



Anti bullying, harassment and sexual harassment policy for chambers

Scope

1. This policy outlines what constitutes bullying, harassment and sexual harassment and sets out expectations of behaviour for chambers.
2. This policy covers all those working in Holborn Chambers, visiting chambers or providing services to chambers. It covers, amongst others, tenants, pupils, mini-pupils, work experience students, members of staff, clients and contractors. Anyone who is subjected to treatment which is considered to be bullying, harassment or sexual harassment under the terms of this policy, is able to raise a concern, complaint or grievance with chambers.

Purpose

3. Holborn Chambers is committed to providing a work environment in which all individuals, clients and the public are treated with dignity and respect. Chambers is determined to promote a work environment in which everyone is treated equally and with dignity and can flourish. This policy is central to chambers commitment and will be applied rigorously.
4. Bullying, harassment or sexual harassment in any form will not be tolerated or condoned at Holborn Chambers and those practising from, working in, visiting or providing services to chambers have a right to complain if it occurs.
5. Chambers combats harassment, bullying and sexual harassment through:

- a. Offering guidance as to the type of behaviour that may be considered inappropriate
- b. Taking appropriate steps to reduce or prevent the chances of inappropriate behaviour occurring
- c. Resolving, informally and without blame, genuine misunderstandings and disagreements about whether such behaviour has occurred
- d. Providing an effective and user-friendly system for raising concerns about objectionable behaviour
- e. Taking effective steps to address incidents of inappropriate behaviour and to deal with perpetrators of such behaviour in a fair and proportionate way
- f. Offering practical support for those who feel they have been affected by inappropriate behaviour
- g. Ensuring ongoing review of this policy

Bullying, harassment and sexual harassment

Harassment

- 6. Harassment is unwanted conduct related to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation which is intended or has the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment may take many forms including:
 - a. Conduct which is unwanted by the recipient and perceived as hostile or threatening
 - b. Conduct which gives rise to a hostile or threatening work environment
 - c. 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
- 7. The following are examples of types of behaviour which may amount to harassment:
 - a. Racist, sexist, homophobic, transphobic or ageist jokes. Derogatory or stereotypical remarks about an ethnic or religious group, religion or belief, or gender
 - b. Disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes

- c. Maliciously misgendering someone
- d. Offensive emails, text messages or social media content
- e. Mocking, mimicking or belittling a person's (past, present, or perceived) disability
- f. Exclusion from social networking and activities or other forms of isolation
- g. Physical assault

Sexual harassment

8. Sexual harassment is unwanted or unwelcome behaviour of a sexual nature which violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for someone. It can be sexual harassment if the behaviour has one of these effects even if it was not intended, or was intended to have one of these effects, even if it did not have that effect.
9. Examples of sexual harassment include:
 - a. Unwelcome sexual advances
 - b. Unwanted or intrusive physical conduct, including touching, pinching, pushing and grabbing
 - c. Making sexual jokes, suggestive gestures or remarks
 - d. Asking intrusive questions about a person's private or sex life, or a person discussing their own sex life
 - e. Spreading rumours of a sexual nature about a person
 - f. Making promises in return for sexual favours
 - g. Unwanted or derogatory comments about a person's clothing, physical attributes, or appearance
 - h. Sending or displaying or showing pornographic content, inappropriate images, or inappropriate drawings
 - i. Sending emails, text messages, or other instant messages with material or content of a sexual nature
 - j. Unwanted social invitations for dates or physical intimacy
10. Harassment and sexual harassment are unlawful under the Equality Act 2010, misconduct or gross misconduct for employees or a breach of the Bar Code of Conduct for barristers.
11. Due to the obvious power imbalance, members of chambers and staff are prohibited from engaging in romantic or sexual relationships with any pupil,

including 12-month pupils, 'third six'/probationary tenants, mini-pupils or those undertaking work experience.

Bullying

12. Bullying is unwanted behaviour from a person or group that is either
 - a. Offensive, intimidating, malicious or insulting
 - b. An abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone
13. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or calls, at work or in other work-related situations and is not always be obvious or noticed by others.
14. Examples of bullying at work include:
 - a. Constantly criticising someone's work
 - b. Overbearing or intimidating levels of supervision
 - c. Spreading malicious rumours about someone
 - d. Constantly putting someone down in meetings
 - e. Deliberately giving someone a heavier workload than everyone else
 - f. Deliberately or repeatedly excluding someone from team social events
 - g. Putting humiliating, offensive or threatening comments or photos on social media
15. Bullying is misconduct or gross misconduct for employees and may breach the Bar Code of Conduct for barristers.
16. Behaviour may be inappropriate whether or not it fulfils the definitions of bullying, harassment or sexual harassment set out above.
17. Legitimate, reasonable and constructive criticism of a person's performance or behaviour, or reasonable instructions given to someone in the course of their work or training, will not amount to bullying on their own.

Challenging bullying, harassment and sexual harassment

18. Everyone who works at Holborn Chambers is encouraged to take steps to stop, deter and prevent bullying, harassment and sexual harassment.
19. Anyone who witnesses such behaviour directed at another, including hearing harassing or bullying comments, whether inside or outside chambers, is

encouraged to challenge it rather than let it pass, unless to do so would put themselves at risk.

20. If you feel you have been the target of bullying, harassment or sexual harassment, please consider whether you feel able to raise the problem informally with the person responsible, explaining to them that their behaviour is not welcome and the impact it had on you. If you don't feel comfortable raising it yourself, there are a number of ways to raise it within chambers.

Raising concerns

21. Anyone who has been the target of bullying, harassment or sexual harassment, or who witnesses such behaviour directed at another, whether inside or outside Holborn Chambers, is encouraged to raise their concerns formally or informally within chambers in order that appropriate support can be provided, and appropriate, proportionate action taken.
22. Anyone who learns of such behaviour by another should encourage those who witnessed or received the inappropriate behaviour to raise a concern formally or informally as set out below.
23. Chambers recognises that it takes courage to raise a concern about another person's conduct, particularly where that person is in a position of seniority or authority, and aims to make it easy and as stress-free as possible to do so.

Raising a concern informally

24. Concerns can be raised informally with any of:
- a. A member of Chambers Management Committee
 - b. The head of chambers
 - c. The deputy head(s) of chambers
 - d. Pupil Supervisor
 - e. The senior clerk
25. Chambers will ensure that the persons referred to in paragraph 24 are given appropriate training for such purposes.
26. Concerns can be raised in person, by phone or by email.

27. Those wishing to raise a concern should not feel constrained as to which of these individuals they approach but should choose the individual they feel most comfortable talking to about their concern.
28. Alternatively, concerns may be raised with any trusted member or staff. That person should, with the consent of the person raising the concern, seek advice from one of the individuals listed at paragraph 24, or from the Commissioner for Conduct, who will deal with the matter confidentially.
29. Any person raising a concern informally is welcome to have a friend or colleague with them for discussions regarding their concern.
30. Where a concern is raised informally with one of the individuals listed in paragraph 24, that person will:
 - a. Respond promptly
 - b. Ensure confidentiality
 - c. Listen to and discuss the concern
 - d. If appropriate, explain the relevant Equality and Diversity Policy, Grievance Policy and Disciplinary Policy and the relevant procedures
 - e. Discuss what outcome the person raising the concern would ideally like
 - f. Discuss which chambers' process, formal or informal, would be the most appropriate to achieve that outcome
 - g. Explain what support chambers can provide to the person raising the concern, or anyone else who appears to have been affected by the conduct raised
 - h. If appropriate, discuss the Bar Standards Board reporting requirement
 - i. As much as possible, agree a way forward that the person raising the concern is happy with
31. Possible outcomes from raising a concern informally could include, but are not limited to, the following examples:
 - a. Providing emotional support or guidance to any person who needs it.
 - b. The person seeking to resolve the matter meeting with the person whose behaviour was reported. In the conversation explaining how their behaviour was inappropriate, why it was unwelcome, and to inform them that if further similar incidents are reported the consequences might be a formal investigation.
 - c. Make arrangements so the person whose behaviour was reported, and the target of their alleged behaviour, are not clerked into the same cases or work together.

- d. A change of pupil supervisor.
 - e. The person whose behaviour was reported agreeing not to attend chambers or Bar social functions for a period, or not to consume alcohol at such events.
 - f. The person whose behaviour was reported agreeing to attend a bullying, harassment and sexual harassment training course.
 - g. With the consent of the person who raised the concern, involving other persons listed in paragraph 24 for further advice, support or action.
 - h. Making a report to the Bar Standards Board or Commissioner for Conduct on behalf of the person who raised the concern or assisting them in making such a report.
 - i. If the concern relates to the conduct of a judge, support the person who raised the concern to lodge a complaint with the Judicial Conduct Investigations Office.
 - j. If the concern relates to the conduct of a solicitor, support the person who raised the concern to lodge a complaint with the Solicitors' Regulatory Authority.
 - k. Support any person who needs it to access counselling or external advice
 - l. Ongoing monitoring of the person whose behaviour caused the concern
 - m. Ongoing support for anyone involved who may benefit from it
32. Where the conduct in issue is particularly serious, including a repeated series of incidents or involving assault, the person seeking to resolve the matter shall encourage the person who raised the concern to raise a formal complaint.
33. The person who raised the concern will be kept informed of the outcome of action taken, and a record will be kept for 7 years.

Raising a formal complaint

34. Anyone who has been the target of bullying, harassment or sexual harassment, or who witnesses such behaviour, whether inside or outside Holborn Chambers, may wish to raise a formal complaint with any of the individuals listed in paragraph 24.
35. Formal complaints should be made under the applicable complaints or grievance procedure on a confidential basis (depending on the role of the complainant/the role of the person being complained about), subject to the requirement to report serious misconduct to the Bar Standards Board or

Commissioner for Conduct. The individual raising the concern should make clear that the concern is being raised formally in line with this policy.

36. As a general principle, the decision whether to progress a complaint is up to the complainant. However, chambers have a duty to protect all individuals working within chambers and may pursue the matter independently if it is considered appropriate to do so.
37. Chambers will investigate formal complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Some allegations may require formal investigation by an external party. The head or deputy head(s) of chambers depending on which policy the grievance is raised under, will appoint the panel or investigator.
38. Where a formal complaint is made about an employee, chambers may consider suspending them on full pay or making temporary changes to working arrangements pending the outcome of the investigation.
39. The investigator will meet with the alleged harasser or bully to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.
40. Where a formal complaint is made about someone other than an employee (eg a member, contractor, client or agent), chambers will consider what action may be appropriate to protect the complainant or/and anyone involved pending the outcome of the investigation. The reasonable needs of chambers and the rights of the subject of the complaint will be taken into consideration. Where appropriate, chambers will attempt to discuss the matter with those involved.
41. Chambers will consider any requests the complainant makes for changes to their working arrangements during the investigation. For example, employees may ask for changes to duties or working hours, and members may ask to be clerked by someone else, or to work remotely to avoid or minimise contact with the subject of their complaint.
42. It may be necessary to interview witnesses to any of the incidents mentioned in the formal complaint. If so, the importance of confidentiality will be emphasised to them.

Action following the investigation after a formal complaint

43. If there is a finding of bullying, harassment or sexual harassment, action will be taken to address it. Any action taken will be appropriate and proportionate. It may include an outcome listed in paragraph 31, and/or any sanction up to and including suspension or, in very serious cases, summary dismissal (where the person responsible for the conduct is an employee) or expulsion (where the person responsible for the conduct is a member).
44. Where the person responsible for the conduct is a third party, appropriate action might include an outcome listed in paragraph 31, speaking or writing to the person and/or their superior about their behaviour, or, in very serious cases, banning them from the premises or terminating a contract with them.
45. Where chambers considers that a report should be made to the Bar Standards Board or Commissioner for Conduct, it will consider whether or not to await the outcome of that prior to taking any action, and if, so, whether to take any interim measures. Where chambers decides not to make a report to the Bar Standards Board or Commissioner for Conduct, no pressure shall be put on any person affected by the conduct in question not to make such a report themselves.
46. The person who made the formal complaint and the person who the complaint is about will be notified of chambers' decision in writing.
47. Providing false information, or otherwise acting in bad faith as part of an investigation, will be dealt with appropriately, and, in the case of employees, treated as misconduct.
48. If the person who raised the complaint, or the person responding to the complaint is not satisfied with the outcome, they can appeal in line with the appeal process in the relevant grievance or disciplinary policy
49. Any appeal will involve a review of the findings and conclusion of the formal process. The person raising the concern, the person the concern is about, and the investigator who made the determination will be entitled to make oral or written submissions as part of that appeal. The person hearing the appeal is able to take steps they feel is appropriate in order to consider and determine the appeal.

Protection and support for complainants and others

50. Chambers is committed to ensuring that no-one who makes an allegation of bullying, harassment or sexual harassment in good faith should be subjected to any detriment as a result. Any victimisation of a complainant, witness or anyone involved in the investigation of a complaint will be viewed as a disciplinary matter. All persons shall be treated equally and fairly under this policy regardless of role or seniority or lack of it.
51. Following any investigation, whatever its outcome, particular consideration shall be given to steps to reduce the risk of the conduct which caused concern occurring again.

Confidentiality and data protection

52. Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a 'need to know' basis.
53. Information about a complaint by or about an employee may be placed on the employee's personnel file. A complaint about a member will be retained for the duration of their membership or in line with chambers' data retention policy, along with a record of the outcome, any notes or other documents compiled during the process.
54. A breach of confidentiality by any employee may give rise to disciplinary action.
55. A breach of confidentiality by any member, pupil, mini-pupil or others working at chambers will be dealt with by the Management Committee through the relevant procedure.
56. A copy of this policy is provided to all those for who chambers constitutes a working environment, including members of chambers, staff, pupils, mini-pupils, squatters, clerks,, temporary workers, those who provide services to chambers such as cleaners, accountants and IT consultants, and work experience students.

Pupils

57. Pupils will meet with the Deputy Head of Chambers at their induction session before starting pupillage and will meet them again during their first 6 months. Thereafter the Deputy Head of Chambers shall make contact with the pupil occasionally to offer advice and support.
58. At their induction session or at another appropriate time around the start of their pupillage, pupils shall be provided with a copy of this policy, contact details for the relevant person and details how to access the anonymous advice system. This policy will be explained to them, and they will be invited to participate in a private and confidential question and answer session in order to give them the opportunity to ask any questions and discuss chambers practices in a comfortable environment.
59. Where a pupil has any concern about any perceived bullying, harassment or sexual harassment they may raise it informally with their pupil supervisor, or any one of the people listed in paragraph 24. Alternatively, they may use the formal process as set out above.
60. Where their concern relates to conduct by their pupil supervisor, consideration will be immediately given if it is appropriate to change pupil supervisor either temporarily or permanently.
61. If any pupil has a concern and does not feel comfortable raising it via the procedures set out above, they are invited to make a record on **Talk to Spot**– they can do so anonymously if they wish and receive confidential advice and guidance from the Bar Council.
62. Pupils have the opportunity shortly after taking tenancy, to raise any concerns regarding bullying, harassment or sexual harassment which took place during their pupillage which they did not feel able to raise at the time.

Judicial conduct

63. Where there is concern regarding the conduct of a judge, chambers can provide advice and support from Deputy Head of Chambers through the informal process as set out above. Alternatively, advice can be secured from the Bar Council's ethics enquiries helpline 020 7611 1307 or Ethics@barcouncil.org.uk, or via **Talk to Spot**. Where appropriate, a formal complaint should be made to the Judicial Conduct Investigations Office. Chambers can provide advice and support in relation to this.

Useful resources

64. Confidential advice in relation to harassment, bullying and sexual harassment can be sought at any time from the Commissioner for Conduct's team via Talk to Spot. The team is based at the Bar Council and can provide you with support and advice. You don't need to give your name, the names of anyone involved, or identify your chambers, unless you are comfortable doing so.
<https://www.barcouncil.org.uk/support-for-barristers/equality-diversity-and-inclusion/talk-to-spot.html>
65. Victim Support offer emotional support to anyone making or considering making a report to the BSB:
victimsupport.org.uk/bar-standards-board-independent-support-service
66. LawCare – free and confidential helpline for lawyers, providing wellbeing and mental health support: 0800 279 6888 or lawcare.org.uk
67. Wellbeing at the Bar – resources, advice and support for barristers, pupils and chambers professionals wellbeingatthebar.org.uk
68. Bar Standards Board guidance on reporting requirements
69. <https://www.barstandardsboard.org.uk/for-barristers/reporting-serious-misconduct.html>
70. The Bar Council ethical enquiries helpline 0207 611 1426 or Ethics@barcouncil.org.uk
71. Bar Standards Board information for those reporting a concern
<https://www.barstandardsboard.org.uk/for-the-public/problems-with-a-barrister/reporting-a-concern.html> or call 0207 6111 444
72. Judicial Conduct Investigations Office – complaints should be lodged within 3 months of the incident. Please check online for up-to-date websites and telephone numbers.
<http://judicialconduct.judiciary.gov.uk/making-a-complaint>

Grievance and Disciplinary Process

For grievance and disciplinary procedures please follow the link

This policy was adopted on **01/09/2026** and will be reviewed every two years.

