

## **Equality and Diversity Policy**

### **Introduction and Scope**

All personnel must be aware of our policy in relation to discrimination, equality and diversity. Our policy deals with all our professional dealings with clients, other solicitors, barristers and third parties, and so covers:

- accepting instructions from clients
- using experts and counsel
- the provision of services to clients
- dealings with those representing others
- inter-action with everyone involved in or incidental to the provision of our services and the procurement of supplies and services.

The policy also extends to the recruitment, training and promotion of people within the practice. In connection with both aspects, it is the case that all personnel must comply not only with the Solicitors Regulation Authority's professional requirements, but also with the law of the land.

### **Forms of Discrimination**

The following are the kinds of discrimination which are against the firm's policy:

- Direct discrimination, where a person is, without lawful cause, less favourably treated because of race, colour, ethnic or national origins, sex, pregnancy, marital status, sexual orientation, religion or belief, disability or age.
- Indirect discrimination, where a requirement or condition which cannot be justified is applied equally to all groups but has a disproportionately adverse effect on members of one particular group by reason of race, colour, ethnic or national origins, sex, pregnancy, marital status, sexual orientation, religion or belief or age.
- Victimisation, where someone is treated less favourably than others because he or she has taken action against the firm under one or more of the relevant anti-discrimination legislative provisions.
- Harassment, which occurs when unwanted conduct on grounds of race, gender, disability, sexual orientation, religion or belief, disability or age has the effect of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

## **Disability Provisions**

In addition to our obligations not to discriminate against, harass or victimise those with a disability we are also subject to a duty to make reasonable adjustments to prevent those employees, partners and clients who are disabled from being at a disadvantage in comparison with those who are not disabled. Discrimination law deals with the concept of indirect discrimination through the requirement to make reasonable adjustments for disabled people.

## **Policy Statement**

Jayne Willetts & Co is therefore committed to avoiding discrimination in its dealings with clients, partners, employees and all other third parties that have dealings with the firm. It is committed to promoting equality and diversity in all of its professional activities.

Everyone at the firm is expected and required to treat all others equally and with the same attention, courtesy and respect regardless of their:

- Race (including colour, nationality, and national or ethnic origins)
- Gender (including marital status, adopted gender, pregnancy, maternity and paternity)
- Disability
- Sexual orientation (including civil partnership status)
- Religion or belief
- Age

In addition, the firm will ensure that nobody with whom it has dealings will suffer any substantial disadvantage through any disability that they might have. The firm is committed to making reasonable adjustments for those with a disability in relation to job opportunities, promotion and training within the firm and the provision of services to clients.

All the areas of discrimination set out above are collectively referred to as 'the above grounds' in the rest of this document.

## **Enforcement**

Everyone should be aware that any breach of the policy is potentially a major risk to the practice. The firm does not carry insurance against the consequences of any illegal breach, and any claims in this regard are also likely to involve the firm in significant commitments of managerial time. Further, a breach may be a serious professional offence, and liability may attach not only to the individual(s) concerned, but also the owners of the firm. For that reason any breach is likely to be regarded

as a serious disciplinary offence. If anyone is concerned that a breach of this policy may be occurring, or has a complaint that they have been the victim of a breach, they should immediately report this to Jayne Willetts.

## **Training**

The firm has arranged training sessions for all personnel on this topic and will arrange further training if and when appropriate. This policy forms part of our induction training programme.

## **Planning**

For its part, the management of the firm has considered all aspects of its operations to ensure their compliance with the professional rules. Any developments of the firm's strategic and business planning, or changes in this manual, will similarly be examined in order to ensure that no inadvertent breach of the code occurs.

## **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 on any of the above grounds and care must also be taken to avoid there being any perception that they apply. Clients with mobility disability are provided with home visits at no additional cost to them.

## **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 request by the client that only a barrister or expert as defined by any of the above grounds be instructed. The firm will endeavour to persuade the client to modify instructions which 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 legal provisions dealing with Genuine Occupational Requirements or Genuine Occupational Qualifications.

## **Employment, Training, Promotion and Partnership Opportunities**

The practice is committed to providing equal opportunities in employment. This means that all job applicants, employees and partners will receive equal treatment in relation to the above grounds. It makes good business sense for the firm to ensure that its most important resource - its people - are used in a fair and effective way.

The practice will also comply with the law and the professional requirements in relation to its partners. Thus, where appropriate, the existing partners will not discriminate on any of the above grounds in the arrangements they make for the purpose of determining to whom they should offer a partnership, the terms on which any partnership is offered, or by refusing to offer, or deliberately not offering, a partnership to anyone. Nor shall the partners discriminate in any way in relation to the provision of benefits to any partner, or in relation to any matter relating to the expulsion of any partner or any detriment to be suffered by him/her. Similar provisions shall apply in relation to members and directors of recognised bodies.

### **Recruitment Agencies**

The practice will take steps to ensure that applications are attracted from people without regard to the above grounds and will ensure that there are equal opportunities in all stages of the recruitment process. Since recruitment to the firm is mainly achieved through a small number of agencies, steps have been taken to ensure that they support our general approach to the subject.

### **Monitoring and review**

The equality and diversity policy will be reviewed annually by the practice to judge its effectiveness. Jayne Willetts is responsible for the operation of the policy.

The firm has appointed Jayne Willetts to be responsible for the operation of the policy. In particular, the firm will monitor the ethnic and gender composition of existing staff and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the firm will implement them. For its part, the management of the firm has considered all aspects of its operations, as set out in the office manual, to ensure their compliance with the code. Any developments of the firm's strategic and business plans, or changes to the office manual, will similarly be examined in order to ensure that no inadvertent breach of the code occurs.

In relation to new positions, those conducting any interviews for vacancies within the practice will complete a form which will be returned to Jayne Willetts for monitoring purposes.

### **Jayne Willetts & Co Solicitors Limited**

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