

# Essex Court Chambers Harassment Policy

Essex Court Chambers is committed to providing a work environment in which all individuals, clients and the public are treated with dignity and respect. We are determined to promote a work environment in which everyone is treated equally and with dignity and can flourish. This applies to everyone present in Chambers, including employees, pupils, mini-pupils, personal assistants (regardless of whether they are employed or not and who they may be employed by), contractors, and members of Chambers or while engaged in activities relating to Chambers or to a member's professional activity as a barrister.

Harassment in any form will not be tolerated at Essex Court Chambers. Harassment includes any unwanted conduct related to sex, race, disability, gender re-assignment, religion or belief, sexual orientation or age. Such behaviour may take many forms including:

- conduct which is unwanted by the recipient and perceived as hostile or threatening;
- conduct which gives rise to a hostile or threatening work environment;
- conduct which creates an atmosphere in which it is feared that rejection or submission will be used as a basis for decisions which have an impact on the recipient at work such as an allocation of work or tenancy decision.

The following are examples of types of behaviour which may amount to harassment:

- physical or sexual assault;
- requests for sexual favours in return for career advancement;
- unnecessary physical contact;
- exclusion from social networks and activities or other forms of isolation; bullying;
- compromising suggestions or invitations;
- suggestive remarks or looks;
- display of offensive materials, including on a computer screen;
- tasteless jokes or verbal abuse, including any sent by email;
- offensive remarks or ridicule;
- dealing inappropriately or inadequately with complaints of harassment.

In addition to the above unwanted conduct, it can arise where a person engages in any kind of unwanted sexual behaviour (or behaviour related to gender reassignment, gender or sexual orientation).

Harassment is unlawful under the Equality Act 2010. Harassment is misconduct for employees or a breach of the Bar Code of Conduct for barristers. Allegations of harassment by employees will be dealt with under the Essex Court Chambers disciplinary procedures.

Complaints of harassment may be raised informally in the first instance with Chambers' Equality and Diversity Officer, the Head of Chambers or another senior Member of Chambers who will agree an appropriate response. Formal complaints should be made under the Essex Court Chambers grievance procedures.

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 will be viewed as a disciplinary matter.

To protect the interests of the complainant, the person complained against, and any others who may report or be witnesses to incidents of harassment, confidentiality will be maintained throughout any investigatory process to the extent that this is practical and appropriate under the circumstances. However, Chambers has a duty to ensure that harassment does not re-occur. All records of complaints, including notes of meetings, interviews, results of investigations and other relevant material will be kept confidential by Chambers except where disclosure is required by law or for disciplinary or other remedial processes.

A copy of this policy is provided to all those for whom Chambers constitutes a working environment, including Members of Chambers, pupils, clerks and other employees, temporary workers, those who provide services to Chambers such as contract cleaners, accountants and IT consultants and mini-pupils and work experience students.

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## **EXPLANATORY NOTE**

This policy largely follows the model harassment policy appended to the Bar Standards Boards Guidelines on the Equality and Diversity Provisions of the Code of Conduct, section 12. It replaces Chambers' previous policy, which followed Annex J to the former Equality and Diversity Code, which is abolished.