

7 King's Bench Walk Harassment Policy

1. Statement of Policy

- (1) Chambers is committed to providing a working environment in which all individuals are treated with dignity and respect.
- (2) Chambers will not tolerate or condone any form of harassment and will take all necessary steps to ensure that its members and employees are not subject to harassment.
- (3) All members of Chambers, pupils, employees and others temporarily in Chambers (such as mini-pupils and those providing services to Chambers) have a right to complain if they are subject to harassment.
- (4) Chambers is committed to ensuring that no one who brings forward a harassment concern in good faith is subject to any form of reprisal. The raising of such a complaint will not have any adverse consequences for the complainant, particularly in relation to tenancy and promotion decisions.

2. Scope of this Policy

- (1) This policy applies to all members of Chambers, employees, pupils and mini-pupils and all those for whom Chambers constitutes a working environment.
- (2) It applies to all premises where Chambers' business is conducted, and during the course of all activities connected with the work of Chambers (including social activities organised by Chambers).

3. Definition of Harassment

- (1) Harassment is any form of unwanted conduct related to sex, pregnancy/maternity, race, disability, gender re-assignment, religion or belief,

sexual orientation, marital or civil partnership or age or similar which has the aim, or effect, of violating and/or diminishing a person's dignity or which creates an intimidating, hostile, degrading, humiliating or offensive environment for that person (or a witness to the conduct).

- (2) Harassment also arises where: (a) a person engages in unwanted conduct of a sexual nature towards another person and the conduct has one or other of the aims or effects identified at (1) above; (b) a person engages in unwanted conduct of a sexual nature (or related to gender reassignment or sex) which has one or other of the aims or effects identified at (1) above and, because the recipient rejected (or submitted to) that conduct, that person treats the recipient less favourably than if they had not rejected or submitted to it.
- (3) The essence of all harassment is that it is unwelcome conduct which is reasonably considered by the recipient to be offensive or is reasonably perceived as hostile or threatening.

4. Harassment Policy

- (1) Chambers prohibits harassment. Any incidence of harassment will be treated as a serious matter.
- (2) Harassment may take many forms including:
 - (i) physical assault, including sexual assault;
 - (ii) demands for sexual favours in return for career advancement.
 - (iii) unnecessary physical contact;
 - (iv) exclusion from social networks and activities;
 - (v) isolation;

- (vi) bullying or verbal abuse;
 - (vii) compromising suggestions or invitations;
 - (viii) suggestive remarks or looks;
 - (ix) display of offensive materials, including on computer screen; and/or
 - (x) offensive remarks or ridicule.
- (3) Disciplinary action will be taken against any member or employee of Chambers found to have harassed a colleague or other person while on Chambers' premises or in the course of activities connected with the work of Chambers.

5. Resolving Complaints of Harassment

- (1) When an incident of harassment occurs, the recipient should communicate their disapproval and objections immediately to the harasser, if they feel able to do so, and request the harasser to stop.
- (2) If the harasser does not stop or if the recipient is uncomfortable about addressing the harasser directly, he or she should bring their concerns to the attention of the Equality and Diversity Officer. Alternatively, he or she may pursue an informal resolution in accordance with paragraph 3 of Chambers' Grievance Procedure. In either case, the matter will be dealt with sensitively and discreetly.
- (3) Where the person subject to harassment does not wish to pursue the informal resolution options or has exhausted such options, he or she may make a formal complaint in accordance with Chambers' Grievance Procedure.
- (4) If an allegation of harassment is upheld, appropriate remedial actions will be taken. These may include any of the following:

- (i) formal apology;
- (ii) counselling;
- (iii) written warning;
- (iv) change of work assignment;
- (v) report to the relevant Inn recommending the removal of pupil supervisor status;
- (vi) suspension or discharge of an employee;
- (vii) referral to the Professional Conduct Committee (PCC).

6. Pupil Supervisors and Pupils

- (1) It is inappropriate for any member of chambers or employee to engage in a sexual relationship with any person who is, or is expected to become, a pupil in Chambers.
- (2) Without derogation from the foregoing, any member of Chambers or employee who is or has engaged in a sexual relationship with any person who is or is applying or is expected to become a pupil in Chambers should play no part (whether formal or informal) in any decision-taking with respect to that person.

7. Further Avenues of Redress for an Individual Experiencing Harassment

If informal methods or Chambers' Grievance Procedure fails to resolve the matter, or if the harassment complained of is of a more serious nature to begin with, one or more of the following methods of resolution may be appropriate:

- (1) initiation of the Bar Council's mediation procedure in confidence through the Bar Council's Equality and Diversity Advisers. The Mediation Panel can be approached in confidence and will aim to achieve an end to the conduct complained of without necessarily finding fault or blame and without the imposition of sanctions;
- (2) a complaint to the relevant Inns Students' Officer about a sponsor or pupil supervisor;
- (3) a complaint to the Bar Council's Professional Conduct and Complaints Committee where the alleged harasser is a barrister;
- (4) action in the county court or employment tribunal alleging harassment as a form of unlawful direct discrimination; and/or
- (5) reporting the matter to the police where an act of harassment is a criminal offence e.g. assault or intentional harassment.

8. General

- (1) Chambers is committed to ensuring that no-one who makes an allegation of harassment in good faith should be subjected to any detriment as a result. Any victimisation of a complainant, witness or anyone else involved in the investigation of a complaint or for doing anything for the purposes of equality legislation or in connection with it will be viewed as a disciplinary matter.
- (2) A copy of this policy will be made available to all those for whom Chambers constitutes a working environment.

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