

# EQUALITY AND DIVERSITY POLICY

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## 1. POLICY STATEMENT

- 1.1 Parklane Plowden Chambers and Plowden Facilities Ltd are committed to equal opportunities in all aspects of their work.
- 1.2 We seek to promote diversity within Parklane Plowden Chambers. We believe that our success depends on sustaining a working environment that is free from discrimination, prejudice, harassment or victimisation.
- 1.3 It is our policy that no member of Parklane Plowden Chambers, pupil or employee shall discriminate against anyone on the ground of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, age, marital status, disability, social or economic background, religion or political persuasion. We strive to ensure that it remains a working environment free from any form of discrimination.
- 1.4 Our Equality Officer monitors diversity and discrimination issues particularly in relation to the recruitment of staff, pupils and tenants and the allocation of work to barristers.
- 1.5 We are committed to making reasonable adjustments in accordance with its duties under the Equality Act 2010. As such, where any provision, criterion or practice, or physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled in relation to a relevant matter, we will take reasonable steps to avoid that disadvantage. Similarly, if a disabled person is disadvantaged by not having an auxiliary aid in relation to relevant matter, we will take reasonable steps to provide such an aid.

## 2. LEGISLATION

- 2.1 Our Equality Policy is designed to ensure that all anti-discrimination legislation is fully complied with and reflects the legislative framework of the Equality Act 2010.
- 2.2 We are also fully committed to the following guidance given in various Codes of Practice and Guidance, including but not limited to:-
- i) the Equality and Human Rights Commission's Code of Practice on Equal Pay
  - ii) the Equality and Human Rights Commission's Code of Practice on Employment
  - iii) the Bar Standards Boards Equality and Diversity Code for the Bar

## 3. PROVISION FOR EQUALITY

- 3.1 We have an established structure in place to ensure this policy and related procedures are implemented. This involves the following:

3.1.1 The Equality Officer – is responsible for:

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- a. Monitoring changes in legislation and updating our policy and procedures as required
  - b. Promotion of this policy within Parklane Plowden Chambers and externally where appropriate
  - c. Analysis and review of Equal Opportunity monitoring data
  - d. Review of reports to ensure the fair distribution of work to pupils / junior members
  - e. Hearing grievances relating to equality in the first instance.
- 3.1.2 The Senior Clerks – are responsible for:
- a. Ensuring the fair distribution of unallocated work to pupils and very junior members
- 3.1.3 The Head of Chambers – is responsible for:
- a. Final resolution of grievances or referral to outside sources if this is not possible

## 4. SCOPE OF THE POLICY

4.1 This policy applies to all aspects of our activities and operations, in particular:-

### 4.1.1 **Pupillage**

Our Pupillage Policy contains a commitment to equal opportunities in the selection and recruitment of pupils that is intended to apply in conjunction with this policy. The Pupillage Policy is readily available on request.

### 4.1.2 **The recruitment of established practitioners**

It is our policy, except in exceptional circumstances, to advertise for any identified vacancies which might arise and judge all applicants for those vacancies against set criteria that is deemed suitable for the relevant vacancy. Applicants will be selected in accordance with the aims of this policy document. However we recognise that some recruitment of experienced barristers takes place by informal methods. Whilst accepting that such methods are no substitute for a planned recruitment policy we are committed when considering an informal application or approach to consider that it is conducted in a fair and consistent manner by reference to our needs and the general statement of intent set out in this policy document.

### 4.1.3 **The career development and marketing of members**

We are committed to ensure that members have equal access to work appropriate to their experience and seniority. In the first instance it is the responsibility of the Senior Clerks to ensure that career development is handled in a fair way and in accordance with this policy document. It is intended that the marketing of members is always handled fairly and in accordance with this policy document so that no individual or group of individuals are unfairly excluded from any marketing events or discussions. It is the responsibility of any person arranging any such marketing event or discussion to ensure that this is complied with.

### 4.1.4 **Maternity, Paternity and Parental Leave policies**

We have a Maternity / Paternity / Adoption / Parental Leave Policy that is to be read in conjunction with this policy and which is readily available upon request.

### 4.1.5 **“Flexible working”**

We recognise the importance of flexible working in assisting its members to manage their family and outside responsibilities and to remain in practice. Members are supported in

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working flexibly, whether part time or increased working from home, and in taking career breaks.

#### 4.1.6 **Recruitment of Staff**

Our Employee Handbook is to be read in conjunction with this policy. We are committed to equal opportunities and diversity in the recruitment of all staff.

## **5. COMMUNICATION OF THE POLICY**

5.1 A copy of this policy will be provided to all members, employees and pupils. Members will familiarise themselves with its terms and it will be available on our website.

5.2 All new personnel will receive awareness training as part of their induction training.

5.3 Our commitment to Equality may be promoted in publicised materials where appropriate such as the brochure, web-site and training materials, in the absolute discretion of the Executive Board.

## **6. MONITORING**

6.1 We recognise the importance of monitoring so as to ensure effective implementation of this policy.

6.2 In seeking to identify and eliminate sources of unintended discrimination, we shall monitor:-

- a. The consideration of the applications for pupillage;
- b. The recruitment of established practitioners;
- c. The career development and marketing of members;
- d. Parental leave entitlement;
- e. The recruitment of staff;
- f. The allocation of work between members of chambers.

Unless otherwise provided for, the monitoring will be arranged by the Clerking and Business Development Director and will be analysed annually by the Executive Board.

## **7. COMPLAINTS**

7.1 We recognise that this is a particularly sensitive area where fear of adverse judgement may prevent a complaint being made in the first place. It is our policy, therefore, that as far as is practicable, names of complainants shall not be released (save to those persons conducting the investigation and to the person complained against) without their consent. Equally, complainants will not be victimised or suffer detriment because of a complaint made in good faith. The types of circumstances that may give rise to complaint are:

- a. Selection of pupils, members or employees
- b. Conduct of pupillage
- c. Distribution of work in chambers
- d. Pressure or instruction to discriminate in the distribution of work

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7.2 A person who thinks they are the subject of discrimination, harassment or victimisation may choose to deal with the matter in several ways as set out below.

### **i) Raising Concern**

Where an aggrieved person wishes to voice a concern and no more, they can approach the Head of Chambers, Deputy Head of Chambers, a Senior Clerk or the Equality Officer for a confidential discussion. This process is intended to serve as a means of support, advice and guidance without recourse to the informal or formal procedure.

### **ii) Informal complaint**

An informal complaint can be raised by contacting one of those persons nominated in i) above, for a confidential discussion. Such method of resolution is intended to resolve disputes without the need for a formal investigation to determine the issue. If the complaint concerns the conduct of a person in chambers, it may be that such a person can be made aware that they are causing offence and so cease the offending behaviour. Alternatively, where the complaint concerns a decision taken within chambers, it may be that such a decision can be reviewed and, if appropriate, overturned. An informal complaint may also be made for the purposes of seeking advice.

### **iii) Formal Complaint**

A formal complaint must be in writing and must set out the allegation(s) complained of so as to enable Chambers to carry out a thorough investigation of all the matters concerned. The complainant has a right to make representations and/or to be independently represented, as does the person whom the complaint has been lodged against. An investigation should not, save in exceptional circumstances, last longer than six weeks from the date of the complaint. Following an investigation, a representative panel (where possible consisting of The Head of Chambers, the Equality Officer, and two or three senior members of chambers, and a Senior Clerk where a member of staff is involved) will determine the issue. No member of such a panel should have a conflict of interest between themselves and the complainant. If actual or potential discrimination has been found, remedial steps will be taken immediately. These may include a re- evaluation of a decision, a further opportunity to be considered for an interview or a pupillage, tenancy, brief or post as the case may be, a change in working practices, further advice, training or support, comparative monitoring of work allocation and any other action including disciplinary steps against the offender that appear to the panel to be appropriate.

### **iv) External Help**

Every member complainant has a right to consult with the Bar Council Equal Opportunities Officer for confidential advice and to lodge a formal complaint of professional misconduct with the Bar Council via the Professional Conduct and Complaints Committee. Complainants of unlawful discrimination have a legal right to apply, subject to time limits, to the County Court for members or for Chambers' employees, to the Employment Tribunal.