

# Welcome

Sexual safety in the  
workplace

DEVELOPMENT

# Agenda

## Welcome and introduction

Facilitated by Professor Carrie Newlands

## Andrew Davidson Presentation and Q&A

Andrew Davidson – National head of employment, Hempsons

## Bron Biddle Presentation and Q&A

Bron Biddle – Sexual safety lead, Association of Ambulance Chief Executives

## Breakout discussion

Facilitated discussions on the following two questions.

1. What actions have you taken to address the changes in legal duties on employers within your organisation?
2. What support would be the most beneficial to you in terms of implementing the NHS sexual safety charter?

## Breakout feedback

Facilitated by Professor Carrie Newlands

## Final reflections

Facilitated by Professor Carrie Newlands

## Close of event

## Housekeeping

- Please note, this event is being recorded
- Please keep your camera on wherever possible
- Please note Chatham house rules apply
- If you lose connection, please re-join using the link in your joining instructions or email [race.equality@nhsproviders.org](mailto:race.equality@nhsproviders.org)
- Please ensure your microphone is muted during presentations to minimise background noise
- We will come to questions once we have heard from after each speaker
- Please feel free to use the chat box for questions and sharing examples of what has delivered sustained progress in your organisation
- If you would like to ask a question audibly, please use the raise hand function during the Q&A section and we will bring you in
- Any unanswered questions will be taken away and answered after the event
- You will receive a link to an evaluation form at the end of the day, please take the time to complete it, we really do appreciate your feedback.

# Sexual Harassment – the new legal protections

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Andrew Davidson  
National Head of Employment  
4 February 2025

*They have a very clear understanding and knowledge of what the client needs, but also what is appropriate.*

# Legal definition of sexual harassment

- Sexual harassment occurs where:
  - **Person A** engages in unwanted conduct of a sexual nature; and
  - Conduct has the purpose or effect of violating B's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for **Person B**
- Lessons from Case Law
  - You do not have to expressly object before conduct is deemed unwanted
  - Serious one off incidents can amount to harassment
  - Sexual behaviour which was welcomed in the past can become unwanted
  - When assessing a claim, the courts consider:
    - **Person B's** subjective perception
    - Context and circumstances generally
    - Whether reasonable for the conduct of have that effect

# Worker Protection (Amendment of Equality Act 2010) Act 2023

- New Duty
  - Employers must take **reasonable steps** to prevent sexual harassment, effective from 26 October 2024
- Expanded Liability
  - Includes harassment by third parties (patients, visitors, contractors)
- Proactive Approach Required
  - Conduct regular risk assessments
  - Implement preventative measures
    - Policies, training, cultural initiatives
- Implications for NHS organisations
  - High-risk environment due to complex working conditions.
  - Risks of financial penalties, reputational damage, and employee dissatisfaction if non-compliant

# Taking Action: Steps to Compliance

- Policy Updates
  - Clarify responsibilities, reporting channels, and response mechanisms
  - Align policies with the NHS Sexual Safety Charter
- Mandatory Training
  - Focus on power imbalances and NHS-specific challenges (e.g. patients)
  - Include training tailored to diverse staff experiences (e.g. women, ethnic minority staff, LGBTQ+ staff)
- Address Third-Party Harassment
  - Assess risks from patients/visitors
  - Establish effective reporting systems and support mechanisms.
- Foster a Safe Culture
  - Leadership role-modelling and regular monitoring

# Contact

Disclaimer: These slides are made available on the basis that no liability is accepted for any errors of fact or opinion they may contain. The slides and presentation should not be regarded as a comprehensive statement of the law and practice in this area. Professional advice should be obtained before applying the information to particular circumstances



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# Book now/Save the date:

## Save the Date

Monday 11 March | Leading EDI transformation: Accountability and action for board members

This interactive online event will provide board members and EDI leads with insights from West Yorkshire Health and Care Partnership, a space to discuss leadership accountability for EDI.

Scan to access our  
upcoming events

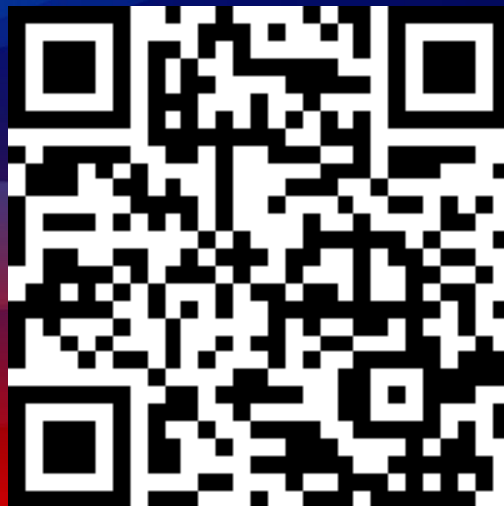


Monday 10 March | Does digital exacerbate or reduce health inequalities?

The webinar will explore whether digital innovation can reduce or exacerbate health inequalities, offering insights, practical tools, and trust led examples to help NHS trusts apply an equity lens to digital transformation



# Tell us what you think



Scan here to access  
our evaluation

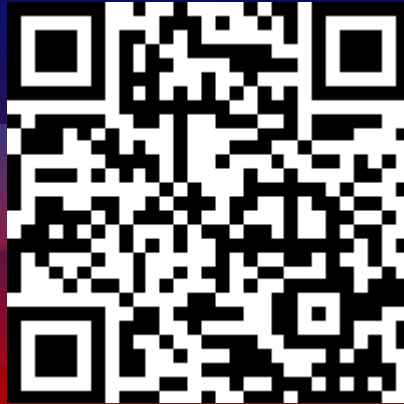
# Visit our website for further information on the Race Equality work:

- Race 2.0 report
- Podcasts
- My journey as a White ally videos
- Blogs
- Previous events and additional resources



Scan here to access our  
website

# Thank you!



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our evaluation