

Five Paper's Equality Policy

Approved at the Chambers Meeting on 14 April 2016

Introduction

1. Chambers is committed to providing an environment in which all barristers, pupils and members of staff can achieve their best, irrespective of their sex, ethnicity, age or any other protected characteristic.
2. Chambers also recognises the important role each barrister must play in the promotion of fair treatment at the Bar.
3. Chambers requires everyone in Chambers to treat fairly all members, staff, pupils and mini-pupils, judges and members of court staff, all applicants, solicitors and their staff, clients and witnesses. Chambers requires all Members to comply with Rule rC12 of the Bar Standards Board Handbook. Namely that Members 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, religion or belief, or pregnancy and maternity.
4. This written statement specifically deals with the following:
 - (a) Chambers' Equality & Diversity Officer / Diversity Data Monitor;
 - (b) Recruitment and selection;
 - (c) Fair access to work and the allocation of unassigned work;
 - (d) Equality monitoring;
 - (e) Complaints and grievances.



Equality and Diversity Officer

5. Chambers has an Equality & Diversity Officer (EDO) who is a Member of Chambers. The EDO shall monitor compliance with this policy, the implementation plan and shall also investigate complaints and grievances arising in consequence of alleged unlawful discrimination or harassment, a breach of this policy or where such issues are relevant to the complaint or grievance.
6. The EDO must be a Member of Chambers and shall be appointed by the Executive Committee. To the extent that it is possible (by reference to the requirements of Chambers and the responsibilities of the individual EDO), the EDO should be appointed for a minimum of three years.

Diversity Data Officer

7. The Executive Committee has appointed a Diversity Data Officer (DDO) who is a member of staff. Chambers has appointed the DDO to comply with the regulatory requirements set out in the BSB Handbook at rcC110.3.n-.t. The primary responsibility of the DDO, as specified in rcC110.3.p, is to comply with the requirements of the Handbook in relation to the collection, processing and publication of diversity data, as further specified by rcC110.3.q-.t. Namely, to collect, using the BSB prescribed model questionnaire, process and publish, in an anonymised form, data (“the diversity data”) relating to certain of the protected characteristics of all members of Chambers’ workforce, including barristers, pupils, clerks and staff.
8. The DDO shall be supplied with a copy of this policy and any updates provided by the Bar Standards Board.



Recruitment and selection

Recruitment criteria

9. Chambers’ recruitment and selection processes must use objective and fair criteria.
10. Such recruitment and selection processes and criteria should be reviewed every three years, or upon recommendation by the EDO, DDO, Pupillage Coordinator or Executive Committee. At review stage, the reviewers must consider whether independent expert feedback/advice is required on the processes/criteria.
11. The criteria must be published on Chambers’ website.

Lead recruiters

12. Any Member with lead responsibility for selection panels must have had recent and appropriate fair recruitment training.
13. The lead recruiters for the selection panels are as follows:
 - (a) Pupillage recruitment: Pupillage Co-ordinator;
 - (b) Tenancy recruitment (from pupils): Chairperson of the Tenancy Committee;
 - (c) Established practitioner recruitment: Head of Chambers and appropriate Practice Team Leader;
 - (d) Staff: Head of Chambers or Senior Clerk.

14. The lead recruiter shall ensure that he/she has completed the relevant training before any recruitment in 2013 and shall have updating training every 3-5 years.

Other panel members

15. In any recruitment from January 2013, one other member of any recruitment panel must have been trained in fair recruitment.
16. By July 2014, all members of selection panels must have been trained in fair recruitment.
17. Following the first training, each member shall ensure that he/she has updating training every 3-5 years.



EDO's role

18. The EDO shall monitor compliance with the above and shall from time to time, inform members of relevant courses available.

Review of recruitment criteria and outcomes

19. Chambers shall regularly review applications for pupillage, staff and membership of chambers.
20. "Regularly" means:
 - (a) Annually in the case of pupillage data;
 - (b) Every three years in the case of applications for membership of Chambers and recruitment of staff.
21. The review shall include:
 - (a) Collecting and analysing data broken down by race, disability and gender;
 - (b) Investigating the reasons for any disparities in that data;
 - (c) Taking appropriate remedial action.
22. From 1 June 2016, such reviews shall be carried out by the lead recruiter(s) in respect of the specific recruitment exercise, with assistance (if deemed necessary by the EDO) from the EDO and/or DDO. If appropriate, the lead recruiter shall refer the data to the EDO for recommendations on changes to recruitment criteria and/or other remedial action.

23. As Chambers do not assess their mini-pupils, this part of the policy does not apply to mini-pupils.

Fair access to work

24. Chambers shall ensure that each Member and Pupil has fair access to work, including the fair distribution of work from the clerks and access to devilling in Chambers.
25. Chambers shall require the clerks to distribute unassigned work fairly to members of Chambers and Pupils. Members shall not accept discriminatory instructions nor shall the Clerks accept discriminatory instructions on a Members' behalf.
26. Members must ensure that they inform the clerks of any devilling offered and accepted by Members or Pupils. Such Members must detail: (a) the person or persons asked to carry out the devilling; (b) the reason why such person or persons was asked; and (c) a summary of the remuneration for the work.
27. The allocation of work (including devilling) shall be monitored by the Senior Clerk, with assistance from the EDO, in accordance with Para. 21 above.
28. The reporting timetable shall be as follows:



1. **Pupillage:** By the end of September of each year, the Pupillage Co-ordinator shall provide the EDO with a written summary of the data and the matters set out at Para. 21 above.
 2. **Recruitment** (staff and barristers): The lead recruiters for all other areas of recruitment shall provide the EDO with a written summary of the data and matters set out at para 21 above every three years. The first report to be made by the lead recruiters by the end of September 2016 and by the same date every three years thereafter.
 3. **Fair allocation of work:** The Senior Clerk shall provide the EDO with a quarterly written summary of data in respect of work allocation. The first report to be provided by 31 June 2016.
29. The EDO shall report to the Executive Committee (in November of every year) on the data provided in accordance with the timetable at paragraph 28 and shall make such recommendations or a timetable for steps to be taken as the EDO considers appropriate. This shall include any proposed budget expenditure for the following year.

Equality monitoring in Chambers

30. Every three years, Chambers shall collect and publish on its website headcount data for Chambers on:
- (a) Race

- (b) Gender
- (c) Disability
- (d) Age
- (e) Socio economic status
- (f) Caring responsibilities.



31. "Headcount data" means the number and percentages of staff, barristers, pupils and assessed mini-pupils¹ from the different groups listed above.
32. Such data shall be collected by the DDO, in accordance with the rC110.3.q-t, who shall send an email attaching an Equality Questionnaire to each Member, member of staff and pupil. The Questionnaires shall be sent out in July in the year due or such other month as the DDO, in consultation with the EDO, considers appropriate. Chambers shall use the Bar Standards Board's prescribed model questionnaire.
33. It shall be the duty of the DDO (to be referred to the EDO or Executive Committee if necessary) to ensure compliance with the above and to publish the above data on the website by no later than 31 December 2012 and thereafter, every three years. The DDO shall not publish any information if there is a risk that individuals could be identified by it, unless it is with that individual's consent.

Action plan

34. Chambers has approved an Action Plan which identifies what actions should be taken to ensure that the principles of equality and diversity are embedded in the framework of Chambers' day to day work and to prevent unlawful discrimination taking place.
35. The Action Plan shall be reviewed after its first year (2013) and thereafter every three years or upon recommendation by the EDO, DM or Executive Committee.

¹ As set out above, Chambers do not assess mini-pupils and thus, the data for mini-pupils shall not be monitored.