

Equality and Diversity Policy

Professional Rules

AWS Solicitors is required to run its business in a way that encourages equality, diversity and inclusion. See [Principle 6 of the SRA Standards and Regulations](#).

Collective Commitment

AWS is committed to eliminating discrimination and promoting equality and diversity in its own policies, practices and procedures and in those areas in which it has influence, including in any subcontracted work.

AWS has zero tolerance policy about anything which breaches this. All employees and outsourced suppliers must comply. Failure to do so will be treated as gross misconduct entitling dismissal or a breach of contract entitling termination.

Firm

As a firm of professionals not just legal, AWS Solicitors are committed to promoting equality and diversity within our policies, practices and procedures and we are committed to promoting equality and diversity in AWS.

We commit that we will treat everyone equally and with the same attention, courtesy and respect, regardless of:

- ◇ sex
- ◇ pregnancy and maternity/paternity
- ◇ sexual orientation
- ◇ race or racial group
- ◇ religion or belief
- ◇ age
- ◇ marital status
- ◇ disability, or
- ◇ any subject which differentiates

A full Equality and Diversity policy which forms part of our internal Office Manual is available on request to one of the Partners on a.wattoo@awssolicitors.co.uk.

Employment and partnership

AWS treats everyone fairly and with respect, by embedding equality of opportunity and respect for diversity, and preventing unlawful discrimination in the workplace. AWS implements the government guidance on this important policy.

To ensure equality in the treatment of employees AWS will:

- annually audit all employment policies and procedures to identify any areas where there may be risks of non-compliance with the requirements of the Equality Act 2010
- plan a strategy for the implementation of new compliant policies where any problems are identified

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- implement anti-discrimination policies and practices. All staff will be trained (see below) on their obligations under the Equality Act
- audit all policies and procedures as part of the yearly review of this manual taking into account the changing needs of AWS's employees
- make reasonable adjustments to ensure that disabled employees are not placed at a substantial disadvantage compared to those who are not disabled, without passing on the costs of these adjustments to disabled employees
- monitor its employees to enable verification of whether or not the measures in place are being implemented effectively
- deal with any complaints of discrimination promptly, fairly, openly and effectively

Recruitment and Selection

AWS follows the advice on recruitment published by the Equality and Human Rights Commission. AWS recognises the benefits of having a diverse workforce and will take steps to ensure that:

- it avoids direct and indirect discrimination in recruitment and selection, for example by compiling a written job description and person specification in plain English without making assumptions of the sort of person who might do it
- it recruits from the widest pool of qualified candidates possible, for example by providing information in alternative formats and making reasonable adjustments for disabled applicants
- employment opportunities are accessible to all on the basis of their individual qualities and personal merit and not on the basis of subjective attributes, for example by having a uniform list of interview questions
- 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
- selection criteria and processes do not discriminate unjustifiably on any of the Protected Characteristics
- wherever appropriate and necessary, lawful exemptions will be used to recruit suitable staff to meet the special needs of particular groups
- publicity material for vacancies will say 'We welcome enquiries from everyone and value diversity in our workforce'
- all recruitment agencies and anyone involved in the recruitment and selection process follow AWS's policy

Suppliers

All lists of approved suppliers and databases of contractors, agents and other parties who, or which, are regarded as suitable to be instructed by those within AWS have been compiled only on the basis of the ability of those persons or organisations to undertake work of a particular type and contain no discriminatory exclusion, restriction or preference.

Training

AWS uses several types of training including mentoring, in-house workshops, and external courses. In selecting people for training, AWS will make no assumptions on the basis of a person's Protected Characteristics about their ability to take part in training or the benefits they will gain.

Training will be offered flexibly, for example by changing the times style and location to avoid unlawful discrimination. If anyone has any concerns or considers that they will require reasonable adjustments then they should raise this with their Supervisor.

Conditions of service

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AWS will treat everyone equally and create a working environment which is free from discrimination and harassment and which respects, where appropriate, the diverse backgrounds and beliefs of everyone.

Terms and conditions of service will comply with the Equality Act. Benefits such as working hours, maternity and other leave arrangements, performance appraisal systems, dress code, access to facilities at work, bonus schemes and any other conditions of employment will not discriminate against anyone on the grounds of their Protected Characteristics.

Promotion and Career Development

Promotion within AWS will be made without reference to any of the Protected Characteristics and will be based solely on merit to include women who are pregnant or on maternity leave.

Selection criteria and processes for promotion will be kept under review to ensure that there is no unjustifiable discriminatory impact on any particular group. In particular when assessing a disabled person's suitability for the role AWS will assess how making reasonable adjustments could enable them to meet the new requirements.

Whilst positive action measures (for example, pre-application training) may be taken in accordance with the Equality Act (for example, because on evidence participation in an activity by people who share a Protected Characteristic is disproportionately low) to encourage under-represented groups to apply for promotion opportunities, recruitment or promotion to all jobs will be based solely on merit.

Delivery of Service

AWS follows the advice on delivery of service published by the Equality and Human Rights Commission. AWS recognises that everyone is different and will take steps to ensure that:

- it avoids making assumptions about people because of a Protected Characteristic
- it will audit existing client delivery policies and procedures, removing or amending anything that hinders equality in the provision of services, for example communicating in large print to partially sighted clients
- it communicates this policy to all staff with appropriate training with the clear message that it is unacceptable and unprofessional to discriminate
- clients are aware of AWS's complaints procedure, ensuring that the procedure is accessible to people with communication difficulties
- the Risk Partner monitors the complaints procedure for indications of practices or conduct suggesting a possible breach of the Equality Act and of the SRA Code of Conduct 2011
- the keeping of records and the ways in which changes are made to the keeping of records do not discriminate, for example not asking transsexuals for greater proof of identity than heterosexuals
- clients with a learning disability are offered the use of an independent advocacy service rather than the presence of relatives causing a breach of confidentiality

AWS will not act towards clients – or towards anyone to whom it delivers a service – in breach of this Policy. Specifically it will not:

- refuse to provide service someone or to take them on as a client because of a Protected Characteristic
- stop offering or refuse to offer a service to someone if we continue offering that service to others who do not have that Protected Characteristic. For example we will not refuse a home visit to someone with a mental health condition
- provide a lesser service or a service with worse terms to someone with a Protected Characteristic, for example we will not charge more to people with a Protected Characteristic
- put people at any other disadvantage, for example by refusing to make reasonable adjustments in the delivery of services to disabled people

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- promote its services on the basis that they are not available to anyone with a Protected Characteristic
- refuse to make reasonable adjustments in the way it supplies information
- publish discriminatory material on its website

Counsel and experts

Counsel and experts must be instructed solely on the basis of their skills, experience and ability. AWS will not, on any of the Protected Characteristics, avoid:

- briefing a barrister
- will not request barristers' clerks to do so
- instructing an expert

Clients' requests for a named barrister or expert should be complied with, subject to AWS's duty to discuss with the client the suitability of the barrister or expert and to advise appropriately.

AWS will discuss with the client any request by the client that only a barrister who has no Protected Characteristics be instructed. Absent a valid reason for this request AWS will endeavour to persuade the client to modify their instructions. If the client refuses to modify their instructions, AWS will cease to act.

Dealing with complaints and disciplinary issues in breach of the policy

If you wish to complain about discrimination, you should complain, in complete confidence, to the Senior Partner, Russell Conway. AWS will take any complaint seriously even if raised outside the formal grievance procedure and will investigate sensitively and with discretion in every case. The investigation will be prompt, fair, and impartial, taking care to ensure that the reputation of each party is not unjustly affected during its course.

The method of investigation will depend on whether the complaint is formal or informal: for example if the complaint is informal the Senior Partner will not interview the alleged wrongdoer without the complainant's consent.

If the alleged discrimination, victimisation or harassment involves a client, or if a client is alleged to have acted in a discriminatory or harassing manner, you must report the matter to the Senior partner without delay. The Senior Partner and the matter Supervisor will consider appropriate action to deal with the problem.

The Senior Partner will share a full record of the progress and outcome of the investigation and any steps taken with the complainant as soon as possible but having regard to any further measures being taken, for example it might not be appropriate to share if disciplinary action is being taken.

Complainants must rest assured that if, after sensitive investigation, it is found that somebody has discriminated unlawfully, matters will be put right. This will usually include formal disciplinary action and changing whatever caused the incident in the first place. If it is found that there was no breach of the Policy AWS nonetheless recognises that a way needs to be found for everyone to continue to work together.

Given the potential consequences of a complaint, a complaint made maliciously and without substance will be treated as gross misconduct.

AWS will protect individuals who make a complaint or assist in an investigation from harassment and victimisation. Retaliation or intimidation against the complainant will be treated as a disciplinary matter.

Monitoring Diversity

There is no legal obligation to monitor diversity but AWS recognises that doing so will help to assess whether, for example, AWS is:

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- recruiting employees who are disadvantaged or under-represented
- promoting people fairly whatever their Protected Characteristic
- checking that pay for women and men is comparable in similar or equivalent jobs, or because the work is of equal value in relation to factors such as effort, skill and decision-making
- making progress towards the aims set out in this Policy

AWS monitors the following information:

- number of formal and informal complaints on equality and diversity issues
- how many people with a particular Protected Characteristic apply for each job, are shortlisted and are recruited or promoted
- how many people in the workforce have a particular Protected Characteristic and the levels within the Practice that they are employed at
- satisfaction levels of staff with a particular Protected Characteristic
- whether disciplinary action is disproportionately taken against workers with a particular Protected Characteristic

AWS will issue a monitoring questionnaire to

- all job applicants at the time of application
- all staff annually
- on an anonymous basis so as to preserve confidentiality

The form will explain why the information is being gathered (the reasons are set out in the paragraph immediately following the heading 'Monitoring Diversity'. Applicants will be asked to return the form with the rest of the application; existing staff will be asked to return the form in a sealed envelope with a pre-printed label to avoid handwriting recognition within two weeks.

The form will ask questions asking employees to respond according to each of the Protected Characteristics. Form design is not set in this Policy as it will likely change and evolve over time. AWS undertakes that it will:

- not use the information to discriminate, harass or victimise anyone
- gather, keep and use information in a way that means this is true, for example, monitoring forms completed by job applicants are separated from their application forms by the Receptionist who is not involved in the decision about who to shortlist and interview AWS will not treat someone less favourably because they refuse to supply monitoring information.

Collating data is pointless unless it is used. Data collected will be analysed to:

- compare the position and treatment of workers with certain Protected Characteristics within the workforce compared with those without those Characteristics
- see whether AWS has met its equality aims and to make the policy a reality
- inform and develop AWS's training plan, referred to in section 5 of this manual
- help AWS to set appropriate targets for its equality policy action plan
- help plan positive action campaigns. These might be targeted at existing staff or externally at the local community with the aim of increasing the talent pool from which AWS recruits
- changing recruitment methods
- plan ways to engage with more potential customers

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- demonstrate awareness of these issues in tenders for public work with a view to help win contracts

The Risk Partner will keep the data totally confidential, sharing only on a 'need to know' basis. To avoid any risk of discrimination or victimisation and so as to encourage the fullest collection of information, the data collected will not be published.

Training on this policy

AWS is committed to ensuring that all Partners, Supervisors and staff are trained in equality and diversity.

Equality and diversity forms an integral part of induction training, and all new employees are made aware of our Equality and Diversity Policy.

All personnel in AWS receive in-house training on all aspects of this policy annually.

Duties of Supervisors

It is the responsibility of all Supervisors to ensure the implementation of this policy and to ensure compliance.

Responsibility and Review

The Partners have considered all of AWS's operations to ensure compliance with this Policy. Any developments of AWS's strategic and business planning, or changes in this manual, will similarly be examined in order to ensure that no inadvertent breach occurs.

The policy is reviewed on a continual basis having regard to changes in legislation, practice notes from the Law Society or from the SRA on issues of equality and diversity and AWS's policies and procedures. The Senior Partner, Russell Conway, is responsible for the Equality and Diversity Policy. He will formally review and report to the Partners meeting quarterly in relation to the policy and issues of equality and diversity. The December review will take the form of an annual review and will be recorded in the annual reviews folder