

The dangers of office 'banter'

The legal dangers of making what might be regarded as 'sexist' remarks in the workplace are greater than ever before, following changes to the law that came into force 6 April.

Changes to the Sex Discrimination Act now mean, for example, that men, who are offended by a sexist joke or banter at work, even when no women are present, can bring a claim against both the employer and the person who made the comment.

According to **Claire Bell**, Director at Actons, "I am not expecting a deluge of such cases to reach Employment Tribunals in the near future, but this is certainly a change to the law that all employers and employees need to be aware of. The law has changed to classifying harassment as conduct "relating to their sex or that of another person" which greatly expands its application.

Another important change is that employers are now duty-bound to protect their staff from harassment by customers and the public as well as by their employees. As **Claire Bell** continues, "This will be a particular challenge for employers with public-facing staff like pubs and shops, as well as public sector organisations including benefit offices and schools. As a minimum, we recommend that these carry signs stating they will not tolerate harassment of their staff."

Claire Bell accepts that many businesses might find having to tell their customers and clients to behave themselves an awkward responsibility. "They do need to appreciate, however, that failure to act may end up in compensation claims from their own employees,"

Any business wishing to understand how these changes will affect their business should seek legal advice – please contact Claire Bell on 0115 9 100 200 or email enquiries@actons.co.uk.



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