Preventing Sexual Harassment in the Workplace

Employers must take active steps to prevent sexual harassment at work, identify where it could happen and respond properly when concerns arise. From 30 October 2026 the duty is to take all reasonable steps, not simply some of them. This guide covers the practical measures employers should put in place and keep under review.

1. What counts as sexual harassment?

Sexual harassment is unwanted conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. A single incident can be enough; the behaviour does not have to happen repeatedly.

What may happen	Why it matters
Comments or messages	Repeated sexual remarks, unwanted images or personal messages may be harassment even outside a shared workplace.
Unwanted attention	Persistent invitations, sexual questions or touching can be unacceptable even if described as a joke.
Work-related settings	Risks may arise on shifts, at client premises, online, during work travel or at work social events.

A complaint should be assessed on the facts and its effect, rather than dismissed because the person responsible says they did not intend to offend.

2. What changed on 30 October 2026?

The Equality Act 2010 preventative duty was strengthened by the Employment Rights Act 2025. Employers in England, Scotland and Wales must now take all reasonable steps to prevent sexual harassment of their workers. The steps needed depend on the actual risks in the organisation, including its work locations, staffing arrangements, previous incidents and contact with other people.

The same date also introduced stronger protection against harassment by third parties, such as customers and clients. Further information is available in the Employer Resources section at www.assyst.uk.

What this means in practice: Having a policy is not enough on its own. Identify specific risks, train staff and managers, and look for patterns in concerns. Review the safeguards when circumstances change.

3. Identify risks and take practical steps

Start by examining where and how staff work. A central office, an overnight shift and a remote assignment may need different precautions. Keep the risk assessment proportionate but specific, and review it after reports, organisational changes or evidence that a safeguard is not working.

Risk or situation	Practical preventative measure
Staff working alone or away from managers	Provide an accessible reporting route, reliable check-ins and clear escalation arrangements.
New starters or temporary staff	Explain expected conduct at induction, including who to contact and how to raise a concern.
Supervisors controlling shifts or opportunities	Train managers, offer an independent reporting route and review concerns about abuse of authority.
Messaging groups and work events	Make clear that work-related digital communications and social events are covered by the same standards.

4. How an employer should respond to a report

Someone who reports sexual harassment should be heard promptly and treated respectfully. The employer should determine the immediate safety risks, arrange a fair investigation where appropriate, keep sensitive information appropriately restricted and tell the affected person how the concern will be handled.

Example A | A complaint about a supervisor

A member of staff says their supervisor has sent unwanted personal messages and controls their rota. They are worried about losing shifts if they complain.

Employer response: Offer a reporting contact outside that supervisor's management line, preserve relevant messages, assess whether temporary changes are needed and investigate without penalising the person who raised the concern.

Example B | Behaviour described as "banter"

During a work-related gathering, a colleague makes a sexual remark. A manager dismisses the concern because the remark was supposedly a joke.

Employer response: Record and assess the concern, consider the effect and context, speak to the people involved and address any wider training or supervision issue. Do not make intent the only consideration.

5. Keep evidence of the steps taken

Employers should be able to explain what risks they identified, which actions they took and what changed when concerns arose. Evidence should be relevant and handled confidentially; sensitive complaint information should be accessible only to authorised staff.

Record	What it helps show
Policies and staff communication	The standards communicated to staff and where the policy could be accessed.
Training and acknowledgements	Who received induction or refresher guidance, and when.
Risk assessments and actions	Risks identified, the person responsible for action and the completion or review date.
Complaints and outcomes	How concerns were investigated, resolved, escalated and used to improve safeguards.

6. Common mistakes worth avoiding

- Waiting for a formal complaint before assessing obvious risks or responding to warning signs.
- Treating a written policy or one training session as sufficient without checking how they work in practice.
- Leaving an employee to report concerns only to the manager whose conduct is in question.

How Assyst helps employers put preventative measures into practice

Assyst brings staff records, company and site documents, and communications together. Employers can circulate relevant policies and procedures through the staff app, require employees to read and electronically acknowledge them, and retain those acknowledgements in each employee's HR record. This helps ensure important information and procedures are communicated consistently to staff. Assyst also provides a facility within the staff app for employees to report concerns directly to the HR department, either anonymously or in their own name, without having to go through their line manager. This is particularly important where a concern relates to that manager, and gives staff a direct way to raise issues so they can be addressed promptly.

Discuss your workforce requirements with Assyst

Assyst Workforce Management is a workforce management platform for multi-site employers, bringing together HR and paperless onboarding, time and attendance, workforce scheduling, payroll calculations, task management and a mobile staff app. To find out more or discuss how Assyst could support your business, visit www.assyst.uk and contact us through the website.

Useful official sources

EHRC — Employer eight-step guide

EHRC — Technical guidance on harassment at work

Acas — Preventing sexual harassment

GOV.UK — Workplace harassment changes

Employment Rights Act 2025 commencement regulations

General information for employers in England, Scotland and Wales, reviewed November 2026. Individual circumstances may require specialist advice.