



## EQUALITY AND DIVERSITY POLICY

### **Introduction**

1. 1 Essex Court is committed to equality and diversity at the Bar and within Chambers. Chambers ensures that equal opportunities are provided to all members of Chambers, pupils, mini-pupils and employees regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation ('Protected Characteristics').
2. This policy sets out Chambers' approach to equal opportunities and the avoidance of discrimination in Chambers. It applies to all members of Chambers and staff and covers all aspects of Chambers' work, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment. Chambers' clients (both lay and professional) are also protected from discrimination.

### **Forms of Discrimination**

3. The following forms of discrimination are prohibited under this policy and are unlawful:
  - a. Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.
  - b. Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.
  - c. Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.
  - d. Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
  - e. Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

### **Obligations**

4. Chambers is opposed to all forms of unlawful and unfair discrimination, including direct and indirect discrimination, victimisation and harassment.

5. Chambers is committed to ensuring that pupils, tenants and employees are selected without discrimination and that discriminatory considerations play no part in the allocation of work within Chambers or the career development of members of Chambers, pupils or employees.
6. Chambers will not accept instructions from solicitors / clients who seek to select Counsel on a discriminatory basis.
7. Where an individual has a disability, Chambers is committed to ensuring that it complies with its duty to make reasonable adjustments.
8. In addition to this Equality and Diversity Policy, Chambers has adopted the following further policy documents which should be referred to for further guidance:
  - f. Anti-Harassment Policy;
  - g. Tenancy Policy;
  - h. Parental Leave Policy;
  - i. Flexible Working Policy;
  - j. Fair Allocation of Work Policy;
  - k. Reasonable Adjustments Policy;
  - l. Grievance and Disciplinary Policy.
9. Chambers shall appoint two Equality and Diversity Officers, currently, Kolarele Sonaike and Nina Roberts.

## **Recruitment and Selection**

10. Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person if possible.
11. Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.
12. Job applicants must not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
13. Job applicants should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.
14. In addition to this Equality and Diversity Policy, Chambers has adopted the following further policy documents which should be referred to for further guidance:
  - m. Anti-Harassment Policy;
  - n. Tenancy Policy;
  - o. Parental Leave Policy;

- p. Flexible Working Policy;
- q. Fair Allocation of Work Policy;
- r. Reasonable Adjustments Policy;
- s. Grievance and Disciplinary Policy.

### **Breaches of this Policy**

15. Chambers takes a strict approach to breaches of this policy, which will be dealt with in accordance with Chambers Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal in the case of employees, or expulsion from Chambers in the case of members of chambers.
16. An individual who considers that they have suffered discrimination can raise the matter through the Grievance Policy. Complaints will be treated in confidence and investigated as appropriate.

### **Review**

17. This Policy will be reviewed at least every two years by Chambers' Equality and Diversity Officers.