



Worker Protection (Amendment of Equality Act 2010) Act 2023

2023 CHAPTER 51

1 Employer duty to prevent sexual harassment of employees

After section 40 of the Equality Act 2010 insert—

“40A Employer duty to prevent sexual harassment of employees

- (1) An employer (A) must take reasonable steps to prevent sexual harassment of employees of A in the course of their employment.
- (2) “Sexual harassment” in [subsection \(1\)](#) means harassment of the kind described in [section 26\(2\)](#) (unwanted conduct of a sexual nature).
- (3) A contravention of [subsection \(1\)](#) (or a contravention of [section 111](#) or [112](#) that relates to a contravention of [subsection \(1\)](#)) is enforceable as an unlawful act under Part 1 of the Equality Act 2006 (and, by virtue of [section 120\(8\)](#) and [\(9\)](#), is enforceable only by the Commission under that Part or by an employment tribunal in accordance with [section 124A](#) (compensation uplift in employee sexual harassment cases)).”