

AVOIDANCE OF DISCRIMINATION & DIVERSITY POLICY¹

KPM have adopted the policy below in order to avoid discrimination and to promote equality and diversity.

Anti-discrimination legislation is designed to promote fairness in relation to employment, promotion and the provision of services.

Discrimination is about the minimum levels of behaviour needed to avoid legal sanctions.

Diversity is about encouraging the development of individuals, regardless of their background, and so encompasses anti-discrimination but goes further to include issues like social class and schooling.

Policy Statement

KPM Solicitors LLP is committed to avoiding discrimination in its dealings with clients, partners, employees and all other third parties that have dealings with KPM. It is committed to promoting diversity in its professional activities.

Everyone in KPM is expected and required to treat all others equally and with the same attention, courtesy and respect, regardless of their:-

- Race (including colour, nationality and national or ethnic origins);
- Gender (including marital status, adopted gender, pregnancy, maternity and paternity);
- Disability;
- Sexual orientation (including civil partnership status);
- Religion or belief; and
- Age.

In addition, KPM will ensure that nobody with whom it has dealings will suffer any substantial disadvantage through any disability that they might have. KPM is committed to making reasonable adjustments for those with a disability in relation to job opportunities, promotion and training within KPM and the provision of services to clients.

All the areas of discrimination set out above, are collectively referred to as 'the above grounds' in the rest of this document.

Enforcement

- Everyone should be aware that any breach of the policy is a potential major risk to the practice.
- KPM does not carry insurance against the consequences of any illegal breach, and any claims in this regard are also likely to involve KPM in very significant commitments of management time.
- A breach may be a serious professional offence, and liability may attach not only to the individual(s) concerned, but also the owners of KPM.
- Any breach is likely to be regarded as a serious disciplinary offence.
- If anyone is concerned that a breach of the above policy may be occurring, or has a complaint that they have been a victim of a breach, they should immediately report this to any partner.

¹ A copy of our full Discrimination & Diversity Policy is available on request from legal@kpmlegal.co.uk

Instructing Barristers and Other Experts

- Barristers and experts should be instructed on the basis of their skills, experience and ability.
- KPM will not discriminate in the instruction of barristers and/or experts on any of the above grounds.
- A client's request for a named barrister or expert should be complied with, subject to KPM's duty to discuss with the client the suitability of the barrister or expert and to advise appropriately.
- KPM has a duty to discuss with the client any request by the client that only a barrister or expert as defined by any of the above grounds be instructed.
- KPM will endeavour to persuade the client to modify instructions which appear to be given on discriminatory grounds.
- Should the client refuse to modify such instructions, KPM 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'.

Employment, Training, Promotion and Partnership Opportunities

- KPM is committed to providing equal opportunities in employment.
- All job applicants, employees and partners will receive equal treatment in relation to the above grounds.
- It is good business sense for KPM to ensure that the most important resource – its staff – is used in a fair and effective way.
- KPM will also comply with the law and the professional requirements in relation to its partners.

Positive Action

Although it is unlawful to positively 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.

Monitoring and Review

This policy will be monitored periodically but at least annually by KPM to verify it is in effective operation across the practice.

KPM has appointed Karen South to be responsible for the operation of the policy.

In particular, KPM will monitor the ethnic and gender composition of existing staff and of applicants for job (including promotion), and 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, KPM will implement them.

For its part, the management of KPM has considered all aspects of its operations, as set out in this manual, to ensure their compliance with the code.

Any developments of KPM's strategic and business plans, or changes in this manual, will similarly be examined in order to ensure that no inadvertent breach of the code occurs.

Disciplinary Measures

In the event of breach of this policy being alleged by any person, whether a client, supplier, member of staff, partner, or outsider to this firm, the matter will be investigated by the partners as a disciplinary matter against the member of staff alleged to have breached the policy. A proven breach will amount to misconduct; a serious breach might amount to gross misconduct.

In the event that KPM receive a complaint that there has been a breach of this policy alleged by any person, whether a client, a member of staff, a Partner or outsider to this firm, the following process will be invoked:

- Within 3 working days KPM will send a letter acknowledging the complaint and asking to confirm or explain any details. If it seems appropriate KPM will suggest a meeting at this stage. KPM will also let the complainant know the name of the person who will be dealing with the complaint.
- KPM will then record the complaint in KPM's central register and open a file for the complaint. KPM will also investigate the complaint by examining the relevant matter file.
- If appropriate KPM will then invite the complainant to meet Matthew Stubbs to discuss and hopefully resolve the complaint. KPM would hope to be in a position to meet with the complainant within 14 days of sending the acknowledgement letter. If the complainant would prefer not to meet, or if KPM cannot arrange this within an agreeable timescale, KPM will write fully setting out KPM's views on the situation and any redress that KPM would feel to be appropriate, within 21 days of sending the acknowledgement letter.
- Within 3 working days of any meeting KPM will write confirming what took place and any suggestions that KPM have agreed with the complainant.
- At this stage, if the complainant is still not satisfied, they must let KPM know why they remain unhappy with KPM's response. KPM will then arrange to review their decision. KPM would generally aim to do this within 10 working days of receiving the request for a review. This will happen in one of the following ways.
 - Matthew Stubbs will review his own decision.
 - KPM will arrange for someone in the firm who has not been involved in the complaint to review it.
 - Karen South will review the complaint within 10 working days of receiving the request for a review.
 - KPM will ask the local law society or another local firm of solicitors to review the complaint. KPM will let the complainant know how long this process will take.
 - KPM will invite the complainant to agree to independent mediation. KPM will let the complainant know how long this process will take.
- KPM will let the complainant know the result of the review within 5 working days of the end of the review. At this time KPM will write confirming KPM's final position on the complaint and explaining the reasons. KPM will also give the complainant the name and address of the Legal Ombudsman. If the complainant is still not satisfied, they can contact the Legal Ombudsman about their complaint.