

Sexual Safety at Work Policy

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1 Introduction

The trust will not tolerate any form of sexual harassment or assault in the workplace nor any such behaviours of colleagues outside the workplace. We have signed up to NHS England's Sexual Safety Charter which ensures there are clear reporting mechanisms, training, and support for affected staff.

The aim of this Policy is to prevent incidents occurring and to respond to incidents that arise ensuring those affected are fully supported.

The Chief Nurse and Executive Director of Quality is the Executive Lead for Sexual Safety at Work.

2 Purpose

All staff have a role in ensuring a culture of sexual safety. This policy aims to prevent and address sexual safety concerns in the workplace either by or towards any member of staff. This includes patients and visitors as either alleged perpetrators or victims.

3 Scope

This policy applies to all staff.

4 What is sexual harassment and sexual assault?

4.1 Sexual Harassment

Sexual harassment occurs when a person engages in unwanted conduct of a sexual nature that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual Harassment is unlawful and prohibited under The Equality Act 2010.

The term sexual harassment encompasses a wide range of behaviour, which may take place in person, online or over the phone. A single event or a series of events can amount to sexual harassment. Some examples include:

- Sexually suggestive comments or using insulting sexual names in a way that makes others feel uncomfortable. For example, remarking on someone's body or appearance.
- Sexual jokes which make someone feel uncomfortable, offended, or intimidated, whether these be about someone's sexual orientation or gender. What some people might consider as joking, 'banter' or part of their workplace culture is still sexual harassment if the behaviour is of a sexual nature and creates an intimidating, hostile, degrading, humiliating or offensive environment for others.
- Unwanted sexual advances such as 'leering' or unwanted and inappropriate sexual propositions, whether in person, over the phone, by email or online; including implied or overt implications of preferential treatment.
- Unnecessary and unwanted physical contact, i.e., touching, hugging, patting or other body contact, against their will.
- Intrusive questions about an individual's private life (including sex life) or physical appearance. This can take place either in person or virtually e.g., via social media.

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Although sexual harassment tends to be aimed at an individual, sometimes there can be a culture of sexual harassment in a workplace that's not specifically aimed at one person – such as sharing or displaying sexual images whether in person or through social media.

4.2 Sexual Assault

Any sexual act that a person did not consent to or is forced into against their will. It is a form of sexual violence and is a crime. Some examples of sexual assault include:

- Fondling, groping, forced kissing or unwanted sexual touching.
- Forcing or manipulating another individual into performing sexual acts, including rape or assault by penetration.
- Touching any part of another person's body for sexual pleasure or in a sexual manner – for example, stroking someone's thigh or rubbing their back.
- Pressing up against another person for sexual pleasure or in a sexual manner.
- The perpetrator making someone else touch them in a sexual manner. Touching someone's clothing if done for sexual pleasure or in a sexual manner – for example, lifting up someone's skirt.
- Child sexual abuse.
- Sexual assault can involve the touching of skin, clothing, or the use of something else to touch skin or clothing.

4.3 Allegations of sexual assault and / or sexual misconduct

Any allegations of sexual assault and / or sexual misconduct by staff will always be considered via the Employee Relations Oversight Group (EROG) in line with the Trust disciplinary policy.

Any allegation of sexual misconduct must also result in the submission of an Incident report via the Trust's Incident Reporting System.

5 Prevention of sexual misconduct

Acts of sexual harassment or assault can have lasting emotional, mental, and physical impacts on an individual's life. Therefore, it is important that as a trust all colleagues work to ensure an environment of sexual safety and we are creating a culture in which everyone feels safe to speak up and raise concerns. The trust has a duty to put measures in place to ensure sexual safety and prevent sexual assault and harassment by anyone, whether using its facilities or working there.

Any report of sexual harassment and/ or assault (with a member of staff as either the alleged perpetrator or victim) will be reported via the trust Incident Reporting System (See [Appendix 1](#) for reporting instructions). This will prompt a review which will aim to identify any organisational or workplace factors that contributed to the incident. Where disclosures are made, risk assessments will be carried out to ensure appropriate action is taken.

The trust will ensure that patients and visitors are aware of expected behaviours and consequences of any form of harassment or assault of colleagues through communications campaigns.

Where a patient is deemed to pose a particular risk to sexual safety of others, measures should be put in place, for example ensuring colleagues are not alone with the patient, that security is

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present and/or being allocated a same sex worker (unless the sexual threat is to their own gender). Staff have the right to request not to work with a patient or colleague if they feel unsafe due to sexual threat.

Training on sexual safety and sexual misconduct is provided and is accessible to all members of staff.

6 What to do if you experience sexual harassment or assault

If you have experienced sexual misconduct in the workplace, we encourage you to inform your line manager straight away so we can support you confidently and take necessary action. If you feel it is inappropriate to inform your line manager, you can also inform the FTSU Guardian or a senior manager.

If you are the victim of rape or sexual assault, the police and other organisations are there to help. Call 999 to report a rape or attempted sexual assault, as soon as possible. Your line manager (or FTSU Guardian/other more senior manager) can provide support when doing this, if required.

You don't have to report to the police if you don't want to. You may need time to think about what has happened to you. However, consider getting medical help as soon as possible through the NHS Sexual Assault Referral Centres (SARCs). See below.

It can be difficult to tell someone about a sexual assault or incident and it is important that you feel comfortable. The below options are available:

7 Disclosure of historical assault or harassment

We want our staff to feel safe to raise concerns/ speak up at the time something happens however it is ok to report an incident which happened in the past and still seek support within the trust and from external sources of support.

8 What to do if you have witnessed sexual harassment or assault in the workplace

If you witness sexual harassment or assault against another colleague, service user or visitor, you have a duty to raise a concern with a senior member of staff. Consider the following actions:

1. Offer support to anyone targeted or affected by the behaviour and let them know you feel the behaviour witnessed is unacceptable.
2. Consider reporting this behaviour to your line manager, Safeguarding or the FTSU guardian. Before you report the behaviour witnessed, try to make sure the person who was targeted is aware of, and supports, your intention to report it. If they do not support your intention to report it and you are concerned, you can speak anonymously to Safeguarding, your line manager (or appropriate senior manager) or FTSU for advice and support. You will be supported to give your account of the incident once you have raised a concern.
3. If you feel comfortable to do so, challenge the behaviour of the person responsible either at the time or at an appropriate time and place.

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9 What to do if someone reports sexual harassment or assault to you

If a member of staff wants to talk to you about their experiences, this is called a disclosure. It is important to be supportive and we understand you may be worried about what to say. [Appendix 3](#) suggests some “Do’s and Don’ts” to support you with this conversation.

Once you have spoken with the individual, you need to consider the following points:

1. Any incident involving sexual misconduct (with the member of staff as either the victim or alleged perpetrator) should be reported on the Trust’s incident reporting system by the line manager (or other appropriate individual receiving the report). Details of how to do this can be found in [Appendix 1](#).
2. Any report of sexual misconduct by a member of staff will be taken seriously and referred to the EROG by the line manager. The allegation will be considered in line with the disciplinary policy.
3. Staff who are reporting that they have experienced sexual harassment or assault should, in the first instance, be supported to:
 - Have a conversation in a safe and private space with the most appropriate person (usually a line manager).
 - Report the incident to the police (if required). If a colleague wishes to contact the Police, they should be supported to do this in a private place. The decision on whether to report to the police would usually be for the individual colleague directly impacted by the sexual assault to make.
 - Access supporting agencies (See [Appendix 2](#)).

In instances of sexual assault, colleagues should be supported to contact a Sexual Assault Referral Centre (SARC) which offer medical, practical, and emotional support to anyone who has been sexually assaulted. These can be contacted regardless of whether the individual wishes to contact the police.

Victims of serious sexual assault and rape should be encouraged not to wash or change their clothes immediately after a sexual assault as this may destroy forensic evidence that could be important if they decide to report the assault to the police. Sexual assault is reported to the police by calling 101 or 999 depending on the urgency.

It is important that assumptions are not made relating to the alleged perpetrator or individuals impacted. It is important to remain objective whilst also ensuring that all individuals involved (both alleged perpetrators and victims) are supported.

10 Recognising cultural differences

When implementing prevention interventions, responding to incidents or investigating incidents it is important that all colleagues are mindful of cultural differences and the impact of this on aspects such as: how an individual will respond/react to an incident, an individual’s ability/willingness to report concerns, an individual’s willingness to seek support.

For example, for some cultures there are additional risks associated with families or communities becoming aware that an individual has been sexually assaulted. For a range of reasons there may also be a heightened fear of repercussion including negative consequences on an individual’s job security and future career.

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Examples could include colleagues who are new to their role, colleagues who are working on a visa and junior colleagues raising concerns about a more senior colleague.

This emphasises the importance of ensuring a safe environment to raise concerns and maintaining confidentiality throughout any investigation including not making assumptions about who information can be shared with.

11 Reporting requirements

Any incident involving sexual misconduct (with the member of staff as either the victim or alleged perpetrator) MUST be reported on the Trust’s incident reporting system by the line manager (or other appropriate individual receiving the report). Details of how to do this can be found in [Appendix 1](#).

An incident report involving sexual misconduct will be reviewed by the Trust’s Safeguarding team and will not be visible to others.

A risk assessment will be carried out and next steps decided.

Any report of sexual misconduct by a member of staff will be taken seriously and referred to the EROG by the line manager (or other appropriate manager). The allegation will be considered in line with the Disciplinary policy.

12 Process for monitoring effective implementation

The process for monitoring effective implementation of this policy is to assure the Trust Board that the document is consistently implemented across the Trust and makes an effective contribution to the activities of the Trust.

A programme of monitoring is summarised in the table below and will be reported to the accountable committee. The standard being monitored may require escalation and/or reporting to an alternative committee.

Standard to be monitored	Process for monitoring	Frequency of monitoring	Person responsible for undertaking monitoring and developing action plans	Accountable committee monitoring to be reported to
Review of activity	Annual review	Annually		Workforce committee and Safeguarding committee
Effectiveness of policy	Ongoing evaluation	Ongoing evaluation		Workforce Committee

13 Duties

Role	Responsibilities
Chief Executive	The Chief Executive has overall responsibility for the strategic and operational management of the organisation, including ensuring that the organisation’s policies and procedures comply with all legal, statutory, and good practice guidance requirements.
Line Managers	Managers will be responsible for ensuring they are familiar with this policy and procedures contained within it. They will be responsible for ensuring that this policy is fairly and consistently applied within their area and to their staff. Line managers are responsible for supporting their staff and must report any incident of sexual misconduct in line with the requirements of this policy. An EROG form must be completed and submitted for any incident of sexual misconduct where a staff member is the alleged perpetrator.
Staff	All employees are encouraged to disclose their experience of sexual misconduct with their line manager, or with the Trust’s Freedom to Speak Up (FTSU) Guardian or a more senior manager, in order that appropriate help may be given. Employees who are aware of sexual misconduct involving a member of staff as either the perpetrator or victim are advised to review the policy in accordance with sections 8 and 9.
HR	The Human Resources Department will provide advice and support to line managers and staff in respect of this policy to ensure fair and consistent application throughout the trust. HR will support line managers to ensure all incidents of sexual misconduct result in a referral to the trust EROG for consideration.

Committee	Responsibilities
Staff Forum and Local Negotiating Committee (LNC)	The Staff Forum and the Local Negotiating Committee are responsible for representing staff and are consulted with in respect of trust policies. Staff Forum and Local Negotiating Committee (LNC) are responsible for approving this policy.
Safeguarding Committee/ Workforce Committee	The Safeguarding Committee and Workforce Committee are responsible for ensuring the sexual safety of our staff. Both committees will review the effectiveness of the policy.

14 Definitions

Term	Meaning
Employee Relations Oversight Group (EROG)	The group reviews all requests for a formal employee relations investigation and considers whether formal or informal action is required.
Independent Domestic Violence Advisor (IDVA)	IDVA’s role is to support victims of domestic violence or abuse.

Sexual assault	Any sexual act that a person did not consent to or is forced into against their will.
Sexual harassment	When a person engages in unwanted conduct of a sexual nature that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
Sexual misconduct	This term describes a range of behaviours including sexual assault, sexual harassment, stalking, voyeurism and any conduct of a sexual nature that is nonconsensual or has the purpose or effect of threatening, intimidating, undermining, humiliating or coercing a person.
Sexual safety	Sexual Safety covers a range of inappropriate sexual behaviour with different legal and operational definitions. It includes language of a sexualised nature, sexual harassment, sexual assault and rape.
Trust	The Christie NHS Foundation Trust

15 Consultation, approval, and ratification process

This document has been created in consultation with staff side colleagues, trust wide operational colleagues, Safeguarding, Nursing leadership and the Freedom to Speak Up Guardian.

16 Dissemination, implementation & training

16.1 Dissemination and implementation

This policy will be published on the Trust intranet and disseminated to all staff within the monthly team brief email for implementation. The author of the policy is also responsible for disseminating the policy to relevant others for onward cascade.

16.2 Training

Training is available to all staff on sexual safety. If managers have any queries regarding this policy, advice may be sought from Human Resources.

17 Associated documents

- [HIVE - Disciplinary Policy](#)
- [HIVE - Supporting Staff Impacted by Domestic Abuse](#)
- [HIVE - Freedom to Speak Up policy](#)
- [HIVE - Positive Working Relationships Policy](#)
- [HIVE - Grievance Resolution Policy](#)
- [HIVE - Equality and Health Inequalities Analysis \(EHIA\) \(xchristie.nhs.uk\)](#)
- [HIVE - Delivering a 'Net Zero' National Health Service report \(xchristie.nhs.uk\)](#)

This policy has been developed and implemented in line with:

- [HIVE - Values and behaviours \(xchristie.nhs.uk\)](#)
- [HIVE - Procedural Documents Policy \(xchristie.nhs.uk\)](#)
- [HIVE - SOP for management of procedural documents \(xchristie.nhs.uk\)](#)
- [HIVE - Equality and Health Inequalities Analysis \(EHIA\) \(xchristie.nhs.uk\)](#)
- [HIVE - Delivering a 'Net Zero' National Health Service report \(xchristie.nhs.uk\)](#)

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18 References

NHS England (2023) Sexual Safety Charter [Online.] Available at: <https://www.england.nhs.uk/publication/sexual-safety-in-healthcare-organisational-charter/> (Accessed on 11 November 2024)

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19 Version control sheet

Version	Date	Author	Status	Comment
01	06/2024	Natalie Marshall – Head of Operational HR	Final	New Policy to support Trust signing up to the NHS England Sexual Safety Charter

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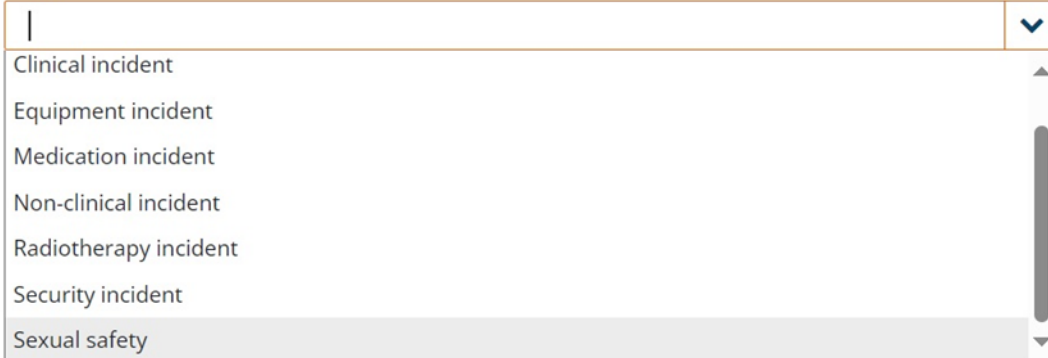
20 Appendices

20.1 Appendix 1 - Incident reporting guide

To report a sexual safety incident on the Incident Reporting form:

1. Line Manager/ FTSUG/ individual receiving the report of the incident or individual involved to log on to the Trust Incident System.
2. Select “Sexual Safety” as the type on the drop-down menu.


* Type



A screenshot of a web form's dropdown menu. The label is '* Type'. The dropdown is open, showing a list of incident types: Clinical incident, Equipment incident, Medication incident, Non-clinical incident, Radiotherapy incident, Security incident, and Sexual safety. 'Sexual safety' is highlighted in grey at the bottom of the list. A blue downward arrow is visible in the top right corner of the dropdown box.

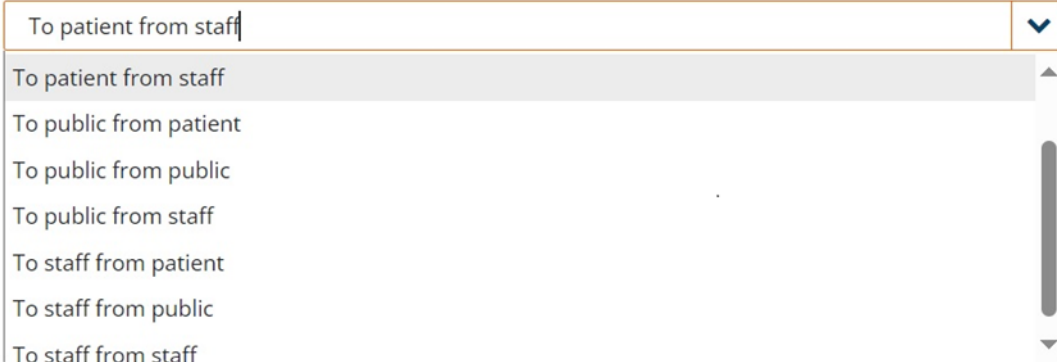
3. Select the relevant specific category from the options presented.

* Type



A screenshot of a web form's dropdown menu. The label is '* Type'. The dropdown is open, showing 'Sexual safety' as the selected option. A blue downward arrow is visible in the top right corner of the dropdown box.

* Category



A screenshot of a web form's dropdown menu. The label is '* Category'. The dropdown is open, showing a list of categories: To patient from staff, To public from patient, To public from public, To public from staff, To staff from patient, To staff from public, and To staff from staff. 'To patient from staff' is highlighted in grey at the top of the list. A blue downward arrow is visible in the top right corner of the dropdown box.

4. Complete the rest of the form with as much detail as possible.
5. Once complete the incident report will be shared with the Safeguarding Team who will carry out a risk assessment and action as appropriate.
6. Ensure an EROG form is completed and submitted to HR.

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20.2 Appendix 2 – Further support services

There are local and regional support services in your area for anyone who has experienced any form of sexual misconduct.

[Bi Survivors Network](#) are a group of bisexual survivors facilitating peer-led, online support groups for survivors of sexual and/or domestic violence/abuse.

[Galop](#) support the LGBT+ community and have experienced sexual assault, abuse or violence.

[Loving Me](#) support for people who are trans and non-binary victims and have experienced domestic or sexual violence.

[Man Kind](#) supports people who self-identify as male who are affected by unwanted sexual experiences.

[NAPAC](#) (National Association for People Abused in Childhood) offers support to adults who have experienced of all types of childhood abuse, including physical, sexual and emotional abuse or neglect.

[One In Four](#) supporting people who have experienced sexual violence and abuse.

[Rape Crisis](#) provide specialist information and support to all those affected by rape, sexual assault, sexual harassment and all other forms of sexual violence and abuse in England and Wales.

[Respond](#) support services to people with learning disabilities, autism or both who have experience abuse, violence or trauma.

[Safeline](#) provides specialist, tailored support for anyone affected by or at risk of sexual abuse and rape, that empowers them to make choices about the lives they want and helps prevent abuse.

[SARSAS](#) support for people affected by rape or any kind of sexual assault or abuse at any time in their lives.

[Southall Black Sisters](#) is a support service for black and minoritised women who have experienced sexual violence.

[The Survivors Trust](#) work with people of all ages, all genders, of all forms of sexual violence, sexual abuse and sexual exploitation, including support for partners and family members.

[Survivors UK](#) provide a national online helpline, individual and group counselling for boys, men and non-binary people aged 13+ who have experienced sexual violence at any time in their lives.

[Stop It Now](#) provides support for people who have concerns that they may commit sexual abuse or sexual violence or are concerned about another person's behaviour, or a child's behaviour.

[Rights of Women](#) offer support services providing free legal advice for women in the UK who are experiencing sexual harassment in the workplace.

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20.3 Appendix 3 – Do's and don'ts suggestions

If somebody wishes to talk to you about their experience, this is called a disclosure. It can be daunting, and we all want to be as supportive as possible.

It is understandable you may be afraid to say the wrong thing.

These are some “do's and don'ts” which can help you with this conversation

Do's

- **Listen**
- **Believe** them and take action
- Remember it is **not their fault**
- **Recognise** how tough it may have been to disclose
- Let them **stay in control**
- **Respect** their **decisions**
- **Respect** their **boundaries**

Don'ts

- **Ask why** they didn't say anything sooner
- **Suggest their character/attire** may have led to an event.
- **Judge**
- **Ask why they didn't run away or fight back**
- Judge them for **how they have responded** to their situation
- **Tell anyone else without their permission**

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