

## WESTGATE CHAMBERS EQUAL AND DIVERSITY POLICY

1. Westgate Chambers prides itself on being an inclusive set. It is fully committed to promoting and advancing the principles of equality and diversity. This document is intended to set out how that commitment is implemented through our policies, practices, and procedures.

### POLICY STATEMENT

2. The principle of equal opportunities is integral to Westgate's ethos, recruitment and employment practices. We strive to foster an environment in which all tenants, pupils, mini-pupils and staff are enabled to achieve their maximum potential regardless of race, colour, ethnic or national origin, nationality, citizenship, gender identity, sexual orientation, marital or civil partnership, pregnancy and maternity/paternity, disability, age, caring responsibility, socio-economic background or religion or belief. We value difference among all with whom we interact.

3. Westgate Chambers is committed to providing a working environment where all individuals are treated with dignity and respect. We will not tolerate from or towards members of chambers, pupils, mini-pupils, employees, applicants for those positions, professional or lay clients the following discriminatory conduct:

- direct discrimination: treating a person less favourably because of a protected characteristic. Those characteristics being: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity;
- indirect discrimination: the unjustifiable application of an apparently neutral provision, criterion or practice, the effect of which is to put persons with a protected characteristic at a particular disadvantage compared to others;
- associative discrimination: discriminating against a person because they associate with a person who has a protected characteristic;
- perception discrimination: discriminating against a person because s/he is believed to have a protected characteristic even if that person does not;
- harassment: engaging in unwanted conducted, whether of a sexual nature or related to a relevant protected characteristic which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment;

- sexual harassment: unwanted conduct of a sexual nature/related to gender, gender reassignment or sex which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person and/or less favourable treatment for rejecting or refusing to submit to such conduct
- victimisation: the subjection of one person by another to a detriment because they have done, or the victimiser believes that the other person has done or may do, a protected act such as:
  1. make an allegation of discrimination,
  2. give evidence in proceedings relating to an act or acts of discrimination,
  3. bring proceedings relating to an act or acts of discrimination, or
  4. do any other thing for the purposes of equality legislation or in connection with it.

failure to make reasonable adjustments to a provision, criterion, physical feature or practice which puts a disabled person at a substantial disadvantage in comparison with non-disabled people and/or unreasonable failure to provide auxiliary aids where to do otherwise would place a person at a substantial disadvantage.

4. Explanations of these concepts and examples can be found on the Equality and Human Rights Commission website: <https://www.equalityhumanrights.com/en>
5. All applicants for membership, employment, traineeship, work experience and all others who work with or for us will be treated fairly and will not be discriminated against because of any of the protected characteristics. We will also use our best endeavours to protect colleagues from discrimination or harassment in the course of their work by persons outside Westgate Chambers.
6. Decisions about membership, recruitment and selection, training, disciplinary action and any other matter will be made objectively and with the goals of this policy in mind.
7. As part of its pro-active approach, Westgate Chambers may from time to time take positive action to improve under-representation of particular groups in pupillage, tenancy and/or employed positions. Action, such as targeted advertising and in the allocation of work will be based on findings and analysis from diversity monitoring exercises.

## **LEGAL AND REGULATORY FRAMEWORK**

8. We are fully aware of our obligations as individual barristers and employers under the Equalities Act 2010 (in particular paragraphs 39 and 47) and the related Codes of Practice.

## **IMPLEMENTATION**

9. In order to promote the prevention of discrimination, Westgate Chambers shall:

- Provide a copy of this Policy to all existing employees, members and trainees,
- Provide a copy of this Policy to all new employees, members and trainees in their induction packs
- Require all employees, members and trainees to confirm to the EDO that they have read and understood a copy of this Policy,
- Provide education and/or training to members of Chambers, pupils and members of staff, where deemed necessary,
- Publish a copy of this Policy on Westgate Chambers' website,

## **SPECIFIC PROCEDURES AND POLICIES**

10. Westgate's policy on equality and diversity is further implemented through the following procedures and policies:

- Equality Action Plan
- Flexible working
- Parental leave
- Reasonable adjustments
- Recruitment and selection
- Fair allocation of work
- Diversity monitoring
- Anti-Harassment

## **COMPLAINTS**

11. Breaches of this policy will be investigated promptly and thoroughly. Suspected breaches and/or concerns regarding the implementation of this policy should be reported in the first instance to one of the Equality and Diversity Officers, Charmaine Wilson, Jeffrey Lamb or Head of Chambers. Investigations will be undertaken in accordance with Chambers complaints and grievance procedures.