

# Seymours + Solicitors

## Equality & Diversity Policy

### 1.1. Equality, Diversity, and Anti-Discrimination Policy

**1.1.1.** This firm is committed to eliminating discrimination and promoting equality and diversity in its own policies, practices, and procedures, and in those areas in which it has influence.

**1.1.2.** This applies to the firm's professional dealings with other solicitors, barristers, clients and third parties.

**1.1.3.** The firm intends to treat everyone equally and with the same attention, courtesy and respect regardless of their disability, gender, marital status, age, race, racial group, colour, ethnic or national origin, nationality, religion or belief or sexual orientation.

**1.1.4.** In developing and implementing its anti-discrimination policy, the firm is committed to complying with the SRA Code of Conduct 2011's diversity and equality policies, and with all current and any future anti-discrimination legislation and associated codes of practice including, but not limited to:

- The Equality Act 2010 and statutory instruments and regulations issued thereunder
- Relevant Practice Notes issued from time to time by The Law Society, including the Practice Note entitled "Equality Act 2010". (Appendix 5)
- Guidance notes and Directives issued by the Equality and Human Rights Commission (EHRC)
- Relevant directives, legislation and regulations issued by the European Court of Justice and/or the European Court of Human Rights
- and any relevant modifications amendments and additions to the foregoing

**1.1.5.** What follows is in particular a summary of the Equality Act 2010; for further information (e.g. exceptions, where positive action is permitted, dual discrimination, adjustments for disabled persons, definitions etc.) please refer to the Equality Act 2010 and The Law Society Practice Note mentioned above.

**1.1.6.** The following are the kinds of discrimination that are against the firm's policy:

- direct discrimination, where a person is treated less favourably on the grounds of a "protected characteristic" (age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation) – either because they have a protected characteristic, or are thought to have a protected characteristic or they associate with someone who has a protected characteristic
- indirect discrimination, where a policy or practice that applies to everyone particularly disadvantages people who possess a protected characteristic

- discrimination arising from a person's disability, where a disabled person is treated unfavourably because of their disability, and this treatment cannot be justified as a proportionate means of achieving a legitimate aim. This also applies to situations where reasonable adjustments are not made for disabled persons
- harassment, when unwanted conduct takes place which is related to a protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that individual
- victimisation, where an employer or service provider subjects a person to unfavourable treatment because that person has carried out (or is believed to have carried out or may carry out) a "protected act" (namely any of the following: bring proceedings under the Equality Act 2010, give evidence or information in proceedings brought under the Equality Act, do anything that is related to the provisions under the Equality Act, or make an allegation that another person has done something in breach of the Equality Act)

**1.1.7.** In line with the SRA Code of Conduct 2011, in the course of its professional dealings the firm will not discriminate, victimise, or harass groups of people on the grounds set out in 1.4.3 above, and will make reasonable adjustments to prevent those of the firm's employees or clients who are disabled from being disadvantaged in comparison with those who are not disabled.

**1.1.8. Employment and training:** As an employer, the firm will treat all employees and job applicants equally and fairly and not discriminate unjustifiably against them. This will include, for example, arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation, and any other employment related activities.

**1.1.9. Recruitment and selection:** This firm recognises the benefits of having a diverse workforce and will take steps to ensure that:

- it endeavours to recruit from the widest possible pool of qualified candidates
- employment opportunities are open and accessible to all on the basis of candidates' individual qualities and personal merits
- where appropriate, positive action measures are taken to attract applications from all sections of society and especially from those groups which are under-represented in the workforce
- selection criteria and processes do not discriminate unjustifiably on the grounds of disability, gender, marital status, race, racial group, colour, ethnic or national origin, nationality, religion or belief, or sexual orientation, other than in those instances where the firm is exercising permitted positive action
- wherever appropriate and necessary, lawful exemptions (genuine occupational requirements) will be used to recruit suitable staff to meet the special needs of particular groups
- all recruitment agencies acting for the firm are aware of its requirement not to discriminate and to act accordingly

#### **1.1.10. Conditions of service**

- the firm will treat all employees equally and create a working environment which is free from discrimination and harassment, and which respects, where appropriate, the diverse backgrounds and beliefs of employees
- terms and conditions of service for employees will comply with anti-discrimination legislation. The provision of benefits such as working hours, maternity and other leave arrangements, performance appraisal systems, dress code, bonus schemes, and any other conditions of employment, will not discriminate against any employee on the grounds of his or her gender, marital status, race, racial group, colour, ethnic or national origin, nationality, religion or belief, or sexual orientation; or unreasonably on the grounds of his or her disability
- where appropriate and necessary, the firm will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of employees which arise from their ethnic or cultural background, gender, responsibilities as carers, disability, religion or belief, or sexual orientation

#### **1.1.11. Promotion and career development**

- promotion within the firm (including to partner) will be made without reference to any of the forbidden grounds as outlined above, and will be based solely on merit
- the selection criteria and processes for recruitment and promotion will be kept under review to ensure that there is no unjustifiably discriminatory impact on any particular group
- whilst positive action measures may be taken in accordance with the relevant anti-discrimination legislation to encourage under-represented groups to apply for promotion opportunities, recruitment or promotion to all jobs will be based solely on merit
- all employees will have equal access to training and other career development opportunities appropriate to their experience and abilities. However, the firm will take appropriate positive action measures (as permitted by the anti-discrimination legislation) to provide special training and support for groups which are under-represented in the workforce and encourage them to take up training and career development opportunities

#### **1.1.12. Partners**

- arrangements and procedures for selecting partners, their terms and conditions of partnership, access to benefits, facilities or services, and termination arrangements will be reviewed and amended where necessary to prevent discrimination on any of the forbidden grounds
- maternity rights available to partners shall be no less favourable than those required by legislation for employees

### **1.1.13. Barristers and third parties**

- barristers should be instructed on the basis of their skills, experience and ability. The firm will not, on any of the forbidden grounds, avoid briefing a barrister, and will not request barristers' clerks to do so
- clients' requests for a named barrister should be complied with, subject to the firm's duty to discuss with the client the suitability of the barrister and to advise appropriately
- the firm will discuss with the client any request by the client that only a barrister who is not disabled or who is of a particular gender, marital status, ethnicity, ethnic group, colour, ethnic or national origin, nationality, religion or belief, or sexual orientation, be instructed. In the absence of a valid reason for this request, which must be within the exemptions permitted by the anti-discrimination legislation, the firm will endeavour to persuade the client to modify their instructions in so far as they are given on discriminatory grounds. Should the client refuse to modify such instructions, the firm will cease to act

**1.1.14. Suppliers:** All lists of approved suppliers and databases of contractors, agents, and other third parties who are regarded as suitable to be instructed by those within the firm have been compiled only on the basis of the ability of those persons or organisations to undertake work of a particular type and contain no discriminatory exclusion, restriction, or preference. Reasonable measures are in place to ensure that sound equality and diversity policies are in place with those from whom the firm purchases goods and services.

### **1.1.15. Clients**

- the firm is generally free to decide whether to accept instructions from any particular client, but any refusal to act will not be based upon any of the forbidden grounds
- the firm will take steps to meet the different needs of particular clients arising from its obligations under the anti-discrimination legislation (particularly the Equality Act) and the SRA Code of Conduct 2011
- in addition, where necessary and where it is permitted by the relevant anti-discrimination legislation (for example, provisions relating to positive action or exemptions), the firm will seek to provide services which meet the specific needs and requests arising from clients' ethnic or cultural background, gender, responsibilities as carers, disability, religion or belief, sexual orientation or other similar factors

### **1.1.16. Promoting equality and diversity**

- this firm is committed to promoting equality and diversity in the firm as well as in those areas in which it has influence
- employees and partners will be informed of this anti-discrimination policy and will be provided with equality and diversity training appropriate to their needs and responsibilities
- all those who act on the firm's behalf will be informed of this anti-discrimination policy and will be expected to pay due regard to it when conducting business on the firm's behalf

- in all its dealings, including those with suppliers, contractors and recruitment agencies, the firm will seek to promote the principles of equality and diversity
- the firm will make every effort to reflect its commitment to equality and diversity in its marketing and communication activities

#### **1.1.17. Implementing the policy**

- ultimate responsibility for implementing and maintaining the policy rests with the Managing Partner
- any employees and partners of the firm are expected to pay due regard to the provisions of its anti-discrimination policy and are responsible for ensuring compliance with it when undertaking their jobs or representing the firm
- acts of discrimination or harassment on any of the forbidden grounds by employees or partners of the firm will result in disciplinary action. Failure to comply with this policy will be treated in a similar fashion. The policy applies to all who are employed in the firm and to all partners
- acts of discrimination or harassment on any of the forbidden grounds by those acting on behalf of the firm will lead to appropriate action including termination of services where appropriate

#### **1.1.18. Complaints of discrimination**

- the firm will treat seriously, and will take action where appropriate concerning, all complaints of discrimination or harassment on any of the forbidden grounds made by employees, partners, clients, barristers, or other third parties
- all complaints will be investigated in accordance with the firm's grievance or complaints procedure and the complainant will be informed of the outcome

#### **1.1.19. Monitoring and review**

- the policy will be monitored and reviewed in a manner proportionate to the size and nature of the firm on a regular basis (and in any event at least annually) to measure its progress and judge its effectiveness. Monitoring information will always be used in anonymous ways and treated with the highest level of confidentiality
- in particular, the firm will, as appropriate (and with due deference to the relevant parties' discretion as to whether or not to disclose such information), monitor and record:
  - *the age, sexual orientation, gender, and ethnic composition of the workforce and partners as well as the number of disabled staff and partners*
  - *the age, sexual orientation, ethnicity, gender and disability of all applicants, short-listed applicants and successful applicants for jobs and training contracts*
  - *the ethnicity, gender, and disability of all applicants for promotion (including to partnership) and training opportunities, and details of whether they were successful*
  - *where it is possible to do so, and where doing so will not cause offence or discomfort to those whom it is intended to protect, the sexual orientation and religion or belief of all partners and staff will be monitored so as to ensure that they are not being discriminated*

*against in terms of the opportunities or benefits available to them. Firms should, however, be aware that partners and staff may not choose to disclose their sexual orientation or religion or belief and that care should be taken to avoid inadvertent discrimination in such cases. This should apply equally to disability*

- *the number and outcome of complaints of discrimination made by staff, partners, barristers, clients, and other third parties*
- *the ethnicity, gender, and/or disability of any employees against whom disciplinary action is taken*
- *This information will be used to review the progress and impact of the firm's anti-discrimination policy. Any changes required will be made and implemented.*