

PRESS RELEASE

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New Guidance on Sexual Boundaries between Health Professionals and Patients

One health professional a week is struck off by regulators for sexual misconduct. Most healthcare professionals work with dedication and integrity and are committed to delivering the best patient care. But since 2005, over 250 cases of sexual misconduct have been considered by health professional regulators.

Crossing sexual boundaries ranges from unwanted sexual humour, innuendo to unnecessary examinations, not seeking consent for contact or sexual assault.

Healthcare professionals are more likely to cross sexual boundaries when they work alone, in private, where physical contact is a necessary part of their work and where patients are emotionally vulnerable.

Several public enquires have noted the need for better information and guidance on dealing with sexual behaviour towards patients by healthcare professionals. New Guidance from the Council for Healthcare Regulatory Excellence, which oversees healthcare professional regulation, sets out how patients can protect themselves and links to advice for professionals, employers and training bodies. Published jointly with NHS Employers, the guidance suggests patients should:

- ask if you are unsure why something is being done to you
- ask the healthcare professional why they need to do something if it makes you feel uncomfortable or embarrassed
- ask if you would like someone to be present with you during an examination (a chaperone)
- ask for a private place to change.
- ask for help from the healthcare professional's colleague or manager if you feel that they have acted sexually towards you

The Guidance was prepared by a Working Group including healthcare professional regulators, patient organisations and the Department of Health. Guidance in this difficult area was recommended by the Kerr-Haslam Enquiry in 2005.

Harry Cayton, Chief Executive of CHRE said: 'We are not about to regulate love but sexual relationships between healthcare professionals and their patients are always wrong. I urge anyone who feels uncomfortable with the behaviour of a doctor, nurse or other professionals to take steps to protect themselves. Similarly professionals should guard against inappropriate behaviour by patients. We know all regulators take these issues seriously and we wish to support professionals and patients in avoiding crossing sexual boundaries'.

Jonathan Coe, Chief Executive of Witness said 'Sexual boundary violations by healthcare professionals cause severe and lasting harm to patients. This new guidance will help patients to understand the boundaries that should be in place and keep themselves safe. We hope the leaflet will help the public to feel more able to come forward and report their concerns.'

Evelynne Gilvarry, Chief Executive of the General Osteopathic Council said: 'The guidance given by CHRE is very clear and helpful and will assist regulators, patients and members of the public more widely in dealing with this important and sensitive issue.'

ENDS

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For further details of CHRE's work please visit: www.chre.org.uk .

Notes to editors:

'Clear sexual boundaries between healthcare professionals and patients,' guidance for patients and carers and a leaflet entitled 'Clear sexual boundaries - looking after yourself' which outlines five simple steps a patient can take to ensure they receive the care they deserve are available from CHRE www.chre.org.uk

1. The Kerr-Haslam Inquiry: William Kerr and Michael Haslam were consultant psychiatrists in the 1970s and 1980s in the same hospital in York, North Yorkshire. William Kerr was convicted in 2000 of one count of indecent assault and in 2003 Michael Haslam was convicted of four counts of indecent assault. The victims in all of these cases were vulnerable female psychiatric patients.
2. The Ayling Inquiry: Clifford Ayling was a GP found guilty in 2000 of 12 charges of indecent assault relating to 10 female patients. The Inquiry noted that there was 'an urgent need' to address the lack of published guidance on recognising and responding to sexualised behaviour. (2.27)
3. David Britten: was a nurse in a London eating disorders service. Over the course of twenty years he is known to have had unprofessional relationships with 23 women ranging from inappropriate remarks to full sexual relationships. NHS London published a report into his conduct in July 2008.
4. The Council for Healthcare Regulatory Excellence promotes the health, safety and well-being of patients and other members of the public in the regulation of healthcare professionals. We scrutinise and oversee the work of the nine regulatory bodies¹ that maintain registers of healthcare professionals. These bodies also set standards for training and conduct and take action where someone is not fit to practice.
5. We share good practice and knowledge with the regulatory bodies, conduct research, and introduce new ideas about regulation to the sector. We monitor policy in the UK and Europe and advise the four UK government health departments on issues relating to the regulation of healthcare professionals. We are an independent body accountable to the UK Parliament.
6. We promote good practice in the regulation of healthcare professionals in five ways:
 - we review the performance of the regulatory bodies annually to identify good practice and areas for improvement
 - we audit the initial stages of the regulatory bodies' fitness to practise procedures and examine final decisions made by them about whether healthcare professionals are fit to

¹ General Chiropractic Council, General Dental Council, General Medical Council, General Optical Council, General Osteopathic Council, Health Professions Council, Nursing and Midwifery Council, Pharmaceutical Society of Northern Ireland, Royal Pharmaceutical Society of Great Britain.

practise. In some cases we refer decisions to Court where we believe that such decisions are unduly lenient

- we conduct research, share learning with regulatory bodies and hold events to explore better ways to manage new challenges
 - we advise the Secretary of State for Health and health ministers in Scotland, Wales and Northern Ireland on matters relating to the regulation of health professionals
 - we keep abreast of European and international policies to improve policy decisions on UK regulation of health professionals. Through these networks, we advise colleagues in other countries the methods we have adopted for better regulation of UK healthcare professionals.
7. For more detailed information including how to report an incident, or for sources of support, please view our 'Clear sexual boundaries between healthcare professionals and patients' guidance or our leaflet 'Clear sexual boundaries – looking after yourself.' The guidance is part of our series of guidance which can be accessed on our website: <http://www.chre.org.uk>, or call us on 020 7389 8030 to request printed copies.