

Understanding Sexual Harassment:

- ✓ **Definition:** Sexual harassment encompasses any unwanted conduct of a sexual nature. This conduct may violate an individual's dignity or create an environment that is intimidating, hostile, degrading, humiliating, or offensive.
- ✓ **Forms:** Harassment can manifest in various forms including verbal remarks, inappropriate jokes, physical advances, displaying or sharing explicit content, or any behaviour that makes the workplace environment uncomfortable for the victim.

Legal Framework and Compliance:

- ✓ **Employment Law:** Employees have the right to bring claims against employers for harassment incidents. Employers can be held liable not only for their own actions but also for those of their employees or third parties such as clients or suppliers.
- ✓ **Proactive Duty:** Recent legislation imposes a duty on employers to actively prevent sexual harassment. This includes taking reasonable steps to address potential harassment scenarios and enforcing strict compliance with anti-harassment policies.

Employer Responsibilities:

- ✓ **Policy Development:** Employers must develop comprehensive anti-harassment policies that clearly outline unacceptable behaviours and the consequences of such actions.
- ✓ **Training Programs:** Implement mandatory training sessions for all employees, including management, to educate them on recognising, preventing, and addressing harassment.
- ✓ **Effective Reporting Mechanisms:** Establish confidential and accessible channels for employees to report harassment without fear of retaliation. Ensure that all reports are taken seriously and investigated promptly.

Consequences of Non-Compliance:

- ✓ **Legal Repercussions:** Failing to comply with harassment laws can result in legal action, leading to significant financial penalties and compensation payouts to victims.
- ✓ **Reputational Damage:** Incidents of harassment can severely damage an organisation's reputation, affecting employee morale and potentially leading to a loss of business.

Prevention and Support Strategies:

- ✓ **Cultural Transformation:** Cultivate a workplace culture that prioritises respect, inclusivity, and zero tolerance for harassment. Encourage open communication and reinforce positive behaviours.
- ✓ **Regular Policy Audits:** Conduct frequent audits and reviews of harassment policies to ensure they are effective and aligned with current laws and societal standards.
- ✓ **Victim Support Systems:** Provide access to support services for victims, including counselling, legal advice, and employee assistance programs. Ensure victims are supported throughout the investigation process.

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Inchoate and Secondary Liability:

- ✓ **Enabling Offences:** Beyond direct perpetrators, individuals or employers may face criminal liability for enabling harassment, either through direct assistance or failure to act when required by law.
- ✓ **Legal Duty and Consequences:** The statutory obligation to prevent harassment means that employers who neglect this duty could face criminal charges if their inaction facilitates further harassment.

Conclusion: Combating sexual harassment in the workplace demands a comprehensive and committed approach from all organisational levels. By implementing robust policies, conducting regular training, and supporting a culture of respect and accountability, employers can protect their workforce and maintain a safe and productive work environment.

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