



EQUALITY AND DIVERSITY POLICY

(a) Commitment

We, Star Legal Limited, are committed to eliminating unlawful discrimination and to promoting equality and diversity within our policies, practices and procedures.

We are also committed to promoting equality and diversity in Star Legal Limited.

This applies to our professional dealings with clients, staff members and directors, other solicitors, barristers, and third parties.

We shall treat everyone equally and with the same attention, courtesy and respect regardless of:

- (i) age;
- (ii) disability;
- (iii) gender reassignment;
- (iv) race;
- (v) religion or belief;
- (vi) sex;
- (vii) sexual orientation;
- (viii) marriage or civil partnership status;
- (ix) pregnancy and maternity; or
- (x) caring responsibility.

(b) Legislation

We will take all reasonable steps to ensure that we and our staff do not unlawfully discriminate under the terms of the Contracts and any legislation in force from time to time relating to discrimination in employment and the provision of facilities or services.

2. Meeting Clients' Needs

(a) General statement

As a provider of legal aid services, Star Legal Limited will treat all clients equally and fairly and not unlawfully discriminate against them. Star Legal Limited will also, wherever possible, take steps to promote equal opportunity in relation to access to the legal services that we provide.

(b) Identifying clients' needs

Star Legal Limited is committed to meeting the diverse needs of clients. We will take steps to identify the needs of clients and develop policies and procedures setting out how we will meet clients' needs. We will consider the needs of clients with a disability and clients who are unable to communicate effectively in English. We will consider whether particular groups are predominant within our client base and devise appropriate policies to meet their needs, including: men and women; carers; children; the elderly; members of religious groups; ethnic groups or nationalities; and lesbian, gay, bisexual and transgender people.

(c) Communications Plan

Star Legal Limited will devise ways and methods to promote and raise awareness of policies and procedures for ensuring that our services are accessible for a diverse range of clients. Our communications plan sets out what steps we have taken and/ or will take to put in place customer service policies and procedures to make our services accessible to clients. It contains a list of policies and procedures; information about what steps we will take to put them in place; who is responsible for them; and how we will make our policies and procedures openly available for the public.

Workers, lawyers, and directors will be informed of the Communications Plan and the training provided where appropriate to ensure that it is effectively implemented.

3. Dealings with third parties

(a) General statement

Star Legal Limited will not unlawfully discriminate in dealings with third parties. This applies to dealings with other legal service providers and general procurement.

(b) Dealings with barristers

Star Legal Limited will instruct barristers on the basis of their skill, experience and ability and not unlawfully discriminate, or encourage barristers' clerks to unlawfully discriminate, on the grounds of their age; gender; marital status; race; religion or belief; sexual orientation; transgender or on the grounds of disability.

4. Employment

(a) General statement

As an employer, Star Legal Limited will treat all employees and job applicants equally and fairly and not unlawfully discriminate against them. This applies equally to voluntary positions and anyone undertaking work experience with us. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation and any other employment-related activities.

(b) Recruitment and selection

Star Legal Limited recognises the benefits of having a diverse workforce and will take steps to ensure that:

- (i) we endeavor to recruit from the widest pool of qualified candidates practicable;
- (ii) employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit;
- (iii) where appropriate, positive action measures are taken to attract applications from all sections of society and especially from those groups which are underrepresented in the workforce;
- (iv) selection criteria and processes do not unlawfully discriminate on the grounds of sex (including marital status, gender reassignment, pregnancy, maternity and paternity), sexual orientation (including civil partnership status), religion or belief, age or disability; other than in those instances where Star Legal Limited is exercising permitted positive action or a permitted exemption;
- (v) wherever appropriate and necessary, lawful exemptions (genuine occupational requirements) will be

used to recruit suitable staff to meet the special needs of particular groups;

- (vi) all recruitment agencies acting for Star Legal Limited are aware of requirements not to discriminate and to act accordingly.

(c) Discrimination

- (i) Employees, workers, lawyers, and directors of Star Legal Limited must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts, and on work-related trips or events including social events).

- (ii) The following forms of discrimination are prohibited under this policy and are unlawful:

- **Direct discrimination:** treating someone less favourably because of a protected characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.
- **Indirect discrimination:** a provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.
- **Harassment:** this includes sexual harassment and other unwanted conduct related to a protected characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- **Victimisation:** retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

(d) Conditions of service

The Star Legal Limited will treat all employees equally and create a working environment which is free from unlawful discrimination and which respects the diverse backgrounds and beliefs of employees. Terms and conditions of service for employees will comply with anti-discrimination legislation. The provision of benefits such as flexible working hours, maternity and other leave arrangements, performance appraisal systems, dress code, bonus schemes and any other conditions of employment will not unlawfully discriminate against any employee on the grounds of their age; gender and gender reassignment; marital status; race; religion or belief; sexual orientation or on the grounds of disability.

Where appropriate and necessary and consistent with client service, Star Legal Limited will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of employees which arise from their ethnic or cultural background; gender and gender reassignment; responsibilities as carers; disability; religion or belief or sexual orientation.

(e) Promotion and career development

Promotion within Star Legal Limited (including directors) will be made without reference to any of the protected characteristics and will be based solely on merit. The selection criteria and processes for recruitment and promotion will be kept under review to ensure that there is no unjustifiably discriminatory impact on any particular group.

While positive action measures may be taken in accordance with relevant anti-discrimination legislation to encourage applications from under-represented groups, appointments to all jobs will be based solely on merit. All employees will have equal access to training and other career development opportunities appropriate to their experience and abilities. However, Star Legal Limited will take appropriate positive action measures (as permitted by the anti-discrimination legislation) to provide special training and support for groups which are under-represented in the workforce and encourage them to take up training and career development opportunities.

(f) Training Plan

Star Legal Limited will identify equality and diversity training needs and draw up a plan to address these as appropriate to their responsibilities. The plan will include details of the sort of training that will be provided, who will be trained, when training will be provided and who is responsible in Star Legal Limited for ensuring that training is delivered. Employees, workers, lawyers, and directors will be informed of this equality and diversity policy and training plan. Written instructions will be provided to managers and supervisors on equality in recruitment selections, training, promotion, discipline and dismissal of staff.

- Training needs will be identified through regular annual appraisals. As may be identified you will be given appropriate access to training within Star Legal Limited and all promotion decisions will be made on the basis of merit.
- All managers and staff responsible for recruitment and selection of staff will be required to undertake equality training and must undertake advertising, selection and recording of the selection process in accordance with this policy and Star Legal's procedures and written guidance.
- Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of Star Legal Limited. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all of you who should have access to them and that there are no unlawful obstacles to accessing them.
- Training records will be maintained and reviewed at least annually to ensure that all managers and any staff responsible for recruitment and selection have undergone equality training.

(g) Working with other organisations

All those who act on behalf of Star Legal Limited will be informed of this equality and diversity policy and will be expected to pay due regard to it when conducting business on behalf of Star Legal Limited. In all its dealings, Star Legal Limited will seek to promote the principles of equality and diversity.

5. Implementing the policy

(a) Responsibility

Ultimate responsibility for implementing the policy rests with Star Legal Limited. Star Legal Limited will appoint a senior person within it to be responsible for the operation of the policy. That person is Huw Jones. All employees, members and directors of Star Legal Limited are expected to pay due regard to the provisions of this policy and are responsible for ensuring compliance with it when undertaking their jobs or representing Star Legal Limited.

Acts of unlawful discrimination against any of the protected characteristics by employees or members or directors of Star Legal Limited may result in disciplinary action. Failure to comply with this policy will be treated in a similar fashion. The policy applies to all who are employed in Star Legal Limited and to all workers, lawyers, and directors.

All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice which will be reinforced with written instructions and appropriate documentation. Huw Jones has overall responsibility for equal opportunities training.

If you have any questions about the content or application of this policy, you should contact Huw Jones to request training or further information.

Acts of unlawful discrimination on any of the forbidden grounds by those acting on behalf of Star Legal Limited will lead to appropriate action by the Legal Aid Agency.

Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting Huw Jones.

(b) Complaints of discrimination

Star Legal Limited will treat seriously all complaints of unlawful discrimination on any of the forbidden grounds made by employees, members, directors, clients, barristers or other third parties and will take action where appropriate.

All complaints will be investigated in accordance with the grievance or complaints procedure of Star Legal Limited and the complainant will be informed of the outcome.

Star Legal Limited will also monitor the number and outcome of complaints of discrimination made by employees, workers, lawyers, directors, barristers, and other third parties.

(c) Monitoring

Star Legal Limited will monitor and record equal opportunities information about employees, workers, lawyers, and directors on the basis of age, gender, ethnicity, and disability.

Where it is possible to do so, and where doing so will not cause offence or discomfort to those whom it is intended to protect, we will monitor the sexual orientation and religion or belief of staff, members and directors so as to ensure that they are not being discriminated against in terms of the opportunities or benefits available to them. We are aware that individuals may choose not to disclose their sexual orientation or religion or belief and that care will be taken to avoid inadvertent discrimination in such cases.

We will store equal opportunities data as confidential personal data and restrict access to this information. Equal opportunities information will be used exclusively for the purposes of equal opportunities monitoring and have no bearing on opportunities or benefits.

Star Legal Limited will monitor all elements of:

- (i) recruitment and selection process (applicants and existing staff and directors);
- (ii) promotion and transfer;
- (iii) training (all training opportunities not restricted to equality and diversity training);
- (iv) terms and conditions of employment;
- (v) take up of benefits (work life balance policies e.g. flexible working requests)
- (vi) grievance and disciplinary procedures;
- (vii) resignations, redundancies, and dismissals.

Star Legal Limited will review on an annual basis, the representation of the groups identified above and where under representation of any particular group is identified consider the need for positive action and / or training and take professional advice as appropriate. We will report our annual findings and consult on equality issues with our workforce.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of Star Legal Limited. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

Star Legal limited's conditions of service, benefits and facilities will be reviewed regularly to ensure that they are available to all of you who should have access to them and that there are no unlawful obstacles to accessing them.

Star Legal Limited will provide equal opportunities information to the Legal Aid Agency as required in relation to personnel and clients under the terms of legal aid contracts.

(d) Review

Star Legal Limited will review the operation of this policy not less than once a year (or more regularly if we identify any non-compliance or problem concerning equality and diversity issues with clients or personnel). We will take remedial action if we discover non-compliance under this policy or barriers to equal opportunities. When reviewing the policy we will consider the outcome of monitoring and review actions under our communications and training plans.

6. Glossary of terms used in this Policy

'Contracts' used in this Guidance, refers to contracts between the LAA and legal aid providers. See footnote 1.

'Diversity' is a broader term than 'equality' or 'equal opportunities' or 'equality of opportunity'. Diversity policies encompass all individuals by recognising that all of us have different characteristics which make us unique and that organisations benefit from taking these into account when offering services or employing people. In contrast to equal opportunity, diversity is not about treating people equally but rather it is about recognising and responding to different needs, experiences and aspirations and acting accordingly. Diversity is complementary to equality of opportunity.

'Equal opportunities monitoring' is the collection and analysis of information about a person that is used in order to check that a policy or procedure does not have an adverse impact on a particular group of people or amount to unlawful discrimination. Information can be collected on race, disability, gender, age, and in some circumstances sexual orientation and religion or belief.

'Unlawful discrimination' includes 'direct discrimination', 'indirect discrimination', 'victimisation' and 'harassment'.

'Direct discrimination' occurs where a person is treated less favourably on the grounds of age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation and gender reassignment. Under the Equality Act 2010 these grounds are called 'protected characteristics'.

'Indirect discrimination' occurs where an apparently neutral provision, criterion or practice would put a substantially higher proportion of the members of one sex, or people of a particular racial group or religion or belief, sexual orientation or with a disability at a particular disadvantage compared with other persons unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

'Victimisation' occurs where a person is treated less favourably because she or he has made a complaint of discrimination. This also applies to individuals who may have assisted or supported the complainant, for example, as a witness or by showing sympathy.

'Harassment' occurs when unwanted conduct takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may involve physical acts or verbal and non-verbal communications and gestures.

'Positive action' is where you encourage the participation of or access to services for members of under-represented groups. Positive action is not to be confused with positive discrimination.

'Positive discrimination' is where you make a decision in someone's favour because of his or her particular characteristic, e.g. race, gender or disability. Positive discrimination is usually unlawful, unless it falls within one of the very limited exceptions contained in the anti-discrimination legislation in relation to disability or as a genuine occupational requirement.

Positive action is often used as a way to minimise the effects and outcomes of past discrimination on groups. In some limited circumstances, employers or training bodies are allowed to take special measures relating to access to training for particular work, or encouragement to apply for particular posts.

For example, where women are under-represented in senior management posts, running special training for women to encourage them to apply for senior posts is an example of positive action and lawful. However, the appointment of a woman to a senior post solely on the basis of her gender would be an example of positive discrimination and would be unlawful.

'Genuine occupational requirement' is when an employer, meeting certain circumstances, is permitted to require that a particular post must be filled by someone from a specific background. For example, a particular racial or religious origin is an essential requirement for the job, or for reasons of decency or privacy. For detailed information on exceptions please refer to the Equality Act 2010 and guidance issued by the EHRC.

'Protected characteristics' is the collective term for the grounds of discrimination or equality strands given express protections under the Equality Act 2010. They are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. It is good practice to adopt the protected characteristics as a reference for type of diverse backgrounds that you should be considering when developing and implementing a modern and up-to-date Equality and Diversity Policy.

