

Linked Law Solicitors

Equality and Diversity Policy

(based on the Law Society's model policy issued under Rules 3 and 4 of the Solicitors Anti-Discrimination Rules 2004 and amended in the light of the Code of Professional Conduct 2007 (as amended))

A. The Firm's Commitment

(1) General Commitment

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.

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

The firm intends to treat everyone equally and with same attention, courtesy and respect regardless of their race or racial group (including colour, nationality and ethnic or national origins), sex (including marital status, gender reassignment, pregnancy, maternity and paternity), sexual orientation (including civil partnership status), religion or belief, age or disability.

(2) Regulation and Legislation

In developing and implementing its diversity and equality policy, the firm is committed to complying with the Solicitors Equality and Diversity Rule 2007 and with all current and any future equality and diversity legislation and associated codes of practice including, but not limited to:

- (a) the Equal Pay Act 1970,
- (b) the Sex Discrimination Act 1975,
- (c) the Race Relations Act 1976,
- (d) the Disability Discrimination Act 1995,
- (e) the Employment Rights Act 1996,
- (f) the Equality Act 2006,
- (g) the Employment Equality (Sexual Orientation) Regulations 2003,

(h) the Employment Equality (Religion or Belief) Regulations 2003,

and any relevant amendments or re-enactments of such legislation;

i. Associated Codes of Practice as published on the Equality and Human Rights Commission website:

Gender

- [Code of Practice – Sex Discrimination](#)
- [Code of Practice on Equal Pay](#)

Race

- [Statutory Code of Practice on racial equality in employment](#)

Disability

- [Code of Practice: Employment and Occupation; and](#)

ii. The European Community code of practice on the protection of the dignity of men and women at work; and any relevant amendments to such codes or further codes of practice.

B. Forms of Discrimination

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

(a) **Direct discrimination**, where a person is treated less favourably on the grounds of their race or racial group (including colour, nationality and ethnic or national origins), sex (including marital status, gender reassignment, pregnancy, maternity and paternity), sexual orientation (including civil partnership status), religion or belief, age or disability.

(b) **Indirect discrimination**, where an apparently neutral provision, criterion or practice would put a substantially higher proportion of persons of one race or racial group or sex or sexual orientation or religion or belief or age or disability at a particular disadvantage compared with other persons unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

(c) **Victimisation**, where someone is treated less favourably than others because he or she has taken action against the firm under one of the relevant Acts.

(d) **Harassment**, when unwanted conduct related to any of the grounds referred to above takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may involve physical acts or verbal and non-verbal communications and gestures. This will include physical, verbal and non-verbal acts.

C. Employment and Training

(1) General Statement

As an employer, the firm will treat all employees and job applicants equally and fairly and not discriminate unjustifiably against them. This will, for example, include 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.

(2) Recruitment and Selection

This firm recognises the benefits of having a diverse workforce and will take steps to ensure that:

- (a) it endeavours to recruit from the widest pool of qualified candidates possible;
- (b) employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit;
- (c) 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;
- (d) selection criteria and processes do not discriminate unjustifiably on the grounds of race or racial group, sex, sexual orientation, religion or belief, age or disability, other than in those instances where the firm is exercising permitted positive action;
- (e) wherever appropriate and necessary, lawful exemptions (genuine occupational requirements) will be used to recruit suitable staff to meet the special needs of particular groups;
- (f) all recruitment agencies acting for the firm are aware of its requirement not to discriminate and to act accordingly.

(3) Conditions of Employment

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 employment for employees will comply with equality and diversity 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 their race or racial group, sex, sexual orientation, religion or belief, or age; or unreasonably on the grounds of their disability.

(4) Promotion and Career Development

Promotion within the firm will be made without reference to any of the forbidden grounds 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.

D. Barristers and Third Parties

(1) Barristers

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; age; marital status; race; racial 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 equality and diversity 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.

(2) Suppliers

All lists of approved suppliers and databases of contractors, agents and other third parties who, or which, 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.

E. 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 equality and diversity legislation (such as the Disability Discrimination Act) and the Solicitors Equality and Diversity Rule 2007.

F. 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 will be informed of this equality and diversity policy and will be provided with equality and diversity training appropriate to their needs and responsibilities.

In all its dealings, including those with suppliers, contractors and recruitment agencies, the firm will follow 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.

G. Implementing the Policy

(1) Responsibility

Ultimate responsibility for implementing the policy rests with Nicholas Hancox, the principal of the Firm. Nicholas Hancox is responsible for the operation of the policy.

All employees of the firm are expected to pay due regard to the provisions of its equality and diversity 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 of the firm will result in disciplinary action. Failure to comply with this policy will be treated in a similar fashion.

(2) 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, 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.

(3) 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. Any changes required will be made and implemented.

Policy Review Date

On or before 20th August each year