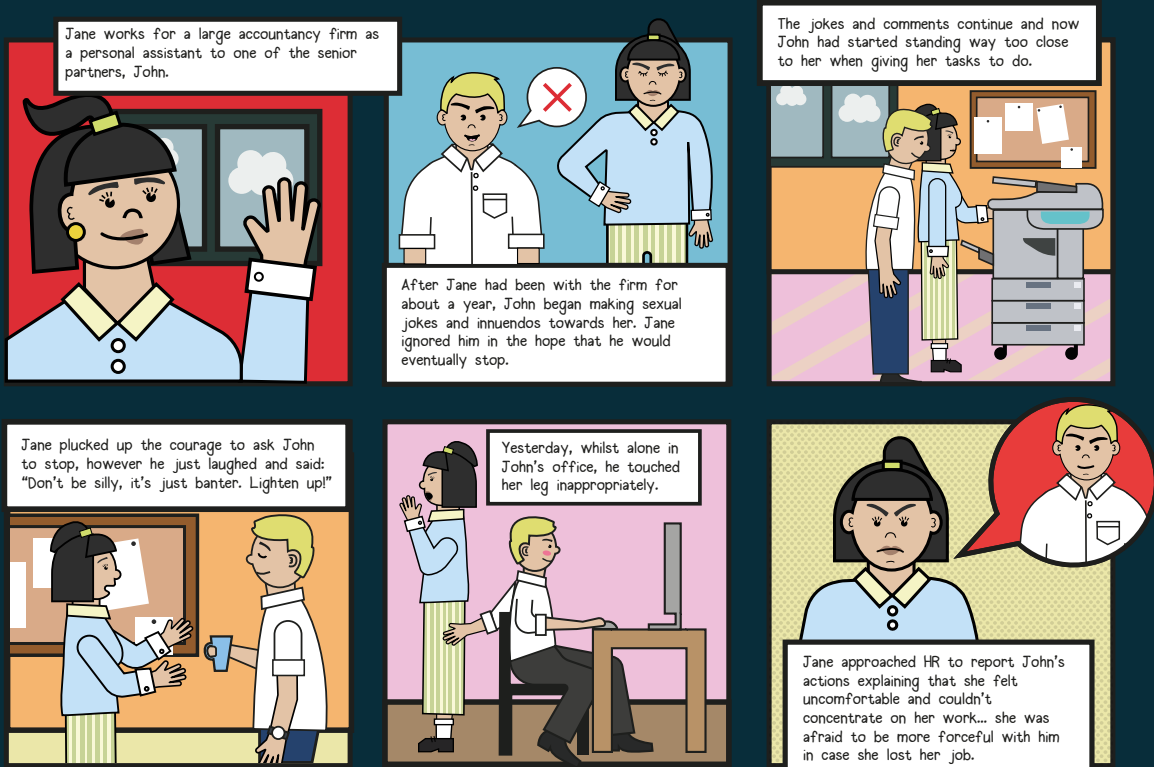
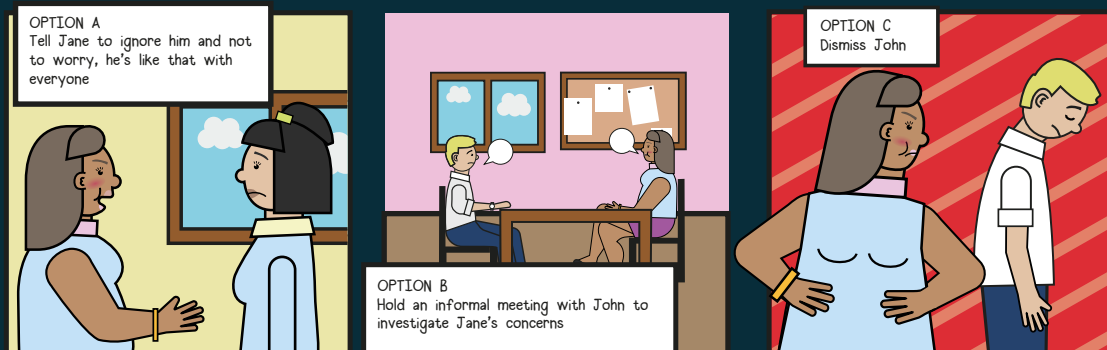


# WHAT WOULD YOU DO?

In light of the recent Harvey Weinstein scandal and #metoo campaign, we look at the best way to deal with a sexual harassment claim in the workplace. If you need further advice, our #LetsTalkHR page holds lots of articles from the SA Law employment team on what to do should a claim arise and how to prevent sexual harassment in the workplace.



## WHAT SHOULD THE BUSINESS DO?



### THE CORRECT APPROACH

#### Option B

John should be invited to an informal meeting to discuss Jane's concerns and should be allowed to present his version of events. John should be told that investigations into Jane's allegations will be carried out and that he will be subject to disciplinary action if the allegations are well founded. Allegations of this nature can amount to gross misconduct so could result in dismissal without notice or payment in lieu of notice - it is important therefore to conduct a thorough investigation.

It is also advisable that the business reviews its harassment policy to ensure that it contains the following:

- A clear statement that sexual harassment will not be tolerated;
- Examples of what might be considered sexual harassment in the workplace;
- Confirmation that employees will be subject to disciplinary action if they harass other employees;
- Details of how employees can make a complaint and how the Business will deal with it;
- An assurance that any complaint will be investigated impartially and discreetly; and
- An assurance that anyone who reports sexual harassment will not be punished (unless it is found to be dishonest).

**#LETSTALKHR**

For more information on the importance of combatting sexual harassment in the workplace, read our article <https://salaw.com/views-insight/chris-cook-how-employers-can-combat-sexual-harassment-in-the-workplace/>

T +44 (0)20 7183 5683  
T +44 (0)1727 798000  
[salaw.com](https://salaw.com)



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