
Harini Iyengar

Harini Iyengar practises in Employment, Public and Commercial law and has particular expertise in:

- Employment
- Education
- Equality and Discrimination
- Information
- Independent Investigations
- Professional Regulation and Discipline

Harini is recommended in the Legal 500 directory for Employment, Education and Professional Disciplinary and Regulatory law, and in the Chambers & Partners directory for Data Protection, Employment and Education law.

Harini Iyengar is the sole author of “A Practical Guide to the Law of Gender Pay Gap Reporting” (Law Brief Publishing, 2019), contributed a chapter on Equal Pay to “Women’s Legal Landmarks” (Hart Publishing, 2018), and is regularly interviewed as a legal expert in the media, including on Newsnight, Sky News and Victoria Derbyshire.

She is a Master of the Bench at Inner Temple, where she serves on the Benchers Nomination Committee, and also sits on the Bar Council Retention Panel and belongs to the Bar Council Race Working Group. For a decade, she served on the steering committee of the Temple Women’s Forum.

Harini is also an experienced Director, including many years as a University Governor, and holds the Institute of Directors Award in Finance for Non-financial Directors. She presented a paper on Equal Pay as part of the Women’s Budget Group delegation to the International Association for Feminist Economics annual conference.

Most of Harini’s instructions come through solicitors, but she also accepts instructions directly from business owners, directors and individuals under the public access rules, in suitable cases.



Professional Summary

Called 1999

Contact Details

Harini.Iyengar@11kbw.com

+44 (0)20 7632 8500

Clerk Martin Pownall

Clerk Mollie Adams

[Contact Clerks](#)

Specialisms

Employment

Harini acts for both employers and employees, in cases of whistleblowing, restrictive covenants, TUPE, contractual disputes, equal pay, data protection, confidential information, complex disciplinary and grievance matters, bullying and harassment, parental rights, working time, trade unions, redundancy exercises and, of course, dismissal.

Her employer clients include City financial institutions, manufacturing and IT businesses, law firms, public bodies, universities, retail giants, charities, health authorities, local councils, and small businesses. She represents workers from all walks of life from elite professionals through to groups of low-paid workers bringing multiple claims.

WHISTLEBLOWING

Beatt v Croydon Health Services NHS Trust [2017] EWCA Civ 401

Harini successfully represented Dr Beatt in the Court of Appeal in a long-running and widely reported NHS whistleblowing dispute.

Senior Banker v Major Investment Bank

Harini advised a senior banker bringing very high value claims of whistleblowing, disability discrimination, failure to make reasonable adjustments, indirect discrimination, harassment, victimisation and unlawful deduction from wages.

Teacher v Further Education College

Harini advised a teacher bringing whistleblowing claims against a further education college, with complicated facts including a complex disciplinary matter.

WORKING TIME**Commission-Paid Employees v Global Business**

Harini represented a global business in a complex dispute which included claims of breaches of the Working Time Regulations, Working Time Directive and the rules on holiday pay and commission, in addition to whistleblowing, sex discrimination, harassment, victimisation and pregnancy and maternity discrimination claims.

TRANSFER OF UNDERTAKINGS**Townend v Unite the Union**

Harini successfully represented a trade union in a case raising complex issues of TUPE, employment status, and employer's counterclaims, in addition to critical factual disputes.

Dismissal contrary to TUPE Protections

Harini represented a client in a dispute concerning TUPE and service provision change.

TRADE UNIONS**Teacher v Local Authority and School**

Harini Iyengar represented a local authority and school in a case involving claims that a teacher had been subjected to unlawful detriments because of trade union activities.

UNFAIR DISMISSAL AND DISCIPLINARY ISSUES**Peak v South Buckinghamshire County Council**

Harini successfully defended a county council facing a sensitive claim of unfair dismissal brought by a senior officer who had been dismissed for serious sexual misconduct towards a vulnerable service user.

Legal Advisor to Disciplinary Panel

Harini acted as the legal advisor to a disciplinary panel of a public body considering very sensitive allegations of serious misconduct against a senior officer.

CONTRACTUAL DISPUTES INCLUDING BONUS, PENSIONS, STRIKES AND LIVING WAGE**Cook v Gentoo Group Ltd**

[2023] EAT 12, [2023] IRLR 357

Harini drafted appeals to the Employment Appeal Tribunal in regard to issues of pension entitlement, age discrimination, and the calculation of compensatory awards.

National Living Wage and National Minimum Wage

Harini advised a local authority in writing on a series of difficult questions involving the implementation of the National Living Wage, its interaction with the National Minimum Wage, and how paycales would be affected.

Senior Underwriter v Insurance Business

Harini drafted a High Court claim for a senior underwriter concerning unpaid bonus.

DISCRIMINATION

Please see the Equality and Discrimination section.

Education

Harini offers advice and representation to a wide range of educational institutions (nurseries, schools, colleges and universities) and individuals (parents, students, academic staff, support staff) on governance, disciplinary, regulatory and employment issues, pensions disputes and judicial review. She has also undertaken significant independent investigations for well-known universities, bringing her own insights from being a university governor.

Harini also has extensive experience advising and representing schools, universities, students and governors on complex and sensitive issues involving equality law, disability and special educational needs.

UNIVERSITIES

Advice on Stalking

Harini Iyengar advised a university on a difficult situation in which a student was stalking and harassing a staff member.

Student v University and Local Authority

Harini represented a university in a complex case in which a social work student with learning difficulties, whose work placement was terminated for misconduct, and who was subjected to Fitness to Practice proceedings, sued both the university and the local authority which hosted the work placement.

Independent Review of Race Equality for Cardiff University

Harini sat on the independent review panel appointed to investigate race equality at Cardiff University Medical School.

Teaching Excellent Framework

Harini advised a university on a potential judicial review concerning the Teaching Excellence Framework,

Anger-Kraavi v University of Cambridge

Harini represented a senior woman academic bringing victimisation claims against the university for breaching a settlement agreement compromising claims of equal pay, sexual harassment, unfair dismissal and sex discrimination.

Student v Russell Group University

Harini advised and drafted an appeal for a student challenging their border-line degree result.

SCHOOLS

Single-sex, mixed-sex and gender-fluid toilets

Harini Iyengar advised a school governing body on single-sex, mixed-sex and gender-fluid toilets and associated Equality Act 2010 and governance issues.

Pollard v Aquinas Church of England Education Trust

Harini Iyengar successfully represented a school resisting complex claims of religion or belief discrimination, whistleblowing and unfair dismissal by a teacher.

School Exclusion Independent Review Panel

Harini successfully persuaded an Independent Review Panel to remit a decision concerning the exclusion from a residential school of a pre-teen girl for “sexting” and sexual misbehaviour, who had been groomed by a third party online.

Child v Governing Body

Harini advised a school governing body facing a disability discrimination claim concerning a child with a complex yet undiagnosed condition, who had been repeatedly temporarily excluded.

Child v Local Authority

Harini successfully represented a local authority in a complicated special educational needs tribunal

case concerning a child with multiple special needs, including autistic spectrum disorder, where there was a dispute between expert witnesses about Applied Behavioural Analysis.

Child v Local Authority

Harini advised a local authority on a difficult dispute concerning a child with special educational needs which also raised complex issues associated with proceedings in the Court of Protection and the Administrative Court.

Child v Local Authority

Harini represented a local authority in a special educational needs and disability tribunal hearing where the expert witnesses disagreed whether a child over 18 with a visual impairment should attend a specialist residential school or should enter the workforce after completing a course at a further education college.

Equality and Discrimination

Harini Iyengar has extensive experience advising and representing her clients in cases of discrimination on each of the protected grounds under the Equality Act 2010, including employment claims, claims concerning the provision of services, equality impact assessments, the public sector equality duty, and governance issues.

EQUAL PAY

Project and Export Financier v Major Investment Bank

Harini Iyengar advised and drafted a very high-value claim for a woman financier including claims for like work and work of equal value, and a novel claim under s 71 of the Equality Act 2010.

Written Opinion for Public Authority: costs in civil courts

Harini advised a public authority facing mass equal pay claims in the civil courts on novel issues of costs in equal pay claims.

Special Interests in Equal Pay and Gender Pay Gap Reporting

Harini Iyengar is the sole author of “A Practical Guide to the Law of Gender Pay Gap Reporting” (Law Brief Publishing, 2019) and contributed a chapter on Equal Pay to “Women’s Legal Landmarks” (Hart Publishing, 2018). She presented a paper on Equal Pay as part of the Women’s Budget Group delegation to the International Association for Feminist Economics annual conference.

AGE DISCRIMINATION

Cook v Gentoo Group Ltd

[2023] EAT 12, [2023] IRLR 357

Harini represented an employee in an age discrimination dispute, raising novel legal issues concerning pension entitlement.

B v Local Authority

Harini represented a client in a dispute over discrimination in the context of redundancy.

DISABILITY

Employee v School

Harini Iyengar advised an employee on the prospects of success of an appeal to the Employment Appeal Tribunal concerning disability-related discrimination and proportionate means of achieving legitimate aims.

Burke v Camden and Islington NHS Foundation Trust

Harini Iyengar defended an NHS Foundation Trust facing complex disability discrimination claims from a current and long-term employee, who had a very unusual and complicated mental health condition, whose vulnerabilities also necessitated reasonable adjustments to be made in the Tribunal to the method of cross examination. Harini has been trained to work with vulnerable witnesses.

Dean v Abercrombie & Fitch

Harini Iyengar successfully represented a young woman with prosthetic arm who sued clothing store Abercrombie & Fitch for direct disability discrimination, harassment and failure to make reasonable adjustments.

GENDER REASSIGNMENT

Single-sex, mixed-sex and gender-fluid toilets

Harini Iyengar advised a school governing body on single-sex, mixed-sex and gender-fluid toilets and associated Equality Act 2010 and governance issues.

Gender Recognition Act 2004

Harini Iyengar was a member of both Employment Lawyers' Association Working Groups which formally responded to the Government's two consultations on reform of the Gender Recognition Act 2004.

PREGNANCY AND MATERNITY

Commission-Paid Employees v Global Business

Harini represented a global business in a complex dispute which included claims of breaches of the Working Time Regulations, Working Time Directive and the rules on holiday pay and commission, in addition to whistleblowing, sex discrimination, harassment, victimisation and pregnancy and maternity discrimination claims.

Stokes v Smart Education Ltd

Harini Iyengar successfully defended a teacher recruitment business against claims of pregnancy and maternity discrimination, pregnancy harassment, unfair dismissal and failure to pay sick pay.

Senior Partner v Financial Services LLP

Harini Iyengar advised on a complicated dispute involving complaints of pregnancy and maternity discrimination, sex discrimination, victimisation and expulsion from the partnership.

Banker v Investment Bank

Harini Iyengar represented a female banker in a high-value claim involving maternity, bonus and sex discrimination disputes.

RACE DISCRIMINATION

Account Manager v Information Sector Business

Harini Iyengar represented information sector business facing claim of direct race discrimination and unfair dismissal from an account manager.

Senior University Academic v Well-Known University

Harini Iyengar represented renowned senior university academic bringing very high value claims of sex, race and disability discrimination against a well-known university and named professors

RELIGION OR BELIEF

Christian Charity

Harini Iyengar advised a Christian charity on the lawfulness of a requirement in a job specification to be a practising Christian.

Domestic Migrant Worker v Employer

Harini Iyengar represented a domestic migrant worker bringing a claim of harassment on ground of religion and sex through the imposition of an unwelcome requirement on her to wear a hijab.

SEX

Annals v Commissioner of Police of the Metropolis

Harini Iyengar successfully defended the Met Police in an unusual claim of sex discrimination brought by a male firearms officer who had been refused a career break.

Bouabdillah v Commerzbank AG [2013] EqlR 651

Harini Iyengar successfully represented the claimant banker who brought a widely-reported claim of victimisation.

SEXUAL ORIENTATION

Kistruck v Battersea Dogs' Home

Harini Iyengar successfully represented an animal charity defending a claim that a lesbian junior employee had been sexually harassed at work by her lesbian boss, following the break-up of their former romantic relationship.

DISCRIMINATION IN THE PROVISION OF EDUCATION OR SERVICES

Disabled Medical Student v Russell Group University

Harini Iyengar successfully represented a disabled medical student at an unusual appeal to the Appeal Committee of a Russell Group University in which the challenge was based on the student's rights to receive educational services under the Equality Act 2010.

Disabled Student v College (County Court)

Harini Iyengar advised a disabled student with claims of disability discrimination in provision of services by college and direct discrimination through stereotyping.

Information

Harini Iyengar has a solid reputation in Information law and is regularly instructed by the Information Commissioner in high-profile and complex cases.

Data Breach by Children's Services

Harini Iyengar advised a local authority on potential claims under the Data Protection Act 2018, General Data Protection Regulation, and various torts, arising from data breaches by a children's services department.

Alumni Association

Harini advised the alumni club of a school on a range of data protection problems.

Killock v Information Commissioner [2021] UKUT 299 (AAC), [2022] 1 WLR 2241

Harini Iyengar successfully represented in the Information Commissioner in an application by a data subject for a remedy under the Data Protection Act 2018, in which the Upper Tribunal held that s.166 was limited to procedural failings by the Information Commissioner.

Maurizi, Zhang, Lucas, Home Office and Others v Information Commissioner, Commissioner of Police of the Metropolis, Home Office and Lucas

Harini Iyengar successfully represented the Information Commissioner in Upper Tribunal test cases which questioned the extra-territorial scope of the Freedom of Information Act 2000 and the jurisdiction of UK courts and tribunals.

Enforcement Proceedings by the Information Commissioner

Harini Iyengar has advised the Information Commissioner on several high-value investigations leading to enforcement proceedings under the Data Protection Act 2018, GDPR, and the Privacy and Electronic Communications Regulations 2003.

Williams v Information Commissioner

Harini successfully represented the Information Commissioner in a case concerning the applicability of the Civil Procedure Rules in the First-tier Tribunal (Information) concerning the basis on which disclosure is made between parties to litigation and whether a litigant in person may share documents which have been disclosed in the course of proceedings on a website for the purpose of seeking legal advice.

Independent Investigations

"In investigations her findings are justified and she is very thorough," Chambers & Partners

Harini Iyengar is a popular choice as an Independent Investigator. She has investigated a range of prestigious companies and institutions. She has expertise in complicated fact-based as well as legally-complex investigations and brings to every investigation a balance of pragmatism and sensitivity. Her ability to establish a good rapport with witnesses is valued by clients. Clients also acknowledge and appreciate her skill and experience in working with vulnerable witnesses.

Independent Review Panel on Race Equality at Cardiff University

Harini Iyengar was instructed as a member of the Independent Review Panel set up by Cardiff University Medical School to examine race equality following the disciplining of 31 medical students after their performance in a student revue which included “blackface” and other offensive aspects. The Panel considered extensive documentary evidence and spent two days hearing witness evidence. All thirteen recommendations were publicly accepted by Cardiff University.

Market-sensitive Allegations at Finance Business

Harini Iyengar conducted an independent investigation into market-sensitive allegations of misconduct and inappropriate behaviour in a high profile finance business, which arose out of a clash between two very senior personalities.

Whistleblowing at Well-known University

As Independent Investigator, Harini Iyengar recently conducted an independent investigation for a well-known university into very serious whistleblowing allegations of improper and unlawful conduct on the part of very senior staff.

Race Discrimination Investigation at Listed National Infrastructure Business

Harini Iyengar was the sole Investigator for a Listed National Infrastructure business, appointed in accordance with an out of court settlement of very high value race discrimination litigation. It was a substantial investigation which required her to hear witness evidence and consider extensive documentary evidence in order to make findings of fact about 44 allegations of bullying and race discrimination.

Reciprocal Complaints of Discrimination made by Elected Representatives

Harini Iyengar was appointed by a democratic body to investigate reciprocal complaints and grievances concerning unlawful direct, indirect and associative discrimination which had been made by elected representatives against one another.

Professional Regulation and Discipline

Harini Iyengar has represented the Bar Standards Board on some of the highest profile and most reported disciplinary cases in recent years. A number of her cases are confidential because of their sensitive nature, but representative samples of her work in this area include:

Kearney v Bar Standards Board [2022] EWHC 52 (Admin), [2022] ACD 44

Harini Iyengar successfully represented the BSB on an appeal where the High Court upheld a disciplinary tribunal’s decision finding a barrister guilty of professional misconduct and suspending him for six months for making lewd remarks to a mini-pupil, holding that the tribunal had been entitled to refuse to stay proceedings despite a three-year delay in raising the complaint.

Bar Standards Board v Woolard

Harini Iyengar successfully represented the BSB in proceedings against a barrister for sexual harassment, and BTAS accepted her submissions on how the recent Court of Appeal judgment on the interpretation of the criminal offence of sexual assault should be applied in the context of workplace sexual harassment.

Sukul v Bar Standards Board, Burns and Wilson

Harini Iyengar successfully represented the BSB, which was defending a claim of negligence against the regulator and its lawyers, brought by a barrister who had previously been subjected to professional

discipline.

Advice on Criminal and Civil Procedural Rules in Disciplinary Tribunals

Harini advised the Bar Standards Board on complex questions concerning the procedure to be adopted by the Bar Disciplinary Tribunals, according to the specific procedural rules, criminal procedural rules and civil procedural rules, in specific situations.

Bar Standards Board v Henry Hendron

Harini represented the BSB in long-running and complicated disciplinary proceedings against a barrister involving 18 charges, numerous preliminary issues, and a ten-day substantive BTAS hearing.

Student v University and Local Authority

Harini represented a university in a complex case in which a social work student with learning difficulties, whose work placement was terminated for misconduct, and who was subjected to Fitness to Practice proceedings, sued both the university and the local authority which hosted the work placement.

Recommendations

“Thank you so much for helping me navigate this, and for putting up with me interrupting you with my opinions. I’ve really appreciated your pragmatic advice and how thoughtful, open and receptive you have been throughout. It’s a bit of a tired phrase, but it really has been a pleasure working with you on this despite the stressful circumstances for me personally.” **Partner, national law firm**

“Harini is an excellent barrister.” **Chambers & Partners**

“Harini lyengar is extremely intelligent and very user-friendly, making it a pleasure to work with her.”
Chambers & Partners

“She has very broad and deep knowledge and is extremely good at presenting complex issues in a clear way. It’s always a pleasure to work with her.” **Chambers & Partners**

“Harini takes the time to really master her brief in order to meet the client’s objectives.” **Chambers & Partners**

“Very good at combining strong technical ability with a commercial view. Effective in cross-examination, particularly where the witness has the sympathy of the tribunal – Harini is gentle but persistent” **Legal 500**

“She is very good and really knows her stuff” **Chambers & Partners**

“In investigations her findings are justified and she is very thorough” **Chambers & Partners**

“Harini is very thorough in her preparation, and has a great intellect as well as a good appreciation of commercial realities, resulting in an all-round package of high-quality, pragmatic advice” **Legal 500**

“She’s a powerfully strong advocate and very clever” **Chambers & Partners**

“She’s a very thorough and technically excellent lawyer” **Chambers & Partners**

“Extremely good” **Chambers & Partners**

“A technically excellent, tenacious, skilled advocate.” **Legal 500**

“Harini is very calm under pressure and has a wealth of knowledge and experience. Very quick to grasp both the legal issues and commercial realities.” **Legal 500**

“A very engaging speaker whose advocacy shines; she is also excellent with her clients and really good at client management.” **Chambers & Partners**

“She’s very personable and really knows her stuff.” **Chambers & Partners**

“Listens carefully to clients and reflects their instructions with well-constructed advice.” **Legal 500**

“Very calm under pressure and has a wealth of knowledge and experience.” **Legal 500**

“Very methodical and bright. She is confident, really easy to deal with and very client-friendly.” **Chambers & Partners**

“She’s well prepared, robust and committed to her clients.” **Chambers & Partners**

“She is very accessible and focused on achieving the best outcome.” **Chambers & Partners**

“She is extremely responsive and has great attention to detail.” **Legal 500**

“She is very quick to grasp both the legal issues and commercial realities.” **Legal 500**

“She is knowledgeable about the subject and provides clear, comprehensive and helpful advice.”
Chambers & Partners

“She is excellent. Extremely cool under pressure and not fazed by anything.” **Chambers & Partners**

“She is very passionate about what she does” **Legal 500**

“She provides thoughtful advice that goes beyond the law” **Legal 500**

“She is extremely responsive and has a great attention to detail. She is also really client-friendly.”
Chambers & Partners

“She is a pleasure to deal with, and shows conscientiousness and knowledge of her subject” **Legal 500**

“She listens carefully to clients and reflects their instructions with well-constructed advice” **Legal 500**

“Unflappable and solid at handling partnership cases” **Chambers & Partners**

“She is sharp-witted, perceptive and an experienced cross-examiner” **Chambers & Partners**

“Undertakes a wide range of employment law work with particular focus on complex disputes, including remuneration and restrictive covenant enforcement issues. Her employment practice is bolstered by her extensive knowledge of education and procurement law.” “She is extremely responsive and has a great attention to detail. She is also really client-friendly.” **Chambers & Partners**

“She listens carefully to clients and reflects their instructions with well-constructed advice” **Legal 500**

“Unflappable and solid at handling partnership cases” **Chambers & Partners**

“She is sharp-witted, perceptive and an experienced cross-examiner” **Chambers & Partners**

“She is very good at getting to the issues that matter quickly, and presents her cases to best advantage”
Legal 500

“She brings confidence to both instructing solicitor and client” **Legal 500**

“She provides high-quality advice, and is genuinely interested in her clients” **Legal 500**

News, Articles & Publications

Harini Iyengar is the sole author of “A Practical Guide to the Law of Gender Pay Gap Reporting” (Law Brief Publishing, 2019), contributed a chapter on Equal Pay to “Women’s Legal Landmarks” (Hart Publishing, 2018), and is regularly interviewed as a legal expert in the media, including on Newsnight, Sky News and Victoria Derbyshire.

Harini regularly trains solicitors and other professionals on by preparing and delivering webinars on specialist legal topics for MBL Seminars.

Academic Education

MA in Jurisprudence (Law degree): Brasenose College, University of Oxford 1993-1996

BCL (Masters degree including thesis and examined courses): Brasenose College, University of Oxford 1996-1998

Bar Vocational Course: Inns of Court School of Law 1999

Award in Finance for Non-financial Directors: Institute of Directors 2020

Other

Professional Committee Work

Bencher Nomination Committee at the Honourable Society of the Inner Temple 2022-

Retention Panel of the Equality Diversity and Social Mobility Committee of the General Council of the Bar 2017-

Several Employment Lawyers' Association Working Groups drafting formal responses to Government consultations, including Gig Economy, Briggs, Equality and Human Rights Commission, Procurement and most recently Gender Recognition Act 2004: 2012-2021

Professional Memberships:

Employment Law Bar Association
Administrative Law Bar Association
Commercial Law Bar Association
Employment Lawyers' Association
Inns of Court Alliance for Women

More about Harini:

Harini Iyengar's portrait is displayed at Brasenose College, University of Oxford as one of 12 "Amazing BNC Women" chosen out of 105 nominations to represent 40 years of co-education.

A portrait of Harini with her parents also featured in the professional photographic exhibition "Where I Come From" by Bill Knight, which depicted children of a generation of immigrants who came to Britain in search of a better life for themselves and their families.

For further information about Harini Iyengar, please see her [LinkedIn](#) page here.

ADDRESS

11KBW
11 King's Bench Walk
Temple
London
EC4Y 7EQ

CONTACT US

T +44 (0)20 7632 8500

OUT OF HOURS CLERK

T +44 (0)7824 365 991

EMAIL

clerksroom@11kbw.com

DX NUMBER

LDE 368
