



Act Now on sexual harassment at work

Employers now have a legal duty to prevent it. Here is what that means and the questions safety reps can ask.

Sexual harassment is unwanted behaviour of a sexual nature that violates someone's dignity or creates an intimidating or hostile place to work. It can come from colleagues, managers, pupils, parents or visitors. Since 2024 employers must act before it happens, not only after a complaint.

2024

the year the new legal duty began, on 26 October: employers must take reasonable steps to prevent sexual harassment.

25%

is the most a tribunal can add to compensation if the employer has not met the duty.

2026

from 30 October the test becomes "all reasonable steps", according to Acas.

What counts as sexual harassment

Words

Sexual comments, jokes, questions about someone's body or sex life, and unwelcome requests.

Images and messages

Sharing sexual pictures, messages, group chat banter and social media contact, online or in person.

Touching and gestures

Unwanted touching, blocking someone's way, staring and sexual gestures.

The employer's duty

The employer must take reasonable steps to prevent sexual harassment of staff. This includes harassment by third parties such as parents, visitors and contractors.

From 30 October 2026 the Employment Rights Act 2025 raises this to "all reasonable steps", and makes employers responsible for harassment by third parties.

The Equality and Human Rights Commission can take enforcement action.

What good prevention looks like

A clear policy

Risk assessment

Training for all

Safe ways to report

Do not wait for a complaint. The duty is to look for the risks first and deal with them. Staff who speak up must not be punished for it.

THE KEY POINT

Employers must now prevent sexual harassment, not only respond to it.

1 Is there a clear policy?

One that names sexual harassment, is shared with all staff and is agreed with the union.

2 Has the risk been assessed?

Including harassment by pupils, parents, visitors and contractors, trips, evenings and group chats.

3 Can people report safely?

More than one route, in confidence, without being treated badly for speaking up.

4 Is it investigated fairly?

A clear process with time limits, and the outcome explained to the person affected.

5 Is everyone trained?

Managers and all staff, regularly, in a way that fits their role.

6 Is anyone checking?

Incidents recorded, patterns looked at by leaders and governors, and the policy reviewed each year.

If it happens to you

Write down what happened, when, where and who saw it. Keep any messages. Tell your union rep before you decide what to do.

You do not have to confront the person yourself. Time limits for legal claims are short, so speak to your union early. Acas also gives free advice.

Legal and other standards for prevention and control

- Equality Act 2010
- Worker Protection (Amendment of Equality Act 2010) Act 2023
- Employment Rights Act 2025
- EHRC technical guidance on sexual harassment and harassment at work
- Health and Safety at Work etc Act 1974 and risk assessment duties



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Acas: sexual harassment

acas.org.uk/employment-rights-act-2025

EHRC guidance

equalityhumanrights.com

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