

Last updated: November 2021

Bullying & Harassment Policy

Introductory statement

Carson Fox Legal is committed to providing a healthy and safe working environment and having effective policies and systems in place in order to prevent and protect all employees from prohibited conduct and behaviours, in compliance with:

- Lawyers and Conveyancers Act 2006 including Conduct and Client Care Rules;
- Human Rights Act 1993;
- Health and Safety at Work Act 2015.

Statement of prohibited behaviours

Bullying, discrimination, and harassment (and any of the prohibited behaviours) are not permitted at any time in this workplace, including clients' premises, courts, educational or professional development events, and any work related off-site social or other activities. Engaging in these behaviours is contrary to r 10.3 of the Conduct and Client Care Rules and is incompatible with the values and standards of this firm. Any instances of such conduct, or any complaints about such conduct, may result in disciplinary action being taken, and in cases of serious misconduct this may include dismissal.

Prohibited behaviours definitions

The term 'behaviours' includes the use of language (whether written or spoken), the use of digital or visual material, and physical behaviour. Prohibited behaviours include:

- **Bullying**: means repeated and unreasonable behaviour directed towards a person or people that is likely to lead to physical or psychological harm.
- **Discrimination**: means discrimination that is unlawful under the Human Rights Act 1993 or any other enactment.
- **Harassment**: means intimidating, threatening, or degrading behaviour directed towards a person or group that is likely to have a harmful effect on the recipient. This includes repeated behaviour but may also be a serious single incident.
- **Racial harassment**: means behaviour that expresses hostility against, or contempt or ridicule towards, another person on the ground of race, ethnicity, or national origin and is likely to be unwelcome or offensive to that person (whether or not it was conveyed directly to that person).
- **Sexual harassment**: means subjecting another person to unreasonable behaviour of a sexual nature that is likely to be unwelcome or offensive to that person (whether or not it was conveyed directly to that person), or a request made by a person or any other person for sexual intercourse, sexual contact, or any other form of sexual activity, that contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment.
- **Violence** includes the following:
 - physical violence
 - psychological violence
 - sexual abuse
 - sexual assault

Roles and responsibilities

- Management is required to communicate our Bullying & Harassment policy to all employees and ensure employees are kept informed of any updates to our policy;
- All Directors, employees and persons working at our premises are required to be familiar with our Bullying & Harassment policy and need to adhere to and comply with this policy;
- Senior staff and managers are expected to model respectful behaviour themselves;
- Management to be available to advise and provide support to staff;
- Management to appoint a responsible senior lawyer to supervise off-site and social workplace activities.

Complaints process

- If an employee has become a victim of bullying and harassment, it should be reported immediately to a director or the Practice Manager.
- Once a complaint has been raised, an investigation will be undertaken by a person/s of seniority and who are independent of the issues and of the individuals involved.
- Notice of full particulars of the complaint will be provided to the person complained against and they will be given an opportunity to respond.
- A support person/s will be made available if required, including support for the complainant.
- All parties are entitled to be represented by legal counsel.
- Once the investigation is complete the parties will be notified of the final decision including notice of the action intended to be taken.
- The firm will comply with any Law Society reporting obligations.
- All complaints will be managed confidentially and privately (excluding mandatory reporting requirements to the Law Society).

Designated lawyer

Linda Fox (Director) is the designated lawyer responsible for reporting and certification requirements and for ensuring that the Bullying and Harassment policy is kept up-to-date.