

Employment Matters Committee

3 December 2025

Introduction of a Sexual Harassment Policy

Report from: Sam Beck-Farley, Chief Organisational Culture Officer

Author: Harry Steer, Employee Relations Consultant and Policy Lead

Summary

This report seeks to introduce a Sexual Harassment Policy to drive greater prevention and protection for employees against sexual harassment in the workplace. It also seeks to clarify how instances of reported sexual harassment will be dealt with in conjunction with the revised Harassment Policy and Procedure.

Introducing a Sexual Harassment Policy will support compliance with legal requirements under the Worker Protections Act 2023, as well as the proposed changes to those requirements under the Employment Rights Bill. It will also help to promote an inclusive and supportive working environment where employees can feel safe in the workplace.

1. Recommendations

- 1.1 The Committee is asked to approve the introduction of a Sexual Harassment Policy and implement the policy across all areas of the organisation.
- 1.2 The Committee is asked to note the requirement for adequate training provision and awareness communications to allow managers and employees to have an informed insight on existing and new preventative and responsive measures to protect workers against sexual harassment.

2. Budget and policy framework

- 2.1 The decision aligns with the Council's policy framework and supports the One Medway Council Plan by providing employees with a safe and effective work environment. The adoption of the policy emphasises a commitment to the protection and support of employees in the workplace.
- 2.2 There are no significant budgetary implications for services as there is no cost associated with the prevention and response to cases and claims of sexual harassment.

3. Background

- 3.1 The Worker Protection Act 2023 sets out new protections for workers against sexual harassment in the workplace. The Act highlights an important new focus on the prevention of sexual harassment and requires employers to take “reasonable steps” to prevent sexual harassment. This also includes new protections against third-party harassment.
- 3.2 The Employment Rights Bill builds on these protections by proposing to require employers to take “all reasonable steps”. Reasonable steps are highlighted in the Equality and Human Rights Commission’s 8-step guide for employers.
- 3.3 The introduction of a Sexual Harassment Policy will support compliance with the legal requirements set out by the Worker Protection Act 2023 and pre-empt the changes proposed by the Employment Rights Bill. It will also support the Council’s mission to provide a supportive, inclusive and safe working environment for all employees.
- 3.4 This policy will ensure that employees at all levels are aware of their rights, understand what constitutes sexual harassment, and are taking adequate steps to both prevent and respond to sexual harassment. Such measures include the provision of a zero-tolerance policy, risk assessments, adequate training, and signage in hubs and work areas accessible to the public.
- 3.5 These changes brought by this policy and supporting communication and training will ensure that the Council is not only legally compliant with the Worker Protection Act 2023, but also pre-empts any changes imposed by the Employment Rights Bill in the future. It demonstrates the Council’s commitment to ensuring a safe and supporting working environment and supports Our Values and Behaviours.

4. Options

- 4.1 Approve the Policy: This option ensures compliance with current and future legal requirements and promotes a safe and inclusive workplace.
 - Advantages: Legal compliance, improved safety for employees, better equality and inclusion for those at risk of harassment.
 - Disadvantages: Failure to comply with legal requirements, a less safe workplace, employees not feeling able to speak up about sexual harassment
- 4.2 Do Not Approve the Policy: This option avoids the immediate work required on putting in place preventative measures and extra resource requirements for HR and managers but risks legal challenges and less safety for employees.
 - Advantages: No immediate time and resource requirement for managers to comply and HR to create training, communication and implementation of processes.

- Disadvantages: Risk of legal challenge, lack of employee safety, poorer equality and inclusivity and difficulties for employees to raise issues.

5. Advice and analysis

- 5.1 The recommendation is to approve the policy. This decision supports the Council's commitment to a fair and inclusive workplace, as well as legal compliance. The analysis includes consideration of financial and operational sustainability as well as the safety and inclusion of all employees.
- 5.2 Appendix B to the report is a Diversity Impact Assessment (DIA) which has been undertaken.
- 5.3 To summarise, there is no detrimental impact due to the adoption of this policy. It would likely advance equality and foster good relations for those employees protected by sex, gender reassignment, sexual orientation and pregnancy.

6. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Non-compliance with legal requirements	Lack of preventative measures for sexual harassment and protections against third-party harassment put the Council at risk of litigation or fines.	Implement the policy. Improve awareness and practice through communication and training, as well as workshops for preventative measures.	A II
Lack of safety and preventative measures for employees	Lack of preventative measures for sexual harassment and protections against third-party harassment risks the safety of employees across the organisation.	Implement the policy. Improve awareness and practice through communication and training, as well as workshops for preventative measures.	B II
Resistance to change/new processes not taken up and followed by employees	Adoption of the policy and supporting processes may have a lack of buy-in and could cause inconsistent protection and support for employees around sexual harassment.	Provide mandatory training on sexual harassment to all employees. Communicate the importance and benefits of the implementation of preventative measures and improved reporting.	C III

For risk rating, please refer to the following table:

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

7. Consultation

- 7.1. The policy was shared with Trade Unions on 7 November 2025.
- 7.2. Feedback was sought and received from the Employee Relations Team, including senior management.
- 7.3. Staff forums and interest groups have been engaged, and feedback has been received from the Disabled Workers and Carers Network and the Sex Equality Forum.
- 7.4. All feedback has been considered and implemented where appropriate.

8. Climate change implications

- 8.1. There are no climate change implications regarding this report and policy.

9. Financial implications

- 9.1. There are no direct financial implications arising from this policy, any additional impact on managers and HR will need to be funded from existing revenue budgets. However, the implementation of a robust Sexual Harassment policy and supporting processes may lead to cost savings from improved legal compliance and reduction of risks.

10. Legal implications

- 10.1. The Worker Protection Act 2023 and proposed changes under the Employment Rights Bill have been considered in full alongside the guidance provided by the Equality and Human Rights Commission. The implementation of this policy will ensure the Council complies with all legal requirements outlined in these statutory changes.
- 10.2. The introduction of this policy will support the safety of workers while preventing potential claims to Employment Tribunals of failure to prevent sexual harassment or fines from the Equality and Human Rights Commission.

Lead officer contact

Sam Beck-Farley, Chief Organisational Culture Officer, 01634 331463,
samantha.beckfarley@medway.gov.uk

Appendices

Appendix A: Sexual Harassment Policy

Appendix B: Diversity Impact Assessment

Background Documents

None