

Document	Equality & Diversity Policy & Action Plan
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INTRODUCTION

Kings Chambers (the “Chambers”) is committed to ensuring that equality and diversity is imbedded and promoted across all of our operations including recruitment, fair allocation of work, opportunities for development and career progression, practice development, and the marketing of barristers and pupils.

Chambers commits to treating everyone equally and will not discriminate on the grounds of an individual’s protected characteristic (as defined under the Equality Act 2010) including age, disability, gender (including gender re-assignment), marriage and civil partnership status, pregnancy and maternity, race, religion or similar belief and sexual orientation. Chambers also seeks to be mindful of the adverse effect of policies, criterion or practices which may indirectly lead to less favourable treatment of those with protected characteristics.

The Equality & Diversity Action Plan is supported by our Equal Opportunities Statement, Fair Allocation of Work Policy, Maternity and Paternity Policies, Anti-Bullying and Harassment Policy, Complaints Procedure, Grievance Procedure, Disciplinary Policy, Social Media Policy and the Chambers Constitution and any other relevant policies which are concerned with the implementation, monitoring or enforcement of equality and diversity practices in Chambers.

The Equality & Diversity Policy & Action Plan (the “Policy”) applies to all members, staff, pupils and mini-pupils.

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STATUTORY & REGULATORY FRAMEWORK

This Policy forms part of Chambers' ongoing obligations to comply with legislative and regulatory requirements in relation to equality and diversity insofar as they apply to the operation of Chambers.

This includes but is not limited to:

- Equality Act 2010;
- Rule rC110 of the BSB Handbook; and
- The Code of Conduct of the Bar of England and Wales

OBLIGATIONS

1. Chambers is committed to ensuring that suitable practices are adopted throughout the business to comply with our statutory and regulatory obligations and to promote equality and diversity.
2. No member of Chambers, staff, pupil or mini-pupil shall act in a manner which is directly or indirectly discriminatory on the grounds of age, disability, gender (including gender re-assignment), marriage and civil partnership status, pregnancy and maternity, race, religion or similar belief and sexual orientation.
3. Members must not, in their professional practice, discriminate directly or indirectly or otherwise victimise or harass any other person on the grounds set out in paragraph 2.
4. Where a member of Chambers, staff, pupil or mini-pupil is disabled Chambers will make all reasonable adjustments to improve means of access and every practical effort will be made to provide for the specific needs and/or requirements of that individual.

ACTION PLAN

Chambers will adopt and implement the following Action Plan in accordance with this Policy.

Appointment of E&D Officers

1. In compliance with Rule rC110 of the BSB Handbook Chambers will appoint two Equality & Diversity Officers who will be responsible for the development, implementation and review of equality and diversity practices in Chambers and will report to the Executive Committee on such matters. At the date of this policy the Equality & Diversity Officers are Ben Williams and Anisa Niaz-Dickinson.
2. In respect of matters relating to pupillage and the selection of tenants the E&D Officers may report to or otherwise consult with the Head of the Pupillage Committee and the Head of the Recruitment Committee from time-to-time or as and when required. For all other matters concerning equality and diversity the E&D Officers will report to the Executive Committee from time-to-time or as and when required.
3. The E&D Officers will be responsible for ensuring the implementation of this Policy with such responsibility delegated to the Chambers Director, Chambers Compliance Officer and/or other such authorised persons of appropriate seniority within Chambers as may be required from time-to-time.

4. The E&D Officers, together with the Chambers Compliance Officer, will be responsible for reviewing this Policy on an annual basis in line with the version control noted at the top of this document.
5. The E&D Officers will be responsible for diversity data monitoring (details noted separately within this Policy document).

Recruitment – General

1. Chambers commits to ensuring that selection and employment decisions are taken purely based on merit and suitability and without reference to irrelevant or discriminatory criteria.
2. In all matters of recruitment, selection and monitoring, Chambers shall take into account the provisions and the obligations set out in this Policy.
3. Members and staff of Chambers who are involved in the recruitment process (including in short-listing, interviewing and selection) must ensure they are familiar with the provisions and obligations set out in this Policy and must seek guidance from the E&D Officers if they are unsure of their obligations.

Recruitment – Mini-Pupils

1. Chambers is unable to offer mini-pupillages to all who apply. Chambers will endeavour to organise its mini-pupillage fairs in such a way as to ensure equality of opportunity, so far as is reasonably practicable, and at all times in line with requirements of this Policy.

Recruitment – Pupils

1. Chambers operates with a Pupillage Committee who are responsible for the interview and selection process for incoming pupils.
2. Members of the Pupillage Committee are required to act in accordance with this Policy when making recruitment decisions.
3. Pupillage vacancies are advertised in line with the protocol set out by the Bar Council and Chambers will only offer places to pupils who have been through the approved route. Members of Chambers are not permitted to make private arrangements to take on pupils under any circumstances.
4. All candidates for pupillage are assessed and selected in a fair, open and non-discriminatory manner. Applicants are invited to submit their equality and diversity data to Chambers during the recruitment process however such data is used only for monitoring purposes and does not form part of the recruitment decision in any way.
5. Members of the Pupillage Committee are not privy to this data and applications submitted for their consideration are done so 'blind' with no reference to the applicant's individual characteristics.
6. Pupillage interviews are planned in advance and structured to ensure that each candidate is given the same opportunity to demonstrate their abilities by reference to each selection criterion.

7. References are only used to conduct a final check on the selected applicants. Referees will be asked provide references strictly in accordance with the selection criteria and to provide an objective assessment of the applicant.
8. Chambers will make and retain records of applicants for pupillage who have been rejected, and the reason for the rejection, and will retain these records in line with the Information & Records Management Policy in place in Chambers.
9. Anonymised statistical data may be retained for equality and diversity reporting purposes and made available to the E&D Officers.

Recruitment – Members (Pupils)

1. Pupils who are candidates for tenancy will be informed at the beginning of their pupillage as to (i) when Chambers will identify vacancies for tenants and (ii) how pupils are assessed for selection to become members of Chambers.
2. The Pupillage Committee together with the nominated Pupil Supervisors are responsible for the assessment of pupils throughout their pupillage and are required to use a wide range of sources and relevant criteria when assessing a pupil for tenancy. Such sources may include but not be limited to records of formal assessments, assessments by members for whom the pupils have carried out work, assessments from Pupil Supervisors and feedback from instructing solicitors and feedback from the section where the pupil carried out their pupillage.
3. Chambers seeks to identify the ability and potential of its pupils with clear objectivity and will not include non-relevant criteria in the decision making process such as subjective loyalties or favouritisms, subjective dislikes and/or personal prejudice whether it be conscious or indirect.
4. The suitability of each pupil for tenancy shall be formally assessed by the Pupillage Committee which shall then report and make its recommendations to Chambers.
5. The election of pupils to members of Chambers shall be done in accordance with the procedure set out in the Chambers Constitution.

Recruitment – Members (Non-Established)

1. Chambers will generally seek to recruit members from its own pupils however from time-to-time it may opt to recruit a new member from outside of the pupillage candidate group. Such persons are likely not to have previously practised at the Bar and have conducted pupillage at another set of chambers.
2. In such circumstances the selection decision making process will largely follow that set out above and will be subject to the provisions set out in this Policy.

Recruitment – Members (Established)

1. Chambers may, from time-to-time opt to laterally recruit established practitioners from other chambers. In such circumstances the selection and decision-making process will be subject to the provisions set out in this Policy.

2. Whilst in such circumstances it is unlikely that a vacancy will be advertised, Chambers nevertheless commits to ensuring that the selection and recruitment process is free from any discriminatory criteria.

Recruitment – Staff

1. All vacancies for staff shall be advertised, save where it may be appropriate not to require advertisement depending on the role and the nature of the hire.
2. Prospective candidates shall be made aware of the provisions set out in this Policy.
3. Where Chambers uses an employment or recruitment agency the agency must operate with an Equality & Diversity Policy which adopts the same (or no less stringent) equality and diversity protocols.
4. Prospective candidates are invited to provide their equality and diversity data for monitoring purposes. This data is used for the purpose of monitoring equality and diversity within the recruitment process and is not available to or otherwise used by anyone else involved in the recruitment decision.
5. Relevant selection criteria for the advertised vacancy shall be determined in advance of the recruitment process.
6. Any Member of Chambers or staff involved in the recruitment process shall be made aware of their obligations under this Policy.
7. Interviewing prospective candidates shall be carried out in accordance with this Policy. Two people must be present at the interview to ensure objectiveness.
8. Chambers will make and retain records of applicants who have been rejected, and the reason for the rejection, and will retain these records in line with the Information & Records Management Policy in place in Chambers.

Fair Allocation of Work

1. All staff in Chambers concerned or involved in any way with the allocation of work to members and pupils must comply with the Fair Allocation of Work Policy.
2. Chambers is committed to the equal distribution of work to all members and pupils and to ensure that such distribution of work is carried out in a manner that is fair to all and without discrimination.
3. For the avoidance of doubt, staff will not accede to discriminatory instructions from professional clients. Members may only be selected on the basis of the skills and experience required for a particular case and in the case of pupils, if it is appropriate to do so to give them exposure to the right type of work in their second six pupillage.
4. Monitoring of Fair Allocation of Work is conducted on a quarterly basis and is reviewed by the Chambers Compliance Officer. The report is compiled and based on new cases and total work billed for each quarter period. A comparative review is undertaken

based on seniority and using the aforementioned criteria. Additional considerations are taken into account on a case-by-case basis such as whether a member is part-time, the nature of their practice and the nature of the cases/area of law they practise in. The report is included for review by the Executive Committee as part of the standing agenda.

Marketing

1. Chambers will seek to ensure that, insofar as is practicable, members and working pupils will be marketed on an equal opportunities and non-discriminatory basis. Marketing and networking activities are therefore organised and, where practicable, planned in advance to ensure that over a reasonable amount of time all working pupils and members have equal opportunity to be involved should they wish.
2. Members and pupils are encouraged to take part in Chambers led marketing initiatives. Marketing strategies (including notification of upcoming events) are included as a standing item on section meeting agendas thus affording those in the section the opportunity to become involved in certain events and/or propose ideas for events which they believe would be of benefit to their practice, the wider section and/or Chambers.
3. Marketing activity takes many forms however, generally speaking, members and pupils will be invited to attend and/or participate in seminars, lectures, industry events and networking events, to contribute articles or thought pieces for professional publications and/or to become involved in professional organisations connected with their area of practice.

Practice Development

1. Chambers is committed to ensuring that members and pupils are afforded the opportunity to develop their practices in a fair and equal manner. The Chief Clerks and Senior Clerks are responsible for holding regular practice meetings with their members where members are encouraged to discuss their career development, challenges and preferences for developing their practice.
2. The Pupillage Committee and/or the Pupil Supervisors as may be appropriate will arrange for regular feedback sessions for pupils (usually held once every 3 months) to discuss their progress.

Maternity, Paternity and Parental Leave

1. Chambers maintains up-to-date policies in respect of arrangements for maternity and paternity and these can be found on the Shared Drive (for staff) and within the Constitution (for members).

Anti-Bullying and Harassment

1. Chambers is committed to providing a safe environment that is free from harassment and bullying for everyone who is associated with Chambers or that may come in to contact with its members, staff, pupils and mini-pupils.
2. Chambers operates with an Anti-Harassment, Bullying & Inappropriate Behaviour Policy which should be referred to alongside this Policy.

Monitoring Equality & Diversity Data

1. Chambers complies with its obligations under Rule rC110 of the BSB Handbook which requires it to collect and process Diversity Data and to publish an anonymous summary on its website every 3 (three) years. Individuals have the opportunity to provide their Diversity Data in order for Chambers to publish an anonymous summary of such data. This provides transparency concerning recruitment and employment activities across Chambers and analysis of Diversity Data encourages a diverse and effective legal profession.
2. Overall responsibility for this process sits with the E&D Officers who have also been appointed to act as Data Diversity Officers for the purposes of Rule rC110.
3. The gathering and publication of such data is done in accordance with this Policy and the Equality & Diversity Data Policy.
4. At the date of this Policy, Chambers has published its most up-to-date E&D data on its website (dated April 2019) which can be viewed here: <https://www.kingschambers.com/about-us/diversity>

Complaints and Grievances

Informal Grievance Procedure

1. Where a member, pupil, mini-pupil or employee of Chambers believes that they may have been discriminated against by a member, pupil, mini-pupil or employee of Chambers, the complainant may make use of the informal grievance procedure where appropriate.
2. The complainant should approach the nominated person/s for the purpose of assisting in the informal resolution of complaints. For members and pupils the nominated person may vary depending on the grievance and for staff the initial contact point will be their line manager or the Chambers Director if the complaint is about their line manager.
3. The same person/s will also act as an informal advisor and will endeavour to assist the complainant should the complaint be made under the formal grievance procedure.
4. All efforts will be made to treat complaints in a confidential manner and the name of the complainant shall not be released (except to the person/s complained against) without their consent.
5. Under no circumstances will a complainant be victimised or suffer a detriment as a result of raising a complaint in good faith.

Formal Grievance Procedure

1. Where a member, pupil, mini-pupil or employee of Chambers (or a person who has made an application to be a member, pupil, mini-pupil or employee of Chambers) believes that they may have been discriminated against based on a protected characteristic (ref: Equality Act 2010) or on other grounds by a member, pupil, mini-pupil or employee of Chambers the complainant may make use of the formal grievance procedure.
2. In the event a complaint is made using the formal grievance procedure it must be done so in writing and addressed to the Head of Chambers within 4 weeks of the act or omission in question. In exceptional circumstances the Head of Chambers may, at their discretion, opt to consider a complaint submitted outside of the 4 week timeframe from the date the act or omission is alleged to have occurred.
3. Complaints will be investigated by one of the member/s of Chambers nominated for the purpose of investigating formal complaints; the complainant will be made aware of the person investigating the complaint.
4. The investigation shall involve but shall not be limited to taking such steps as appropriate to address the nature of the complaint. Upon the conclusion of the investigation a written response will be issued to the complainant; where practicable the written response will be sent within 4 weeks from receipt of the complaint, otherwise the written response will be sent to the complainant as soon as reasonably practicable.
5. The written response must be shared with the Head of Chambers and if/where actual or potential discrimination has been identified Chambers will take appropriate remedial action.
6. All efforts will be made to treat complaints in confidential manner and the name of the complainant shall not be released (except to the person/s complained against and to the individual/s nominated to conduct the investigation) without their consent.
7. Under no circumstances will a complainant be victimised or suffer a detriment as a result of raising a complaint in good faith.