

Employment Rights Bill

AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Marshalled List]

Clause 19

BARONESS MORRISSEY

Clause 19, page 42, line 10, at end insert –

- (b) after “prevent” insert “and address”;
- (c) after subsection (3) insert –
 - “(4) Where an employee makes an allegation that sexual harassment has occurred in the course of their employment, an employer must take reasonable steps to investigate the allegation.
 - (5) Any investigation conducted in accordance with subsection (4) must be proportionate to the severity of the allegation and, where an allegation relates to –
 - (a) sexual assault, or
 - (b) sexual harassment by a member of the senior management of the employer,the employer must commission an independent investigation.
 - (6) During any investigation conducted under the terms of this section, an employer must take all reasonable steps to protect the wellbeing of the employee who has made the allegation.
 - (7) Where an investigation under this section makes recommendations, an employer must comply with those recommendations.””

After Clause 22

BARONESS MORRISSEY

After Clause 22, insert the following new Clause—

“Prohibition on workplace non-disclosure agreements

- (1) A non-disclosure agreement or any equivalent provision preventing disclosure of relevant information in a settlement agreement between an employer and an employee for sexual harassment cases is void, except where the following apply—
 - (a) the victim has requested an NDA, and
 - (b) the victim has taken independent legal advice.
- (2) An employer considering a settlement agreement with an employee must make a contribution of £1500, indexed each year for inflation as measured by the Consumer Prices Index, towards independent legal advice for the employee.”

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29 April 2025

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