

1 Introduction and scope

- 1.1 All personnel must be aware of the firm's policy in relation to discrimination, equality and diversity. The policy deals with all professional dealings by personnel with clients, other solicitors, barristers and third parties, and so covers:
- accepting instructions from clients
 - using experts and counsel
 - the provision of services to clients
 - dealings with those representing others
 - interaction with anyone involved in or incidental to the provision of services by the firm
- 1.2 The policy also extends to the recruitment, training and promotion of people within the firm.
- 1.3 All personnel must satisfy the outcomes and indicative behaviours (i.e. the professional standards) as specified in the Solicitors Regulation Authority (SRA) Code of Conduct in addition to their statutory obligations.

Warning: Failure to comply with the professional standards, statutory obligations and/or the firm's policies as set out in this manual may be treated as gross misconduct and result in disciplinary action.

2 Responsibility

- 2.1 Helen Holmes has overall responsibility for the drafting and application of this policy and ensuring that it operates effectively. All staff or employees are responsible for adherence to the policy

3 Forms of discrimination

- 3.1 The firm's policy covers discrimination on the grounds of:
- Race or racial group (including colour, nationality and ethnic or national origins)
 - Sex (including marital or civil partnership status, gender reassignment, pregnancy, maternity and paternity)
 - Sexual orientation (including civil Directorship status)
 - Religion or belief
 - Age
 - Disability
 - Employment status (fixed or part-time)
 - Trade Union membership/non-membership.

The types of action that are against the firm's policy are:

- Direct discrimination, where a person is, without lawful cause, less favourably treated on any of the above grounds
- Indirect discrimination, where a requirement or condition that cannot be justified is applied equally to all groups but has a disproportionately adverse effect on members of one particular group by reason of any of the above grounds
- Victimization, where someone is treated less favourably than others because he or she has taken action against the firm for unlawful discrimination on one or more of the above grounds

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- Harassment, which occurs when unwanted conduct on one of the above grounds has the effect of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person

4 Disability provisions

- 4.1 In addition to the firm's obligations not to discriminate against, harass or victimise those with a disability the firm is also subject to a duty to make reasonable adjustments to prevent those employees, Directors and clients who are disabled from being at a disadvantage in comparison with those who are not disabled.

5 Policy statement

- 5.1 Yarwood Holmes Law Limited is therefore committed to avoiding discrimination in its dealings with clients, employees and all other third parties that have dealings with the firm. It is committed to promoting diversity in its professional activities.
- 5.2 Everyone at the firm is expected and required to treat all others equally and with the same attention, courtesy and respect regardless of their:
- race or racial group (including colour, nationality and ethnic or national origins)
 - sex (including marital or civil partnership status, gender reassignment, pregnancy, maternity and paternity)
 - sexual orientation (including civil Directorship status)
 - religion or belief
 - age
 - disability
 - employment status
 - membership or otherwise of a trade union
- 5.3 In addition, the firm will ensure that nobody with whom it has dealings will suffer any substantial disadvantage through any disability that they might have. The firm is committed to making reasonable adjustments for those with a disability in relation to job opportunities, promotion and training within the firm and in the provision of services to clients.
- 5.4 All the areas of discrimination set out in sections 1.5 and 1.8 are collectively referred to as ~~the~~ the above grounds in the rest of this section.

6 Enforcement

- 6.1 Everyone should be aware that failure to comply with the policy is a potential major risk to the practice. The firm does not carry insurance against the consequences of any unlawful act and therefore any claims in this regard are also likely to involve the firm in potential cost and managerial time. Further, any such act may amount to a serious breach of the SRA Code of Conduct and therefore be reportable to the SRA, which could have an adverse impact on this firm and the individual involved. If anyone is concerned that a breach of this policy may be occurring, or has a complaint that they have been the victim of discrimination in accordance with this policy, they should immediately report this to the COLP.

7 Training

- 7.1 All personnel, including newly recruited members of staff as part of their induction programme, will receive training on equality and diversity.

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8 Planning

- 8.1 The COLP in conjunction with the management team, has considered all aspects of the firm's operations to ensure compliance with the professional rules. Any developments of the firm's strategic and business planning, or changes in this manual, will similarly be examined in order to ensure that no inadvertent breach of the firm's policy occurs.

9 Clients

- 9.1 The firm is free to decide whether to accept instructions from any particular client, however any refusal to act will not be for any reason which could amount to discrimination (see above) and care must also be taken to avoid there being any perception that discrimination may apply.
- 9.2 The office enjoys reasonable access for people with mobility problems by way of providing ground floor access. The firm will offer home and hospital visits to further promote access to our services.

10 Barristers and other experts

- 10.1 Barristers and experts should be instructed on the basis of their skills, experience and ability. The firm will not discriminate in the instruction of barristers and/or experts on any of the above grounds.
- 10.2 A client's request for a named barrister or expert should be complied with, subject to the firm's duty to discuss with the client the suitability of the barrister or expert and to advise appropriately. The firm has a duty to discuss with the client any instruction by the client as to choice of barrister or expert that is based on any of the above grounds. The firm will endeavour to persuade the client to modify instructions that appear to be given on discriminatory grounds. Should the client refuse to modify such instructions, the firm will cease to act unless the preference can be justified under the permitted statutory exceptions referred to as genuine occupational requirements or genuine occupational qualifications.

11 Employment, training, promotion and Directorship opportunities

- 11.1 Yarwood Holmes Law Limited is committed to providing equal opportunities in employment. This means that all job applicants, employees and Directors will receive equal treatment in relation to the above grounds.
- 11.2 The firm will also comply with the law and the professional requirements in relation to its Directors or prospective Directors. The existing Directors will not unlawfully discriminate on any of the above grounds when offering future Directorship, the terms on which any Directorship is offered, or by refusing to offer, or deliberately not offering, a Directorship to anyone. Nor shall the Directors discriminate in any way in relation to the provision of benefits to any Director, or in relation to any matter relating to the expulsion of any Director or any detriment to be suffered by him/her.

12 Positive action

- 12.1 Although it is unlawful to discriminate in favour of certain groups on the grounds of race or sex, positive action to enable greater representation of under-represented groups is permitted by law and the appropriateness of such action will be kept under review.

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13 Recruitment agencies

- 13.1 The firm will take steps to ensure that applications are attracted from people without regard to the above grounds and will ensure that there are equal opportunities in all stages of the recruitment process.

14 Raising Concerns

- 14.1 Any act or omission which amounts to a breach of this policy by anyone in the firm, its employees, agents or representatives should immediately be reported to the COLP. The circumstances giving rise to the act or omission will be reviewed by the COLP and where there is evidence of non-compliance a record of the non-compliance or breach will be made by the COLP together with any corrective action taken to mitigate the breach. Any serious or material breaches will be reported immediately to the SRA.

15 Monitoring and review

- 15.1 This policy is the responsibility of Helen Holmes. It will be monitored regularly by her on behalf of the firm to judge its effectiveness and a formal review will take place in March each year. The firm will monitor the ethnic and gender composition of existing staff and of applicants for jobs (including promotion), the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the firm will implement them. Any developments of the firm's strategic and business plans, or changes in this manual, will similarly be examined to ensure that no inadvertent breach of the policy occurs.