

## Sexual Harassment at Work

### What is sexual harassment

Sexual harassment is unwanted behaviour of a sexual nature. The law (Equality Act 2010) protects the following people against sexual harassment at work:

- employees and workers;
- contractors and self-employed people hired to personally do the work;
- job applicants.

To be sexual harassment, the unwanted behaviour must have either:

- violated someone's dignity, whether it was intended or not;
- created an intimidating, hostile, degrading, humiliating or offensive environment for them, whether it was intended or not.

Employers must do all they reasonably can to protect staff from sexual harassment and take steps to prevent it happening.

### Who can experience sexual harassment?

Sexual harassment can happen to men, women and people of any gender identity or sexual orientation. It can be carried out by anyone of the same sex, a different sex or anyone of any gender identity.

You could experience sexual harassment from anyone you come into contact with because of your job, including:

- someone you work with;
- a manager, supervisor or someone else in a position of authority;
- someone high profile or influential.

You can also experience sexual harassment from a customer, client or member of the public. Your employer should take steps to prevent this.

### Examples of sexual harassment

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour. It can happen in person or in other ways, for example online through things like email, social media or messaging tools.

Examples include:

- flirting, gesturing or making sexual remarks about someone's body, clothing or appearance;
- asking questions about someone's sex life;
- telling sexually offensive jokes;
- making sexual comments or jokes about someone's sexual orientation or gender reassignment;
- displaying or sharing pornographic or sexual images, or other sexual content;
- touching someone against their will, for example hugging them;
- sexual assault or rape.

What some people might consider as joking, 'banter' or part of their workplace culture is still sexual harassment if:

- the behaviour is of a sexual nature;
- it is unwanted;
- it violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment is usually directed at an individual, but it is not always the case. Sometimes there can be a culture of sexual harassment in a workplace that is not specifically aimed at one person – such as sharing sexual images. Someone could still make a complaint of sexual harassment in this situation.

### If you have been sexually harassed at work

If you've experienced sexual harassment at work, you can make a complaint to your employer. Your employer should:

- take your complaint very seriously
- handle it fairly and sensitively

### Make a note of what has happened

It is a good idea to make a note of what has happened. This should include dates, times and names, including any witnesses. Making a note can be especially helpful if you find talking about the experience particularly distressing.

### Getting advice on your options

You might want to talk to someone to get advice and support before deciding whether to make a sexual harassment complaint. This could be:

- someone you trust at work, for example a colleague or manager;
- someone at work who's been trained to advise people who are considering making this kind of complaint;
- a specialist helpline.

### Making a complaint

Talk with your employer or someone senior at work as soon as possible to try and resolve the problem. If this does not resolve the issue, or does not seem appropriate in the circumstances, you can raise a formal grievance. If you make a complaint a long time after an incident took place, your employer should still take it seriously.

Your employer may have their own specific sexual harassment policy and procedure, or a bullying and harassment policy, for handling sexual harassment complaints. If so, you should follow that policy and procedure to make your complaint.

Look at your workplace's policy, if there is one, to check what you should do. The policy should be somewhere you can easily access, for example on an intranet or in a staff handbook. It should say how your employer handles sexual harassment complaints. The policy should tell you who to send your complaint to, for example someone at your workplace with specialist training.

Alternatively, you can contact the Tolley Safeguarding team at [concerns@lexisnexis.co.uk](mailto:concerns@lexisnexis.co.uk)