

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 21 February 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

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\(3\)](#)