

Preventing sexual harassment at work

Employer checklist:
preparing for the 30th
October 2026 changes

Employment Rights
Act 2025

Start with your organisation's risks

The duty to prevent sexual harassment is due to strengthen on 30 October 2026. Employers will need to take **all reasonable steps**, rather than only some reasonable measures. New protections against third-party harassment are also due.

What is reasonable depends on your organisation's size, sector, resources, structure, working arrangements and risks. A smaller business may need less elaborate arrangements, but still needs effective prevention measures.

Use this checklist to review how you protect employees and others protected under the Equality Act. Mark an action complete only when it has been put into practice and you can show what was done. Record outstanding actions, an owner and a completion date.

The third-party changes extend beyond sexual harassment to other relevant harassment under the Equality Act. Review your broader harassment arrangements alongside this checklist.

1. Assess the risks and decide what to do

- ☐ Assess risks by role, site, shift and activity, including public-facing work, lone working and remote work.
- ☐ Include online communication, messaging platforms, travel, overnight stays, work events and alcohol-related risks.
- ☐ Consider power imbalances, insecure working arrangements and situations where a senior person or valued customer may be difficult to challenge.
- ☐ Review complaints, informal concerns, staff survey findings, exit information and near misses. Consider whether low reporting reflects confidence in the arrangements or reluctance to speak up.
- ☐ Record the preventive measures considered and which are reasonable for your organisation. Explain why any measure has not been adopted; do not treat inconvenience alone as a sufficient reason.
- ☐ Give each agreed action an owner and a completion date. Set regular review dates and review again after incidents, changes in work or evidence that a measure is not effective.

2. Cover third-party risks

- ☐ Identify contact with customers, clients, patients, service users, suppliers, contractors and visitors, including online contact and work away from your premises.
- ☐ Communicate behaviour standards through suitable contracts, terms, briefings or notices. Contract wording does not remove your statutory duties.
- ☐ Tell staff how to report third-party conduct and who can help immediately. Make clear when they can disengage from an unsafe interaction and how support will be arranged.
- ☐ Agree who can warn an offending third party, restrict contact or remove or exclude them where appropriate. Consider relevant service, safeguarding and other legal responsibilities when deciding the response.
- ☐ Record incidents and follow-up action, identify repeat offenders and review whether further controls are needed. Commercial importance should not determine whether conduct is addressed.
- ☐ Include third-party scenarios in training and test whether managers know how to use the available controls.

3. Make policies and reporting abuse usable

- ☐ Review the sexual harassment policy and related conduct, bullying, IT, online communication, grievance and whistleblowing procedures so they work together.
- ☐ Explain the conduct covered, reporting options, likely next steps and available support in language people can understand. Make the information accessible to new starters and those away from the main workplace.
- ☐ Provide more than one reporting route, including an alternative when the concern involves a manager, HR, an owner or a senior leader.
- ☐ Consider whether an anonymous route would help and explain its limits. Check that people know how to raise a concern without first making a formal written complaint.

- ☐ Use this confidentiality wording: "Information will be handled sensitively and shared only where reasonably necessary to investigate, manage or resolve the concern fairly."

- ☐ Check that seniority or commercial influence does not prevent a concern being raised, investigated or addressed.

4. Respond fairly and protect those involved

- ☐ Provide more than one reporting route, including an alternative when the concern involves a manager, HR, an owner or a senior leader.

- ☐ Consider whether an anonymous route would help and explain its limits. Check that people know how to raise a concern without first making a formal written complaint.

- ☐ Use this confidentiality wording: "Information will be handled sensitively and shared only where reasonably necessary to investigate, manage or resolve the concern fairly."

- ☐ Check that seniority or commercial influence does not prevent a concern being raised, investigated or addressed.

5. Train people for the situations they face

- ☐ Cover online harassment, messaging platforms, "banter", work social events and client or customer conduct, as well as behaviour on your premises.

- ☐ Explain what witnesses and bystanders can do safely, including reporting concerns and seeking help.

- ☐ Give managers, HR, investigators and senior leaders the additional training their responsibilities require. Include induction and arrangements for staff who miss a session.

- ☐ Assess understanding through relevant scenarios or questions, rather than relying on attendance alone. Address misunderstandings and record follow-up support.

- Refresh training based on risk, legal developments, incidents, changes in working practices and evidence of poor understanding. Annual refreshers may be a sensible standard where appropriate; they are not a universal statutory minimum.

6. Keep oversight and evidence

- Name a senior person accountable for prevention and give them a way to resolve overdue actions. Report relevant trends and risks to senior management or the board.
- Keep dated risk assessments, action plans, review decisions and reasons why a potentially preventive measure was considered unreasonable or disproportionate.
- Keep policy versions and evidence of communication, training content, attendance and assessment results.
- Retain appropriate records of complaints, informal reports, near misses, investigations, interim safeguards and remedial action.
- Record conflict checks, investigator appointments and third-party warnings or restrictions, including follow-up decisions.
- Apply appropriate access controls, retention periods and data protection arrangements. Keep enough evidence to explain your actions without retaining personal information indefinitely by default.
- Check whether measures are effective through feedback, incident patterns and follow-up reviews. Completion of this checklist alone does not prove that all reasonable steps have been taken.

A final employer sense-check

- ❖ Have we assessed our actual risks?
- ❖ Have we taken all reasonable steps arising from that assessment?
- ❖ Can people report concerns safely?
- ❖ Have we covered third-party risks?
- ❖ Do managers know what to do?
- ❖ Can we evidence what we have done and why?

Record the next action

Action required: _____

Owner: _____ Completion date: _____

Evidence of completion: _____

Review date and outcome: _____

Repeat this action record for each gap identified.

Why the evidence matters

Following a successful sexual harassment claim, a tribunal may increase relevant compensation by up to 25% if the preventative duty was breached. The uplift is discretionary. The Equality and Human Rights Commission can also take enforcement action for a breach of the preventative duty.

How we can help

We can help you review your risks, update policies and equip your team to prevent and respond to sexual harassment. If the checklist has highlighted gaps, [get in touch](#) for a second pair of eyes on your approach.

This checklist provides general information for employers in the United Kingdom. It is not legal advice or a guarantee of compliance. The steps required depend on your circumstances. Seek specific advice where needed.