

Somerset Council

Human Resources Committee

13 January 2025

Somerset Council Employment Policy for Approval

Executive Member: Theo Butt Philip Lead Member for Transformation and Human Resources

Lead Officer: Dawn Bettridge, Service Director - Workforce

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	Seen by:	Name	Date
Report Sign off	Legal	Jill Byron	03.01.2025
	Corporate Finance	Nicola Hix	03.01.2025
	Human Resources	Dawn Bettridge	03.01.2025
	Executive Member	Cllr Theo Butt Philip	03.01.2025
	Monitoring Officer	Alyn Jones	03.01.2025
	Summary:	This report covers the proposed new Sexual Harassment Policy, which is presented in response to The Worker Protection (Amendment of Equality Act 2010) Act 2023 and received royal assent on 26 October 2024. This Act places a duty on employers to take reasonable steps to prevent sexual harassment in the workplace.	
Recommendations:	The members of the HR Committee are asked to formally approve the attached new Sexual Harassment policy.		
Reasons for Recommendations:	The Equality and Human Rights Commission (EHRC) have provided guidance to employers to support them in meeting their obligations under the new Act. This includes having in place an effective and well communicated policy (and practices) aiming to prevent sexual harassment and victimisation.		
Links to Priorities and Impact on Service Plans:	A core function and priority of the HR Policy team is to ensure that HR policies are legally compliant.		
Financial, Legal and HR Implications:	Financial – there are no financial implications. HR – having a clear policy on sexual harassment and victimisation in the workplace reiterates Somerset Council's		

	<p>commitment to providing a safe and respectful environment for everyone. It also ensures that:</p> <ul style="list-style-type: none"> • Managers and all employees are clear on their responsibilities. • Everyone is aware how to raise a concern regarding sexual harassment and how it will be managed. • Everyone knows what support is available on this matter. <p>Legal – the Sexual Harassment Policy is in direct response to The Worker Protection (Amendment of Equality Act 2010) Act 2023, supporting the Council to be legally compliant.</p>
Equalities Implications:	The Council’s duty under Section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when considering and making decisions. An equalities impact assessment has been completed for this policy.
Risk Assessment:	N/A
Scrutiny comments / recommendation (if any):	N/A

1 Background

- 1.1 The Equality Act 2010 brought together various anti-discrimination laws into one single act, covering any unlawful treatment (discrimination, harassment or victimisation) relating to one of the protected characteristics.
- 1.2 The Worker Protection (Amendment of Equality Act 2010) Act 2023, which received royal assent on 26 October 2024, introduces a new duty under the Equality Act 2010. It places a duty on employers to anticipate when sexual harassment may occur through the course of employment and take reasonable steps to prevent it. This includes sexual harassment from a third party (such as a service user or someone from a partner organisation). In addition, if sexual harassment does occur, an employer must take action to stop it happening again. The new Act is implemented in recognition of the fact that despite the Equality Act 2010 already providing legal protection against sexual harassment in the workplace, it remains a particular problem.
- 1.3 The proposed Sexual Harassment Policy is one of the measures recommended by the Equalities & Human Rights Commission (EHRC) for employers, to ensure that employers are meeting their duties under the Act.
- 1.4 The aim of the policy is to support the Council’s provision of a safe and respectful working environment for all and to encourage the reporting of any unlawful conduct and communicate the consequences of engaging in unlawful conduct.

2 Options Considered

- 2.1 An alternative option would be to not implement a policy. This option is discounted. As above, the EHRC have advised employers should have a clear and well-communicated policy in place as part of a wider strategy to meet their obligations under this Act.

3 Consultations Undertaken

- 3.1 This policy is currently out for consultation with Trade Unions. Should this result in any proposed changes or significant feedback, HR Committee will be updated.

4 Implications

- 4.1 No further implications.

5 Background Papers

- 5.1 Appendix 1 - Sexual Harassment Policy