



TEN OLD SQUARE

Ten Old Square Equality and Diversity Policy

Officers

Equality and Diversity Officers [EDOs]

Susannah Meadway (Barrister)

Jeremy Callman (Barrister)

Diversity Data Officer [DDO]

Keith Plowman (Senior Clerk)

1. General Statement

- 1.1. The members of Ten Old Square [Chambers] are committed to ensuring an absence of direct or indirect discrimination on the grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, gender reassignment, gender identity, marital or civil partnership status, pregnancy or maternity, disability, religion, age or political persuasion.

With a view to implementing that commitment, tenants, pupils, clerks and staff will comply with all relevant statutory requirements and will have regard to the Equality and Diversity Provisions of the Code of Conduct.

In addition to this Policy Chambers publishes and implements the following policies:

- The Ten Old Square Implementation Plan
- The Ten Old Square Parental Leave Policy
- The Ten Old Square Harassment Policy
- The Ten Old Square Flexible Working Policy
- The Ten Old Square Reasonable Adjustments Policy
- The Ten Old Square Diversity Data Policy

- 1.2 This Policy applies in particular to

- (a) The selection, recruitment and treatment of tenants, pupils and mini-pupils.
- (b) The selection, recruitment and treatment of clerks and other members of staff.
- (c) Fair access to work and the allocation of unassigned work within Chambers.
- (d) Equality and diversity monitoring.
- (e) The treatment of lay and professional clients.
- (f) Complaints and grievances.

- 1.3 Chambers shall appoint two tenants as its Equality and Diversity Officers [EDOs] with the responsibility of ensuring that this Policy is being complied with.
- 1.4 Chambers shall appoint a Diversity Data Officer [DDO] whose name and contact details will be notified to the BSB and whose role is to collect, process and publish data relating to certain characteristics of all members of the Chambers' workforce, including barristers, pupils, clerks and other members of staff.
- 1.5 For the purposes of this Policy, "discrimination" shall include victimisation and harassment, all of which expressions are defined in the Equality Act 2010.

2. The selection and recruitment of tenants, pupils and mini-pupils.

- 2.1 The selection and recruitment of tenants, pupils and mini-pupils will be conducted openly and objectively and be effected in accordance with the principles of equality and diversity as set out in 1.1 above.
- 2.2 The selection and recruitment of pupils, and of such pupils as a junior tenant, will be effected in accordance with the Pupillage Policy.
- 2.3 The selection and recruitment of other junior tenants shall be effected in accordance with the relevant provisions of the Pupillage Policy.
- 2.4 The selection and recruitment of tenants other than junior tenants shall be effected with regard to the criteria set out in the Junior Tenant Selection Policy, and by means of such of the procedures therein as Chambers considers to be appropriate in the circumstances of the particular case.

3. Mini-pupillage

- 3.1 Mini-pupillages shall be awarded in accordance with the principles of equality and diversity as set out in 1.1 above.
- 3.2 Mini-pupillages shall be awarded in accordance with the relevant provisions of the Pupillage Policy.

4. The selection and recruitment of clerks and other members of staff

- 4.1 The recruitment of clerks and other members of staff will be conducted openly and objectively and in accordance with the principle of equality and diversity as set out in 1.1 above but otherwise by reference to such procedures as Chambers considers to be appropriate in the circumstances of the case.

5. Fair access to work and the allocation of unassigned work within Chambers

- 5.1 For the purposes of this clause unassigned work means:
- (a) Work that comes into Chambers with no name and is addressed to the clerk
 - (b) Work that comes into Chambers for a named barrister selected by the solicitor on the recommendation of a Clerk
 - (c) Returned work re-allocated by a Clerk
 - (d) Junior work to be assigned by a leader
 - (e) Leading work to be assigned by a junior
- 5.2 Only clerks and members who have undergone approved equality and diversity training shall be permitted to allocate unassigned work.
- 5.3 The clerks shall so far as practicable record their reasons for the allocation of unassigned work using where possible the standard monitoring facility on the IRIS MLC software and the DDO shall process and publish a summary of the monitored data annually in October.
- 5.4 In the event of a complaint, the Senior Clerk shall, if requested by the EDOs or the tenant making the complaint, furnish an explanation (in writing if so requested) for the allocation of any particular item of unassigned work by any tenant or the clerks.
- 5.5 The EDOs shall monitor the allocation of work data not less than once per year and shall report to the Chambers AGM with the results of such monitoring.
- 5.6 Instructions which are discriminatory and therefore in breach of the principles set out at 1.1 above, will not be accepted.

6. Grievances and complaints

- 6.1 The procedures set out in this clause shall apply to any equality and diversity complaint concerning

- (a) The conduct of a tenant, pupil, clerk, or other member of staff, made by
 - (i) a tenant, pupil, clerk, member of staff, lay or professional client or,
 - (ii) in relation to the selection and recruitment of tenants, pupils, clerks or members of staff, by an applicant, or
- (b) the conduct of any other person made by a tenant, pupil, clerk, or other member of staff (where that conduct occurs in the course of tenancy, pupillage, or employment of that clerk or other member of staff).

In respect of any complaint against a clerk or other member of staff, the procedures set out in this clause shall be adopted subject to the terms of his or her employment contract, and in respect of any complaint within (b), the procedures set out in this clause shall be modified as appropriate in the circumstance that the respondent is not a member of Chambers, pupil, clerk, or other member of staff.

- 6.2 In the first instance the complaint shall be notified, orally or in writing, to the EDOs who, with the consent of the complainant and respondent, shall endeavour to resolve the complaint informally, with the assistance of the Head of Chambers or any other member as they may consider appropriate.
- 6.3 If consent under 6.2 is not given, or if informal resolution fails within a period of 28 days, the complaint shall be put in writing by the complainant (if this has not already been done) and notified to the Head of Chambers who shall within 7 days of that notification appoint at least two senior members of Chambers (of not less than 10 years' call and who have undergone equality and diversity training as set out in 7.1) to investigate the complaint.
- 6.4 Those investigating the complaint shall adopt such procedures, including the interviewing of those concerned, as appear to them to be appropriate in the circumstances of the case, having regard always to the principles of natural justice and the requirements of fairness and transparency. They shall also have regard to any report made or advice given in relation to the complaint by the EDOs.
- 6.5 Tenants, clerks, pupils and other members of staff and the complainant shall as far as may be practicable co-operate with those investigating the complaint and provide such information as they shall reasonably require.
- 6.6 In the event that the complaint is upheld, the Head of Chambers shall take such remedial action as is appropriate and the nature of that action shall be communicated to the complainant.
- 6.7 As far as may be consistent with the proper investigation of the complaint, both it and the identity of the complainant and respondent shall be kept confidential throughout the complaints procedure. The complainant shall not in any way be victimised or treated unfavourably by reason of the complaint having been made.

7. General

- 7.1 Chambers is committed to ensuring that staff and tenants involved in processes relating to para 1.2 above have undertaken approved equality and diversity training. Such training shall take place in accordance with Bar Standards Board guidance.

- 7.2 The EDOs shall consider prior to the Chambers' AGM what training provisions should be made and make appropriate recommendations to the Management Committee.
- 7.3 The appropriate funds shall be allocated by Chambers to ensure the implementation and monitoring of and compliance with this Equality and Diversity Policy.
- 7.3 A copy of this Policy shall be given to every tenant, pupil, clerk and other member of staff, and to each new tenant, pupil, clerk or other member of staff on joining Chambers and shall be published on Chambers' website.