

# Sexual Safety Policy

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Sexual Safety Policy  
Version 1.0

# Contents

Introduction.....	3
Scope.....	3
Definitions .....	3
Responses .....	4
Responsibilities .....	7
Culture.....	9
Criminal conduct .....	9
Professional .....	9
Further Support .....	10
Monitoring .....	10
Appendix A - Equality Impact Assessment .....	11
Appendix B – A guide to unacceptable behaviour .....	12
Appendix C Further Support.....	13
Version Control.....	14

# Sexual Safety Policy

## Version 1.0

### Introduction

BrisDoc recognises the right of every person to feel safe from sexual harassment. It is the right of all colleagues to never feel uncomfortable, frightened, or intimidated in a sexual way.

The purpose of this policy is to set out BrisDoc's zero-tolerance stance on all forms of sexual harassment and/or harm in the workplace, and to prevent, respond to, and take action to effect long-term change to a culture free from harassment, which supports dignity and respect for all.

The policy also encourages colleagues to report all incidences of sexual harassment and/or harm and for bystanders to take action, creating a culture of safety for all.

### Scope

This policy applies to all employees, bank workers, Honorary Contract holders, Self-employed, and volunteers of BrisDoc Healthcare Services Ltd. In this policy all of the above categories of employee and worker will be referred to as 'colleagues.'

### Definitions

**Zero Tolerance** – Zero tolerance defines the absolute commitment of BrisDoc to not tolerate any form of sexual harassment and/or harm, and to commit to creating a culture of sexual safety where all colleagues are free from sexual harassment in the workplace.

**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 Assault** – Sexual assault is an act that a person did not consent to or is forced into against their will. It is a form of sexual violence and includes rape (any sexual activity without permission/consent), or other sexual offences such as groping, forced kisses, or the torture of a person in a sexual manner.

**Sexual Misconduct** – Sexual misconduct describes a range of behaviours including sexual assault, sexual harassment, stalking, voyeurism, and any other conduct of a sexual nature that is non-consensual or has the purpose or effect of threatening, intimidating, undermining, humiliating, or coercing a person.

Throughout this policy the terms sexual harm and sexual harassment may be used interchangeably however both refer to the range of inappropriate sexual behaviours set out above.

### Sexual Harassment

Incidents of sexual harm can happen to anyone, regardless of sex, sexual orientation, gender identity or age. Any incident of sexual harm can cause long lasting and significant distress to an individual.

Individuals of all genders can be both a victim and a perpetrator of sexual harm, and every individual's experience is unique to them.

# Sexual Safety Policy

## Version 1.0

Sexual harm can take many forms including verbal and written, physical, non-verbal, and visual. These are detailed below however this is not an exhaustive list and sexual harm may happen in other ways.

The effect of such behaviour and whether it is unwanted should be considered from the point of view of the person who feels harassed.

### Verbal and Written

- Comments of a sexual nature about a person's clothing, looks, body etc
- Sexually explicit jokes, comments, or banter
- Requests for sexual favours
- Excessive and unwelcomed flirting
- Spreading rumours or discussing a person's sex life

### Physical

- Inappropriate and unwanted touching of a person – hugging, stroking, massaging
- Purposely brushing up against someone
- Following a person, standing too close or blocking their movement
- Unwanted or coercive and intimidating sexual contact

### Non-verbal

- Looking a person's body up and down
- Derogatory gestures or facial expressions of a sexual nature
- Whistling or sexual gesture
- Masturbation or genital exposure

### Visual

- Displaying sexually suggestive objects, photo's, images, or videos
- Showing or sending someone sexually explicit, inappropriate or suggestive images, text messages or emails
- Sharing personal or naked images of a person

There may be other sexual behaviours, which though not unwanted, are still considered inappropriate in the workplace, for example engaging in a consensual sexual act in the workplace or during working hours or sharing sexual content social media/group chats.

BrisDoc does not permit any form of sexual contact in the workplace or during working hours and any such behaviour may be addressed as a breach of this sexual harassment policy, which could lead to disciplinary action.

## Responses

### Acting

It is normal to experience a range of emotions and/or physical responses after unwanted sexual behaviour. You may feel violated, angry, upset, hurt after unwanted sexual behaviour. You may feel angry, upset, hurt or embarrassed. We understand the distress associated with reporting sexual assault or harassment. We are here to listen and support you.

# Sexual Safety Policy

## Version 1.0

If you feel uncomfortable because of how someone behaves or what they are saying:

- Clearly communicate “no” or “stop”
- Move away from them
- If you still feel unsafe seek out a trusted colleague to be with
- Please tell a manager or HR as soon as possible after any incident.

People who are the victims of unwanted sexual behaviour may ‘freeze’ or not be able to speak out or resist at the time. This is normal when someone is frightened, and does not mean that you will be blamed or disbelieved afterwards.

### Reporting

You should report any unwanted attention or behaviour that makes you feel sexually unsafe, irrespective of whether it comes from another colleague, a patient, or a visitor or anyone else. It is also important to report any instances where you witness someone being inappropriate with another colleague or service user. Reporting a case of workplace sexual harassment is crucial for ensuring a safe and respectful work environment.

There are a number of ways colleagues can raise concerns, and an employee can choose whichever they feel most comfortable with.

- Line Manager
- People Team
- Senior manager / Leader
- Freedom to Speak Up Guardian
- Wellbeing Lead
- Wellbeing Coach
- Co-owner Council representative

Concerns do not have to be raised through a formal process such as a Grievance. You can raise a concern informally by just speaking with someone who may assist you in taking action or receiving support to help promptly resolve concerns.

The exception to this guidance would be in the most serious of concerns including a potential criminal offence, being raised, whereby BrisDoc would have a duty of care to act given the information disclosed. Should this be the case, then BrisDoc may commission an investigation without consent from the person who has raised a complaint on an anonymous basis. Each situation will be considered on a case-by-case basis, and a decision will be made following external legal advice.

Here’s a step-by-step guide on how to report effectively:

1. **Document the Incident:** Write down details of the incident as soon as possible while they are fresh in your memory. Include the date, time, location, what happened, and any witnesses present.

# Sexual Safety Policy

## Version 1.0

2. **Speak with HR, a Senior Manager or a Freedom to Speak up Guardian:** You will need to share any evidence you have (such as emails, texts, or witnesses) to help us investigate the incident. We recognise this may be difficult but be prepared to discuss the incident, explaining what happened. Describe how the incident made you feel and any impact it has had on your work.
  - 
  - We will listen to your concerns and take all reported incidents seriously.
  - We will be compassionate and provide you with support. You should feel confident and safe.
  - We will respond appropriately taking action to keep you and others safe and to ensure the rights of all colleagues are protected.
  - We will discuss available options with you, and we will endeavour to respect your wishes on how to proceed.
  - We may, in order to protect you or those around you, or to protect the rights of others, respond in a way you don't want us to.
  - We will clearly explain any decision we make and give you the chance to ask questions.
- 3 **Cooperate with the Investigation:** We will conduct an investigation into your complaint. Cooperate fully with any requests for additional information or meetings during this process. Please refrain from sharing your experience with others outside of those who will be directly supporting you, as it may hinder the investigation.
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- 4 **Be Prepared for Possible Outcomes:** Depending on the investigation's findings, we will take appropriate action. This could range from mediation and counselling to disciplinary measures or termination of the harasser's employment. Sometimes an investigation is unable to reach a definitive conclusion due to a lack of evidence. This does not mean we do not believe you.
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- 5 **Seek Support:** Dealing with sexual harassment can be emotionally challenging. We will continue to give you the support you need beyond the outcome of any investigation. Seek support from trusted friends, family members, or access a counsellor via our EAP to help you cope during this time.

## Supporting

It takes great courage for an individual to talk about a sexual safety incident they have been affected by. BrisDoc is committed to ensuring all colleagues disclosing sexual safety incidents are listened to, validated, and supported including advice on safety measures. All disclosures will be taken seriously and investigated consistently.

When receiving a disclosure of sexual harm, the manager, FTSU Guardian, member of the people team, or any other individual receiving a disclosure should provide support and take the following points into consideration:

- 1 Believe the individual's distress, allow them to express their level of distress in their own words and trust in the formal investigation procedure
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# Sexual Safety Policy

## Version 1.0

- 2 Actions such as showing active listening without judgement or disbelief, providing a safe environment and offering support will facilitate an open discussion, build trust and may improve reporting of future incidents.
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- 3 Reassure the person who has been directly affected that they are not to blame and that disclosing the information is the right thing to do.
  -
- 4 Allow the individual to bring a work colleague or friend with them when making the disclosure to ensure emotional and moral support.
  -
- 5 The victim may still be at risk from their perpetrator. How information is shared and what actions are taken following the disclosure will need to be considered, in order to keep the victim safe

Supporting a victim of a sexual safety incident can be a daunting experience as you want to be supportive and may understandably be afraid of “saying the wrong thing” or experience an emotional response to what you hear. For more guidance to help in these challenging conversations visit Rape Crisis’ advice page [‘supporting a survivor’](#). This advice is applicable to all sexual safety incidents.

Being accused of sexual harassment can be distressing for an individual and may cause challenges in their personal and professional life. BrisDoc is committed to conducting a thorough and fair investigation into all allegations of sexual safety and alleged perpetrators will be treated with respect and dignity throughout this process.

A colleague accused of a sexual harassment may be suspended or re-assigned to alternative work pending the outcome of an investigation. Should this be the case they will be supported by their manager and the People team and are also encouraged to access our EAP for support in order to care for their own health and wellbeing.

### Witnessing

If you witness sexual misconduct in the workplace, you must act.

- Challenge the behaviour by speaking to the person responsible ideally at the time in order to stop the incident if it is safe to do so, or at an appropriate time and place afterwards.
- Offer support to anyone targeted or affected by the behaviour, and/or let them know that you feel that the behaviour you witnessed is unacceptable.
- Before you report the behaviour that you witnessed, try and 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, but you can speak anonymously to Freedom to Speak Up Guardian or the People team for advice and support.
- Report the incident by speaking to your line manager, a Freedom to Speak up Guardian, or the People team.

### Responsibilities

**Everyone** has a part to play in being aware of, preventing and dealing with sexual harassment, this policy sets out the expectations for the behaviour of all colleagues and for those with specific responsibilities.

# Sexual Safety Policy

## Version 1.0

**All colleagues** have a responsibility to treat other colleagues, service users, and all other individuals they interact with in the course of their duties with dignity and respect at all times, supporting a safe working environment and culture where sexual harassment is not tolerated.

All colleagues are expected to:

- Support the sexual safety standards set out in the BrisDoc Sexual Safety Charter in order to keep everyone safe from harm
- Ensure they understand what sexual harassment is
- Be aware of how their behaviour may affect others
- Challenge unacceptable behaviour as long as it is safe to do so
- Report all incidents of sexual harassment when witnessed
- Support victims of sexual harassment in reporting their experience
- Cooperate in investigations into alleged sexual harassment.

All **line managers** must also ensure that all colleagues are aware of this policy and understand their own, and the organisation's responsibilities. Managers and supervisors have a particular duty to ensure that, within their teams and area of responsibility, everyone is treated with dignity and respect.

Managers are required to:

- Role model acceptable behaviour in the workplace at all times
- Always challenge any unacceptable or questionable behaviour that they witness or become aware of
- Be aware of behaviour and language that can cause offensive including jokes and banter and ensure standards are maintained in the workplace
- Respond swiftly, sensitively and objectively to all complaints and concerns of sexual harassment
- Ensure that this policy is followed.

Anyone in a **position of power** or where there is a power imbalance, must be aware of these imbalances and unequal relationships in the workplace. Colleagues in a position of power are expected to be aware of the vulnerability this could create for other colleagues.

In addition to the responsibilities listed for all colleagues, the **Senior Leadership Team** are also responsible for:

- Ensuring that sufficient resources are available across BrisDoc to investigate allegations in a timely manner; and
- Ensuring that sufficient reporting structures are available throughout BrisDoc for individuals to report concerns of sexual harassment; and
- Ensure that sufficient resources are available to support the emotional and physical wellbeing of all employees, specifically those who have been the recipient or alleged perpetrator of sexual harassment.
- Conducting regular reviews of internal data and ensuring appropriate actions are taken in areas of concern and that the outcome of investigations are appropriately recorded.
- Influencing organisational culture and setting organisational priorities relating to sexual safety.

**The People Team** have a responsibility to ensure all policies and procedures are reviewed on a regular basis and equitably implemented. The People team also have a responsibility to regularly review data and report any trends or areas of concern to Senior Management.



# Sexual Safety Policy

## Version 1.0

### Culture

BrisDoc is committed to improving organisational culture at every level and create an atmosphere that encourages and supports colleagues to openly discuss and report sexual harm without fear of retribution or victimisation.

Often colleagues like a joke or banter to lighten the mood or build relationships, however something that one colleague finds humorous can be humiliating or intimidating to others, whether intended to or not. It isn't enough for the person making the comments to not have meant anything by them, comments, jokes, or banter of a sexual nature can be viewed as sexual harassment if that's how it's received by the other party.

Colleagues should avoid jokes, comments and banter that might be offensive to another colleague. It's necessary to recognise that colleagues will have different experiences, backgrounds, views, feelings, and levels of sensitivity about certain matters. Appendix B provides a guide on what may be considered unacceptable topics for jokes, comments or banter in the workplace, this list is not exhaustive.

Remember that any unwelcome comments or jokes at work aren't 'just a bit of banter', such comments can quickly create a hostile environment for an individual(s) and may lead to investigation and formal procedures such as disciplinary.

### Criminal conduct

Some forms of severe sexual harassment e.g., sexual assault, stalking, indecent exposure, may constitute criminal conduct. When the most serious of concerns are raised that could potentially meet a criminal threshold, BrisDoc will hold supportive discussions with the victim to understand whether referrals and/or advice should be sought from the Police.

The Police normally require complaints to be raised by the victim, BrisDoc will fully support the colleague to do so where appropriate. This support may include but is not limited to, time out of work to report allegations and the support of a colleague or line manager to attend any meetings with the police if required.

The exception would be allegations of sexual harm where there is a concern regarding a risk to others or it is in the public interest for the allegations to be reported to the police. In such situations BrisDoc may report to the Police. Each situation will be considered on a case-by-case basis, and the People team will keep the victim informed and involved.

### Professional Bodies

For colleagues who are required to be registered with a professional body as a condition of their employment BrisDoc will notify the appropriate professional body of incidents of inappropriate sexual behaviour that affect an individual's ability to practice safely and effectively.

Professional bodies may conduct their own investigations and BrisDoc will full co-operate with those investigations.

# Sexual Safety Policy

## Version 1.0

### Further Support

BrisDoc **Employee Assistance Programme** supports employees with their wellbeing, including physical, mental, social and emotional needs, offering self-help support as well as counselling.

There is a wide range of external support for individuals who have been victim of, witnessed, or accused of a sexual safety incident. A list of National and local support services and organisations are listed in Appendix C Further Support.

NHS Service Finder provides details of local Sexual Assault Referral Centres (SARC), who are able to support the victim of either recent or historical cases of sexual violence. Individuals who have experienced sexual violence are encouraged to contact their local SARC for support.

### Monitoring

The effectiveness of this policy will be monitored and reviewed by the People Board and reported to the Corporate Board meeting in the meeting prior to the policy review date. Recommendations will be recorded and shared via the recognised policy approvals process in time for the policy review date.

# Sexual Safety Policy

## Version 1.0

### Appendix A - Equality Impact Assessment

Equality Impact Assessment			
Title	Sexual Safety Policy		
Date Completed	04/06/2024		
<p>In applying this policy, BrisDoc has due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the characteristics protected by the Equality Act (2010).</p> <p>It is recognised that sexual harassment and assault is targeted disproportionately towards individuals based on gender identification, sex, and sexual orientation, and also occurring as domestic abuse within marriage and civil partnerships.</p>			
Protected Group	Does any aspect of this policy that disproportionately impact on the below groups? Please confirm either yes/no	Are these impacts negative, neutral or positive?	Are further actions required to address any negative impacts or enhance positive ones? Please confirm either yes/no
Age	No	N/A	No
Disability	No	N/A	No
Gender Reassignment	Yes	Positive	Yes
Marriage and civil partnership	Yes	Positive	No
Pregnancy and maternity	No	N/A	No
Race and ethnicity	No	N/A	No
Religion or belief	No	N/A	No
Sex	Yes	Positive	Yes
Sexual orientation	Yes	Positive	Yes
<p>Comments</p> <p>Further actions beyond this policy to promote sexual safety include BrisDoc's commitment to the NHS Sexual Safety Charter, the provision of training, and the promotion of awareness campaigns.</p>			

# Sexual Safety Policy

## Version 1.0

### Appendix B – A guide to unacceptable behaviour

The effect of unacceptable behaviour and whether it is unwanted should be considered from the point of view of the person who feels harassed. Below are examples, this is not an exhaustive list.

#### Verbal and Written

- Comments of a sexual nature about a person's clothing, looks, body etc
- Sexually explicit jokes, comments, or banter
- Requests for sexual favours
- Excessive and unwelcomed flirting
- Spreading rumours or discussing a person's sex life

#### Physical

- Inappropriate and unwanted touching of a person – hugging, stroking, massaging
- Purposely brushing up against someone
- Following a person, standing too close or blocking their movement
- Unwanted or coercive and intimidating sexual contact

#### Non-verbal

- Looking a person's body up and down
- Derogatory gestures or facial expressions of a sexual nature
- Whistling or sexual gesture
- Masturbation or genital exposure

#### Visual

- Displaying sexually suggestive objects, photo's, images, or videos
- Showing or sending someone sexually explicit, inappropriate or suggestive images, text messages or emails
- Sharing personal or naked images of a person

There may be other sexual behaviours, which though not unwanted, are still considered inappropriate in the workplace, for example engaging in a consensual sexual act in the workplace or during working hours or sharing sexual content social media/group chats.

# Sexual Safety Policy

## Version 1.0

### Appendix C Further Support

The organisations listed here offer a range of services from crisis intervention and medical care to long-term counselling and emotional support. It's important to reach out to these services to get the support needed.

National support Services:

- **Galop** – LGBT+ sexual violence support – <https://galop.org.uk/> 0800 999 54 28
- **Rape Crisis England and Wales** – offering a free phone and online chat service for anyone aged 16+ who has been affected by sexual violence, abuse or harassment of any kind – <https://rapecrisis.org.uk/> 0800 500 2222
- **Survivors UK** – male rape and sexual violence support offering online chat support or chat via text message – <https://www.survivorsuk.org/> 02033 221860
- **Victim Support** – offering telephone and online chat support to victims of sexual abuse 24/7 – <https://www.victimsupport.org.uk/> 0808 1689111

Bristol offers several support services for victims of sexual assault:

1. **The Bridge:** A Sexual Assault Referral Centre providing free and confidential crisis support, emergency contraception, anti-HIV medication (PEPSE), forensic medical examinations, and referrals to other healthcare services. They offer 24/7 telephone support at 0117 342 6999 ([Bristol Safeguarding](#)) ([The Bridge](#)).
2. **SARSAS (Somerset and Avon Rape and Sexual Abuse Support):** This service provides support for anyone who has experienced sexual violence. They offer helplines, one-to-one support, counselling, and e-support. You can reach their helplines at 0808 801 0456 or 0808 801 0464 during specific hours ([Bristol Safeguarding](#)) ([Bristol City Council](#)).
3. **Kinergy:** Offers confidential counselling services for men and women over the age of 16 who have experienced sexual abuse or rape. Contact them at 0117 908 7712 ([Bristol Mind](#)) ([Bristol Safeguarding](#)).
4. **Safe Link:** Provides independent support to anyone who has been a victim of rape or sexual abuse, offering practical and emotional support. They cover the Avon and Somerset area and can be reached at 0333 323 1543 ([Bristol Mind](#)).
5. **The Green House:** Provides specialist counselling and psychotherapy for adults and children who have experienced sexual abuse or rape. Contact them at 0117 935 1707 ([Bristol Safeguarding](#)) ([Bristol City Council](#)).
6. **Bristol Mind:** Offers various resources and support for survivors of rape and sexual assault, including information about organisations like Galop (for LGBTQIA+ individuals), Safeline, and Survivors UK ([Bristol Mind](#)).
7. **Womankind:** Provides a counselling and helpline service for women who have been sexually abused or raped. They can be contacted at 0345 458 2914 ([Bristol Safeguarding](#)).

**Sexual Safety Policy**  
**Version 1.0**

**Version Control**

Date	Version	Author	Change Details