



Safeguarding & Worker Protection Act

At Mitie, we believe safeguarding is closely linked to organisational culture, leadership and workforce wellbeing. The Worker Protection Act reinforces the importance of **proactive prevention**, accountability and creating environments where people feel safe, respected and able to speak up.

What is the Worker Protection Act?

The Worker Protection (Amendment of Equality Act 2010) Act 2023 introduces a proactive duty for employers to take reasonable steps to prevent sexual harassment during the course of employment.

Wider legislation and governance increasingly recognises workplace harm as a predictable, preventable organisational risk. Accountability is moving from policy towards evidence that safeguarding measures are operationally effective.

The Act expects organisations to:

- Identify foreseeable risks to colleagues
- Create a safe reporting environment
- Respond consistently and appropriately to concerns
- Prevent harmful behaviours before they escalate

Demonstrate leadership, ownership and accountability

The Act also places a focus on risks from third parties, whether it be customers, contractors, clients, service users or members of the public.

Workplace harm and risks include:

- Sexual harassment
- Abuse of power
- Bullying and intimidation
- Predatory behaviour
- Grooming behaviours
- Boundary violations
- Retaliation against those who speak up
- Unsafe workplace culture

The Act requires organisations to evidence how they prevent harm, rather than simply how they would respond after harm occurs. This includes demonstrating a clear understanding of where safeguarding and behavioural risks exist and how those risks are being managed.



What regulators and stakeholders are looking for

There is increasing focus on whether organisations can demonstrate:

- Clear behavioural expectations
- Effective safeguarding governance
- Senior leader ownership of Act implementation
- Meaningful staff training
- Safe and trusted reporting mechanisms
- Appropriate handling of concerns
- Oversight of behavioural themes, trends and repeat behaviours
- Evidence of organisational learning (from incidents, data and more)
- Prevention-focused culture

Policies alone are unlikely to be viewed as sufficient. Organisations are expected to evidence that protective and responsive arrangements are understood, embedded and operationally effective.

Significance of “reasonable steps”

The legislation does not prescribe a single approach or set of mandatory controls. Instead, organisations are expected to take reasonable, proportionate and preventative steps. These should be based on the nature of the operating environment, business size and sector, and foreseeable risks.

From a safeguarding perspective, organisations should be able to evidence:

- Their highest risk environments
- Safeguarding and behavioural risks
- What mitigations and controls are in place
- How effectiveness is monitored and reviewed
- How leaders maintain oversight and accountability

Common risks

- Customer harassment of frontline staff
- Power imbalances within hierarchical teams
- Risks linked to lone working or unsocial hours
- Inappropriate behaviours normalised within teams
- Contractor and supply chain conduct concerns
- Underreporting due to fear of repercussions

Consequences of inaction

Failure to appropriately identify and manage foreseeable safeguarding risks may contribute to:

- Increased legal and regulatory exposure
- Tribunal and compensation risks
- Reputational harm and stakeholder scrutiny
- Reduced staff confidence and retention
- Poor reporting culture and underreporting
- Governance and assurance concerns

Organisations may find it difficult to defend inaction if risks are found to have been foreseeable, and proportionate, preventative measures could reasonably have been implemented.

How Mitie can support

- Worker Protection Act audits
- Behavioural and cultural risk assessments
- Governance and assurance assessments
- Safeguarding culture reviews
- Risk identification workshops
- Training and capability development
- Safeguarding investigation support
- Executive and Board-level assurance reporting
- Implementation roadmaps and action planning

These interventions are designed to establish clear organisational baselines, identify areas of exposure and support informed, risk-based decision making. Our approach focuses on practical, proportionate and sustainable improvement aligned to operational reality and evolving legislative expectations.

For more information contact

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Let's work together to create safer communities and high-performing places.