

People & Workplace Series: Implementing strategies
to address sexual misconduct at work

Thursday 27 June 2024 - 8:30 am to 10:30 am



WELCOME

We will start shortly ...



French Chamber of Great Britain



@frenchchambergb

People & Workplace Series: Implementing strategies
to address sexual misconduct at work

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Co-chair of the HR Club



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Key learning points for today

- What is the new duty on employers from October?
- How does this differ from what is in place now?
- What should you be doing now to prepare?
- Particular considerations when investigating allegations of sexual harassment in the workplace.

Worker Protection (Amendment of Equality Act 2010) Act 2023

From 26 October 2024, **all employers** in the UK will be under a statutory duty to take **reasonable steps** to prevent sexual harassment in the workplace.

- The new duty is in addition to the existing legal framework.
- It is not the same as the “all reasonable steps” defence.
- Practical effect on Tribunal awards, and other enforcement powers.

To prepare: Inform, Identify and Implement.

Workplace investigations, and the interplay with criminal law

- **Standards of proof**

- To interview a suspect under caution: Is there some reasonable, objective ground(s), based on known facts or information, which are relevant to the likelihood that the offence has been committed and the person to be questioned committed it? [PACE Code C Note for Guidance 10A]
- To charge: Is there a realistic prospect of conviction (i.e. is it more likely than not that a tribunal of fact, properly directed, will convict the defendant)? [4.6-4.7 Code for Crown Prosecutors – evidential test]
- To convict: Is the tribunal of fact ‘satisfied so that they are sure’?

- **Criminal offences**

- S3 Sexual Offences Act 2003 (Sexual Assault)
- S66B Sexual Offences Act 2003 (Sharing or threatening to share an intimate photograph or film)
- s67A Sexual Offences Act 2003 (‘Upskirting’)

- **Extraterritoriality**

- From 29 June 2021: Sexual offences (ss1 – 4 *Sexual Offences Act 2003*)
- From 29 June 2021: Offences of violence (ss18, 20, 47 *Offences Against the Person Act 1861*)

Q & A

Thank you!

Upcoming Events @ French Chamber

Summer Champagne Reception

Wednesday 3 July 2024 - 6:30 pm to 9:30 pm



Book a ticket, scan here



Individual Ticket: £45+VAT
Special price for two: £80+VAT

Annual General Meeting and networking reception

Monday 9 September 2024 - 6:30 pm to 9:30 pm



Book a ticket, scan here



Open to all members
FREE to attend