



Guide to Conducting a Sexual Harassment Risk Assessment

{with Reporting Template}

March 2025



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SECTION 1

Introduction

The law around preventing sexual harassment at work has changed.

The [Worker Protection \(Amendment of Equality Act 2010\) Act 2023](#) introduces a positive legal obligation for employers to take reasonable steps to prevent the sexual harassment of employees in their workplace.

Rather than simply responding to allegations of sexual harassment after they happen, employers have a preventative duty to put a stop to workplace sexual harassment before it starts - also known as an 'anticipatory' duty.

The bill came into force on 26 October 2024 and covers the following key points:

- » Employers are now liable for preventing sexual harassment before it happens.
- » If they fail to meet this duty, the **Equality and Human Rights Commission** can take enforcement action.
- » Employment tribunals may increase compensation for sexual harassment by up to 25%.
- » While the Act doesn't (yet!) make employers directly liable for third-party harassment, they must still take reasonable steps to prevent it from third parties such as clients, customers, or the public.

SECTION 2

How to use this guide and template

Please customise and apply this guide and template depending on the following factors:

- the size, nature and sector of your business
- your working environment
- the demographic and diversity of your workforce who might be impacted by sexual harassment
- specific areas where your business might be at risk of sexual harassment
- the clients, customers and third parties your business interacts with
- the resources available to you

This guide and template offer a framework, but not an exhaustive list of steps. Regularly review and implement any additional measures to prevent sexual harassment, such as technology for monitoring and reporting. It is a continuous review but should be undertaken at least annually and if an incident occurs.

There's no one-size-fits-all rule — your actions should be based on what is reasonable and practical for your specific circumstances.

Please refer to the [Prevention of Sexual Harassment at Work - Worker Protection \(Amendment of Equality Act 2010\) Act 2023 - Policy Template](#) for further guidance.

If you need tailored support, our team is here to help! Get in touch at: hello@telljane.co.uk to chat through how we can assist you.

Just a Heads-Up!

The [Risk Assessment](#) is here to give you a helpful starting point, but it's not legal advice. We've done our best to make it accurate and useful, but we can't guarantee it's a perfect fit for your specific needs. It will probably need a tweak for your own situation and if you're unsure check with a legal professional. We can't be responsible for any issues that come up from the template - so be mindful and use it at your own discretion.



SECTION 3

Reviewing other policies

At Tell Jane, we recommend treating this guide and template as a standalone document, separate from your other harassment policies related to protected characteristics under the Equality Act (2010).

If you choose to combine it with an overarching policy, you must continuously review and monitor how it interacts with other company policies.

Existing policies, especially those covering workplace relationships, may need updating. Clear, fair policies and a culture of respect will help address any complexities without overstepping into your employees' personal lives.

SECTION 4

Introduction, definition and examples of sexual harassment

Introduction

Before exploring sexual harassment risk assessments, it is important to give an introduction into sexual harassment at work and sexual harassment law, and provide a clear definition and examples.

Put simply, sexual harassment in the workplace is unacceptable. It jeopardises the safety, dignity and equality of everyone in any organisation and creates a hostile and demeaning environment. It can harm productivity, push people away from the business and negatively affect health and wellbeing.

Sexual harassment law in the UK is governed primarily by the **Equality Act 2010** and the **Worker Protection (Amendment of Equality Act 2010) Act 2023**. The Act introduces a positive legal obligation for employers to take reasonable steps to prevent the sexual harassment of employees in their workplace and before it starts.

This guide and template are designed to help your senior leaders and managers understand their legal obligations regarding sexual harassment risk assessments and ensure employees are fully aware of their responsibilities.

Definition of Sexual Harassment

Your senior leaders, managers and employees must be familiar with the legal definition of sexual harassment.

Sexual harassment is unwanted behaviour of a sexual nature.

Under The Equality Act 2010, **Harassment** covers unwanted conduct related to a protected characteristic which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment is unwanted conduct of a sexual nature that has this effect. It doesn't have to be sexually motivated, only sexual in nature.

Both a single, one-off event or a series of events can amount to sexual harassment. A person can be impacted by sexual harassment even if the conduct is not targeted directly at them.

SECTION 4

Introduction, definition and examples of sexual harassment (cont.)

Examples of Sexual Harassment, including Assault

Sexual harassment is a complex issue with many often overlooked nuances.

It can involve deliberate actions where individuals knowingly engage in unwanted sexual conduct. However, it's not always about sex; it can also be an abuse of power, where one person asserts their perceived dominance over another.

Victim blaming is another concern, where the responsibility for sexual harassment is shifted onto the person who experienced it. This can manifest in comments or attitudes suggesting that the person who experienced sexual harassment's actions, words, or appearance invited the harassment, instead of holding the person who committed it accountable.

The following examples illustrate the types of behaviors that constitute sexual harassment,

but this is not an exhaustive list. It is important to acknowledge that sexual harassment can take various forms and occur to different degrees.

- Non-consensual physical contact such as hugging, touching, pinching, massaging, groping or kissing
- Leering or staring at someone or giving suggestive looks
- Unwelcome sexual advances, propositions or suggestive remarks about someone's body, clothing or appearance
- persistent suggestions to meet up socially after someone has made it clear that they do not want to do this or do not welcome these suggestions
- displaying sexually graphic pictures, posters, or photos
- making promises or requests for sexual favours

- wolf-whistling or making sexually suggestive gestures
- spreading rumours or gossip about someone's sex life
- making sexual comments or jokes about someone's sexual orientation or gender reassignment
- asking questions about someone's private or sex life or a person discussing their own sex life
- showing or sending offensive or sexually explicit material in any format (e.g., by text, messaging app, email, on the internet, or via social media) or creating deep fakes
- Stalking or indecent exposure
- Sexual assault or rape



SECTION 5

Sexual harassment risk assessments

In any organisation, a culture of accountability is crucial to maintaining a safe and respectful workplace, along with open communication, clear reporting processes, regular risk assessments, and training.

As an employer, you must take reasonable steps to prevent sexual harassment happening in your organisation and to prevent the sexual harassment of your employees. This includes taking action to assess any possible risks and to put the appropriate measures in place to minimise the risks.

SECTION 5

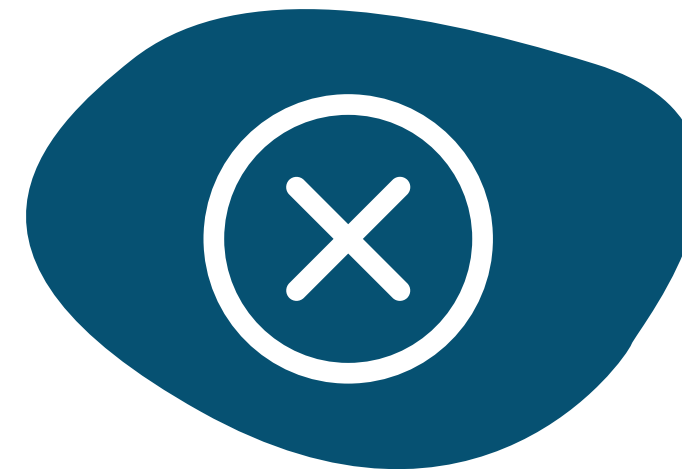
Sexual harassment risk assessments

What is a sexual harassment risk assessment?

A sexual harassment risk assessment is a process that helps identify situations, behaviours, or conditions at work, which could lead to sexual harassment. Conducting a risk assessment is a proactive measure to understand and address any vulnerabilities within your organisation, so that the appropriate actions and steps can be taken to prevent sexual harassment to ensure a safe and respectful environment.

Why must you conduct them?

Sexual harassment risk assessments must be a key part of your organisation's sexual harassment prevention strategy. It helps your business to:



Prevent incidents of sexual harassment.



Protect your employees from harm, whether from a colleague, a client, or a third party.



Ensure compliance with both your own anti-harassment policies and with employment law.

Conducting a thorough sexual harassment risk assessment is crucial for creating a safe and respectful workplace. By addressing any 'grey areas', power dynamics, or imbalances and social settings where personal and professional boundaries may blur, you can proactively tackle risks before they escalate.

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Sexual harassment risk assessments

Who is responsible for them?

This will depend on the size and context of your organisation, but could include:

- Your **[Board of Directors]**, **[Chief Executive]** and **[Senior Leadership Team]** having overall responsibility for sexual harassment risk assessments.

or

- Your **[Health and Safety Team / Operations Department/People Team]** being responsible for conducting sexual harassment risk assessments.
- Your **line managers** play a key role in sexual harassment risk assessments as they can identify potential risks in their teams, promote a respectful workplace culture and are the gatekeepers of your

internal policies and procedures. They can actively monitor behaviour, address any concerns early on and support team members who report issues. Their leadership is crucial in creating a safe and inclusive work environment.

- Your **People team** plays a crucial role in conducting sexual harassment risk assessments by developing the appropriate policies and training around them and staying legally compliant.
- Your **employees** can provide valuable insights into potential risks within the workplace culture, allowing for a more accurate assessment and identification of areas needing improvement.

- **All employees** have a responsibility to foster a culture of respect and inclusion, and this includes active bystander intervention to prevent escalation or harm. If they do not feel safe or confident to intervene, reporting the incident can still make a considerable impact.

Where appropriate, it is advisable to seek legal advice when conducting sexual harassment risk assessments to ensure compliance and to address any specific concerns.

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Sexual harassment risk assessments

What should a sexual harassment risk assessment include?

Evaluation of workplace culture	The risk assessment should understand employee perceptions, any potential reporting barriers, and overall attitudes towards respect and inclusion in your organisation, such as whether certain groups feel marginalised. It should incorporate the attitudes of your senior leaders and ask crucial questions such as, do leaders model respectful behaviour and support anti-harassment initiatives?
Review of policies and procedures	The risk assessment should explore whether clear, enforceable and accessible policies are in place for preventing, reporting and addressing sexual harassment and if these policies are regularly communicated to all your employees. It is crucial your anti-harassment policies clearly outline and define what constitutes sexual harassment and that you have established clear reporting procedures with safeguards to protect those who report sexual harassment from retaliation.
Analysis of workspaces (including physical and digital spaces)	This involves an assessment of both your physical and digital work environment to seek out any potential risks. When it comes to the office layout, consider ‘grey’ or hidden areas or spaces that lack adequate supervision that could enable sexual harassment. For remote workers, digital communication tools (such as messaging apps) need to be monitored and governed by your anti-harassment policies.

SECTION 5

Sexual harassment risk assessments

What should a sexual harassment risk assessment include? (cont.)

Evidence of robust reporting mechanisms	The risk assessment should consider if there are multiple safe, confidential and robust ways for your employees to report any concerns of sexual harassment. This should include anonymous reporting channels and external support so that your employees feel safe to report sexual harassment without any fear of retaliation. Employees should be clear on next steps for handling any complaints and it should be clearly communicated that these will be handled promptly, fairly, and consistently across all departments.
Training and awareness	The risk assessment should evaluate whether mandatory sexual harassment prevention training is provided to all employees (including senior leaders and managers) consistently and regularly. The training should cover recognising, preventing and responding to sexual harassment and signposting employees regarding the reporting of incidents. Guidance should also empower employees to be active bystanders and intervene to prevent any escalation of incidents or harm or to report the incident if they feel more comfortable doing this.

Need expert help to apply this guide to your business? Get in touch at: hello@telljane.co.uk to discuss how we can support you.

SECTION 5

Sexual harassment risk assessments

What workplace factors might create a risk of sexual harassment?

There are certain factors that could increase the risk of sexual harassment at work. Although not exhaustive, this may include:

1. Power imbalances: There may be teams or departments in your organisation where power dynamics are significant, such as if junior employees report to multiple senior managers or if you have male-dominated teams. If an employee depends on a more senior person for job security or career progression, they might feel reluctant to report any issues for fear of not being believed.

2. Junior or more vulnerable workers: Younger workers, including graduates, interns and apprentices, or employees with learning difficulties may be at greater risk of experiencing sexual harassment.

3. External client-facing teams: If you have teams that work with clients or have frequent interactions with people outside of your business (i.e. consultancy roles; sales teams; employees who represent the business at conferences or exhibitions), this can pose higher risks.

4. Remote workspaces: Sexual harassment can often occur in 'grey areas', including informal or less supervised areas of the building and professional boundaries can sometimes be blurred. If there are roles in your business where employees are required to travel and work alone, if you have isolated workspaces, operate night shifts, or have situations or spaces where there is limited managerial supervision, this can also increase vulnerability.

5. The presence of alcohol: Events or environments where alcohol is available, such as company parties or a fridge with alcoholic drinks, could contribute to incidents of sexual harassment as alcohol can impair judgement and lower inhibitions.

6. Digital communication channels: With remote and hybrid work, digital platforms are now key spaces for interaction, but unfortunately they can also be misused. Sexual harassment via emails, messaging, or virtual meetings can be subtle and harder to detect.

By identifying factors that may create a risk of sexual harassment, you can proactively reduce the risk and create a more respectful, safer workspace.



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Sexual harassment risk assessments

How can you assess the risk?

Once you've identified any potential risks for sexual harassment, the next step is to carry out a sexual harassment risk assessment and record any actions taken to mitigate or reduce the risk of sexual harassment. You should do this in conjunction with any relevant internal policies or sexual harassment training you have delivered.

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Sexual harassment risk assessments

How can you assess the risk?

Practical steps to conduct a sexual harassment risk assessment include:

1 Assess workplace culture, procedures, and policies

- Review your existing anti-harassment policies to check they are clear, accessible and up to date.
- Assess your reporting mechanisms and ensure they are accessible, confidential, and non-retaliatory.
- Analyse the demographics of your senior leadership team and managers to identify any gaps in diversity.

2 Gather the relevant data

- Analyse past incidents or complaints to identify any patterns, trends or vulnerable areas.
- Conduct anonymous pulse surveys and interview lone workers, junior workers or client-facing workers to gather valuable insights into employee experiences relating to sexual harassment and your workplace culture.

3 Create a risk map

- Use the data to create a risk map that highlights areas with greater risk of or higher exposure to sexual harassment or 'grey areas' where social and work interactions can intersect.
- Focus on both physical areas (such as offices where there is limited managerial supervision or where teams are client-facing) and team dynamics (such as junior staff reporting to more senior managers).

4 Design a prevention strategy and action plan and implement measures

- Use your assessment results and your risk map to design a targeted prevention strategy that focuses on areas such as enhanced or customised sexual harassment training.
- Set clear, responsible behavioural guidelines for events and conferences and ensure teams in vulnerable areas are clear on your anti-harassment policies and procedures.
- If remote or isolated teams have been identified as an issue, introduce regular management check-ins, improved monitoring and opportunities for mentorship.

An example of a sexual harassment risk assessment can be found in [Section 8](#) of this guide.

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Sexual harassment risk assessments

How can you continuously monitor and reassess any risks?

The process of conducting a sexual harassment risk assessment must be an ongoing process and it is important to continuously monitor, adapt and improve over time. It is a continuous review but should be undertaken at least annually and if an incident occurs. You should update your risk map regularly and adapt your strategies based on any new risks or changes to your organisation.

You could do this by monitoring any trends in reporting complaints of sexual harassment, reviewing training completion rates and gathering insights from employee surveys. You should also update your policies and training on sexual harassment based on feedback, legal updates, or any changes to your workplace; consider third-party reviews or an external audit for unbiased evaluations.

If you need tailored support, our team is here to help! Get in touch at: hello@telljane.co.uk to chat through how we can assist you.

SECTION 6

Support for employees affected by sexual harassment

Employees impacted by, or involved with a complaint of sexual harassment may feel anxious, distressed or upset.

It is advisable to direct them to the appropriate advice and support available to them, such as:

- People Team
- Senior Leadership Team
- Mental Health First Aiders
- Employee Assistance Programme (EAP)
- Trade Union
- Employee Forum
- Acas Helpline
- External sources of support
- Anonymous external reporting hotline such as **Tell Jane's employee hotline**

SECTION 7

Further support from Tell Jane

While this guide and template for conducting a sexual harassment risk assessment provides foundational advice, this is just the first step.

At Tell Jane, we work with you to create detailed, customised guidance and training that aligns with your specific business needs and challenges. This will help you to stay up to date and compliant and help you create a safe, respectful and inclusive culture.

Email us today at: hello@telljane.co.uk - we'd love to help!



Sexual harasssment risk assessment template

Date:	
Person completing assessment:	



Key	Minor
	Low
	Medium
	High

Risk Factor	Description	Who may be at risk	Risk Level (Minor/Low/Medium/High)	Existing measures in place	Further action required	Person Responsible	Completion Date	Review Date
Work Environment	Power imbalances such as junior employees reporting to senior managers	Employees Contractors	Medium	DEI Policy Clear expectations through company values Clear reporting channels	Leadership and Management Training Design a code of conduct	Learning Director People Team with approval by People Director	May 2025	December 2025
Workplace culture								
Remote Working								
Working alone								
Working at a client site								
Social events								
Presence of alcohol								
Reporting mechanisms								
Policies and procedures								
Diversity of leadership team								
Digital communication channels								



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