

A group of people are gathered around a whiteboard in a meeting room. The whiteboard contains a diagram with boxes labeled 'Social Media', 'Distribution', and 'API'. Arrows indicate a flow from 'Social Media' to 'Distribution' and then to 'API'. There is also a box labeled 'API' with an arrow pointing to it. The people are looking at the whiteboard and discussing it. The background shows office chairs and a window.

CLYDE&CO

Dealing with harassment in
the workplace

Why employers need to tackle harassment in the workplace now.

Upcoming legal developments

The UK government is supporting new harassment laws which would significantly expand employers' liability for harassment in the workplace. Employers will become liable for harassment of their employees by clients, customers and other third parties, and will be under a new positive duty to prevent sexual harassment of their employees by staff.

We are also expecting a statutory code on harassment to be published in time for implementation of the new laws.

Recent EHRC investigation

The Equality and Human Rights Commission (EHRC) were recently so concerned about the handling of sexual harassment complaints made by staff at McDonald's UK restaurants that it led to the restaurant chain committing legally, and very publicly, to an agreement setting out how it intended to address sexual harassment in the workplace going forward.

An EHRC investigation is bad for business. As well as the negative publicity, it takes up management time and attention.

Why act now?

Focussing on harassment and adopting a zero tolerance approach to it is good for business. A poor workplace culture impacts on employee satisfaction and low employee engagement, leading to high staff attrition rates and low productivity.

In addition, staff now have higher expectations of appropriate workplace culture and greater awareness of their discrimination rights. So employers who fail to prepare for the new harassment laws face increased risk of discrimination claims (where compensation is uncapped), not to mention the bad publicity that goes with it.



Our services

How Clyde & Co can offer support

Having a positive workplace culture will help drive a zero tolerance approach to harassment, bullying and other unwanted workplace behaviours. Being able to demonstrate that any complaints will be treated incredibly seriously and investigated fully also helps to drive that culture.

Crucially, if you can show that you have taken [all reasonable steps to prevent harassment](#), you will have a legitimate defence to any harassment claim brought by a worker.

Our package of advice and training will help you achieve these goals.

Policy Review

A review of your policies to ensure that they comply with the most up to date guidance from the EHRC and the courts, and as soon as they become law, the Worker Protection Bill and the long-awaited EHRC statutory code.

Training

Delivery of comprehensive training programmes tailored to different levels of staff:

Our [staff training module](#) addresses how to recognise poor workplace behaviour such as bullying, harassment and when to speak up.

Our [manager training module](#) also helps managers understand what to do when faced with complaints, the legal concept of victimisation and the risks to the organisation and themselves of failing to recognise and manage these issues.

Our training can be done in person or remotely by practising lawyers in our employment team. Alternatively, we have online training which staff can complete in their own time. Built in-house by our own lawyers, this training can be tailored to your organisation to include reference to your policies and workplace practices as well as video or audio clips from members of your leadership team. [Let us know how many staff you wish to train and we can provide a fixed fee quote.](#)

Advice

Advice on setting up of practical measures which will help the organisation tackle harassment, whether by staff or third parties, and build a better workplace culture.



Contact the team



Rob Hill

Partner, London

T +44 20 7876 6214

E Robert.Hill@clydeco.com



Chris Holme

Partner, London

T +44 20 7876 6216

E Chris.Holme@clydeco.com



Charles Urquhart

Partner, London

T +44 20 7876 4215

E charles.urquhart@clydeco.com



James Major

Partner, London

T +44 20 7876 6221

E James.Major@clydeco.com



Heidi Watson

Partner, London

T +44 20 7876 4480

E Heidi.Watson@clydeco.com



Stephen Miller

Partner, Glasgow

T +44 141 353 8679

E stephen.miller@clydeco.com



Graham Mitchell

Partner, Glasgow

T +44 141 353 8670

E graham.mitchell@clydeco.com



Robert King

Partner, Glasgow

T +44 141 353 8694

E robert.king@clydeco.com



Frances Ross

Partner, Glasgow

T +44 141 353 8688

E frances.ross@clydeco.com

480

Partners

2,400

Lawyers

5,000

Total staff

3,200

Legal professionals

60+

Offices worldwide*

www.clydeco.com

*includes associated offices

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