

# **Call for evidence - Equality law**

Submission to Office for Equality and Opportunity

## **About the CIPD**

The CIPD is the professional body for HR and people development. The not-for-profit organisation champions better work and working lives and has been setting the benchmark for excellence in people and organisation development for more than 100 years.

It has 160,000 members across all sectors and sizes of organisation and provides thought leadership through independent research on the world of work and offers professional training and accreditation for those working in HR and learning and development.

Public policy at the CIPD draws on our extensive research and thought leadership, practical advice and guidance, along with the experience and expertise of our diverse membership, to inform and shape debate, government policy and legislation for the benefit of employees and employers. It also seeks to promote and improve best practice in people management and development and to represent the interests of our members.

## 2. Improving pay transparency

**25. Do you have evidence about the possible impacts of introducing pay transparency measures on pay equality on the basis of sex, race or disability and/or on employers? [Yes, No] [If yes, question 26. If no, skip to question 28]**

Yes, see question 27

**27. What evidence is there on the possible implications of introducing pay transparency measures for employers?**

**We are particularly interested in:**

- **the implications for employers of different sizes**
- **the implications for employers in different sectors, for types of work or for types of pay, such as bonuses**

### Pay transparency

#### *Potential employees*

The [CIPD Pay, Performance and Transparency survey 2024](#) finds that the extent of pay transparency in the UK varies, depending on whether organisations publish details of salary ranges or specific salaries. While there may be some visibility around salary ranges, many organisations are less transparent about specific salaries.

However, this does not always indicate that employers are trying to deceive job candidates (or staff) since, if pay is structured around ranges for particular grades, this is how they are most likely to be advertised externally or internally, rather than the organisation highlighting the specific salaries paid to individuals.

However, there is anecdotal evidence that some employers in the USA include salary ranges in job advertisements that are not necessarily a guide to the salary they are prepared to actually pay.

What might be unusual is where the structure of pay is based on single or spot rates, but a company nevertheless opts for limited visibility in job adverts or internal communications by only showing a range.

But just because organisations advertise salary ranges, either externally or internally, this does not necessarily mean that they are fully transparent about pay. This is because salary ranges, by definition, generally show only a minimum and a maximum, so such approaches can often conceal more than they reveal. This is particularly the case where ranges are very broad (for example, greater than £10,000 wide), and where there is no indication of the salary for individuals judged to be fully competent in the role.

Progression through ranges is typically by appraisal-related increases within an overall budgeted amount - such that individuals could be anywhere along the range - and it is highly unusual in these circumstances for staff to know how their pay compares with anyone else's or, indeed, what other staff are paid.

The [CIPD Pay, Performance and Transparency survey 2024](#) finds that 41% of workplaces surveyed report that they always publish a salary range in their external job adverts. Public (80%) and voluntary (68%) sector employers were more likely to do this than private sector firms (30%).

By employer size, small- and medium-sized organisations (34%) are less likely to always do this than large employers (44%). Within the private sector, there is slight difference between manufacturing

and production companies (27%) and service sector employers (30%). There is also little difference by firm size.

The same CIPD research finds that 18% of workplaces report that they always publish a specific salary in their external job adverts. Again, public (42%) and voluntary (44%) sector employers were more likely to do this than private sector firms (10%).

By employer size, small- and medium-sized organisations (16%) are slightly less likely to always do this than large employers (20%). Within the private sector, there is slight difference between manufacturing and production companies (11%) and service sector employers (10%). Again, there is also little difference by firm size.

### *Existing employees*

When it comes to advertising jobs internally, the *CIPD Pay, Performance and Transparency 2024 survey* shows that the pay information published is similar to the information shared externally, both for salary ranges and for specific salaries, with slightly fewer employers publishing a range (39%) and slightly more publishing a specific salary (21%) compared to external practice.

## **Pensions**

### *Potential employees*

As an important part of the remuneration package, it should make sense to highlight a workplace pension in an external job advert. The *CIPD Pay, Performance and Transparency survey 2024* suggests that transparency is similar to that of salary ranges, with 41% of employers saying that pensions information is always included in job adverts.

Public (59%) and voluntary (75%) sector employers were more likely to do this than private sector firms (33%). By employer size, small- and medium-sized organisations (38%) are a bit less likely to always do this than large employers (43%).

Within the private sector, there is slight difference between manufacturing and production companies (30%) and service sector employers (34%). There is minor difference by firm size in terms of including pension information in job adverts.

One consequence of not mentioning the pension in the job advert, is a lack of awareness among employees. The CIPD's *UK Good Work Index 2025 survey report* finds that 17% of workers do not know which type of pension scheme they are members of, while among those who do know they are in a workplace pension, 36% of them were unsure how much their employer contributed. This lack of transparency does not incentivise employers to offer to contribute more than the legal minimum.

In the CIPD's autumn [Labour Market Outlook 2024](#), we asked respondents if workplaces were required by law to include pension contribution rates in all their job adverts whether this would encourage workplaces to contribute more. Overall, 60% of them said it would, 22% said it would not, while 18% were unsure. So, including this in job adverts, would not only improve the pension outcomes for workers, but also help tackle various pension gaps, such as gender or ethnicity.

## **Bonuses**

The *CIPD Pay, Performance and Transparency survey 2024* shows that some 60% of respondents said they link either pay rises or bonuses for at least some staff to an assessment of their performance. This could include merit pay, profit-sharing and individual or team bonuses. Linking pay and performance is most common in the private sector, with 69% of respondents saying they use one of these approaches for at least some staff. It is important to note, however, that within those organisations that do link pay and performance, not all employees are covered. When we also take into consideration the 29% of respondents that do not have any link, then overall, pay for performance covers less than half of the workforce.

The CIPD *UK Good Work Index 2025 survey report* finds only a minority of employees (36%) are offered a bonus, either always (11%) or normally (25%). Bonuses are more common in the private sector (42%), and within the private sector, over half of those working finance (63%), manufacturing (59%), and information and communication (56%) normally or always get a bonus.

The CIPD *Pay, Performance and Transparency survey 2024* did not ask respondents if they mentioned the bonus plan in their adverts. A bonus scheme can either be discretionary or non-discretionary. Bonuses that reward people for past performance tend to be discretionary, while bonuses that incentivise people for future performance tend to be non-discretionary. In most instances, it would not make sense for an employer to publish a bonus figure because how much an employee receives is at the discretion of the organisation. Even a non-discretionary bonus, such as sales commission, can be hard to quantify given the economic context can change rapidly.

Similarly, the same survey did not explore the extent to which those employers that offer a bonus plan to all, or some, of their staff went on to communicate to their employees how the scheme operated. However, it makes sense to explain this to staff if employers want their workers to be motivated by it. What employers might be less transparent about is how bonus payments differ between grades, occupations, or teams.

### **Transparency around pay decisions and outcomes**

The CIPD *Pay, Performance and Transparency survey 2024* asked organisations about the extent to which they share pay information with employees. This could be in a variety of respects, centred on how individuals' pay compares with that of others according to a variety of metrics, such as how their salary compares with the minimum, maximum, or median for their grade, or with the typical salary for others in the same grade, but also looks at such topics as the operation of salary structures or how jobs are slotted into these structures.

The table below shows the limits to transparency since, in almost every case, only a minority of organisations appear to lean towards genuine openness about pay. And a much smaller number were prepared to provide information to employees that would allow them to assess how their pay compares with that of others, for example, compared with the median for the whole organisation.

### **The pay information that employers share with employees**

	Percentage of employers that do this			
	All employers	Private sector employers	Public sector employers	Voluntary sector employers
What is shared with employees:				
How the organisation's salary structure/grades/bands work	47%	39%	71%	70%
What internal and external factors the organisation considers when deciding to increase salaries	41%	39%	37%	66%
How jobs are fitted into the organisation's salary structure/grades/bands	39%	32%	57%	63%
How their salary compares to the minimum, median, or maximum, for their grade	27%	24%	37%	29%

How their salary compares to others in the same grade (such as against the median)	24%	22%	35%	25%
How their salary rise compares to others in the same grade (such as against the median)	24%	22%	32%	28%
How their salary compares to people of the opposite gender in similar roles	24%	20%	33%	40%
How their salary rise compares to others in the organisation (such as against the median)	23%	21%	31%	28%
How their salary compares to others in the organisation (such as against the median)	21%	19%	28%	23%
How their salary compares to people in the same role working for other similar organisations	21%	19%	26%	27%

By employer size, workplaces with more than 250 staff were overall more transparent with staff about pay than small-and medium-sized employers. The smallest percentage differences between larger and smaller employers were around sharing with workers what internal and external factors the organisation considers when deciding to increase salaries, and what workers need to do to get a rise in salary. Similarly, within the private sector larger firms were more likely to share pay information with their employees than smaller companies.

When analysing the habits of those organisations that were more transparent about pay in their internal job adverts, we found that, while 66% of these shared information about the operation of pay structures, and 59% did so about how jobs are slotted into these, only 39% shared information with individual employees about how their salary compares with the minimum, maximum or median for their grade or how their salary compares with the typical rate for colleagues in the same grade. It is therefore rare for staff to know more precisely how their pay compares with anyone else's or, indeed, what other staff are paid.

The CIPD *Pay, Performance and Transparency survey 2024* asked employers whether they had reviewed pay gaps by various employee characteristics and if they had whether they had then shared the findings with employees. It also asked about equal pay audits and if the workplace had asked for employee for their views on the fairness of pay decision making and decisions.

The only analysis undertaken by a significant proportion of organisations in the 12 months to October 2023 relates to gender pay gaps (44%), which, of course, large employers are required to do by law. The table below shows the other most common analyses that took place. The table shows that employers with more than 250 or more staff are more likely to have analysed their pay data by various employee characteristic.

#### **Extent of pay gap analysis undertaken and sharing of findings with employees (% of respondents)**

	All employers	Employers with 250 or more employees
Ethnicity pay report	18%	25%
Equal pay audit	19%	26%
CEO pay ratio report	15%	21%
Survey of employee views on the fairness of the outcomes of your organisation's pay decisions	14%	19%
Survey of employee views on the fairness of how pay decisions are made	13%	17%
Disability pay report	11%	15%
Age pay report	12%	15%
Pay report for those with child/elder care responsibilities	8%	10%

More recent research conducted on behalf of CIPD by YouGov in Autumn 2024 found that 43% of all large employers questioned in the survey (1,150) analysed pay data by ethnicity. Among those workplaces with 1,000 or more staff, this proportion was 47%. Most large employers (57%) that did this kind of analysis went on to publish this information. Among those that did not (35%) most (54%) think that it would be relatively easy for them to do so. For more information on this, please see our response to the consultation on ethnicity and disability [pay reporting](#).

In summary, the evidence suggests it would be easier for employers to be transparent about reward in job adverts, though there would need for guidance around what is meant by pay, salary bands, and pension contributions. For example, it is easier to define the size of the employer contribution scheme in a defined contribution scheme.

Sharing data with existing staff would be harder, but not impossible. Employers would need a timetable in which to get their systems in order so that they could share timely and accurate pay information with their workers. Many large employers with operations in the EU, USA, and other key markets (such as Australia) are already considering if they should also be pay transparent with their staff based in the UK.

## 5. Creating and maintaining workplaces and working conditions free from harassment

**41. Do you have evidence on effective steps that can be taken by employers to reduce/prevent sexual harassment in the workplace? [Yes, No] [If yes, question 42. If no, skip to question 43]**

Yes

**42. What evidence is there on effective steps or specific issues that employers should take into account when trying to reduce/prevent sexual harassment in the workplace? We are particularly interested in:**

- effective steps that employers can take in relation to company culture, staff training, how policies are enforced, reporting systems and procedures, and recording and investigating complaints

- **how best practice may potentially differ according to employer size, sector, or other factors**
- **where there may be gaps in the evidence base, noting those identified by the literature review**

Our response on this question is an informed one, based on insights from our membership, who typically lead on developing and implementing effective organisational frameworks to tackle sexual harassment at work. It is also based on research, including the [2024 CIPD survey report](#) which surveyed 2,009 senior HR professionals and decision-makers in the UK on how organisations are tackling bullying and harassment. It finds that just 2% of employees (1% of male employees versus 3% of female employees) reported experiencing unwanted attention of a sexual nature in the last 12 months. While this low incidence of reported sexual harassment is welcome, there's still a minority of employers that are not fostering inclusive workplaces.

This view is backed up by our employer survey findings, with 8% reporting that their organisation is not doing enough to manage sexual harassment at work and 9% that not enough is being done to prevent it. Further, less than three-quarters (72%) of employers think that “sexual harassment claims are dealt with promptly and effectively in my organisation”, while 4% do not believe that sexual harassment claims are dealt with promptly and effectively.

All incidents of sexual harassment are unacceptable and need to be taken seriously, not only because of the legal implications but because of their adverse effects on individuals, organisations and society. Everyone has the right to be treated with dignity and respect at work.

### **Effective steps to prevent and deal with sexual harassment**

Compliance with any legal protections relating to sexual harassment is vital, but organisations need to go further if they are to take a prevention-based approach.

Effectively preventing sexual harassment requires not only robust policy and training, but a culture centred on ethical values that is modelled by leaders and implemented by line managers. [Available evidence](#) indicates that effective steps should also include:

- **Mitigating risks as a foundation for a preventative culture:** As outlined in the [EHRC's technical guidance on sexual harassment](#), employers should make an assessment of risks relating to sexual harassment. Factors to take into account include lone working, out-of-work hours, power imbalances, out-of-work events, the presence of alcohol
- **Effective policies and procedures:** Given its complexity and sensitivity, it could be wise for organisations to develop a distinct policy dealing with sexual harassment, as noted in this [literature review](#) that notes ‘as early as 1989, Rubenstein confirmed that it was best for workplace sexual harassment policies to be separate and distinct from other harassment clauses’, with a separate procedure for dealing with complaints. This is because typical grievance procedures tend to use the first-line manager in the remedial process, and research indicates that they may not be the most appropriate person to confide in for incidents of sexual harassment. Alternative reporting procedures can also foster more confidence in people feeling able to report alleged incidents,
- **Leaders acting as role models:** Preventing sexual harassment relies on leaders modelling professional, inclusive and respectful behaviour. There is consensus across many studies that outlines the importance of this dimension. Leaders are central to communicating that the organisation will not tolerate any form of unfair treatment such as sexual harassment and that there will be consequences for any form of harassment. Leaders should also have oversight of relevant policies and monitor their impact, and can ensure the appropriate resources are available. For example, [leaders must provide resources](#) for staff training, ensure that company policies are up-to-date, disseminated and adhered to -including punishment of perpetrators irrespective of their seniority, and strive to eliminate gender inequality through means such as gender-positive recruitment and work policies like flexible working.
- **Promoting the values of dignity, respect and inclusion:** Preventing sexual harassment means placing people at the centre of a culture built on the principles of dignity and respect which should form part of the organisation's framework for equality, diversity and inclusion

(EDI). Organisations need to both act on ethical values and ensure they are reflected in systems and processes, such as [values-based recruitment](#). HR professionals and leaders need to take a lead in ensuring that managers and the wider workforce understand the organisation's values and the importance of behaving in a way that upholds them.

- Fostering a psychologically safe culture: the working climate is one of the most important factors for helping to prevent sexual harassment and encouraging people to speak up if they experience or witness it. Industries that are male-dominated, or with a more overt power imbalance between the sexes, as well as those that reinforce competition or traditional gender norms have a higher prevalence of sexual harassment. Although dealing firmly with alleged individual perpetrators is key, this needs to be based on a culture of treating everyone with respect, dignity and fairness.
- Ensuring line managers are capable and confident: As well as acting as role models for fair and inclusive treatment, managers are key to addressing inappropriate behaviours or exchanges between employees. They need to have the knowledge to recognise sexual harassment when they see it and the confidence to intervene early. They should also feel comfortable to support those impacted by sexual harassment, including bystanders who witness harassment as well as those who are accused of it. This means the organisation delivering effective training and development interventions and providing robust practical guidance. It also means reinforcing the desired behaviours and competences through ongoing feedback and guidance.
- Training and educating the workforce: Training and education for staff can increase knowledge of what constitutes sexual harassment, as well as how to spot and report alleged incidents. Available [evidence](#) indicates that training should be comprehensive, of sufficient length and duration, based on theory, administered by an expert, encourage positive relationships, delivered at a suitable time, relevant to the socio-cultural and organisational culture, and evaluated for effectiveness. Effective training should be at least four hours long, delivered in person, interactive and tailored for the specific workplace. Development interventions should also emphasise behaviours that create a respectful culture. Training in addressing and preventing sexual harassment is most effective when it is managed by experienced professionals and takes place in person, rather than online. Although training is important it does not necessarily influence behavioural change. Therefore, it should be implemented as part of a broader prevention strategy that provides ongoing reinforcement of the organisation's values and expected behaviours, for example via a performance management system.

### **Dealing with allegations of sexual harassment**

The priority when dealing with reports of sexual harassment is ensuring employees, and others, are not at risk of harm. However, it's important to remember that in the interests of fairness and natural justice, alleged perpetrators should also be treated fairly throughout an investigation. All reports, whether received formally or informally, should be treated seriously. Those involved should be reassured, through effective procedures and communication, that the matter will be dealt with fairly, sensitively and as quickly as possible.

### **The use of confidentiality clauses in settlement agreements**

There has been a spotlight on the misuse of confidentiality clauses in settlement agreements, often referred to as 'non-disclosure agreements' (NDAs). This follows well-placed concern that a minority of employers use them to silence employees from reporting inappropriate behaviour such as harassment or discrimination.

Our employer survey - see the [2024 CIPD survey report](#) which surveyed 2,009 senior HR professionals and decision-makers in the UK - found that just over a fifth (22%) of employers use NDAs if dealing with allegations of sexual harassment, while over a third don't know. Private sector organisations are significantly more likely to use them compared with public and voluntary sector organisations (25% compared with 16% and 9%, respectively)

A key part of an employer's approach to preventing and tackling sexual harassment is to ensure the ethical and appropriate use of confidentiality clauses (NDAs). The CIPD has developed robust

[guidance for HR professionals](#) that reflects the Acas guidance, and emphasises that NDAs should never be used to cover up inappropriate behaviour and wrongdoing, such as sexual harassment. They should not be seen as a way to stop claims of whistleblowing or other forms of discrimination and they should never be used to silence someone who has raised a concern or complaint. Even where an NDA is technically lawful, from an ethical standpoint we urge employers to think carefully about whether it is appropriate in all the circumstances, particularly where an allegation of harassment is involved.

**43. Do you have evidence regarding expanding the Equality Act 2010's workplace protections to volunteers and/or evidence on other approaches that could be taken to protect these volunteers from experiencing sexual harassment? [Yes, No] [If yes, question 44. If no, skip to question 46]**

Yes

**44. What evidence is there regarding expanding the Equality Act 2010's workplace protections to volunteers? We are particularly interested in:**

- the effect on different types of volunteers
- whether protections should be extended to all or only particular categories of volunteers
- the potential challenges or unintended consequences for organisations of expanding protections to different groups of volunteers
- whether some types of organisations may be more likely to be adversely affected by the expansion than others
- steps that could be taken to mitigate potential risks and challenges

#### **The potential advantages, disadvantages and unintended consequences**

Our response on this question is an informed one, based on insights from our membership, many of whom manage large volunteering programmes within their workforces. We completely agree with the government, that all volunteers should be able to carry out their wide range of social action without experiencing sexual harassment. We also share the concern that current protections don't cover all interns, freelancers, or other workers without a traditional employment contract such as volunteers.

If an individual regularly gives their time freely to support a charitable cause under a formal arrangement they should on principle receive the same level of protection from harassment, discrimination and victimisation as a paid employee of the organisation. In theory, this should not place an additional burden on even volunteer-led organisations if they already have in place an inclusive culture that aims to prevent harassment and inappropriate behaviour for its paid employees, even if the paid workforce is small. Providing a safe and harassment-free working environment should go hand in hand with the values of charities that aim to serve their communities, and so it should not be too much to ask of them. Indeed, it could help organisations to attract and retain volunteers.

However, we can also see potential disadvantages of extending workplace protections to volunteers, particularly in view of the planned expansion of employers' preventative duty to take all reasonable steps to prevent sexual harassment. We had some concerns before even the current preventative duty was introduced and it could be more problematic to extend this, let alone the planned statutory duty to take all reasonable steps to prevent, to volunteers. As the consultation notes, there is a wide diversity of volunteering activity across the country and many arrangements can be ad hoc and informal. Expecting employers to take all reasonable steps to prevent sexual harassment as part of a blanket provision could be problematic for employers to implement.

Extension of the protections could also lead to confusion and a blurring of the lines between those on an employment contract and volunteering. There is also the question of how such protections would be formalised within arrangements between the organisation and the volunteer, and how an

individual would take forward a complaint - if it was to an Employment Tribunal, this would require more paperwork and administration for both parties to document the volunteering arrangement.

Another longer-term and unintended negative impact that could result from expanding these protections to volunteers relates to the need to avoid any approach that might serve to discourage volunteering and so adversely affect the voluntary sector, the so-called 'chilling effect' outlined in the previous consultation by the then Government Equalities Office in 2019.

### **Expanding protections to all volunteers or not**

We believe there are potential challenges or unintended consequences for organisations of expanding protections to different groups of volunteers. For example, this could create a 'two tier' approach to protections for volunteers, even within the same organisation, which could feel unfair and be divisive.

### **Considerations for specific organisations**

In terms of whether some types of organisations may be more likely to be adversely affected by the expansion than others, the Government must be mindful of small- and micro-businesses that don't have the sophisticated HR capabilities that large businesses will, and work out how to engage with them on this agenda. Many small businesses are already dealing with a great deal of additional employment costs and a huge amount of employment law changes in the pipeline. Therefore the benefits of imposing further regulatory requirements on them need to be clearly evidenced.

### **45. What evidence is there about other approaches or steps that could be taken to protecting volunteers from experiencing sexual harassment while volunteering?**

If there is a proposal to expand protection to volunteers, there are other approaches in which an expansion of the Equality Act could be achieved without involving blanket protection, such as the distinctions that exist under the National Minimum Wage Act between 'voluntary workers' and other volunteers. For example, a 'voluntary worker' carries out duties under a contract which involves mutuality of obligation [unlike a volunteer] - this could be a useful starting point for applying statutory protection from harassment to the former, as voluntary workers will have a more formal [contractual] obligation to give their time and perform the work.

In terms of other approaches, much more could be done to improve awareness and compliance by employers and create inclusive and respectful work environments to bridge the gap regarding the law and its effective implementation in the workplace in relation to tackling sexual harassment at work. This is also relevant to protecting volunteers.

This could include, for example, practical resources for employers about how to prevent sexual harassment/harassment including for volunteers. It should also make clear that it's not just women who experience sexual harassment and it's not age dependent. The examples need to be inclusive; for example, that sexual harassment experienced by a trans person may be different from that experienced by someone who is not. For volunteers, it should also make clear how they can report incidents or complaints and how organisations could deal with them effectively.

### **46. Do you have evidence on other effective interventions that the government should consider to address the problem of workplace sexual harassment? [Yes, No] [If yes, question 47. If no, skip to question 48]**

Yes

### **47. What evidence is there of other effective interventions the government should consider to address the problem of workplace sexual harassment?**

We need much more focused change at a public policy level, including on enforcement and more awareness by employers of their statutory obligations. Tackling sexual harassment at work requires concerted and robust action on a number of levels, including by regulators.

The culture around enforcement also needs to change so that there is greater awareness by employers of the consequences of not complying with their statutory equality obligations in relation to sexual harassment. We acknowledge the government's proposals for enforcement including the establishment of the Fair Work Agency although this will not include the EHRC within its remit. Bolder and more targeted use of the EHRC's unique enforcement powers, with the necessary additional resourcing, will also be needed to rebalance the enforcement burden away from over-reliance on individuals in relation to sexual harassment.

We also fully agree with the [Women and Equalities Committee](#) during a previous Inquiry, that sexual harassment (and other forms of harassment) merits the HSE's attention. Given the potential impact of harassment and discrimination on people's psychological wellbeing and the HSE's responsibility for ensuring that employers provide healthy and safe working environments, there is a clear overlap with the HSE's enforcement activity.

We welcome the Financial Conduct Authority's (FCA's) focus as a regulator in addressing sexual harassment and misconduct in the industry, including through the role played by the [Senior Managers and Certification Regime](#). The scheme helps to reinforce the need for employers to take a proactive and zero-tolerance approach to prevent and deal with sexual harassment at work, an approach strongly advocated by the CIPD.

### **Transparency, data and reporting**

Greater transparency and stronger corporate governance have an important role to play in how organisations can successfully tackle sexual harassment at work and promote gender-inclusive working environments. Inspiration can be taken from the work we are seeing in this regard to closing the gender pay gap. We note the Government's plans to take forward equality action plans.

There has previously been a proposal to gather regular data from employers on the prevalence and nature of sexual harassment in workplaces. Organisations should definitely consider collecting metrics relating to sexual harassment incidence and action to mitigate it. It's important that employers gather meaningful data to help them understand issues in their particular organisation to improve policy and practice.

We would also support employers being encouraged to publish their sexual harassment policy on their website. As a first step, employers need to have a policy on sexual harassment, or a wider bullying and harassment policy that covers sexual harassment. All employees need to know it exists and how to access it. Publishing the policy on their external website can send a clear signal to all stakeholders, including future employees, about the standard of behaviour expected in the organisation and what won't be tolerated. This is another area where guidance and example policies could be beneficial, especially for those employers without a HR professional.

Other related key policy actions include:

- Narrow the gap between legislative compliance and workplace practice by partnering with organisations like the CIPD, Acas and the EHRC as well as membership organisations representing small businesses, to raise awareness of employers' obligations and to ensure advice and guidance for dealing with bullying and harassment is consistent and accessible, in particular for SMEs.
- Support a 'Know your rights' campaign in partnership with bodies like the CIPD, Acas and Citizens Advice, trade unions, and professional bodies to ensure that the workforce is aware of their rights at work and how to raise issues of concern.
- Take further legal and/or regulatory action to ensure that employers cannot misuse non-disclosure agreements (NDAs) or confidentiality clauses in settlement agreements - these should never be used to silence victims where there are allegations of bullying and harassment.