

# EQUAL OPPORTUNITIES POLICY

## A INTRODUCTION

### (1) General statement

The firm is committed to equality of opportunity and to having a proactive and inclusive approach to equality. The firm values diversity both in employment and in its dealings with other parties. The firm is therefore committed to a policy and practice in relation to its employees, its clients and other third party contacts that meets all statutory obligations under relevant legislation and adheres to relevant Codes of Practice. No individual will be directly or indirectly discriminated against on the grounds of their sex (including cases of gender reassignment), marital or parental status, race, ethnic or national origin, colour, disability, sexual orientation, part time or fixed term contract status, religion or age.

### (2) Legislation

The firm's policy is guided by:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Part time workers ... Regulations 2000
- Fixed term employees... Regulations 2002
- The Employment Equality (Age) Regulations 2006

and, in addition, the Codes of Practice issued by the Equal Opportunities Commission and the Commission for Racial Equality together with the Codes of Practice on disability and age diversity, none of which are legally binding but which the firm supports fully and is committed to implementing.

### (3) Forms of Discrimination

The following are the kinds of discrimination which are against the firm's policy.

- (a) **Direct discrimination**, where a person is less favourably treated because of their sex, marital status, race, ethnic or national origin, colour, disability, sexual orientation, part time or fixed term contract status, religion or age.
- b) **Indirect discrimination**, where a requirement or condition which cannot be justified is applied equally to all groups but has a disproportionately adverse effect on one particular group.
- (c) **Victimisation**, where someone is treated less favourably than others because he or she has taken action against the firm under one of the relevant Acts, whether or not such victimisation is unlawful.

## **B EMPLOYMENT**

### **(1) Employees and Partners**

It is the firm's policy to ensure that all job applicants, employees and partners receive equal treatment, regardless of their sex, marital or parental status, race, ethnic or national origin, colour, disability, sexual orientation, religion or age. This applies in relation to job applications, training, promotion, employment terms etc. The firm acknowledges that its staff are its most important resource and is committed to fair and equal treatment.

### **(2) Positive action**

Although it is unlawful positively to discriminate in favour of certain groups, positive action to enable greater representation of under-represented groups is permitted by law and encouraged by the firm.

### **(3) Recruitment**

Advertisements for posts will be provided in such a manner that does not restrict its audience in terms of sex, marital or parental status, race, ethnic or national origin, colour, disability, sexual orientation, part time or fixed term contract status, religion or age. Recruitment literature will not imply a preference for one group of applicants unless there is a genuine occupational qualification which limits the post to such particular group, in which case this will be clearly stated. All

descriptions for posts and specifications for posts will include only requirements that are necessary and justifiable for the effective performance of the job. All selection will be thorough and will deal only with the applicant's suitability for the post.

(4) **Promotion**

Promotion within the firm (including to partnership) is solely on merit with equal opportunities for all.

(5) **Monitoring and review**

This policy will be monitored periodically by the firm to judge its effectiveness. The firm has appointed a senior person within it to be responsible for the operation of the policy. In particular, the firm will monitor the ethnic and sexual composition of existing staff and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the firm will implement them.

(6) **Disciplinary and Grievance Procedures**

Acts of discrimination or harassment by employees or partners of the firm will result in disciplinary action. Failure to comply with this policy will be treated in a similar fashion. The policy applies to all who are employed in the firm and to partners. Equally any complaints of discrimination or harassment will be treated with utmost seriousness.

**C CLIENTS**

The firm is generally free to decide whether to accept instructions from any particular client, but any refusal to act will not be based upon the sex (including cases of gender reassignment), marital or parental status, race, ethnic or national origin, colour, disability, sexual orientation, religion or age of the prospective client.

**D BARRISTERS**

- (1) Barristers should be instructed on the basis of their skills, experience and ability. The firm will not, on the grounds of sex, marital or parental

status, race, ethnic or national origin, colour, disability, sexual orientation, religion or age, avoid briefing a barrister and will not request barristers clerks to do so.

- (2) Clients requests for a named barrister should be complied with, subject to the firm's duty to discuss with the client the suitability of the barrister and to advise appropriately.
- (3) The firm has a duty to discuss with the client any request by the client that only a barrister of a particular racial group, creed or sex be instructed. The firm will endeavour to persuade the client to modify instructions which appear to be given on discriminatory grounds. Should the client refuse to modify such instructions, the firm will cease to act.
- (4) In relation to the instruction of counsel, the firm will be mindful of the provisions of section 26A(3) of the Race Relations Act 1976 as inserted by section 64(2) of the Courts and Legal Services Act 1990 and section 35A(3) of the Sex Discrimination Act 1975 as inserted by section 64(1) of the Courts and Legal Services Act 1990 (provisions regarding discrimination in relation to the giving, withholding or acceptance of instructions to a barrister).

## **E ALL DEALINGS**

The firm will deal with all persons with the same attention, courtesy and consideration regardless of sex (including cases of gender reassignment), marital or parental status, race, ethnic or national origin, colour, disability, sexual orientation, part time or fixed term contract status, religion or age.

## **F GRIEVANCES**

In the event of breach of this policy being alleged by any person, whether a client, supplier, member of staff, partner, or outsider to this firm, the allegation made must be referred to the Managing Partner. The firm's grievance procedure will then be followed.