

## **4 King's Bench Walk Equality and Diversity Policy**

### Equality Policy Statement

Chambers and members of chambers, in relation to their professional practice and the administration of chambers, do not discriminate unlawfully against, victimise or harass any other person on the grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, gender re-assignment, sexual orientation, marital or civil partnership status, disability, age, religion or belief or pregnancy and maternity, and the affairs of chambers are conducted in a manner which is fair and equitable for all barristers and pupils.

### Scope of Policy

4KBW's Equality and Diversity policy incorporates policies on Harassment, Reasonable Adjustments, Parental and Adoption Leave, and Flexible Working (Appendices 1-4).

### Implementation and Monitoring

Chambers' Equality and Diversity Officer is James Tunley. Chambers has a written plan for the implementation of its equality policy.

In addition, chambers regularly surveys, monitors and reviews information about diversity within chambers. Chambers' Diversity Data Officer is John Ditchburn.

### Recruitment and Selection

4 King's Bench Walk does not discriminate unlawfully on grounds of sex, race, disability, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership, religion or belief, or age, in accordance with our Equality Policy Statement. We will also make reasonable adjustments for disabled candidates, and if you believe that a reasonable adjustment should be made, you are encouraged to communicate this to the Head of Chambers or to the Equality and Diversity Officer.

Subject to the need for any reasonable adjustments for disabled candidates, fair and objective selection criteria are applied in all applications for mini-pupillage, internship, pupillage or tenancy.

Readers are also referred to the 4KBW Pupillage Policy for further information.

### Fair Access to Work and the Allocation of Unassigned Work

The affairs of chambers are conducted in a manner which is fair and equitable to all members of chambers and pupils, including – but not limited to – the fair distribution of work amongst pupils and members of chambers.

### Harassment

4 King's Bench Walk is committed to providing work environment in which everyone is treated equally and with respect. We take very seriously, and does not tolerate, any form of unwanted conduct relating to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation which has the aim or effect of violating a person's dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. Any person experiencing or witnessing such behaviour has a right to complain and should refer to the 4 King's Bench Walk Harassment Policy, at Appendix One.

### Complaints and Grievances

Complaints of harassment may be raised informally with James Tunley, with the Head of Chambers, or with any other senior member of chambers. Other informal complaints may be made to the Head of Chambers or to the Senior Clerk. Formal complaints under this policy should be made under the 4 King's Bench Walk Grievance Procedure/Policy.

This policy will be reviewed in or about June 2015, or beforehand if necessary.

4 King's Bench Walk

June 2013

## **Appendix One: 4 King's Bench Walk Harassment Policy**

1. 4 King's Bench Walk is committed to providing a work environment in which all individuals, clients and the public are treated with dignity and respect. 4 King's Bench Walk is determined to promote a work environment in which everyone is treated equally and with dignity and can flourish.
2. Harassment in any form will not be tolerated at 4 King's Bench Walk. Harassment includes any unwanted conduct related to sex, race, disability, gender re-assignment, religion or belief, sexual orientation or age. Such behaviour may take many forms including:
  - Conduct which is unwanted by the recipient and perceived as hostile or threatening;
  - Conduct which gives rise to a hostile or threatening work environment;
  - Conduct which creates an atmosphere in which it is feared that rejection or submissions will be used as a basis for decisions which have an impact on the recipient at work such as an allocation of work or tenancy decision.
3. The following are examples of types of behaviour which may amount to harassment:
  - Physical or sexual assault;
  - Requests for sexual favours in return for career advancement;
  - Unnecessary physical contact;
  - Exclusion from social networks and activities or other forms of isolation;
  - Bullying;
  - Compromising suggestions or invitations;
  - Suggestive remarks or looks;
  - Display of offensive materials, including on a computer screen;
  - Tasteless jokes or verbal abuse, including any sent by email;
  - Offensive remarks or ridicule;
  - Dealing inappropriately or inadequately with complaints of harassment.
4. Harassment is unlawful conduct under the Equality Act 2010. In addition to the above unwanted conduct, it can arise where a person engages in any kind of unwanted sexual behaviour (or gender re-assignment or sex related behaviour).
5. Complaints of harassment may be raised informally in the first instance with the Equality and Diversity Officer James Tunley, with the Head of Chambers or another senior member of chambers, who will agree an appropriate response. Formal complaints should be made under the 4 King's Bench Walk Grievance Procedure.
6. Harassment is misconduct for employees or a breach of the Bar Code of Conduct for barristers. Allegations of harassment will be dealt with as a disciplinary matter.
7. Chambers is committed to ensuring that no-one who makes an allegation of harassment in good faith should be subjected to any detriment as a result. Any victimisation of a

complainant, witness or anyone else involved in the investigation of a complaint will be viewed as a disciplinary matter.

8. A copy of this policy is provided to all those for whom chambers constitutes a working environment, including members of chambers, pupils, squatters, clerks or other employees, temporary workers, those who provide services to chambers such as contract cleaners, accountants and IT consultants, and mini-pupils and work experience students.
9. This policy will be reviewed in or about June 2015, or beforehand if necessary.

## **Appendix Two: 4 King's Bench Walk Reasonable Adjustments Policy**

4 King's Bench Walk is committed to making reasonable adjustments in order to remove or reduce substantial disadvantage for disabled people working within chambers or receiving legal services within chambers, and this policy is implemented in order to achieve that aim. This policy covers all employees of chambers, barristers, clerks, pupils, mini-pupils, interns and visitors to chambers.

This policy is circulated to all members, staff, pupils, clerks and those who are required to read and understand it.

1. For the purposes of this policy the definition of disability follows that set out in section 6 of the Equality Act 2010. A person is therefore disabled if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities. "Substantial" means more than minor or trivial and "long-term" means likely to last 12 months or more.
2. This policy does not provide an exhaustive list of the reasonable adjustments that chambers will make for staff, barristers, pupils or visitors, however examples of the types of adjustment may be made, where reasonable, are:
  - The provision of information in alternative formats (e.g. large print);
  - Paid leave for disabled employees of chambers;
  - The provision of auxiliary aids;
  - The provision of accessible conference room facilities
  - The provision of a reader or interpreter.
3. Staff or barristers with specific requirement should make requests to the Head of Chambers, for reasonable adjustment decisions. All requests for reasonable adjustments will be considered on a case by case basis with the advice and assistance of chambers' Equality and Diversity Officer and where it is not possible to make the adjustment requested the Head of Chambers, the Senior Clerk or the Equality and Diversity Officer will discuss alternatives with the applicant.
4. Head of Chambers is responsible for considering whether or not disabled staff, barristers or pupils require assistance during an emergency evacuation and if so whether or not a personal emergency evacuation plan is required for the individuals/s concerned. If so, the plan will be developed in partnership with the individual concerned in order to ensure that adjustments to the emergency evacuation procedure may be made.
5. Barristers are responsible for considering reasonable adjustment requests for their visitors. They are also responsible for anticipating any likely reasonable adjustments that will need to be made for visitors whom they know to be disabled and are likely to require assistance. Visitor requests for specific reasonable adjustments may be made by contacting the Senior Clerk, Jason Roukin.

6. In no circumstances will 4 King's Bench Walk pass on the cost of a reasonable adjustment to a disabled person.
7. This policy is reviewed by the Equality and Diversity Officer every two years, or more frequently if necessary. The date of the last review was June 2013.

### **Appendix Three: 4 King's Bench Walk Parental Leave Policy**

"Parental leave" refers to leave taken by the main carer of a child following birth or adoption. This could be the mother, father or adoptive parent of either sex.

It is the aim of this policy to:

- Encourage members following parental leave to return to chambers and continue to build successful practices;
- Prevent discrimination on grounds of parental responsibility;
- Encourage and support members taking time off following the birth or adoption of a child without suffering financial hardship;
- Comply with the requirements of the Code of Conduct and accompanying Guidelines.

This policy is circulated to all members, clerks and staff, all of whom are required to read and understand the policy and to understand their role in relation to the policy.

1. Every member of chambers is entitled to return to chambers within a period of one year after giving birth or adopting a child for whom they are the primary carer.
2. A member of chambers taking a period of parental leave is entitled to 6 months' free of chambers rent and expenses<sup>1</sup>.
3. Members of chambers are required to notify chambers management and clerks of their intention to take a period of parental or adoption leave not less than 3 months before the commencement of the period of leave indicating the estimate commencement date and likely date of return.
4. If a member wishes to take more than 6 months' rent free parental or adoption leave s/he should notify chambers' management and clerks at least 4 weeks before the end of that period stating the estimated date on which s/he intends to return.
5. If a member wishes to take leave for longer than 12 months, this should be arranged with chambers management.
6. If a member is absent from chambers for more than 12 months without agreeing an extension with chambers management, his/her automatic right to return to chambers ceases unless such absence is due to consecutive births.
7. Where membership ceases by virtue of the provisions in paragraph 6, a member can re-apply to chambers in the usual way.
8. A member on parental leave is encouraged to maintain contact with chambers.

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<sup>1</sup> The 6 month period free of rent and expenses or free of the levy on receipts does not extend to mortgage repayments, one off investments or clerks' fees.

9. Head of chambers will ensure that the member is:
- Offered opportunities to do appropriate work if this is requested;
  - Invited to training events, social occasions, marketing events and chambers meetings;
  - Consulted on any significant issues affecting the practice of chambers; and
  - Receives assistance with the re-establishment of their practice on return to work, including (where requested) the arrangement of a “practice meeting” with the relevant clerk within two weeks before the member returns to work.
10. Informal working arrangements during a period of parental leave do not affect a member’s entitlement to the six month period free of rent, provided that the Head of Chambers is kept informed of the arrangements by the member of chambers and is satisfied that the level of work being undertaken does not constitute a return to practice.
11. It is the policy of 4 King’s Bench Walk to enable parents to work reduced hours on return from a period of parental or adoption leave. This should be discussed with chambers’ management and clerks. Members are also referred to 4 King’s Bench Walk’s Flexible Working Policy.
12. Any member who wishes to make a complaint regarding a breach of this policy should in the first instance contact chambers’ Equality and Diversity Officer, James Tunley.
13. This policy is reviewed every two years, or more frequently if necessary. The date of the last review was June 2013.

#### **Appendix Four: 4 King's Bench Walk Flexible Working Policy**

The aim of this policy is to set out the internal approach of 4 King's Bench Walk in relation to the entitlement of any member to manage his or her practice under a flexible working arrangement.

1. A "flexible working arrangement" means that an individual has agreed with chambers that s/he intends to work in such a way so as to enable the individual to manage their family or other responsibilities, or any disability, and to remain in practice. Family responsibilities include caring responsibilities for older, young or disabled dependants or relatives.
2. Every member of chambers is entitled to practice under a flexible working arrangement. It is the aim of this policy to encourage members of chambers to remain in, or to develop, a successful practice notwithstanding the fact that their own personal circumstances may render it impractical or undesirable for them to practice at the Bar full-time, or to attend chambers on a regular basis.
3. This policy does not outline every way in which a flexible working arrangement may be achieved, but these may include:
  - Working on a part-time basis on specified days
  - Working on a part-time basis by way of flexible hours
  - Taking a career break of up to 12 months
  - By working from home (i.e. a largely paperwork based practice)
4. A member of chambers wishing to work under a flexible working arrangement shall notify the Head of Chambers in writing, giving as much notice as possible, and in any event not less than one month before the proposed commencement date of such an arrangement. It is the responsible of the member who intends to practice under a flexible working arrangement to ensure that the practical arrangements with chambers are agreed and are noted in writing before any period of flexible working commences.
5. A member of chambers practising under a flexible working arrangement shall be required to pay the standard monthly rent, unless another monthly rent is agreed on a case-by-case basis.
6. The Head of Chambers will ensure that a member of chambers practising under a flexible working arrangement is offered the same opportunities to attend training events, social occasions, marketing events and chambers' meetings as if he or she were working full time.
7. Members of chambers wishing to take a career break of up to one year for reasons other than parental leave shall notify the Head of Chambers in writing of their intention to do so and the reason for such career break. Members wishing to take a career break for the purpose of parental leave should refer to 4 King's Bench Walk Parental Leave Policy.

8. This policy is circulated to all members of chambers and clerks who are required to read and understand its contents, and to understand their individual role and responsibilities in relation to it.
9. Any complaints in relation to this policy should be made to James Tunley, the Equality and Diversity Officer.
10. This policy is reviewed every two years. The last date of review was June 2013.