

MARSHALL HATCHICK

EQUALITY AND DIVERSITY POLICY

1. The Firm's Commitment

Marshall Hatchick is committed to the principles of equality and diversity and to observing legislative requirements relating to discrimination.

The requirements of this policy apply in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sex or sexual orientation.

The firm takes its regulatory obligations as regards equality and diversity seriously and has particular regard to the following SRA requirements.

SRA Principles:

Principle 6. You act in a way that encourages equality, diversity and inclusion.

SRA Code of Conduct for Firms:

Standard 1.1 You do not unfairly discriminate by allowing your personal views to affect your personal relationships and the way in which you provide your services.

Standard 1.5 You monitor, report and publish workforce diversity data, as prescribed.

Additionally, the firm has a responsibility to ensure that all employees, managers and interest-holders do not do anything that would place the firm or any individual in breach of their regulatory obligations. The firm will retain written records of all incidents involving issues relating to equality and diversity in order to ensure that it can demonstrate compliance with its regulatory obligations.

2. Your Responsibility

The firm requires all employees to share its commitment to equality and diversity, and comply with their regulatory obligations in this regard, including but not limited to the following SRA requirements.

SRA Principles:

Principle 6. You act in a way that encourages equality, diversity and inclusion.

SRA Code of Conduct for Solicitors, RELs and RFLs:

Standard 1.1 You do not unfairly discriminate by allowing your personal views to affect your personal relationships and the way in which you provide your services.

This applies to all our professional dealings with each other, with clients, and with third parties. Any failure to comply with this policy by employees or partners may result in disciplinary action.

3. Ensuring Equality

3.1 Avoiding discrimination etc

We will not, in our dealings with employees, partners, clients and third parties instructed in connection with client matters discriminate unlawfully or victimise or harass anyone.

3.2 Making reasonable adjustments

We will take such steps, and make such adjustments, as are reasonable in the circumstances to prevent applicants for jobs, employees, partners or clients who are disabled from being placed at a substantial disadvantage in comparison with those who are not disabled.

If personnel believe that such an adjustment would be appropriate for them in the light of a disability from which they suffer, they should raise the matter in the first instance with the firm's Staff Partner. If that does not lead to a mutually satisfactory outcome, they should raise the matter under the firm's grievance procedure.

4. Recruitment and Interviewing

Employees and partners who are involved in recruitment are required to encourage equality of opportunity and respect for diversity. The firm will treat all job applicants fairly and will not discriminate unlawfully against them. The firm will apply fair, objective and consistent criteria when shortlisting, interviewing, testing and recruiting applicants. Employment opportunities will be open to all on equal terms irrespective of the personal, family, business or other connections of any applicant. The firm will make reasonable adjustments to help applicants overcome disadvantages due to disability.

Those responsible for or frequently involved in recruitment and interviewing will be required to undergo such training about equality and diversity as the firm may from time to time prescribe.

5. Promoting Equality and Diversity

5.1 Responsibility:

Jennifer Humphreys, as COLP, has operational responsibility for implementing, communicating, monitoring, evaluating and updating this policy. Ultimate responsibility for this policy rests with the partners of the firm.

5.2 Communication:

Employees and partners will be informed of this policy and will be provided with equality and diversity training appropriate to their needs and responsibilities. This policy will be made available to clients, the Solicitors Regulation Authority and relevant third parties upon request.

5.3 Monitoring, Evaluation and Updating:

The operation of this policy will be monitored and reviewed on an ongoing basis in a manner proportionate to the size and nature of the firm.

In particular, the firm will collect, report and publish data about the diversity of its workforce annually in a form and manner prescribed from time to time by the SRA.

This information will be used to evaluate the effectiveness of this policy. Any changes required will be made and implemented.

6. Complaints of Discrimination

The firm will deal with complaints of discrimination promptly, fairly, openly and effectively. Complaints will be investigated in accordance with the firm's grievance or complaints procedure and the complainant will be informed of the outcome. Complaints of discrimination from clients or other third parties will be dealt with through the firm's normal complaints process. Disciplinary issues arising from a possible breach of this policy will be dealt with through the firm's normal disciplinary process. For the avoidance of doubt, disciplinary proceedings may include an investigation in relation to any failure to notify the firm of any known or suspected discrimination. Anyone who knows or suspects discrimination or harassment is taking place should make an appropriate report without delay. We will deal with any such reports in accordance with our whistleblowing policy. In all cases, the person responsible for this policy should be notified and consulted.

Where appropriate the firm will report any instances of discrimination or complaints of harassment to the SRA.

7. Forms of Discrimination

It is important that employees and partners have an understanding of the law on discrimination appropriate to their role. This section summarises the forms of discrimination which we are all obliged to avoid, and the duty to make reasonable adjustments to help people overcome disadvantages due to a disability. Any request from an employee or partner for further information or training on this subject will be given sympathetic consideration by the firm.

7.1 Protected Characteristics

The law forbids discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sex or sexual orientation.

7.2 Direct Discrimination

This is where a person is treated less favourably than another person because of a protected characteristic.

7.2 Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

7.3 Perception Discrimination

This is direct discrimination against someone because others think they possess a particular protected characteristic (even if they do not actually possess that characteristic).

7.4 Indirect Discrimination

This can occur where a rule, policy or practice applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if the rule, policy or practice is a proportionate means of achieving a legitimate aim.

7.5 Harassment

This is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or otherwise offensive environment for that individual. The law

on harassment does not apply to pregnancy and maternity and marriage and civil partnership.

7.6 Third Party Harassment

The firm can be liable for harassment of its employees by people who are not employees, such as clients, if it has not taken reasonable steps to prevent such harassment recurring when it was aware of previous occurrences.

7.7 Victimisation

This is where an employee is treated badly because they have made or supported a complaint, or raised a grievance under the Equality Act or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

7.8 Disability Discrimination

A person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. The law relating to disability differs from that which applies to other protected characteristics. The firm may be required to make reasonable adjustments to help people overcome disadvantages due to an impairment.