

4 PUMP COURT

EQUAL OPPORTUNITIES POLICY

This is the Equal Opportunities Policy for 4 Pump Court (“Chambers”) which supersedes all earlier equal opportunities policies.

Chambers is committed to creating a working environment in which all individuals are able to make best use of their skills, free from discrimination and harassment, and in which all decisions are based on merit.

COMMITMENT TO EQUAL OPPORTUNITIES

1. Chambers will not in relation to any person discriminate directly or indirectly because of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (“the Protected Characteristics”).
2. Chambers will not in relation to any offer of a pupillage or tenancy discriminate directly or indirectly against any person on grounds of age, save where such discrimination can be shown to be objectively and reasonably justifiable.
3. The principles of non-discrimination and equality of opportunity also apply to the way in which members of Chambers, pupils and employees treat other visitors, suppliers and clients.

APPLICATION AND IMPLEMENTATION

4. This policy has been produced having regard to the recommendations made in the Equality and Diversity Code for the Bar.
5. All members of Chambers, pupils and employees will be provided with a copy of this policy.
6. Chambers shall at all times have an Equal Opportunities Officer. Currently Rachel Ansell is the Equal Opportunities Officer (“the EOO”).
7. All members of Chambers, pupils and employees are required to comply with the obligations imposed by this policy and the further policy documents referred to in it.
8. The balance of this document sets out the policy adopted by Chambers in relation to each of the Action Areas of the Equality and Diversity Code for the Bar.

(A) RECRUITMENT

GENERAL

9. Chambers aims to ensure that no job applicant suffers discrimination because of any of the Protected Characteristics above.

10. Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions, for example:
 - 10.1 Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
 - 10.2 Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
 - 10.3 Positive action to recruit disabled persons; and,
 - 10.4 Equal opportunities monitoring (which does not form part of the decision-making process).
11. Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy, or any matters relating to age, race, religion or belief, sexual orientation or gender reassignment unless these are relevant questions are may lawfully be taken into account.
12. Chambers are required by law to ensure all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation.
13. To ensure that this policy is operating effectively, Chambers may monitor applicant's ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision relating to their employment. The information is removed from applications before short-listing and kept in an anonymised format solely for the purposes stated in this paragraph.

RECRUITMENT OF PUPILS AND STARTER TENANTS

14. We are conscious that selection of pupils, and selection of starter tenants from amongst our pupils, is the principal determinant of the future composition of Chambers, and we attach great importance to ensuring that our selection and treatment of pupils and candidates for pupillage or tenancy is fair and meets the objectives of the Equality and Diversity Code for the Bar.
 - (i) **Recruitment of Pupils**
15. Chambers has devised objective selection criteria for the recruitment of pupils. These criteria are set out in the pupillage section of the Chambers' website.
16. All pupillages are advertised. Advertisements are placed on a Bar Council designated website and state Chambers' commitment to equal opportunities.

17. Chambers has a standard Application Form which is designed to enable candidates to be assessed (and compared) by reference to the objective selection criteria. The application form expressly states that Chambers will consider any reasonable adjustments which are needed in order to ensure that a candidate can participate in our selection process fairly. A copy of the application form is available on the Chambers' website.
18. Applicants are shortlisted for interview by a short-listing panel of two members of Chambers, who assess the applications independently against the standard selection criteria before liaising to agree on the shortlist. Chambers will endeavour to ensure that the short-listing panel is made up of members of different seniority. Following short-listing, the short-listing panel members take no further part in the process of recruiting pupils.
19. Each applicant called for interview is interviewed by an interviewing panel of at least three, and usually four, members of Chambers. Interviews will take place over 2 days. The composition of the interviewing panel will depend upon availability. Nevertheless the interviewing panel will, whenever possible, be made up of members of different ages, gender and social and cultural backgrounds. Chambers will endeavour to ensure that the interviewers are given a guidance document prior to interview and interviews are planned in advance, and that at least one member of the interviewing panel has been trained in fair selection methods. The composition of the interviewing panel is the same for each interview; and all interviews follow a standardised structure (and include discussion of a problem question) and are of the same length of time. Each interviewer assesses each candidate independently against Chambers' objective selection criteria, before scores are compared between panel members with a view to reaching a consensus.
20. On rare occasions Chambers recruits third six pupils. The policy set out above is not designed to cater for those circumstances. Chambers' policy is to advertise (and for such advertisements to be placed on a Bar Council designated website) if it intends to recruit third six pupils, and then to adapt the procedures above, dependent on the circumstances, and having regard to the guidance in the Equality and Diversity Code for the Bar.

(ii) Pupillage

21. Pupillages in Chambers are normally for 12 months. In the first (non-practising) 6 months, each pupil has 2 pupil supervisors (one for 3 months from October to Christmas and one for 3 months from Christmas to April). In the second (practising) 6 months each pupil has 1 pupil supervisor.
22. During each of the first and second 3 months, pupils perform an assessed written exercise and an assessed advocacy exercise (4 assessed exercises in all). Each advocacy exercise is assessed by a panel of 3 members of Chambers (none of whom is a pupil supervisor of a current pupil), against the criteria. Feedback is given after

each exercise. Each written exercise is undertaken anonymously by the pupil and marked by a panel of 2 members of Chambers (neither of whom is a pupil supervisor of a current pupil). Feedback is given after each exercise.

23. There is a written policy for the distribution of work to pupils (see below at paragraph 29). Any work done for a member of Chambers is assessed by that member.

(iii) Recruitment of starter tenants

24. Chambers has a written policy on recruitment from pupils. A copy is available to all members of Chambers, pupils and employees.

(iv) Monitoring

25. Applicants for pupillage are asked to complete monitoring forms. These will be analysed having regard to the recommendations and guidance in the recommendations in Annex E of the Equality and Diversity Code for the Bar.

RECRUITMENT OF MINI -PUPILS

26. Applicants for mini-pupillages are selected by an assessment of their CV against Chambers' selection criteria for pupillage. There is no assessment of mini-pupils.

RECRUITMENT OF ESTABLISHED PRACTITIONERS

27. Chambers has a written policy on the recruitment of established practitioners. A copy is available to all members of Chambers.

(B) FAIR ACCESS TO WORK

(i) Allocation of work in chambers

28. Chambers attaches great importance to ensuring that pupils and tenants are afforded the opportunity to develop their practices in a fair and equal manner. Chambers ensures that all clerks are fully briefed on the need to distribute work in a fair and non-discriminatory manner and to monitor work allocation. The Chambers' Chief Executive is responsible for overseeing the monitoring of work and meets with senior clerks on a regular basis (usually weekly) for the purposes of ensuring that work is distributed in a manner which is fair.
29. Chambers has a written policy on the distribution of work to pupils. A copy is available to all members of Chambers, pupils and employees. Unnamed work is distributed on a rota basis which eliminates any opportunity for discrimination in the distribution of this work.
30. Since January 2009, Chambers has implemented an informal system of recording the origin of all new cases which are sent to tenants. This monitoring system will provide information which will allow Chambers to assess the success (or otherwise) of marketing initiatives and will also provide information which can be used for practice

development. Chambers does not intend to publish this information but individual members of Chambers are entitled to see the information which relates to their practice.

(ii) Practice development

31. Chambers' policy is that regular practice development meetings for each tenant should take place to enable discussion between tenant and clerks of work allocation and opportunity and the development of individual practices. The monitoring system referred to in paragraph 30 above will provide useful information which can be discussed at these meetings.
32. Chambers operates and encourages an open door policy whereby junior tenants may freely seek advice and guidance from more senior members of Chambers. In addition, in May 2009 Chambers set up a voluntary and informal mentoring scheme. Chambers now has a written policy for the Mentoring Scheme and a copy is available to all members of chambers, pupils and employees.

(iii) Marketing of barristers and pupils

33. Chambers is active in organising and/or taking advantage of marketing and networking activities and always strives to do so in ways that, so far as practicable, are fair to all pupils and tenants.
34. Chambers is active in encouraging pupils and tenants to take part in Chambers' seminars and lectures, to prepare and present papers at seminars and lectures and other events organised by others, to write or contribute to books and articles and generally to comply with all Continuing Professional Development obligations.

(C) MATERNITY, PATERNITY AND PARENTAL LEAVE

35. In relation to members of Chambers, Chambers has a written policy on maternity, paternity and parental leave. A copy is available on request.
36. In relation to employees, Chambers' policy is to meet the legislative requirements.

(D) FLEXIBLE AND PART-TIME WORKING AND CAREER BREAKS

37. According to the terms of Chambers' Constitution, the Heads of Chambers determine, as a matter of discretion, whether or not a member will be permitted to work on a flexible or on a part-time basis or take career breaks, whether following maternity or for another reason. This is decided on a case by case basis.
38. The Heads of Chambers recognise that members are self-employed and are entitled to organise their own working lives. Accordingly, they will be sympathetic to any application made by a member to work on a flexible or part-time basis or to take a career break, especially following maternity leave; but in exercising their discretion

the Heads of Chambers will also bear in mind the need to avoid any such arrangement having an unfairly adverse impact upon other members of Chambers.

39. Individuals' practices and personal circumstances, and the circumstances giving rise to a request for a career break, vary so much that it would be difficult to draft a more detailed policy which would adequately deal with every situation, and there is a risk that the effect of such a formal policy might be unduly to restrict the exercise of discretion.
40. In order to assist members of Chambers who wish to work at home (especially following maternity leave), Chambers have installed systems which enable telephone calls made to Chambers to be diverted to members' homes and allow members to access emails and documents saved on Chambers' server from home. In addition, Chambers has a number of subscriptions to internet research facilities.

(E) HARASSMENT

41. Chambers has a written policy on harassment and bullying which is available to all members of Chambers, pupils and employees.

(F) COMPLAINTS AND GRIEVANCES

42. Chambers has a formal written grievance procedure for members of Chambers, pupils and employees. Copies are available to all.
43. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with procedure. Those who make allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will however be dealt with under Chambers' disciplinary procedure. Such behaviour may constitute gross misconduct and result in summary dismissal.
44. In addition to or as part of these formal procedures, any person who has a grievance may raise the issue first with the EOO who will act as an informal adviser and will assist, if asked, to attempt an informal resolution of the grievance. If the grievance involves the EOO, then an informal approach may be made to any other member of Chambers.

(G) DISABILITY

45. Chambers will not discriminate against a disabled person
 - 45.1. by refusing to provide (or deliberately not providing) any service which it provides (or is prepared to provide) to members of the public;
 - 45.2. in the standards of service which it provides to the disabled person or the manner in which it provides that service; or

- 45.3. in the terms on which it provides a service to the disabled person.
46. Chambers will monitor the physical features of its premises to consider whether they place disabled persons at a substantial disadvantage.
47. In relation to members of Chambers, pupils and employees, Chambers encourages those who have a disability or consider they may have a disability to inform Chambers of this. Any difficulties experienced at work because of disability should be discussed with Chambers so that appropriate support can be given. Chambers will not without justification fail to make reasonable adjustments within the meaning of section 20 of the Equality Act 2010.

(H) EMPLOYEES / STAFF IN CHAMBERS

48. Selection of potentially suitable prospective employees is usually made by professional recruitment consultants and Chambers then interviews from amongst those individuals put forward by the agency. Those involved in interviewing potential employee recruits have received equality training. The formal employer is Judgment Limited, the Chambers' service company.
49. Chambers has a formal written procedure for grievances (see paragraph 42 above).
50. In relation to maternity, paternity and parental leave, Chambers' policy is to meet the legislative requirements.

GENERAL

51. Chambers does not, by this policy, bind itself to the detail of the policies and procedures which it describes. There may be occasions, for instance, when the precise details of the systems for the assessment of pupils need to be varied in the light of the prevailing circumstances. However, if Chambers does depart from the detail of the policies set out in this document, it will not do so in a way which is discriminatory.
52. This policy is not intended to have contractual effect.

RACHEL ANSELL

EQUAL OPPORTUNITIES OFFICER