

Matrix

Equal Opportunities and Diversity Policies

Statement of principles

The barrister members, staff and associates of Matrix (referred to henceforth as Matrix) believe strongly in diversity and are committed, in all the activities and procedures of the organisation, and in the treatment of and conduct towards all who have dealings with Matrix, to the prevention and elimination of discrimination (both direct and indirect) against anyone on the grounds of race, colour, ethnic or national origin, nationality, citizenship, sex, sexual orientation, age, disability, religion, religious belief or marital status.

Matrix is also committed fully to the elimination of all forms of harassment, intimidation or bullying and to providing a working environment in which all are treated with dignity, respect and fairness, and which allows for professional growth with equality of opportunity.

Matrix' commitment to equal opportunities and the elimination of discrimination is based on its core values and Articles of Association.

Compliance commitment

In pursuance of the principles outlined above Matrix is committed to complying fully with:

- All its legal requirements as set out in current and future legislation, directives and regulations
- The requirements of the Code of Conduct of the Bar Council
- The requirements set out in the Equality Code of the Bar and all subsequent directions from the Bar Council, and with requests for information made by the Council in respect of equal opportunities
- The requirements of the Legal Service Commissions' Quality Mark for the Bar, in particular Requirement A1: Non-discrimination in the provision of service, Requirement D1.1: Equal Opportunities Policy, and Requirement D1.2: Open Recruitment Process

- Best practice in respect of the implementation of effective policies for equal opportunities and the prevention of discrimination, harassment, bullying and intimidation
- Requests for information about equal opportunities that may be made from time to time by the Crown Prosecution Service and the Criminal Defence Service

Equal Opportunities Officer

From May 2003 Matrix' nominated Equal Opportunities Officer will be Zoe Mellor. In Zoe's absence, Andy Hall will act as the Equal Opportunities Officer.

Service Provision and the acceptance of instructions

Matrix is committed to the prevention of all forms of discrimination in the provision of its services. In accordance with Annex C of the Code of Conduct of the Bar Council Matrix will not accede to discriminatory instructions from professional clients. All staff' are provided with advice and guidance on how to handle discriminatory instructions. All the barrister members of Matrix comply with the provisions of the Code of Conduct of the Bar Council with respect to the receipt of instructions and the commitment of Matrix to practice diversity is set out in its core values and Articles of Association.

All members of staff are made aware of their individual and collective obligation to ensure equality of opportunity in the provision and delivery of services to barrister members, to professional clients and partners, and to each other. Matrix commitment is set out in each employees contract of employment (see Appendix 3.3) and advice and guidance is provided during induction training, at regular staff appraisal meetings and at meetings of the staff team as required. It is made clear to all staff that any breach of Matrix' equal opportunities and anti-discrimination policies or procedures will be considered a disciplinary matter and in defined circumstances (see section 20 in Appendix 3.3) will be regarded as gross misconduct subject to dismissal without notice.

When reviewing existing service provision, or planning the introduction of new services full consideration will be given to ensuring equality of access to, and non-discrimination in respect of, services. Equal opportunities issues are addressed in Matrix' business and strategic plans, and a regular review is made of provision of

access to Matrix' services for people with disabilities with reference to the Disability Discrimination Act 1995 (see Appendix 4).

Recruitment and selection

Matrix is committed to open recruitment to all paid positions on the staff establishment, to its barrister membership, to traineeships and to work and student placements. In its core values, Matrix has committed itself over time to achieve a more diverse membership and in particular to address traditional imbalances in the numbers of women members and members from minority ethnic groups. It is prepared to take positive action, including through the targeting of recruitment advertising, to assist in achieving this goal and to extending opportunity to work at and with Matrix. Matrix' schemes for student placements and work experience placements are specifically geared to extending access to groups of people who have not had ready access to the legal profession at its highest levels.

After reviewing our current employees and members from a minority ethnic group or having a disability, and looking at the equal opportunity monitoring forms returned for the various positions advertised at Matrix, it was clear that we needed to encourage individuals from under represented groups to apply. Consequently, from August 2004, the equal opportunities statement below has been added to all recruitment advertisements and application packs.

“Matrix is proud to be an equal opportunities employer and is committed to diversity amongst its staff and its members, including supporting flexible working. We therefore encourage and welcome applications from women, people of minority ethnic origin and people with disabilities, as well as candidates from other groups which are under represented in the legal sector. We are happy to make reasonable adjustments to enable disabled candidates to demonstrate their suitability for the job.”

All documentation related to selection for membership, traineeship, or paid employment at Matrix is kept securely for a period of at least twelve months after the completion of the selection process.

Recruitment of paid staff

All permanent paid positions on the staff establishment are and will continue to be filled by means of open recruitment.

All paid positions will be advertised in at least one daily national newspaper, on Matrix' own web site, in a publication with a readership drawn largely from minority ethnic groups, and in other publications read by likely groups of potential applicants. All job advertisements will give details of the principal responsibilities of the job, the starting salary for the post, the deadline for submitting completed applications, and details of how candidates can obtain an application pack.

Only applications made by completing the application form sent to enquirers with the application pack will be considered for short listing. Letters and CV's accompanying applications will be separated from the application form and will not be taken into account in the short listing process. The application pack will include a detailed job description and person specification (see example at Appendix 3.2), an organisational chart, an application form, and an equal opportunities monitoring form that will be detached and filed separately from completed applications. At the end of the recruitment process the answers given on these forms will be collated and analysed in a short report to the Matrix Senior Management Team (SMT). The SMT is responsible for advising the Management Committee on any changes to recruitment and selection procedures that may be appropriate in the light of analysis of the monitoring forms.

A short listing panel will be formed for each advertised position. Every effort will be made to ensure that the panel has both men and women members and where possible has minority ethnic representation. When the deadline for applications has passed the Office Administrator will prepare a folder for members of the short listing panel. The folder will include a copy of each application form received together with a scoring sheet for assessing each applicant. The name of each candidate will not appear on the copied application form as an additional check against unconscious bias in short listing. The scoring sheet (see appendix 3.1) will identify between 6-8 criteria drawn from the job description and person specification. Members of the panel will assign one of four scores against each of these criteria and then calculate a total score for each candidate. Members will undertake this scoring process entirely independently of each other.

When all members of the panel have completed their scoring of candidates, the panel will meet to draw up a short list. The scores assigned to each candidate will be the principal factor taken into account in drawing up the short list but members of the panel will be entitled to discuss and question the scoring of other panel members. In the event of a dispute among the panel about short listing a decision, then a decision will be taken by majority vote with the option to refer the dispute for resolution to the Chief Executive or, in the event of a senior position, to the Management Committee. A record of the discussions of, and conclusions reached by, the panel will be kept on file. All candidates who are not short listed will receive written notification of the outcome of their application at this point.

All short listed candidates will be invited for a formal interview at which they will be asked a standard set of questions and invited to ask questions of the panel. The panel will agree the standard questions in advance of the interview – the questions will be designed to test the skills and experience of each candidate and, in particular, the suitability of their skills and experience to the requirements of the post (the selection criteria) as described in the job description and person specification. Short listed candidates may also be asked to prepare some work before the interview or to complete a short exercise before the start of their interview. All candidates will be asked whether they have any special requirements or adjustments that need to be made or may require additional time to complete any such test or exercise. All exercises and presentations will be constructed solely to assess how well each candidate meets the selection criteria. Candidates may also be invited for a second interview in order to help the interviewing panel reach a final decision on the best available candidate.

On completion of the recruitment process the panel will discuss each candidate and reach a shared view on the candidate whose skills and experience are most suited to the position. In the event that the panel cannot reach a unanimous decision will be reached by majority vote with the option to refer the dispute for resolution to the Chief Executive or, in the event of a senior position, to the Management Committee. The panel may, on reaching a decision, express a view to the Chief Executive or the Practice Administrator about the terms to be offered to the successful candidate.

The Chief Executive or the Practice Administrator or, in the event of the recruitment of a Chief Executive, a barrister member will take up references provided by the successful candidate. Referees will only be asked to comment on the suitability of

the candidate for the job applied for and not on extraneous or irrelevant criteria. If they are satisfied with the references provided they will contact the successful candidate to offer them the position and discuss outline terms. This offer and the principal terms and conditions of employment will be confirmed in writing. All candidates who attended an interview will be notified at this point of the outcome of their applications and will be offered the opportunity of feedback on their application.

Recruitment of trainees

Matrix is committed to complying with all the requirements specified by the Bar Council for the recruitment and administration of “pupillages” (the requirements of which are met through Matrix’ traineeships). Matrix’ policies and procedures, including the description of the respective roles and responsibilities of trainees and their supervisors, are set out in separate documents. This section of this policy relates only to Matrix’ recruitment and selection procedures.

Matrix is a member of the On-Line Pupillage Administration System (OLPAS) and is committed to observing all the rules of the system, in particular in relation to the timetable for inviting, considering, and responding to applications for traineeships. This commitment and the timetable itself are confirmed on the Matrix web site.

On the expiry of the deadline for applications under the annual OLPAS cycle, an initial panel of barrister members is composed to screen the applications for traineeships. In recent years over 400 applications have been received at Matrix and two separate panels have been formed with each group screening approximately 200 applications each. The screening process involves scoring each application against a common set of criteria (see Appendix 2) with the objective of agreeing a long list of applicants of around 40 in number.

Candidates for traineeship who make the long list are invited to attend a short (normally ten minute) interview with three barrister members of Matrix. This panel of members will draw up a short list (usually 10 in number) of candidates for a full interview and assessment. This interview and assessment process will be before a panel of about six barrister members and takes place on a Saturday in July.

On completion of the final interviews and assessment process the panel will normally identify two first choice candidates for the two traineeships on offer, together with a

reserve list of two or three candidates in the event that the first choice candidates decline the offer made to them.

Records of the candidates sex, disability and ethnic identity are collated at each stage of the process and reported to the Training Committee. A written record of the decisions made at each stages of the process is kept in the event that requests for feedback or re-consideration are made by unsuccessful candidates. Paperwork will be retained for a period of 6-12 months.

Recruitment of barrister members

Recruitment of members from traineeship

Matrix has an established policy that it will on average recruit at least one member each year at entry level, i.e. from traineeships at Matrix. A detailed assessment process is followed in reaching recommendations on the membership status of trainees and these procedures are set out in other protocols. Matrix' commitment is to complete the process of assessing its own trainees by 15 July each year. Matrix will not normally consider applications from "pupils" who are completing periods of pupillage at other chambers and in any event will not do so without an open recruitment process after final consideration has been given to Matrix' own trainees.

Recruitment of established practitioners

Matrix has identified a number of areas of professional practice as priority areas for future recruitment of barrister members. In addition it is open for any group of barrister members at Matrix to suggest to a General Meeting of Matrix that there is a need for additional recruitment in specific practice areas and that a recruitment process should be initiated.

In normal circumstances recruitment of established practitioners in target and other practice areas will be by open advertisement in Counsel magazine and on Matrix' own web site. Applications will be invited specifying the desired areas of practice and length of time in practice required, and a deadline for receipt of applications. The process for considering the applications is administered by the Chief Executive. A panel drawn from Matrix' standing Recruitment Committee and members who specialise in the particular practice area will be formed to draw up a short list and interview short listed candidates. Each candidate will normally be asked to make a short presentation to the panel, which will be followed by a formal interview.

On completion of the interviews the panel will make a recommendation to a General Meeting on any candidate it considers suitable for membership of Matrix. The Chief Executive will normally be asked to take up any professional references that have been provided by the recommended candidate, and will report the discussions to the General Meeting. Any such recommendation must be supported by two-thirds majority of all members present and voting at the General Meeting.

In some circumstances a candidate who is regarded by members as exceptional in Matrix' areas of professional practice may express an interest in becoming a member of Matrix or may be invited to consider making an application. In these cases the Recruitment Committee will meet to consider the application and determine what steps it should take, including possibly an interview, to confirm the exceptional qualities of the applicant or potential applicant. If it determines that the individual concerned is an exceptional candidate it may then recommend to a General Meeting that they be offered membership. The normal rules governing votes on membership at General Meetings shall apply.

Matrix has satisfied itself that these procedures comply with requirements for selecting experienced "tenants" that are described on page 27 of the Equality Code of the Bar (1995).

Unsolicited applications for membership

Matrix receives a number of unsolicited applications for membership. These are normally screened by the Chief Executive who will take membership' recruitment policies and priorities into account before making a decision. The Chief Executive may decline these applications if he/she considers they fall outside these policies and priorities or may, if required, take advice from either the Chair of the Recruitment Committee or barrister members with practices in similar areas to that of the applicant. In the event that the Chair of the Recruitment Committee or other barrister members' consider that the applicant merits further discussion as, potentially, an exceptional candidate then the procedure for such applicants will apply.

Student and work experience placements

Matrix offers a number of student placements (including elements of what are traditionally known as "mini-pupillages") and work experience placements.

Application for either category of placement is by application form only –

Quality Mark for the Bar: A1 (Equal Opportunities) and D1 (Fair Treatment of Staff) Adopted – 21 July 2003, revised 28 February 2005

downloadable application forms are available on the Matrix web site. The web site gives full details of the criteria that will be used in assessing applications.

The most important aim of the student placement scheme is to enable individuals without contacts or experience in the legal sector to get first hand experience of the professional and working life of barristers. In order to further Matrix' core value commitment to opening up the legal profession to those who are traditionally excluded, a student placement will not normally be awarded to an individual who has already had a mini-pupillage at another set of Chambers. The assessment of applications for a student placement will be made by administrative staff with the assistance of at least one barrister member of Matrix. Student placements are not assessed at any time for future traineeships at Matrix.

Applications for work experience placements are submitted to and assessed by administrative and managerial staff at Matrix. Applications are assessed against published criteria and the quality of replies to questions asked on the application forms.

Other Matters

Distribution of work to trainees

Work for trainees who are in the second-half of their twelve month traineeship is assigned to trainees on a strict rotational basis subject to the following conditions:

- The suitability of individual trainees for each specific piece of work. Practice staff will normally determine this question, consulting with trainee supervisors as appropriate
- The availability of the trainee taking into account the requirements of their formal training including commitments to their supervisors and the completion of work that will form part of the assessment of their suitability for membership of Matrix

The allocation of work in accordance with these criteria is monitored regularly by the Practice Managers and Chief Executive.

Distribution of unnamed work

Matrix is committed to ensuring that unnamed work is allocated to members in a non-discriminatory way and solely in relation to the suitability and availability of members to carry out the work required. The suitability and availability of members for professional work is monitored on a continuous basis by practice staff, and patterns of instruction are monitored on a systematic basis by the Chief Executive and discussed with each member at practice review meetings that take place at intervals of no more than six months.

In the event that any member feels that this commitment is not being operated in full they can raise concerns with the Chief Executive, their practice staff, or at a scheduled practice review meeting. If, after doing so, they remain dissatisfied they may ask the Management Committee to consider the matter and review the system for work allocation on a more formal basis.

Various complaints procedures

Selection of trainees, members, and staff

Complaints about selection of trainees, members and staff should be submitted in the first instance to the Chief Executive who will make an initial reply and conduct an initial investigation. In the case of complaints about the selection of trainees the complaint is also referred to the Chair of Matrix Training Committee (currently Rabinder Singh QC). Complaints about the selection of members are likewise referred to the Chair of Matrix Recruitment Committee (currently Rhodri Thom QC). Complaints about the selection of Staff are in the first instance referred to the Chief Executive.

On completion of the investigation, and within 14 days of the date of the complaint, the Chief Executive will make a written response to the complainant. In the event that the complainant is not satisfied with the response to their complaint, the Chief Executive will refer the complaint to the Matrix Management Committee for further consideration. A further and final response to the complaint will be made on behalf of the Management Committee.

Complainants will be advised of procedures for making a complaint about the operation of Matrix' selection procedures to the Bar Council.

Conduct of traineeship

Procedures for complaints about the conduct of traineeship are set out in Matrix' grievance policies and procedures (see below) and in separate policy documents and protocols covering traineeship. Matrix procedures for Traineeship have been audited fully by the Bar Council and received a commendation.

Information to complainants

Any individual who makes a complaint to Matrix of unlawful racial, sexual, disability, religious or belief or sex orientation discrimination will be informed of their legal right to apply to the courts or relevant tribunal, and of the time limits for such application, and will also be informed of their right to consult the Commission for Racial Equality or the Equal Opportunities Commission. Any individual who makes a complaint to Matrix about discrimination on the grounds of disability will be advised to consult the Disability Rights Commission.

Grievance policy and procedures

Statement of Policy

Matrix is committed to best practice in respect of equal opportunities, anti discrimination, and the prevention of all forms of harassment.

Matrix aims to provide an organisation with a working environment which allows for professional growth with equality of opportunity.

This procedure is applicable to any complaint, grievance or dispute including, but not limited to, complaints of unfair discrimination, harassment, bullying or intimidation.

Matrix is committed to providing a working environment in which all employees, clients and the public are treated with dignity, respect and fairness. No one will be victimised or suffer a detriment because they raise a complaint or grievance in good faith under this procedure¹.

¹ **Discrimination by Victimisation** - It is unlawful to treat a person less favourably because he or she has brought proceedings under the Race Relations, Sex Discrimination or Disability Discrimination Acts, given evidence or information relating to proceedings, or has alleged that discrimination has occurred.

Who the procedure covers

This procedure covers: barrister members of Matrix; trainees; work placements; Matrix employees and applicants for positions at Matrix. It applies regardless of sex, sexual orientation, marital status, age, race, colour, nationality, national or ethnic origin, citizenship, disability, religion, belief or political opinion. Complaints from members of the public concerning barristers or Matrix' employees, will be dealt with by the Chief Executive or Chair of the Management Committee, as applicable.

Harassment – a definition

Harassment is defined as unwelcome conduct which is offensive to the recipient. The test is subjective. It could be intentional or unintentional. Just because one person may be able to ignore or deal with certain behaviour does not mean that it is acceptable if directed at another. It is the perception of the victim that is important. Generally, harassment is characterised by the repetition of conduct which the recipient has indicated is unwelcome; but conduct of sufficient severity can be harassment on a first occurrence or without there having been any indication by the recipient that it is unwelcome.

Matrix forbids behaviour which causes offence or distress to another and which is perceived as relating to or arising from her/his race, religion or belief, political belief, sex, sexual orientation or disability and which constitutes less favourable treatment on those grounds.

Harassment takes a number of forms and includes behaviour:

- which causes a hostile or threatening working environment;
- which is considered as uninvited and is considered threatening;
- where rejection or submission is used as a basis for decisions concerning the recipient (for example decisions concerning the award of traineeship, appointment of members of Matrix or staff, promotion or career advancement).

The following are examples of behaviour which may amount to harassment:

- requests for sexual favours in return for career opportunities;
- unnecessary and avoidable physical contact;

- rape or serious sexual favours;
- compromising suggestions or invitations;
- display of pornographic or offensive materials, including on computer screens;
- bullying;
- exclusion for social and networking opportunities;
- jokes, abuse or ridicule because of a person's sex, race, political persuasion, sexual orientation, religion or belief, disability.

Notification of Procedures

A copy of the procedure, which includes names of the nominated persons for responding to formal and informal complaints and grievances, will be given to all members, staff, trainees and mini-trainees at Matrix and a copy kept in the Matrix Protocols folder (both hard copy and on the shared drive of the Matrix intranet).

Confidentiality

Confidentiality will be maintained as far as possible and appropriate in the circumstances.

Informal Procedures

Wherever possible grievances should be dealt with at the earliest opportunity and in a relaxed and informal way. Members of staff have a "Staff Representative"² who they should feel they can speak to for confidential advice and assistance. It may be possible and sufficient, if agreed, for the Staff Representative to explain to the person concerned that the behaviour is unacceptable or to seek a resolution by other acceptable means. If the conduct continues, or it is not appropriate to resolve the problem informally the Chair of the Management Committee will be consulted and consideration given to whether it should be considered by the full Management Committee to consider the problem and where possible help to resolve the matter in an acceptable way. Where the problem remains the matter will be dealt with as a formal complaint with the complainants agreement.

Members of Matrix may wish to speak informally to either the Chief Executive or Chair of the Management Committee.

² The Staff Representative is Clare Montgomery QC

Complaints or Grievances by Members - Informal

If a Matrix member has a complaint about a Practice matter, in the first instance he/she should attempt to resolve it with the Practice Managers/Chief Executive. They can also seek the assistance of the Head of the Management Committee.

Any other issue may be raised with the Head of the Management Committee.

Formal Complaint – Time Scales

Matrix should aim to deal with all complaints promptly, fairly and in accordance with the procedure. A formal complaint must be made as soon as reasonably possible and in any event within two months of the act being complained of, or within six months of the end of any informal action taken, save in exceptional circumstances.

Formal Complaints

A formal complaint, should be made in writing to the Chair of the Management Committee/Chief Executive. The Chair of the Management Committee/Chief Executive must promptly acknowledge this within seven days' of receipt.

The complainant should outline the subject of the complaint, the steps that have already been taken to resolve the problem and the reasons the matter should now be considered formally.

The Complaints Committee will be made up of, amongst others, the Chair of the Management Committee, Chief Executive and Staff Representative. There should be at least two members of the committee who are considered to be impartial. The Panel should also be racially and gender representative (dependent on the complaint and the parties involved) and every effort should be made to reflect the nature of the complaint within the panel. The subject of the complaint will have the right to select a member of the panel. If they should wish, the complainant can be accompanied to the hearing by a nominated friend or representative (including Trade Union Representative). Final decisions on the constitution of the Complaints Committee lies with the Chair of the Management Committee, Chief Executive and Staff Representative.

Remedial Action

The Complaints Committee will give a clear, detailed written decision within 5-10 days of the hearing. If the complaint is upheld and action required to remedy the situation this will be set out.

The Chief Executive and Head of the Management Committee will retain a confidential report on all formal complaints for a period of one year from the conclusion of the case, with discretion to keep them longer if necessary³.

Appealing the decision following a formal complaint

In some cases the formal complaint process will be insufficient to resolve the matter, or a party may wish to appeal the decision, in these circumstances the matter will be referred to an external, impartial individual. A panel of individuals who have expertise in the range of subjects which may be complained of will be available to advise or hear the complaint.

Complaints or Grievances by Trainees – Informal

Trainees are encouraged to discuss any grievances they may have during their traineeships with their Training Supervisor.

In some cases this may not be possible, or appropriate, and the trainee should then approach either the Chair of the Management Committee, or Pastoral Care Officer. If informal discussions do not resolve the problem, or any party concerned believes the issues to be sufficiently serious, then the formal matter should be dealt with by way of formal complaint.³

Complaints or Grievances by Trainees – Formal

If a trainee has a grievance they can take it up with the Chief Executive, or the Chair of the Training Committee. Grievances should normally be brought, in writing, within seven days of the incident or grievance.

If the Chief Executive or the Chair of the Training Committee is unable to resolve the matter to the satisfaction of the claimant within 10 working days the complainant can ask for the matter to be referred to a full meeting of the Training Committee. The Training Committee will give a full written response to the grievance or complaint as soon as practicable.

³ If a complaint is not resolved by Matrix' internal procedures a further avenue of appeal to an external, independent individual may be considered. Where the complaint concerns equal opportunities matters the individual should have relevant expertise.

A trainee may appeal to the Matrix Management Committee against any action taken or proposed under the disciplinary or grievance procedures. The decision of the Management Committee is final⁴.

Religious beliefs at Matrix

From December 2003 regulations to give effect to employment Directive (2000/7/8) comes into force. The regulations prohibit discrimination “on the grounds of religion or belief”. Matrix is an equal opportunity employer and is committed to ensuring that we do not discriminate. We are committed to equality of opportunity.

Matrix and its members and employees are committed to respecting the views of others. Harassment and victimisation of others because of their religion or religious beliefs will not be tolerated, and will be regarded as a serious disciplinary offence.

We are sensitive to the religious needs and observance of others and will consider all reasonable requests for discretionary time off for religious holidays and festivals or for time for prayer during office hours.

Matrix will not discriminate against members or employees who may wish to wear clothing on religious grounds (e.g Sikh men wearing turbans or Muslim women wearing headscarves), however, we will be mindful of Health and Safety at Work legislation.

Matrix will encourage job applications from particularly disadvantaged groups who may be under-represented at Matrix (for example by advertising in certain publications)

⁴ See separate policies on trainees.

APPENDICES

1. The Bar Equality Code and Code of Conduct – key provisions

The Equality Code for the Bar was first adopted by the Bar Council in September 1995. It sets out the Bar Councils policy on equal opportunities, describes the legislative and regulatory framework, and gives detailed guidance on the policies and practice to be followed by sets of barristers regulated under the Code of Conduct.

The Equality Code is organised into seven main sections as follows:

Section 1 – Regulatory and Legislative Framework

This section describes the requirements of the principal pieces of legislation and the relevant sections of the Code of Conduct of the Bar Council, in particular paragraphs 204 (prevention of direct or indirect discrimination), and 303 (regard for the Equality Code).

Section 2 – Unlawful and prohibited discrimination

This section defines and illustrates unlawful direct discrimination, indirect discrimination, and prohibited discrimination.

Section 3 – Guidance on Harassment

This section defines various categories of harassment and provides advice on procedures for dealing with allegations and instances of harassment.

Section 4 – Fair selection of pupils and tenants

This section details the processes that should be followed to ensure that the selection of pupils and tenants is fair.

Section 5 – Equality of Opportunity

This section details the commitments, procedures, training and guidelines that are required to ensure compliance with the Code in respect of equality of opportunity.

Section 6 – Monitoring

This section details the monitoring of procedures and outcomes that is required to ensure that equal opportunities policies and procedures are effective.

Section 7 – Complaints

This section describes the grievance and complaints procedures that are required to cover allegations of discrimination and harassment, and complaints about the selection of trainees, members or staff.

2. Trainee selection criteria

Candidates for traineeships at Matrix are screened against the following criteria;

- Academic Ability (maximum of 5 points available)
- Work Experience (up to 2 points)
- Legal Experience (up to 2 points)
- Advocacy Ability/Potential (up to 2 points)
- Matrix Attributes (e.g. interest in areas of law practised at Matrix; interest in Matrix' core values) (up to 2 points)
- Special (e.g. evidence of overcoming serious disadvantage or illness; outstanding achievements) (1 point)

3. Recruitment and selection – standard forms and documentation

3.1 Assessment of applications for shortlisting

Legal Information & Knowledge Manager - Scoring Sheet

Candidate's name:	
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Scoring	Unsatisfactory	Satisfactory	Good	Excellent
	0 points	1 point	2 points	4 points

Experience at senior level of legal info. & legal knowledge mgmt.				
Responsibility for an IT Initiative				
Project management				
Communication and marketing skills				
Experience in managing budgets and staff				
On-line resource/service development				
Commitment to a quality service				
General quality of application				

SUB TOTALS	N/A			
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TOTAL SCORE

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Comments:	
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Shortlist?

YES

OR

NO

3.2 Job description and person specification

Matrix Practice Assistant

Introduction

Matrix is one of the leading barristers' practices in the country. Our 47 members specialise in many different areas of the law. Matrix is managed as a modern business organisation with a Chief Executive, Administrator, fees and office administrators, and information and marketing team in addition to the staff members responsible for the management of barristers' practices. The practice teams consist of seven staff organised into two teams responsible for the management and development of the practices of members of Matrix. Each of the two practice teams is headed by a Practice Manager who is responsible directly for the practices of 20-25 barristers and has delegated responsibility for supervising more junior members of the staff. Each practice team also supports the work of the other team to ensure that all members receive high quality support.

The Practice Assistant:

- Is a deputy to the Practice Manager with delegated authority for the practices of individual barrister members and for management of more junior staff.
- Reports directly to the Practice Manager and through them to the Chief Executive.
- Is actively involved in marketing and practice development issues targeted at the needs of individual practices.

Person Specification

The successful candidate will be able to demonstrate, including through appropriate and relevant experience, that they can meet the requirements of the job description. They should have experience of clerking and/or practice management in the legal sector and be able to demonstrate a clear understanding of how this support is provided to practising barristers, based on relevant practical experience. The successful candidate will be well organised, flexible and committed to high quality service delivery. They will have strong negotiating and interpersonal skills.

Key attributes include

Essential

1. Experience of clerking and/or practice management in the legal sector. This experience may have been acquired with a set of barristers in England and Wales or with advocates practising in other jurisdictions,

or in other roles in the legal profession that can be demonstrated as equivalent to the former.

2. The ability to manage and develop the practices of a diverse team of barristers, including excellent interpersonal and negotiating skills.
3. The ability to manage and prioritise a complex and demanding work load.
4. Discretion, good judgment and the ability to handle sensitive issues skilfully.
5. A commitment to, and track record in providing, quality service to clients of all types.
6. A commitment to equal opportunities.
7. An understanding of and commitment to the core values of Matrix.

Desirable

1. A high level of IT literacy and experience in using the Meridian Practice Management or equivalent professional practice management software. Additional training will be provided if required.
2. Excellent numeracy skills.

Job Description

The Practice Assistant will:

Operations

1. Deal with professional enquiries about the experience and availability of members to assist with the provision of advice and advocacy
2. Organise bookings and diary management for members
3. Negotiate professional fees for members work discussing these with members and clients alike and taking guidance from more senior staff as necessary
4. Ensure that administrative aspects of members practices, e.g. the arrangement of meetings, court listings, etc. are organised in a highly efficient and effective manner

5. Assist the Practice Manager in forward reviews of members' diaries anticipating potential problems or gaps, chasing instructions, and negotiating staged payments and other matters as required.
6. Supervise and direct the work of more junior staff including the more junior Practice Assistant on the practice team, delegating work as appropriate.
7. Assist all other members of the staff team to provide an excellent standard of service to members and their professional clients, e.g. by liaising closely with Matrix Fees team to ensure that information for invoicing is provided in a timely and clear manner.
8. Provide appropriate support and cover for the practice management team in the event of the absence of colleagues for whatever reason, including providing overall management of the practice team in the absence of the Practice Manager.
9. Maintain good working relationships, including with barristers and others in Matrix, professional clients, partner organisations of Matrix, officers of the courts, and with staff and barristers in other chambers

Practice Development

10. Take an active part in regular practice review meetings with barristers directly supported by their practice team, contributing to the preparation and discussion of review notes and discussing issues relating to the development of members practices in an open and constructive manner.
11. Ensure, in cooperation with other staff, that actions agreed at regular practice review meetings are put into effect.
12. Support the Strategic Practice Management work of the Practice Managers and Chief Executive taking delegated authority for one or more areas of practice as appropriate
13. Contribute to marketing and other activities intended to promote and support the practice development of members and practice groups.

Administration and other duties

14. Participate in meetings of the staff group and, where appropriate, participate in other working or project groups that may be formed from time-to-time to take forward operational or strategic plans.

15. Cover other practice, clerking or administrative duties as directed from time-to-time by senior members of staff.

Contract Terms & Benefits

The post is full-time on a fixed-term contract for an initial period of eight months. It is anticipated that the successful candidate will take the post up from the start of June 2005.

The starting salary will depend on skills and experience. The position is paid on a scale starting at £40,015 and rising with length of service and assessed performance in post. A higher starting salary may be offered in exceptional circumstances

Working hours - 40 hours per week.

26 days' holiday (increasing by one day for each year of service up to a maximum of 30 days).

Office opening hours are Monday to Friday, 8 am to 7pm. The practice staff work a rota to cover these hours.

There is a voluntary contributory group pension scheme and an interest free travel loan is available after 3 months' service.

Matrix is proud to be an equal opportunities employer and is committed to diversity amongst its staff and its members, including supporting flexible working. We therefore encourage and welcome applications from women, people of minority ethnic origin and people with disabilities, as well as candidates from other groups which are under represented in the legal sector. We are happy to make reasonable adjustments to enable disabled candidates to demonstrate their suitability for the job.

3.3 Contract of employment

CONTRACT OF EMPLOYMENT

Name

This is a written statement of the terms under which you are employed as **Post** by **Matrix Chambers Limited** at **Griffin Building, Gray's Inn, London WC1R 5LN**.

1. Your employer is **Matrix Chambers Limited** hereafter referred to as Matrix.
2. Your employment as **Post** under this contract commenced on 25 October 2004. The date of commencement of your continuous employment with Matrix is 29 March 2004.
3. Your employment as **Post** is terminable at any time upon three month's written notice by either party.
4. You will be paid a salary of £xx,000 per annum, which will be reviewed on the successful completion of your 3 month probationary period. This will be reviewable on 1 February 2005 and annually after that, but with no guarantee of increase on any such review. Your salary will be paid monthly, one week in advance and three weeks in arrears. You will be eligible for a travel loan on completing three months continuous employment at Matrix. A written agreement specifying repayment terms will be signed by you and retained by the **Practice Administrator**.

Matrix offers all permanent employees access to a Group Personal Pension Plan. Matrix will contribute sums equal to 4% of your gross salary to the scheme from this date on condition that you also contribute 4% of your salary to the scheme.

Employees duties

5. You are employed to undertake the duties of **Post** as set out in the job description for the position. These duties may be amended with reasonable notice by the Directors of Matrix.
6. In undertaking those duties you will seek to give effect to Matrix's Core Values as set out in its Articles of Association. A wilful failure to do so will be treated as a disciplinary offence.
7. So long as you are employed by Matrix you may not without the written consent of the Directors of Matrix accept or fulfil any other appointment, engagement or employment inconsistent with your current employment with Matrix.

8. Matrix places great importance on confidentiality. You will not use or disclose any confidential information relating to Matrix, the personal or professional life of its members or staff, their work, their actual or potential clients or any other aspect of the Matrix business unless such use or disclosure is necessary in order to carry out your work or is required by law.
9. You shall agree, if so requested by the Directors, to be examined by an appointed registered practitioner at Matrix' expense at any time during your employment. You shall authorise the medical practitioner to disclose the results of such an examination to the Directors.

Employer's obligations

10. Matrix is committed to **equal opportunities** and to the elimination of unlawful discrimination including in employment. Our equal opportunities policies apply to all job applicants, employees, members, and pupils regardless of sex, sexual orientation, marital status, age, race, colour, nationality, national or ethnic origin, disability, religion, belief or political opinions. Any breach of these policies may be treated as a disciplinary offence.
11. Matrix is committed to providing a working environment that is free of **harassment, bullying or intimidation**. If you have any concerns in this respect you may, if you wish, discuss them in confidence with Clare Montgomery QC. It may be possible and sufficient, if you wish, for her to explain to the person concerned that the behaviour is unacceptable or to seek a resolution by other means agreed with you. Any such matters or complaints shall not be passed to a third party without your express permission. If the conduct continues or it is not appropriate to resolve the problem informally, you may raise a formal grievance (see paragraph 23).
12. Matrix will comply with all **health and safety** legislation and recognised good practice. All employees have statutory duties to observe health and safety requirements and to report accidents and incidents to the Directors.
13. If you are disabled and require reasonable adjustments to be made to some aspect of the premises or your working arrangements then you should contact the Chief Executive.
14. Matrix operates a **no smoking** policy on its premises.
15. Matrix is committed to the training and development of all employees. All employees will receive a basic induction training, and will be appraised by Directors and senior staff on a regular basis. A written report will be agreed after each formal appraisal session and this report shall make specific reference to an assessment of the training

and development needs of the employee and of plans to meet those needs.

Hours of work and annual leave

16. The Matrix office will be open between 8.00 a.m. and 7.00 p.m. The Working Time Regulations 1998 (WTR) introduce specific regulations regarding working hours, breaks, and holidays for all employees. All employees are encouraged to ensure that they exercise their entitlements to rest periods and holidays. The Chief Executive will provide you with further information on the WTR.

17. The holiday year will run from 1 May to 30 April and you will be entitled to 23 days paid annual leave plus all public holidays. This entitlement will increase by one day for each year of continuous service to a maximum of 27 days in any full leave year.

No more than 10 consecutive days leave may be taken without the express consent of the Directors of Matrix. All holidays require the consent of the Chief Executive and a formal record of leave taken will be maintained by the **Administrator**.

Leave not taken in the holiday year may not be carried forward to subsequent holiday years.

18. If you have to be absent from Matrix due to sickness or accident you should inform the **Administrator** by 10 a.m. on the first and each subsequent day of absence. You will be required to furnish a valid medical certificate for any absence of five or more consecutive days.

You shall be entitled to no more than ten days sickness or accident absence at full pay, plus ten days at half pay, in your first year of continuous employment. Thereafter your entitlement shall be a maximum of twenty days sickness or accident absence in all subsequent periods of twelve months continuous employment. Any absences over and above these limits shall be subject to Statutory Sick Pay.

19. Female employees who are pregnant and have completed 26 weeks continuous service up to and including the 15th week before their baby is due shall be entitled to be paid Statutory Maternity Pay (SMP) at rates dependent on how much longer than 26 weeks that they have been employed.

Female employees will receive payments for 18 weeks commencing when they stop work. Pay will be at 8/10^{ths} normal pay throughout the period of 18 weeks.

Female employees must give 21 days written notice of the date on which they plan to finish work and claim SMP. Employees must provide

the Directors with medical evidence to confirm the Expected Week of Confinement (EWC).

All female employees shall be entitled to a minimum of 18 weeks maternity leave (basic leave) but if an employee has been employed continuously for 52 weeks they shall be entitled to 29 weeks' maternity leave (extended leave).

Female employees are entitled to reasonable time off with pay for antenatal care.

20. Male employees shall be granted four weeks paid paternity leave in the event of the birth or adoption of a child. That leave may be taken prior to, or following the birth or adoption.

21. Compassionate leave will be granted in the event of the death or serious illness of a spouse, child, or immediate family. The length of leave granted will depend on the circumstances and shall be at the discretion of the Directors.

Disciplinary and grievance procedures

22. When it is necessary to invoke a disciplinary process the following procedures will be followed by the Chief Executive. The procedures have been designed to ensure that all employees are treated fairly and consistently.

The Chief Executive shall have the power to suspend an employee on full pay pending investigation if necessary. Suspension shall not be regarded as a disciplinary sanction. Prior to any disciplinary steps being taken the employee will be given written particulars of the concern expressed and notice of the time and date of any hearing

All employees are entitled to be accompanied at any hearing by another person of their choice.

First stage – verbal warning

A formal verbal warning designed to ensure that there is an improvement in performance or no repeat of any incident that has given rise to concerns.

Second stage – initial written warning

The warning will be confirmed to you in writing. It will contain a summary of the incident or circumstances giving rise to the warning, and detail the consequences of future repetition. This warning will set out improvements in conduct or behaviour that are required, the duration that the warning will apply, and the consequences of failure to respond as required. A copy of the warning will be kept on your personnel file. You will be notified of your right of appeal at this stage.

Third stage – final written warning

This will be given in writing and will state that if a further offence of specified misconduct is repeated your employment will be terminated. A copy of this warning will be kept on your personnel file. You will be required to acknowledge receipt of this warning.

Fourth stage – dismissal

This stage will normally result from continued failure to act upon provisions of earlier warnings. Dismissal will take effect immediately without prejudice to a right of appeal.

The Chief Executive may accelerate this procedure and leave out one or more stages in any case where he/she considers the circumstances to be sufficiently serious. Sanctions, including suspension on full pay, may be applied at any stage of the process. If you consider that you have been treated unfairly you may appeal in writing to the Directors.

A warning will usually apply for six months after which it will lapse. In the case of a final written warning, the warning will lapse after twelve months. The Directors shall have the discretion to extend the period of warning when appropriate.

Gross misconduct will normally result in instant dismissal without pay or pay in lieu of notice. Examples of gross misconduct will include:

- Theft or unauthorised possession of property belonging to Matrix
- Serious or wilful damage to, or misuse of, the property of Matrix, including wrongful use of IT equipment for purposes unrelated to the discharge of the employee's duties at Matrix
- Falsification of reports, accounts, expense claims or self-certification forms
- Intoxication while on duty by reason of drugs or alcohol
- The possession or control by the employee on the premises of Matrix of illegal drugs
- Violent, dangerous, or intimidatory conduct towards a member, employee, client or pupil of Matrix
- Sexual, racial or other harassment of a member, employee, client or pupil of Matrix
- The misuse or disclosure of confidential information about the business of Matrix, its members and their cases
- Gross negligence in the performance of an employees duties
- Wilful refusal to follow Matrix' procedures or to follow reasonable instructions
- Criminal convictions
- The non-disclosure of any offence relevant to employment by Matrix

- Such other serious matters which, in the opinion of the Directors, constitute gross misconduct subject to the right of appeal

You may appeal to the Management Committee against any action taken or proposed under the disciplinary procedures. The decision of the Management Committee shall be final.

23. In the event that any problems you encounter at Matrix cannot be resolved informally there is a formal **grievance procedure** that you may follow.

If you have a grievance you may take it up formally with the Chief Executive. Grievances should normally be brought within seven days of the occurrence of the matter giving rise to the grievance.

If the Chief Executive is unable to resolve the matter to your satisfaction within 10 working days you may ask for the matter to be referred to the Management Committee. The Management Committee, comprising the Directors of Matrix, will give you a formal written response to your grievance as soon as practicable.

You may appeal to the Management Committee against any action taken or proposed under the disciplinary and grievance procedures. The decision of the Management Committee shall be final.

Amendment of terms and conditions of employment

24. The Directors retain the discretion to make reasonable changes to your terms and conditions of employment. You will be given not less than one month's notice in writing of any changes. Such changes will be deemed accepted unless you notify the Chief Executive in writing before the expiry of this notice period.

Statutory Notices

25. All statutory notices shall be given to the Chief Executive.

Signed

Employee Name

Signed

Director of Matrix

Equal Opportunities Monitoring Form



EQUAL OPPORTUNITIES MONITORING FORM

The information you give will be treated as strictly confidential and will be used only for Equal Opportunities monitoring purposes. This form will be separated from your application form and will not be used at any stage of the selection process.

Post applied for:
Sex:
Age:
Where did you see this job advertised?

<p>Do you consider yourself to have a disability*? If yes, please state the nature of disability.</p> <p>*The Disability Discrimination Act defines disability as "A physical or mental impairment which has a substantial long-term effect on the person's ability to carry out normal day-to-day activities."</p>

Ethnic Origin (please tick the relevant box below):

White – British	<input type="checkbox"/>	
- Irish	<input type="checkbox"/>	
- Any other White background	<input type="checkbox"/>	*
Mixed – White and Black Caribbean	<input type="checkbox"/>	
- White and Black African	<input type="checkbox"/>	
- Any other mixed background	<input type="checkbox"/>	*
Black or Black British – Caribbean	<input type="checkbox"/>	
- African	<input type="checkbox"/>	
- Any other mixed background	<input type="checkbox"/>	*
Asian or Asian British – Indian	<input type="checkbox"/>	
- Pakistani	<input type="checkbox"/>	
- Bangladeshi	<input type="checkbox"/>	
- Any other Asian background	<input type="checkbox"/>	*
Chinese or Other Ethnic Group – Chinese	<input type="checkbox"/>	
- Other Ethnic Group	<input type="checkbox"/>	*

[* = please specify]

Please return this form with your application.
Thank you for your helping in completing this form.

4. Review of Disabled Access

A full review of disabled access to the business premises of Matrix was undertaken in May and June 2003. The review covered:

- Parking facilities and exterior access to Matrix' building
- Assistance to users of the building who have a visual impairment
- The height and positioning of stair rails
- Lift access and provision
- Floor surfaces at the entrance to the building
- Assistance to users of the building who have impaired hearing
- Access to Matrix web site
- Signage
- Interpreting support
- Door handles and closing mechanisms
- Specialist equipment
- Evacuation procedures
- Training needs

A further disability audit was carried out in August 2004.