual orientation evolves with particular rapidity, and people may use different terminology to describe their own such characteristics. The use of outdated language, or the application of specific language to a person with which that person does not identify, may cause offence. Equally, given the rapidity in the evolution of language, it should not be assumed that offence was intended. Persons working within Chambers should avoid outdated language, and are encouraged to use the language preferred by specific individuals when referring to such individuals.

26. In particular, the language of "gender reassignment" and "transsexual persons" used in the Equality Act 2010 is outdated and should be avoided save where required by a specific legal context.

27. It is Chambers' policy to use gender-neutral language in its website, marketing

materials, recruitment materials, policies, and other documents, save when referring to specific individuals.

28. Persons working within Chambers are required to respect everyone's choice of their own pronouns.

#### **H. Promoting diversity**

29. Chambers is committed to promoting greater diversity at the Bar and within Chambers.
30. Chambers will take steps to encourage applications from minority and underrepresented groups, including BME people and members of other ethnic minorities, women, disabled people, LGBT+ people, and people from less advantaged social backgrounds.
31. Where appropriate and permitted by law including under the Equality Act 2010 (as amended from time to time), Chambers may, on a case by case basis, approve proportionate positive action in recruitment and/or promotion.

#### **I. Queries, concerns, issues, complaints or grievances**

32. Any general queries or concerns in respect of this policy, or the other policies aimed at achieving the objectives of this policy, should be raised with the Equality and Diversity Officers, directly or via WIDE (Wellbeing Inclusivity Diversity and Equality) Committee members or with members of the Governance Board.
33. Persons working within Chambers are invited to discuss any matter related to equality and diversity with the Equality Diversity Officers.
34. Specific concerns, complaints or grievances should be raised formally or informally in the ways set out in Chambers' Equality Procedures.

This policy was adopted by the Governance Board on 28th September 2023 and will be reviewed every two years.