

# 12CP BARRISTERS EMPLOYMENT

FACT 1

## HARASSMENT

Prevention is better and cheaper. Policies for staff and increasing awareness of the standards of behaviour and responsibilities expected by a business are a good start; however this should be followed up with training and regular reminders.

The Equality Act 2010 ['EqA'] defines harassment as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

Under the EqA an employer may be liable for discrimination if the unwanted conduct is related to a relevant protected characteristic such as sex or race toward or is of a sexual nature. An employee need not be the target of the behaviour in order to complain. Indeed they need not be the same sex or race themselves; they may simply hold a perception or association.

Employers should take complaints seriously. Employers have a duty of care to their employees. A thorough investigation should be undertaken. Ultimately a dissatisfied employee can end up resigning and bringing a claim which could prove costly both in time and money!

Our expert barristers can help and support employers and employees through what can be a very stressful and challenging experience by offering timely advice in respect of policies and procedures right through to grievance resolution and if all else fails assistance with subsequent litigation.

For more information: <http://www.acas.org.uk/index.aspx?articleid=1864> and <http://www.hse.gov.uk/stress/furtheradvice/informationonbullying.htm>