

## Equality and Diversity Policy

### **Regulatory Requirements**

1. Rules rC110 (1) and (2) of the Bar Standards Board Handbook (“the Handbook”) require that self-employed barristers must take reasonable steps to ensure that their chambers has in force a written statement of policy on equality and diversity (E&D) and that there is in force a written plan implementing the policy.
2. Rule rC110(3)(e) requires that each chambers conducts a regular review of its policy and its implementation in order to ensure that it complies with the requirements of Rule C110, and takes any appropriate remedial action identified.
3. Guidance on the “reasonable steps” required of individual barristers is contained in the BSB Handbook Equality Rules.
4. The BSB Handbook Equality Rules (“the Equality Rules”) describe the legal requirements, regulatory requirements and guidance for E&D matters and should be referred to by anyone in Chambers dealing with such matters.

### **Application**

5. Chambers’ E&D policy (“the Policy”) applies to all Members and Associate Members of Chambers, pupils, mini-pupils, work-experience students and employees of or temporary staff engaged by 3VB Services Ltd. The Policy will be published on Chambers’ computer network, will be brought to the attention of anyone joining Chambers or 3VB Services Ltd and will be provided on request.

### **Commitment**

6. Chambers is committed to the promotion and advancement of equality in every aspect of its operation. Furthermore, Chambers requires that all those to whom this Policy applies adhere to the Core Duty [CD8 of the BSB Handbook] that “You must not discriminate against any person”, supplemented by rC12 which states: “You must not discriminate unlawfully against, victimise or harass any other 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, age, pregnancy and maternity, religion or belief”.
7. Whilst ensuring that no unlawful discrimination, victimisation or harassment shall be tolerated, Chambers’ actions will be focussed on ensuring the *positive* aspects of the promotion and advancement of equality of opportunity throughout its business.

### **Equality and Diversity Officers and Chambers’ Committees**

8. The E&D Committee (EDC) is a standing committee of Chambers, established by Chambers’ Constitution. The composition and function of the EDC is defined in the Constitution. The EDC is responsible for monitoring the implementation of the Policy and of the E&D Action Plan.

9. The Chairperson of the EDC is Chambers' nominated Equality & Diversity Officer (EDO), an appointment required by the Equality Rules, and is an ex officio member of Chambers' Management Board. E&D is a standing item on the Management Board agenda. Chambers has two further, subordinate, EDOs, also members of the EDC, who are members of the Business Development Committee and the Pupillage Committee respectively. The EDO will report to Chambers at each AGM.
10. In addition to the EDO, the Chambers' Management Board shall include an ex officio member with responsibility for gender diversity in Chambers.
11. The Chambers Data Diversity Officer is the Chambers Director.

### **Action Plan**

12. The E&D Action Plan ("the Plan") is the dynamic mechanism through which Chambers' E&D policy is implemented. The Plan will be reviewed at each meeting of the EDC. It will be approved annually by the EDC and submitted to the MB.
13. The Plan is to address, as a minimum, the following topics:
  - a. The review and approval of the Plan;
  - b. The review of the Policy and subordinate E&D policies and procedures:
    - Diversity data monitoring policy;
    - Parental leave policy;
    - Flexible working policy;
    - Harassment policy;
    - E&D complaints and grievance procedure;
    - Reasonable adjustments policy;
    - Fair access to work and the allocation of unassigned work policy;
  - c. The review of Chambers' other policies and procedures to ensure compliance with E&D legislation, regulation and best practice. This includes, but is not necessarily limited to:
    - Recruitment of Members, Associate Members, pupils and staff;
    - Pupillage;
    - Business development, marketing and individual practice development;
  - d. E&D Training.

### **Diversity Data Collection and Monitoring**

14. See Chambers' Diversity Data Collection Policy.

### **Parental Leave and Flexible Working**

15. See Chambers' Parental Leave and Flexible Working Policies.

### **Harassment**

16. See Chambers' Harassment Policy

### **Reasonable Adjustments**

17. See Chambers' Reasonable Adjustments Policy.

### **Fair access to work and the allocation of unassigned work procedure**

18. See Chambers Fair Access to Work and the Allocation of Unassigned Work Procedure

### **Training**

19. All members of Chambers and staff involved in the selection and/or recruitment of members, associate members, pupils, mini-pupils or staff must be trained in fair recruitment and selection processes. This applies to anyone involved at any stage of the process, including conducting and reporting on mini-pupillages and assessing work submitted during mini-pupillage or pupillage. As a minimum, training comprises recent personal study of the Bar Council's Fair Recruitment Guide for the Bar, and confirming to the EDO when requested that this has been carried out. It is preferable that formal classroom training be undertaken; this will be provided annually by Chambers and all members and staff are encouraged to attend this.
20. All staff are required to undertake annual training, which will be provided, in E&D awareness (including unconscious bias). Similar training will be made available to all members.

### **Recruitment: general**

21. Chambers' recruitment and selection of its pupils, tenants and staff shall be open and shall use objective and fair criteria.
22. In all matters of recruitment, selection and monitoring, Chambers shall have regard to the Bar Council's Fair Recruitment Guide.
23. Subject to the exceptions referred to in the Recruitment of Established Practitioners Policy, Chambers' policy is to advertise for all vacancies. Chambers shall have regard to the Code in the formulation of such advertisements.
24. All members of Chambers and other individuals involved in the short-listing, interviewing and/or selection of pupils, tenants or staff should be familiar with this policy, the Code, and all applicable procedures and selection criteria.
25. Chambers' policy is for its selection processes and criteria to be: transparent; not subject to change during the selection process; based on objective and explicit criteria which relate to the demands and requirements of the work; applied equally, with individuals being judged on their merits; free at all stages from assumptions based on stereotypical views or expectations of the behaviour and characteristics of any particular group; and not subject to the unexplained veto of one person alone, but reflecting the views of the relevant selection panel or Chambers' meeting as the case may be.

**Recruitment: pupils and tenants**

26. See Chambers' Pupillage Policy.

**Recruitment: lateral hires**

27. See Chambers' Recruitment of Established Practitioners Policy.

**Recruitment: staff**

28. All vacancies for staff shall be advertised, save where, by analogy with the principles in the Recruitment of Established Practitioners Policy, it might be appropriate not to require advertisement.
29. The existence of this policy shall be referred to in the material sent to all prospective candidates.
30. Where Chambers uses an employment or recruitment agency it shall ensure that this policy is included in the instructions given to the agency; in such circumstances the agency will arrange for the vacancy to be appropriately advertised.

All prospective candidates will be required to complete forms for the monitoring of gender, ethnic origin, disability and age. The completed forms will be passed to the E&D Officers for review. The data on the forms should not be made available to the members or staff (if any) who are involved in the selection process.

31. Short listing of applicants shall be carried out by more than one person and by reference to relevant selection criteria which shall be determined in advance of the recruitment process.
32. The selection process shall be carried out in accordance with the requirements of the Bar Council's Fair Recruitment Guide.
33. Interviews of candidates shall be carried out in accordance with the requirements of the Bar Council's Fair Recruitment Guide.
34. Chambers shall make, and shall retain for a period of not less than 2 years, data relating to candidates who have been rejected and the reasons for rejection, and shall prepare annual statistics by reference to gender, race, disability and age-range of the number of persons applying, being short-listed and being recruited, which shall be provided to the E&D Officers.

**Practice development**

35. Chambers is committed to ensuring that pupils and members are afforded the opportunity to develop their practices in a fair and equal manner. Members of chambers are encouraged to discuss career development with the Senior Practice Managers and in particular to express views (if any) on the past allocation of work and preferences for the development of their practices.
36. Chambers and/or the Pupillage Committee will arrange regular feedback sessions (at least once every 3 months) for working pupils (i.e. pupils in their second six months or later), and working pupils shall be provided, in advance of such meeting, with an analysis of the amount of work done, the type of work, fees earned and received, and solicitors instructing.
37. Chambers will arrange regular (usually annual) practice development meetings with the Senior Practice Managers for tenants, and each tenant shall be provided, in advance of such meeting, with an analysis of the amount of work done, the type of work, fees earned and received, solicitors instructing, the number of recommendations for unallocated work (NRUW) for which the member

was put forward in the last year, the average NRW for members of Chambers generally within the last year and the benchmark hourly rates for members of Chambers of the relevant seniority.

### **Business development**

38. Insofar as practicable, all Chambers' marketing material, including the Chambers website, will make reference to this policy.
39. Chambers' marketing strategies will be non-discriminatory and will seek to ensure, insofar as practicable and consistent with Chambers' BD Events Selection Protocol, that barristers and working pupils are marketed on a fair and equal opportunities basis to ensure that over time all working pupils and tenants have fair and equal opportunities to be involved in business development.
40. All pupils and members of chambers are encouraged to take part in Chambers' in-house and external seminars and lectures, to write or contribute to articles in professional publications, to become involved in professional organisations connected with their area(s) of work and to become involved with legal advice or support centres/organisations.
41. Chambers shall endeavour to hold regular Practice Group Meetings within chambers, which members of Chambers and working pupils are encouraged to attend as a means of discussing individual and Chambers' issues and a means of integrating pupils and members of Chambers.

### **Data Protection**

42. All personal data processed pursuant to this policy will be processed and stored in accordance with Chambers' data protection policy.

### **Complaints**

43. See Chambers' Complaints Policy

### **Review**

44. This Policy will be reviewed by the Management Board at least once every two years.

**Approved by the MB September 2020**