

QUADRANT CHAMBERS

EQUALITY & DIVERSITY POLICY

Preface

Quadrant Chambers is committed to promoting equality and diversity in relation to all areas of Chambers' operation. Discrimination on the grounds of one or more of the following protected characteristics: race, colour, ethnic or national origin, nationality, citizenship, gender, pregnancy and/or maternity, age, marital or civil partnership status, sexual orientation, gender reassignment, disability, religion, belief or political persuasion will not be tolerated. Chambers is committed to taking necessary steps to eliminate discrimination, to ensure equality of opportunity, to promote diversity and to provide an inclusive and tolerant workplace.

In order to achieve this aim, Quadrant Chambers has compiled this document upon the basis of the Equality and Diversity Code for the Bar published by the Bar Council ("**the Code**"), the New Equality and Diversity Rules of the Code of Conduct published by the Bar Standards Board in June 2012 ("**the Rules**") and the Attorney General's Equality and Diversity Expectations Statement for Civil and Criminal Panel Counsel and their Chambers ("**the AG Expectations Statement**"). This document has been reviewed to take account of the publication of the Bar Standards Handbook (1st edition January 2014) incorporating the 9th edition of the Code of Conduct ("**the Handbook**"). It is intended that this document fully accords with the Code, the Expectations Statement and the Handbook. Chambers is committed to ensuring that its operation and internal procedures comply with them.

Interpretation of this policy

This policy is intended to comply with the Rules and the Handbook. If and insofar as it does not do so expressly, it is to be construed in such a way as to ensure that it does so, if necessary by the addition or deletion of provisions so as to give effect to the intention.

Positive Action

In drafting this policy Chambers has taken account of the fact that the Equality Act 2010 extends existing positive action provisions so that Chambers (or an individual barrister, pupil, clerk or staff member) may single out persons with a protected characteristic and take any action that is a proportionate means of achieving the aim of enabling/encouraging them to overcome a disadvantage arising from that characteristic. Equally, action may be taken to meet any needs individuals have as a result of a disadvantage connected to a protected characteristic or to encourage those individuals to participate in an activity where participation by people with that characteristic is disproportionately low.

Action Plan

An Action Plan to implement this policy is reviewed annually.

Table of Contents

This Policy is divided into the following sections:

1. Fair Selection of Pupils, Tenants and Staff and the promotion of Diversity;
2. Equality in Chambers (including: Maternity and Paternity Policies);
3. Harassment;
4. Complaints Procedures;
5. Training in Equality and Diversity;
6. Equalities Responsibilities and Monitoring;
7. Service provision to disabled clients.

Appendices

The Appendices to this Policy are as follows:

Appendix No.	Document
1	Social Diversity Policy
2	Complaints Procedure
3	Maternity and Paternity Policy
4	Flexible Working Policy
5	Reasonable Adjustments Policy
6	Harassment Policy
7	Organisations offering advice and counselling

Section 1

Fair Selection of Pupils, Tenants and Staff

1. Recruitment into Chambers is principally through pupillage. Quadrant Chambers does not participate in the Bar Council's Pupillage Admissions system. All pupillage vacancies are advertised in the *Chambers Pupillages and Awards Handbook* and on our website at www.quadrantchambers.com

2. The selection procedure for pupils is by way of interview and the assessment of a piece of written work. Save for exceptional circumstances, all pupils are required to participate in this procedure. The assessment of an applicant is conducted by reference to settled objective criteria which are directed at determining the potential competence of the individual as a barrister practising in the areas of work undertaken by Chambers. The criteria which Quadrant Chambers currently apply comprise the elements outlined below. These criteria are not subject to change during the course of the selection process:

2.1. **Intellectual Qualities:** the ability rapidly to absorb complex information; to identify essentials; and to remain pragmatic and practical;

2.2. **Motivation:** Chambers looks for a very high level of drive and determination; and defined commitment to some aspect of the work of the bar;

2.3. **Relationships:** Chambers looks for evidence of friendly, supportive relationships with a wide range of people sustained over time;

2.4. **Temperament:** the ability to remain calm, objective and confident while working with complex material for long hours against deadlines; and evidence of established personal values and sustained integrity;

2.5. **Impact:** Chambers looks for candidates who are articulate, confident, perceptive, and respectful.

3. The selection of pupils is conducted by the Pupillage Committee which is made up of members of Chambers of varying degrees of seniority. An effort is made to ensure that the Pupillage Committee reflects diversity of gender and social and ethnic background in so far as this is possible.

4. Tenants are selected principally from existing pupils and the selection is undertaken by Chambers as a whole upon the basis of a recommendation from the Pupillage Committee. The criteria for selection are those set out above.

5. Where vacancies exist for experienced practitioners, Chambers undertakes to advertise as widely as possible and to select on the basis of the same criteria as set out above. The Bar Council's Equality & Diversity Code for the Bar allows two exceptions to this procedure which Chambers may take advantage of, provided that such recruitment may be justified both in terms of Chambers' business needs and in terms of the skills of those recruited:

5.1. The approach to a particular barrister or barristers whom Chambers wishes to recruit because of their particular experience or expertise in the field(s) in which Chambers practises; and

5.2. The approach by a particular barrister or barristers to whom Chambers, although not looking to recruit, may be prepared to make an offer because of their particular experience or expertise in the field(s) in which Chambers practises.

5.3. In either case, Chambers will be vigilant to ensure that unlawful discrimination is not allowed to occur.

6. Chambers' equality and diversity policies are also applicable to mini-pupillages and the recruitment of Chambers' staff. In these cases, the same non-discriminatory approach is adopted. Further and fuller details on pupillage and mini-pupillage can be obtained from Chambers' Pupillage Handbook.

Diversity of social background

7. Quadrant Chambers is committed to promoting diversity in the social background of those seeking to join Chambers, those seeking to become barristers and those seeking to work with barristers. Chambers notes that one of the wider market risks which forms part of the BSB's risk management supervision is 'risks to the maintenance of a diverse and representative legal profession'. Chambers is a supporting member of PRIME (www.primecommitment.org) and the Sutton Trust's Pathways to Law programme (www.suttontrust.com). Both of these programmes give students from disadvantage backgrounds a chance to experience work in the legal profession.
8. Quadrant Chambers also promotes and actively supports The Bar Council's outreach programme "Speak Up for Others" which organises speakers to visit schools to provide information about working as a barrister and entry to the profession.
9. A copy of Chambers' Social Diversity Policy is attached as Appendix 1.

Section 2

Equality of Opportunity in Chambers

10. General Provisions

10.1 In accordance with the Equality Act 2010, Chambers will not ask (orally or in writing) any pre-selection questions of any candidate pertaining to their health save as below:

10.2 to establish whether the candidate will be able to undergo an assessment in order to determine whether Chambers will be under a duty to make a reasonable adjustment;

10.3 to establish whether the candidate will be able to carry out a function that is intrinsic to the work involved in the job being applied for (e.g. will a candidate for the role of Post Room Clerk be able to carry a reasonable weight of parcels to the Post Office?);

10.4 monitoring the diversity of candidates applying to Chambers;

10.5 establishing whether Chambers is taking positive action for the benefit of disabled candidates;

10.6 establishing whether a candidate has a particular disability (NB this applies only when there is an occupational requirement to employ someone with that disability which is highly unlikely to arise in the context of Chambers):

10.7 Chambers will not discriminate against an individual on the basis of any protected characteristic nor will it do so because of protected

characteristics in a more general sense (e.g. because an individual is associated with someone having a protected characteristic);

10.8 Chambers will take all necessary steps to ensure that it does not discriminate unlawfully because of a mistaken perception that an individual has one or more protected characteristics;

10.9 Chambers will not use 'contractual gagging clauses' i.e. clauses in employment contracts which seek to prevent disclosure of terms and conditions relating to pay and bonuses by employees seeking or making a 'relevant pay disclosure' e.g. when an employee seeks to discover whether there is a connection between how much people are paid and one or more of the protected characteristics.

10.10 Sharing the same protected characteristic. Chambers understands that the fact that a person accused of discrimination shares the same protected characteristic as a claimant is irrelevant to establishing whether or not discrimination has occurred.

10.11 Indirect Discrimination. Chambers notes that (since the Equality Act 2010) the law on indirect discrimination now applies to all protected characteristics including disability and gender reassignment.

11. Pupillage

The requirements of the Bar's Code of Conduct (setting out detailed provisions for pupillage) are fully met by Chambers' Pupillage Handbook. Some aspects have been dealt with in the above section and are covered further in paragraphs below.

12. Distribution of Work

12.1 The distribution of work to all members of Chambers and working pupils is monitored (see para 12.3 below) with the aim of ensuring that work is distributed in a manner which is fair to all and without unlawful discrimination. Chambers' Practice Managers will not accept discriminatory

instructions on behalf of any member of chambers or working pupil under any circumstances. Counsel may only be instructed upon the objective basis of their skills and/or experience.

12.2 Chambers is committed to ensuring fair access to, and the fair distribution of, work, particularly un-named / unassigned work, and to providing support and guidance for all members of Chambers in respect of practice development and marketing. The clerks and practice managers are trained in the use of the Lex software and regular breakdowns of work are undertaken. Analysis should include the amount of work done, the type of work, fees earned and received and solicitors instructing. As a guideline, in respect of pupils and junior tenants, breakdowns should be produced at three monthly intervals. This information should be discussed with the pupil or junior tenant as part of their individual practice development, as well as being used to monitor Chambers' internal work distribution procedures and instructing solicitors' briefing practices.

12.3 The Chief Executive will be responsible for overseeing the monitoring of work and will meet with one or other of the two Senior Clerks on a regular basis in order to compare and review the work distribution data so as to ensure that work is distributed in a manner which is fair. These reviews will, if necessary, investigate the reasons for any differences in the quantity or type of work done (including the potential of work for career development) or fees earned by members of chambers with protected characteristics. While differences may well reflect differences in preference, ability or experience Chambers should be satisfied that they are not the result of bias or unlawful discrimination.

12.4 Chambers will use the work distribution data to ascertain whether any instructing organisations or solicitors exhibit briefing practices which tend to favour a particular group. Any such trend will be identified by the Chief Executive and reported to the EDO to consider whether there is any underlying discriminatory practice or steps which need to be taken.

12.5 If briefing practices are identified which disadvantage a particular group these will be addressed through the clerks' room. If the issue cannot be resolved through the clerks' room, it may need to be addressed by the Chief Executive and the solicitor(s) involved.

12.6 Chambers will ensure that all clerks and practice managers are fully briefed on the need to distribute work in a fair and non-discriminatory manner and to monitor work allocation. Clerks and practice managers, and in particular those involved in the distribution and monitoring of work allocation, will be provided with equality and diversity training.

12.7 The allocation of work (where no particular barrister has been requested) is monitored and overseen by the Chief Executive. The Chief Executive is always available to discuss the distribution of work and practice development with members of Chambers.

13. Maternity, Paternity & Parental Leave Policy

Chambers is fully committed to complying with the requirements of the Code, the Rules and the Expectations Statement in relation to maternity, paternity and parental leave. A copy of Chambers' Maternity and Paternity Policy, is attached at Appendix 3. Chambers is committed to reviewing the effectiveness and fairness of the policy on a regular basis. Such a review will take place at least annually but more often if necessary or appropriate.

14. Flexible Working Policy

Chambers is committed to complying with the requirements of the Code, the Rules and the Expectations Statement in relation to flexible working hours and career breaks. A copy of Chambers' Flexible Working Policy is attached at Appendix 4.

15. Disability Equality

15.1 Chambers is committed to complying with its duties in respect of avoiding discrimination on the grounds of disability as defined in the

Equality Act 2010 (“**the EA 2010**”). A copy of Chambers’ Reasonable Adjustments Policy is attached at Appendix 5.

15.2 Chambers will fully consider, and respond appropriately to any request for a “reasonable adjustment” within the meaning of the EA 2010. Any such request should be addressed to the Chief Executive, who will consider the request and consult the Equality and Diversity Officer if appropriate. Where a person identifies themselves as disabled the Chief Executive will consult them on their needs and how these can be addressed. In considering the position, the Chief Executive will implement such steps as are reasonable to provide auxiliary aids or services to disabled tenants, pupils, staff, clients and other visitors to Chambers, that would otherwise be put at a substantial disadvantage in relation to a non-disabled person.

15.3 In determining whether an adjustment is reasonable, Chambers will take the following factors into account:

15.3.1 The effectiveness of the adjustment in overcoming the disability;

15.3.2 How practicable is the adjustment;

15.3.3 The cost of the adjustment.

Section 3

Harassment

16. Harassment is perhaps the most pernicious form which discrimination can take. It involves unwelcome conduct which the recipient finds offensive. Harassment in any form will not be condoned or tolerated by Chambers. Should any tenant, member of Chambers, pupil, mini-pupil, member of staff or anyone else temporarily in Chambers feel that he or she has been subjected to inappropriate conduct of this kind it is suggested that in the first instance they should make an informal approach to the Chief Executive or the Head of Chambers or the Head of Mancom in order that the situation can be discussed. This approach can be direct by the person who considers that he or she has been harassed or indirectly through another member of chambers with the whom the matter has been raised.

17. If appropriate, a complaint should be made through Chambers' formal complaints procedure.

18. A copy of Chambers Harassment Policy is attached at Appendix 6 and is made available to all those for whom chambers constitutes a working environment including members of chambers, pupils, practice managers , clerks and other employees, temporary workers, those who provide services to chambers such as contract cleaners, accountants and IT consultants, and mini-pupils and work experience students. The policy is published on Chambers' web-site.

19. Any complaint, whether formal or informal, will be viewed with the utmost seriousness by Chambers and will be dealt with accordingly. In either case, the complaint will be treated confidentially in so far as this is practicable: only the individual against whom the complaint is made will necessarily be informed.

20. In addition, there are a wide variety of external organisations from whom an aggrieved individual may usefully seek advice or counselling, for instance the Student Officer of the relevant Inn of Court or The Bar's Equal Opportunities Officers. A full list of useful organisations and addresses is provided at Appendix 7 to this document.

21. Victimisation. Victimisation is one particularly objectionable type of harassment. To establish whether or not an individual has been victimised, Chambers will not attempt to compare one individual's treatment with that of another. Chambers will focus simply on whether or not an individual was treated to their detriment because of a protected characteristic.

Section 4

Complaints Procedures

22. Chambers recognises that it is essential to the implementation and operation of its Equality and Diversity policies that procedures exist to allow complaints to be made and dealt with properly. The following procedures apply in relation to complaints arising out of discrimination and harassment of any kind including complaints that concern the selection of pupils, tenants (including pupils not offered tenancy) and chambers' staff, conduct of pupillage, distribution of work in chambers, and pressure or instructions to discriminate.

23. Informal Complaints

23.1 Aggrieved individuals may feel that it is appropriate in the first instance to make an informal complaint to allow a particular situation to be discussed and to decide how to proceed. It is recommended that this practice should be followed. Generally, in relation to both formal and informal complaints, Chambers undertakes, so far as is practicable, to keep the matter confidential with only the individual who is the subject of the complaint necessarily being informed. The consent of the complainant will be sought before his or her name is disclosed to any other person. Chambers further undertakes that in no circumstances will a complainant be victimised or suffer detriment because of a complaint made in good faith.

23.2 Informal approaches may be made to the Chief Executive or to the EDO.

24. Formal Complaints

24.1 Formal complaints must be made in writing to the Chief Executive (or in certain circumstances the Head of Mancom) in accordance with the Formal Complaints Procedure at appendix 2. A written response

to any such complaint will be provided as soon as possible and, in any event, not later than within 28 days. Complaints will be dealt with in accordance with the Formal Complaints Procedure attached at appendix 2. Where a formal complaint is substantiated, remedial action in accordance with the nature and gravity of the conduct concerned will be instituted.

24.2 In particular, where a complaint concerning pupillage or tenancy selection has been substantiated remedial action may include:

24.2.1 A re-evaluation of the application;

24.2.2 Another interview with another panel:

24.2.3 A change of practice

24.2.4 Further advice, briefing or training of the selector(s);

24.2.5 Advice and support for the complainant.

24.3 A report of all formal complaints will be made by the Chief Executive to the Head of Chambers and reports are reviewed annually to ensure compliance with the policy of equal opportunity and the efficacy of Chambers' procedures.

24.4 In addition, there are a variety of external bodies that may be approached for advice or counselling. A list of organisations and their addresses is attached at Appendix 8 to this document.

Section 5

Training in Equality and Diversity

25. Training

25.1 The EDO is responsible for indentifying training needs (both for individual and chambers as a whole) in the areas of Equality and Diversity.

25.2 The EDO, having indentified any such needs, is responsible for indentifying appropriate training provide (as developing suitable in-house training) to meet those needs.

25.3 Each year, as the operating budget for Chambers is set, the EDO is to insure that adequate financial provision is made in the budget to fund such training. In the event that no training is envisaged in that Budget year, the EDO should nonetheless put in a provisional sum to meet, as yet unforeseen, training needs.

25.4 After any training intervention, the EDO is responsible for ensuring – in conjunction with those receiving the training – that the identified training needs were fully met.

Section 6

Equalities Responsibilities and Monitoring

26. Equality and Diversity Officer

26.1 The present designated Equality and Diversity Officer ('**EDO**') at Quadrant Chambers is John Kimbell. The EDO is assisted by, the Chief Executive and Diversity Data Officer ('**DDO**') – see further below.

The EDO's role comprises the following:

26.1.1 Development and implementation of this Policy and the Action Plan including ensuring that all policies within Chambers are in accordance with the requirements of this Code and the Handbook.

26.1.2 Providing or organising equality and diversity training or briefing for members of chambers and staff.

26.1.3 Advising the Heads of Chambers, Chairman of the Pupillage Committee and members of Chambers' Management Committee etc on equality and diversity issues.

26.1.4 Advising individual members or Chambers staff on equality and diversity issues as necessary and providing an informal route for the resolution of grievances arising out of issues covered by this policy.

26.1.5 Analysing the monitoring data from pupillage and staff recruitment exercises and ensuring that these analyses are brought to the attention of relevant members of Chambers and that any recommendations are acted upon.

26.1.6 To ensure that appropriate risk management procedures are in place in order to facilitate and implement the BSB's risk based supervision of chambers in the areas of equality and diversity.

27. Equalities Monitoring: the Diversity Data Officer

27.1 The role of the Diversity Data Officer is to ensure that Chambers complies with all the requirements in paragraphs rC3(3)(q) – (t) of the Code of Conduct concerning the collection, processing and publication of diversity data. It is Chambers' policy to publish its diversity data on Chambers' website. The DDO shall report to the EDO on any discernable trends in the data following the next collection date in 2015. Any such trends will be taken account of when the action plan is next reviewed and updated. It is the responsibility of the DDO to provide data in anonymised form to those organisations which Chambers has approved as recipients – including but not limited to the BSB, Combar and the AG.

Chambers policy statement on diversity data

Chambers' policy statement on the collection, publication, retention and destruction of diversity data is set out in its diversity data policy of 2012. It is the responsibility of the DDO and the EDO to make members of staff and members of chambers and pupils aware of the benefits of collecting the data in addition to ensuring that it is made clear that the provision of the data is voluntary.

Selection data

27.2 All selection decisions are monitored by reference to ethnicity, gender and disability. This is the responsibility of the DDO. .

Staff

27.3 The employment and treatment of staff is also monitored by reference to ethnicity, gender and disability. This is the responsibility of the DDO.

Pupillage application data

27.4 Monitoring data on pupillage application and selection is provided to the Bar Standards Board and the AG. This data is used to monitor applications for pupillage, candidates shortlisted, candidates successful at interview and terms and amounts of awards offered. An

analysis of the selection monitoring data is undertaken every year after pupillage and tenancy selection have been completed.

Trend analysis and action

27.3 Where an analysis of the monitoring data reveals the under-representation of a particular group, this will be reported to the EDO by the DDO. The EDO will consider whether any positive action to improve the position is possible and practicable and recommend to Chambers any steps which ought to be taken by way of corrective action .

Reporting to the AG

27.4 Chambers will through the DDO report to the Attorney General annually, or such longer period as may be specified, on progress against the Expectations Statement.

Section 7

Service Provision to Disabled Clients

28. Disability discrimination

28.1 Chambers is committed to complying with the directions set out in the Bar Council's Equality and Diversity Code – in particular Action Area G and Annex L – as they relate to service provision to disabled clients.

28.2 Obligations and duties are owed to disabled persons, who may be lay clients, professional clients or other persons from the instructing solicitors, or other persons to whom we, individually or collectively, provide services or come into contact such as witnesses. In this context, Chambers will be a service provider, as will an individual barrister. Both will therefore owe duties under the Code and the EA 2010.

28.3 Chambers recognises that Disability comes in a variety of forms, both physical and mental, and it may affect a person's ability to access our services in a number of different ways.

28.4 Chambers, and individual members, does not discriminate against people with disabilities, and we are committed to treating them no less favourably, for any reason related to their disability, than other members of the public.

28.5 Thus, save in exceptional circumstances which are objectively justified by the EA 2010, Chambers and individual members will:

28.5.1 Offer and deliver all the same services (including *pro bono* services) to persons with disabilities, to the same standard and on the same terms, as we do to other members of the public; and

28.5.2 Make reasonable adjustments whenever necessary to enable persons with disabilities to access and use our services

without unreasonable difficulty, inconvenience, time, effort, discomfort or loss of dignity.

28.6 Chambers and individual members will not victimise any person, whether disabled or not, or treat them less favourably because they have brought proceedings, given evidence or information, or made allegations relating to the EA 2010.

28.7 In order to ensure that Chambers, and individual members, can better comply with our obligations under the EA 2010 and the Bar Council's guidance, Chambers CEO will:

28.7.1 Conduct regular access audits of our premises.

28.7.2 Regularly review our policies, practices and procedures, and other aspects of our service provision.

28.7.3 Collect feedback from service users (both directly and indirectly, via Members of Chambers and staff), about their experience of accessing our services.

28.7.4 Receive and consider the latest guidance from relevant bodies including the Bar Council, the Disability Rights Commission, the Department for Work and Pensions and disability charities and other relevant sources as appropriate.

28.7.5 Formulate any necessary changes and adjustments.

29. Other forms of discrimination

29.1 Chambers is also opposed to discrimination against service users on the grounds of race, religion, sex, sexuality or belief or any other protected characteristic. We will not tolerate racial or sexual harassment of service users.

29.2 Chambers is sensitive to the particular needs of our service users in terms of religious beliefs and sensitivities, practical domestic and childcare arrangements, language difficulties. We will do our best to ensure that our service provision is appropriate to these needs.

30. Bar Council guidance

30.1 Annex L (Guide to non-discrimination in service provision under the EA) to the Bar's Code is a useful point of reference for Chambers and individual barristers, in that it gives guidance relating to the issues involved in avoiding discrimination. In particular, service providers should:

30.1.1. Be flexible in terms of responding to the needs of the disabled person;

30.1.2 Avoid making assumptions – talk with the disabled person to establish how they think their disability can best be accommodated;

30.1.3. If expert advice is needed, don't be afraid to seek it – the Chamber's CEO can assist with this;

30.1.4. Above all else – if in doubt – seek advice on any issue relating to disability and service provision from Chambers CEO.

T J Gerrard
Chief Executive & Diversity Data Officer

J.A Kimbell
Equality and Diversity Officer

July 2014

Appendix 1

Social Diversity Policy

1. Quadrant Chambers is committed to:
 - (1) providing equality of opportunity regardless of family, social or income background;
 - (2) taking action to increase the diversity of its barristers and staff in terms of family, social and income backgrounds.

2. Quadrant Chambers participates in, and strongly encourages its barristers and staff to participate in, schemes which seek to increase diversity in the legal profession, such as Social Mobility Foundation placements and mentoring, the Bar Council "Speak Up For Others" scheme, the Sutton Trust Pathways to Law scheme, and PRIME.

3. In all selection processes, including for work experience students, mini-pupils, pupils, tenants and staff, Quadrant Chambers is vigilant to ensure that:
 - (1) selection is conducted solely on the basis of the criteria set out in the Equality and Diversity Policy and/or any published criteria relevant to the particular role;
 - (2) no preference is given to any candidate on the basis of:
 - (a) any personal or family connection with any existing or former tenant or member of staff;
 - (b) any connection with any organisation or institution, including but not limited to any school, university or club (subject to paragraph 4).

4. For the avoidance of doubt, Quadrant Chambers may take into account attendance at any academic or professional institution to the extent, but only to the extent, that it demonstrates satisfaction of the selection criteria set out in the Equality and Diversity Policy or as published for the particular role.

Appendix 2

Formal Complaints Procedure

Introduction and Scope

- A. In the event that a complaint cannot be dealt with by an informal approach as described in Chamber's Equality and Diversity Policy or otherwise, the following formal procedure should be used. This procedure should be used in the event of a formal complaint by tenants, pupils and mini-pupils.

- B. This procedure covers the selection of tenants, pupils and mini-pupils, the conduct of pupillage, the distribution of work in Chambers, the management of Chambers and harassment and discrimination generally.

The Complaints Procedure

(i) Complaints by pupils and mini-pupils

- C. In the event of a complaint by someone other than a member of Chambers, the complaint should be submitted in writing to the Chief Executive. If the complaint is about the Chief Executive, the complaint should be submitted to the Head of Mancom and all references below to the Chief Executive taking a step should be read as requiring the Head of Mancom to act.

- D. In the first instance, the Chief Executive will consider the nature of the complaint and deal with it in the manner he or she considers to be best suited to its fair and just resolution.

- E. In the event that the Chief Executive considers that the complaint requires investigation, he will investigate the matter in the manner he

considers to be best suited to the fair and just resolution of the complaint.

F. If, after investigation, the complaint is found to have substance, the Chief Executive will take such remedial action as he considers to be most appropriate in the circumstances. In particular, where the complaint relates to selection for pupillage or tenancy the remedial action may include the steps outlined in paragraph 24 of the Equality Code, namely:

- (1) A re-evaluation of the application;
- (2) Another interview with another panel;
- (3) A change of practice;
- (4) Further advice, briefing or training of the selector(s);
- (5) Advice and support for the complainant.

G. The Chief Executive will provide the complainant with a written response to the complaint as soon as is practicable but, in any event, within 28 days of the written complaint being submitted. The written response will set out the findings made and (if appropriate) the remedial action which has been or will be taken.

H. Chambers undertakes, so far as is practicable, to keep the matter confidential with only the individual who is the subject of the complaint necessarily being informed. The consent of the complainant will be sought before his or her name is disclosed to any other person. However, the investigation and resolution of the complaint may be impeded if confidentiality is insisted upon.

- I. Chambers further undertakes that in no circumstances will a complainant be victimised or suffer detriment because of a complaint made in good faith.

- J. If either the complainant or the party against whom the complaint was made is dissatisfied with the result of the determination of the complaint or the remedial action to be taken, he or she may submit the matter in writing for further consideration to the Head of Chambers. The Head of Chambers will consider the matter and either endorse the findings and remedial action recommended by the Chief Executive or make new findings and take such remedial action (if any) as he considers to be appropriate.

(ii) Complaints by members of Chambers

- K. It is anticipated that complaints by members of chambers or complaints relating to matters arising between members of Chambers will often be resolved informally by the members concerned referring it to another (usually more senior) member of chambers who will then act as an informal mediator. In the event that this is not possible or appropriate, a complaint should be made to the Chief Executive the Head of Mancom or the Head of Chambers. The person to whom the complaint is made will take such action as he considers to be appropriate in the circumstances which may include investigation of the complaint and remedial action. If the complaint is about the Chief Executive, the complaint should be submitted to the Head of Mancom and all references below to the Chief Executive taking a step should be read as requiring the Head of Mancom to act. For complaints of harassment see paragraph 16 of Section 2.

- L. In the event that the complainant or any member of Chambers affected by the decision of the Chief Executive is dissatisfied with the decision on the complaint or any remedial action to be taken, he or she may raise the matter at a Chambers meeting for resolution.

Appendix 3

Maternity and Paternity Policy

Introduction

1. It is the aim of this Maternity and Paternity Policy (“the Policy”) to:
 - a. Enable members and staff following the birth or adoption of a child to discharge their responsibilities to the child;
 - b. Seek to encourage members and staff to return to Chambers and to continue to build successful practices, thereby contributing to the success of Chambers as a whole;
 - c. Prevent any and all discrimination arising out of maternity or paternity;
 - d. Adopt terms which are competitive with those of other Chambers in order to attract the best candidates for pupillage, tenancy and employment and to retain them.
 - e. Have regard to and comply with the Bar Council’s Equality and Diversity Code, the Equality & Diversity Rules of the Code of Conduct and the Maternity, Paternity and Flexible Working Policy;
 - f. Address (a) to (e) above whilst recognising that members are self-employed and independent and without imposing a disproportionate burden on members of Chambers as a whole.

2. It is intended that this Policy will be provided to all members, clerks and staff in order that they understand the Policy and their role in relation to it. Thus, where the term ‘member’ is used, this should be taken to include all support staff.

3. The Equality and Diversity Officer (“EDO”) will from time to time review the effectiveness of this Policy.

4. DELETED .

Chambers Expenses

5. Any member who has given birth or who has adopted a baby or pre-school aged child or whose partner has given birth and in any of these case is the primary care giver will not be required to pay the fixed rent element of Chambers Expenses (as described in paragraph 3 of Appendix 3 to the Constitution) from the contribution due in the first calendar month following the month of the birth / adoption of of each child to
 - a. the contribution due in the month after the end of the **three calendar month period** following the member's return to regular practice in Chambers or
 - b. the contribution due in the month after the **end of the nine calendar month period** following the birth / adoption,

whichever is the shorter period save that in any event the member concerned will be entitled to a **minimum of 6 months free of the fixed rent element** of Chambers Expenses.

6. A member whose partner has given birth or who has adopted a baby or pre-school aged child but who is not the primary care giver but who has responsibility or who shares responsibility for that child will not be required to pay the fixed rent element of Chambers Expenses (as described in paragraph 3 of Appendix 3 to the Constitution) for a period of **six weeks** from the contribution due in the first calendar month following the birth or the adoption of each child.
7. After the end of the periods referred to in 5 and 6 above the fixed rent element of Chambers Expenses will be charged whether or not the member has in fact returned to practice in Chambers, notwithstanding the matters set out at 9 to 11 below.
8. The fee percentage element of Chambers Expenses (as described in paragraph 1 of Appendix 3 to the Constitution) will be charged on all fees received in accordance with the provisions applicable to all other members.

Absence, Retaining Membership of Chambers and Room Use

9. A member who has given birth or who has adopted a baby or pre-school aged child and who in either case is the primary care giver may take a period of up to **12 months leave** starting from the date of the birth.
10. If the member does not intend to return to regular practice in Chambers she should give notice to Chambers under paragraph 53.1 of the Constitution at her earliest opportunity.

11. If the member does not return to regular practice after the end of the period provided under 9 above, he or she will cease to be a member of Chambers 15 months from the date of the birth/adoption, and absence after the end of the 12 month period will be treated as notice of resignation on the anniversary date
12. The member has the right to retain his or her room for six calendar months starting from the date of the birth/adoption; although if he or she decides that he or she intends to take a longer period of absence he or she should notify the Chief Executive as soon as possible.
13. In the event that the member takes a period of leave longer than six months from the date of the birth/adoption, the Chief Executive is entitled to reallocate his or her room. If the room is reallocated the member will be offered the best available room on his or her return, and upon the next re-allocation, will be offered a room in accordance with the room allocation policy in force at the relevant time.
14. Whilst a member is away from Chambers following a birth or adoption and his or her room has not been reallocated by the Chief Executive it is understood that the room may be used during his or her absence on a temporary basis by other members of chambers, their pupils and mini-pupils with the agreement of the Chief Executive.

Provisions While A Member Is Absent From Chambers on Leave

15. Any member of chambers who is absent from chambers following the birth or adoption of a child will be kept in touch with chambers during the absence. A set of guidelines attached to this Policy set out in more detail how this aspect of the Policy should be implemented.

Return To Work Following Birth or Adoption

16. It is intended that Chambers will assist any member returning to work after the birth or adoption of a child in a practical way to obtain instructions and to re-establish practice. The attached guidelines set out the practical steps that should be taken in respect of any members returning to work after an extended period away from practice.
17. Chambers is receptive to and supportive of flexible patterns of working in so far as the demands of practice at the Commercial Bar

permit. The IT systems in Chambers enable members to work from home by giving access to Chambers servers.

Grievance Procedure

18. Any members who have concerns or complaints relating to this Policy or its implementation should raise their concerns or complaints with the Chief Executive or Head of Mancom.
19. The Chief Executive and the Head of Mancom has access to data which will enable them to follow up concerns in relation to this Policy and its implementation.
20. Chambers is committed to reviewing the effectiveness of this policy regularly and at least every 2 years.

Guidelines

Steps To Be Taken In Respect Of Members on Leave and Returning To Chambers after Leave

- (1) During the period of any member's absence on leave the member should be kept in touch with matters affecting Chambers. This will include ensuring that the member receives forwarded post, information about practice developments, training, and Chambers business and social events, whether by email or by any other appropriate means.
- (2) The Practice Managers should keep a written record of enquiries made about the member during the absence.
- (3) The Chief Executive and the Senior Clerk should, together with the member in question, ensure that the member's return to chambers is pre-planned and that steps are taken to maximise the prospect of there being work for the member on her return. It is in the interests of the member to give as much notice of her return as possible.
- (4) The steps referred to in (3) may include:
 - a. Contacting solicitors who previously instructed the member and/or who made enquires about the member during the absence to advise them of her return to regular practice and to inquire about the possibility of new instructions
 - b. Publicising the member's return within chambers and generally; and
 - c. Encouraging other members to consider giving devilling work to the returning member and ascertaining from other members whether they have suitable work for or in which to involve the returning member (including but not limited to devilling work);

- d. Ensuring that any devilling work carried out by the member returning from an absence is paid for at the earliest opportunity.
 - e. Ensuring that the woman in question will be treated no less favourably than any other woman because she is breast feeding within 26 weeks of her having given birth.
- (5) In allocating work to members, the Practice Managers and other clerks will, in accordance with their usual practice, give due consideration to the fact that certain members (including a member returning to work after such an absence) may be short of work.
- (6) In the event that a member wishes to undertake work from home either during or after her absence, the member will be given the same assistance as any other member of chambers wishing to undertake work from home.

Appendix 4

Flexible Working

1. Introduction

- 1.1 Quadrant Chambers aims to attract and retain well trained and highly motivated members and staff and to help and encourage them to reach their full potential. In doing so Chambers endeavours to take into account the pressures that exist for many members and staff when balancing the expectations and demands of a career with those of family life.
- 1.2 This policy aims to assist members and staff with balancing the needs of their work demands with family and other responsibilities. As part of this, Chambers is willing to consider applications for flexible working arrangement from all members and staff.
- 1.3 Any member of chambers or of support staff should address an application for flexible working to the Chief Executive in the first instance.

2. Principles

- 2.1 All applications to implement flexible working arrangements will be given full and reasonable consideration.
- 2.2 However members and staff should be aware that flexible working is not an automatic right and there is no contractual right to vary working arrangements. Each application will be considered on its merits in light of individual and business needs at that time.

3. Flexible Working Options

- 3.1. This policy is not intended to set out an exhaustive list of flexible working options. However, the type of arrangement that could be considered, depending upon individual circumstances, may include:

career breaks part-time working or job sharing. Working from home may also be possible in some short-term, situations.

4. Financial Arrangements for fee earners.

- 4.1 Where a fee earning barrister has agreed flexible working arrangements with Chambers, at the same time agreement will need to be reached – depending upon the specifics of each case – with regard to such matters as: retention of room, room rental, arrangements on cessation of flexible working arrangement etc.

5. Staff Terms and Conditions of Employment whilst working flexibly

- 5.1 Remuneration – Remuneration for part-time work or job sharing will be a matter for discussion. However, the pay and benefit will normally be calculated on a pro-rata basis according to the hours worked.
- 5.2 Bank Holidays – for those members of staff working part-time or in a job share arrangement, bank holidays will be honoured by Chambers if they fall on ‘working’ days but not if they fall on ‘non working’ days.
- 5.3 All other Terms and Conditions of Employment will continue as normal.

6. Ongoing review

- 6.1.1 Flexible working arrangements will be reviewed quarterly to ensure they are working satisfactorily for all parties.

Appendix 5

Reasonable Adjustments Policy

1. Quadrant Chambers is committed to making reasonable adjustments in order to remove or reduce substantial disadvantage for disabled people working with chambers or receiving legal services. This policy covers all employees of chambers, barristers, clerks, pupils, mini-pupils and visitors to chambers.

Circulation

2. This policy is circulated to all members, staff, pupils, clerks and those who are required to read and understand it.

Definition of disability

3. For the purposes of this policy the definition of disability follows that set out in the Equality Act 2010 s.6. A person is therefore disabled if s/he has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day-to-day activities. "Substantial" means more than minor or trivial and "long term" means 12 months or more".

Types of reasonable adjustment

4. This policy does not provide an exhaustive list of the reasonable adjustments that chambers will make for staff, barristers, pupils or visitors however the following types of adjustment that may be made are listed below:

- a. Provision of information in alternative formats (e.g. large print, Braille etc)
- b. Paid leave for disabled employees of chambers
- c. Provision of auxiliary aids e.g. induction loops
- d. Provision of accessible conference room facilities
- e. Provision of a reader or interpreter

Staff, barristers and others in chambers

5. Staff or barristers with specific requirements should make requests to the CEO for reasonable adjustment decisions. All requests for reasonable adjustments will be considered on a case by case basis with the advice and assistance of chambers' Equality and Diversity Officer and where it is not possible to make the adjustment requested Quadrant Chambers will discuss viable alternatives with the applicant.

6. The Head of Chambers is responsible for considering whether or not disabled staff, barristers or pupils require assistance during an emergency evacuation and if so whether or not a personal emergency evacuation plan is required for the individual/s concerned. If so, the plan will be developed in partnership with the individual concerned in order to ensure that adjustments to the emergency evacuation procedure may be made.

Visitors to chambers

7. Barristers are responsible for considering reasonable adjustment requests for their visitors. They are also responsible for anticipating any likely reasonable adjustments that will need to be made for visitors whom they know to be disabled and are likely to require assistance. Visitor requests for specific reasonable adjustments may be made by contacting Tim Gerrard or Natalie Wallis (020 7583 4444 – tim.gerrard@quadrantchambers.com , Natalie.wallis@quadrantchambers.com).

Cost of making reasonable adjustments

8. In no circumstances will Quadrant Chambers pass on the cost of a reasonable adjustment to a disabled person.

Monitoring and review

9. This policy is reviewed by chambers' Equality and Diversity Officer every two years. The date of the last review was January 2013.

Appendix 6

Harassment

1. Quadrant Chambers is committed to providing a work environment in which all individuals, clients and the public are treated with dignity and respect. Quadrant Chambers is determined to promote a work environment in which everyone is treated equally and with dignity and can flourish.
2. Harassment in any form will not be tolerated at Quadrant Chambers. Harassment includes any unwanted conduct related to sex, race, disability, gender re-assignment, religion or belief, sexual orientation or age. Such behaviour may take many forms including:
 - conduct which is unwanted by the recipient and perceived as hostile or threatening;
 - conduct which gives rise to a hostile or threatening work environment;
 - conduct which creates an atmosphere in which it is feared that rejection or submission will be used as a basis for decisions which have an impact on the recipient at work such as an allocation of work or tenancy decision.
3. The following are examples of types of behaviour which may amount to harassment:
 - physical or sexual assault;
 - requests for sexual favours in return for career advancement;
 - unnecessary physical contact;
 - exclusion from social networks and activities or other forms of isolation;
 - bullying;
 - compromising suggestions or invitations;
 - suggestive remarks or looks;
 - display of offensive materials, including on a computer screen;
 - tasteless jokes or verbal abuse, including any sent by email;
 - offensive remarks or ridicule;
 - dealing inappropriately or inadequately with complaints of harassment.
4. Harassment is unlawful under the Equality Act 2010¹. In addition to the above unwanted conduct, it can arise where a person engages in any kind of unwanted sexual behaviour (or gender reassignment or sex related behaviour).
5. Complaints of harassment may be raised informally in the first instance with Tim Gerrard, the Head of Chambers the Head of Mancom or another senior member of chambers who will agree an appropriate response. Formal complaints should be made under Chambers' complaints procedure.

¹ S.26 Equality Act 2010

6. Harassment is misconduct for employees or a breach of the Bar Code of Conduct for barristers. Allegations of harassment will be dealt with under Chambers' disciplinary procedure.
7. Chambers is committed to ensuring that no-one who makes an allegation of harassment in good faith should be subjected to any detriment as a result. Any victimisation of a complainant, witness or anyone else involved in the investigation of a complaint will be viewed as a disciplinary matter.
8. A copy of this policy is provided to all those for whom chambers constitutes a working environment, including members of chambers, pupils, squatters, clerks and other employees, temporary workers, those who provide services to chambers such as contract cleaners, accountants and IT consultants, and mini-pupils and work experience students.
9. This policy was adopted in January 2013 and will be reviewed every 2 years.

Appendix 7

Organisations offering advice and counselling

Bar Council Equality and Diversity Adviser
Email: PBhalla@BarCouncil.org.uk
Confidential helpline: 020 7611 1310
Open to practising barristers, pupils and law students

Bar Code of Conduct
Website:
www.barstandardsboard.org.uk/standardsandguidance/codeofconduct

ACAS
Website: www.acas.org.uk
Information and advice on employment and discrimination law

The Association of Muslim Lawyers
Website: www.aml.org.uk
Email: aml@aml.org.uk

The Association of Women Barristers
Website: www.womenbarristers.co.uk
Email: Via website

Bar Lesbian and Gay Group
Website: www.blagg.org
Email: info@blagg.org

Deaf Lawyers UK
Website: www.deaflawyers.org.uk

Department for Business, Innovation and Skills
Website: www.bis.gov.uk
Telephone: 020 7215 5000

Discrimination Law Association
Website: <http://www.discriminationlaw.org.uk>

Telephone: 0845 478 6375

The Employers Forum on Age

Website: www.efa.org.uk

Information for employers about law and good practice in relation to age

The Employers Forum on Belief

Website:

www.efrb.org.uk

Information for employers about law and good practice in relation to religion, belief and non-belief

The Employers Forum on Disability

Website: www.employers-forum.co.uk

Information for employers about law and good practice in relation to disability

Equality and Human Rights Commission

Website: www.equalityhumanrights.com

Includes the websites of the former Commission for Racial Equality, Disability Rights Commission and Equal Opportunities Commission

Email: info@equalityhumanrights.com

Helpline: England 0845 604 6610; Wales: 0845 604 8810

The Gender Trust

Website: <http://www.gendertrust.org.uk/>

A UK charity providing support and advice to adults who are Transsexual, Gender Dysphoric, Transgender (i.e. those who seek to adjust their lives to live as women or men, or come to terms with their situation despite their genetic background), or those whose lives are affected by gender identity issues.

Helpline: 0845 231 0505

Jobcentre Plus

Website: <http://www.jobcentreplus.gov.uk>

Provides funding for adjustments for disabled people in the workplace through the 'Access to Work' Scheme. Contact the Disability Employment Advisor in the local Jobcentre for information on how to apply.

Judicial Studies Board

Website: www.jsboard.co.uk/etac

Equal treatment resources

LawCare

Website: www.lawcare.org.uk

Helpline: 0800 018 4299

Lawyers' Christian Fellowship

Website: www.lawcf.org

Email: admin@lawcf.org

MIND – National Association for Mental Health

Website: www.mind.org.uk

This is a mental health charity which works to support people with mental health problems and their carers. Provide advice on employment matters.

Royal National Institute of Blind People

Website: www.rnib.org.uk

Includes detailed information about website accessibility

Email: helpline@rnib.org.uk

Telephone: 0303 123 9999

Society of Asian Lawyers

Website: www.societyofasianlawyers.com

Email: info@societyofasianlawyers.com

Society of Black Lawyers

Website: <http://blacklawyer.org>

Stonewall

Website: <http://www.stonewall.org.uk/>

A campaigning and advisory charity working to achieve equality and justice for lesbians, gay men and bisexual people.

The United Kingdom Association of Jewish Lawyers and Jurists

Website: www.jewishlawyers.co.uk

Email: UKAJLJ@jewishlawyers.co.uk

Telephone: 020 8958 6110