Sexual Misconduct in the Workplace Policy

PRN-173: Sexual Misconduct in the Workplace Policy

CAREHOPES™

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1. Policy Statement

CAREHOPES™ is committed to providing a safe, respectful, inclusive, and professional working environment free from sexual misconduct, sexual harassment, sexual exploitation, inappropriate sexual behaviour, abuse of trust, abuse of position, and any conduct of a sexual nature that undermines dignity, safety, wellbeing, or professional integrity.

CAREHOPES™ adopts a zero-tolerance approach to sexual misconduct regardless of:

- Position
- Seniority
- Employment status
- Length of service
- Professional background
- Client relationship
- Location of the incident

Sexual misconduct may constitute gross misconduct and may result in disciplinary action, dismissal, termination of engagement, referral to safeguarding authorities, professional regulators, the Disclosure and Barring Service (DBS), or law enforcement agencies where appropriate.

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2. Purpose

This policy aims to:

- Protect employees, service users, volunteers, contractors, and third parties.

- Prevent sexual misconduct.
- Promote dignity and respect.
- Establish clear behavioural expectations.
- Support safeguarding responsibilities.
- Protect vulnerable individuals.
- Promote professional boundaries.
- Provide clear reporting and investigation procedures.

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3. Scope

This policy applies to:

- Employees
- Managers
- Supervisors
- Volunteers
- Contractors
- Agency workers
- Students
- Apprentices
- Consultants
- Third-party providers

The policy applies:

- In the workplace
- In service user homes
- In community settings
- During travel assignments
- During holiday companionship assignments
- During airport companionship assignments
- At training events

- During social events linked to CAREHOPES™
- Online and digital environments
- Through social media
- Through telephone, text, email, WhatsApp, or messaging platforms

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4. Definitions

Sexual Misconduct

Sexual misconduct refers to any unwanted, inappropriate, exploitative, coercive, abusive, or unprofessional behaviour of a sexual nature.

Sexual misconduct may occur once or repeatedly.

Sexual Harassment

Sexual harassment includes unwanted conduct of a sexual nature that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment.

Examples include:

- Sexual comments
- Sexual jokes
- Sexual gestures
- Sexual messages
- Sexual images
- Unwanted flirting
- Repeated unwanted invitations
- Sexual propositions

Sexual Exploitation

Sexual exploitation occurs where a position of trust, authority, power, influence, vulnerability, dependency, or professional relationship is used for sexual purposes.

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5. Professional Boundaries

Employees must maintain professional boundaries at all times.

Employees must never:

- Form sexual relationships with service users.
- Pursue intimate relationships with service users.
- Engage in sexually suggestive conversations with service users.
- Request sexual images.
- Share sexual content.
- Exchange sexual messages.
- Make sexual advances.
- Exploit trust or vulnerability.
- Engage in sexual activity whilst undertaking work duties.

For the avoidance of doubt:

A service user's consent does not automatically make a sexual or intimate relationship professionally acceptable.

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6. Abuse of Position of Trust

Employees occupy a position of trust.

Employees must never use:

- Authority
- Influence
- Access
- Information
- Professional relationships

for sexual purposes.

This includes attempting to initiate relationships following disclosure of sensitive personal information obtained through work.

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7. Service User Protection

CAREHOPES™ recognises that service users may be vulnerable because of:

- Age
- Disability
- Illness
- Isolation
- Mental health conditions
- Learning disabilities
- Autism
- Cognitive impairment
- Dependency on support services

Employees must prioritise safeguarding above personal interests.

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8. Workplace Behaviours

Employees must:

- Treat colleagues professionally.
- Respect personal boundaries.
- Exercise good judgement.
- Promote dignity and inclusion.

Employees must not:

- Make inappropriate comments.
- Circulate sexual material.
- Display offensive images.
- Use sexually explicit language.
- Engage in unwanted physical contact.
- Create a hostile working environment.

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9. Digital and Online Conduct

Sexual misconduct can occur through:

- Email
- Text messages
- WhatsApp
- Social media
- Video calls
- Collaboration platforms

Employees must never:

- Send sexual messages.
- Send inappropriate images.
- Request intimate photographs.
- Use organisational systems for sexual purposes.
- Contact service users through unauthorised personal channels.

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10. Reporting Sexual Misconduct

Any employee who experiences, witnesses, suspects, or receives disclosure of sexual misconduct must report concerns immediately.

Reports may be made to:

- Supervisors
- Managers
- Designated safeguarding leads
- Human resources representatives
- Senior leadership

Where necessary, reports may also be referred externally.

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11. Safeguarding Considerations

Sexual misconduct may constitute:

- Abuse
- Sexual abuse

- Exploitation
- Grooming
- Harassment
- Discrimination
- Coercive control

Where service users are involved, safeguarding procedures must take precedence.

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12. Victim Support

CAREHOPES™ will seek to provide:

- Confidential support
- Safeguarding support
- Welfare support
- Access to appropriate guidance
- Protection from victimisation

Individuals who raise concerns in good faith will be protected from retaliation.

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13. False Allegations

CAREHOPES™ recognises that genuine concerns must be encouraged and reported.

Deliberately false or malicious allegations may be investigated and addressed through appropriate procedures.

The existence of malicious allegations does not diminish the seriousness with which all concerns will be treated.

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14. Supervisor Responsibilities

Supervisors must:

- Promote professional conduct.
- Respond promptly to allegations.
- Maintain confidentiality.
- Escalate concerns appropriately.

- Support affected individuals.
- Protect service users.
- Support investigations.

Supervisors must never ignore allegations of sexual misconduct.

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15. Third-Party Provider Responsibilities

Third-party providers must:

- Comply with this policy.
- Maintain professional boundaries.
- Report concerns.
- Cooperate with investigations.
- Protect service users and employees.

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16. Investigation Process

CAREHOPES™ may:

- Conduct fact-finding exercises.
- Undertake investigations.
- Suspend individuals where appropriate.
- Restrict duties.
- Escalate concerns externally.
- Refer matters to safeguarding authorities.

Investigations will be conducted fairly and proportionately.

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17. Monitoring and Compliance

Compliance may be monitored through:

- Supervision
- Appraisals
- Incident reviews

- Complaints
- Safeguarding reviews
- Audits
- Investigations

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18. Breach of Policy

Breaches may result in:

- Retraining
- Formal warnings
- Suspension
- Dismissal
- Termination of contracts
- DBS referral
- Professional regulator referral
- Safeguarding referral
- Police involvement where appropriate

Sexual misconduct involving service users is likely to be treated as gross misconduct.

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19. Related Policies

- Duty of Care Policy
- Professional Boundaries Policy
- Safeguarding Adults Policy
- Safeguarding Children Policy
- Abuse of Power, Office, Authority and Privilege Policy
- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- Conflict Resolution Policy
- Whistleblowing Policy

- Employee Code of Conduct

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20. Policy Review

This policy will be reviewed:

- Annually
- Following safeguarding incidents
- Following legislative changes
- Following significant investigations
- Following regulatory updates