

EHRC harassment guidance

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23 January 2020

The Equality and Human Rights Commission has issued technical guidance this month on Sexual harassment and harassment at work. It is written with the aim of helping employers, workers and their representatives understand the impact of harassment in more detail, the law underpinning this issue, and some best practice tips for both preventing issues from arising and dealing with any that do.

At this stage, this is guidance only – and not a statutory Code of Practice – but it can still be referred to as evidence in Tribunal proceedings and Tribunals will be guided by it when it comes to issues of best practice.

Although it refers only to harassment in the title, it does also include some guidance in respect of victimisation – and covers harassment in respect of any of the protected characteristics.

A government consultation on sexual harassment closed in October 2019 and the feedback from this is still being analysed – it may well be that a statutory Code of Practice will follow but, in the meantime, the guidance is well worth a read for all employers – even if it is just to confirm that your current policies, procedures and practices are up to date and reflective of best practice. In particular, it provides some helpful guidance on how to prevent harassment from occurring, and how best to handle investigations into harassment complaints that do arise.

Contact



Mark Hickson

Head of Business Development

onlineteaminbox@brownejacobson.com

+44 (0)370 270 6000

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