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Making sure everyone at the work Christmas party has a good time

Christmas is rolling round again, and with it the round of work 'do's' and Christmas parties. Did you know that work-related outings and parties are legally an extension of the workplace, and employers can be held liable for the actions of staff on a work night out?

This year [we supported a case](#) in which a woman, Shirley Lyons, who worked for Starplan, alleged sexual harassment by male members of staff on their Christmas night out. Starplan ended up paying out almost £19,000 when an Industrial Tribunal found in Ms Lyons' favour.

Employers need to remember that a work party is still work and employers are liable for what happens there. In this case, the employer did not set down any guidelines or instruction for standards of behaviour and a senior person at the party was not formally delegated with responsibility for supervising it.

The situation was compounded when the employer did not act to prevent victimisation by colleagues after Ms Lyons complained about what happened.

By failing to protect Ms Lyons at a work event, and afterwards to protect her from victimisation, her employer breached its duty of trust and confidence to her. When she resigned as a result of this breach, the Tribunal was satisfied that her dismissal was therefore unfair.

The Equality Commission advises employers to think carefully about their Christmas events and think about it in terms of a risk assessment. An employer should make sure events are inclusive, with everyone invited, including for example non-Christians and those on maternity and paternity leave, and make sure that it is clear to all employees what is acceptable behaviour on a work night out. This could include advice on drinking responsibly, use of social media and inappropriate behaviour to colleagues.

So certainly, put a jingle in your bells and go on your Christmas night out. But like any other area of work, while your employer has a duty of care to all employees, we all have a part to play in making sure everyone attending is safe and their dignity is respected. That way everyone will have a Happy Christmas.