

Equal Access to and Fair Allocation of Work Policy

Guidance issued by the Management Committee

1. ManCo has decided that the following guidance should be issued as to how the Equal Access to and Fair Allocation of Work policy should be applied by the Clerks. In cases of doubt or uncertainty as to the application of the Policy or this Guidance, any or all of GSK, AG or CEB should be consulted.
2. The core of the Policy is that the Clerks must select which barristers to put forward for a work opportunity by reference to criteria which do not give rise to unlawful discrimination, and must attempt to achieve overall fairness in allocation of work opportunities and equal access to the full range of work undertaken in Chambers.
3. The following are examples of criteria which do not give rise to unlawful discrimination, and to which the clerks may have regard when selecting which barristers to put forward for a work opportunity:
 - (1) A barrister's level of seniority in relation to the level of seniority requested by the instructing entity and/or which the clerk reasonably considers to be appropriate for the work opportunity concerned;
 - (2) A barrister's professional experience in relation to the experience desired by the instructing entity and/or which the clerk reasonably believes to be appropriate for the work opportunity concerned;
 - (3) A barrister's lack of current work (including, for the avoidance of doubt, lack of current work as a result of returning from a period of extended leave or absence).
4. The clerks are therefore not obliged to put forward all barristers who are available for a work opportunity, if the criteria in paragraph 3 above (together with any other relevant and legitimate considerations) suggest that it is appropriate to put forward a more limited selection of barristers in the first instance. The clerks should accordingly make this assessment before circulating the work opportunity to members of chambers.

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