

# Navigating workplace sexual harassment laws during the festive season

13 December 2024  Laura Chinyere-Ezeh

As the festive season gathers pace and workplaces prepare for Christmas parties and celebrations, employers must consider the new duties posed by the **Worker Protection (Amendment of Equality Act 2010) Act 2023**. This legislation introduces a proactive obligation for employers to prevent sexual harassment in workplaces and work-related settings—making it particularly important during the highly social festive season.

## Understanding sexual harassment

Sexual harassment takes many forms, ranging from overt behaviours to subtle actions – both with potentially harmful effects. This can include unwanted physical contact such as touching or hugging, verbal harassment like sexually explicit comments, suggestive remarks, or repeated unwelcome social invitations. Non-verbal harassment, such as making lewd gestures, sharing sexually explicit materials, or sending inappropriate digital messages, are also examples of sexual harassment.

Harassment involving power imbalances—such as tying career progression to sexual advances or creating a hostile work environment—remains a significant concern. These behaviours can occur in physical workplaces, at work-related events, or even in digital spaces like group chats or social media platforms.

## The new legal landscape

The **Worker Protection (Amendment of Equality Act 2010) Act 2023**, which came into force in October 2024, introduced a new legal duty for employers to take 'reasonable steps' to prevent sexual harassment, with serious consequences for failure to comply. Organisations found lacking in their preventative measures could face tribunal awards increased by up to **25%**.

'Reasonable steps' can include implementing and enforcing clear policies to prevent sexual harassment, providing targeted and effective training, fostering a workplace culture of respect, and establishing clear mechanisms to respond promptly to harassment reports. These measures must be **proactive, visible, and well-documented** to demonstrate compliance and a genuine commitment to prevention.

## Balancing festivity and responsibility

Christmas parties are an excellent opportunity for celebrating achievements, team building and bonding, but they also come with risks such as alcohol consumption, blurred professional boundaries, and relaxed atmospheres. Employers can take preventative actions to reduce these risks by setting clear behavioural expectations ahead of time, taking a zero-tolerance approach and offering guidance or training on professional conduct. Responsible management of alcohol is also key—accompanying drinks with food, offering non-alcoholic alternatives and ensuring limits are set appropriately. Supporting staff with their journeys home and crucially, providing confidential reporting channels will ensure employees feel able to speak up and raise concerns.

## Practical tools for prevention

Preventing sexual harassment requires a cultural shift and a clear commitment to creating a respectful and inclusive workplace environment. At Browne Jacobson, we offer policies, resources and training to support employers in meeting these new legal obligations

and ensuring their teams' safety.

Our **Preventing Sexual Harassment at Work Toolkit** is designed to help organisations create safer and more respectful workplaces. It includes a preventing sexual harassment policy template and a comprehensive guide to help organisations understand what constitutes harassment, their legal duties, and the tools needed to address the risks of sexual harassment. Our toolkit also provides practical strategies for fostering positive cultural change.

In addition, we deliver bespoke, sector-specific training designed by our legal and HR experts to meet the unique needs of individual organisations.

The festive season should be a time for celebration, relaxation, and connection. By taking proactive steps to prevent harassment, organisations can create an environment where employees feel safe, valued, and confident to enjoy festivities with their colleagues—all while safeguarding the business.

For more information about our **Preventing Sexual Harassment at Work Toolkit** or bespoke training sessions, please contact a member of our employment team today.

## Key contacts

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