

Equality Diversity and Inclusion Policy [Equal Opportunities Policy]

Engleharts (the Firm) is committed to eliminating discrimination and promoting equality diversity and inclusion in its own policies, practices and procedures and in those areas in which it has influence.

The firm endeavours to avoid discrimination in its dealings with clients, employees, and all other third parties that deal with the firm. The firm is committed to promoting diversity in its professional activities in order to provide the best service attainable.

Everyone at the firm is expected and required to treat all others equally and with the same attention, courtesy and respect regardless. We encourage equality of opportunity and respect for diversity in our relationships with staff, other solicitors, barristers, clients, and all other third parties. The firm and its entire staff will treat everyone equally and with the same attention, courtesy and respect regardless of age, disability, gender, gender reassignment, sex, sexual orientation, marital status, civil partnership, pregnancy, maternity, race, racial group, colour, ethnic origin, nationality, political opinion, religion or other held belief.

This policy helps us to put this commitment into practice. By complying with this policy, we can ensure that we create working lives that are free from discrimination, where everyone can achieve their potential.

Striving to ensure that everyone's working lives are free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities and diversity and inclusion in employment

Regulation and legislation

In developing and implementing its anti-discrimination policy, the Firm is committed to complying with the Solicitors Regulation Authority (SRA) Standards and Regulations (STARs) and with all current and any future anti-discrimination legislation and associated codes of practice including, but not limited to:

- Employment Rights Act 1996;
- Equality Act 2010;

Forms of discrimination

The following are **types of unlawful discrimination** that are against the Firm's policy:

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic, for example; where a person is treated less favourably on the grounds of race, racial group, colour, ethnic or national origins, sex, pregnancy, marital status, disability or sexual orientation or religion or belief

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act 2010) that has the purpose or effect of violating a person's dignity; or is reasonably considered by that person to create 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. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Victimisation occurs where an employee is subjected to a detriment (essentially where the employee is treated badly), such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a person who is disabled at a substantial disadvantage compared with someone who does not have that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

In line with Principle 6 of the SRA STARS, the Firm will not discriminate, nor victimise or harass, in the course of its professional dealings, groups of people as set out above; and will make reasonable adjustments to prevent those of the Firm's Employees, consultants, partners or clients who are disabled from being disadvantaged in comparison with those who are not disabled.

Employment and training

As an Employer, the Firm will treat all Employees, consultants, partners 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,

grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, work allocation and any other employment related activities.

Equal Opportunities

This equal opportunities policy statement and dignity at work policy statement are designed to implement the commitment of the Firm to equal opportunities. It is the responsibility of every Employee, partner and consultant to ensure his or her own conduct conforms to the expected standards and reflects these policy statements.

The aim of the policies is to encourage harmony and respect amongst individuals so as to promote good working practices amongst the Employees, partners and consultants.

Equal opportunity is taken very seriously by the Firm.

Equal Opportunities Policy Statement

The Firm recognises and accepts its legal obligations under the Equality Act 2010. Under this Act, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation are protected characteristics. Employees, partners, consultants, other workers and applicants for employment who have one or more of these characteristics are protected from all forms of unlawful discrimination in the workplace, including: direct and indirect discrimination; discrimination by association; discrimination by perception; discrimination arising from disability; harassment; and victimisation.

1. The Firm seeks to employ a workforce that reflects the diverse community at large because the Firm values the individual contribution of people irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
2. The Firm will use its best endeavours to provide a working environment free from unlawful discrimination because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
3. The Firm undertakes to review periodically its recruitment and selection criteria and procedures and to maintain a system where individuals are selected, solely on the basis of their merits and abilities.
4. The Firm undertakes to review its employment practices, policies and procedures, including opportunities for training and promotion, pay and benefits, discipline, selection for redundancy and retirement, to ensure that it avoids all forms of unlawful discrimination in the workplace.
5. All Employees, partners and consultants will be treated with dignity and respect. The Firm recognises that harassment, bullying and victimisation are forms of unlawful discrimination.
6. The Firm will make reasonable adjustments to its recruitment and selection arrangements and procedures to ensure that no applicant for employment is disadvantaged because of a disability. Whenever reasonable and practicable, the Firm will make adjustments to retain disabled workers in its workforce. This may include making reasonable adjustments to working arrangements and practices, making changes to the physical environment and/or providing auxiliary aids and services.

7. The Firm will not tolerate acts which breach this policy and all instances of such behaviour or alleged behaviour will be taken seriously. The Firm further seeks to give all Employees, partners and consultants equal opportunities and encouragement to progress within the organisation.
8. The Firm will provide training in equal opportunities and undertakes to distribute and publicise this policy statement to all Employees, partners and consultants and elsewhere as from time to time appropriate.
9. The Firm will monitor and review the operation of this policy and will implement any changes required by law or to improve its effectiveness.

Dignity at Work Policy Statement

1. The Firm believes that the dignity of every person must be respected. Harassment and victimisation are forms of unlawful discrimination, which are unacceptable and will be regarded as gross misconduct. The highest standards of conduct are required of everyone regardless of seniority.
2. Harassment is defined as unwanted conduct that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Unwanted conduct of this nature can constitute harassment of an individual even if it is directed at another person. Harassment can take a number of forms:
 - Harassment may be unwanted conduct related to a protected characteristic. However, a person does not have to possess a protected characteristic to be a victim of harassment. Individuals who are subjected to harassment because of their association with someone who has a protected characteristic can also be victims. It is also possible for someone to be subjected to harassment because colleagues wrongly believe they have a protected characteristic. Unwanted conduct can include any kind of action or inaction, behaviour, exclusion, written or spoken words, jokes, imagery, or physical contact that the victim finds objectionable or offensive. The test of harassment is, at least in part, subjective.
 - Sexual harassment is unwanted conduct of a sexual nature. This can include any unsolicited or unwelcome conduct of a sexual nature, such as: making sexual advances; touching; staring; making inappropriate comments; telling sexual jokes; displaying or sending pornographic photographs or other materials of a sexual nature.
 - Harassment can also be less favourable treatment of someone because they have rejected or submitted to unwanted conduct of a sexual nature or conduct related to sex or gender reassignment.
3. Condoning any form of harassment may be harassment in itself.
4. The Firm accepts its responsibility for protecting Employees, partners and consultants from harassment by third parties, such as clients, customers and visitors.
5. Victimisation occurs when someone is subjected to detrimental treatment because they have (or are thought to have) brought proceedings under the Equality Act, given evidence or information in support of proceedings or made allegations about any breach of the Act.

6. Harassment and victimisation will be regarded as gross misconduct.

Recruitment and selection

The 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 candidates' individual qualities and personal merits;
- (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 disability, gender, marital status, race, racial group, colour, ethnic or national origin, nationality, religion or belief, or sexual orientation, 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.

Conditions of service

The Firm will treat all Employees, consultants and partners 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, consultants and partners.

Terms and conditions of service for Employees, consultants and partners will comply with all relevant legislation. The provision of benefits such as working hours, maternity, paternity and other leave arrangements, performance appraisal systems, dress code, bonus schemes and any other conditions of employment, will not discriminate against any Employee, consultant or partner, or on the grounds of gender, marital status, race, racial group, colour, ethnic or national origin, nationality, religion or belief, or sexual orientation; or unreasonably on the grounds of disability.

Where appropriate and necessary, the Firm will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of Employees, consultants and partners which arise from their ethnic or cultural background, gender, responsibilities as carers, disability, religion or belief, or sexual orientation.

Promotion and career development

Promotion within the Firm (including to partnership level) 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.

Whilst positive action measures may be taken in accordance with all relevant legislation to encourage under-represented groups to apply for promotion opportunities, recruitment or promotion to all jobs will be based solely on merit.

All Employees, consultants and partners will have equal access to training and other career development opportunities appropriate to their experience and abilities. However, the Firm will take appropriate positive action measures (within legislation) to provide special training and support for groups which are under-represented in the workforce and encourage them to take up training and career development opportunities.

Barristers and third parties

Barristers

Barristers should be instructed on the basis of their skills, experience and ability. The Firm will not, on any prohibited or unlawful ground/s, avoid briefing a barrister and will not request barristers' clerks to do so.

Customers, suppliers and other people outside our workforce

Reasonable measures are in place to ensure that sound equality and diversity policies are in place with those from whom the Firm purchases goods and services.

We will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by us.

Clients

Any refusal to act will not be based upon any prohibited or unlawful ground/s.

The Firm will take steps to meet the different needs of particular clients arising from its obligations under anti-discrimination legislation and Principle 6 of the SRA STARS.

In addition, where necessary and where it is permitted by the relevant anti-discrimination 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.

Promoting equality and diversity

The Firm is committed to promoting equality and diversity in the Firm as well as in those areas in which it has influence.

Employees, consultants and partners will be informed of this anti-discrimination policy and will be provided with equality and diversity training appropriate to their needs and responsibilities.

All those who act on the Firm's behalf will be informed of this anti-discrimination policy and will be expected to pay due regard to it when conducting business on the Firm's behalf.

In all its dealings, including those with suppliers, contractors and recruitment agencies, the Firm will seek to promote 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.

Implementing the policy

Responsibility

Ultimate responsibility for implementing this policy rests with the partners of the Firm.

All Employees, consultants and partners of the Firm are expected to pay due regard to the provisions of this policy and are responsible for ensuring compliance with it when undertaking their jobs or representing the Firm.

Acts of discrimination or harassment on any prohibited or unlawful ground/s by those acting on behalf of the Firm will lead to appropriate action including termination of services or employment where appropriate.

Monitoring, review and data.

We will periodically monitor this policy to judge its effectiveness and we will update it if there are any changes in the law. In particular, we will monitor the ethnic and gender composition of our existing workforce and job applicants (including promotion), and the number of people with disabilities within these groups and will review our equal opportunities policy in line with the results shown. If changes are required, we will implement them.

We treat personal data collected for reviewing equality of opportunity in recruitment and selection in accordance with our data protection policy. Information about how data is used and the basis for processing is provided in our staff privacy policy.