



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

**UK's only company dedicated to dealing solely
with Sexual Misconduct within the workplace!**

STOP SEXUAL HARASSMENT WITHIN THE WORKPLACE

STOPSEXUALMISCONDUCT.CO.UK

Investigatory Services





SEXUAL HARASSMENT COMPLAINT FORM

Investigations

It's easy to imagine that most business owners, leaders, HR managers or compliance officers would feel a sense of trepidation after receiving a complaint of sexual misconduct, sexual harassment, and even sexual assault within their workplace.

As the UK's number 1 specialist provider dealing solely with sexual misconduct within the workplace, with 5-star reviews, (endorsed by the Right Honourable Baroness Burt of Solihull - Architect of the Worker Protection Bill) in promoting the safety and wellbeing of your workforce and together, we can stamp out sexual harassment, so everyone feels safe and able to thrive within the workplace.

Sexual misconduct occurs in many forms and settings. We investigate all types of incidents. Our services include carrying out one-off and ongoing investigations into incredibly complex and highly emotive matters.

In the post "me too" era, we collectively share a far greater awareness of the damaging impacts of this kind of misconduct—not to mention the potential pitfalls for businesses that poorly navigate a complaint and decisions around mounting a sexual misconduct investigation.

However, sexual misconduct, sexual harassment and even sexual assault at work statistics continue to highlight a substantial problem across England and Wales.

Almost three quarters of sexual misconduct claims in the workplace go unreported. While these percentages point to an ongoing need within the corporate world for efforts to reduce the risks that might set a course towards any sexual misconduct investigation, at least those faced with driving such corporate investigations can use the wisdom of those who have gone before them to shine a light toward resolution in the present moment and justice for potential victims or for those falsely accused.

Critical to this process is swift action and a respectful approach to caring for employees while uncovering the truth.



The Team

Having over 90 years combined experience spanning 34 years dealing solely with sexual misconduct matters we understand the subject matter can be delicate, requiring an expert specialist who can convey the message in an effective, yet comfortable and engaging manner. Our stop sexual misconduct consultancy team, awareness training facilitators, investigatory team and keynote speakers comprise of former sex crimes expert legal advisors, and former senior specialist trained police officers.

Our team are 100% committed to safeguarding and promoting the welfare of all, especially the vulnerable, children and young people, therefore every team member has undertaken Enhanced Disclosure and Barring Service (DBS) checks.

In addition, our expert consultants and course facilitators are highly experienced and are DBS Enhanced as Child & Adult Workforce Support Workers and have years of traceable experience. In addition, our team are fluent in the law and procedure on all Sexual Offences Acts 1956 & 2003), Equality Act 2006/2010, Worker Protection (Amendment of the Equality Act 2010) Act 2023. Mental Capacity Acts 2005 & 2020, Criminal Procedures Investigations Act 1996, Private Security Industry Act 2001, The Sexual Discrimination Act 1975, The Criminal Justice and Public Order Act 1994, Protection of Harassment Act 1997. Companies Act 2006 (s 171-174). and work in line with statutory safeguarding guidance (e.g., Keeping Children Safe in Education, Prevent) and our own safeguarding and child protection policies along with Achieving Best Evidence protocols.

Our full-time consultants have advised on high-profile cases, published many articles and appeared on national television. We also have a vast knowledge of dealing with complex investigations, employment tribunals, civil, criminal, and appeal court cases involving sexual allegation matters. Our team has the background, experience, and competences to deal effectively with various issues related to sexual misconduct, including sexual harassment, sexual assault, sexual abuse, rape, domestic abuse, intimate partner violence, hate crime, FGM cases, stalking and child bullying.



Don't Wait to Take Action

As soon as a sexual misconduct complaint is received, it is essential to take prompt action. This will include reporting the complaint to those relevant in the chain of command and or the human resources department. The process of corporate investigations must begin right away, with any delay in doing so putting the victim and other employees in danger of further abuse, or someone being falsely accused. Dragged heels at this juncture may also steer an organisation towards a tribunal or fines if they are later found to have acted irresponsibly.

Take Care of Your Team

Even though you don't yet have all the facts, it is important to demonstrate how seriously the complaint is being taken while safeguarding the employees involved. This early step of a sexual misconduct investigation calls for collaborating with the complainant to ensure they feel protected. You should be prepared to separate the complainant and the accused either by moving them to a new workstation or changing their scheduled hours. Alternatively, you may decide it is most appropriate to put the accused individual on paid leave until the matter is resolved.

Ensure a Discreet and Unbiased Investigation

A sexual misconduct investigation can turn the lives of those in its orbit upside down if not handled with care. Every aspect of the investigation must be approached with confidentiality and discretion in mind. Perhaps more importantly, the investigation must be free from bias. This can be particularly challenging in any workplace setting as members of different departmental teams often socialise together.

The person chosen to lead the investigation cannot have a relationship with the complainant employee, the individual subject to the allegation, or any witnesses. Any indications of bias may upend the legal standing of the conclusion of the investigation and any resulting action taken. So, if in any doubt, it is always better to bring an external corporate specialist investigator in to oversee the process.

Do you need support in mounting a respectful sexual misconduct investigation in your workplace?

A corporate investigator from stopsexualmisconduct.co.uk is expertly trained to navigate sensitive corporate investigations with diligence, compassion, and professionalism. Working with our specialist investigators will ensure swift resolution while protecting both employees and the business from future harm.

Investigating Sexual Misconduct in the Workplace

You will work with a team that has investigated and supervised many matters over 30 years, involving sexual assault and harassment, stalking, workplace violence, internet predators, unlawful surveillance, and child pornography. Therefore, we understand the necessity for each matter to be handled with the utmost care and confidentiality.

From medical and educational institutions to professional sports teams, from international corporations to religious and not-for-profit organisations, we have the expertise to investigate the true nature of sexual misconduct claims.

Legal Cases

Handling a Legal Case? Depend on the Experts.

stopsexualmisconduct.co.uk offers litigation support to businesses, organisations and institutions who are handling a sexual misconduct case, by assisting with investigations and performing witness interviews and assessments for employment tribunals, civil and criminal proceedings.

With our extensive experience of managing sexual misconduct cases in the courtroom, we skilfully and confidently help you to navigate unfamiliar processes.

Our team has significant experience in representing clients in a public inquiry as well as other types of investigation. This experience runs throughout our company. It means that we can quickly mobilise a team that has had practical experience of inquiries and investigative work.





Reduce Risk with Detailed Background and Pre-Employment Investigations

Standard background checks and employment investigations can miss vital pieces of information that you need to make smart business decisions. From hiring and client onboarding to monitoring adherence and employee contracts, we provide the details and analysis that you need to make an informed decision.

Hiring new employees brings new risks. Businesses, organisations and institutions that rely on automated services for background checks risk missing the red flags which a skilled analyst's thorough review may uncover.

Our experienced team surveys many types of records, verifies professional and educational qualifications, and provides context and background to a potential new employee's personal history. The results of our research are then compiled into a 'prospect portrait' that enables you to assess a candidate's qualifications, evaluate any potential red flags, and make effective recruitment decisions.

Sexual misconduct is an urgent workplace issue. By carrying out effective detailed background and pre-employment checks, stopsexualmisconduct.co.uk will support you in ensuring that everyone is treated with dignity and respect at work.

With this vast expertise and experience, we see the bigger picture: the consequences of a drawn-out dispute, the effect on long-standing business relationships within the workforce, and the legal arguments and evidence associated with each matter that we engage with.

Our terms of business apply.

Criminal behaviour

We take our commitment to being a law-abiding company above and beyond our legal obligations and to show our professionalism to ensure that our business complies with statutory requirements and our own policy procedures, to assess that quality standards are being met, and to prevent or detect crime, we have a duty of care to report a crime. You are advised that it is a serious criminal offence to give false or misleading information, and interfering with the process of justice is also a criminal offence.

Data Barring Service (DBS):

Our team are 100% committed to safeguarding and promoting the welfare of all, especially the vulnerable, children and young people, therefore every team member has undertaken Enhanced Disclosure and Barring Service (DBS) checks.

1. Our Managing Director, Stephen Cooper holds an Enhanced Certificate within the meaning of sections 113B and 116 of the Police Act 1997 and is cleared to work as "Child and Adult Workforce Support Worker – Cert No: **001851618370** issued on the 13th October 2023. The certificate is available to view upon request.

As a unique company stopsexualmisconduct.co.uk Limited are recognised as an expert and a leading authority on all matters relating to the law and procedure. We are fluent on all Sexual Offences Acts 1956 & 2003, Equality Act 2006/2010, Worker Protection (Amendment of the Equality Act 2010) Act 2023, Mental Capacity Acts 2005 & 2020, Criminal Procedures Investigations Act 1996, Private Security Industry Act 2001, The Sexual Discrimination Act 1975, The Criminal Justice and Public Order Act 1994, Protection of Harassment Act 1997, Companies Act 2006 (s 171-174), and work in line with statutory safeguarding guidance (e.g., Keeping Children Safe in Education, Prevent) and our own safeguarding and child protection policies along with Achieving Best Evidence protocols.

We are registered with Companies House as being able to carry out:

Public Relations and Communications Activities (SIC Code 70210), Investigation Activities (SIC Code 80300), Educational Support Services (SIC Code 85600), Justice and Judicial Activities (SIC Code 84230).

Some forms of sexual misconduct may also constitute criminal offences under a range of legislation, including but not limited to the Sexual Offences Act 2003 and the Protection from Harassment Act 1997. Potential criminal offences include sexual assault, rape, stalking, or disclosing private sexual images to cause distress ('revenge pornography').

If an individual makes a complaint of sexual harassment that may amount to a criminal offence, the employer should raise the possibility of reporting the matter to the police with the complainant and provide them with the necessary support if they choose to do so. Further advice should be sought from qualified experts.

The employer should give the complainant's wishes a significant amount of weight: if they do not wish to report the matter to the police then in most cases the employer should respect that wish. However, it must be made clear that a report will be kept on file. In certain circumstances, however, an incident should be reported to the police. The employer should weigh up the risk of reporting the matter to the police contrary to the complainant's wishes, against any risk to the safety of the complainant, the complainant's colleagues and third parties if the matter is not reported to the police.

In cases where the police are involved, an employer should discuss the disciplinary process with the police. The employer should not assume that it cannot take any action to investigate the matter until police enquiries or any subsequent prosecution have concluded. The employer should check with the police that it can carry out its own investigation without prejudicing any criminal process. If it is safe to do so, then the employer should consider whether it would be reasonable in all the circumstances to continue with an investigation immediately rather than to await the outcome of the criminal process. Likewise, if the investigation does not result in a conviction, the employer should not assume that it cannot take further action.

Criminal offences must be proved beyond reasonable doubt, meaning that there must be clear evidence supporting the allegation against the accused. An employer, on the other hand, need only have reasonable grounds to conclude that a disciplinary offence has been committed. This could involve, for example, the employer weighing up the evidence of the witnesses and deciding which witness or witnesses have provided the most cogent version of events.

Holistic approach.

Action on sexual harassment needs to be taken in a holistic way; small changes based on compliance and liability-avoidance are not enough. This is well demonstrated through the lens of violence prevention frameworks that outline three levels of prevention:

1. Primary prevention strategies aim to address the root cause of an issue and work to prevent an incident from occurring. Primary prevention actions to address sexual harassment include creating a culture that does not tolerate sexual harassment, implementing robust sexual harassment policies, and providing training to all employees.
2. Secondary prevention actions take place immediately after an incident occurs and aim to prevent further harm and handle short-term consequences, including victimisations. Secondary prevention actions include responding to a report of sexual harassment fairly and effectively and issuing proportional sanctions to the harasser.
3. Tertiary prevention actions are long-term responses to an incident that aim to address the consequences of the incident. These include offering long-term support to employees who have been sexually harassed and monitoring the effectiveness of sexual harassment prevention strategies.

However, where SSML considers that the ‘sexual misconduct’ in question may also have been a criminal offence, SSML will (after due consideration of the wishes of the person making the complaint and a risk assessment) consider whether the matter should be referred to the police. Although it must be made abundantly clear, if SSML errs on the side of caution (to avoid prosecution) then we have a legal duty to report it to the police, then it is a matter for the police to decide whether to commence criminal proceedings. Our Technical Guidance Policy provides guidance on awareness to alert someone that there is a risk that those under investigation may destroy evidence, seek to influence witnesses, default, or abscond if we send notice of the investigation. Some type of notification would cause us to commit a criminal offence, such as a ‘tipping off’ offence.

and finally...

We're sure you'll find us a little different, after all, we are a unique company, you'll always find us warm and friendly to have a conversation with and we're down to earth, so won't bamboozle you with jargon either and believe that a crucial part of being a successful business is being extremely approachable and providing easily accessible support through a team of knowledgeable and dedicated experts. We will answer your questions and concerns and guide you through the process of dealing with issues pertaining to the eradication of sexual misconduct, sexual harassment, and sexual assault.

We realise that this is a notoriously complex subject, and stopsexualmisconduct.co.uk is readily available to provide a professional and trustworthy service that can make a huge, positive difference to your business.

If you would like further details or have any questions about our investigation service, please do not hesitate to contact me directly via my email:

sc@stopsexualmisconduct.co.uk

or my mobile number is **07379 242 777** or you can contact our office directly on **0330 043 9727**.

Yours sincerely

Stephen Cooper

Managing Director



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