



Field Fisher Waterhouse

Field Fisher Waterhouse Equality and Diversity Policy

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Equality and Diversity Policy

1. Introduction and Purpose

FFW operates in a global market and recognises that the success of its business depends on its people. We have a strong commitment to attracting and retaining a diverse workforce in order to enhance our business performance.

We strive to attract and retain the best people and provide an inclusive and safe working environment for individuals regardless of gender, marital status, race, colour, nationality, ethnic origin, economic status, age, disability, sexual orientation, gender reassignment, pregnancy, religion or belief whether they work full, part-time or on a fixed-term contract with the Firm.

The firm's commitment to Equality and Diversity will apply to all HR processes within FFW including recruitment and selection, performance management, promotions and training.

FFW regards all forms of discrimination, harassment, victimisation and bullying as unacceptable behaviour, which may result in disciplinary action up to and including dismissal under the Firm's Disciplinary and Dismissal Policy (DDP).

This policy is designed to ensure that all employees understand what constitutes unacceptable standards of behaviour by setting out the definitions of types of discrimination. It also outlines the procedure for any employee who believes they have been unfavourably treated or have witnessed the unfavourable treatment of a colleague.

Employees who, in good faith, raise a genuine complaint under this policy, will not be subject to any unfavourable or discriminatory treatment as a result of making a complaint. Equally, false or malicious allegations will be subject to FFW's disciplinary procedure (DDP).

2. The Equality Act 2010

Under the new Equality Act 2010, the following areas of equality are now collectively known as 'protected characteristics': gender, marital status, race, colour, nationality, ethnic origin, economic status, age, disability, sexual orientation, gender reassignment, pregnancy, religion or belief.

The types of discrimination have also been extended to include associative discrimination, discrimination by perception and harassment by a third party.

2.1 Types of Discrimination

All FFW employees and Partners are responsible for the enforcing this policy and have the right to work in an environment free from discrimination, harassment, victimisation, or bullying or any other form of unwanted behaviour.

- **Direct Discrimination** occurs when an individual is treated less favourably than another individual because of a protected characteristic.
- **Associative Discrimination** is direct discrimination against a person because they associate with another person who possesses a protected characteristic.
- **Discrimination by Perception** is direct discrimination against someone because the others think they possess a particular protected characteristic.
- **Indirect discrimination** can occur when you have a rule or policy that applies to everyone but disadvantages a particular protected characteristic.
- **Victimisation** occurs where someone is treated less favourably than others because they have in good faith either made a complaint or allegation of unlawful discrimination or is assisting in any complaint or proceedings connected with unlawful discrimination.
- **Harassment** can include any behaviour which is offensive or intimidating, or which violates a person's dignity, interferes with a person's professional or working life or social environment (including bullying). Its main feature is that the behaviour is perceived as unwanted, offensive or intimidating by the recipient and relates to a protected characteristic. However, employees may also complain about behaviour they find offensive even it is not directed at them and the firm may also be potentially liable for harassment of its employees by people it does not employ.

The Firm's Dignity at Work policy concerning issues of bullying and harassment can also be found on the intranet.

3. Responsibilities

It is the responsibility of all employees, Partners and third party contractors to follow the provisions contained within this policy. In addition:

3.1 Diversity Action Group

The Firm's Diversity Action Group has been set up to drive forward our commitment to developing and nurturing a culture of diversity and equality at FFW.

3.2 Line Managers

Line managers have additional responsibilities for ensuring the effective implementation of this policy. They are required to apply it in the exercise of their managerial responsibilities and to ensure that employees who report to them are aware of this policy. They are expected to:

- (a) Familiarise themselves with these Policy and Procedures as well as the firm's Dignity at Work Policy; Grievance Policy and Disciplinary and Dismissal Policy;
- (b) Attend management training courses and Diversity Awareness workshops which are regularly arranged through the Firm;
- (c) Support the HR Department in observing the Firm's Policies and Practices regarding recruitment, promotion, appraisal and training;
- (d) Notify the HR Director if they become aware of any breach of these Policies and Procedures;
- (e) Respond promptly and fairly (as advised by the HR Department) to any incident in breach of these Policies and Procedures;
- (f) Ensure that a non-discriminatory approach applies when deciding the terms of employment, training, promotion and appraisal;
- (g) Ensure that any references which are provided, in conjunction with the HR Department, are not in breach of the Firm's Equality and Diversity Policy.

Where the above policies are breached, the HR Director should ensure that any incident is dealt with as effectively and efficiently as possible. Any unreasonable failure on the part of the Line Manager to uphold any of the Firm's rules, policies and procedures may result in disciplinary action being taken against the Line Manager.

The Firm provides guidance for Line Managers to ensure that they understand and comply with their responsibilities, and in particular that they are able to recognise what behaviour is unacceptable and be ready and willing to take necessary action.

4. Recruitment, Training and Promotion

We aim to recruit, develop and promote staff whose skills and abilities are most suited to the job. We aim to achieve this by ensuring that;

- (a) Our advertisements do not discriminate and are free from unjustifiable bias;

- (b) Job descriptions and person specifications, (i.e. the experience, abilities, qualifications and other characteristics upon which applicants are assessed) whether explicit or implicit, are based on the skills or requirements necessary for the effective performance of the job;
- (c) All job applicants are considered on merit by reference to consistent, fair and objective criteria;
- (d) Interviews are free from unjustifiable bias and based on job requirements and reasonable selection criteria;
- (e) If it is known that an applicant has a disability and is likely to be at a substantial disadvantage because of the recruitment or employment arrangements or the physical features of the premises, consideration will be given to whether any reasonable adjustment would prevent or reduce that disadvantage and applicants will be compared on the assumption that the adjustment has been made;
- (f) The successful applicant will be the person who is most appropriate in terms of experience, abilities, qualifications and other characteristics required to carry out the job to the highest possible standard;
- (g) Those involved in recruitment, selection and training, including Partners and Heads of Business Services departments, as well as the HR and Training departments are provided with a copy of this policy so that they can ensure compliance with our approach to equal opportunities;
- (h) The Recruitment Agencies who act on behalf of the Firm are given a copy of this policy and are informed that applications are encouraged from all sections of the community and are requested to ensure that their staff fully understand and support our Equality and Diversity Policy.
- (i) Training on equal opportunities and diversity awareness is provided to partners and others with management and/or recruitment responsibilities.

5. Third parties

The firm is committed to ensuring equality of opportunity in its business dealings as well as in its internal relations. To that end:

5.1 Clients

Field Fisher Waterhouse is generally free to decide whether to accept instructions from any particular client, but any refusal to act will not be based upon race, religion or

belief, colour, ethnic or national origin, gender, age, pregnancy, marital or civil partner status, disability, sexual orientation or gender reassignment of the prospective client.

5.2 Barristers and expert witnesses

Will be instructed on the basis of their skills, experience, ability and suitability and not on the basis of upon race, religion or belief, colour, ethnic or national origin, gender, age, pregnancy, marital or civil partner status, disability, sexual orientation or gender reassignment of the barrister.

5.3 Other suppliers and business partners

Field Fisher Waterhouse will deal with all persons with the same attention, courtesy and consideration regardless of the upon race, religion or belief, colour, ethnic or national origin, gender, age, pregnancy, marital or civil partner status, disability, sexual orientation or gender reassignment of the supplier or business partner.

6. Raising an Issue

Any employee of the Firm or any third party who believes that he or she has been, or is being subjected to any form of discrimination, or has knowledge of discrimination against anyone within the Firm (whether emanating from inside or outside the Firm) is encouraged by the Firm to report that discrimination as soon as possible to the HR Director or a member of the HR team under the Firm's Grievance Policy. The general principles of the Firm's Grievance procedure are outlined below.

6.1 Informal Procedure

If the behaviour complained of is not serious or has happened only once, it may be appropriate for the complainant to deal with the matter informally, either individually or with the support of a colleague or a line manager, making it clear to the person complained of that the behaviour is unwelcome and should stop. A member of the HR Department may be present at such a meeting.

6.2 Formal Procedure

The formal procedure may be appropriate where the behaviour complained of is serious or persistent.

The key elements of the formal procedure are:

- (a) A formal meeting with the person complained of to establish his or her response to the complaint. He or she will have the right to be accompanied by

a work colleague (if the selected colleague agrees) or relevant trade union representative during any investigatory interview;

- (b) Investigations with any potential witnesses;
- (c) Further investigations with the complainant arising out of the answers given by the person complained of and/or the witnesses; and
- (d) Consideration of the evidence and a decision as to what, if any, action to take, including whether or not the Firm's Disciplinary and Dismissal procedure should be invoked.

7. Further Guidance

- (a) This policy is given to all new employees of the Firm. Additionally, it is available under the HR Section of the Intranet.
- (b) Field Fisher Waterhouse has also produced and communicated a policy on Bullying at Work which may, in some cases, be linked to our Equality and Diversity Policy. For further information, please contact the HR Department.
- (c) Additional information on recruitment and equal opportunities is available in codes of practice produced by the Equality and Human Rights Commission.
- (d) The purpose of this policy is to set a standard across our business. It does not confer contractual rights on individual employees or other parties.
- (e) This Policy will be reviewed regularly and updated by the HR Department to ensure that its contents are clear and reflect best practice and any statutory changes. Please advise HR of any concerns or suggestions.

Human Resources

Field Fisher Waterhouse Diversity & Equality Data

Gender

| Gender | Number | Percentage |
|-------------------|--------|------------|
| Male | 233 | 40.88 |
| Female | 337 | 59.12 |
| Prefer not to say | 0 | 0 |

Age

| Age Category | Number | Percentage |
|-------------------|--------|------------|
| 16 - 24 | 23 | 4.04 |
| 25 - 34 | 230 | 40.35 |
| 35 - 44 | 175 | 30.70 |
| 45 - 54 | 104 | 18.24 |
| 55 - 64 | 37 | 6.49 |
| 65+ | 1 | 0.18 |
| Prefer not to say | 0 | 0 |

Disability

| Disability | Number | Percentage |
|-------------------|--------|------------|
| Yes | 6 | 1.05 |
| No | 563 | 98.77 |
| Prefer not to say | 1 | 0.18 |

Ethnic group

Asian / Asian British

| Ethnic Group | Number | Percentage |
|---------------------------------------|--------|------------|
| Bangladeshi | 2 | 0.35 |
| Chinese | 9 | 1.58 |
| Indian | 22 | 3.86 |
| Pakistani | 4 | 0.70 |
| Any other Asian background (write in) | 7 | 1.23 |

Black / African / Caribbean / Black British

| Ethnic Group | Number | Percentage |
|--|--------|------------|
| African | 5 | 0.88 |
| Caribbean | 12 | 2.10 |
| Any other Black / Caribbean / Black British (write in) | 0 | 0 |

Mixed / multiple ethnic groups

| Ethnic Group | Number | Percentage |
|-------------------------|--------|------------|
| White and Asian | 7 | 1.23 |
| White and Black African | 3 | 0.53 |

| | | |
|---|---|------|
| White and Black Caribbean | 4 | 0.70 |
| White and Chinese | 0 | 0 |
| Any other Mixed / multiple ethnic background (write in) | 9 | 1.58 |

White

| Ethnic Group | Number | Percentage |
|---|---------------|-------------------|
| British / English / Welsh / Northern Irish / Scottish | 371 | 65.08 |
| Irish | 13 | 2.28 |
| Gypsy or Irish Traveller | 0 | 0 |
| Any other White background (write in) | 51 | 8.95 |

Other ethnic group

| Ethnic Group | Number | Percentage |
|-----------------------------------|---------------|-------------------|
| Arab | 0 | 0 |
| Any other ethnic group (write in) | 0 | 0 |

Prefer not to say

| | | |
|-------------------|----|------|
| Prefer not to say | 51 | 8.95 |
|-------------------|----|------|