

Changes to Sexual Harassment Legislation

What you need to know



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ODGERS BERNDTSON

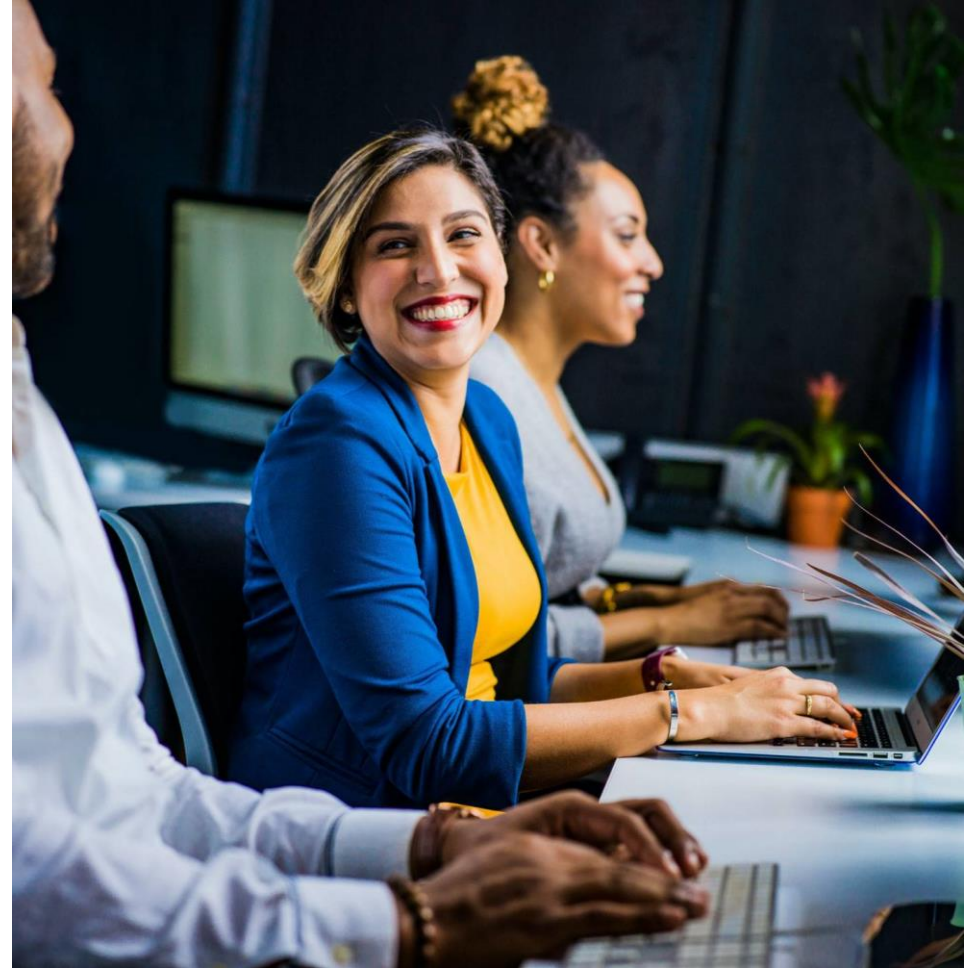
Introduction

This comprehensive guide is crafted to help employers navigate the upcoming changes to sexual harassment legislation, effective October 26, 2024. With new responsibilities and increased accountability, it's essential for organizations to be well-prepared. Inside, we'll break down what's changing, how it impacts your business, and the actionable steps you need to take to remain compliant while fostering a safe and respectful workplace. Read on to ensure your organization is fully equipped to meet these important new requirements.



What will change?

- Currently, under the Equality Act 2010, employers can defend a harassment claim if they've taken all reasonable steps to prevent it. However, they weren't legally required to take those steps proactively.
- Starting October 26, 2024, the Worker Protection (Amendment of Equality Act 2010) Bill introduces a new duty requiring employers to take "**reasonable steps**" to **prevent sexual harassment**. This proactive responsibility aims to prevent sexual harassment before it occurs, rather than just addressing it after the fact.
- Additionally, tribunals will now have the authority to increase compensation by up to 25% if it's found that an employer failed to meet this duty.



What does this mean for employers?



- For employers, these changes bring a heightened responsibility to actively create and sustain a safe and respectful workplace environment.
- This means taking proactive and ongoing measures to prevent sexual harassment, rather than simply reacting to incidents as they arise. Key actions include offering regular training for all employees, establishing clear and accessible reporting channels, and fostering a culture rooted in respect, equity, and inclusion.
- Neglecting these responsibilities can lead to substantial financial penalties and serious damage to your company's reputation.
- In the long run, these changes represent a broader shift towards greater accountability and transparency in workplace culture. Employers will need to commit to continuously monitoring and enhancing the work environment to ensure that every employee feels safe, valued, and supported.



How can you prepare for these changes?

- **Review and Update Policies**

Regularly update your anti-harassment policies to reflect the new legal standards. Ensure these policies are easily accessible to all employees and prominently featured in onboarding processes.



- **Provide Training**

Implement ongoing training programs to educate employees about acceptable workplace behavior and the consequences of harassment. This should include specific training for managers on how to handle harassment complaints.



- **Establish Clear Reporting Channels**

Set up and communicate clear procedures for reporting sexual harassment. Ensure that these channels are safe, confidential, and allow for anonymous reporting.



- **Foster an Inclusive Culture**

Create a workplace culture that values diversity and inclusion. Engage leadership in setting the tone and leading by example, and involve all employees in these efforts.



- **Monitor and Review**

Continuously monitor the effectiveness of your policies and procedures. Conduct regular risk assessments, gather employee feedback, and be proactive in addressing any issues that arise.



How is Odgers Berndtson supporting a safe and inclusive workplace?

At Odgers Berndtson, we are deeply committed to fostering a **safe, respectful, and inclusive** environment for all employees, leaders, and stakeholders. In anticipation of upcoming regulatory changes, we are implementing several strategic initiatives to ensure our workplace remains a leader in promoting dignity and respect across the organization:

Respect at Work Framework

We are strengthening our Respect at Work framework, highlighting the importance of respect, dignity, and inclusion at every level of the organization. This framework will be a cornerstone of our commitment to fostering a culture of professionalism and mutual respect.

Risk Assessments

We regularly conduct updated risk assessments across all our offices to proactively identify and mitigate potential risks, ensuring a safe and inclusive environment for every team member.

Policy Enhancements

We are updating our policies to include clear anti-harassment procedures and reporting mechanisms, ensuring that every team member is aware of the available channels to address concerns promptly and confidentially.

Awareness Training

We will conduct updated risk assessments across our offices to proactively identify and address potential risks, ensuring that we maintain a secure and inclusive environment for all our team members.

Collaborative Client Collaboration

We work with our clients to understand the risk assessments they have in place for their sites, compare them with our own where appropriate, and aim to create joint solutions where concerns are identified so that both companies can achieve a safe and inclusive working culture for everyone.

Specialised Training

We offer specialized training led by experts for HR managers, senior leaders, and executives, equipping them with the skills needed to effectively handle and manage harassment cases, while promoting a culture of empathy and accountability.



Through these measures, Odgers Berndtson is not only adapting to legislative changes but also leading by example, creating workplaces where every individual can thrive with respect and dignity. Moreover, we assist our clients in doing the right thing by guiding them in implementing best practices that promote a culture of respect and inclusion within their organizations.

