

# EQUALITY & DIVERSITY POLICY

## 1. Introduction

The aims of this Equality and Diversity Policy are to:

- Declare the commitment of Matrix to the practical application and promotion of principles of equal opportunity and diversity,
- Communicate that commitment to Matrix members, employees, other workers, clients (lay and professional) and other service users, and
- Further our core values.

This policy applies to:

- Members, including associate and academic members,
- Employees,
- Applicants for membership, employment or other engagements,
- Trainees,
- Individuals on work experience,
- Contract workers (including casual workers),
- Agency workers,
- Volunteer workers,
- Clients (lay and professional) and other service users,
- Providers of services to Matrix,
- Anyone who has formerly fallen into one of the categories above, but whose relationship with Matrix has either terminated or altered, and
- Visitors to Matrix.

## 2. Statement of Policy

Matrix is committed to:

- Advancing equality of opportunity for all persons,
- Promoting a good and harmonious working environment in which all persons are treated with respect,
- Preventing occurrences of unlawful discrimination harassment and victimisation,
- Fulfilling all its legal obligations under the Equality Act 2010 and associated codes of practice,
- Fulfilling all equality and diversity obligations imposed by the Bar Standards Board,
- Complying with this Policy,
- Taking lawful positive action where appropriate, and
- Regarding breaches of this Policy as potential misconduct which may lead to disciplinary proceedings against members, employees and other workers, a cessation of the provision of services to clients or other service users or a cessation of dealings with service providers. For further information, please refer to the Conduct & Capability Procedures in the applicable Handbook.

Under this Policy, Matrix will not discriminate on the grounds of:

- Age,
- Caring responsibilities,
- Disability,
- Gender identity, including any gender identities outside of the gender binary,
- Gender transition or reassignment,

- Marital or civil partnership status,
- Mental health, whether or not it is also a disability,
- Pregnancy, maternity or parental leave,
- Race, colour, nationality, ethnic or national origins,
- Religion or belief (including absence of belief),
- Sex, and
- Sexual orientation
- Socio economic background or status.

These are known, collectively, as "protected characteristics".

Matrix stands against all forms of unlawful and unfair discrimination, including:

- Direct discrimination – less favourable treatment because of a protected characteristic.
- Indirect discrimination – the unjustifiable application of an apparently neutral provision, criterion or practice the effect of which is to put persons with a protected characteristic at a particular disadvantage compared to others.
- Pregnancy and maternity discrimination.
- Discrimination in relation to pay.
- Discrimination connected with disability – unjustified unfavourable treatment for a reason arising in consequence of a person's disability.
- Victimisation – the subjection of one person by another to a detriment because they have done, or the victimiser believes that the other person has done or may do, a protected act such as:
  - making an allegation of discrimination
  - giving evidence in proceedings relating to an act or acts of discrimination,
  - bringing proceedings relating to an act or acts of discrimination, or
  - doing any other thing for the purposes of equality legislation or in connection with it.
- Harassment – unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.
- Sexual harassment – unwanted conduct of a sexual nature/related to gender, gender reassignment or sex which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person and/or less favourable treatment for rejecting or refusing to submit to such conduct, and
- Failure to make reasonable adjustments to a provision, criterion, physical feature or practice which puts a disabled person at a substantial disadvantage in comparison with non-disabled people and/or unreasonable failure to provide auxiliary aids where to do otherwise would place a person at a substantial disadvantage.

Explanations of these concepts and examples can be found on the Equality and Human Rights Commission website: <https://www.equalityhumanrights.com/en>

All applicants for membership, employment, traineeship, and work experience and all others who work with or for us will be treated fairly and will not be discriminated against because of any of the protected characteristics by colleagues. We will also use our best endeavours to protect colleagues from discrimination or harassment in the course of their work by persons outside Matrix.

Decisions about membership, recruitment and selection, promotion, training, pay, disciplinary action and any other matter will be made objectively and with the aims and commitments in sections 1 and 2 of this Policy in mind.

This Policy has regard to the legal obligations, principles and guidance derived from the Equality Act 2010 and the related Codes of Practice.

Matrix recognises that the provision of equal opportunities in the workplace is not only right as a matter of principle and consistent with our core values, but that it is also good management practice.

This Policy will help us, and those who work with and for us, to develop our full potential, and thus promotes respect for the individual worth of all people involved with Matrix.

### 3. Implementation

Responsibility for implementation of this Policy lies with the Chief Executive, reporting to the Equality & Diversity Officer(s) and to the Management Committee (MC).

In order to implement the Policy, Matrix shall:

- Provide a copy of this Policy to all existing employees, members and trainees,
- Provide a copy of this Policy to all new employees, members and trainees in their induction packs as part of their initial diversity training,
- Require all employees, members and trainees to sign an acknowledgement that they have read and understood copy of this Policy,
- Publish a copy of this Policy on Matrix's website,
- Inform all job applicants, students on work experience, contract workers, agency workers and volunteer workers of the existence of this Policy and provide a copy of this Policy to such persons upon request,
- Include reference to this Policy in our Service Standards and any documents inviting tenders for work or services and identify the name of the person in Matrix from whom a copy of this Policy may be obtained,
- Retain a copy of this Policy on a public drive on the Matrix server and on the OLR,
- Produce an annual report on equality and diversity at the Matrix Annual General Meeting (AGM) each year,
- Have regard to this Policy when allocating work to third party organisations which do business with Matrix, monitor compliance with it thereafter, and endeavour to ensure that Matrix only does business with third party organisations who respect equal opportunities principles in their dealings with Matrix,
- Ensure that adequate resources are made available to fulfil the objectives of this Policy, and
- Create and implement an equality and diversity action plan that is reviewed annually by the EDO(s). This will be the responsibility of the EDO(s) in conjunction with the Management Committee. The action plan should be communicated to the MC and published in the MC papers for the benefit of all members.

### 4. Equality & Diversity Officer(s) at Matrix

Pursuant to the implementation of the BSB Equality rules, Matrix will appoint Equality and Diversity Officer(s) on the following basis:

Three Equality & Diversity Officers should be appointed:

- Two EDOs should be members (whether full, associate or academic) and one EDO should be a member of staff (except for the Chief Executive who should not act as the EDO at any time).
- EDOs who are members shall be appointed for a three year term, but are entitled to resign from the position on reasonable notice (which will normally be at least three weeks) at any time.

- Appointments shall, where possible, be staggered so that there is the ability for one EDO to have legacy knowledge on recent issues.
- None of the EDOs should be a member of the MC at any time during their appointment.
- EDOs will work collaboratively with the MC on a regular basis.
- The EDOs should have a good understanding of the principles of equality and discrimination law knowledge before taking up their role.
- The EDOs will be responsible for all equality and diversity regulatory matters as listed by the BSB rules.

#### *Appointment of EDOs*

The following procedure shall apply to the appointment of EDOs who are members:

- In good time before the expiry of an EDO's term or (where possible) before the expiry of any notice given by a current EDO, the MC shall invite members, to express an interest in becoming an EDO. The MC may, if it considers it appropriate, encourage particular individuals to express an interest.
- Any prospective EDO shall communicate their willingness to become an EDO to the MC.
- The MC shall identify a suitable candidate EDO from those who have expressed an interest or, if no person expresses an interest, take such further steps as it considers appropriate to identify a suitable candidate.
- The MC shall notify the membership and staff of its preferred candidate. The notice shall identify an email address to which any concerns or objections may be sent.
- Within seven days of such notice, any person may set out in an email and send to that email address any reasons why they consider a person may be unsuitable for such a post. Any such email will be treated by the MC in confidence.
- The MC shall consider any reasons offered, and decide whether or not to appoint the preferred candidate. Where an EDO is appointed, arrangements should be made for them to receive training as appropriate.
- The appointment of the EDO shall be endorsed by the membership at the next General Meeting or the next AGM (whichever is sooner). An appointed and endorsed candidate shall take up their position as EDO on the expiry of the term or notice of the existing EDO, as the case may be. An appointed candidate may take up the position pending endorsement.
- In a case where the MC decides not to appoint its preferred candidate, or the membership does not endorse the appointment, the MC shall identify another preferred candidate from any person who has expressed an interest and shall follow the procedure set out above.

#### 5. Training under this Policy

Matrix will provide equality and diversity training at least every three years to all members and staff.

Such training will be mandatory for all members and staff. This includes associate and academic members.

Failure to attend equality and diversity training without good reason shall be considered a breach of this Policy and sanctions may be applied pursuant to the Conduct & Capability Procedure.

Other than in exceptional circumstances, no members or employees shall take part in assessing candidates for recruitment or promotion unless they have received training in non-discriminatory selection techniques within the previous three years.

Any training provided will, as a minimum, address all criteria set out in the BSB Equality Rules and take into account the advice on non-discriminatory recruitment in Part 2 of the EHRC's Code of Practice on Employment.

## 6. Recruitment and our obligations under this Policy

Information about vacant posts for employment, traineeship, membership or work experience will be provided in a manner that does not restrict its audience in terms of any protected characteristic.

Matrix will publish the statement set out below on detailed vacancy information for job vacancies, work experience placements, traineeship and membership posted on its website:

*Matrix strives to be an equal opportunities employer and is committed to diversity amongst its staff, members and trainees. We therefore encourage and welcome applications from underrepresented or disadvantaged groups (including, for example, women, BAME candidates, disabled candidates and LGBT+ candidates). We are happy to make reasonable adjustments to enable disabled candidates to demonstrate their suitability for the job and to consider flexible working in appropriate cases.*

All vacancies for employment will be notified internally via the intranet as well as externally, through appropriate non-discriminatory advertising.

Where appropriate, persons from underrepresented groups will be particularly invited to apply and Matrix will endeavour to use those advertising media that are likely to attract the widest and/or most diverse group of candidates.

Descriptions and specifications for posts be reviewed by an EDO so as to ensure that they do not discriminate and will include only those requirements that are reasonably necessary and justifiable for the performance of the job.

All selection will be conducted against defined criteria and will deal only with the applicant's suitability for the job.

In the case of short-term or casual work where a full and open recruitment process would be disproportionate, recruitment will be through a Job Centre or any another appropriate agency that demonstrates compliance with good equal opportunities practice generally, and in particular in relation to the selection of candidates for work.

## 7. Monitoring and Review of Diversity Data

Matrix will establish appropriate information, monitoring and review systems to assist the effective implementation of this Policy. These measures are set out in the Diversity Data Policy.

## 8. Work allocation monitoring

Matrix is committed to the review and analysis of the allocation of work to members. This process is set out in the Fair Allocation of Work Procedure.

The reporting of work allocation monitoring results shall prioritise the anonymity of members and their protected characteristics, and therefore the redaction of information may be required in order to preserve identities.

## 9. Complaints

Anyone to whom this Policy applies who believes that they have suffered any form of discrimination, harassment or victimisation contrary to this Policy, is entitled to raise that concern. They should seek advice from an EDO, and/or should follow the Grievance & Complaints Procedure contained in this Handbook. They should also refer (if applicable) to the Anti-Harassment & Anti-Bullying Policy.

Anyone to whom this Policy does not apply, who wishes to make a complaint relating to breach of this Policy by someone to whom it does apply, should raise that complaint with the Chief Executive, who will decide how the complaint ought to be addressed within our internal Conduct & Capability or Grievance & Complaints Procedures.

All complaints in relation to this Policy will be treated seriously and promptly.

#### **10. Support and advice under this policy**

You are able to seek the advice of an EDO in relation to any matter relating to this Policy (Matrix's EDO's are: [Sarah Hannett](#), [Mathew Purchase](#) and [Isabel Baylis](#)).

Further support is available for members and employees of Matrix and can be found on the intranet.