

ANTI-HARASSMENT & ANTI-BULLYING POLICY

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SUMMARY OF POLICY

Matrix is committed to providing a work environment in which all individuals, clients and the public are treated with dignity and respect.

Matrix takes a zero-tolerance approach to harassment and bullying by members, employees and others for whom it is responsible. Matrix will also take reasonable steps to prevent and address bullying and harassment by others. Harassment will not be tolerated or condoned. Employees, members, trainees, work experience placements, and others who work at or for Matrix, or with individuals subject to this policy (for example, clients of Matrix) have a right to complain if it occurs.

Bullying, harassment and sexual harassment will normally be regarded as gross misconduct and will lead to disciplinary action under the Conduct & Capability Procedures in the applicable Handbook.

DEFINITIONS

- **Harassment** is unlawful under the Equality Act 2010 and will not be tolerated in any form at Matrix.
 - In summary, harassment consists of any unwanted conduct related to sex, race, disability, gender identity and reassignment, religion or belief (or absence thereof), sexual orientation, age, pregnancy or maternity, which has the purpose or effect of violating a person's dignity, or of creating for that person an intimidating, hostile, degrading, humiliating or offensive environment.
 - In summary, sexual harassment consists of unwanted conduct of a sexual nature/related to gender or sex which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person and/or less favourable treatment for rejecting or refusing to submit to such conduct.
- **Harassment** not linked to any protected characteristic is also unlawful under the Protection from Harassment Act 1997.
- **Bullying** includes offensive, intimidating, malicious or insulting behaviour, and any abuse or misuse of power which undermines, humiliates, denigrates or injures the recipient.
- **Victimisation** is treating a person less favourably because they have raised, or been involved in raising, or are thought to be going to raise issues of equality or harassment under the Equality Act 2010.

Harassment and bullying may include:

- Verbal or non-verbal, physical or visual behaviour.
- A single act or a series of acts.
- Behaviour which has the effect set out above, even if the perpetrator does not intend or that it will have this effect, particularly if they should have anticipated or realized that it would have the effect which it had.
- Behaviour which is not directed at the person who finds it intimidating, offensive etc.

EXAMPLES OF HARASSMENT OR BULLYING

The following are examples of types of behaviour which may, depending on the circumstances, amount to harassment or bullying:

- Physical or sexual assault.
- Requests for sexual favours, for example in return for career advancement.
- Unwelcome sexual advances.
- Unreasonable physical contact.
- Unnecessary and degrading references to someone's protected characteristics.
- 'Outing' a person as lesbian, gay, bisexual or transgender without their consent.
- Spreading rumours or gossip.
- Exclusion from social networks and activities or other forms of isolation.
- Verbal abuse, including shouting and intimidation.
- Compromising suggestions or invitations.
- Suggestive remarks or looks.
- Display of offensive materials, including on a computer screen.
- Offensive jokes, whether verbal or written.
- Offensive remarks or ridicule.
- Overbearing supervision or other misuse of power or position.
- Making threats or comments about job security without foundation.
- Deliberately undermining someone, for example by unreasonable overloading and/or criticism.
- Unfair work assignments.
- Unreasonably asking intrusive questions.
- Dealing inappropriately or inadequately with complaints of harassment.

APPLICATION OF THIS POLICY

In order to implement the Policy, Matrix shall:

- Retain a copy of this Policy on a public drive on the Matrix server and on the intranet,
- Provide access to this Policy to all existing employees, members and trainees, and all new employees, members, trainees and individuals on work experience placements as part of their induction,
- Require all employees, members and trainees to confirm that they have read and understood this Policy,
- Publish a copy of this Policy on Matrix's website,
- Provide access to this Policy for all applicants for membership, employment, traineeship and work experience, via the website/application form, and to appropriate suppliers and their workers onsite at Matrix, and
- Include a link to this Policy in our Service Standards and any documents inviting tenders for work or services.

RAISING A COMPLAINT

Where appropriate, Matrix encourages people who are concerned about bullying and harassment to attempt to address behaviour informally and at an early stage. This may be done by approaching the person responsible directly or by involving or seeking advice from a third party, such as a colleague, line manager or an Equality & Diversity Officer (EDO). It may be that the person responsible does not appreciate the effect of their behaviour and some concerns can be resolved by simply talking the matter through.

However, Matrix recognises that this will not be possible or appropriate in all cases. Any person who wishes to make a complaint of harassment or bullying should therefore follow the appropriate Complaints Procedure. Members, trainees and staff should refer to the Grievance & Complaints Procedure in the applicable Handbook, and anyone else to whom this policy applies should follow the [Complaints Procedure](#) on Matrix's website.

Harassment and bullying are both misconducts. They therefore may result in disciplinary action being taken under the Conduct & Capability Procedures contained in the applicable Handbook.

STATEMENT OF VICTIMISATION

Matrix is committed to ensuring, as best it can, 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 may result in disciplinary action being taken under the Conduct & Capability Procedure contained in the applicable Handbook. Victimisation is also unlawful under the Equality Act 2010.

SUPPORT AND ADVICE UNDER THIS POLICY

Matrix recognises the negative impact bullying and harassment can have on performance and mental health, including on self-esteem, confidence and potentially performance. The following resources are available for individuals at Matrix involved in a bullying or harassment claim.

Advice and Companion support

If you have been a victim of harassment or bullying, you are able to seek the advice of your line manager or an EDO. You are also able to nominate a companion if you wish to make a complaint under the Grievance and Complaints Policy.

Wellness Action Plans

Wellness Action Plans are available to all at Matrix, as a way of supporting wellbeing and managing mental health in the workplace. They can be completed individually, or with a line manager, HR, EDOs or a trusted colleague and can be found on the intranet or through contacting one of the above. The form is entirely optional, but all are encouraged to write one and you do not need to have a mental health problem in order to feel the benefits.

Employee Assistance Programme

The Employee Assistance Programme provides mental health and wellbeing support for everyone within Matrix (this includes employees, members, trainees, and their immediate family members).

Information for employees, members and trainees on how to access this service can be found in the version of this policy that is available on the Hub.

Bar Council Support

The Bar Council has a helpline which puts you through to Sam Mercer or a member of the Bar Council's Equality and Diversity team who are responsible for issues including harassment at the Bar.

The helpline: **0207 611 1321**

Email: equality@barcouncil.org.uk

See also the section on support under the Wellbeing Policy.