

Law Council Diversity Policy

DIVERSITY POLICY

1. Purpose

- (a) This policy provides the framework by which the Law Council actively manages and encourages diversity and inclusion across the organisation.
- (b) This is an organisational policy only, and does not of itself give rise to any cause of action.
- (c) This policy should be read in conjunction with the Law Council's:
 - (i) Staff Handbook;
 - (ii) Equal Opportunity Policy;
 - (iii) Training and Development Policy;
 - (iv) Health and Safety Policy;
 - (v) Company Policies, including concerning sexual harassment and unlawful discrimination; discrimination and harassment; grievances and complaints; ethical and legal conduct; disciplinary action;
 - (vi) work schedules provisions for flexible working hours; part-time work; home based work; and
 - (vii) leave provisions for parental leave, maternity leave, paternity leave, adoption leave, and carer's leave.

2. Definitions

- (a) Diversity refers to the visible and invisible differences that exist between people including (but not limited to) disability, sex, sexual orientation, gender identity and intersex status, age, race, ethnicity, religion, culture, physical impairment and relationship and parental status. Diversity also encompasses the ways people differ in terms of their educational background, life and working experiences, carer responsibilities, socio-economic background and geographical location.
- (b) Equity refers to ensuring that everyone within the workplace is treated in a fair manner according to their individual needs and circumstances and adopting practices which provide everyone with equal opportunities to succeed at work.
- (c) Respect refers to treating individuals fairly, respectfully and courteously and ensuring their freedom from harassment and bullying.
- (d) Inclusion refers to ensuring that employees and members enjoy equal opportunity without any barriers due to their differences.

- (e) Formal equality assumes that equality is achieved if the law treats all people in the same way. However, when individuals or groups are not identically situated (due to factors such as historical disadvantage), the formal equality model may not be sufficient to address discrimination arising from an inequality in circumstances. For this reason, the Law Council supports an approach to anti-discrimination law that focuses on achieving substantive equality, which allows different groups to be treated differently so that they can, in the end, enjoy their human rights equally.

3. Legislation

- (a) Australia has obligations under a number of international human rights treaties to take measures to eliminate discrimination including on the basis of age, race, sex, pregnancy, marital status and disability.
- (b) The Commonwealth Government has implemented some of these obligations through legislation such as the:
 - (i) Age Discrimination Act 2004;
 - (ii) Disability Discrimination Act 1992;
 - (iii) Racial Discrimination Act 1975;
 - (iv) Sex Discrimination Act 1984; and
 - (v) Australian Human Rights Commission Act 1986.

4. Diversity Policy Mission Statement, Vision and Values

- (a) The Law Council is committed to promoting the right to diversity, equality, respect, inclusion and substantive equality in the workplace and legal profession, consistent with the principles of justice, integrity, equity and the pursuit of excellence upon which the profession is founded.
- (b) The Law Council believes in treating all people with respect and dignity. It strives to create and foster a supportive and understanding environment in which all individuals realise their maximum potential within the organisation, regardless of their difference.
- (c) The Law Council recognises that a strong and fair legal profession is one which comprises, accommodates, encourages and respects a diverse range of individuals and views.
 - (a) Diversity management benefits the Law Council, its employees, Constituent Bodies and the legal profession as a whole. It recognises that each employee brings their own unique capabilities, experiences and characteristics to their work. It values such diversity at all levels of the organisation in all that it does.
 - (b) The Law Council recognises the importance of reflecting the diversity of the legal profession in our workforce.

5. Practices

- (a) The Law Council will:
 - (i) promote and encourage a diverse workforce by fostering an environment of mutual learning, respect and appreciation of differences; and

- (ii) seek to ensure its business practices and processes do not prevent equal opportunity within the organisation.
- (b) Recruitment and membership
- (i) The Law Council is committed to employing the best people to do the best job possible regardless of disability, sex, sexual orientation, gender identity and intersex status, age, race, ethnicity, religion, culture, physical impairment, relationship and parental status or any other attribute.
 - (ii) The Law Council follows a fair hiring process in which all candidates are considered on the basis of their skills, qualifications and abilities.
 - (iii) The Law Council will offer flexible work arrangements and consider issues of diversity regarding expectations of the relevant role, and selection and appointment processes to ensure there is no direct or indirect discrimination throughout the process.
 - (iv) The Law Council will seek advice where applicable from relevant experts and representative bodies such as disability support agencies or Indigenous organisations to improve its recruitment and workplace practices.
 - (v) The Law Council is committed to ensuring the membership and leadership of its Standing Committees, Working Groups and Sections reflect a diversity of backgrounds, knowledge, experience and abilities.
- (c) Development
- (i) The Law Council encourages the advancement of its employees, equal access to professional development opportunities, and in house training and educational programs.
 - (ii) The Law Council will advance employees based on their performance and merit.
 - (iii) The Law Council strives to enhance employees' opportunities for success, and will move expeditiously to specifically address any areas for improvement that are identified.
 - (iv) The Law Council endeavours to ensure that all employees undertake regular compliance training in relation to legislative and other responsibilities relating to anti-discrimination, workplace harassment and bullying and equal employment opportunity through its Workplace Discrimination, Harassment and Bullying Policy.
 - (v) The Law Council strives to offer optional training sessions for employees as required and suggested, for instance regarding performance development, CPR, first aid, resilience, mental health first aid, international protocols and cultural awareness.
- (d) Remuneration, recognition and reward
- (i) The Law Council will endeavour to ensure there is no direct or indirect discrimination towards or against employees of particular diverse backgrounds regarding the remuneration they receive for their work.
 - (ii) The Law Council will recognise and reward the achievements of its employees based on their performance and merit. Performance review

processes will be applied consistently to employees in relation to reviews of their performance.

(e) Flexible work arrangements

- (i) The Law Council recognises the value of providing flexible work arrangements for employees to balance personal and work responsibilities, and has an established framework in place which enables flexible work arrangements.

(f) External communication and interaction

- (i) The Law Council will consider how it can most effectively reach a diverse audience, including through its website, social media, use of plain language and participation in conferences and other forums.
- (ii) The Law Council will endeavour to host events that are physically accessible and timed in a way that accommodates the needs of a diverse range of individuals.

6. Responsibilities of contact officers

(a) The Law Council's Contact Officers are:

- (i) Manager, Administration;
- (ii) Chair, Safety and Health Committee;
- (iii) Executive Assistant to the Secretary-General; and
- (iv) Director, Finance and Corporate Services.

(b) A Contact Officer should:

- (i) act as a point of contact for enquiries and complaints, in addition to the employee's immediate supervisor and the Law Council Secretary-General;
- (ii) provide information to managers and staff on preventing discrimination, harassment and bullying; and
- (iii) provide information for managers and staff on processes available to resolve complaints.

(c) The Law Council will provide Contact Officers with regular training to assist them to fulfil their role.

7. Monitoring and Review

(a) The Law Council will:

- (i) monitor and amend this policy from time to time as required to determine its continued effectiveness;
- (ii) encourage employees to provide feedback on the policy; and
- (iii) ensure the policy is subject, but not limited, to regular review and reporting through quarterly reports and Directors' meetings as required.