

WHITESTONE CHAMBERS

Barristers

Whitestone
Chambers

Chambers of Lawrence Power
4 King's Bench Walk, Temple.
London EC4Y 7DL.

EQUAL OPPORTUNITY AND DIVERSITY POLICY

(May 2019)

Statement of Policy

1. The aims of the Whitestone Chambers Equal Opportunities and Diversity Policy ('the Policy') are to:

- i. declare the commitment of Whitestone to the practical application and promotion of principles of equal opportunities and diversity;
- ii. communicate that commitment to Whitestone Chambers members, staff and other workers and service users;
- iii. promote further our core values.

The Policy must be read in conjunction with the Disability Policy and the Parental Leave Policy.

2. Under the Policy, Whitestone Chambers will avoid discrimination and will promote equality in respect of:

- Age
- Disability
- Having or not having dependants
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity
- Race (including colour, nationality, ethnic or national origins)
- Religion or belief
- Sex
- Sexual orientation.

These are known, collectively, as the "protected characteristics".

3. Chambers are opposed to all forms of unlawful and unfair discrimination on the prohibited grounds, including:

- **Direct discrimination** – less favourable treatment because of a protected characteristic;
- **Indirect discrimination** – the unjustifiable application of an apparently neutral provision or criterion the effect of which is to put a person at a disadvantage for reasons connected with a protected characteristic (for example, working hours or uniform requirements which disadvantage persons for reasons connected with child care responsibilities or religious beliefs);
- **Victimisation** – unfavourable treatment because the victimised person has previously brought proceedings under the Equality Act 2010, or given evidence or information in connection with such proceedings, or otherwise alleged the commission of conduct which would amount to a breach of the Act or helped someone else to do so;
- **Harassment** – unwanted conduct which is related to a protected characteristic and which has the purpose or effect of violating a person's dignity, or creating an

intimidating, hostile, degrading, humiliating or offensive environment for that person;

All applicants for membership, employment, pupillage, and work experience and others who work with or for us will be treated fairly and will not be discriminated against on any of the prohibited grounds. Decisions about membership, recruitment and selection, promotion, training, pay, disciplinary action and any other matter will be made objectively and without unlawful discrimination.

4. The Policy has regard to the legal obligations, principles and guidance derived from the Equality Act 2010 and the related Codes of Practice.

The policy also reflects Chambers' commitment to promoting respect for fundamental human rights and compliance with European Union discrimination law.

5. Chambers recognises that the provision of equal opportunities in the workplace is not merely right as a matter of principle and consistent with our core values, but that it is also good management practice and makes sound business sense. The Policy will help us, and those who work with and for us, to develop their full potential, and thus promote respect for the individual worth of all people involved with Whitestone Chambers.

Scope of the Policy

6. This policy applies to:

- Members, including associate and academic members
- Employees
- Pupils
- Students on work experience/Interns
- Contract workers (including casual workers)
- Agency workers
- Volunteer workers
- Clients (lay and professional) and other service users
- Anyone who has formerly fallen into one of the categories above, but whose relationship with Whitestone Chambers has either terminated or altered

Equality Commitments

7. Whitestone Chambers is committed to:

- Promoting equality of opportunity for all persons;
- Promoting a good and harmonious working environment in which all persons are treated with respect;
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation;
- Fulfilling all its legal obligations under the Equality Act 2010 and associated codes of practice;

- Fulfilling all equality and diversity obligations imposed by the Bar Standards Board;
- Complying with this Policy;
- Complying with Chambers' Disability Policy;
- Taking lawful positive action where appropriate.
- Regarding breaches of this Policy and of Chambers' Disability Policy as potential misconduct which could lead to disciplinary proceedings against members, employees and other workers, or a cessation of service to clients or other service users.

Implementation

8. Responsibility for implementation of the Policy lies with the Head of Chambers.

9. To implement the policy, Chambers shall:

- Communicate the Policy to all persons referred to above except contract workers, agency workers, volunteer workers and clients, by providing all such persons with a copy of this Policy;
- Inform all contract workers, agency workers and volunteer workers of the existence of this Policy and provide a copy of this Policy to such persons upon request;
- Retain hard copies of this Policy in Chambers and provide a copy of it (in hard or electronic form) to every new member, employee, pupil and student on work experience/intern. Our terms of service will also refer to it and identify the name of the person in Chambers from whom a copy of this Policy may be obtained;
- Require all members, employees, pupils and students on work experience to sign a copy of this Policy;
- Provide equality training and guidance as appropriate, including training on induction and management courses. Such training is compulsory for all members, pupils and employees, and shall be renewed at regular intervals;
- Ensure that all members and employees who are involved in assessing candidates for recruitment or promotion are or have been trained in non-discriminatory selection techniques;
- Review the conduct of third party organisations which do business with Whitestone Chambers, in respect of their dealings with us, and endeavour to ensure that we only do business with third party organisations who respect equal opportunities principles in their dealings with Whitestone;

- Ensure that adequate resources are made available to fulfil the objectives of this Policy.

Recruitment

10. Advertisements for membership, employment and pupillages will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post. Information about vacant posts will be provided in such a manner that does not restrict its audience in terms of gender (including gender reassignment), race, marital status, disability, age, part-time status, sexual orientation or religion.

11. Chambers will publish the statement set out below on all advertisements and detailed vacancy information for staff positions, work experience placements, traineeship and membership:

“Whitestone Chambers is proud to be an equal opportunities employer and is committed to diversity amongst its staff and members. We therefore encourage and welcome applications from women, people of minority ethnic origin and people with disabilities, as well as candidates from other groups which are under-represented in the legal sector. We are happy to make reasonable adjustments to enable disabled candidates to demonstrate their suitability for the job.”

12. Recruitment literature will not imply a preference for one group of applicants except in pursuance of lawful positive action.

13. All vacancies for employment will be circulated internally as well as externally, through appropriate non-discriminatory advertising. Where appropriate, persons from under-represented groups will be particularly invited to apply and in all cases those advertising opportunities that are likely to attract the widest and/or most diverse group of candidates will be used.

14. All descriptions and specifications for posts will only include requirements that are necessary and justifiable for the performance of the job.

15. All selection will be thorough, conducted against defined criteria and will deal only with the applicant’s suitability for the job. Where it is necessary to ask questions relating to personal circumstances, these will be related purely to the requirements of the job and will be asked of all candidates.

Monitoring and Review

16. Chambers will establish appropriate information, monitoring and review systems to assist the effective implementation of the Policy. These will include:

17. Equality and Diversity Monitoring of Members and staff and other workers in Chambers in accordance with regularity requirements and regular review of the effectiveness of this Policy in the light of that data;

18. Monitoring all recruitment rounds (members and staff) at each stage (application, shortlist/selection for interview, appointment) and reviewing the outcome of that monitoring for the purposes of determining whether the Policy is operating effectively;

19. Monitoring the number of grievances, and complaints under the Policy and Disability policies by reference to the complainant's equality and diversity data;

20. Monitoring the number of disciplinary actions by reference to the equality and diversity data of the person subject to disciplinary action.

21. Where monitoring identifies significant under-representation or disadvantage of any group, Whitestone will develop an action plan to address the imbalance or disadvantage.

22. Steps will be taken to ensure that the information gathered will only be treated for the purposes of giving effect to this policy. The information will be treated confidentially with only the Equal Opportunities Officer and the Head of Chambers having access to it, save where it is necessary to disclose it to all Members for the purposes of any decision requiring Membership approval and then such information will to the greatest extent possible be produced in anonymised form.

Complaints

23. Anyone to whom this policy applies who believes that she/he has suffered any form of discrimination, harassment or victimisation contrary to the Policy, is entitled to raise that concern through the Grievance Procedure.

24. All complaints of discrimination, harassment or victimisation will be treated confidentially, seriously and promptly. Please telephone Equality and Diversity Officer Christopher Loxton on 0207-822-8822.

Whitestone Chamber's Equality and Diversity Policy – Action Plan

Recruitment and Selection

Actions	Responsibility	Timescale	Additional Comments
Review recruitment and selection procedures to ensure that application processes are consistent and fair to all applicants/prospective applicants	HoC/E&D Officer	Annually	Should the procedure/process change in any material way, the review will be carried out at the point of such a change
Ensure that all those involved in recruitment and selection, including Head of Legal Operations and Assistant Staff, are familiar with Chambers' Equality and Diversity Policy and have received appropriate guidance	HoC/E&D Officer	Annually	
Ensure that Chambers' Equality and Diversity Policy is available to applicants/prospective applicants and made available in alternative formats where appropriate	HoC/E&D Officer /Person with responsibility for website	At the point of each recruitment and selection process	
Ensure that all declarations of disabilities and all consideration given to making reasonable adjustments are recorded in writing and are subsequently reviewed	HoC/E&D Officer /Head of Legal Operations	At the point of each recruitment and selection process	
Ensure that all complaints are recorded in writing, acted upon and the outcomes recorded and reviewed	HoC/E&D Officer/Head of Legal Operations or other as provided for under complaints procedure	As they arise	

Fair Access to Work and the Allocation of Unassigned Work

Actions	Responsibility	Timescale	Additional Comments

Ensure all clerks are made aware on induction of their responsibilities the fair distribution of work amongst pupils and members of chambers.	HoC/Head of Legal Operations	On induction	
Ensure all new work enquiries are recorded and reviewed	Head of Legal Operations	Monthly	
Ensure the distribution of work of all members and pupils is reviewed	Head of Legal Operations	3-monthly	
Ensure that all clerks are aware of and receive training and guidance in respect of potentially discriminatory requests/instructions from solicitors or clients	HoC/E&D Officer/Head of Legal Operations	On induction	
Ensure that all clerks are aware of and receive training and guidance in respect of equality and diversity	HoC/E&D Officer	On induction	

Harassment

Actions	Responsibility	Timescale	Additional Comments
Ensure that Chambers' Equality and Diversity Policy together with the Harassment Policy is available (in alternative formats where appropriate) to all members, employees, clerks, pupils, mini-pupils and interns and applicants/prospective applicants and made available	HoC/E&D Officer	Annually	As and when new members, employees, clerks and pupils join Chambers
Ensure that all members, employees, clerks, pupils are familiar with Chambers' Equality and Diversity Policy and Harassment Policy and have received appropriate guidance	HoC/E&D Officer	Annually	As and when new members, employees, clerks and pupils join Chambers
Ensure all complaints are recorded in writing, acted upon and the outcomes recorded and reviewed	HoC/E&D Officer/Head of Legal Operations or other as provided for under	As they arise	

	complaints procedure		
Ensure that all declarations of disabilities and all consideration given to making reasonable adjustments are recorded in writing and are subsequently reviewed	HoC/E&D Officer /Head of Legal Operations	As they arise	
Review Chambers' Equality and Diversity Policy and Harassment Policy to ensure that it is effective and up-to-date	E&D Officer	Biannually or following a formal complaint	

Complaints and Grievances

Actions	Responsibility	Timescale	Additional Comments
Ensure that the identification of Chambers' E&D Officer is made available as a point of contact	HoC/E&D Officer	Annually	
Ensure that both formal and informal complaint and grievance procedures exist and are communicated in order that individual feels able to complain without fear and in confidence	HoC/E&D Officer /Head of Legal Operations	Annually	
Ensure all complaints are recorded in writing, acted upon and the outcomes recorded and reviewed	HoC/E&D Officer/Head of Legal Operations or other as provided for under complaints procedure	As they arise	
Review Chambers' Equality and Diversity, Harassment, Complaints and other policies to ensure that they are effective and up-to-date	HoC/E&D Officer/Head of Legal Operations or other as appropriate in respect of the particular policy	Biannually or following a formal complaint	

This policy will be reviewed by May 2021.