

Status: This version of this provision is prospective.

Changes to legislation: Worker Protection (Amendment of Equality Act 2010) Act 2023, Section 3 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Worker Protection (Amendment of Equality Act 2010) Act 2023

2023 CHAPTER 51

PROSPECTIVE

3 Sexual harassment of employees: compensation uplift **E+W+S**

After section 124 of the Equality Act 2010 insert—

“124A Remedies: compensation uplift in sexual harassment cases

- (1) This section applies where—
 - (a) an employment tribunal has found that there has been a contravention of section 40 (harassment of employees) which involved, to any extent, harassment of the kind described in section 26(2) (sexual harassment), and
 - (b) the tribunal has ordered the respondent to pay compensation to the complainant under section 124(2)(b).
- (2) The tribunal must consider whether and to what extent the respondent has also contravened [section 40A\(1\)](#) (duty to take reasonable steps to prevent harassment of employees).
- (3) If the tribunal is satisfied that the respondent has contravened [section 40A\(1\)](#), it may order the respondent to pay an amount to the complainant (a “compensation uplift”) in addition to the compensation amount determined in accordance with section 124(6).
- (4) The amount of the compensation uplift—
 - (a) must reflect the extent to which, in the tribunal’s opinion, the respondent has contravened [section 40A\(1\)](#), but
 - (b) may be no more than 25% of the amount awarded under section 124(2)(b).”

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Commencement Information

II S. 3 in force at 26.10.2024, see [s. 5\(3\)](#)

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Changes and effects yet to be applied to :

- s. 3 coming into force by [2023 c. 51 s. 5\(3\)](#)