



ANTI-HARASSMENT POLICY

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1 Introduction

- 1.1 Staple Inn Chambers (hereinafter referred to as “Chambers”) is committed to providing a work environment in which all members, pupils, clerks, clients (both lay and professional) and the public are treated with dignity and respect.
- 1.2 Chambers is determined to promote a work environment in which everyone is treated equally and with dignity and can flourish.

2 Legislation

- 2.1 Harassment is unlawful under section 26 of the Equality Act 2010.
- 2.2 Harassment is where a person engages in unwanted conduct related to age, disability, race, religion or belief, sex, sexual orientation or gender reassignment and the conduct is for the purpose of or has the effect of violating the dignity of another or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- 2.3 A person harasses another if they engage in unwanted conduct of a sexual nature and conduct is for the purpose of or has the effect of violating the dignity of another or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- 2.4 A person harasses another where they engage in unwanted conduct of a sexual nature or that is related to gender reassignment or sex and conduct of that person is for the purpose of or has the effect of violating the dignity of another or creating an intimidating, hostile, degrading, humiliating or offensive environment and because the person’s unwanted conduct has been rejected by or submitted to by the other, they are treated less favourably.
- 2.5 Harassment is misconduct for employees.
- 2.6 Harassment is a breach of the Bar Code of Conduct.
- 2.7 Certain forms of harassment may also constitute a criminal offence.
- 2.8 Chambers’ designated Anti-Harassment Officer (hereinafter referred to as the AHO) is Hugh D’Aguilar.

3 Statement of intent

- 3.1 Chambers ensures that no member, pupil, clerk or employee is subject to harassment of any description.

- 3.2 Chambers commits itself to take action necessary to remove any form or cause of harassment on the basis of race, sex, disability, sexual orientation, gender reassignment, religion or belief, marital status, marriage and civil partnership, pregnancy and maternity, age, creed, colour, nationality, national origin or ethnic origin or on the grounds of a person's association with someone in one of these groups as well as being committed to taking positive actions to promote a harassment free environment.
- 3.3 Chambers will not tolerate harassment in any form.

4 Complaints procedure

4.1 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.

4.2 INFORMAL COMPLAINTS

- (a) In the first instance, if the aggrieved person feels able to do so, they should request the person or persons causing the grievance to stop.
- (b) If the aggrieved person is uncomfortable addressing the person causing the grievance directly, they should bring their concerns to the attention of Chambers' AHO.
- (c) On behalf of Chambers the AHO will provide advice and support to the aggrieved person or refer the aggrieved person to the appropriate channel if beyond the competency of the AHO.
- (d) The AHO will investigate the matter in strict confidence to resolve the complaint.
- (e) The AHO will aim to resolve the complaint within one week of the complaint being made.
- (f) Any delay will be communicated to the aggrieved person as soon as, and if delay arises.
- (g) It is envisaged that an appropriate response can be agreed with the aggrieved person.

4.3 FORMAL COMPLAINTS

- (a) Where the person subject of a grievance does not wish to pursue the informal resolution options, they can make a formal complaint to the AHO.

- (b) In cases where the aggrieved person has availed themselves of the informal option and that option has not resolved the complaint or brought about a satisfactory resolution, the aggrieved person can inform the AHO that they want to make a formal complaint.
- (c) Formal complaints can also be made to the Chambers Complaints Officer. All such complaints will be promptly investigated.
- (d) If a formal complaint is made the following Complaints Procedure will apply.
- (e) A formal complaint should be made in writing.
- (f) Within one week of the receipt of the complaint an investigation of the allegation will be made and completed within 14 days, unless there are good reasons for delay.
- (g) Investigations will be conducted in accordance with standards of natural justice.
- (h) Where possible, two members of chambers not directly involved in the complaint will undertake the investigation. All parties to the complaint will be permitted to be accompanied by a colleague or friend at any hearing.
- (i) Where possible, three members of chambers not directly involved in the complaint (usually including the Staple Inn Chambers Complaints Officer and the Equal Opportunities and Diversity Officer and or the AHO) will form the panel of any hearing.
- (j) If the grievance is upheld, appropriate remedial actions will be taken. This 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 of Court (recommending the removal of pupil supervisor status)
 - (vi) Suspension or discharge of member, pupil, clerk or employee
 - (vii) Referral to Professional Conduct Committee (PCC).

- (k) In addition to the sanction that may be imposed on a member, clerk, pupil or employee by Chambers as part of a complaint resolution, members of Chambers who engage in unwanted behaviour may be liable for damages in the event of a civil lawsuit.
- (l) Referral to the PCC may result in further sanctions imposed by the Bar Council.
- (m) Very serious cases could lead to criminal investigation, prosecution and criminal sanctions.

5 Implementation and review

- 5.1 This Policy will be implemented on the 31st March 2021 and will be reviewable yearly, the first review being on or before the 1st April 2022.

Updated 22/07/21

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