

One Essex Court Equality and Diversity Policy

1. **Policy**

- 1.1. This is Chambers' written statement of policy on equality and diversity pursuant to rule C110.1 of Section D1 of Part 2 of the Bar Standards Board Handbook. References in this document to Chambers shall include One Essex Court Limited.
- 1.2. Chambers is committed to promoting and advancing equality and diversity and to providing a working environment in which all individuals are treated equally. Chambers will not discriminate against its workers (as defined at paragraph 2.1 below) or in the provision of its services on the basis of:
 - 1.2.1 race (including colour, nationality and ethnic or national origins);
 - 1.2.2 sex;
 - 1.2.3 pregnancy and maternity;
 - 1.2.4 disability;
 - 1.2.5 sexual orientation;
 - 1.2.6 marriage and civil partnership;
 - 1.2.7 religion or belief;
 - 1.2.8 age;
 - 1.2.9 gender reassignment; or
 - 1.2.10 whether they are a part-time or fixed-term worker.
- 1.3. Our workers shall not be disadvantaged by any policies or conditions which cannot be justified as necessary for operational reasons.
- 1.4. Chambers shall, at all times, work within legislative and regulatory requirements as well as strive to promote best practice. Chambers is committed to making this policy effective and to bringing it to the attention of all workers.
- 1.5. This policy is available on the Chambers' website. It does not form part of the contract of employment of Chambers' employees.

2. **To whom does this policy apply?**

- 2.1. This policy applies to members of Chambers, pupils, mini-pupils and Chambers' employees, whether permanent, temporary, casual, part-time or on fixed-term contracts, to ex-employees, to applicants for work and to individuals

such as agency staff and consultants who are not our employees, but who work at Chambers (collectively, “workers”).

- 2.2. All workers are expected to act in accordance with this policy, and therefore to treat colleagues with dignity at all times, and not to discriminate against or harass other workers, whether junior or senior to them (see Chambers’ Harassment Policy).

3. Scope and purpose

- 3.1. Chambers will not discriminate on any of the grounds listed at paragraph 1.2 above.
- 3.2. This policy applies to all aspects of work in Chambers, including:
 - 3.2.1. the advertising of jobs, pupillages and mini-pupillages;
 - 3.2.2. the recruitment and selection of workers;
 - 3.2.3. training and development;
 - 3.2.4. opportunities for promotion;
 - 3.2.5. conditions of service;
 - 3.2.6. benefits, facilities and pay;
 - 3.2.7. fair access to work to be done by members and pupils and the allocation of unassigned work;
 - 3.2.8. health and safety;
 - 3.2.9. conduct at work;
 - 3.2.10. complaints, grievance and disciplinary procedures;
 - 3.2.11. the termination of employment, including redundancy;
 - 3.2.12. the termination of pupillage and tenancy; and
 - 3.2.13. the provision of Chambers’ services.

4. People responsible for implementation

- 4.1. Those involved in Chambers’ management have a particular responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of Chambers with regard to equality and diversity.
- 4.2. All workers are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. If you have any questions about the content or application of this policy, you

may contact the Senior Clerk or the Head of Administration to request training or an information pack.

5. **Forms of discrimination**

5.1. The following paragraphs deal with specific areas which potentially give rise to equal opportunities issues and provide more specific guidance.

5.2. Discrimination may be direct or indirect and may occur intentionally or unintentionally.

5.2.1 Direct discrimination occurs where someone is put at a disadvantage for a reason related to one or more of the grounds set out in paragraph 1.2. For example, rejecting an applicant of one race because it is considered that he or she would not “fit in” on the ground of race would be direct discrimination.

5.2.2 Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts him or her at a particular disadvantage because of, for example, his or her sex or race. For example, a height requirement would be likely to eliminate proportionately more women than men. If this criterion could not be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the ground of sex.

5.3. Discrimination also includes victimisation and harassment (see Chambers’ Harassment Policy).

5.3.1 Victimisation involves subjecting a person to a detriment because of a belief that he or she has or is about to do a protected act, such as:

5.3.1.1 bringing, or giving evidence in, proceedings relating to an act or acts of discrimination;

5.3.1.2 alleging discrimination;

5.3.1.3 doing any other thing for the purposes of equality legislation or in connection with it.

5.3.2 Harassment is any form of unwanted conduct in relation to a relevant protected characteristic which has the effect or purpose of violating a person’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.

5.4. Individuals with the same protected characteristic can discriminate unlawfully against each other. For example, a barrister from one ethnic group can unlawfully discriminate against another member of that group.

6. **Recruitment and selection**

6.1. Chambers aims to ensure that no applicant for any position within Chambers receives less favourable treatment on any of the unlawful grounds listed in paragraph 1.2.

Recruitment procedures will be reviewed regularly to ensure that individuals are selected on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached. Selection criteria are regularly reviewed to ensure that they are justified on non-discriminatory grounds as being essential for the effective performance of the job.

- 6.2. To ensure that this policy is operating effectively with respect to recruitment and selection, Chambers monitors applicants' race, sex and disability, as part of the recruitment procedure. Ongoing monitoring and regular analysis provide the basis for taking appropriate positive steps to eliminate unlawful direct and indirect discrimination and to implement this policy.

7. Employee training, promotion and conditions of service

- 7.1. Training needs shall be identified through regular employee appraisals. Access to appropriate training shall be offered to employees on an equal opportunity basis to enable them to progress within Chambers. All promotion decisions shall be made on the basis of merit.
- 7.2. Our conditions of service, benefits and facilities will be reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

8. Termination of employment, pupillage or tenancy

- 8.1. We will monitor redundancy criteria and procedures to ensure that they are fair and objective and do not directly or indirectly discriminate against employees.
- 8.2. We will also ensure that disciplinary procedures are carried out fairly and uniformly for all workers, whether they result in the giving of disciplinary warnings, dismissal, termination of pupillage, tenancy or other disciplinary action.

9. Disability

If you are disabled, or become disabled in the course of your time working in Chambers, you are encouraged to inform your manager or clerks about your condition. This is to enable them to support you as much as possible. Please see Chambers' Reasonable Adjustments Policy.

10. Part-time workers

Chambers will monitor the conditions of service of part-time employees and their progression within Chambers to ensure that they are offered appropriate access to benefits and training and promotion opportunities. We will also ensure requests to alter working hours are dealt with appropriately under each of our Flexible Working Policies (one for members and one for employees).

11. Breaches of policy

- 11.1. If you believe that you may have been disadvantaged on any of the grounds listed at paragraph 1.2, you are encouraged to raise the matter under Chambers' Grievance Procedure for Staff or Chambers' Complaints Procedure for Members and Pupils.
- 11.2. If you believe that you may have been harassed on any of the grounds listed at paragraph 1.2, you are encouraged to raise the matter under Chambers' Harassment Policy.
- 11.3. Allegations regarding breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Workers 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 are, however, liable to be dealt with under Chambers' Disciplinary and Dismissal Procedure or Chambers' Complaints Procedure for Members and Pupils.
- 11.4. If, after investigation, you are found to have harassed any other worker on any of the grounds listed at paragraph 1.2 or otherwise acted in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal or termination of pupillage or tenancy. Chambers will always take a strict approach to serious breaches of this policy.

12. Monitoring and revision of policy

Chambers will monitor this policy and progress in achieving its objectives. Where barriers to equal opportunities are identified, any necessary changes will be made to this policy and its application. This policy shall be reviewed by one or more of Chambers' Equality and Diversity Officers every two years.

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