



Equality and Diversity **Policy**

Equality and Diversity Policy

Barnetts equality statements says that we are “actively committed to encouraging and promoting the richness brought to the organisation by the diverse nature of our employees and service users”. We regard the fact that we are made up of people from different ethnic groups, of difference ages, cultural backgrounds, sexual orientation and religious faiths as a positive strength which the firm values and welcomes.

Our commitment to diversity and equality means that everyone involved with Barnetts has a duty to :-

- Promote equality and diversity in staff recruitment, retention and promotion.
- Promote equality and diversity in the delivery of Barnetts services
- Promote an atmosphere in which people of all backgrounds feel welcome, valued and respected

Our equality and diversity policy will form the basis of renewed efforts to make best practice in equality and diversity a reality throughout the organisation.

Richard Barnetts
Chairman, Barnetts Solicitors

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Equality Statement

Barnetts Solicitors values the diverse nature of its staff and of those using our services. We will ensure that this is reflected in all of our practices, policies and services.

Barnetts commitment to equality involves much more than positive action to promote equal opportunities and eradicate discrimination. It means that we are actively committed to encouraging and promoting the richness brought to the organisation by the diverse nature of our staff and service users.

A commitment to this policy is required of all Barnetts staff and all those associated with the firm.

Policy Aims

To work towards the elimination of discrimination whether intentional, unintentional or institutional (or otherwise).

To create a culture among staff and all associated parties where equality and diversity is at the heart of all of our activities and that all parties are actively involved in the development and application of Barnetts policies and procedures.

To encourage and facilitate use of positive action to overcome disadvantage, discrimination and deprivation.

To set and apply the highest equality standards in the firms delivery of services and employment practices, and promote equality and diversity through our work with all potential partners from the statutory, voluntary, community and private sectors.

To contribute to a safer and more just society.

Equalities in employment legislation

Barnetts is committed to taking positive steps to eliminate discrimination in its policies, practices and procedures. We will ensure that our workforce reflects the diversity of the communities with whom we work through our employment practices. We will do this by implementing the provisions of the Disability Discrimination Act 1995, Race Relations Act 1976 (as amended in 2000), Sex Discrimination Act 1975 (1986), Age Discrimination Act, Human Rights Act 1998 and European Directives such as the EC Equal Treatment Framework Directive and subsequent case law to ensure this happens.

Positive Action

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Positive Action measures are used to redress past inequalities in the workplace, aimed at:-

- Positively encouraging people from under represented communities to apply for jobs
- Ensuring that disadvantaged groups identified in this policy will have equal opportunities with regards to training and career development, which can include mentoring schemes, shadowing and secondments
- Taking measures to ensure the retention of staff from under-represented groups
- Developing and offering targeted career development training to identified disadvantaged groups, to remedy under-representation at all levels within the workforce
- Encouraging a facilitating employee self organised groups.

Victimisation and harassment in the workplace

Barnetts recognises that harassment is a barrier to achieving our commitment to equalities. We believe that harassment of employees is unacceptable and are working towards building an organisational culture that prevents such treatment.

Employment policies

Barnetts is committed to equality in employment and will have supportive policies to underpin this. Employment policies will be subject to regular review to ensure that Barnetts continues to implement best practice. Recruitment and selection procedures will also be monitored and reviewed to ensure that they are fair and incorporate current good practice.

Further information on all policies is available on Barnetts intranet where all policies are clearly displayed.

Monitoring

Barnetts will collect and evaluate annual workforce data to inform future practice and policy development and to see what progress is being made. This specifically targets recruitment, career progression and termination of employment processes and procedures.

Genuine Occupational Qualification (GOQ) Section 5 (2)(d)

Selection on racial grounds is allowed in certain jobs where being of a particular racial group is a genuine occupational qualification for that job. For example, a service set up to support people from a certain racial group may be most effectively provided by someone from the same racial group, whose experiences, cultural understanding and skills, such as language are similar to service users.

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Clients

Barnetts are 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.

Barnetts will take steps to meet the different needs of particular clients arising from its obligations under the anti-discrimination legislation (such as the Disability Discrimination Act) and the solicitors Anti Discrimination Rule 2004.

In addition, where necessary and where it is permitted by the relevant antidiscrimination 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 relevant factors.

Barristers and other experts

Barristers and experts should be instructed on the basis of their skills, experience and ability. The firm will not discriminate in the instruction of barristers and/or experts on any of the above grounds.

A client's request for a named barrister or expert should be complied with, subject to the firm's duty to discuss with the client the suitability of the barrister or expert and to advise appropriately. The firm has a duty to discuss with the client any instruction by the client as to choice of barrister or expert that is based on any of the above grounds. The firm will endeavour to persuade the client to modify instructions that appear to be given on discriminatory grounds. Should the client refuse to modify such instructions, the firm will cease to act unless the preference can be justified under the permitted statutory exceptions referred to as 'genuine occupational requirements' or 'genuine occupational qualifications'.

Equality and diversity policies

The policy statements that follow will address different aspects of employment and service delivery and Barnetts policy approach, which relates to race, gender, sexuality, disability, age, cultural and religious needs. Equality and diversity is an issue for everyone and because of the scope of the subject it cannot be fully covered in all its aspects by such a policy document. However it does provide a framework within which the objectives of the equality statement can be at the heart of all Barnetts policy and service delivery.

Race Equality Policy Statement

Discrimination and harassment on the grounds of colour, religion, race and national origins is often falsely justified, leading to racist attitudes and practices.

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Barnetts is committed to do all in its power to eliminate institutional racism, racism and racial discrimination – either direct or indirect – in all areas of its work, including its employment practices.

It is important to recognise that minority ethnic people and communities are not homogenous. Different communities and individuals within these communities have differing needs. Needs should not be defined by stereotyping or presumptions. For example, it is also important to highlight that travellers or gypsies and Irish people are included under the Race Relations Act 1976 and the Amendment Act 2000.

Race equality can be defined as:

- Emphasising the value of equality for all
- Recognising the positive aspects of cultural diversity
- Recognising that minority ethnic people in Britain have poorer life chances than white people
- Recognising that the systematic disadvantage of minority ethnic people operates through institutional procedures, policies and practices and may be intentional or unintentional
- Recognising that there is an unequal distribution of power, opportunities and resources in favour of white people, therefore at times positive action will need to be taken in order to achieve equality.
- Emphasising the need to tackle day to day behaviour at work rather than personal attitudes alone
- Being supported by skills based training, which identifies and works to eliminate direct or indirect discrimination at work

Positive action

To help minority ethnic people who have not been able to realise their full potential because of past discrimination, the Race Relations Act 1976 allows employers to train minority ethnic employees or external minority ethnic people in areas where they may have been under represented over the past 12 months. However, discrimination is not permissible at the point of selection at recruitment under these sections of the Act. Barnetts will pay particular attention to developing positive action training schemes in consultation with staff. To support such positive action training, Barnetts will operate a mentoring scheme to ensure that staff receive appropriate assistance.

The Race Relations Act 1976 (section 35) also makes it lawful to make facilities or services available to people from particular racial groups in order to meet their expectations, training or welfare needs. Examples would be providing interpretation services, or running a scheme to encourage those from minority ethnic groups to access services where service take up has been low.

Openness, accountability and ensuring confidence

The process of implementing monitoring and assessing Barnetts commitment to being open, accountable and ensuring that we have the confidence of minority ethnic communities within which Barnetts works, will include the following indicators:-

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- The existence and application of strategies for the prevention, recording and investigation of racist incidents.
- Measures to encourage the reporting of racist incidents
- The number of recorded racist incidents and related analysis and action
- The degree of multi agency co-operation and information exchange where appropriate
- Achieving equal satisfaction levels across all ethnic groups in public satisfaction surveys
- The nature, extent and achievement of racism awareness training
- Levels of recruitment, retention and progression of minority ethnic staff
- Levels of complaint of racist behaviour or attitudes and their outcomes

The overall aim is the elimination of racist prejudice and disadvantage and the demonstration of fairness in all aspects of Barnetts work.

Implementation and Monitoring

In implementing its equality and diversity policy, Barnetts will comply with Rule 6 of the Solicitors Code of Conduct 2007 and with current and any future anti discrimination legislation and associated codes of practice and any relevant amendments or re-enactments of such legislation and any relevant amendment to such codes or further codes of practice.

This policy will be monitored periodically by the practice to evaluate its effectiveness and if any changes are required, they will be implemented. The policy will be updated as and when changes in legislation and regulation occur.

Every member of the firm will receive a copy of this policy and it will be available on request to any client and to the Solicitors Regulation Authority. A copy of this policy will also be available on Barnetts website and accessible to clients and all interested parties.

Complaints

Barnetts will treat seriously and will take action where appropriate concerning all complaints of breaches of this policy made by employees of the firm, clients, barristers or other third parties. All complaints will be investigated in accordance with firms grievance, disciplinary and/or complaints procedures and the complainant will be informed of the outcome.