

SHREWSBURY TOWN COUNCIL
Full Council
29 June 2026

Officer: Louise Smith – HR Officer

HR POLICY UPDATE and APPROVAL
(Sexual Harassment at Work – Manager Responsibilities)

Purpose of Report

To inform Full Council of the new statutory duty on employers to proactively prevent sexual harassment, effective from 26 October 2024, and to outline manager expectations and organisational risk arising from further legislative strengthening anticipated in 2026.

The briefing is intended to:

- Highlight areas of material legal and organisational impact
- Support meaningful consultation with staff-side representatives
- Enable the Council to prepare, mitigate risk and ensure compliance
- Identify where policy and managerial practice require update

What has changed?

From 26 October 2024, employers were subject to a new proactive legal duty to take reasonable steps to prevent sexual harassment before it occurs, rather than responding only once a complaint is made. The duty applies to harassment by colleagues, managers and third parties (including customers, service users and members of the public).

Failure to evidence compliance may result in:

- Employment Tribunal compensation uplifted by up to 25%, and
- Enforcement action by the Equality and Human Rights Commission.

Further legislative changes expected in 2026 will increase the compliance threshold and risk profile by:

- Requiring employers to demonstrate “all reasonable steps”;
- Expanding employer liability for third-party harassment; and
- Extending whistleblowing protections to disclosures relating to sexual harassment.

Key points

- Concerns must not be ignored, discouraged, delayed or managed outside agreed procedures.
- Sexual harassment prevention is now a proactive legal obligation.
- Managers play a critical frontline role in ensuring compliance, staff wellbeing and organisational reputation

Key risks and implications

- Increased financial exposure through higher tribunal awards.

- Regulatory intervention where preventative measures are inadequate.
- Reputational damage arising from failures to protect staff.
- Reduced staff confidence, wellbeing and retention.
- Heightened organisational risk where managers fail to act promptly or consistently, even where policies exist.

Manager behaviour is a critical control in meeting the statutory duty; failure to challenge inappropriate behaviour or escalate concerns may expose the Council to avoidable legal risk.

Managers are expected to:

- Set clear standards of behaviour and challenge issues early.
- Identify and mitigate harassment risks within teams.
- Take all concerns seriously and escalate promptly to HR.
- Support staff and protect individuals from victimisation.

Recommendation:

That Full Council:

- Notes the increased legal and regulatory risk arising from the statutory duty effective October 2024 and the anticipated strengthening of the framework in 2026; and
- Approves the inclusion of the 2024 and expected 2026 changes within the revised *Dignity and Respect at Work Policy* and *Whistleblowing Policy*; and
- Approves the delivery of mandatory manager training and workforce awareness activity to evidence reasonable preventative steps.