



Northampton Chambers

EQUALITY AND DIVERSITY POLICY

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1 Statement of Principle

- 1.1 This is the Equality and Diversity Policy for Northampton Chambers, which is established in accordance with Rules C110-C112 of the BSB Handbook and the Equality Act 2010.
- 1.2 Northampton Chambers is determined that equality and diversity is maintained across the functioning of the set. We are committed to treating all our clients, members, pupils, employees, workers, job applicants and suppliers equally.
- 1.3 No existing or potential member, pupil or employee receive less favourable treatment because of any “protected characteristic”, namely:
 - Age (or perceived age)
 - Disability
 - Gender Reassignment
 - Marriage or Civil Partnership Status
 - Race, colour, nationality or ethnic or national origins
 - Religion or belief
 - Sex
 - Sexual orientation
 - Pregnancy and Maternity
- 1.4 No person dealing with Chambers will be disadvantaged by any terms or conditions that cannot be justified as necessary on operational grounds.
- 1.5 We aim to encourage, value and manage diversity and are committed to equality for our entire organisation. Similarly we expect those who work with us to support us in working towards these aims and to appreciate that these principles of equality and diversity also apply to the manner in which we treat our clients, our business partners and visitors.
- 1.6 It should be remembered that these principles apply both in the workplace itself and outside in work related situations where individuals may be considered to be representing Northampton Chambers.

2 Discrimination, victimisation and harassment

- 2.1 There should be no discrimination, whether direct or indirect, because of any of the protected characteristics set out in Chambers’ statement of principle on equality and diversity. The types of discrimination that are prohibited are as follows:
- 2.2 Direct discrimination
 - 2.2.1 Treating someone less favourably because of a protected characteristic.
 - 2.2.2 An example of this is paying someone less because of their sex or because they belong to a particular racial group.
 - 2.2.3 ‘Because of’ is very wide and includes less favourable treatment based on a perception of another person, for example that the person is gay, or is disabled, whether or not this perception is correct and even if the perpetrator knows that his perception is, in fact, wrong.

2.2.4 It also includes less favourable treatment because someone is associated with another person who has a protected characteristic.

2.3 Indirect discrimination

2.3.1 Treating people in the same way but in a way which adversely affects those with a protected characteristic.

2.3.2 An example of this is telling all employees that they have to work late at night, although applied to everyone, it will adversely affect those employees with childcare responsibilities, and these tend to be women.

2.4 Victimization

2.4.1 Treating someone less favourably because they have asserted their right not to be discriminated against because of a protected characteristic.

2.4.2 An example of this is an employee claiming they had been discriminated on the grounds of their disability and then their manager deciding when they left not to give them a reference because they had claimed disability discrimination.

2.5 Harassment

2.5.1 Unwanted conduct, related to a protected characteristic, which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for someone or violating their dignity.

2.5.2 Harassment may also be of a sexual nature or may occur because someone has harassed the victim and the victim either rejects or submits to it and, because of that rejection or submission, that person treats the victim less favourably.

2.5.3 Please also refer to Chambers' Harassment policy.

3 Disability policy

3.1 Principles

3.1.1 It is our policy that disabled people, including job applicants and employees, should be able to participate in all our activities fully, on an equal basis with people who are not disabled.

3.1.2 Due to the wide variety of potential disabilities and the likelihood of a disability affecting different people in different ways, it would be inappropriate to have rigid rules on how issues concerning disabled people should be dealt with. What is essential, however, is that we take all reasonably practical steps to ensure that disabled people are not less favourably treated or disadvantaged by comparison to people who are not disabled in relation to their involvement with the firm.

3.1.3 The general equality and diversity principles set out in this equality policy will apply in relation to disabled people whether they currently have a disability or have had a disability in the past.

- 3.1.4 We will take all reasonably practicable steps to ensure that disabled people are able to participate in our business activities on an equal basis with people who are not disabled.

4 Implementing the Equality and Diversity Rules

4.1 Responsible officers

4.1.1 Joseph Woolley (JW) is the nominated Equality and Diversity Officer (EDO).

4.1.2 Louise Eldridge (LE) is the nominated Diversity Data Officer (DDO).

4.1.3 Chambers will ensure that both the EDO and DDO have received appropriate training.

4.2 Related policies

4.2.1 This policy should be read in conjunction with the following policies:

- Harassment Policy
- Parental Leave Policy
- Reasonable Adjustments Policy

4.3 Policy Reviews

4.3.1 Chambers will review this policy annually or earlier as required and performance measured against the principles set out in this document.

4.3.2 Where necessary, the EDO will take the remedial steps required to ensure compliance with this policy.

5 Monitoring the Equality and Diversity Rules

5.1 Equality Monitoring in accordance with Rule C110 of the BSB Handbook.

5.1.1 The DDO will regularly review (at least once per year) the following:

- the number and percentages of its workforce from different groups
- the number and percentages of pupil applications from different groups
- applications to become a member of its workforce; and
- the allocation of unassigned work
- collecting and analysing data broken down by race, disability and gender
- investigating the reasons for any disparities in that data; and
- taking appropriate remedial action

5.1.2 The Data will be collected by the DDO using the BSB's Equality and Diversity Monitoring Form.

5.1.3 While this information is important to us and we are required to publish the results on our website every three years, members and staff will have the right to refuse to respond to the monitoring process should they so wish.

5.2 Why Diversity Data is collected

- 5.2.1 Individuals have the opportunity to provide their Diversity Data in order for Northampton Chambers to publish an anonymous summary of the Diversity Data. This provides transparency concerning recruiting and employment activities and aims to encourage an independent, strong, diverse and effective legal profession.
- 5.2.2 Please note that you are not required to provide your Diversity Data. You are free to choose whether or not you wish to provide all, some or none of your Diversity Data.
- 5.3 How Diversity Data is collected
 - 5.3.1 Diversity Data will be collected through completing a form that will be emailed out once a year.
 - 5.3.2 You will be provided with a copy of the form, together with a copy consent form which you must complete if you wish to provide your Diversity Data. You will be notified of the deadline for completing the forms, which will be no less than 7 days from the date of notification.
- 5.4 Keeping Diversity Data secure
 - 5.4.1 All Diversity Data that is collected from individuals will be kept securely.
 - 5.4.2 The DDO will not share Diversity Data with any third parties, save as set out in 5.1.3 above.
 - 5.4.3 Should you access or disclose Diversity Data accidentally or intentionally when you are not authorised to do so, you must notify the Diversity Data Officer immediately. Failure to do so may amount to misconduct and result in disciplinary proceedings.
- 5.5 Anonymising Diversity Data
 - 5.5.1 The DDO is required to anonymise Diversity Data before publishing it in summary form.
- 5.6 Publication of the anonymised summary of Diversity Data
 - 5.6.1 The DDO will prepare Diversity Data in summary format within the three (3) month period following the date for collection specified by the Bar Standards Board (31st December 2012 in the first instance and every three years thereafter). The summary will break down the information in a way which categorises each diversity characteristic against job status and role, in a manner which reflects seniority within Chambers. The summary will be made available on request only as there are fewer than 10 individuals in most categories within Chambers.
 - 5.6.2 Diversity Data relating to sexual orientation and religion or belief will not be included in the anonymised summary format.
- 5.7 Destruction of Diversity Data
 - 5.7.1 The DDO shall securely destroy the Diversity Data collected promptly after the Diversity Data has been anonymised and in any event within 3 (three) months following the date for collection specified by the Bar Standards Board. Secure destruction means that, as far as possible, Chambers shall not hold the Diversity Data in any way where it is possible to identify an individual.

5.7.2 Anonymised data will be kept for 12 months before being destroyed as above.

5.8 Questions or complaints

5.8.1 Individuals have a right to withdraw their consent or object to the use of their Diversity Data at any time.

5.8.2 Where your data has already been provided and you wish to withdraw your consent to its use, please notify the DDO in writing. The DDO will promptly delete or destroy any Diversity Data which includes your personal data and will confirm to you that this step has been taken within 21 days of receiving notification from you.

5.8.3 Where the anonymised data has been published in summary form, the DDO will not extract your personal data from the published summary unless you have reason to believe that continued publication of the anonymised data is causing or is likely to cause you or someone else substantial damage or distress. In such circumstances, the DDO will consider the reasons you have put forward and shall respond within 21 days from the date you notify him/her of your belief to let you know whether he/she has determined that the continued publication of the data is justified and, if not, to confirm the action taken to extract your data from the published summary and to delete or destroy any copies.

5.8.4 Should you have any questions or complaints about this Diversity Data Policy, please contact the DDO.

6 Equality and diversity in the workplace

6.1 As a general principle we appoint, train, develop, reward and promote on the basis of merit and suitability to deliver the require role.

6.2 Recruitment and selection

We will follow the following principles when recruiting pupils, starter tenants, established practitioners or staff:

6.2.1 Individuals will be assessed using fair and objective criteria and will be scored according to their personal capability to carry out a given role.

6.2.2 Assumptions that only certain types of person will be able to perform certain types of work must not be made.

6.2.3 We will take steps to ensure that any advertising or promotion of vacancies cannot be seen as intending to discriminate.

6.2.4 We will ensure that selection criteria will:

- focus on the qualities specifically required from the successful candidate
- promote a consistent and objective approach to candidates by selectors
- reduce the opportunity for decisions to be influenced by stereotyping or unwitting prejudice
- be designed so that higher weightings are given to criteria to which greater importance is attached and
- increase the chances of Chambers selecting the best candidate.

- 6.2.5 Requirements with regards to qualifications required for a role must be truly relevant to that role and not used as a means to discriminate.
- 6.2.6 Unless there is a justifiable reason, such as safety, age limits must not be applied to a job.
- 6.2.7 Applications from different types of person will be processed in the same way and the same questions asked at interview.
- 6.2.8 Interviews and selection will be carried out by at least two from the set.
- 6.2.9 Written records of interviews, scoring matrices and selection processes will be kept for at least one year, both for successful and unsuccessful candidates.
- 6.2.10 Questions at interview will relate to the requirements of the job.
- 6.2.11 Where an aspect of the recruitment process puts disabled people at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments will be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage.
- 6.2.12 For the selection of potential new pupils please also refer to our Pupillage Policy.
- 6.3 Promotion and training of Chambers staff
 - 6.3.1 Staff will be appointed to new roles or be given additional responsibilities based on their performance to date, their qualifications and capabilities for the new role and their willingness to take on this new position.
 - 6.3.2 Decisions on training plans will be solely based on appraisal reviews and identification of skill gaps or additional requirements to enable career advancement.
- 6.4 Terms of employment, benefits, facilities and services
 - 6.4.1 The terms of employment, benefits, facilities and services available to staff will be reviewed regularly to ensure that they are provided in a way which is free from unlawful discrimination.
 - 6.4.2 Part-time workers will receive pay, benefits, facilities and services on a pro rata basis to their full-time comparator unless otherwise objectively justified.
 - 6.4.3 Where any provision, criterion or practice relating to terms of employment, benefits, facilities and services puts disabled workers at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments will be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage.
- 6.5 Grievances, disciplinary procedures, dismissals and redundancies
 - 6.5.1 Those who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an equality and diversity matter will not be disciplined or dismissed or otherwise suffer any adverse treatment for having done so.
 - 6.5.2 Redundancy criteria and procedures will be carefully examined to ensure they are not applied and do not operate in an unlawfully discriminatory manner.

- 6.5.3 Employees will not be victimised in any way for making such a complaint in good faith. Complaints of this nature will be dealt with promptly, fairly, openly, effectively, seriously, and in confidence.
- 6.6 Equality and diversity in our relations with clients
 - 6.6.1 We will treat our clients fairly and equally at all times.
 - 6.6.2 We will not unlawfully discriminate against our clients.
 - 6.6.3 We are generally free to decide whether to accept instructions from any particular client. Where we decide not to accept instructions, this will not be based on any protected characteristics.
 - 6.6.4 We will take steps to ensure that we meet the diverse needs of our clients. Where necessary, we will devise procedures to deliver services that meet specific needs arising from clients' ethnic or cultural background, gender, religion or belief, sexual orientation, disabilities, age or other relevant factors. We will do so only where this is permitted by the relevant anti-discrimination legislation.
 - 6.6.5 We will take seriously any complaint of discrimination by or on behalf of a client and act promptly to investigate.
- 6.7 Equality and diversity in our dealings with third parties
 - 6.7.1 We will not unlawfully discriminate in our dealings with third parties.
 - 6.7.2 We will instruct barristers, experts, consultants or other third parties on the basis of their skills, experience and ability, taking into account factors such as specialist expertise and cost.
 - 6.7.3 We will not accept instructions from a client to select a specific third party wholly or partly on the presence or absence of a protected characteristic. If necessary, we will cease to act. Where a client requests a specific barrister is instructed, we will discuss the suitability of the barrister with the client and advise appropriately. We will take the same approach when instructing other experts or third parties on the client's behalf.
 - 6.7.4 Our suppliers will be selected solely on the basis of their suitability. We will not unlawfully discriminate when selecting suppliers.
 - 6.7.5 We will take seriously any complaint of discrimination by or on behalf of a third party and act promptly to investigate.
- 6.8 Failure to comply
 - 6.8.1 All staff must be aware of and adhere to this policy. You may be liable to disciplinary action if you fail to comply with its provisions or related policies and procedures.
 - 6.8.2 Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination. Serious breaches of this policy and serious incidents of harassment and bullying will be treated as gross misconduct. Unwarranted allegations that are not made in good faith may also be considered as a disciplinary matter.

6.9 Training

6.9.1 We will ensure that all staff will receive appropriate training on our Equality and Diversity policy.

7 Equality & Diversity for Barristers & Pupils

7.1 Recruitment and selection processes

7.1.1 The EDO will monitor the recruitment and selection processes to ensure that they are objective and fair criteria.

7.2 Fair Access to work

7.2.1 Affairs of their chambers will be conducted in a manner which is fair and equitable for all members of chambers and pupils.

7.2.2 The EDO will work with the senior members of Chambers and the clerking team to ensure that work is allocated fairly with due consideration to:

- the development of pupils, starter tenants
- the potential disadvantages faced by those with childcare, or other care commitments
- potential disadvantages from disability
- the opportunities to attend marketing and networking events

7.2.3 If there are concerns relating to the above, contact the EDO.

7.3 Parental leave

7.3.1 Members of Chambers should refer to our Parental Leave Policy.

7.4 Flexible Working

7.4.1 Members of Chambers have the right to take a career break, to work part time, to work flexible hours or to work from home to enable them to manage their family responsibilities or disability.

7.4.2 In all such cases members should liaise with Head of Chambers with regards to how Chambers can best manage and support you.

7.5 Reasonable Adjustments Policy

7.5.1 Members of Chambers should refer to Reasonable Adjustments Policy.