



# The Sexual Harassment at Work Handbook

**YOUR RIGHTS AND OPTIONS**

**A handbook for survivors of sexual harassment**

# Rights of Women's vision is to achieve equality, justice, and safety in the law for all women

Rights of Women's mission is to advise, educate and empower women by:

- Providing women with free, confidential legal advice by specialist women solicitors and barristers.
- Enabling women to understand and benefit from their legal rights through accessible and timely publications and training.
- Campaigning to ensure that women's voices are heard, and law and policy meets all women's needs.

Rights of Women's areas of expertise include all forms of violence against women, family, employment, criminal, immigration and asylum law and we run regular training courses on these issues.

For free confidential legal advice on Sexual Harassment law including identifying sexual harassment, how to bring reports against your employer, advice about grievances and investigations, the Employment Tribunal procedure and Settlement Agreements and Non-Disclosure Agreements contact our **Sexual Harassment at Work advice line on 020 7490 0152**, see our opening hours at **[Rights of Women: Get Advice](#)**.

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The information in this handbook is correct to September 2022. The law is complex and may have changed since this handbook was produced. This handbook is designed to provide general information only for the law in England and Wales and is not legal advice. If you are affected by any of the issues in this handbook you should seek up – to-date, independent legal advice.

Rights of Women does not accept responsibility for any reliance placed on the legal information contained in this guide.

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# 1. Introduction

## 1.1 About Sexual Harassment at Work

The Rights of Women (ROW) Sexual Harassment at Work Handbook has been written in three parts to provide information and support to women survivors of sexual harassment in the workplace, as well as your families, friends, trade unions and other organisations that support you.

It has been designed to help you understand your legal rights so you can recognise sexual harassment in the workplace and make informed choices about reporting and challenging it alongside understanding what support is available. We know how difficult and distressing this process can be and the aim of this handbook is to help you through it. This handbook sets out the relevant law and explains the different stages of the legal process from grievances, investigations, settlement agreements and beginning an Employment Tribunal claim, as well as related employment rights if you are losing your job or thinking about resigning from your job because of sexual harassment in the workplace.

The handbook applies to nearly all jobs, industries, and professional sectors, as well as nearly all the different types of workers. In it we recognise the various types of harassment, abuse and oppression working women face in England and Wales and how these intersect with multiple types of harassment and discrimination.

Rights of Women's work on sexual harassment in the workplace started to take shape in early 2018 after the growth of the MeToo movement and the formation of TimesUP in the US. There was a determination globally to ensure that the growing movement was turned into long term action to tackle sexual harassment and this handbook is part of that long term work.

Rights of Women has been campaigning for greater legal rights for women since 1975. Alongside others in the women's movement, we have recognised for a long time that the disproportionate gender-based abuse and violence that women experience in the workplace has been treated as a norm in society rather than as a serious form of Violence Against Women and Girls which requires urgent address and a strong legal framework to prevent and provide redress for this behaviour.

Although very little data has been collected about the prevalence of sexual harassment in the workplace against women in the UK, the data available

in 2018 showed that as many as 1 in 2 of women have experienced sexual harassment at work <sup>1</sup>. Our vision as MeToo unfolded was to work with others to tackle the lack of legal redress, provision and visibility around the sexual harassment of women in the workplace in the UK and as a result we launched a dedicated legal advice service for women in 2019. All advice is provided by our team of fully qualified women lawyers who are comprised of staff and volunteers. We have supported over a thousand women since then and have utilised our learning from delivering this service including working with women survivors with lived experience to create this handbook.

## 1.2 Support

Sexual harassment in the workplace is extremely difficult to deal with, both in terms of the legal processes and the emotional impact.

If you require emotional support, see [Rights of Women – Further Help](#).

### *Resources for Legal Advice*

There are some ways of getting free legal advice if you cannot afford a lawyer. Below are some additional resources to consider.

#### **Rights of Women**

Rights of Women offer free, confidential, and anonymous legal advice to women who have been sexually harassed at work. In addition to our sexual harassment at work advice line, we also offer advice for women who need help with family law, criminal law and immigration and asylum law. For more information, see the [Rights of Women website](#).

#### **Acas**

The Advisory, Conciliation and Arbitration Service (Acas) is a public body of the Government of the UK designing for facilitating disputes in the workplace.

You can find work and employment law advice at [Acas: Advice](#).

The [Acas helpline](#) is a confidential, free advice line for anyone who needs employment law or workplace advice.

Telephone (open Monday to Friday, 8am – 6pm): 0300 123 1100.

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1 TUC's 2016 survey '[Still just a bit of banter?](#)'

### **Law centres**

Law centres work within their communities to defend the legal rights of local people. Law centres are independent and work on a not-for-profit basis. To find a local law centre, look on the [Law Centres Network website](#).

### **Advocate**

Advocate is the pro bono charity of the Bar and is supported by the Bar Council. If your case is going to court or a tribunal and you are eligible for help, they can put you in contact with a volunteer barrister to represent you for free. Go to [Advocate: Find out if you can get free legal help](#) to see if you are eligible for their services.

### **LawWorks**

Go to [LawWorks: Find a legal advice clinic near you](#) to search for free legal advice clinics. LawWorks also has information about other organisations which might be able to help you.



## 2. Something has happened to me at work – Is it harassment?

You are protected from sexual harassment at work under the Equality Act 2010. It is against the law for someone to sexually harass you at work, and the law is there to protect you.

Under the Equality Act, there are three types of harassment:

1. Sexual harassment
2. Less favourable treatment for rejecting or submitting to sexual harassment
3. Harassment related to a 'protected characteristic'

This conduct must be **unwanted** conduct that:

- Violates your dignity, whether intended to or not or,
- Creates an intimidating, hostile, degrading or offensive environment for you, whether intended to or not.

### 2.1 Sexual Harassment

Sexual harassment is an unwanted conduct that is sexual in nature which violates your dignity or creates an intimidating, hostile, degrading, or offensive environment for you.

Sexual harassment is serious, regardless of how your organisation or others react.

#### ***'Unwanted'***

This means that you did not want the conduct to happen.

**You do not need to have said no or asked for the conduct to stop for it to be unwanted.** Often there is a power imbalance between you and the perpetrator. The law recognises that it is not always possible to say no, so you are not required to behave in a certain way to prove the behaviour was unwanted.

**You can be sexually harassed by someone you may have previously had a relationship with or have been sexually intimate with.** This might happen if you have been in a sexual relationship with a colleague and the relationship is ongoing, has ended or broken down.



Just because you agreed to sexual behaviour in the past does not give the perpetrator the right to continue the behaviour if you no longer want it.

People who have experienced harassment react and behave in different ways. There is no right way to respond to sexual harassment. Reacting positively to sexual harassment, such as smiling or laughing, is often a way of coping with a difficult situation and avoiding any consequences of rejecting the perpetrator. The behaviour is still unwanted.

### ***'Conduct'***

Conduct means behaviour, it can be verbal or physical. A single incident is enough to count as sexual harassment and is unlawful.

### ***'Sexual in nature'***

This is not defined in the law, but here are some examples:

- Flirting, gesturing or making sexual remarks about someone's body, clothing or appearance
- Asking questions about someone's sex life
- Sexual advances (e.g. propositioning you for sex or a date)
- Sexual assault (e.g. groping, grabbing, or kissing you without your consent) or rape
- Sexual jokes or 'banter'
- Displaying or sharing pornographic or sexual content
- Sending sexual emails, social media messages, text messages

### ***'Violates your dignity or creates an intimidating, hostile, degrading or offensive environment for you'***

What matters is how the conduct makes you feel.

This means that a perpetrator's behaviour can be sexual harassment whether they meant to harass you or not. What matters is the effect that their behaviour has on you.

The law requires that it is reasonable for you to have been offended and feel the behaviour was sexual harassment.

#### **EXAMPLE**

*Lauren works as a waitress at a restaurant. Her manager often makes dirty jokes and comments about the attractiveness of the other waitresses. He has begun asking Lauren questions about her sex life,*

*making her feel uncomfortable. She does not ask him to stop making these comments because she is worried she may lose shifts or her job.*

*Lauren has occasionally initiated such talk herself and has discussed her dating life in the past to her manager, but she finds these particular questions intrusive and inappropriate.*

*Her manager's jokes, comments, and questions were sexual, unwanted, and it was reasonable that they made her feel uncomfortable and will likely be considered sexual harassment. The fact that she did not ask her manager to stop or that she had previously joined in with the conversation does not mean that she has not been sexually harassed.*

## 2.2 Less favourable treatment for rejecting or submitting to harassment

It is against the law for someone at work to treat you unfairly because of the way you have reacted to sexual harassment. You are protected whether the person who harassed you treats you unfairly or if it is someone else. This could be someone who saw or heard about what happened and treats you unfairly afterwards.

### **EXAMPLE**

*Pelumi is a trainee accountant at an accountancy firm. Her manager said her 'figure was sexy' and her colleagues have told her he talks about how attractive she is. Pelumi asked him not to say things like that to her and explained that she was not interested in him.*

*After that, her manager started criticising her work as not being up to scratch and has told her that there would be no job for her in the firm when she qualifies. This is despite assuring her that there would be before the sexual harassment.*

*The manager's treatment of Pelumi will likely amount to less favourable treatment due to her rejecting his sexual harassment. This would apply equally if she has submitted to the harassment and her manager had treated her unfairly because of that. Pelumi could raise a grievance against her manager and may have a claim for less favourable treatment in the Employment Tribunal.*

## 2.3 Harassment related to a protected characteristic

Harassment related to a protected characteristic is unwanted behaviour, which upsets you, and/or makes your working environment unpleasant or difficult. As with sexual harassment, the perpetrator does not need to have intended to offend you. If their behaviour has offended you, and it is related to a protected characteristic, it is likely to be harassment. Harassment is subjective, it is not for your employer to decide whether the behaviour was harassment or not.

The behaviour must be because you have one or more of the protected characteristics:

- Age
- Disability
- Gender reassignment (i.e. being transgender)
- Race (includes, colour, nationality, ethnic or national origin)
- Religion or belief
- Sex
- Sexual orientation

The perpetrator's behaviour can be harassment if the behaviour is because they perceive, that means think or believe you have a protected characteristic, even if you do not.

You may be harassed by association. For example, if you are being harassed because of your association with someone with a disability, that is also unlawful under the Equality Act.

If you are harassed in connection with pregnancy or childbirth, this could fall under harassment related to your sex, because the additional protected characteristic of pregnancy and maternity are not covered under harassment.

## 2.4 Third Party Harassment

You might be harassed at work by people who are not employees of the organisation or people not directly connected with your employer.

This is called third-party harassment and can include harassment by suppliers, contractors, customers, and clients of your employer.

**The Equality Act does not specifically cover third-party harassment.** At the time of writing the Government has committed to reinstating third party harassment provisions which used to be included in the Equality Act and to removing the previous rule that an employee must have been subjected to two or more instances of harassment before the employer becomes liable. This may come into law soon so please check the latest legal developments.

However, even if this is not yet in law, this does not mean that you have no legal protection. **You have the right to work in a safe environment**, and your employer should take steps to protect you from harassment by third parties.

**If your employer fails to protect you, this could fall under health and safety legislation.** For more information, see [section 9.7](#).

It is also possible that failure by your employer to address sexual harassment could amount to discrimination. This is if you can demonstrate the employer would have treated other types of behaviour, for example, violent behaviour against a male colleague, more seriously.

**If you are harassed by a third party, such as a client, customer, or supplier, you should still report this to your employer if you feel able to.** If you report the harassment, you can ask not to work with that third party or for your employer to remove the perpetrator from what you are working on.

#### **EXAMPLE**

*Evie works as a bartender. When she is at work, a customer continually harasses her by trying to touch her and making sexual comments towards her. She has told her manager that this is happening and feels uncomfortable.*

*Her manager doesn't want to do anything about it because he does not want to lose customers. He tells Evie to ignore it, and he takes no steps to prevent the harassment or remove her from the situation.*

*Evie may have a claim for sex discrimination if she could show that a male colleague in a similar situation would have been protected.*

### 3. Victimisation – I have reported harassment and my employer is treating me adversely

You have the right not to be victimised for reporting harassment and/or discrimination to your employer.

Victimisation is the legal term for when you are subjected to a detriment i.e. you are punished for doing a 'protected act', or because someone believes that you have done a protected act. Victimisation is a type of discrimination, and you are protected against it under the Equality Act.

'Protected acts' include:

- Raising a grievance about discrimination and/or harassment
- Collecting evidence to support a sexual harassment report to your employer or legal claim to the Employment Tribunal
- Bringing an Employment Tribunal claim for discrimination
- Collecting evidence in connection to an Employment Tribunal claim
- Supporting a colleague who has raised a report of discrimination
- Giving evidence in an investigation into discrimination allegations

Whether you are the victim or a witness, reporting harassment and/or discrimination is a protected act under the Equality Act, and you should not be punished in the workplace for doing so.

Examples of victimisation include experiencing retaliation or a punishment from the perpetrator or your employer for reporting sexual harassment such as being demoted, disciplined, refused a promotion or dismissed. It is not relevant if the grievance is ultimately upheld or not.

**A potential employer can also victimise you.** For example, you have a job interview and your potential employer refuses to employ you after they find out you brought a claim for sexual harassment against a former employer. That could be victimisation.

#### **EXAMPLE**

*Kiyara works as a secretary. She feels uncomfortable because her colleague has started sending her sexual messages on Instagram outside*

*of work hours when he is drunk. Feeling she has been sexually harassed, Kiyara decides to raise a grievance to her manager.*

*Kiyara's manager dismisses her concerns, says she is making a big deal over nothing and begins to treat her coldly afterwards. He decides to put her on a work capacity review, claiming she has started making mistakes at work. She does not think she has made these mistakes and her manager has no evidence to support his allegations.*

*Kiyara has been subject to victimisation by her manager. He has mistreated her because she has made a sexual harassment report against a colleague. This is victimisation and she could make a report to the Employment Tribunal.*

## 4. Am I being discriminated against at work?

Discrimination is when someone treats you badly because you have certain 'protected characteristics' or because they think you have a protected characteristic.

The protected characteristics are:

- Age
- Disability
- Gender reassignment (i.e being transgender)
- Marriage and civil partnership
- Pregnancy and maternity
- Race (includes, colour, nationality, ethnic or national origin)
- Religion or belief
- Sex
- Sexual orientation

It is against the law for you to be discriminated against or harassed based on any of your protected characteristics.

The law protects you from being discriminated against in various situations, including:

- [Higher education and further education](#)
- When interacting with public bodies
- At work

### 4.1 Direct Discrimination

Direct discrimination is when you are mistreated compared to someone who does not have the same protected characteristics as you. The unfair treatment *must* be linked to your protected characteristic(s). Discrimination can also happen if you are poorly treated because someone *thinks* you have a protected characteristic, even if you do not. It can also be direct discrimination when someone mistreats you because of your relationship or association with someone with a protected characteristic.

**If someone directly discriminates against you at work and you decide to claim direct discrimination at the Employment Tribunal, you will need to be able to compare your treatment to someone else's treatment.**

This person is called a 'comparator'. It is helpful to use a comparator if you are reporting the discrimination to your employer, as it will make it clear that discrimination has taken place. The comparator needs to be someone in the same or similar situation to you but *does not* have the same protected characteristic as you do.

If you do not have a real person to compare yourself with, you can use a 'hypothetical comparator'. A hypothetical comparator is a made-up person in the same situation as you, but they do not share your protected characteristic.

**In some limited cases, it is not against the law to treat people with a protected characteristic better than people who do not have that same characteristic.** For example, it is not direct discrimination to treat a disabled person more favourably than a person who is not disabled or to give women special treatment in connection with pregnancy or childbirth.

**Usually, it is not possible for an employer to defend direct discrimination.** There is an exception to this rule for direct age discrimination, which can sometimes be objectively justified where discrimination is a 'proportionate means of achieving a legitimate aim'. This legitimate aim must concern the public interest rather than the individual needs of the business. It will only be proportionate if it was necessary and there were no less discriminatory means to achieve the aim.

#### **EXAMPLE**

*Neha applies for a bar job at her local pub. The interview goes well, and she is chatting to the owner of the pub who asks whether she has a boyfriend or husband. Neha mentions that she has a girlfriend that lives with her. The owner is taken aback and says he can't employ a lesbian as he feels this would cause him to lose business.*

*Neha is later informed that she has been unsuccessful in her job application. The pub owner did not even consider her even though she is experienced and performed well in the interview. A heterosexual applicant with the same experience as Neha would have been considered for the job. Neha has therefore been directly discriminated against because of her sexual orientation.*



*It is not relevant if the pub owner were to claim that he is personally not homophobic or that his decision was based on the belief that hiring someone who was not heterosexual would cause him to lose business.*

## 4.2 Indirect Discrimination

Indirect discrimination is when an employer has a rule or policy which applies equally to everyone in the workplace, but the effect of the rule is worse for you because you have a protected characteristic. Indirect discrimination can be difficult to spot, as it is sometimes less obvious than direct discrimination.

For example, if an employer makes it compulsory for staff to work at night, even if this rule applied equally to all staff, it is likely to disadvantage women more than men because women are more likely to have child-caring responsibilities, which would make it difficult for them to comply with this rule.

There are some circumstances where indirect discrimination is allowed under the law. If your employer can show a good enough business reason for the rule (and can show that they have considered other, less discriminatory, ways of dealing with the issue), then they might not be breaking the law. If they can show that there are good enough reasons for the rule, this is called an 'objective justification'.

It is helpful for you to know this, as many employers will try to avoid liability for indirect discrimination by trying to argue that the behaviour was objectively justified. It is down to the employer to prove that the behaviour was objectively justified. **It is not down to you to prove that the behaviour could not be justified.** Your employer must prove this, which means they have what is known as the 'burden of proof'.

### EXAMPLE

*Samira works as a receptionist. She is Muslim and wears a hijab due to her religious beliefs. Her employer introduces a new dress code which states that employees must not wear headwear of any type.*

*Even though the new dress code policy applies to all employees equally, it has a disproportionate effect on Samira and other Muslim employees because wearing a hijab is part of their expression of their faith.*

*If there is no good reason for the new dress code (such as health and safety reasons), then the policy is likely to be indirectly discriminatory. The dress code would likely not have been discriminatory if it stated that employees were not permitted to wear headwear, unless for religious or medical reasons.*



## 5. I am being bullied at work

We know that where you experience harassment at work, often there is a wider toxic culture which includes bullying. Examples of bullying include:

- Offensive, intimidating, malicious or insulting behaviour towards you
- Spreading a false rumour about you
- A misuse of power that undermines or humiliates you
- Denying you access to training courses or promotions
- Giving you heavier workloads, constant criticism, or overbearing supervision
- Isolating you or not letting you join social events

The bullying might:

- Be a regular pattern of behaviour or a one-off incident
- Happen face-to-face, on social media, in emails or phone/video calls
- Happen at work or at work social events
- Not always be obvious or noticed by others

Bullying is not against the law. If you are being bullied at work, which is linked to a protected characteristic, that may be harassment.

### EXAMPLE

*Johanna works on a building site and is the only woman in her team. Her co-workers often make sexist jokes around her. She is always asked to make the tea for the whole team because it is "women's work". It sounds like Johanna is being bullied. As her co-workers' behaviour is related to her sex, it may also be unlawful harassment.*

Bullying based on any protected characteristic can be harassment if it has the purpose or effect of making you feel that your dignity has been violated or creates an intimidating or hostile environment for you.

Your employer is responsible for preventing bullying in the workplace, and has the following duties towards you:

- To maintain trust and confidence e.g., to investigate reports thoroughly and make sure that management is not intimidating, humiliating or offensive
- To provide reasonable support
- To provide a safe workplace

If you are being bullied, we suggest you keep a thorough record of all the incidents of bullying with information about the behaviour and its impact on you while it is fresh in your mind. We have put together a template record, visit [Rights of Women – Get Information: Sexual Harassment at Work](#). You can also see a copy of this template in the Appendix of this guide. You should keep this record separate from your work emails and devices.

If you are being bullied and need extra support, you can access the Acas guide for [Bullying and Harassment at Work](#) and you can call the [National Bullying Helpline](#) for support: 0845 22 55 787 / 0300 323 0169.

## 6. Am I protected from sexual harassment at work?

This is a complex area of law. If you need advice please contact our Sexual Harassment at Work advice line on 020 7490 0152, see our opening hours at [Rights of Women: Get Advice](#).

### 6.1 What is my employment status?

Your 'employment status' means your legal status at work. It is important to figure out because it will affect your rights at work. Your employer may argue that you do not have sufficient employment status to fight their bad behaviour. So, it may be left for an Employment Tribunal to decide your employment status.

There are three types of employment status:

- Employee
- Worker (including agency workers)
- Self-employed

**You have the right not to be discriminated against or sexually harassed at work regardless of your employment status.** There are, however, employment rights that will only apply to employees.

Different factors decide your employment status and it is not always clear where you might fall. The factors include the type of employment contract you have, the way you get paid, who is responsible for paying your tax and the level of control over the way you work.

#### ***Employee***

An employee is someone who works under a contract of employment. **All employees are workers, but not all workers are employees.** The factors that can indicate that you are an employee include (you do not need to have them all):

- You work under a contract of employment, whether written or verbal;
- A 'mutual obligation' exists between you and your employer – meaning that your employer must provide you with work, and you must perform the work;

- You are required to work a number of hours and expect to be paid for that time;
- You have to turn up to work, even if you don't want to, unless you have a valid reason;
- You are not allowed to send someone else as a substitute to do your work;
- You are entitled to paid holiday;
- You are entitled to statutory sick pay;
- The business deducts tax and National Insurance from your wages; and
- A manager or supervisor is responsible for your workload, saying when a piece of work should be finished and how it should be done.

There is no one factor that can determine employee status, and an Employment Tribunal will look at the reality of the relationship to determine your employment status.

### **Worker**

You might be a worker, rather than an employee, if:

- You have an employment contract, whether written or verbal, to perform services personally for a reward (e.g. money or a benefit in kind);
- You have only a limited right to subcontract your work;
- You must turn up to work, even if you don't want to (unless for valid reasons);
- Your employer must give you work during your contract; and
- Your employer is not your "customer" or "client".

You are likely to be a worker if your work is casual or irregular i.e., your work is referred to as '**casual**', '**freelance**', '**zero hours**' and '**as required**'.

### **Agency Worker**

Being an agency worker is when you are temporarily sent to work for an employer (in law, this is called a 'principal'). You might also be referred to as a 'temp'. If you are an agency worker, the following will apply to you:

- There is a contract between you and an agency;
- You temporarily work for a principal but are supplied by the agency;
- When you work for a principal, your work is controlled by the principal; and
- You are not self-employed.

There are certain types of employment contracts similar to agency contracts. **You are not legally defined as an agency worker if any of the following is true:**

- You are self-employed (even if you find work through a temporary work agency);
- You work on a ‘managed service contract’;
- You are a ‘bank’ employee working in-house for an employer;
- You are directly employed by your employer; and
- You are on secondment from one organisation to another.

### ***Self-employed***

**You are self-employed if you run your own business for yourself and are responsible for its success or failure. This includes freelancers and contractors.** It is possible to be both employed and self-employed, e.g., you run a business outside of working hours. You might be self-employed, rather than a worker or employee, if:

- You are working for your own business (either as a sole trader or through your own company) and can make a loss or profit;
- You can decide what work to do and when and how to do it;
- You can hire someone else to do the work for you;
- You buy your own work equipment with your own money; and
- You can work for more than one “client” or “customer”.

None of these factors are decisive on their own for indicating your employment status. However, they should give you a helpful guide.

## **6.2 Who is protected against sexual harassment at work?**

All employees and workers are protected from sexual harassment at work.

### ***Agency workers***

If you are an agency worker, your employer might incorrectly suggest or believe that they do not have a responsibility to take action about sexual harassment. This attitude is incorrect. **As an agency worker, you have the same level of protection from sexual harassment at work as an employee.**

For more details on how to report as an agency worker, see [section 6.3](#).

### **Apprenticeships**

Apprentices are entitled to the same rights as employees and it is likely that you are covered by employee status.

### **Freelancers**

The Equality Act protects those 'personally contracted' to do the work. This includes self-employed contract workers and freelancers. If you have a contract to personally do work for the organisation, and in exchange you get more than just out-of-pocket expenses, for example, benefits in kind (these are 'fringe benefits', such as a company car or private healthcare), then you might be protected in the same way as an employee.

### **Interns**

If you are a paid intern, you are likely to be covered by employee or worker status.

### **Work experience**

If you are paid, you are likely to be covered by employee or worker status.

### **Volunteers**

If you are a volunteer then it is unlikely that you will be covered by the Equality Act, which means that you would not be able to bring a claim for sexual harassment at work against the organisation you volunteer for. This does not mean you cannot report it your employer, but you will not be able to go further in the legal process. It is best to get legal advice to check if you are a volunteer or not, so please **contact our Sexual Harassment at Work advice line on 020 7490 0152**, see our opening hours at [Rights of Women: Get Advice](#).

### **Self-employed**

Suppose you are self-employed and work through your own limited company. In that case, it is unlikely that you are protected from sexual harassment under the Equality Act. There are some circumstances where a self-employed contract is, in practice, an employment relationship. This is a complex area of law and would require an assessment of your circumstances to properly advise, so please **contact our Sexual Harassment at Work advice line on 020 7490 0152**, see our opening hours at [Rights of Women: Get Advice](#).



### ***Job Applicants***

As a job applicant, you are protected from sexual harassment that occurred before you were offered a job. An example of this could be unwanted sexual advances or comments of a sexual nature at a job interview.

### ***Former employees***

You are still protected from discrimination, harassment and victimisation after your employment has ended if it is closely connected to your previous job. In these circumstances, you are protected from behaviour that would have been unlawful if it had happened during your employment.

### ***Witnesses to harassment***

If you witness harassment against a colleague, you could bring a claim for harassment to the Employment Tribunal yourself. This is because harassment directed at someone else can still have the purpose or effect of upsetting you and creating an intimidating working environment for you. This is the case even if the person to whom the behaviour was directed was not upset.

#### **EXAMPLE**

*You hear a group of male colleagues make derogatory comments about another woman's appearance. You have a right to report to your employer or make a claim of harassment to the Employment Tribunal if you find the comments offensive.*

## **6.3 Reporting sexual harassment as an agency worker**

### ***Who do I report sexual harassment to as an agency worker?***

You can report sexual harassment to either the organisation that employs and pays you (i.e. the agency) or the principal. You might prefer to report to the agency or the principal, but you can also report to both. Ultimately, who you report to will depend on the situation and who has ultimate responsibility for the perpetrator.

### ***Who is responsible for sexual harassment if I am an agency worker?***

An employer is liable for sexual harassment committed by their employees in the course of employment, even if they do not know about it, unless the employer can show that they took all reasonable steps to prevent harassment from happening.

Principals are also responsible for unlawful acts committed by their agents while acting under the principal's authority. The individual perpetrator will also be liable for their harassment.

If you have been sexually harassed as an agency worker for a principal, you could bring an Employment Tribunal claim against the principal and the perpetrator.

There may be contractual arrangements between the agency and the principal, so if you are able, you should report to both. Ideally, they would work together to resolve the harassment.

### ***What if the perpetrator is an employee and I am not?***

It is still unlawful for the perpetrator to harass you, even if they are an employee and you are not. You should report them to the principal (their employer) and the employer should take steps to prevent the unwanted conduct. The employer will be responsible for the harassment unless they can show they took all reasonable steps to prevent it.

You should check the principal's grievance policy. You may be able to lodge a formal grievance. However, even if the principal's grievance policy states that it is only for employees, you should still report the harassment to them.

### ***What do I do if my agency will not take responsibility?***

If you can, try to resolve the issue informally with your agency first. If you have tried this, or if it would not be possible, you can make a formal report. Legally, they only have to consider reports made by employees. Still, it is good practice for them to consider reports made by workers too (you may be an employee, but this will depend on your specific circumstances. For information on employment status see [section 6.1](#)).

You can make a formal report, in writing, to your agency. Your agency should have a reports procedure, which they should follow. Ultimately, if your agency treats you poorly, you may have a claim against them in the Employment Tribunal.

## 6.4 What do I do if I think I am not protected by the Equality Act?

You could still potentially be able to bring a claim in the civil courts, rather than the Employment Tribunal, under the Protection from Harassment Act 1997, see [section 9.6](#).

It is also possible that the harassment might be a criminal offence, see [section 9.5](#). You may be able to claim for harassment under the Protection from Harassment Act 1997 regardless of your employment status (or lack of employment status).



## 7. Who is legally responsible for sexual harassment at work?

### 7.1 The Employer

Your employer is responsible for all their employees' behaviour in the 'course of the employment'. This includes your perpetrator's behaviour if they are an employee of the employer.

This applies even if your employer did not know anything about the harassment. Even if they instructed the perpetrator to stop, they are still responsible for it. This is called 'vicarious liability' and applies to all employers.

In the 'course of employment' has a wide meaning. Your employer can be liable for the harassment by employees outside working hours and off the work premises.

#### **EXAMPLE**

*Niamh is sexually harassed by her colleague at the work Christmas party. As the Christmas party is a work event, her employer will be liable for the harassment.*

### 7.2 The Perpetrator

When a perpetrator harasses you, they are also responsible for their actions. If your employer responds appropriately to your report of sexual harassment, then they should take appropriate action against the perpetrator themselves. Examples of this might be providing training to the perpetrator, suspending them, moving them to a different department or dismissing them.

You can also take action against the perpetrator by naming them in an **Employment Tribunal claim**. If you claim for sexual harassment in the Employment Tribunal, it is common to name both the individual perpetrator and your employer as the 'Respondents', as well as any other relevant person.

#### **EXAMPLE**

*Lauren reported sexual harassment to her employer, and it was not investigated. In her claim against her employer, Lauren can name both her employer and her perpetrator as the Respondents to the claim.*

## 8. What legal defence does my employer have against sexual harassment at work?

Your employer has a responsibility to protect you from sexual harassment at work. If they fail to protect you, unless they can show that they took 'all reasonable steps' to prevent the harassment before it happened, they will be 'vicariously liable' for the perpetrator's behaviour if it happened 'in the course of employment'.

The Equality and Human Rights Commission guidance for employers, '[Preventing sexual harassment at work: a guide for employers](#)', is not legally binding on employers to follow (this is correct at the time of writing, but the Government has said it will make it legally binding on employers in due course). It suggests what 'all reasonable steps' employers should take, which include:

- An effective anti-harassment policy
- Engaging staff with regular 1-2-1 meetings, running staff surveys and exit interviews
- Assessing the risk of harassment and taking steps to reduce that risk
- Adequate reporting systems, with an option to report anonymously
- Training

Your employer might try to rely on any compulsory training courses, sometimes known as 'Diversity and Inclusion' or 'Dignity at Work', undertaken by their staff as evidence that they took reasonable steps to prevent sexual harassment and are not responsible for the perpetrator's discriminatory behaviour.

This may not be effective as a defence for the employer. For example, even if the perpetrator has completed a training course on discrimination, that will not necessarily mean that your employer is not liable for the harassment you have experienced.

## 9. How can I report sexual harassment?

### 9.1 Your employer

You can report sexual harassment to your employer. For more information on how to do this, see our guide [Reporting, Grievances, Investigations and Settlements](#).

### 9.2 The Employment Tribunal

If you are dissatisfied with the response from your employer or do not feel able to report to your employer, you can make a claim to the Employment Tribunal. For more information on how to do this, see our guide [Reporting, Grievances, Investigations and Settlements](#).

### 9.3 Whistleblowing

Whistleblowing is when you disclose information verbally or in writing about something related to your employer which you believe is or may be illegal or unsafe and may affect others.

Exposing information in this way means you would be a “whistleblower”.

If you are a whistleblower, you are protected from being treated unfairly or losing your job for sharing certain types of information if you do it in the way protected by the law.

You are protected as a whistleblower if:

- You are a worker (e.g. you are an agency, zero-hours contract, freelance or casual worker); and
- You report certain types of wrongdoing; and
- You report to your employer or an approved body; and
- The disclosure is in the public interest.

The public interest means that the wrongdoing you report must affect others – you do not get protection as a whistleblower for reporting a personal grievance, which only affects you.

Examples of reports that can count as whistleblowing include:

- Criminal activity, such as sexual harassment
- Health and safety issues
- Risk or actual damage to the environment
- The organisation is breaking the law
- You believe someone is covering up wrongdoing

You can report your concern at any time about incidents that happened in the past, are happening now, or you believe will happen soon.

You do not need to have worked for your employer for any minimum amount of time to be protected.

If you report something and it counts as whistleblowing, the report is called a “protected disclosure”.

### ***What protection is there for whistleblowers?***

When you become a whistleblower, you are protected by law if you are treated unfairly or lose your job because you blow the whistle.

If you are treated unfairly, then you can bring a claim in the Employment Tribunal by notifying ACAS within three months of the unfair treatment. For more information on this, see our guide [Reporting, Grievances, Investigations and Settlements](#).

If you lose your job because you blew the whistle, then this is known as an automatically unfair dismissal. For information on dismissals, see our guide: [Dismissals, Resignations and Redundancy](#). A speedy claim, known as ‘interim relief’, can be brought in an Employment Tribunal within 7 days of the date of your dismissal. If you win, you can ask to continue to be paid under your contract whilst you bring your claim. If you miss the date to claim ‘interim relief’, you can still bring a claim of automatically unfair dismissal by notifying ACAS within three months of the date of dismissal but cannot ask to continue to be paid under your employment contract whilst you litigate.

### ***Can I blow the whistle on sexual harassment?***

If you report sexual harassment, this can sometimes mean that you are reporting things like criminal behaviour, health and safety concerns, or your employer covering up wrongdoing.

The report must be in the public interest. “In the public interest” does not need to relate to the general public. It can relate to a small group of people to count as being in the public interest.

Remember: if you report sexual harassment that is not in the public interest, you still get protection from victimisation. The behaviour itself may still be unlawful under equality law or civil law. You can report this behaviour under your employer’s grievance procedure.

#### **EXAMPLE**

*Jennifer works as an administrative assistant at a multinational technology company. She is concerned about the behaviour of several of the managers because they often openly make comments of a sexual nature towards many of their junior female staff. She has tried raising this with them but has been told it’s “just banter” and not to take it seriously.*

*Jennifer may decide to blow the whistle in this situation on the basis that her employer is failing to comply with a legal obligation: Jennifer and her colleagues are being harassed and their employer has taken no steps to prevent this. She should check if her employer has a whistleblowing policy, which should tell her to report this.*

*To be considered a protected disclosure, Jennifer must reasonably believe her report to be in the public interest. Her disclosure is likely to meet the public interest test because it seems to be a widespread issue and many junior staff are affected. It is also relevant that the employer is a large, well-known business and that the wrongdoing is deliberate rather than accidental.*

*If Jennifer is later dismissed because she has made a protected disclosure, she can claim her dismissal was automatically unfair. She is also protected from detrimental treatment as a result of making a protected disclosure.*

### **Should I raise a grievance or blow the whistle?**

Raising a grievance and blowing the whistle are both ways to alert your employer to issues at work. Still, there are important differences:

- Raising a grievance is the process for reporting something that affects you personally. Whistleblowing is a process for reporting something about more general wrongdoing at work. You will only get protection as a whistleblower if the report you make is in the public interest.



- There are different processes for raising a grievance and blowing the whistle. When you raise a grievance, there is a legally set out process that your employer is required to follow, that will involve both you and your employer. For more information on this process, see our guide [Reporting, Grievances, Investigations and Settlements](#). With whistleblowing, there is no legally set process that your employer must follow. You may never know the outcome, and even if you do find out the result, you do not have the right to appeal.
- You will usually be able to blow the whistle anonymously, whereas in a formal grievance process your employer will usually know that it is you who raised the report, and your employer will inform the perpetrator of the report made against them.

There are some things, like institutional cover-ups of sexual harassment, that are likely to be more appropriate to deal with by blowing the whistle. If there is a whistleblowing policy, and you decide that this is the best way to progress your report then you can proceed with the whistleblowing procedure. You could proceed with a grievance. **Most employers will ask that you proceed with one route only.**

#### **EXAMPLE**

*In the previous example, Jennifer decided to blow the whistle because she believed it was in the public interest to report the harassment being experienced by junior female staff. However, as an alternative, she could have decided to raise a grievance. She should note that if she does both, her employer is likely to ask her to choose one route only, to avoid having two separate investigations running simultaneously.*

### **Where to make the report**

Your employer might have a whistleblowing policy. This is more likely if you work for a large or regulated employer. If it does, it will tell you what to expect if you report a concern and how to do so and to whom. You can still report your concerns to your employer if they do not have a policy. In this case, it will be up to you who you think is the best person to report to, but they will need to be senior enough to act on your report.

If reporting to your employer does not result in an acceptable resolution, or if reporting to your employer is not an option for you, then you can report to a 'prescribed person' or body. A prescribed person or body is a person or organisation that has been approved to receive whistleblowing reports in different sectors. You can find a list at [Gov.uk: Whistleblowing: list of prescribed people and bodies](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/whistleblowing_list_of_prescribed_people_and_bodies.pdf).

You should make sure that the prescribed body you contact deals with the issue in the sector you are working in.

**EXAMPLE**

*Sara is a solicitor. Having observed the conduct of several of her senior colleagues during her time as a solicitor, she has concluded that sexual harassment of junior female colleagues is happening regularly, and this is being covered up by senior employees. It may not be appropriate to report this to her employer as it appears to be an institutional issue.*

*Instead, she could contact the Solicitors Regulation Authority (SRA), which is the relevant prescribed body. Before she does so, Sara should also check her employment contract and employer's policies to check whether her employer places a duty on her to report this behaviour to them directly in addition to reporting to the SRA.*

The Equality and Human Rights Commission (EHRC) is a prescribed body of whistleblowing about breaches of equality and human rights law. Depending on what has happened, you could potentially [anonymously blow the whistle about sexual harassment to the EHRC](#).

### ***NDAs, Confidentiality Clauses and Whistleblowing***

Non-disclosure agreements (NDAs) cannot prevent you from blowing the whistle, and NDA clauses that attempt to do so are invalid, which means that those clauses cannot be enforced against you in court.

A valid NDA will make it clear that you can still make a protected disclosure (which qualifies for whistleblower protection). Even if it does not say it in the agreement, you will still be able to make a protected disclosure.

For more information on NDAs, please see our guide [Reporting, Grievances, Investigations and Settlements](#).

### ***Where can I get help with whistleblowing concerns?***

If you have concerns or questions about whistleblowing, you can contact the charity [Protect](#) on 02031172520 for free advice.

## 9.4 Reporting sexual harassment to professional regulators

If you are sexually harassed at work and you work in a regulated profession, you may be able to report the harassment to the regulator of the profession. If your perpetrator is a regulated individual, their behaviour might affect their suitability to be part of the profession.

How and if you report sexual harassment to your regulator will depend on the relevant regulator. If you work in a regulated profession, you should look on the regulator's website to see if they say anything about how they treat sexual harassment and report it.

**Some regulators give you the option to report to them on an anonymous basis.** They do, however, usually say that this might impede their ability to investigate your report properly.

Different regulators have different positions. We encourage you to look up your regulator for their position on sexual harassment and how to report. To find out whether you are in a regulated profession and your regulator, go to the [Gov.uk Guidance for UK regulated professions and their regulators](#).

Below, we have set out an overview of the position taken by certain regulators. This is not an exhaustive list.

### ***Financial Conduct Authority (the FCA)***

The FCA regulates financial firms providing services to consumers.

The FCA has made clear that it is committed to tackling sexual harassment within its sector. The FCA published an [open letter to CEOs](#) in the sector in January 2020 emphasising the significance of the role that a regulated firm's senior leadership team can do in addressing sexual harassment and misconduct at work. It warned that failure to tackle these issues adequately could result in senior managers failing the "fit and proper" assessment.

A key part of achieving this is ensuring that firms promote a healthy culture that takes proactive steps to address the harassment and bullying that remains prevalent in this sector.

If you need to report an issue to the FCA, this can be done through their [whistleblowing process](#). For more information on whistleblowing, [see section 9.3](#).

### ***Solicitors Regulation Authority (SRA)***

The SRA regulates solicitors in England and Wales.

The SRA has called for a zero-tolerance approach to sexual harassment in law firms. Solicitors who engage in sexual harassment will likely breach the SRA code. This is the case regardless of whether the sexual harassment occurred outside of the solicitor's legal practice.

The SRA may refer allegations of sexual harassment against solicitors and other legal professionals to the Solicitors Disciplinary Tribunal at which appropriate disciplinary action will be decided upon.

Allegations of sexual harassment against solicitors and those working in the legal profession can be reported to the SRA using the [report@sra.org.uk](mailto:report@sra.org.uk) email address.

Further information about how to do this is on the SRA's website [here](#). The SRA has stated that, if you wish to report on a confidential basis, this should be done by telephone. If you wish to report on a confidential basis make this clear to the SRA. You do not need to be a solicitor yourself to report to the SRA.

### ***The Bar Standards Board (BSB)***

The BSB regulates barristers in England and Wales. The BSB has stressed that barristers' Chambers are responsible for having a written procedure in place for addressing complaints of sexual harassment. Chambers are expected to take proactive steps to reduce the incidents of sexual harassment, provide support to victims of sexual harassment and take appropriate and proportionate action where someone is found to have engaged in sexual harassment. Chambers must also have a designated advisor to provide those who have been subjected to harassment with an approachable confidant to speak about their experience with.

Barristers and Heads of Chambers have a duty to report incidents of harassment to the BSB. The BSB advises this should be done after the perpetrator has had an opportunity to explain their conduct. For more information about reporting a barrister to the BSB, see [here](#).

### ***The General Medical Council (GMC)***

Core professional standards are set out in the non-statutory guidance '[Good Medical Practice](#)'. Incidents of sexual harassment towards patients must be reported to the GMC, either when a patient tells a practitioner of an allegation or a practitioner has reason to believe it may be the case. Patient confidentiality must be respected when reporting concerns. The identity of the patient should only be disclosed when necessary and the patient's consent should be obtained where possible. If a patient refuses to consent to the disclosure of their identity but disclosure is in the public interest, the practitioner must tell the patient that they are disclosing it.

If a practitioner is found to have sexually harassed a patient, the Medical Practitioners Tribunal Service would need to assess whether that doctor's fitness to practise may be impaired. The Good Medical Practice guidance does not deal with practitioner's relationships with their colleagues specifically. However, practitioners are expected to treat colleagues fairly and with respect. The GMC provides workshops and guidance for doctors and medical students on this subject. For more information about reporting a medical practitioner to the GMC, see [here](#).

### ***Nursing and Midwifery Council (NMC)***

The NMC has said that conduct ranging from criminal convictions for sexual offences to sexual misconduct with patients, colleagues or patients' relatives could undermine a nurse, midwife or nursing associate's trustworthiness as a registered professional.

Sexual misconduct will be particularly serious if the nurse, midwife or nursing associate has abused a position of trust they hold as a registered caring professional. It will also be particularly serious if they have to register as a sex offender. The level of risk to patients will be an important factor, but the panel should also consider that generally, sexual misconduct will be likely to seriously undermine public trust in nurses, midwives and nursing associates. The NMC has guidance [here](#) about how to raise a concern.

### ***General Optical Council (GOC)***

The GOC is responsible for the professional regulation of optometrists and dispensing opticians in the UK. While there is nothing specifically stated on the GOC website about sexual harassment, misconduct is listed as one of the acceptance criteria which may prompt an investigation by the GOC into fitness to practise. For more information about reporting to the GOC, see [here](#).

### **UK Council for Psychotherapy (UKCP)**

UKCP regulates psychotherapists and psychotherapeutic counsellors in the UK.

UKCP states on its website that it aims to ensure that therapists on its register behave in a way that safeguards public safety and maintains confidence in the psychotherapy profession. For information on how to make a complaint to UKCP, see [here](#).

### **Health and Care Professions Council (HCPC)**

The HCPC regulates:

- art therapists
- biomedical scientists
- chiropodists/podiatrists
- clinical scientists
- dietitians
- hearing aid dispensers
- occupational therapists
- operating department practitioners
- orthoptists
- paramedics
- physiotherapists
- prosthetists/orthotists
- radiographers, and
- speech and language therapists

The HCPC [states](#) cases of sexual assault or indecency or improper sexual relationship with a service user will be automatically referred to the Investigating Committee. The HCPC website states that they will investigate concerns about registrants where there appears to be a risk to the safety of service users, colleagues or the public, or an issue that may undermine public confidence in the professions it regulates. For more information about how to make a complaint to HCPC, see [here](#).

### **General Pharmaceutical Council (GPhC)**

The GPhC regulates pharmacists, pharmacy technicians and pharmacies. The GPhC lists serious unprofessional or inappropriate behaviour and criminal conduct as things you can report. For more information about how to make a complaint to the GPhC, see [here](#).

### ***General Chiropractic Council (GCC)***

The GCC regulates chiropractors and states that it can deal with complaints about any aspect of the professional or personal behaviour of chiropractors. For more information about how to make a complaint to the GCC, see [here](#).

### ***General Osteopathic Council (GOC)***

The GOC regulates osteopaths and has legal powers to consider cases where it is alleged that an osteopath has been guilty of unacceptable conduct, professional incompetence or has been convicted of a criminal offence. For more information about how to make a complaint to the GOC, see [here](#).

### ***General Dental Council (GDC)***

The GDC regulates dentists and dental care professionals. They usually consider cases of criminal offences or professional misconduct. Professional misconduct specifically includes inappropriate or unprofessional behaviour, and discrimination against patients, colleagues and others. For more information about how to make a complaint to the GDC, see [here](#).

### ***Complementary and Natural Healthcare Council (CNHC)***

The CNHC regulates complementary healthcare practitioners and states that it can deal with complaints or concerns about any aspect of a registrant's professional or personal behaviour relevant to their fitness to practise.

Unless there are exceptional circumstances, it will not usually consider complaints about something that happened more than two years ago, or about something you became aware of more than two years ago. For more information about how to make a complaint to the CNHC, see [here](#).

### ***Institute of Chartered Accountants for England and Wales (ICAEW)***

If your perpetrator is an accountant registered with the ICAEW then you can report their wrongdoing to the ICAEW. The ICAEW states that it expects Chartered Accountants to maintain the highest standards of practise and professional conduct. Examples of cases that they would require a member to report include instances of sexual harassment. For more information about how to make a complaint to the ICAEW, see [here](#).

## **9.5 Reporting sexual harassment as a crime**

Sexual harassment is not an offence in its own right in criminal law. However, other behaviours which can be part of sexual harassment can be crimes.

The following are some offences which may accompany sexual harassment:

### ***Offences under the Sexual Offences Act 2003***

- Sexual assault
- Attempted sexual assault
- Exposure
- Voyeurism
- 'Upskirting'

### ***Offences under the Public Order Act 1986***

- Threatening or abusive words or behaviour, or disorderly behaviour – s.5
- Threatening, abusive or insulting words or behaviour or disorderly behaviour – s.4
- Threatening, abusive or insulting words or behaviour – s.4A

### ***Offences under Protection from Harassment Act 1997***

- Harassment
- Putting in fear of violence
- Stalking

For more information on the Protection from Harassment Act, see [section 9.6](#).

### ***Common law offences***

- Outraging public decency
- Breach of the peace

### ***Breach offences***

- Breach of non-molestation order
- Breach of restraining order

### ***Electronic communications offences***

- Revenge pornography
- Sending communications with the intent to cause distress or anxiety
- Improper use of public electronic communications network

For more information on how to report crimes to the police, please see [From Report to Court: A handbook for adult survivors of sexual violence](#). For more information on sexual harassment as a criminal offence, please see [Centre for Women's Justice: Sexual harassment and criminal law](#). For legal advice on criminal matters call our Criminal Law Advice Line on 020 7251 8887 and see our opening hours at [Rights of Women: Get Advice](#).



## 9.6 Civil claims for sexual harassment: Damages and Injunctions

If you do not want to, or cannot, bring a claim in the Employment Tribunal, you can bring a claim in the civil courts.

You are protected from harassment at work by the Equality Act 2010, and in addition by the Protection from Harassment Act 1997, which prohibits your perpetrator pursuing a “course of conduct which amounts to harassment”.

Under the Protection from Harassment Act, harassment is conduct which causes you alarm or distress. Under the Protection from Harassment Act the harassing behaviour must happen on **at least two** occasions (whereas under the Equality Act a one-off incident can constitute harassment).

Claiming under the Protection from Harassment Act is different from claiming for harassment in the Employment Tribunal. Instead, you claim at the civil court and you can claim for:

- **An injunction against your perpetrator.** An injunction is a court order which can forbid your perpetrator from doing certain things such as contacting you directly or indirectly (by making someone else contact you) or going to your home address or place of work.
- **Damages.** Damages are a financial compensation to reflect the anxiety caused by the harassment you have suffered.

### ***Advantages and disadvantages of Protection from Harassment claims***

Claims under the Protection from Harassment Act are rare in the context of employment. However, there are advantages to this claim over the alternative of a claim of harassment under the Equality Act. **You will not usually be able to bring the same claim in more than one court/tribunal, so you should take advice about where the most appropriate place will be to bring your claim.**

#### **Advantages**

- Under the Protection from Harassment Act you can obtain a financial award for anxiety caused by the harassment as well and an injunction to prevent the perpetrator from harassing you. In the Employment Tribunal while you can obtain a financial award, you cannot get an injunction.

- The time limits are significantly longer for a claim under the Protection from Harassment Act. The time limit is usually only three months in the Employment Tribunal, but you have six years to bring a claim under the Protection from Harassment Act in the High Court or county courts.
- Under the Equality Act there is a defence for the employer that they took 'reasonable steps' to prevent the harassment, such as training their workforce or having an anti-harassment policy in place. Employers may be able to rely on this defence in an Equality Act claim, but there is no such defence available under the Protection from Harassment Act.

### Disadvantages

- Bringing a claim in either the High Court or a County Court will incur a fee. Bringing a claim in the Employment Tribunal is free. However, you cannot bring a claim under the Protection from Harassment Act in the Employment Tribunal.
- In all three courts, you are at a risk of a 'costs order' if you continue a claim without merit or act inappropriately e.g. by causing unreasonable delay to the case. A costs order is effectively a penalty or fine. However, the risk of the costs order and the size of it are much higher in the High Court or County Court. For example, in the High Court or County Court you may be ordered to pay the solicitor's costs for the other side. This would not be the case in the Employment Tribunal. However, you can buy litigation insurance to protect you. This will require payment of a premium but will insure you against these possible costs.
- Under the Equality Act, one single incident can be harassment. There must be a minimum of two incidents under the Protection from Harassment Act.

### ***Who can I bring a Protection from Harassment claim against?***

An employer can be liable for harassment under the Protection from Harassment Act if the perpetrator is an employee who committed the actions in the course of their employment. For more information on this, please [see section 7.1](#). This means that you may be able to bring a claim against your employer if you are harassed by one of their employees or directors.

An employer can also bring a claim under the Protection from Harassment Act against the perpetrator. This means that employers can obtain injunctions against individuals. This may be appropriate for your employer to do to stop someone who has been harassing you.

### ***Time limits for Protection from Harassment claims***

You have six years to bring claims under the Protection from Harassment Act rather than three months for discrimination claims in the Employment Tribunal under the Equality Act, or three years for personal injury claims.

### ***How to apply for Protection from Harassment claims***

You can make an application in the High Court (Kings's Bench Division) or a County Court where you live or work. You can start the process by filling in a form, either by downloading the form or filling it in online. Forms can be found at [Gov.uk: Court and tribunal forms](https://www.gov.uk/court-and-tribunal-forms).

### **Damages**

You make an application for damages using [Form N208](#). With this form you must submit any written evidence you want to use, accompanied by a statement of truth. This evidence should set out the facts of what has happened.

### **An injunction**

You can make an application for an injunction using [Form N16A](#) for the County Court or [Form N244](#) for the High Court. With this form you must submit any written evidence you want to use, accompanied by a statement of truth. This evidence should set out the facts of what has happened.

You can apply for an injunction by making a claim under Section 3 the Protection from Harassment Act 1997. In addition, if you need an injunction urgently, see below.

For a judge to grant the injunction, the judge must be satisfied of the following:

- That there has been behaviour which has occurred on at least two occasions;
- Which is targeted at you;
- Which is intended to cause you alarm or distress; and
- Which is oppressive and unacceptable.

'Oppressive and unacceptable depends on the context. It is not necessary to show that the conduct would be severe enough to amount to criminal conduct, however if it would be sufficient to establish criminal liability this is helpful in showing the behaviour was oppressive and unacceptable.

**When you are applying for an injunction, you should specify how long you would like it to last for.** Depending on the circumstances, injunctions can sometimes be granted as 'final,' meaning they last forever.

**If the perpetrator does something which goes against the terms of the injunction, you can apply to the court for a warrant to arrest the perpetrator.** If the perpetrator is found to have breached the injunction, this is treated as a contempt of court and they could be imprisoned.

It is important to know that the perpetrator can apply to the court to have an injunction varied or lifted at any time.

**Following a breach of an injunction:**

If the perpetrator breaches an injunction which you have been granted, you can apply for an issue of a warrant of arrest. An application for this should be made at whichever court (High Court or County Court) ordered the injunction in the first place. The notice should give evidence on what has happened, including the conduct of the perpetrator. If you are aware of any criminal proceedings going on at the time, you should state this too.

***Which type of injunction should I apply for?***

You can make an application with or without notice to the perpetrator and documents are provided to them.

A ‘without notice’ application means no notification is given to the perpetrator, regardless of whether there is a court hearing or not. These applications are usually only granted if there are good reasons for not giving the perpetrator any notice, for example where the matter is too urgent.

If you apply for an injunction, particularly if it is ‘without notice’, you are under an obligation to inform the court of any points that may help the perpetrator, or that you believe the perpetrator would have made if they had the opportunity to be heard by the court.

The form must be accompanied by written evidence verified by a statement of truth that sets out the circumstances behind the application and makes clear what you want the injunction to stop the perpetrator from doing.

You should also submit any supporting evidence you have, for example, copies of texts, emails. Where the application is made ‘without notice’, the evidence in support of the application must state the reasons why notice has not been given. [The Civil Procedure Rules and Direction](#) (CPR) set of rules that govern the High Court and the County Court, see [Rule 25.3](#) for further information.

### ***Urgent Injunctions***

In cases of extreme urgency, the court can dispense with the requirement for an application form and grant an interim injunction by telephone. The court will require an undertaking (which is a promise to the court which if broken may amount to contempt of court) to file evidence verified by a statement of truth, notice of application and, if not yet done you or your legal representative issuing a claim form (see [CPR 23.3\(2\)\(b\)](#); [CPR Practice Direction 25A](#)).

To get an urgent injunction, you will need to pay a fee for both the underlying claim, and the urgent injunction application.

### ***Fees***

To issue a claim for a civil injunction, the court fees are based on which court you start your claim in. The English civil court system is divided between the County Court, which deals with low value claims, and the High Court, which deals with claims over £100,000. **It is likely that the County Court will be the most appropriate place for you to bring your injunction, but you should seek advice if possible.** The County Court and the High Court have the power to transfer cases from one court to another, if appropriate.

If you start your claim in the High Court, the fee will be £528.

If you start your claim in the County Court, the fee will be £308.

The cost of the application for an injunction depends on whether it is made with or without notice.

If the application is made with notice, the fee is £255. If the application is made without notice, the fee is £100.

### ***Getting help to pay for court fee costs***

You can find out whether you are eligible for help with court fees and apply at [Gov.uk: Form EX160: apply for help with court and tribunal fees](#).

## **9.7 Health and Safety claims**

### ***How Health and Safety law relates to Sexual Harassment***

The prevention of (and appropriate response to) sexual harassment is a central part of health and safety in the workplace. Sexual harassment can be a major

risk present in all workplaces, and failure to address it can lead to severe psychological injury, physical injury, and lasting damage to your health.

Your employer owes you several duties relating to your health and safety at work.

**Your employer owes you a common law duty of care.** This is a duty to prevent you from sustaining physical or mental injuries. If your employer breaches this duty, you may be able to claim for negligence, often described as a “stress at work” claim.

**Your employer owes you an implied contractual duty to provide a safe workplace.** This requires your employer to take *reasonable* steps to protect you from unacceptable treatment. Sexual harassment is a form of unacceptable treatment, and so might give rise for you to bring a breach of contract claim, for failing to fulfil the terms of your employment contract.

**Your employer also has statutory duties, such as under the Equality Act 2010 and the Protection from Harassment Act 1997.** This gives you the right to bring civil claims for damages in situations affecting your health and safety, including where you have been subjected to sexual harassment.

**Your employer must also follow the Health and Safety at Work Act 1974.** If your employer breaches it, this is a criminal offence which you can report to the health and safety regulator [Health and Safety Executive](#) and environmental health officers who work for local authorities.

### ***Reporting Health and Safety claims***

If your employer fails to protect your health and safety, you may be able to bring a civil claim for damages. Workers and employees are protected from detriment because of reporting health and safety problems (Section 44 of the Employment Rights Act 1996). Only employees are protected from dismissal because of reporting health and safety problems (Section 100 of the Employment Rights Act 1996).

**Health and safety legislation does not provide you with an automatic right to bring a civil claim against your employer for breach of health and safety law.** However, the statutes and regulations which comprise health and safety law provide you with a practical benchmark by which to measure whether your employer has provided you with a workplace living up to the standards that you might reasonably expect.

If your employer fails to follow health and safety regulations, this would be an indication that they have not complied with their common law or contractual duties of care, and so might help you win a claim for negligence or breach of contract. Conversely, compliance with health and safety law reduces the risk to your employer of you being able to successfully sue them for negligence or breach of contract.

The Health and Safety Executive or local authorities may provide verbal or written advice to your employer, serve them with an improvement or prohibition notice or they could prosecute your employer. In the case of prosecution, the maximum penalty in the magistrates' court is an unlimited fine or imprisonment for a term not exceeding 6 months, or both. In the Crown Court, the maximum penalty is an unlimited fine or imprisonment not exceeding two years, or both.

### ***Relevant legislation***

You can report a breach of the following health and safety statutes to the Health and Safety Executive or local authorities. For a full list of the appropriate authorities in your situation please go to [HSE.gov.uk: Is the HSE the correct enforcing authority for you?](https://www.hse.gov.uk/legislation/)

#### **The Health and Safety at Work Act 1974**

Your employer has a duty 'so far as is reasonably practicable' to ensure your health, safety, and welfare at work. Since sexual harassment could impact on your health, safety and welfare your employer should provide instruction, training and supervision, as far as is reasonably practicable to ensure the working environment is free from sexual harassment.

#### **Safety Representatives and Safety Committees Regulations 1977 and the Health and Safety (Consultation with Employees) Regulations 1996**

Your employer must inform and consult with employees in good time on matters relating to their health and safety. An employee representative may complain to your employer about matters affecting the health and safety of employees, which would include concerns for health and safety arising from sexual harassment.

#### **The Management of Health and Safety at Work Regulations 1999**

Your employer must take into consideration health and safety risks to employees, including the risk of reasonably foreseeable violence, and put in place arrangements to control these risks. This includes producing a written health and safety policy (if the workplace employs more than five people), producing a

written risk assessment and providing adequate training to employees relating to the risks.

### **The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**

Your employer, and those responsible for workplaces, must notify their enforcing authority of any serious accidents at work to any employee, dangerous incidents, and workplace-related diseases. This includes any act of non-consensual physical and sexual violence at work.





# Appendix

## Template for raising a grievance

[Insert Date]

Dear [insert the name of your employer/HR manager/line manager],

I am writing to raise a formal grievance about unreasonable and unlawful treatment that I have been subjected to.

My grievance is about [sex harassment/sexual harassment/sex discrimination] that I have been subjected to. I would like you to investigate these allegations as a grievance under the [your organisation] grievance policy (if possible attach or link to the policy).

I would also like you, as my employer, to take appropriate and prompt action to stop the behaviour being reported and to remedy it. The name[s] of the perpetrator[s] is/are [insert their full names and job titles/departments they work in], a defined by the [Acas sexual harassment guidance](#) and [the Equality and Human Rights Commission Sexual harassment and harassment at work guidance](#).

My grievance is set out below, where I describe the behaviour that constitute [sexual harassment/sex harassment/sex discrimination].

1. I am employed as [insert your job title]. My work and role involves [set out the details of your role and the work that you do].
1. On [insert date(s)], [describe the events that took place].

[Below are some tips to help you set out your grievance:

- Describe the events in chronological order and include times/dates/timelines.
- Include the full names of any individuals involved in the events, including the full name of the harasser/discriminator and any witnesses to the events.
- If possible, quote specific words or phrases that were used during any meetings or discussions.

- Provide as much information as possible about the background including the nature of the conversations/interactions, any acts that took place or comments that were made. Include details such as the way in which the person said it, any innuendos or gestures and any subtle details.
  - *Describe how the events made you feel, for example, if the incidents create an intimidating, hostile, degrading, humiliating or offensive environment for you to work in.*
  - *Describe the impact these incidents have had on you (and is continuing to have on you), in terms of your health, your emotional wellbeing, your ability to perform your job, your confidence at work, any impact upon your personal relationships etc.*
  - *If you have already resigned due to the course of conduct described in the paragraphs above, make sure you describe the collective events that led to the final event and describe the last straw that led you to resign. This description is necessary for a constructive dismissal claim, where you need to evidence that you resigned in response to a series of breaches of contract or a “course of conduct” by your employer, which when looking at the events collectively, amounts to a breach of the implied term of trust and confidence. The “last straw” is the final incident in the chain of events that led to you resigning.]*
2. The conduct described above was unwanted and [*of a sexual nature or related to my sex [or the sex of another person, [insert the person’s name]].*]. The conduct [*had the purpose or effect of violating my dignity or created an intimidating, hostile, degrading, humiliating or offensive environment for me*].
  3. I have evidence in the form of [*give details if appropriate, for example, refer to any emails, text messages, WhatsApp messages, voicemail messages you may have*].
  4. I would like the following action to be taken:
    - A grievance meeting to be held as soon as possible – please send me a meeting invitation and a copy of the [*your organisation*] grievance policy
    - An investigation to take place into the events that occurred and a finding to be made in relation to my complaint
    - [*Describe other immediate or longer term action that will protect you from the perpetrator, for example, requesting for the perpetrator for the perpetrator to be transferred to another area or department, for*

*you to not have further one-to-one contact with the perpetrator, or any other remedial action you can think of that is reasonable].*

Please let me know when I will receive an invitation to a meeting to discuss my grievance and confirm the next steps in the process.

I would like to be accompanied at the meeting and will let you know who my chosen companion is when I receive the invitation to the meeting.

Yours sincerely,

*[insert your full name and role]*

## Grounds of complaint (for the ET1) for sex harassment or sexual harassment (and constructive dismissal, if you have resigned)

*[The words in square brackets, bold and italics allow you to insert and delete the words that are right for your own case]*

1. I *[am/was]* employed by *[insert the name of your employer]* from/since *[insert the date that you commenced employment]* to *[insert the date that your employment ended, if it has ended]*. My employer, the Respondent, is *[briefly describe your employer's business]*.
2. I *[am/was]* employed as *[insert your job title]*. My work and role involved *[set out the details of your role and the work that you did for your employer. If it is relevant, include details relating to the work environment (i.e details of an intimidating, hostile, degrading, humiliating or offensive environment), your relationships with colleagues/your manager/other parties (set out the workplace relationship between you and the harasser), and any other relevant details here that will help the Employment Tribunal to understand your workplace and the individuals involved in the events that took place]*.
3. I was subjected to the following conduct which amounted to *[sex harassment/sexual harassment]*:

*[Below are some tips to help you set out your grievance:*

- Describe the events that were sex or sexual harassment in chronological order and include times/dates/timelines
- Provide as much information as possible including the dates the events occurred, the full names of the harasser and any other individuals who were present and witnessed the events
- Describe the nature of the conversations and if possible, quote specific words or phrases that were used during any meetings or discussions
- Describe any acts that took place or particular comments that were made. Include details such as the way in which the person said it, any innuendos or gestures and any subtle details.
- Describe how the events made you feel, for example, how the incident(s) created an intimidating, hostile, degrading, humiliating or offensive environment for you to work in.
- Describe the impact these incidents have had on you (and is continuing to have on you), in terms of your health, your emotional

*wellbeing, your ability to perform your job, your confidence at work, any your personal relationships etc.*

- *If this paragraph is long, feel free to split it into several paragraphs or sub-paragraphs. It is best to give each separate incident its own paragraph or sub-paragraph]*
4. *[If you resigned due to the behaviour described in the paragraph(s) above, make sure you describe the collective events that led to the final event and describe the 'last straw' that led you to resign. This description is necessary for a constructive dismissal claim, where you need to show that you resigned in response to a series of breaches of contract or a 'course of conduct' by your employer, which when looking at the events together, amounts to a breach of your employment contract (a breach of the implied term of trust and confidence). The 'last straw' is the final incident in the chain of events that led to you resigning].*
  5. *The conduct described above was unwanted and [of a sexual nature or related to my sex [or the sex of another person, [insert the person's name]]. The conduct [had the purpose or effect of violating my dignity or created an intimidating, hostile, degrading, humiliating or offensive environment for me].*
  6. *On [insert the date], I raised a grievance about this conduct which I sent to [insert the name of the person the grievance was sent to and their job title]. The grievance contained the following details [outline the details of your grievance or refer to the incidents described in paragraph(s) XX above].*
  7. *I was invited to attend a grievance meeting on [insert the date of the grievance meeting] which was conducted by [insert the name of the individual who heard your grievance and their job title]. [include any other details relating to the grievance process that you want the tribunal to be aware of. For example, was there a long delay before you received a response to your grievance? Was the person hearing the grievance biased in any way? Were you asked inappropriate questions? Were there any flaws in the grievance process that lead you to believe that the grievance was not handled fairly or independently? Were you invited to a grievance meeting at all? Were you given the opportunity to be accompanied at the meeting by a colleague or trade union representative?]*
  8. *I received a written response by email/letter dated [insert the date] which [did not uphold my grievance/did not deal] with my grievance in a satisfactory way. The grievance outcome was as follows. [Describe the details of the grievance outcome and why it was not dealt with satisfactorily.]*
-

9. On *[insert the date]*, I appealed against the outcome of the grievance. My appeal was on the following grounds: *[include details about your appeal]*. *[If you did not appeal the outcome, state that you did not appeal the outcome of the grievance and the reasons why.]*
10. *[If you resigned from your employment, include the following details – On [insert the date], I resigned [with/without notice], in response to the [sex/sexual harassment] [and the failure to deal properly with my grievance]. [Insert any other details that are linked to your claim for sex/sexual harassment that you would like the Employment Tribunal to know.]*
11. I believe that the *[sex harassment/the sexual harassment]* *[and my employer's failure to deal with my grievance]* constituted a fundamental breach of trust and confidence, entitling me to resign with immediate effect.
12. *[If you sent written questions to your employer about any the incidents, include the following paragraph – On [insert date] I sent to my employer a list of questions in accordance with the procedure set out in the Acas guide to [asking and responding to questions on discrimination in the workplace](#). My employer [did not reply/has failed to adequately reply] [OR my employer's answers support my claim for [sex harassment/sexual harassment/sex discrimination because] [set out the details on how your employer's response supports your claim].]*
13. If the Employment Tribunal finds that any act or omission complained of occurred more than three months before its receipt of this claim, or is outside of the extended limitation period following participation in Acas early conciliation, and that such act or omission is not part of a continuing act under section 123(3)(a) of the Equality Act 2010, I state that it would be just and equitable in the circumstances for the tribunal to extend time for submission of my claim under section 123(1)(b) because *[include details of why the claim was submitted late, for example, were you too ill or suffering from depression/waiting for the outcome of the grievance process in the hope of an amicable resolution, if your employer played a part in the delay, etc]*.
14. I have been affected in the following ways: *[include details here of the emotional impact that your employer's behaviour has had on you]*. I *[have/have not]* found alternative employment since the date of my dismissal.
15. I seek the following remedies:
  - a. Compensation for financial loss and injury to feelings.
  - b. An award of aggravated damages *[include this request for aggravated damages award where your employer has acted in a high-handed, malicious, insulting or oppressive manner, for example, where there was malice or bad intention on the part of your employer]*.

- c. *[if you have suffered personal injury, then include the words 'compensation for personal injury'.]*
- d. *[if you resigned in response to your employer's actions, include the words 'compensation for constructive unfair dismissal'.]*
- e. *[if your employer did not respond to your grievance, or failed to deal with your grievance adequately, or did not offer you the right of appeal, or did not comply with any part of the [Acas Code of Practice on Disciplinary and Grievance Procedures](#), then include the following words – An uplift of up to 25% to the compensation awarded by the Employment Tribunal because of the Respondent's unreasonable failure to comply with the Code of Practice.]*
- f. Interest at the appropriate rate.
- g. *[That the Employment Tribunal make the following declaration[s]: [insert the declaration that you would like the tribunal to make, for example, that there was sexual harassment/sex harassment/sex discrimination].]*
- h. *[If you would like the Employment Tribunal to make recommendations, for example, that your employer provide an agreed reference to you, or that your employer apologise to you for the acts complained of etc, include the following wording – That the employment tribunal make the following recommendation[s]: [include details of the recommendations you are asking for].]*

*[Insert Date]*

## Data Subject Access Request (DSAR) Template

*Your email address*

*[Today's date]*

*[Insert your employer's address]*

Dear *[Insert name – a contact in your HR department, if possible]*,

### DATA SUBJECT ACCESS REQUEST UNDER DATA PROTECTION LAW

I am writing to make a data subject access request under data protection law.

I *[am/was]* employed by *[insert the name of your employer]* as *[insert your role and the department you work(ed) in]*. My dates of employment are from *[insert date]* until *[the current date/if you are no longer with the employer, insert the date when you left your employment]*.

I understand that you hold and process data about me.

### SCOPE OF MY REQUEST

I understand that *[insert the name of your employer]* processes a wide range of personal data about me. However, this request is confined to data concerning:

- Allegations about *[sexual harassment/sex discrimination/other allegations/incidents that took place etc]*
- *[If you think your employer holds data about other matters that you would like to obtain a copy of, for example, notes of meetings that you had with certain individuals, emails about incidents that happened etc, insert the details in these bullet points]*
- *[If relevant – CCTV footage situated at [location] taken on [dates]]*
- My personnel file.

### LOCATING THE PERSONAL DATA

I envisage that several individuals at *[insert the name of your employer]* may process personal data in connection with the matters described above. Some of the data processed will be in the form of emails (including sent, received, deleted and archived emails) and word-processed documents. These documents and emails can easily be identified with online search tools.



In relation to emails, you may limit the search to emails between *[insert the names of individuals that you know will have sent and received emails about the allegations]* during the period *[insert dates, ensuring that the search dates are wide enough to capture the emails sent during the timeline of events]*. However, in relation to the *[sexual harassment/sex harassment/sex discrimination/other allegations/description of other incidents]* set out above, please ask *[insert the same names of the individuals who are listed above in this paragraph]* whether any of them is aware of other individuals who are likely to have exchanged emails containing personal data relating to me. If so, please let me know who those other individuals are and search the emails of any individuals identified as well as those individuals I have mentioned above.

### REQUEST FOR FURTHER INFORMATION

*[If an event happened or decisions were made by your employer but you do not know who took the decisions or who was involved in the incident, you could include the following wording:]* I have mentioned above those individuals who I believe may have processed data about me. However, I am also concerned about *[a decision that was taken that [insert details of the decision/an event that happened when [describe the event]]]*. Please could you inform me of which individuals were involved *[in the decision-making in relation to that process in the event described above]* so that I can decide whether to make a more specific subject access request in relation to that situation].

### VARIATIONS OF MY NAME

My full name is spelled *[insert your name]*. However, sometimes my name is also spelled as *[insert the variations on your name,]*. I am also referred to as *[insert any other names or nicknames]*. I would like you to search for each of these variations, particularly when searching email records and other word-processed documents. I would also like you to search against my initials of *[insert your initials, although note that a reasonable search against your initials may be difficult for your employer to do depending upon what your initials are e.g. an email search against "XR" will retrieve fewer emails than a search against the initials "HR". However, it is worth including your initials here and waiting for your employer to explain if they cannot perform the search based on your initials, and the reasons why]*.

### INFORMATION TO SUPPLY

Once you have identified personal data within the scope of this request, please provide a copy of the information constituting personal data to me *[include details of whether you would like printed out copies or if you would like the copies in an electronic format e.g. on a USB stick]*. You will also need to:

- Provide a description of the data and the categories of personal data concerned.
- Explain the purposes for which the data is processed.
- Identify the source or sources of the data.
- Set out to whom the data has been disclosed or may be disclosed, including recipients in third countries or international organisations.
- Set out, where possible, the envisaged period for which the data will be stored, or, if not possible, the criteria used to determine that period.
- State whether there has been any automated decision-making using the data, including profiling, and if so, any meaningful information about how any decision was based, as well as the significance and the envisaged consequences for me of such processing.

### **CONFIRMATION OF MY IDENTITY**

I assume you are aware of who I am. However, to avoid any doubt or delay, I enclose a copy of my [*driving licence*] [*passport*] to confirm my identity.

If you do not normally deal with data subject access requests, please pass this letter on to your data protection officer or relevant staff member as soon as possible.

I look forward to hearing from you in relation to the above request within one month of receipt of this request [*give the specific date which is one month away*], as required under data protection law.

Yours sincerely

[*insert your full name and role*]

## Acknowledgements

We are grateful to the women survivors of sexual harassment who have contributed to this work. We would also like to thank ROSA Justice and Equality Fund and TimesUP UK who have supported this work since 2018. We are particularly grateful to our volunteer team of legal advisers and Legal Advisory Group of 11 expert women who have supported the service to develop since its inception. It has truly been a collaborative effort driven by our shared desire to challenge the culture of sexual harassment experienced by women, support women who experience it and work towards a society where women enjoy equal treatment, safety in the workplace and are fully empowered to utilise their legal rights.

This handbook has been written by women for women as an accessible guide to the law. We hope you can use it on your journey to unpack and explain the law, your rights and options in a unique and resource aimed directly at women survivors of sexual harassment in the workplace.

September 2022

