

Sexual Harassment Prevention Employer guidance

What is the new duty on me as an employer?

As an employer, you must now take proactive steps to prevent sexual harassment, including:

- **removing or reducing risks** of sexual harassment to make sure your workplace is safe
- **offering support** to anyone involved in a sexual harassment complaint
- **making it clear** to everyone who works for you, or uses your services, that you will not tolerate sexual harassment
- **training** everyone who works for you on recognising sexual harassment and encouraging them to report it
- implementing a **policy** on sexual harassment prevention

Free policy within

We're offering contacts of Pareto a no-obligation, complimentary Anti-Harassment policy in line with the new guidance.

Contact us at hello@supportis.com mentioning the Pareto newsletter to claim your free policy.



What defines sexual harassment?

The Equality Act 2010 defines sexual harassment as **unwanted** conduct of a **sexual nature** which has the purpose or effect of **violating** someone's **dignity** or creating an **intimidating, hostile, degrading, humiliating or offensive** environment for them.

Who is included in the preventative duty?

The preventative duty includes:

- worker-on-worker harassment
- harassment by third parties such as customers, clients, patients or suppliers.

What steps do I have to take legally?

The law itself **does not list** specific steps an employer must take, however, we strongly advise you ensure you're in a position whereby if any complaints of harassment are raised, you can evidence that you've taken the steps as set out in the **8 Step Guidance** (more detail on the next page).

What happens if I fail to take reasonable steps to prevent harassment?

If an employer fails to take reasonable steps to prevent sexual harassment, the EHRC can **investigate and enforce** equality law. Employers may also face **increased compensation** in successful harassment claims.

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How do I deal with 'banter' that wasn't intended as harassment?

In any workforce, there will be a range of attitudes about what conduct is considered to be offensive, humiliating, intimidating, hostile, or degrading.

What one worker – or even a majority of workers – might see as harmless fun or 'banter', another may find unacceptable. A worker complaining about conduct may be considered by others to be overly sensitive or prudish.

However, it is important to understand that conduct can amount to harassment or sexual harassment even if that is not how it was intended.

By familiarising yourself with the different behaviours that can be considered sexual harassment, you and your employees can take steps to prevent it. If you're unsure whether something might be inappropriate, **err on the side of caution**. It's never worth the risk.



8 Step Guidance

Protect your business and your employees by following these 8 steps to prevent and address sexual harassment.

Step 1: An anti-harassment policy

This should:

- clearly define sexual harassment
- outline your commitment to a harassment-free workplace
- include procedures for reporting and addressing complaints
- cover third-party harassment; and
- be regularly reviewed and updated to ensure its effectiveness.

Did you know?

Supportis provide **all** HR policies for your business, including an up-to-date Anti-Harassment policy.

Step 2: Engage staff

Make sure that all workers are aware of:

- how they can report sexual harassment
- your sexual harassment policy
- the consequences of breaching the policy

Encourage an open line of communication with staff so that if any issues do arise, they feel comfortable discussing it.

Having regular 121 meetings with staff checking on their wellbeing, as well as conducting staff surveys, exit interviews, and maintaining an open-door policy all help to identify potential problems and assess the effectiveness of your current actions.

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Step 3: Assess and prevent risk

Undertaking a risk assessment will help you comply with the preventative duty.

When doing a risk assessment, consider factors that might increase the likelihood of sexual harassment and the steps that can be taken to minimise them.

For example:

- Where are the power imbalances?
- Is there a lack of diversity in your workforce?
- Is there job insecurity for a particular group or role?
- Are staff working alone or at night?
- Do your staff have customer-facing duties?
- Are customers or staff drinking alcohol?
- Are staff expected to attend external events, conferences or training?
- Do staff socialise outside of work?
- Do staff engage in crude or disrespectful behaviour at work?

Did you know?

Supportis provide **fixed-fee, unlimited 24/7** HR advice to businesses across all sizes and sectors. Your business will be allocated a dedicated named adviser meaning no triage, and a deep understanding of your business operations and management style. We support our advice with letters, guidance and we can even chair meetings for you.

Interested? Request a callback [here](#).

Step 4: Reporting

Consider using a reporting system (online or phone-based) that allows staff to raise concerns anonymously or under their own name. Clearly communicate to all staff:

- what is considered acceptable behaviour
- how to recognise sexual harassment; and
- what steps to take if they experience or witness it.

Maintain centralised, confidential records of all concerns raised to identify potential trends.

Did you know?

We offer on-site and remote training, as well as support and materials for you to conduct training sessions.

Step 5: Training

Workers, including managers and senior staff, should be trained on:

- what sexual harassment in the workplace looks like
- what to do if they experience or witness it
- how to handle any complaints of harassment

In industries where third-party harassment from customers is more likely, workers should also be trained on how to address these issues. You should review the effectiveness of any training and offer refresher sessions at regular intervals.

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Step 6: Knowing what to do when a harassment complaint is made

Promptly address harassment complaints in accordance with the complainant's wishes, while maintaining confidentiality for all parties. Take protective measures to shield the complainant and witnesses from further harassment during the investigation process.

Remember!

If any complaints of harassment are made, **ring us for free, trial advice**. We assess each case individually and advise accordingly. Please contact us on **0161 603 2156** or at **hello@supportis.com**.

Step 7: Dealing with harassment by third parties

Employers should take steps to prevent worker harassment by a third party, including customers, clients, patients, or suppliers, including assessing risk with the assessment in Step 3, and putting the reporting mechanisms in place referred to in Step 4 where risks are identified.

Did you know?

We also offer **Anti-Harassment eLearning** for your workers. Please contact us on **0161 603 2156** or at **hello@supportis.com** for an eLearning brochure.

Step 8: Monitor and evaluate your actions

Evaluate and adjust your sexual harassment prevention measures regularly.

- Review complaint data to identify trends and address issues
- Conduct staff surveys to gauge experiences, reporting behaviour, and desired actions
- Review policies, procedures, and training to seek input from staff and implement changes

We can help

Supportis provide fixed-fee, unlimited 24/7 HR advice to businesses across all sizes and sectors. Let us help to mitigate risk and keep your business compliant.

Contact us today on **0161 603 2156** or drop us an email at **hello@supportis.com** for complimentary expert advice or an anti-harassment policy.

