

Sexual Harassment / Misconduct at Work

Guidance for Colleagues

- NHSBT is committed to taking a zero-tolerance approach to sexual harassment / misconduct in the workplace to create a culture at work where everybody feels safe.
- From October 2024, there is a new legal duty on employers to take reasonable steps to prevent sexual harassment in the workplace.
- *The Worker Protection Act (amendment of Equality Act 2010)* aims to strengthen existing protection for workers by placing a duty on employers to take reasonable steps to prevent sexual harassment in the workplace.

What is sexual harassment / misconduct ?

- Sexual misconduct is **uninvited, unwelcome or non-consensual behaviour** of a sexual nature.
- It is behaviour that can reasonably be interpreted and/or perceived by an individual as sexual and which **offends, embarrasses, harms, humiliates, or intimidates an individual or a group.**
- Sexual misconduct can involve elements of **harassment, violence and abuse** and can be physical, verbal, or visual and via different mediums, such as through an email or Social Media.

What is sexual harassment / misconduct...continued

- Sexual safety at work covers a range of inappropriate sexual behaviour. It includes language of a **sexualised nature, sexual harassment and sexual assault.**
- NHSBT take a systematic zero-tolerance approach to **sexual misconduct and harassment**, keeping our colleagues and Donors safe. It is crucial that when our colleagues come to work, they feel **safe and supported.**
- **We all have a responsibility** to ourselves and our colleagues and must act if we witness these behaviours.

Sexual Harassment / Misconduct in the workplace

What may be regarded as sexual harassment / misconduct ?

Examples may include, but are not limited to:

- gesturing or making sexual remarks about someone's body, clothing or appearance
- touching someone against their will
- asking questions about someone's sex life
- telling sexually offensive jokes
- stalking
- voyeurism
- making sexual comments or jokes about someone's sexual orientation or gender reassignment
- displaying or sharing pornographic or sexual images, or other sexual content

Sexual Harassment / Misconduct in the workplace

What is NHSBT's current approach to sexual misconduct and harassment at work ?

The following policies are in place which support this area and our compliance with the new legislation:

- [Code of Conduct](#) and [Disciplinary policy](#)
- [Dignity at Work](#) & [Grievance policy](#)
- [Freedom to Speak Up](#)
- [Wellbeing Hub & EAP support](#)
- [Domestic Abuse](#) & [Safeguarding](#)
- [Social Media policy](#)

What to do if you witness sexual misconduct in the workplace ?

If you witness sexual misconduct in the workplace, **you must act** and:

Consider offering support to anyone targeted or affected by the behaviour, and/or let them know that you feel that the behaviour you witnessed is unacceptable.

Consider reporting the behaviour to your manager, HR or a Freedom to Speak up Guardian. Before you report the behaviour you witnessed, make sure that 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 should not disclose their identity. You can speak anonymously to your manager, HR representative or a Freedom to Speak up Guardian for advice and support.

Challenge the behaviour by speaking to the person responsible either at the time or at an appropriate time and place, but only if you feel comfortable and it is safe to do so.

Sexual Harassment / Misconduct in the workplace

How to approach a conversation around disclosure?

Somebody may wish to talk to you about their experiences, which is called a disclosure. This can be a daunting experience as we all want to be as supportive as possible, and you may understandably be afraid of “saying the wrong thing”. These are some “do’s” and “don'ts” which can help you in this conversation.

DO

- Listen
- Believe them and take action
- Remember it's not their fault
- Recognise how it might have been to disclose
- Let them stay in control
- Respect their decisions
- Respect their boundaries

DO NOT

- Ask why they didn't say anything sooner
- Judge
- Ask why they didn't run-away or fight back
- Judge them for how they've responded to sexual harassment or abuse
- Tell anyone else without their permission

What do I do if I experience or have experienced sexual misconduct at work ?

We encourage you to get in touch and have listed below who you can contact, how they can help and how you contact them, so that we can support you confidentially and take necessary action.

Who can you contact?	How can they help?	How do you contact them?
Your Manager (or your managers manager)	They can listen to your concerns and support and direct you as appropriate.	Arrange to speak to your manager directly
HR Direct	HR Direct is the initial HR point of contact. An Advisor will listen to your concerns confidentially and can offer further guidance and information. They may also escalate to a Senior HR practitioner.	Raise My HR Direct query Phone: 0117 3227700 Email: hrdirect@nhsbt.nhs.uk
Freedom to Speak Up Guardian	Our FTSU Guardians have a detailed knowledge of our speaking up policy and processes and can guide you in the right direction to get your concern heard.	Our Freedom to Speak Up Guardian Freedom to Speak Up page

What do I do if I experienced or have experienced sexual misconduct at work... continued

Who can you contact?	How can they help?	How do you contact them?
Employee Assistance Programme (EAP)	A confidential service that operates 24 hours a day 7 days a week and can support you with a range of issues. For colleagues who are impacted by sexual misconduct or harassment, structured counselling sessions are available to all colleagues through our Employee Assistance Programme.	By telephone: 0800 783 2808 Online: Wisdom Health Portal (use organisation code MHA021261) Wisdom App - Available on Play Store and App Store.
Trade Union Representatives	Provide advice and support to their members when they have issues at work.	Available via People First
Mental Health First Aiders	You can access MHFAs who are able to listen and signpost to available support.	Contact list available on the Wellbeing Hub

Further support services

ACAS

Helpline for anyone experiencing workplace related issues including sexual harassment.

Sexual harassment at work advice | Rights of Women

An advice line specifically for women who experience sexual harassment at work.

Help after rape and sexual assault – NHS (www.nhs.uk)

This website provides information about where to find support if you have experienced sexual assault and/or violence.

24/7 Rape and Sexual Abuse Support Line (247sexualabusesupport.org.uk)

24/7 helpline that can provide immediate support if you have experienced sexual misconduct.

Further support services...continued

Sexual Assault Referral Centres (SARCs)

Offer medical, practical and emotional support to anyone who has been raped, sexually assaulted or abused. SARCs have specially trained doctors, nurses and support workers.

Practitioner Performance Advice (PPA) (formerly NCAS) - NHS Resolution

PPA is an expert, external and independent advisory body hosted by NHS Resolution.

It is used to access former medical directors or senior medical managers with experience managing cases which involve the Managing High Professional Standards framework.

Help For Domestic Abuse Perpetrators | Respect Phonenumber UK

(Information taken from Respect Phonenumber's website): Respect Phonenumber is a confidential helpline, email and webchat service for domestic abuse perpetrators and those supporting them. They support men and women who are using abuse in same-sex or heterosexual relationships, from anywhere in the UK.

The free help line is: 0808 8024 040. Respect also offers a webchat service and email [support via the charity's website.](#)