

Sexual harassment

1 . What sexual harassment is

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
- created an intimidating, hostile, degrading, humiliating or offensive environment for someone

It can be sexual harassment if the behaviour:

- has one of these effects even if it was not intended
- intended to have one of these effects even if it did not have that effect

Who is responsible

Employers must take steps to [prevent sexual harassment happening in the first place](#).

Employers can be held responsible for the actions of employees. This is called [vicarious liability](#).

Employers also have a responsibility – a 'duty of care' – to look after the wellbeing of their employees. Not doing this could lead to a serious breach of an employee's employment contract. If an employee feels they have no choice but to resign, the employer could face a claim of sexual harassment and [constructive dismissal](#).

Anyone who sexually harasses someone at work is also responsible for their own actions. Discrimination complaints and employment tribunal claims can be made against individuals as well as employers.

Who can experience sexual harassment

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

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

- third parties – for example customers, clients and members of the public

Examples of sexual harassment

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

It can happen in person. It can also happen online, for example in meetings, email, social media or messaging tools.

Examples include:

- 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 can still be sexual harassment.

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

The law on harassment

The laws that protect people against sexual harassment are:

- the Equality Act 2010
- the Worker Protection (Amendment of Equality Act 2010) Act 2023 – this law is about [preventing sexual harassment](#)

The Equality Act 2010 also covers other types of harassment. This includes:

- harassment related to certain 'protected characteristics' – for example sex, sexual orientation and gender reassignment
- less favourable treatment because of how someone responded to previous sexual harassment

Someone could experience more than one type of harassment at the same time.

[Find out more about other types of harassment](#)

Example of more than one type of harassment

Jo's supervisor regularly makes comments about women that Jo finds insulting. For example, saying their industry should not let women in. This is harassment related to a person's sex.

Jo's supervisor starts making sexual comments about Jo's body, getting very close and resting their hand on Jo's arm. It makes Jo feel very uncomfortable and intimidated. This is sexual harassment.

Jo tells their supervisor that this behaviour is offensive and must stop. The supervisor is angry at being rejected and spreads hurtful rumours about Jo's sex life. This is harassment because of how Jo reacted previously.

Jo makes a complaint that includes the different types of harassment.

Contact the Acas helpline

If you have any questions about sexual harassment, you can [contact the Acas helpline](#).

2. If you've 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 seriously
- handle it fairly and sensitively

It's best to make a complaint as soon as possible. But if you make a complaint a long time after something happened, your employer should still take it seriously.

Make a note of what's happened

It's a good idea to make a note of what's happened. This should include dates, times and names, including any witnesses.

Writing things down can be especially helpful if you find talking about the experience distressing.

If you recorded what happened

There are risks involved with making recordings, for example on your phone. This is a complicated area of the law.

If you make a sexual harassment complaint to your employer, a recording might not be allowed as evidence. For example if:

- your employer has a policy that staff must not make recordings at work without permission
- your employer has a policy that making a secret recording at work is a disciplinary issue
- your secret recording breaks data protection laws

If your complaint leads to an employment tribunal, the tribunal might allow a recording as evidence in some circumstances. It will depend on your reasons for making it. A possible example might be that you made it because there was no other way to get evidence. But the tribunal will decide on a case-by-case basis.

Getting advice on your options

You do not have to make a sexual harassment complaint. It's up to you to decide. However, your employer cannot deal with the problem if they do not know about it.

You might want to talk to someone to help you decide what to do. This could be:

- someone you trust at work, for example someone you work with or a manager
- a trade union representative, if you're a trade union member
- someone at work who's trained to advise people who are considering making this kind of complaint
- [specialist advice](#)

Making a complaint

If you want to try and resolve the problem informally, you can [talk with your employer](#) or someone senior at work.

You can [raise a grievance](#) if either:

- talking with your employer does not resolve the issue
- you feel the problem is too serious to deal with informally

A grievance is where you make a formal complaint to your employer.

Check your employer's policy

Your employer might have their own policy on sexual harassment. If they do, look at the policy to check what you should do. It might tell you who to send your complaint to, for example someone in your organisation with specialist training.

You might also want to speak to a trade union representative, if you're a member. They may be able to support you in making a complaint.

If the problem is not resolved

If your problem is not resolved by trying informal or formal steps, you might be able to make a claim to an employment tribunal.

There are strict time limits for making a claim. In most cases, you have 3 months minus 1 day from the date of the most recent sexual harassment.

If the time limit has passed, you can still make a claim to an employment tribunal. It's up to the judge to decide whether they will accept your claim. They will consider:

- if there's a good reason for you taking more than 3 months
- if it's fair to the employer to allow your case to go ahead

Find out more about:

- [making a claim to an employment tribunal](#)
- [employment tribunal time limits](#)

When to get specialist advice

It's a good idea to [get specialist advice](#) if:

- your complaint involves sexual assault or rape
- you believe your employer is not dealing with your complaint because it's about someone powerful or influential
- it's 3 months or more since the sexual harassment happened and you're considering making a claim to an employment tribunal

When it's a crime

If you've been sexually assaulted or raped at work, you can get [specialist help and support](#).

You should seriously consider reporting it to the police. However, nobody can force you to report it. It's your choice.

If you choose to tell your employer, they should:

- talk with you about whether you want to report it to the police

- support you if you choose to report it

In most cases, your employer should go along with your decision. However, your employer might feel they need to tell the police in some circumstances. For example if there's an ongoing risk to your safety or the safety of others.

If your employer is going to tell the police, they should:

- talk with you about it first
- let you know when they've reported it to the police

If it's been reported to the police or it's going through a court

If there's a criminal process, it might affect how your employer deals with your complaint. You should ask your employer if you have any questions about this.

Protection from victimisation

It's against the law for you to be victimised because you've made a sexual harassment complaint.

Victimisation is when you're treated less favourably as a result of being involved with a discrimination or harassment complaint.

[Find out more about victimisation](#)

Contact the Acas helpline

If you have any questions about sexual harassment at work, you can [contact the Acas helpline](#).

Related content

[Asking your employer questions about discrimination](#)

3. Witnessing sexual harassment

If you see someone being sexually harassed at work, you could step in and try to stop it happening, if you feel it's safe to do so.

After it's happened, you can:

- support a complaint made by the person who experienced the sexual harassment
- report what you've seen or experienced
- give evidence as a witness, for example as part of a grievance procedure
- make a sexual harassment complaint yourself

If you're making a complaint yourself, you do not need the permission of the person who's been sexually harassed.

You must not be [victimised](#) if you make or support a complaint, or act as a witness. This means you must not be:

- stopped from giving evidence
- treated unfairly because you've made a complaint, given evidence or supported a complaint

Make a note of what's happened

It's a good idea to make a note of what's happened. This should include dates, time and names, including any other witnesses.

Writing things down can be especially helpful if you find talking about the experience distressing.

If you recorded what happened

There are risks involved with making recordings, for example on your phone. This is a complicated area of the law.

In a sexual harassment complaint to your employer, a recording might not be allowed as evidence. For example if:

- your employer has a policy that staff must not make recordings at work without permission
- your employer has a policy that making a secret recording at work is a disciplinary issue
- your secret recording breaks data protection laws

If a complaint leads to an employment tribunal, the tribunal might allow a recording as evidence in some circumstances. It will depend on your reasons for making it. A possible example might be that you made it because there was no other way to get evidence. But the tribunal will decide on a case-by-case basis.

Deciding whether to report it or make a complaint

You should talk to the person who's experienced sexual harassment to see if they want your support.

You might also want to talk to someone else to help you decide what to do. This could be:

- someone you trust at work, for example a colleague or manager
- a trade union representative, if you're a member of a trade union
- someone at work who's been trained to advise people who are considering making this kind of complaint
- [specialist advice](#)

You might decide to either:

- report what you've seen
- make a complaint yourself because what you've seen has violated your dignity or created an intimidating, hostile, degrading, humiliating or offensive environment for you

If you're making a complaint yourself, you do not need the permission of the person who's been sexually harassed.

Reporting what you've seen or making a complaint

If you choose to tell your employer, talk with them as soon as possible to try and resolve the problem. [Find out more about talking to your employer about a problem.](#)

If talking to your employer does not resolve the issue or if you think it's too serious, you can [raise a grievance](#). This is if you're making a formal complaint yourself.

Your employer might have their own policy on sexual harassment. If they do, look at the policy to check what you should do. It might tell you who to send your complaint to, for example someone in your organisation with specialist training.

You might also want to speak to a trade union representative, if you're a member. They may be able to support you in making a complaint.

If your problem is not resolved, you can consider [making a claim to an employment tribunal](#).

If you make a report or complaint a long time after an incident took place, your employer should still take it seriously.

Giving evidence

You might be asked to make a witness statement. This could be part of either:

- your organisation's [grievance procedure](#)
- your employer's specific sexual harassment or bullying and harassment procedure, if they have one

If you're uncomfortable about doing this, the person investigating should talk to you and try to resolve any concerns you have.

[Find out more about being a witness](#)

Giving evidence anonymously

If you're making a witness statement, you can ask for it to be anonymous. Your employer does not have to agree and there can be disadvantages.

For example, your evidence might not be taken as seriously. It might have to be backed up by someone else who's willing to be named.

Keeping your identity secret cannot be guaranteed. For example, if the case goes to an employment tribunal, you might be asked to give evidence in person.

How the law protects you

The law (Equality Act 2010) protects you from being victimised because you've supported someone else's complaint. This means you must not be:

- stopped from giving evidence
- treated less favourably as a result of making a complaint, giving evidence or supporting a complaint

[Find out more about victimisation](#)

Contact the Acas helpline

If you have any questions about sexual harassment at work, you can [contact the Acas helpline](#).

4. Handling a complaint

As an employer, you should:

- take any complaint of sexual harassment seriously
- handle a complaint fairly and sensitively
- look into a complaint as quickly as possible

How someone might make a complaint

The person making the complaint may talk to you to try and resolve the problem informally.

They may raise a grievance instead, if they feel that either:

- raising it informally has not resolved the issue
- it's too serious to raise informally

You may have your own policy on sexual harassment. It might say who the person should send their complaint to, for example someone in your organisation with specialist training.

The complaint might come from:

- the person who's experienced sexual harassment
- someone who's witnessed it

Find out more about:

- [dealing with a problem raised by an employee](#)
- [formal grievance procedures](#)

Talking to the person who's made a complaint

You should talk with the person who raised the issue. This can help you understand what's happened and what might help resolve it.

When you're talking to them, think carefully about what you say. Some things will not be appropriate or acceptable.

For example:

- do not tell someone it could be a long and difficult process, or ask them if they're sure they want to go ahead – this could imply you think they should not carry on with the complaint
- do not say their complaint does not seem that serious – you should treat all complaints seriously

Keep an open mind

You should not let your own views or feelings influence you handle a complaint.

This is particularly important if:

- you get on well with the person accused of sexual harassment
- you believe the person accused is not likely to have done it
- the person accused is someone senior or influential
- you personally do not find the behaviour offensive

Something that you would not find offensive or unwanted can feel very different to someone else.

You should not doubt a sexual harassment complaint simply because nobody else witnessed it.

You must not ignore or cover up a sexual harassment complaint.

Non-disclosure agreements

You should not use a non-disclosure agreement (NDA) or 'confidentiality clause' that might deter someone from reporting sexual harassment.

You cannot use a non-disclosure agreement to stop someone whistleblowing or reporting a crime.

[Find out more about non-disclosure agreements](#)

Dealing with the complaint

An employee will either make an informal or formal complaint. Dealing with a problem informally means taking steps to resolve it without using a formal grievance procedure.

It may be possible to resolve a complaint informally. This can be quicker and less stressful for everyone. However, not every situation is suitable to handle informally.

You may decide that the most appropriate way to handle the complaint is by asking the person to [raise a grievance](#). This is where they make a formal complaint.

Reasons for asking them to raise a grievance might include the seriousness of the complaint.

They might not want to make a formal complaint, for example because they think it will be too distressing. In this case, you might still consider a [disciplinary procedure](#) against the person they're complaining about.

You might have a specific policy on sexual harassment. If it contains a complaints procedure you should follow that procedure.

In some cases, you might only have evidence from the person making the complaint and the person accused. You should hear the evidence from both sides in a fair process. You can still decide the case is valid if you believe the person who made the complaint.

If the case reaches an employment tribunal

The procedure you've followed will be taken into account if the case reaches an [employment tribunal](#).

An employment tribunal will consider what you did to prevent sexual harassment. The law says that:

- employers must take reasonable steps to prevent sexual harassment at work
- an employer can be held responsible for harassment carried out by an employee, if they have not taken all reasonable steps to prevent it – this is called [vicarious liability](#)

There are strict time limits for making a claim to an employment tribunal. In most cases, someone has 3 months minus 1 day from the date of the most recent sexual harassment.

If the time limit has passed, someone can still make a claim to an employment tribunal. It's up to the judge to decide whether they will accept the claim. They will consider:

- if there's a good reason for the person taking more than 3 months
- if it's fair to you to allow their case to go ahead

[Find out more about employment tribunal time limits](#)

Complaints a long time after an incident

If someone makes a complaint a long time after an incident, you should still:

- take it seriously
- deal with it completely, or as far as you possibly can

There may be limits on how far you can take the complaint. For example, if:

- the person accused of sexual harassment no longer works for you
- witnesses no longer work for you

- evidence is no longer available

You should still investigate even if the person making the complaint has run out of time to make a claim to an employment tribunal.

You should talk to the person who's made the complaint about any potential limits. In this situation, you should:

- look into their complaint as far as you possibly can
- keep them informed
- let them know the outcome as soon as there is one

When it's a crime

If someone tells you they have been sexually assaulted or raped at work, they might also report it to the police.

You should:

- talk with them about whether they intend to tell the police
- encourage them to report it, without putting any pressure on them
- support them if they choose to report it

If they decide not to report it to the police, you should respect their decision.

However, you might feel you need to tell the police yourself in some circumstances. For example if there's an ongoing risk to the person's safety or the safety of others.

If you're going to tell the police, you should:

- tell the person who's made the complaint first
- let them know once you've reported it to the police

If you're not sure what to do, you could:

- [get specialist advice](#)
- [consider getting legal advice](#)

If it's been reported to the police or it's going through a court

You might have to wait for the criminal process to finish before you can:

- investigate the complaint
- carry out a workplace [disciplinary procedure](#)

You should:

- check with the police before doing either of those things, to make sure there's no risk of prejudicing the criminal process
- consider getting legal advice
- give information to the police if they ask for it

If the criminal process does not result in a conviction, you could still take disciplinary action.

This is because the level of evidence needed to prove a crime is higher than what's needed for an employer's disciplinary procedure.

Supporting someone who's made a complaint

Being sexually harassed can be extremely distressing and can even be life-changing.

The person making the complaint may be worried that:

- they will not be taken seriously
- you will make them confront the person accused of sexual harassment
- they might be asked about their personal life
- other people will find out personal information about them
- they will be victimised for making a complaint

You must make sure none of those things happen.

You should make sure that:

- reporting sexual harassment is as easy as possible
- the person making the complaint feels safe and protected
- you offer the person [mental health support](#), for example through an employee assistance programme (EAP) if you have one
- you talk to them privately and do not rush them
- the person investigating the complaint is impartial and trained for the role

Supporting someone who's been accused

Being accused of sexual harassment can be very distressing.

You must:

- carry out a fair and thorough investigation and handle it sensitively
- not presume the accusation is either true or false

The person who's been accused may be very worried that:

- what they say will not be taken seriously
- you will make them confront the person who made the complaint
- they might be asked about their personal life
- other people will find out personal information about them

You must make sure none of those things happen.

You should offer them the same kind of support you offer to the person who's made the complaint. For example:

- talk to them privately and do not rush them
- offer them [mental health support](#)
- assure them that the person investigating the complaint is impartial and trained for the role

Confidentiality

You should handle the complaint confidentially, including any investigation.

You should explain to anyone involved that they should not discuss the case with anyone, apart from:

- their trade union representative
- someone at work who's acting as a companion at a formal meeting

- close family or friends who are supporting them

Protecting staff after a complaint

Depending on the circumstances, you may need to take steps to protect:

- the person who made a sexual harassment complaint
- the person accused
- other staff

In some cases, you may want to suspend the person who's been accused while you're dealing with the complaint. For example, if there's a serious risk to the employee who made the complaint or to other people. You should think very carefully before suspending someone as there may be other options.

In some cases, you might need to separate the employees involved while you handle a formal complaint. For example, you might temporarily move one of them to a different shift or location.

You should not move the person who made the complaint, unless they ask to be moved. Moving them when they have not asked for this could be seen as a punishment for complaining.

[Find out more about suspension and other options](#)

Deciding what action to take

After following a fair procedure to look into a formal complaint, you should decide what action to take.

If the outcome of the procedure means you need to consider disciplinary action, you should follow a [formal disciplinary procedure](#).

If you follow up with a disciplinary procedure, it's unlikely that you'll need to investigate again. But if you feel you need more information, you should investigate further.

After you've dealt with a grievance

You should tell the person who made the complaint what the outcome is.

It can also be a good idea to talk privately with any staff who were directly involved.

This would usually be to:

- tell them the process is finished
- remind them not to talk about it with other people at work

[Find out more about what to do after a grievance](#)

Managing the situation afterwards

When sexual harassment has taken place, you must take action to [prevent sexual harassment happening again](#).

You should also consider carefully how to manage the specific situation.

If the person who carried out the harassment still works for you

If you decide against dismissal, your options might include:

- disciplinary action short of dismissal, for example a final written warning
- training and supervision for the person who carried out the harassment
- moving them to another location or role to keep them apart from the person they harassed

If you dismiss them

If you dismiss someone, your options for managing the situation afterwards might include:

- finding ways to make sure they cannot target the person they sexually harassed – for example if your workplace is open to the public
- offering staff counselling

If the complaint is not upheld

'Not upheld' means either:

- you decided the behaviour was not sexual harassment
- there was not enough evidence to make a decision

You should consider steps to help manage working relationships. For example:

- counselling
- mediation
- nominating someone that either person can talk to if they have concerns
- offering other roles if you cannot resolve a breakdown in a working relationship

Acas support for employers

If you need support, you can:

- [contact the Acas helpline](#)
- [do training on dealing with unacceptable behaviours at work](#)
- [get tailored support for your organisation](#)

Related content

[Answering questions about a discrimination complaint](#)

5. Preventing sexual harassment

As an employer, you must take steps to prevent sexual harassment happening in your organisation.

What the law says

By law, all employers must take reasonable steps to prevent sexual harassment of their employees.

The law is the Worker Protection (Amendment of Equality Act 2010) Act 2023. The law came into effect on 26 October 2024.

The law covers sexual harassment from:

- other people at work
- third parties – for example customers and clients

You must take action to assess risks and put measures in place. You cannot wait until sexual harassment happens. If it's already happened, you must take action to stop it happening again.

Important: If you do not take reasonable steps to prevent sexual harassment, the Equality and Human Rights Commission (EHRC) could take action against you. You might also have to pay a higher rate of compensation if an employee makes a successful claim at an employment tribunal.

What you should do

To help you take appropriate action, you should:

- consider the risks of sexual harassment happening in your organisation
- consider steps you could take to reduce the risks of sexual harassment happening
- consider which of those steps are reasonable for you to take
- take those steps

What is reasonable depends on the situation. There's no set list of steps that all employers must take.

Considering risks

Sexual harassment can happen in any organisation. You must not assume that it will not happen.

You should assess any possible risks in your organisation.

In your risk assessment, consider any factors specific to:

- your sector
- the type of work
- ways of working
- different roles in your organisation

Higher risk factors might include things like:

- meeting clients or service users alone
- an environment where people are drinking alcohol
- work-related social events
- power imbalances between staff
- travelling for work, including overnight stays

You should also be aware that some staff might be at higher risk. For example:

- younger staff, including apprentices and interns
- people with learning difficulties

Considering steps to take

To decide what steps are reasonable for your organisation, you should consider things like:

- the size of your organisation
- the kind of work your employees do
- what risks of sexual harassment there might be in your working environment
- who your employees might have contact with as part of their work
- how often your employees are in contact with third parties
- whether sexual harassment has happened before
- your organisation's resources

When you're considering third parties your employees are in contact with, consider people like:

- customers
- clients
- service users
- members of the public
- self-employed consultants
- people at conferences or events

Examples of steps to prevent sexual harassment

Examples of steps you could take include:

- making it clear to everyone who works for you, or uses your services, that you will not tolerate sexual harassment
- encouraging staff to report any incidents of sexual harassment
- encouraging staff to report situations where they felt at risk, even if nothing happened
- introducing ways for staff to get help quickly, for example panic buttons or alarms
- setting standards of behaviour for work social events
- having someone at senior level to make sure the organisation is taking steps to prevent sexual harassment

You should check you have the right policies and procedures in place.

You should also consider:

- having a specific policy on sexual harassment
- training everyone who works for you on recognising sexual harassment
- training managers on their responsibilities
- having a process for reviewing your policies and training
- taking steps to create the right culture

Having the right policies and procedures

You must follow a full and fair procedure for handling complaints, in line with the [Acas Code of Practice on disciplinary and grievance procedures](#).

This could be through:

- a grievance procedure
- a specific procedure for handling sexual harassment complaints – this could be part of a sexual harassment policy

[Find out more about creating a sexual harassment policy](#)

Make sure other policies are in line

It's important that all your policies match up. You should check all relevant policies, for example:

- discipline
- social media
- dress code

For example, your social media policy should also make it clear that online sexual harassment will not be tolerated. This includes on personal devices.

Inform and train staff

This includes:

- telling everyone that sexual harassment is not acceptable – for example as part of their induction
- training everyone who works for you on recognising and understanding sexual harassment
- training managers on how to assess and manage risks of sexual harassment
- training someone to advise people who are considering making a sexual harassment complaint – you could train someone in HR, a manager or another member of staff

Acas training for employers and managers includes:

- [training on dealing with unacceptable behaviours at work](#)
- [equality, diversity and inclusion training](#)

Review your policies and training

You should regularly check:

- if your policies and procedures for preventing sexual harassment and handling complaints are working
- how effective your training around sexual harassment is

For example, you could do staff surveys.

If sexual harassment happens, you should review your policies. You may need to make changes and take other steps to prevent it happening again.

Create the right culture

You should make these things clear to everyone who works for you:

- sexual harassment is against the law
- what sexual harassment is and what behaviours are unacceptable at work
- you will never cover up or ignore a sexual harassment complaint
- you will not tolerate misuse of power in workplace relationships, for example through seniority or influence
- how you will handle a sexual harassment complaint
- that staff are encouraged to report sexual harassment
- if someone who works for you carries out sexual harassment, it may lead to them losing their job

- if someone makes a complaint that's not upheld, they will not face any disciplinary action, as long as their complaint was not malicious

There are other steps you can take to help create the right culture. For example:

- having a clear way for staff to report sexual harassment, including anonymously
- carrying out anonymous surveys to understand people's experiences of sexual harassment at work
- including in managers' performance objectives that they should report sexual harassment if they see it, or deal with it if they're trained to
- keeping a record of sexual harassment complaints to watch for any patterns of unwanted behaviour
- [improving equality, diversity and inclusion](#) – sexual harassment is less likely to happen in an inclusive organisation where everyone is treated with respect

Get more advice and support

[Find out more about preventing sexual harassment from the Equality and Human Rights Commission](#)

If you need help with taking steps to prevent sexual harassment, you can:

- [contact the Acas helpline](#)
- [get tailored support for your organisation](#)

6. Creating a sexual harassment policy

As an employer, you might decide to create a policy on sexual harassment.

This can help you take steps to identify risks and to prevent sexual harassment.

Alternatively, you could include sexual harassment in a policy on bullying or discrimination.

Consulting on your policy

If you create a specific policy, you should do this in consultation with either:

- any recognised trade unions
- other employee representatives, where there's no trade union

[Find out more about consulting employees and representatives](#)

What to include in the policy

A sexual harassment policy should include:

- an explanation of what sexual harassment is
- a statement that says you will not tolerate sexual harassment
- what someone should do if they experience or witness sexual harassment
- how managers should deal with sexual harassment complaints
- how you will deal with sexual harassment from third parties, for example customers or clients
- support that's available for anyone affected by sexual harassment

- how you will handle time off because of sexual harassment
- your approach to assessing and managing risks of sexual harassment

An explanation of sexual harassment

In your policy, explain what sexual harassment means. It's important that people understand the range of behaviour that could be sexual harassment. It can be useful to give examples.

You might want to link to other policies, for example bullying and social media policies.

A statement that says you will not tolerate sexual harassment

Set out your organisation's position on sexual harassment. You should make it clear that:

- you will not tolerate sexual harassment
- complaints will be taken seriously and not be ignored
- this applies to everyone in the organisation, regardless of role or status

What someone should do if they experience or witness sexual harassment

Your policy should refer to either:

- your usual grievance procedure
- a separate procedure for sexual harassment complaints, if you have one

Include a range of options for who to report sexual harassment to. This is so people have a choice, depending on who they feel most able to talk to. Options could include:

- their line manager
- a more senior manager
- staff who are specially trained to deal with sexual harassment complaints
- their trade union representative, if they're a member

You should explain that someone can choose to either:

- raise a problem informally
- raise a grievance – this is where someone makes a formal complaint

You should make it clear that:

- usually, someone making a complaint can choose if they want it to be dealt with informally or formally
- some situations might be too serious to deal with informally

How managers should deal with sexual harassment complaints

This should mainly be covered by referring to:

- your usual grievance procedure
- a separate procedure for sexual harassment complaints, if you have one

You should explain what will happen if a complaint is upheld. 'Upheld' means the person investigating the complaint decides that the complaint is valid.

How you will deal with third party sexual harassment

In your policy, set out how employees should report sexual harassment from third parties. For example, customers, clients, service users and members of the public.

Explain how you will deal with any issues. This should include what steps you could take to prevent sexual harassment happening again. You will not be able to use your usual disciplinary procedure if the person accused of sexual harassment does not work for you.

Support for anyone affected by sexual harassment

Give details of help and support that's available to anyone affected by sexual harassment. This includes:

- people who have experienced or witnessed sexual harassment
- managers dealing with sexual harassment complaints
- anyone accused of sexual harassment

For example:

- support available through work, for example an employee assistance programme (EAP) if you have one
- outside sources of support

For advice on what you could include, find out more about [specialist help and support](#).

How you will handle time off because of sexual harassment

Say how you will handle any time off that results from sexual harassment at work. This might include:

- sickness absence
- appointments for specialist support

Usually, this should be paid time off. It should not count against an employee. For example, you should not count this towards any [absence trigger points](#).

Assessing and managing risks

Information about assessing and managing risks of sexual harassment could be either:

- part of your sexual harassment policy
- in separate guidance for managers

You need to have a process for managers to decide what steps to take to prevent sexual harassment.

For more advice on this, find out more about [preventing sexual harassment](#).

Get more advice and support

If you have any questions about creating a policy, you can [contact the Acas helpline](#).

Acas also provides:

- [tailored support for employers](#)
- [training on dealing with unacceptable behaviours at work](#)

7. Specialist help and support

Specialist help and support is available for anyone affected by sexual harassment, including:

- people who've experienced or witnessed sexual harassment
- employers handling sexual harassment complaints
- anyone accused of sexual harassment

Dealing with sexual harassment at work

To help you understand your rights and options, employees and employers can:

- [contact the Acas helpline](#)
- talk to your trade union or employers' association if you have one

Women who've experienced sexual harassment at work can get free legal advice from:

- [Rights of Women](#) – England and Wales
- [Scottish Women's Rights Centre](#)

Employers handling a sexual harassment complaint can read:

- [workplace sexual harassment guidance from the Equality and Human Rights Commission \(EHRC\)](#)

If you're struggling to cope and need someone to talk to, you can contact:

- [Samaritans](#)
- [LGBT Foundation](#)

Help after sexual assault or rape

You can get help and information from:

- [Galop](#) – LGBT+ sexual violence support
- [Rape Crisis England and Wales](#)
- [Rape Crisis Scotland](#)
- [The Survivors Trust](#)
- [SurvivorsUK](#) – for men and non-binary people affected by rape and sexual abuse
- [Victim Support](#) – in England and Wales
- [Victim Support Scotland](#)

[Find out about other help after rape and sexual assault on the NHS website](#)

To contact the police:

- call 999 in an emergency
- call 101 if it's not an emergency
- [report a crime online in England and Wales](#)
- [report a crime online in Scotland](#)

When you're reporting a crime, you can ask to speak to a specialist officer who's trained to deal with sexual violence.

Related content

[/supporting-mental-health-workplace](#)