**Sexual harassment at work: three types of claim v1**



**Pop star Robbie Williams and his wife have been accused of sexual harassment against a former employee. There are numerous situations that could be classified as sexual harassment under UK law, so how can employers ensure they do not face similar claims, asks employment lawyer Beverley Sunderland?**

Robbie Williams and his wife Ayda Field are facing allegations of sexual harassment in the US from a former male assistant who claims he was dismissed after a short period of employment.

He has alleged that Mrs Williams dressed inappropriately and discussed intimate details of her sex life, which made him feel uncomfortable.

The couple have denied the allegations and have said they will “strenuously” defend themselves against the claims.

But what exactly is a sexual harassment claim in the UK? And, given that claims can be made by men or women, job applicants, employees, apprentices and those working under personal service contracts, how can employers avoid one?

Types of sexual harassment at work

There are three types of sexual harassment at work:

1. **Unwanted conduct of a sexual nature**, which has the purpose or effect of violating someone’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Historically, pictures of naked women in the workplace would be a good example, but the modern day equivalent is sexually explicit jokes by email.

Also, inappropriate touching or comments on a female employee’s chest, persistent requests for dates and sexual innuendos have all been found to be sexual harassment.

**2.**  **Sex-related harassment,** which is where there is unwanted conduct related to the person’s gender, which – again – has the purpose or effect of violating their dignity or creating an unpleasant environment.

For example, cases have decided that gossip about the paternity of an unborn child can be harassment on grounds of sex, as could hostile comments about childcare arrangements when a female employee has to constantly leave work early to care for her young children.

Even something such as putting materials up on a high shelf where none of the (naturally shorter) female staff can reach them could be viewed as harassment.

1. **Rejection.** The third type of sexual harassment is if an employee rejects sexual advances or submits to them, and is then treated less favourably by the harasser.

“All of the above situations are extremely serious and employers must make sure that they manage the people and processes involved professionally, legally and sensitively,” says Matthew Chilcott of Consensus HR. “in particular, appropriate [disciplinary and grievance](http://consensushr.com/services/disciplinary-grievance/) procedures should be in place.”

To discuss your own company’s responsibilities in a potential sexual harassment situation, contact Matthew via matthew@consensushr.com or call 01462 621243.

Look our for next week’s [blog](http://consensushr.com/blog/) which will describe how conduct amounts to unlawful sexual harassment.