

Preventing Sexual Harassment at Work a 10 step approach for employers

Create a Safe and Inclusive Workplace with a Zero tolerance approach to Sexual Harassment at work. Sexual harassment at work is a serious issue that can have a devastating impact on the victim, both emotionally and professionally. It can create a hostile work environment that makes it difficult for employees to do their jobs and can lead to severe consequences, including job loss and legal action.

Employers can adopt the following 10-step approach to prevent sexual harassment at work.

1. Implement The UK Equality and Human Rights Commission (EHRC) Guidance

The EHRC is due to publish a legally binding code of practice for the prevention of sexual harassment at work. In the event of a sexual harassment tribunal, the employer will need to evidence that they have complied with this code fully. This code of practice is due to be published before the Worker Protection Act comes into effect. The lead time may be too short for employers for employers to embed the code before the Act comes into effect, but it is expected that the code will build on existing EHRC guidance. It is recommended that employers study and implement The EHRC's existing good practice recommendations, ASAP and update their policies/procedures to meet the mandatory code when it is published.

2. Train Senior Leaders and Develop a Zero Tolerance Approach:

Prevention is better than cure, as the saying goes. Employers need to embed an inclusive culture with zero tolerance of sexual harassment. Visible senior level buy in is essential. This means Directors, Governors and the Senior Leadership/Management Team (SLT) need to lead by example and champion a zero tolerance approach.

It cannot be assumed that all senior leaders fully understand the issues and latest requirements. Buy in, leadership and commitment to the zero tolerance policy may not come naturally. Remember that what was often seen as acceptable, just a few years ago, may lead to a claim for sexual harassment today. This means Directors, Governors, Senior Leaders and Senior Managers need to be trained. Probably in two phases. Phase one to embed understanding and gain commitment. Phase to reinforce understanding and train out the organisations actual policies and procedures

Phase 1

- What sexual harassment is
- How it impacts on the business and those involved
- The need for zero tolerance policies and procedures
- The need for an inclusive culture
- Their role in supporting an inclusive culture and a zero tolerance approach

Phase 2

- The importance of an inclusive culture and a zero tolerance approach
- Company Policies and Procedures
- How identify and address sexual harassment incidents.
- How to investigate and make decisions on reports of sexual harassment.
- Their role in creating a safe and inclusive workplace with zero tolerance of harassment and bullying.

3. Develop Robust Policies:

- Clearly define sexual harassment and outline clear reporting procedures
- Classify sexual harassment as potential gross misconduct, which may lead to summary dismissal
- Include examples of what is and is not acceptable behaviour
- Specify how, where and when policies apply.
 - Include parties, gatherings and social events especially if there is any possible inference that they are work related.
 - Social media sites such as Facebook and WhatsApp
- Provide guidance on intervention techniques and how to report sexual harassment, even when the perpetrator is a manager or HR representative
- Consider confidential reporting routes
 - In person, web forms, intranet, telephone
 - External agencies?
- Specify how sexual harassment reports will be investigated, including timely response deadlines
- Indicate the frequency and quality level of sexual harassment training
- Involve the workforce in policy development
- Cover how, where and when the policies will be cascaded
 - Frequency and quality level of sexual harassment training
 - Websites, newsletters, notice boards, service agreements, purchase orders?
 - Recruitment, onboarding and induction
 - When policies are updated – remember the need for SLT to lead
- The support mechanisms that will be provided
 - Especially the victim but remember witnesses and those investigating may need support to
- The role of employee forums
- The role of employee inclusion networks

4. Train Managers and HR Teams:

- Provide training to managers and HR personnel on sexual harassment prevention
 - Policies, Procedures, Support Options
- Include emphasis of intervention techniques, investigation procedures, and how to support victims.
- Educate them on how to recognise and address potential conflicts of interest.
- Ensure they understand their role in upholding the organization's zero-tolerance policy on sexual harassment.

5. Train Staff:

- Provide training to all employees on the definition of sexual harassment, its impact, and the organisation's policies and procedures.
- Educate them on how to identify and address sexual harassment incidents.
- Provide guidance on intervention and diffusion strategies
- Train them on how to report sexual harassment, including how to report to someone other than their direct supervisor.
- Ensure they understand their role in creating a safe and inclusive workplace.
- Tell them about the support routes that are available to them

6. Notify Visitors and Subcontractors:

- Assess the risk each visitor or subcontractor poses and provide appropriate training based on the risk level.
- Ensure that outsourced staff, such as cleaners, caterers, and temporary workers, receive similar training to regular employees.
- Obtain written agreements from visitors and subcontractors confirming their understanding and adherence to the organisation's sexual harassment prevention policies.

7. Cultivate an Open and Supportive Culture:

- Encourage open communication and address concerns about sexual harassment promptly and effectively.
- Provide support and resources to victims of sexual harassment, such as counselling, legal assistance, and confidential reporting channels.
- Create a workplace culture that values respect, dignity, and equality for all employees.

8. Regularly Train and Update Policies:

- Conduct sexual harassment prevention training for all employees on a regular basis, including: onboarding, induction annually/semi-annually.
- Update policies and procedures regularly to reflect changes in legislation, industry standards, and organizational practices.
- Review policies, procedures and implementation in the event of incident
- Train employees on any updates to policies and procedures.

9. Monitor and Evaluate Progress

Understanding the true culture of the organisation is seldom easy. What is said behind closed doors, in the lift or at the coffee shop often gives paints a very different picture to the front of house website or recruitment messages. It is important that employers find ways to tap into the hidden culture and find out what is really going on and to what extent their policies and procedures are making an impact. Where progress falls short of expectation further development is needed.

Consider evaluating true performance through:

- Truly anonymous workforce surveys – try to avoid age, department, role, giveaways
- External agency reports
- Complaint statistics - trends, names, departments
- Absence levels - trends, names, departments
- Interviews - exit, absence
- Website comments - Facebook, Glassdoor, LinkedIn, Trustpilot
- Market perception
- Risk assessments

10. Document and Evidence Everything

Keep records of everything. In the event of a grievance, employment tribunal or investigation by the EHRC you will need to evidence compliance to the EHRC codes of practice. Developing policies and procedures and filing them away will not suffice. These records support both the dismissal of abusers and also defence in the event of employment tribunals progressed by the abuser or the abusee

- Maintain records of all sexual harassment training, including attendance lists, materials, handouts, and evaluations.
- Record when and how each employee and contractor agreed to the organisation's sexual harassment prevention policies.

By following the above steps, all employers can create a workplace that is free from sexual harassment, promotes a respectful and inclusive environment for all employees, and fosters a supportive and open culture.

Concrew Training are pleased to provide help and support on any of the above. Our support adds gravitas, is effective and affordable

We can provide support at all stages from assisting with the development of policies and procedures to roll out. We can tailor delivery to the needs of Directors, Governors, Leaders, Managers and Staff. Additionally, usually at no extra cost, we can dove tail content to your policies and procedures and senior leaders are welcome to make introductory comments to add further gravitas and importance.