



Firm diversity data Q&A

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Here are some common questions that we have answered to help you [report your firm's diversity data](https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/your-data/) [<https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/your-data/>].

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How did you decide on the wording of your questions about sex and gender identity?

We have changed our monitoring of sex to align with the [Supreme Court's recent judgement](https://supremecourt.uk/uploads/uksc_2024_0042_judgment_aea6c48cee.pdf) [https://supremecourt.uk/uploads/uksc_2024_0042_judgment_aea6c48cee.pdf]. It decided that the protected characteristic of sex as defined in the Equality Act 2010, means biological sex and this is binary, either male or female. Therefore, we will now be collecting information about sex using the question 'What is your sex?' and provide options to answer 'male', 'female', and 'prefer not to say'.

We also collect information about gender identity using the question 'Is the gender you identify with the same as your sex registered at birth?'. And provide options to answer 'yes', 'no' and 'prefer not to say'. The recommended approach to monitoring for gender identity is evolving and we will keep the position under review. We are following [guidance from the Government Statistical service](https://analysisfunction.civilservice.gov.uk/policy-store/gender-identity-data-harmonisation-guidance/) [<https://analysisfunction.civilservice.gov.uk/policy-store/gender-identity-data-harmonisation-guidance/>] and making no change to our current question until an alternative recommendation is available.

The option to select 'prefer not to say' or leave the question blank is available when reporting both questions to us.

I have already collected monitoring data on sex from our staff, what do I do?

If you already have responses in the 'other preferred description' category, you can still complete your report to us. Please add the 'other' responses to the default category in the reporting form, which is labelled 'invalid/no response to this question'.

We recognise that this does not capture the intended response of the people who reported their sex to you as something other than male or female. However, the Supreme Court judgement was handed down after we first published our diversity questionnaire and has immediate effect.



We are suggesting this workaround as we do not think it is proportionate to ask firms to repeat their survey before reporting their data to us. Alternatively, you can decide to collect the data again to align with the revised monitoring question for sex.

Do you collect workforce diversity data from in-house solicitors?

No, the requirement to collect, report and publish diversity data only applies to SRA-regulated firms. We collect this information from solicitors who work in-house through our individual diversity monitoring questions on mySRA.

Do sole practitioners and small law firms need to collect and report diversity data?

Yes, all firms, regardless of size, must collect and report its workforce diversity data. If someone is concerned about disclosing personal information because the firm is small, there is an option to select 'prefer not to say' for all questions.

Whilst the requirement to publish a summary of your diversity data also applies to sole practitioners and small firms, we recognise that it may not be possible to do this [without the risk of identifying individuals](#) [[#heading_57af](#)].

What if someone works for more than one firm?

They only need to complete one questionnaire. This should be for the firm where they do the majority of their work and spend most of their time. If they work for several firms on an equal basis, they should complete the questionnaire for the one they have been working for the longest.

Can I report for more than one firm the same time?

If you have multiple firms you want to submit data for the same time, you can create a group by clicking on 'Manage firms' and searching for the relevant firm. Click 'Add to response' to create your group.

Should consultants be included in the diversity data collection for our firm?

Yes, but only those who are contracted for three months or longer with you.

It does not matter whether they are paid through invoices or through the payroll. Consultants should be included within the appropriate role



category as if they were employees.

Are a firm's corporate partners or other regulated entities such as a nominee or trustee firm covered?

All firms regulated by us are covered by this requirement. However, if your main firm is linked to other regulated entities, such as corporate partners, we only expect one report to cover the group.

You can create a group when you report your data to us, by linking these related entities to the main firm. All those within the group will then be covered by your diversity report.

Do I need to provide data if my firm's head office is in Scotland?

Whilst your head office may be based in Scotland, if you have a branch in England and Wales, then you should report the diversity data for the people who work more than 50% of their full-time equivalent in that office. This scenario would include all employees within the England and Wales branches.

We would like to outsource the data collection exercise. Is this acceptable?

Yes, there are external providers who can carry out a diversity survey of your staff for you. Please remember that you will still need to report your firm diversity data to us.

I have already completed the diversity questions on my account in mySRA. Do I need to take part in the firm survey?

Both the data you provide in mySRA and to your law firm are important in helping us understand and promote diversity in the profession.

The information you provide in mySRA is personal to you and cannot be entered for you by your firm. We use this information for reporting, research and evaluation. It helps us improve how we regulate, making sure we are fair and inclusive in how we develop and apply our regulatory processes.

The data we collect from your firm covers everyone there (not just solicitors) and is reported to us anonymously. We use this to create a detailed picture of diversity in law firms across the profession.

Are we required to publish our diversity data if people could be identified?



All firms should consider if and how they could publish a summary of the data, but if you cannot do this without risking the identification of individuals, you are not required to publish. There may be ways that you can present a summary of the data which could minimise the risk of identification. See our [publishing guidance for more information](https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/your-data/#Collection_51) [https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/your-data/#Collection_51].

Do we need to apply for an exemption or waiver from the publication requirement if we decide we cannot publish our diversity data?

No, if you cannot publish some or all of your diversity data, you do not need to apply for any exemption or waiver.

When you report your data to us, we will ask you whether you are proposing to publish your data. If you tell us that you are not, we will ask you to tell us why.

What action will you take if a firm does not comply with the requirements?

This is a regulatory requirement and we may take action if you do not do this. This means your firm could be issued a [fixed penalty fine](https://higher-rights.sra.org.uk/sra/news/financial-penalties/) [https://higher-rights.sra.org.uk/sra/news/financial-penalties/] for non-compliance with this regulatory request.

What happens if someone at my firm refuses to respond to the diversity questionnaire?

You must give people an opportunity to respond but you cannot compel anyone to provide their diversity information. There is a 'prefer not to say' option for every question.

To encourage people to respond you should explain the purpose of the survey and reassure them about confidentiality.

Is this a regulatory requirement?

Yes, the requirement to collect, report and publish diversity data is set out in the [Code of Conduct for Firms](https://higher-rights.sra.org.uk/solicitors/standards-regulations/code-conduct-firms/#rule-11). [https://higher-rights.sra.org.uk/solicitors/standards-regulations/code-conduct-firms/#rule-11] It is an important part of upholding [SRA Principle 6](https://higher-rights.sra.org.uk/solicitors/standards-regulations/principles/) [https://higher-rights.sra.org.uk/solicitors/standards-regulations/principles/] which is to 'act in a way that encourages equality, diversity and inclusion'.

Monitoring the diversity of people working in your firm will help you assess whether your firm is diverse. And whether you could do more to encourage equality, diversity and inclusion.



You can compare your firm's data with the diversity of other firms like yours using our [firm diversity tool](https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/law-firm-diversity-tool/) [https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/law-firm-diversity-tool/].

What action will you take if a firm does not comply with the requirement?

This is a regulatory requirement, and we will consider actions such as issuing a [fixed financial penalty](https://higher-rights.sra.org.uk/sra/news/financial-penalties/) [https://higher-rights.sra.org.uk/sra/news/financial-penalties/] to firms which do not report its diversity data to us when required.

What happens if someone at my firm refuses to respond to the diversity questionnaire?

You must give people an opportunity to respond but you cannot compel anyone to provide their diversity information. There is a 'prefer not to say' option for every question.

To encourage people to respond you should explain the purpose of the survey and reassure them about confidentiality.

Where can I get more advice about equality, diversity and inclusion?

For more advice about equality, diversity and inclusion please see:

- [SRA Principle 6](https://higher-rights.sra.org.uk/solicitors/standards-regulations/principles/) [https://higher-rights.sra.org.uk/solicitors/standards-regulations/principles/]
- [Rule 1 of the Code of Conduct for Firms](https://higher-rights.sra.org.uk/solicitors/standards-regulations/code-conduct-firms/#rule-1) [https://higher-rights.sra.org.uk/solicitors/standards-regulations/code-conduct-firms/#rule-1]
- [guidance on the SRA's approach to equality, diversity and inclusion](https://higher-rights.sra.org.uk/solicitors/guidance/sra-approach-equality-diversity-inclusion/) [https://higher-rights.sra.org.uk/solicitors/guidance/sra-approach-equality-diversity-inclusion/]
- [further resources for encouraging equality, diversity and inclusion](https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/equality-diversity-inclusion/) [https://higher-rights.sra.org.uk/solicitors/resources/equality-diversity/equality-diversity-inclusion/]