

EXECUTIVE SUMMARY

1. The Law

- The Worker Protection Act came into force on 26 October 2024 and changes the duty on employers from redress to **prevention**.
- This means all employers will be required to take **proactive** steps to prevent sexual harassment.
- The law will also apply to business owners who use staff who are self-employed, such as “associates” in a clinic. For simplicity, the term “employer” has been used in this summary.
- Sexual harassment is defined 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.
- The change requires employers to **anticipate** how sexual harassment might happen in their workplace and take proactive reasonable steps to prevent it happening.
- The preventative duty includes worker-on-worker harassment and harassment by third parties such as customers, clients or patients.
- Failure to take reasonable steps means the Equality and Human Rights Commission can take enforcement action and there is a risk an employment tribunal would increase the amount of compensation paid for a successful claim.
- The law does not list specific steps an employer must take. But you have to be seen to have done something. No business owner is exempt.

2. What You Should Do: The 7 Steps

- Step 1: Have an anti-harassment policy (use the one provided!)
- Step 2: Engage your staff (regular reminders)
- Step 3: Conduct a risk-assessment (use the form provided)
- Step 4: Have a reporting system
- Step 5: Review the policy periodically
- Step 6: Have a procedure to deal with harassment complaints
- Step 7: Monitor and evaluate your actions

T