CareTutor

Live Webinar

New Harassment Law from 30 October: What Adult Social Care Managers Need to Do Now

4 November 2026 | 11:00 to 11:45 AM GMT

Strengthened employer duties under the Worker Protection (Amendment of Equality Act 2010) Act 2023, in force from 26 October 2024, and Employment Rights Act 2025 ss.20-21.

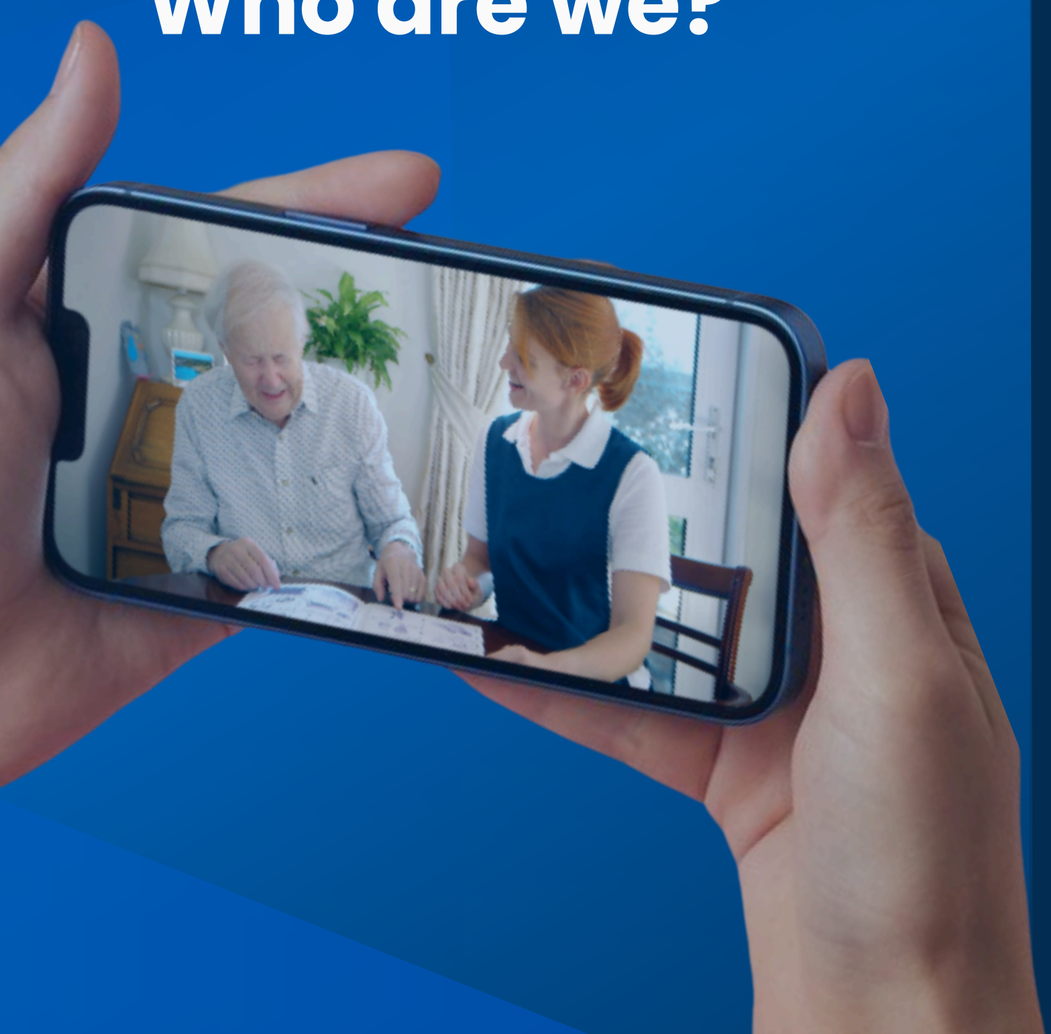


Mark Thomson

Head of Learning and Development
CareTutor

info@caretutor.org | 020 3129 5667 | caretutor.org

Who are we?



CareTutor: More than eLearning. A complete learning and workforce-development solution for adult social care.

✅ **120+ CPD-accredited courses**, with new learning added regularly at no additional cost to clients
✅ Learning that brings care to life, combining professional video, actors, animation, scenarios, activities and knowledge checks
✅ Built with leading subject matter experts and continually reviewed to reflect current practice across **England, Scotland, Wales and Northern Ireland**
✅ **Pathway LMS** with AI Course Builder, gamification, automated learning pathways and instant compliance reporting for managers and senior leaders
✅ **Inclusive learning** for a diverse workforce, with courses available in 40+ languages and an AI Learning Assistant coming soon
✅ Beyond mandatory training, with **Skills for Care quality-assured leadership development**, free educational webinars, TeamTalk microlearning and SmartRefresh
✅ **Bespoke eLearning design**, turning an organisation's own policies, procedures, equipment guidance and specialist subjects into engaging, trackable learning

CareTutor

Why are we discussing this now?

The law changed on 30 October 2026

Stronger prevention duties now apply to employers

From 'reasonable steps' to 'all reasonable steps'

Risks unique to adult social care:

✅ People receiving care, relatives and visitors

✅ Lone working and home visits

✅ External professionals and contractors

✅ Staff safety, dignity and wellbeing are at stake

This session explains what has changed and what you must do now

CareTutor

What will you take away?

By the end of this session, you will be able to:

✅ Explain the changes introduced on 30 October and what they mean for adult social care

✅ Recognise the risks of third-party harassment in your setting, including from people receiving care, relatives, visitors and contractors

✅ Identify practical protections you can put in place to meet the "all reasonable steps" standard

✅ Review your policies, processes and records to ensure they reflect current legal responsibilities

✅ Agree next steps and priority actions to take back to your service after today's session

This session is for managers and senior leaders in adult social care. It is for awareness and guidance purposes. For advice on specific situations, consult your HR, legal or compliance team.

CareTutor

What actually changes on 30 October?

Key legislative changes now in force:

✅ Duty shifts from "reasonable steps" to "all reasonable steps" to prevent sexual harassment
✅ New third - party harassment liability: employers must act on risks from people outside the workforce
✅ Prevention focus: proactive action required before incidents occur
✅ Applies across England, Scotland and Wales

CareTutor

What Behaviour Are We Talking About?

✅ Sexual harassment: unwanted conduct of a sexual nature that violates dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment (Equality Act 2010 s.26).

✅ Examples: unwanted touching, sexual comments, gestures, messages or images.

✅ Third-party harassment can also involve other protected characteristics - e.g. race, disability, age.

✅ Inappropriate behaviour is not automatically unlawful harassment - context, intent and impact all matter.

✅ However, safety and dignity always matter, even where the legal threshold is not met.

Source: *Equality Act 2010 s.26; Acas guidance on harassment at work.*

Who counts as a third party?



Under ERA 2025 s.21, a "third party" is any person who is not the employer or a fellow employee. Employers now have a duty to take all reasonable steps to prevent third-party harassment of their staff.

✅ People receiving care or support - including residents, service users and individuals in supported living or homecare settings
✅ Relatives and visitors - family members, friends or carers who visit or accompany people receiving care
✅ External professionals - GPs, social workers, inspectors, commissioners and other visiting professionals
✅ Contractors and suppliers - maintenance workers, delivery personnel and others attending your premises or services
✅ Members of the public - anyone a worker may encounter in a community, outreach or public-facing role
✅ The definition specifically excludes the employer and fellow employees - separate duties apply to internal harassment under the Equality Act 2010
✅ Acas guidance confirms the duty applies regardless of whether the third party is known to the employer in advance - foreseeability of risk is the key test

Source: Employment Rights Act 2025 s.21; Acas Code of Practice on Harassment (2026)

CareTutor

POLL
Where might the greatest risk arise?

Where could your service face the greatest third-party harassment risk?

✅ People receiving care or support
✅ Relatives and visitors
✅ Lone working or home visits
✅ External professionals or contractors
✅ We have not formally assessed this yet

Every service will have different risks.

CareTutor

Care home scenario



Illustrative scenario, not a legal conclusion:
A resident living with dementia repeatedly makes sexual comments towards a care worker during personal care routines. The worker feels reluctant to continue providing that care.

Consider:

✅ Worker safety, dignity and wellbeing
✅ The resident's condition, history and circumstances
✅ What controls or risk assessments are already in place
✅ What steps could reduce the risk going forward

Understanding the context does not mean accepting the risk.

CareTutor

Understanding behaviour without accepting risk

Context factors to consider:

- Dementia / cognition: understand how condition affects behaviour and awareness
- Communication / distress: is behaviour an expression of unmet need or pain?
- Health / environment: consider medications, setting, triggers and time of day
- Capacity / support needs: assess decision-making capacity and care plan guidance
- Impact and foreseeable risk: how does the behaviour affect staff safety and wellbeing?

UNDERSTAND CONTEXT — PROTECT YOUR STAFF

CareTutor

Homecare scenario



A relative makes repeated inappropriate remarks to the care worker during home visits and contacts the worker outside scheduled visit times. The worker is alone.

What should managers do?

✅ Listen to the worker and record concerns sensitively
✅ Review lone-working arrangements for this visit
✅ Set clear boundaries with the relative
✅ Check existing controls and risk assessments
✅ Consider whether visit arrangements need to change

Note: Illustrative scenario only, not a legal conclusion.

CareTutor

A supported living scenario

Fictional example | Supported living service:

Three residents; staff work alone on most shifts

A resident's frequent visitor makes repeated intrusive comments to staff

✅ Consider the person's rights and independence.

✅ Consider the visitor's role, behaviour and boundaries.

✅ What proportionate controls would you put in place?

ILLUSTRATIVE EXAMPLE

CareTutor

What does "all reasonable steps" mean?

There is no single checklist, it depends on your organisation:

✅ Size and available resources
✅ Setting and nature of the work
✅ Known or foreseeable risks
✅ Preventive measures already in place

The greater the foreseeable risk, the more steps are expected

Source: Acas guidance on the duty to prevent sexual harassment

CareTutor

Five practical steps managers can take

🔍 **Identify:** map where third-party harassment risks exist in your setting.

📋 **Assess:** evaluate likelihood, severity and who may be affected.

🛡️ **Prevent:** put proportionate controls and safe systems in place.

💬 **Communicate:** brief your team, set clear expectations and reporting routes.

🔄 **Review:** revisit regularly; prevention is ongoing, not a one-off task.

CareTutor

What should managers review?

✅ Harassment, equality and lone-working policies: are they current and fit for purpose?

✅ Risk assessments: do they reflect third-party and lone-working risks?

✅ Care and support plans: do they record known behaviours and agreed controls?

✅ Incident records: are concerns being logged consistently and followed up?

✅ Reporting routes: do staff know how to raise concerns and trust they will be acted on?

✅ Decisions and rationale: can you evidence the reasonable steps taken?

CareTutor

When a staff member raises a concern

✅ Listen: Give the person time and space to speak openly
✅ Record: Document sensitively, accurately and promptly
✅ Protect: Take immediate steps to keep the worker safe
✅ Investigate: Act fairly, proportionately and without delay
✅ Act: Reduce the risk: adjust plans, controls or arrangements
✅ Review: Check whether your actions have been effective



Never dismiss concerns as "part of working in care".

CareTutor

The role of training and supervision

Training builds awareness. Supervision and management action embed it.

What training should cover:

✅ Recognise behaviour that may constitute harassment
✅ Understand third-party harassment risks in care settings
✅ Know how and when to report concerns
✅ Be aware of safety actions and available support

What supervision must reinforce:

✅ Check understanding is applied in practice
✅ Create space to raise concerns without fear
✅ Review incidents and near-misses regularly
✅ Confirm staff know what action will be taken

Training alone is not enough. Managers must embed learning through consistent supervision, visible action and a culture where staff feel safe to speak up.

CareTutor

Your 30-day manager action plan

📅 Week 1: Identify risks: map where third-party harassment could occur in your service.
📅 Week 2: Review policies, reporting routes and existing controls.
📅 Week 3: Brief managers and refresh staff awareness across your teams.
📅 Week 4: Confirm action owners and check effectiveness of measures taken.

⚠️ **Address immediate risks now, there is no grace period.**

CareTutor

REFLECT

Three questions to take back to your service:

✅ Where can risks realistically occur in our setting?

✅ Would staff report concerns and trust that action would follow?

✅ Can we explain what prevention steps we have taken and how we know they are effective?

CareTutor

How CareTutor can support your workforce

✅ CareTutor workforce support

✅ eLearning for awareness

✅ Leadership development for manager capability

✅ Pathway for learning records, progress and oversight

✅ Learning complements your policies, staffing, supervision and controls

✅ CareTutor supports your organisation to meet its prevention duties, not as a substitute for management action, but as a foundation for a well-informed, confident workforce.

Visit caretutor.org to find out more.

CareTutor

Questions & Answers

💬 **Please type your questions in the chat now**

Your next steps before you leave today:

✅ **Identify your highest-priority third-party risk areas**

✅ **Assign named owners for each action**

✅ **Set a review date within 30 days**

Key sources:

- *Acas: acas.org.uk/sexual-harassment*
- *legislation.gov.uk :Employment Rights Act 2025 ss.20–21*
- *legislation.gov.uk :SI 2026/1065*
- *Equality Act 2010 s.26*

caretutor.org/contact-sales

CPD MEMBER The CPD Certification Service

Quality Assured Care Learning Government Recommended © Crown Copyright

Social Care PREMIER SUPPLIER AWARDS RECOGNISING EXCELLENCE IN SUPPLIERS TO SOCIAL CARE ★ WINNER ★