

# **Not part of the job**

**Young workers' experiences of third-party harassment: polling and survey findings**

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## Executive summary

No one should be subject to harassment, abuse or violence at any time, let alone while at work. Yet, in 2018, half of workers have experienced either bullying, sexual harassment, verbal abuse, physical assault, or a combination of these at work.

And while workers of any age can be the target of workplace harassment, abuse or violence, young workers are disproportionately more likely to be the victim of these behaviours. This is due to the sectors they tend to work in, the likely more junior positions they occupy in a workplace and their relatively weak position in the labour market – affected by low pay, insecure work and a lack of opportunity to progress.

Young workers are overrepresented in public-facing jobs, and are more likely to be working in caring, sales and elementary occupations than older workers. Therefore, they are more likely to be the victim of harassment, abuse or violence committed by a customer, client, patient, member of the public or a business contact (a “third-party”) than any other age group. We polled over 4500 workers and over one third (36 per cent) of 18 to 34-year olds who have been subject to some form of harassment, abuse or violence at work told us the most recent form of harassment they experienced was from a third-party.

This report gives a voice to these young workers – their testimonies are included throughout this report. They go to work every day, often over the weekend, only to face harassment, abuse - and sometimes violence – from the people they are trying to assist, to serve, and to care for. As well as the poll, we surveyed over 400 young workers aged 16 to 34 who had been subject to some form of third-party harassment, abuse or violence, asking about their experiences of reporting it to their employer – if they did report it – and the impact these behaviours had on them and their attitude to work. We found that, of the young workers who reported the harassment, abuse or violence to their employer, over three-quarters (76 per cent) said nothing changed, or the situation got worse.

Being subject to verbal abuse from third-parties is a very significant issue for young workers. 85 per cent of young workers who responded to the poll that had experienced some form of harassment, abuse or violence from third-parties told us they had experienced verbal abuse. And over three in five (62 per cent) of the young workers we surveyed said the same.

Another shocking finding was the volume and frequency of third-party harassment for young workers. We found that 70 per cent of those who experienced verbal abuse from third-parties have been subjected to it three or more times. There are similarly high figures for bullying and for sexual harassment too - 63 per cent and 57 per cent respectively. Half of the young workers who experienced physical assault or violence from a third-party have been subjected to it three or more times. Survey respondents told us of “constant” and “daily” abuse, ranging from one-off customers to repeat offenders, with employers failing to intervene or protect them time and time again, even when the behaviour was reported.

Fewer than half of young people whose most recent experience of harassment, abuse or violence was from a third-party reported the incident to their employer. Our findings tell us why young workers do not report it – from concerns about the impact on their relationships at work (42 per cent), not thinking they would be believed or taken seriously (37 per cent) to the fear of being blamed (18 per cent).

But the negative impacts on young workers and their attitude to work as a result are significant. Nearly two in five (38 per cent) said the experience made them feel less confident at work, 37 per cent said it had a negative impact on their mental health, and 22 per cent said it made them want to leave their job, but they were unable to.

These experiences of harassment, abuse and violence at work – combined with a rise in insecure work and stagnating wages - is taking its toll on young workers. The government must do more to ensure employers understand their duties to protect workers. It's not just about dealing with incidences more effectively, but includes preventing the harassment, abuse or violence from happening in the first place. And employers must adopt a zero-tolerance approach to all forms of bullying, harassment and abuse, and work with unions to strengthen policies and procedures that will properly protect everyone at work.

## **Our recommendations**

### **Government**

- Strengthen legislation to tackle third party harassment
- Statutory employment rights for young workers
- Strengthen the role of enforcement bodies

### **Employers**

- Strengthen harassment prevention policies
- Adopt a zero-tolerance approach to all forms of harassment, abuse and violence
- Provide comprehensive training for all managers and supervisors to ensure proper support for staff
- Work in partnership with unions to agree policies, procedures and training

### **Trade unions**

- Run workplace campaigns and organising
- Negotiate robust workplace policies
- Training for reps

## Introduction

### What do we mean by third-party?

A third party refers to someone who a worker interacts with as part of their job but who is not employed by the same employer as them. Some examples are:

- Customer – such as in a shop, a restaurant, a train passenger or a hotel guest
- Client – such as in a meeting, or when visiting someone's home to care for them
- Patient – such as in a hospital
- Business contact – such as in a meeting or at a conference
- Any non-directly employed staff, such as contractors or agency workers

### What do we know about third-party harassment?

Harassment is where someone's behaviour is meant to or has the effect of either: violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Employers who fail to protect their employees from harassment in their workplace are breaking the law. All employers have a duty to ensure the health, safety and welfare of their employees, which includes preventing bullying, harassment and violence.<sup>1</sup> This is the case for any risk to an employee's health and safety at work. An employer should act to protect a member of staff who is being harassed by a third-party the same way as if they are being harassed by a colleague. However, some employers don't understand what their duties are and use the confusion as an excuse to do nothing. Other employers do know what their duties are, and still do nothing.

The harassment can take many forms: physical or verbal abuse, stalking, creating an intimidating environment, e.g. the display and/or sharing of offensive images. Third-party harassment, like any form of workplace harassment, can take place in the workplace as well as on site visits, on social media and forms of online communication such as emails, texts and messaging services, or during away days and social events arranged by the employer.

If the harassment is based on a person's sex, race, religion, sexual orientation, disability, gender reassignment, pregnancy and/or age, then an employer may be in breach of the

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<sup>1</sup> Health and Safety at Work Act, 1974

Equality Act 2010. Causing a person harassment, alarm or distress can be a criminal act and in certain circumstances the police can charge the harasser with a criminal offence.<sup>2</sup>

Previous TUC research into bullying, harassment and discrimination at work has provided important information about the prevalence of harassment by third-parties. In 2016, seven per cent of women who had experienced sexual harassment at work reported that the perpetrator was a third party.<sup>3</sup> Breaking this down by sector, eleven per cent of women in retail and nine per cent of women in medical and health services reported that the perpetrator was a client or customer. There was also some variation by age with younger women being more likely (13 per cent) to be harassed by a third-party.

Our 2017 report about the experiences of racism and discrimination at work found that, for BME workers who had experienced verbal abuse, nearly one quarter (24 per cent) was perpetrated by a customer, client or patient.<sup>4</sup> 25 per cent of racist remarks, opinions or jokes directed at BME workers was from a customer, client or patient. Third-parties were the second most common perpetrator of assault or physical violence, reported by 23 per cent of respondents who had experienced it.

Our 2017 survey into the experiences of LGBT+ workers showed that almost 15 per cent of respondents who experienced discrimination at work said that this came from a client or patient.<sup>5</sup> Many respondents said they would like to see clearer policies because the absence of guidance leaves them open to discrimination.

All the reports found that in cases where the perpetrator of harassment or discrimination is not an employee, victims may be more reluctant to report the incident because there is a perception that it will not be dealt with in the same way as it would be if the perpetrator were another employee.

Evidence suggests that harassment from third-parties is getting worse. Usdaw, which represents over 430,000 workers, mostly working in retail, surveys its members annually to find out about incidences of violence and abuse from customers. The latest survey found that two-thirds of shop workers were verbally abused last year, 42 per cent were threatened and there were over 265 assaults every day. This represented a 25 per cent increase in abuse and a staggering 38 per cent increase in assaults and threats from the previous year.<sup>6</sup>

## Why we spoke to young workers

A worker of any age can be a victim of harassment, abuse and bullying at work. This report does not seek to show that young workers are the sole victims of these behaviours. However, young workers as a group are disproportionately impacted by harassment, abuse and bullying at work due to the sectors they work in and their relatively weak position in the labour market. Workers who interact with the public as part of their job are – by default

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<sup>2</sup> Under the Protection from Harassment Act 1997, victims of harassment can seek civil injunctions against behaviour that causes distress

<sup>3</sup> TUC, 2016. *Still Just a Bit of Banter? Sexual harassment in the workplace in 2016.*

<sup>4</sup> TUC, 2017. *Is Racism Real? A report about the experiences of Black and minority ethnic workers.*

<sup>5</sup> TUC, 2017. *The Cost of Being Out at Work: LGBT+ workers' experiences of harassment and discrimination.*

<sup>6</sup> Usdaw, 2017. *Freedom from Fear: Surveys of violence and abuse against shop staff in 2017*

– far more likely to experience harassment, abuse or violence from the public than those who do not interact with the public. Wholesale, retail and the motor trade accounts for nearly one in six employees in the 21 to 30-year-old age group, for example, and the hotel and restaurant industry has seen an 80 per cent increase of employees in this age group over the past two decades.<sup>7</sup> Labour Force Survey figures show that over one third of workers in this age group are in caring, sales and elementary roles, compared with one quarter of workers aged 31 and over,<sup>8</sup> jobs which are likely to involve interaction with customers, clients, patients and other third-parties.

Young workers tend to hold a much weaker position in the labour market than older workers and are overrepresented in insecure work.<sup>9</sup> Previous TUC research has found that 40 per cent of workers on agency contracts or in casual work are aged 16-24,<sup>10</sup> and over half of those on zero-hour contracts are under 34 years old – with most aged 16 to 24.<sup>11</sup> In addition to this, median pay for a zero-hours contract worker is a third (£3.50) less an hour than for an average employee.<sup>12</sup> Insecure work often comes with a significant loss of workplace rights, such as the right to return to paid work after maternity leave or rights to union representation, as well as worries about pay, working hours and short-notice cancellation of shifts.<sup>13</sup>

This overrepresentation in public facing roles, job insecurity, and lack of workplace rights are important factors when considering young workers' experiences of third-party harassment and their ability to report or to not report it to their employer.

## Methodology

The TUC gauged the impact of third-party harassment on young workers through polling through YouGov and a survey of mainly young trade union members to capture their experiences, and in order to get a clearer picture of the scale and frequency of harassment at work. The key themes across the polling and the survey are highlighted in this report.

### Polling

The TUC commissioned a poll of 4660 workers carried out between 20th – 26th November 2018<sup>14</sup> about their experiences of bullying, harassment and violence at work. 1411 of these were aged 18 to 34 (30 per cent)<sup>15</sup>. Of these, 261 reported that they had experienced some form of harassment, abuse or violence from a third-party at work.

The poll asked respondents about their experiences of bullying, sexual harassment, verbal abuse and physical assault or violence (type, frequency, perpetrator), how recently they had

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<sup>7</sup> TUC, 2018. *Stuck at the Start: young workers' experiences of pay and progression*.

<sup>8</sup> Labour Force Survey, September – December 2017 (ONS)

<sup>9</sup> The TUC defines insecure work as: zero-hours contract workers, agency, casual and seasonal workers (but not those on insecure contracts), and low-paid self-employed workers.

<sup>10</sup> TUC, January 2018. *Living on the Edge: Experiencing workplace insecurity in the UK*.

<sup>11</sup> Labour Force Survey, April – June 2018 (ONS)

<sup>12</sup> TUC, March 2017. *Zero-hours contracts allows bosses to treat workers like "disposable labour"*

<sup>13</sup> TUC, June 2017. *The Gig Is Up: Trade unions tackling insecure work*.

<sup>14</sup> YouGov, November 2018

<sup>15</sup> This report references this age group as "young workers" when reporting on the polling findings

experienced it, whether they reported the most recent experience, the reasons why they did not report, and the impacts the incident or incidences have had on them and their work.

## Survey

In a TUC survey carried out in August 2018, we asked 16 to 35-year-olds about their experiences of third-party harassment. The survey asked respondents about their age, sector, contract type, trade union membership, incidence of harassment, the perpetrator of the harassment, whether they reported the incident or incidences to their employer, whether the situation got better, got worse or stayed the same as a result of reporting it, and the impacts the incident or incidences have had on them and their work. The TUC received 464 responses, 408 of which were specifically about third-party harassment, abuse or violence.

The TUC cascaded the survey via its affiliated members, who encouraged further participation from their young member structures. This led to a disproportionate number of respondents who reported third-party harassment being trade union members – nearly 90 per cent of the 408 survey responses. The number of 16 to 35-year-old employees who are members of a trade union or staff association is 15.1 per cent,<sup>16</sup> with higher trade union membership in the public sector and amongst larger employers. Therefore, the survey disproportionately represents the experiences of young trade union members. It is likely that the trade unions that have undertaken campaigns on this issue promoted the survey to its members.

Nearly 80 per cent of the survey respondents reported that they work in retail (excluding wholesale and motor trade) – again, reflecting the channels by which the survey was publicised. Due to the overrepresentation of young retail workers in the survey, nearly 88 per cent of respondents reported a customer as the main perpetrator of third-party harassment. The job titles, industries and age brackets reported by survey respondents can be found alongside their testimonies.

The survey is therefore not a representative sample of the experiences of young workers. Instead it aimed to capture the testimonies of young workers who had experienced third-party harassment, abuse or violence, particularly their experience of reporting or not reporting it to their employer, and the impact this had on them.

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<sup>16</sup> Labour Force Survey, September – December 2017 (ONS) and Trade Union Statistics 2017 (BEIS)



Section two

## What does third-party harassment look like?

This section looks at what the polling and survey findings tell us about the forms, frequency and perpetrators of third-party harassment, abuse and violence, as well as some contributing factors identified in the survey.

### Forms of harassment

Young workers told us that the most common form of third-party harassment that they have experienced is verbal abuse.<sup>17</sup> 85 per cent of young workers who have experienced third-party harassment have been subjected to verbal abuse, 47 per cent have been subjected to bullying, 40 per cent have been subjected to sexual harassment and 26 per cent have been subjected to an incident of assault or physical violence.

We also asked young workers that had experienced harassment, abuse and/or violence from third-parties about their most recent experience of these behaviours. 62 per cent of the behaviours that young workers had experienced from a third-party was verbal abuse; 13 per cent was sexual harassment, 12 per cent was bullying and 5 per cent was an incident of assault or physical violence.<sup>18</sup>

The most common form of harassment, abuse or violence that the survey respondents reported was verbal abuse (47 per cent), followed by sexual harassment (32 per cent) and name calling/swearing (19 per cent).<sup>19</sup> Over 10 per cent reported physical attacks, and around 5 per cent reported third-parties demanding their personal details. Respondents also reported experiencing racist, homophobic and transphobic discrimination, as well as harassment and abuse due to a disability.

*“[I am] called slow, incompetent, stupid because I cannot do things as quickly as others due to [my] disability, and also [the] restrictions from systems and processes.”*

*Assistant manager, banking, aged 26 – 30*

There were several examples where third-parties exploited the power dynamic in a customer / worker relationship, using perceived characteristics of the young worker to belittle, undermine and abuse them to get their way.

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<sup>17</sup> This is based on a sample of 261 people aged 18-34, who are in work and have experienced bullying, sexual harassment, verbal abuse and/or physical assault or violence from a third-party.

<sup>18</sup> Remaining responses included “none of these”, “can’t recall” or “prefer not to say”.

<sup>19</sup> Incidences of third-party harassment can contain a combination of behaviours, for e.g. both verbal abuse and sexual harassment. For this purpose, we have counted the incidences by the number of different types of harassment, rather than per incident.

*“After asking for ID, the customer became very aggressive and verbally abusive. They picked on my height, weight, appearance and intelligence. They also assumed my age to be younger than them and talked down to me like a small child.”*

*Sales assistant, retail, aged 22 – 25*

Harassment and abuse can also take place online. Teachers who responded to the survey highlighted parents who would harass them via email during holidays and over the weekends. There were examples of retail workers who were harassed by customers on social media and outside of their working hours.

*“[Customers] being verbally abusive and saying how a woman can't do the job as well as a man. I have also been harassed on social media by customers who have gained access to my full name.”*

*Customer assistant, retail, aged 26 – 30*

### **Sexual harassment**

Sexual harassment is a common theme in the survey responses. Nearly one third (32 per cent) of survey responses reported sexual harassment.<sup>20</sup> The harassment ranged from groping young workers' bodies, attempting to kiss them and other inappropriate touching, to making sexual gestures or innuendo, commenting on their body, making indecent remarks and sexually propositioning them, to following them around a shop or repeatedly calling them at work. This is not an exhaustive list of behaviours that were reported.

Most of these incidents, while in a public place, took place when the young worker and a customer were often away from other colleagues or senior staff members, for example, on the shop floor, on checkout tills or over the phone.

*“One time I really remember is when I was serving an older gentleman who was buying underwear, he said he would love to see me in them.”*

*Customer assistant, retail, aged 18 – 21*

Many of the young workers who reported sexual harassment listed incidents from several different third-parties as part of the same job, whereas some talked about repeat offenders that were not dealt with.

*“An elderly male photographed me as I was working, which involves me bending over at times. A man wolf whistled at me and told me he loved to see a woman on her knees as I was stocking a bottom shelf. An elderly man kept complimenting my body, such as telling me to look into his eyes [so he could] admire my eye colour.”*

*Customer assistant, retail, aged 18 – 21*

Some incidences were witnessed by other colleagues or the employer. However, this did not necessarily mean that the sexual harassment was dealt with by the employer.

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<sup>20</sup> Responses to the free-text box question “Please tell us about your experience of third-party harassment at work”.

*“Customers sexually harassing staff members and myself whilst drunk. It also occurs when they are sober. It happens every time I work. My managers think it’s funny.”*

*Customer service assistant, retail, aged 18 – 21*

### **Stalking**

Stalking by a third-party was reported by several respondents. Stalking is a criminal offence in England, Wales and Scotland.<sup>21</sup> One respondent reported that she contacted the police after her employer’s failure to try to prevent the stalking. One respondent told us about a perpetrator repeatedly taking photos of their colleague. Another disclosed being harassed and stalked by a customer who sent letters to her workplace. Stalking was just one of many incidences of sexual harassment and threats of violence made against her at work.

*“Customer groped me. Customers on multiple occasions made suggestive innuendo about my body. Customer threatened to attack me. Customer stalked me for over a year, sending letters and harassing me at work.”*

*Customer services assistant, retail, aged 26 – 30*

Some incidences involved the perpetrator approaching the young worker whilst undertaking their job, for example, where the young worker is unable to leave the workplace or the area which they have been instructed to work in.

*“A male customer would visit [the shop] around 4 times a day and would harass me and other young girls. He would walk around the store until he spotted me... If I was with another customer, he would walk around my location until they left when he would then approach [me]. At first it was general chit chat, but then as I began feeling like he was stalking me around the shop his actions would become worse.”*

*Customer assistant, retail, aged 18 - 21*

This incident was reported to the employer by the young worker and her colleagues on multiple occasions over the course of a year. Action was taken by the employer following the customer groping and attempting to kiss members of staff. The employer spoke to the customer about his behaviour, but he still frequents the shop.

### **Frequency of harassment**

One of the strongest and most shocking themes across both the polling and the survey was the frequency of third-party harassment for young workers. According to the polling, for every type of third-party harassment, abuse or violence that young workers experienced, at least half have been subjected to the behaviour three or more times. 70 per cent of those who experienced verbal abuse from third-parties were subjected to it three or more times; this figure is 63 per cent for bullying and 57 per cent for sexual harassment respectively. Even 50 per cent of young workers who experienced physical assault or violence from a third-party were subjected to it three or more times.

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<sup>21</sup> See <https://www.cps.gov.uk/legal-guidance/stalking-and-harassment> and <http://www.legislation.gov.uk/asp/2010/13/section/39/enacted>

We also asked young workers about how recently they'd experienced harassment, abuse or violence from a third-party. Nearly two thirds (64 per cent) who had experienced verbal abuse from a third-party had experienced it within the last 12 months. This figure is 36 per cent for those who experienced bullying, 46 per cent of those who experienced sexual harassment from a third-party, and 47 per cent of those who experienced physical assault or violence, did so within the last 12 months.

*“Not a day goes by when I’m not called names by old men, usually ‘baby’ or ‘pretty’ etc, little do they know I am underage, and it is extremely uncomfortable.”*

*On-call customer service assistant, financial intermediation, aged 16 – 17*

The survey respondents told us about the constant, very often daily, occurrences of harassment, from both “one-off” customers as well as “repeat offenders”. Over half of respondents to the survey reported that they had experienced harassment, abuse or violence from a third party two or more times (52 per cent), with 30 per cent telling us they had experienced it more than three times. One in six told us the harassment, abuse or violence is still ongoing.

*“[I am] constantly being sworn at by customers for no reason, also being called racial slurs.... I’ve witnessed people being hit.”*

*Customer sales assistant, retail, aged 18 – 21*

## **Perpetrators of harassment**

Of the young people who have experienced harassment, abuse or violence at some point at work<sup>22</sup>, over one third told us the perpetrators had been a third-party. Of these respondents, over half (54 per cent) told us they had most recently experienced one or more of these behaviours from a customer. Nearly one quarter (23 per cent) said the perpetrator was a member of the public.

*“I’ve been told by customers that my voice sounds sexy and they would love to see me in person [...] I have also been in situations where the customer was shouting at me and calling me abusive names and swearing at me.”*

*Customer advisor, banking, aged 18 – 21*

Over 87 per cent of survey respondents reported that the perpetrator of harassment, abuse or violence was a customer. This is expected given that almost 80 per cent of survey respondents work in the retail sector. Other perpetrators were contractors, clients, business contacts, pupils and the parents of pupils.

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<sup>22</sup> The total number of respondents to the polling aged 18-34 was 1411. 47 per cent have experienced some form of bullying, sexual harassment, verbal abuse and/or physical assault or violence at work, or a combination of these.

*“[I receive] repeated humiliating comments related to gender from contractors, use of offensive language related to gender by consultants.”*

*Building surveyor, construction, aged 31 - 35*

## **Factors in harassment**

All workers whose job requires interaction with the public or third-parties are by default at a higher risk of experiencing harassment, abuse or violence from third-parties. Some of the survey respondents reported certain factors about their job that can further heighten the risk of harassment, abuse or violence from a third-party.

### **Working alone**

While not many of the young workers who responded to the survey can be categorised as a lone worker,<sup>23</sup> several respondents reported incidents that occurred when they were working on their own, either temporarily or for an extended period.

*“I have been spat at, shouted at and pushed by customers on different occasions while lone working. This has happened several times over the last year.”*

*Store manager, retail, aged 22 – 25*

### **Alcohol**

Third-parties who had consumed alcohol were a particular risk to young workers – five per cent of survey respondents reported it as a contributing factor to the harassment, abuse or violence they experienced. Several young workers reported that the abuse was triggered by refusing the sale of alcohol due to a customer’s inebriation.

*“[I] refused to serve 3 men due to the fact one of them was obviously drunk. They were extremely hostile and abusive, they cornered me and verbally abused me and were very threatening about physical violence and shoplifting if I didn’t serve them.”*

*Cashier, retail, aged 22 - 25*

The risk of harassment, abuse or violence was further exacerbated for young workers who worked over the weekend or late at night.

*“Drunk late-night weekend passengers that end up fighting both with each other and staff who try to diffuse situations. I’ve had homophobic abuse launched at me, for doing the most basic of tasks such as collecting revenue or asking someone to stand back behind the yellow line.”*

*Train driver, transport, aged 26 – 30*

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<sup>23</sup> The HSE defines lone workers as “those who work by themselves without close or direct supervision.”

Section three

## Experiences of reporting third-party harassment

This section looks at some of the key themes that impact on a young workers' decision to report or not to report the harassment, abuse or violence to their employer.

### Reporting rates

Less than half (49 per cent) of young workers that had experienced third-party harassment, abuse or violence reported the most recent incident they experienced to their employer. Nearly two thirds of those we surveyed reported at least one incident of harassment, abuse or violence to their employer.<sup>24</sup> While this is a higher figure than the polling, it is still a low figure given the frequency of incidences highlighted in section two.

### Employer attitudes

There were several responses where a young worker reported the harassment, abuse or violence, and their manager or supervisor dismissed it, reduced it or laughed it off. The report was not escalated further in these instances.

*“Managers didn’t seem to care. A lot of them laugh it off because they see it as a joke. Within 2 years, I’ve lost count of how many times I’ve been harassed.”*

*Grocery replenishment associate, retail, aged 18 – 21*

A significant number of young workers reported harassment, abuse or violence from third-parties multiple times, yet reporting it did not necessarily lead to action. Some young workers were explicitly told no action would be taken due to the relationship between the employer and the customer/s. A perpetrator’s financial support of the business was cited as a reason for not dealing with incidences by several employers.

*“Me and other staff members reported him to multiple managers over the year (or possibly longer), nothing was done as he was a “regular customer”.”*

*Customer assistant, retail, aged 18 – 21*

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<sup>24</sup> Responses to the free-text box question “Did you report it to someone at work eg. a manager or supervisor?”

## Nothing changed

According to the polling, only 54 per cent of young workers who reported their most recent experience of harassment, abuse or violence by a third-party told us that their employer dealt with it in a satisfactory way.

The survey also asked the young workers who reported the harassment, abuse or violence to their employer (265 total) what happened following their report.<sup>25</sup> Over three-quarters (76 per cent) reported that there was no change, or that the harassment got worse.

*“The last time I reported an incident of a customer harassing me (he spat in my face and pushed me because I wouldn’t give him a discount), my line manager told me to take ten minutes and then get back to work. I was six months pregnant and working on my own. I was really scared the customer would come back again.”*

*Store manager, retail, aged 22 – 25*

It is not the case that the employer chooses not to act once they are made aware of the harassment; some try to address it directly with the third-party, but this does not guarantee an end to the harassment, abuse or violence.

*“After reporting it to management the individual still continues to come into the store and not only cause issues for myself but other staff members too.”*

*Customer assistant, retail, aged 18 – 21*

## It’s part of the job

In many cases, the lack of change as a result of reporting an incident to the employer in the past led some young workers to stop reporting incidences altogether. This feeling of futility about anything changing was reflected in several comments from the survey, focusing on the need for the individual to change their attitude to the harassment, abuse or violence, viewing that as an easier option than the employer preventing it from happening.

*“[Y]ou just have to learn to accept it and move on. Nothing will change as far as this issue is concerned. “The customer is always right”.”*

*Trolley attendant, retail, aged 18 – 21*

Other young workers told us that their acceptance of the harassment, abuse and violence was down to the employer’s unwillingness to tackle the issue and blaming the young worker instead.

*“There is no point, “the customer is always right” and it would be seen as “exacerbating things”.”*

*Café assistant, restaurants and catering, aged 22 – 25*

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<sup>25</sup> Responses to the multiple-choice question “If you reported the harassment to someone at work, did the harassment: get better / get worse / stay the same”

## No one would believe me

Some survey responses demonstrated that this attitude had stemmed from negative experiences of reporting incidences to the employer in the past.

*“I didn't go to my boss [senior manager] as previous experiences... [showed me that he believed] the harassment we were making him aware of was overexaggerated... he has also made previous remarks about how he doesn't believe in sexual harassment.”*

*Customer assistant, retail, aged 22 – 25*

A handful of respondents told us they did not report the harassment, abuse or violence to their employer because they thought their employer would simply not believe the scale at which it is happening.

*“[I] feel like nobody would believe [me] if it happened more than once.”*

*Checkout assistant, retail, aged 18 – 21*

## Dealing with abusive third parties

The survey provided *some* examples of employers *taking* appropriate action which ended the harassment, abuse or violence. Over one fifth (23 per cent) of respondents who reported the incident or incidences to their employer said that things got better after they reported it.

Several employers made changes to ensure that either all employees or a specific worker would be accompanied on the way to or from their work premises by the employer or a security guard to prevent harassment, abuse or violence from third-parties before or after the young workers' shift.

*“[My employer] allowed security to meet me near the premises when I got off public transport and allowed them to escort me to the bus again and wait with me.”*

*Customer assistant, retail, aged 18 – 21*

Other employers demonstrated a zero-tolerance approach and a duty of care towards both their workers and other members of the public, including provisions to prevent harassment, abuse or violence when lone working and travelling to or from work.

*“There was one male customer that came in and touched other female customers bottoms and he got banned after it was reported to the manager... my manager ensures that we all get home safe and are never alone because [the customer] is sometimes lingering outside the shop at close.”*

*General assistant, retail, aged 18 - 21*



Section four

## Impact on young workers

The impact that harassment, abuse and violence have on workers – from third-parties or otherwise – is varied. This section highlights the key findings from the survey and polling.

### Safety and dignity

Nearly one third (31 per cent) of the young workers we polled said the most recent incident of third-party harassment, abuse or violence made them feel embarrassed. This rises to nearly two in five (39 per cent) of young women.

A negative impact on young workers' safety and dignity – such as feeling unsafe, vulnerable, and embarrassed – was reported by over one quarter (26 per cent) of survey respondents.

*“I felt uncomfortable, I didn’t want to come to work... I felt like I had to put up with it because it was my job and he was a customer.”*

*Customer assistant, retail, aged 18 – 21*

These feelings had an impact on how the young worker felt about their employer, too.

*“[I felt] like my store didn’t care about my safety. I feel the police should have been contacted but they never were.”*

*Customer service desk assistant, retail, aged 22 – 25*

### Frustration, fear and stress

Anger, fear and stress were other significant impacts that were reported by young workers. Nearly two in five (38 per cent) of the young workers we polled said the most recent incident of third-party harassment, abuse or violence made them feel less confident at work. This figure is 45 per cent for young women.

There was an acknowledgement from some survey respondents that the situation was unfair and that the employer should do more to prevent the harassment, abuse or violence.

*“[The harassment makes me feel] frustrated because we shouldn’t have to deal with abusive customers, the company should cease trading with repeat offenders. We don’t get paid enough to deal with it.”*

*Credit controller, financial intermediation, aged 26 – 30*

Young workers also talked about the fear of the harassment, abuse or violence happening again, believing the employer is unable or unwilling to put a stop to it. The long-term consequences of this stress and worry could be very demoralising as well as negatively impact the wellbeing of the young workers.

*“It caused unnecessary stress, having to worry about the affect it had on my baby, I was very anxious about coming into work and somewhat depressed for the following days. I now worry every time I go to work in fear of another difficult customer and being told I have to put up with it again.”*

*Customer assistant, retail, aged 18 -21*

## **It’s my fault**

Some young workers told us that they sometimes blamed themselves for the harassment, abuse and violence, particularly in instances where the employer has been unsympathetic once they are made aware of the harassment, abuse or violence.

*“[I felt] like I was to blame for the business’ policies, and that my body is indecent even when my uniform covers it.”*

*Customer assistant, retail, aged 18 – 21*

This in turn impacted on the young workers’ sense of self-worth, causing them to doubt their actions.

*“[The abuse] has completely ruined my self-image as it is ongoing and is making me believe I am the one in the wrong.”*

*Customer assistant, retail, aged 18 - 21*

## **Mental health**

The impact on the mental health of the young workers is significant. 37 per cent of young workers polled who had experienced third-party harassment, abuse or violence said the most recent incident had a negative impact on their mental health such as feeling more stressed, anxious, and/or depressed. 45 per cent of young women said it had a negative impact on their mental health.

Over 12 per cent of survey respondents told us the harassment, abuse or violence had a negative impact on their mental health. This was a particular issue for those with pre-existing mental health conditions, which were often exacerbated by the harassment, abuse or violence and the employer’s inadequate action to prevent or deal with it.

*“I suffer from depression and getting daily comments about my weight and the way I look has an impact on my mental health which my work doesn’t care about... [my employer] will punish me if I take a day off due to not being able to handle going in.”*

*Customer assistant, retail, aged 26 – 30*

The long-term nature of some of the harassment, abuse or violence could also be the cause of the deteriorating mental health of some young workers.

*“Harassment from customers has been a contributing factor to my depression and anxiety so much so that I’ve considered quitting my job.”*

*Sales assistant, retail, aged 18 – 21*

## Attitude to work

Incidences of harassment, abuse and violence, whether one off, multiple or ongoing, is having a significant impact on young workers' attitude to their job and their relationship with their employer. Nearly one quarter (23 per cent) of the young workers we polled said the most recent incident of third-party harassment, abuse or violence had a negative impact on their performance at work. Over one in five (22 per cent) said it made them want to leave their job, but they were unable to because of financial or other factors.

*“[O]ver time it builds up and makes you think what's the point, why do I put up with this, I should just quit. And that's not right to feel like that whilst doing a job I otherwise enjoy.”*

*Personal shopper, retail, aged 22 – 25*

Some young workers reported frustration with their employer and how they had (or had not) dealt with the harassment, abuse or violence, recognising that they should not have to put up with it, but without recourse to address it themselves.

*“The employer did nothing. It left me frustrated and unhappy, I was good at my job and deserved better than them ignoring the issue.”*

*Telephone adviser, call centre, aged 26 – 30*

No one should be subject to harassment, abuse or violence of any form, let alone while at work. The polling shows us that, while workers of any age can experience harassment, abuse or violence from third-parties, young workers are disproportionately more likely to be the victim of these behaviours, and the extent to which they experience them at work. The survey respondents told us about employers' poor or non-existent responses to third-party harassment, abuse or violence, the futility many young workers feel about anything changing, and the significant negative impacts the behaviours are having on them and their work.

The government, employers and trade unions can act now to tackle third-party harassment, abuse and violence at work. These interventions can help young workers in particular to work safely and with dignity. The next section outlines our recommendations for action.

## Our recommendations

### Government

The government can act to enshrine protection for workers from third-parties in law and improve the rights of young workers at work.

- Strengthen legislation to tackle third-party harassment. Employers currently have a duty of care for all workers; however, it is not always clear to employers or employees what this means. Reintroducing and strengthening a duty on employers to protect workers from third-party harassment<sup>26</sup> would ensure clear and comprehensive legal protection on the grounds of a protected characteristic, such as sexual harassment.
- Statutory employment rights for workers. All workers should get employee rights from day one of the job. Bosses have the power to fire some workers who make a complaint about harassment if the worker doesn't have a contract with guaranteed hours. Not all workers know about the employer's duty of care or the Equality Act, and so those in insecure work are less likely to report incidences of harassment.
- Strengthen the role of enforcement bodies. There is a clear need for greater enforcement activity by the Equality and Human Rights Commission, the Health and Safety Executive, and the police. The government should ensure these organisations coordinate a proactive response to workplace harassment and are provided with the necessary resources to do this.

### Employers

The survey showed a worrying indifference – and sometimes hostility - from employers about the impact that harassment, abuse and violence can have on workers.

- Strengthen harassment prevention policies. Employers have a legal duty to protect workers from all forms of harassment at work. Employers should act to prevent harassment from occurring, such as carrying out risk assessments for lone working, night working, travelling to and from work and workers opening or closing work premises.
- Adopt a zero-tolerance approach to all forms of harassment, abuse and violence. This should apply to everyone in the workplace, such as colleagues and managers, as well as third-parties. Statements about not tolerating harassment should be visibly displayed, using clear language, so third-parties can understand what action the employer will take if they breach it. Policies and procedures should be clearly communicated to staff,

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<sup>26</sup> Section 40 of the Equality Act 2010 placed a duty of the employer to act where an employee was being harassed by a third-party in certain circumstances. This was repealed in 2013.

including an explanation of their rights under the law, and monitored regularly for effectiveness.

- Provide comprehensive training for all managers and supervisors to ensure proper support for staff. It was clear from the survey that many managers and supervisors did not deal with reports of harassment, abuse or violence from third-parties appropriately. As a bare minimum, reports of harassment, abuse or violence must be taken seriously, and employers should be accountable for following the policies and procedures to prevent it in the future.
- Work in partnership with unions to agree policies, procedures and training. Unions are an appropriate mechanism for employers to ensure robust implementation of new policies and training, gauge staff satisfaction and monitor and measure the effectiveness of any changes.

## Trade unions

The survey found a low reporting rate of harassment, abuse and violence to trade unions. Unions can negotiate better policies and support members to resolve ongoing issues.

- Run workplace campaigns and organising. Trade unions should publicise the support they can offer in all cases of harassment, abuse and violence and proactively target recruitment and organising activities at young workers.
- Negotiate robust workplace policies. Any policy that aims to tackle harassment, abuse or violence should clearly define the behaviours, and recognise the employer's duty to prevent and/or deal with any harassment from third-parties. Unions may want to collect anonymised information about members' experiences of third-party harassment, abuse or violence to help strengthen negotiations with an employer.
- Training for reps. All workers have a role to play in ensuring workplaces are safe places to work. Dealing with any form of harassment – not just from third-parties – is an important part of a reps training. Unions should ensure that reps are up to date with relevant training to ensure unions can sufficiently support members.