

BIICL Equality, Diversity and Inclusion Policy

Statement of Policy:

- It is the responsibility of BIICL and of all BIICL staff to proactively promote equality, diversity and inclusion in all BIICL's activities and to avoid and counter (both direct and indirect) discrimination.
- BIICL commits to placing equality, diversity and inclusion considerations at the centre of all of its activities, including but not limited to, **staff recruitment**, research, events and training.
- BIICL commits to a whole-organisation approach. It recognises its responsibility to listen and learn and to continue to develop this Policy further accordingly.
- The BIICL Board of Trustees commits to improving equality, diversity and inclusion within the Board, giving active consideration to EDI issues when recruiting new trustees.
- BIICL will maintain open channels of communication across its staff, trustees, members, collaborators, visitors and all other stakeholders and will provide a safe space for issues to be raised, discussed and addressed.

Definition and Scope: equality, diversity and inclusion (EDI) is used throughout this Policy to cover all characteristics as set out in international human rights law including but not limited those protected characteristics set out under English Law and other grounds including class, socio-economic background and nationality.^[1] Where a specific characteristic is the focus of an area of the Policy, this is stated.

Approach: BIICL recognises the overlapping nature of individual identities and of (structural) discrimination. This Policy addresses inequalities across all protected characteristics. Some activity areas and identified targets refer to specific characteristics. An action plan to implement and build upon the measures set out in this policy shall be developed by the EDI Committee over the course of 2023, to be agreed at BIICL Management Board.

Relationship with existing policies: Existing BIICL policies relevant to equality, diversity and inclusion are noted, including:

- The BIICL Staff Handbook and in particular Section 3.1 which sets out BIICL's Equal Opportunities Policy;
- The BIICL Research Ethics Policy;
- The BIICL Guidelines for Ethical Funding;
- The BIICL Social Media Policy;
- The BIICL Recruitment Policy and Processes; and
- Any other relevant policies.

^[1] We acknowledge limitations imposed by UK Law and all efforts undertaken will be made within the parameters allowed by the law. Where such legislation contradicts international standards and best practice, BIICL will use its best efforts to promote adherence to the principle of equality for all.



This Policy supplements these documents and takes precedence on any questions that fall within the scope of the Policy. Nothing in this Policy is intended to conflict with, or contravene, the overriding requirements of English law. BIICL has undertaken a process of mapping and updating these policies to ensure alignment across BIICL's policies in compliance with English law in December 2022.

Internally, BIICL commits to realising these responsibilities by setting out clear objectives across its activity areas, to be achieved through a series of measures:

1. Research and Related Projects: BIICL will ensure that equality, diversity and inclusion are considered across its research and will utilise its research to promote them further

- a. BIICL researchers are encouraged to consider how EDI intersects and interactions with their areas of research and ways of conducting research and to develop projects that directly or indirectly explore those intersections, considering possible implications of research topics on EDI issues, and how ways of working within research projects can impact EDI.
- b. BIICL staff shall consider EDI throughout the project cycle, from planning and development through implementation, impact and evaluation. Consideration is to be given to both actual impacts on EDI and missed opportunities to promote these.
- c. The composition of the team, including anyone contributing to the project (including as an advisor, contributor to an edited collection etc.) should respect and promote the principles of EDI.
- d. In assessing applications made to it, the BIICL Research Ethics Committee shall consider any impact of the project on EDI. It shall, moreover, identify any missed opportunities to promote EDI, and suggest to the researcher ways in which such components can be incorporated into the research design.

2. Events and Panels: BIICL seeks to ensure that every person participating in or attending an event where BIICL and its staff are involved finds an environment that is welcoming and inclusive and which values their diverse experience.

- a. EDI are to be considerations throughout the event planning process.
- b. Subject to any exception in accordance with clause f. below, BIICL will ensure the gender and racial diversity of all panels and will proactively seek to improve diversity across all protected characteristics of invited speakers and chairs, at all BIICL events and training. Where applicable and feasible, BIICL will also consider the inclusion of panellists from the Global South. No event shall be advertised until such time as all reasonable steps to seek to secure such EDI have been taken.
- c. BIICL will only be involved in events that respect the values and objectives of this Policy. In the case of doubt, such event(s) shall be referred to the EDI Officer.



- d. BIICL staff are encouraged to promote the objectives of this Policy with regard also to external panels to which they are invited and to avoid participating on external panels where EDI is not being sought.
- e. BIICL will not support (including through marketing) any external event unless it is satisfied that the event meets the standards identified in this Policy.
- f. Any exceptions to the rules set out in this section must be duly justified to and approved by the Management Board. Before such approval is made, evidence of demonstrated efforts to meet the standards must be shown.
- g. BIICL will convene, alone or in partnership with others, events that discuss and raise awareness of EDI and which address discrimination and historical injustices as they relate to our wider work.

3. Donors/Fundraising and Suppliers: BIICL will only work with donors, supporters and key suppliers that share the values identified in this Policy

- a. Due diligence processes in fundraising shall explicitly cover issues of EDI. The EDI Officer will consult with the Fundraising Team on an annual basis to ensure this process is functioning as intended, and to discuss any issues from the previous year.
- b. The EDI Officer shall be consulted as part of the due diligence process in relation to donors, funders and supporters, where the fundraising team need specific guidance
- c. BIICL will withdraw from engagement with donors, funders and supporters who, having satisfied the due diligence process within the Guidelines on Ethical Funding and made the relevant donation/payment, are subsequently found to have promoted views or acted in ways that are considered by the Board of Trustees, acting in consultation with the EDI Officer and the appropriate member of senior management at BIICL, not to be in line with the values and objectives of this Policy.
- d. BIICL will consider the EDI policies of key suppliers to ensure they align with this policy.

4. Membership: BIICL will actively seek to diversify its membership.

- a. BIICL will seek to broaden the groups that are reached with BIICL's membership offering.
- b. The EDI action plan will consider how BIICL's membership offering can be made more attractive to groups which are currently under-represented amongst BIICL's membership and will proactively seek to improve diversity amongst its membership. This will include:
 - I. Exploring new ways to promote membership amongst groups that are currently under-represented.
 - II. Developing relationships with organisations that represent professionals from such under-represented backgrounds working in BIICL's fields of work (e.g. relevant Divisions of the Law Society, the



Young Asian Lawyers Association, and the Association of Disabled lawyers).

5. Recruitment, Retention and Promotion: BIICL commits to achieving a truly diverse workforce and, in view of this, will ensure that its recruitment, retention and promotion practices across all levels are open, transparent and promote EDI. This applies both to BIICL staff and to recruitment to the BIICL Board of Trustees.

- a. BIICL will give due consideration to the preparation of job adverts to ensure they reflect the values and objectives of this Policy and reflect BIICL's openness to applications from all qualified candidates, whether drawn from the United Kingdom or internationally.
- b. BIICL will give due consideration to which channels are used for advertising in order to ensure that applications from under-represented groups are proactively encouraged.
- c. The person specification and job descriptions are to be drawn up objectively, ensuring that all the criteria are relevant to the job in question. The criteria for consideration will relate only to the requirements of the job, relevant qualifications and relevant experience.
- d. Shortlisting will be undertaken against the objective criteria (job description and person specification). A record shall be kept of the criteria under which job applicants are shortlisted. Such a record shall be submitted to the Human Resources Manager within two working days of the shortlisting process.
- e. BIICL will ensure EDI in its recruitment panels. In particular, diverse panels will, as far as practicable and possible, be constituted for the purpose of interviewing candidates for any role within the Institute.
- f. All internal promotions and pay reviews shall be managed through an open, transparent system to ensure that discrimination plays no part in decisions made.
- g. Data on all protected characteristics will be collected throughout the recruitment cycle and analysed to identify opportunities for improvement. Where applicable, data will be collected using the census categories. The EDI Officer will work with the Human Resources Manager in this regard where required. Such data shall not be accessible to anyone involved in the recruitment process (through long listing, short listing or on interview panels) and will be processed in line with General Data Protection Regulations.

6. Marketing and Public Relations (PR): BIICL will reflect its commitment to EDI in all of its public relations efforts.

- a. BIICL will consider the impact of any public relations content on EDI. Messages that may be construed to be discriminatory or otherwise not in line with this Policy shall not be used. Advice from the EDI Officer shall be sought in case of doubt.
- b. BIICL will adopt a zero-tolerance approach to discriminatory content on its platforms and will not share, engage with or associate itself in any way with



such content. BIICL reserves the right to remove those using discriminatory language from their events and/or online spaces.

- c. BIICL will expand its public relations both to reach diverse communities with an interest in its work, and who might currently not be reached, and to promote more diverse voices.
- d. BIICL social media Policies (including those of the Centre's within BIICL) must include EDI considerations, including seeking to ensure that the approach adopted on social media is able to reach beyond our core established audience.

7. Investment Policy: BIICL will not invest in funds or companies that either do not share or which conflict with the values and objectives of this Policy

- a. In line with the External Investment Policy, BIICL's Finance and Audit Committee will ensure that external investments comply with the values and objectives of this Policy.
- b. Where a concern arises on whether this is the case, BIICL shall investigate and take such measures in accordance with the External Investment Policy as it shall deem necessary to remedy the situation. Financial considerations shall not override these considerations.

8. Availability of Training: BIICL will strengthen its capacity to address EDI throughout their work

- a. BIICL shall require all its staff and officers to undertake appropriate EDI training at least once a year. EDI training comprising training on the Policy shall be included for new employees as part of their initial induction training.
- b. The selection of training providers and the evaluation of training shall be the responsibility of the EDI Officer, in consultation with the EDI Committee.

9. EDI Officer and Committee: BIICL shall appoint an EDI Officer who shall be supported by an EDI Committee.

- a. The role of the EDI Officer shall be to oversee the implementation of this Policy and to work with colleagues across BIICL to ensure that the values underpinning this Policy become core values of the organisation.
- b. The EDI Officer shall be empowered to raise any concerns with involved members of staff or officers and engage with them in an open process to raise concerns relating to EDI within senior management at BIICL on behalf of staff.
- c. The EDI Officer shall be appointed on the basis of an open call amongst all staff and shall be selected by a panel of 3 members of staff including the Human Resources Manager, the staff representative to the Board of Trustees and the BIICL Director.
- d. The EDI Officer shall hold a place on the BIICL Management Board and the BIICL Research Ethics Committee.



- e. The role is to be held for a period of 18 months and is renewable once (for a maximum period of 3 years).
- f. The EDI Officer shall be supported by and report to a Diversity Committee.
- g. The EDI Committee will be comprised of a range of staff members, to best represent the diversity of the organisation. The makeup of the committee shall be determined by the EDI Officer, and shall endeavour to include: one researcher, one representative of the development team, one representative of the events team, one representative of administrative staff and BIICL's staff representative. The first four listed representatives shall be selected every 18 months from amongst the relevant teams.
- h. Without prejudice to the generality of the above, the EDI Committee shall be empowered to:
 - I. Approve the report of the EDI Officer, including the new objectives and actions as referred to in Section 11.
 - II. Approve the revisions to the EDI Policy that the EDI Officer shall propose to the Board of Trustees as referred to in Section 13 of this Policy.
 - III. Work with the EDI Officer to develop and implement the Action Plan.

10. Annual Report: BIICL shall report annually on its efforts and outcomes regarding this Policy:

- a. In order to ensure adherence to this Policy, the EDI Officer, working closely with relevant staff members, shall prepare, on an annual basis, a report to the Management Board which shall include such figures where appropriate as to show progress made towards diversity in BIICL and its activities. The review shall include a revision of the Policy if considered necessary.
- b. Such a report, including any revised objectives and actions for the year, shall be recommended to the Board of Trustees for adoption.
- c. The EDI Officer shall recommend to the Board of Trustees such additional measures as should be taken to ensure that equality, diversity, inclusiveness and racial justice continue to be promoted across BIICL and its activities.
- d. A summary of the EDI Report's key findings shall be presented as part of BIICL's Annual Report and will be published on the Institute's website.

11. Responsibility vests in the organisation as a whole.

- a. It is the responsibility of every member of BIICL staff to ensure that in the performance of their duties they uphold and promote EDI in accordance with this Policy.
- b. The EDI Officer shall be supported in the performance of their role by BIICL's administration and the Board of Trustees including through appropriate financial resources and any information and data necessary for the reasonable performance of their functions.



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- c. Whilst the EDI Officer shall support members of staff in adhering to this Policy, the officer shall not be responsible for any failure in compliance with the Policy.
- d. Ultimate responsibility under this Policy rests with the BIICL Director and the Board of Trustees.

12. Grievance and Disciplinary Procedure shall apply to this Policy.

- a. The BIICL grievance and disciplinary procedures as established in Sections 3.5 and 3.6 of the BIICL Staff Handbook shall apply where an employee repeatedly fails to comply with the standards of performance, action and behaviour expected under this Policy, and in the case that any member of staff feels aggrieved by any decision or action of BIICL staff in violation of this Policy.

13. Policy Review: This Policy shall be reviewed on an annual basis.

- a. The Board of Trustees has approved the adoption of this Policy, and has confirmed its support for, and commitment to, the values and objectives it describes. The Board of Trustees shall have overall responsibility for the approval of any future amendments to the Policy.
- b. This Policy shall be reviewed at least at the appointment of each new EDI Officer (or the renewal of term, where an EDI Officer remains in post).
- c. The EDI Officer, supported by the EDI Committee, will conduct a detailed review of the Policy in consultation with staff. The results of the review, and recommended changes to the Policy will be recommended to the Board of Trustees for approval.
- d. The first review of this Policy will consider how equality on other protected grounds can also be promoted and safeguarded through all of BIICL's activities.