

## Why employers need to tackle harassment in the workplace now



### The new duty on employers creating new risk

New legislation which came into effect on 26 October 2024 strengthens the protections available to employees from sexual harassment at work, by introducing a **new duty** on employers to “take reasonable steps” to prevent sexual harassment. There is a corresponding new compensation uplift of up to 25%, for breach of the new duty.

This new duty creates a new risk area for employers, especially as sexual harassment is sadly not a rare occurrence. Aside from the financial impact, claims can be damaging in other ways, occupying senior management time and causing reputational damage. It can also negatively affect recruitment and employee retention.

### Employers must take proactive steps

The new duty shifts the focus from redress to prevention, putting the onus on employers to take proactive steps.

Taking proactive steps to prevent incidents of harassment and bullying arising will also help employers build a more inclusive and positive workplace culture.

Failure to prepare for this new duty risks an increase in discrimination claims, which could lead to significant compensation payouts and damaging publicity.

This is particularly so in the wake of the #metoo movement and increased government focus on Non-Disclosure Agreements (NDAs) which have led to heightened expectations of a respectful workplace culture and a growing awareness among employees about discrimination rights.



### How we can help

The new duty to be proactive requires step change; your preparations should not be limited to simply repeating previous staff training.

There are a number of steps you can take to prepare now that the new duty is in force and the Equality and Human Rights Commission (EHRC) has published its updated technical guidance on sexual harassment and harassment at work to reflect the new duty on employers.



**Policy review** – to encourage speak up culture and drive a zero-tolerance approach



**Practical advice** – including risk assessments and reporting procedures



**Culture audit** - a snapshot of where you are and areas to focus on



**Training** - to suit different levels of staff including our e-training package for staff