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EMPLOYMENT LAW



Christmas parties: top tips for avoiding the HR hangover

Before the party

- Consult staff about what sort of event they would like and how to make it inclusive. Check that staff absent on family or ill health-related leave are invited.
- Risk assess the party venue to ensure inclusive access. Consider the likely higher risks posed by the nature of a social event, including sexual harassment. Consult the EHRC's Sexual Harassment and Harassment at work Technical Guidance.
- Take reasonable steps to remove or reduce the identified risks.
- Ensure equality and anti-harassment policies have been updated and circulated ahead of the party and that staff training (which includes specific examples of unacceptable conduct) has taken place regarding the changes to harassment law which came into force on 30 October 2026.
- Signpost other relevant policies to staff including health and safety, relationships at work, misuse of alcohol and drugs, social media, sickness absence and disciplinary rules, encourage moderate consumption of alcohol and discourage attendance at "after parties".
- Christmas parties and work-related social events are extensions of the workplace and employers must take all reasonable steps to protect staff from conduct from other employees and from third parties they come into contact with. Brief managers on their responsibilities to model appropriate behaviour and intervene where inappropriate behaviour is identified. Managers should also be reminded not to discuss any sensitive issues such as pay and individual performance.

During the party

- Ensure that soft drinks and food are available alongside alcohol and that serving staff are instructed to refuse or limit alcohol where there are any concerns about conduct.
- Consider whether there is a need for security guards and/or sober staff guardian representatives from management. Designate a named management representative as a point of contact for staff on the night.
- Provide information about safe transport options from the party venue. These could include routes to local stations and transport hubs and details of approved taxi companies.
- If a problem arises on the night, ensure staff members are safe and have transport home. Don't make any snap decisions there and then, for example in relation to suspension or disciplinary sanctions – deal with it when everyone has a clear head the next morning.

After the party

- If a conduct-related incident occurs at the party, discourage staff from discussing in person and/or online due to confidentiality issues.
- Deal with complaints quickly under your workplace policies and procedures. A failure to do so could jeopardise compliance with the duty to prevent sexual harassment and your ability to rely upon an "all reasonable steps" defence.
- Take steps to support both those raising complaints of sexual harassment and any witnesses.
- Where necessary, take disciplinary action, bearing in mind all the usual rules about investigating carefully and running a fair process. Act quickly to secure any evidence such as CCTV recordings or interviews with witnesses. Take legal advice.
- If your organisation is in a regulated sector, consider whether, and when, a report should be made to your regulatory body.
- If potentially criminal conduct is identified, consider whether you need to involve the police. Take legal advice.

And most importantly.... don't forget to have fun!

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