

Many primary eye care practices will be aware of the recent communication from ICBs and/or NHSE Regional Teams in which they requested practices sign up to the NHS Sexual Safety Charter.

After discussing this matter with NHS England, OFNC are now able to provide an update.

The request to sign up the charter has been made in advance of the upcoming update to the Employment Rights Act 2026 which will strengthen the legal duties on employers and will require that employers take all reasonable steps to prevent sexual harassment. OFNC have been informed that there is an expectation that the Government will subsequently seek to introduce legislation that will define what compliance looks like, placing a legal obligation on businesses, however this is not expected to come into effect before 2027 and may be subject to change.

Currently there is no obligation on primary eye care practices to complete the '*Sexual Safety Charter – self-assurance checklist for primary care providers*' shared by the ICBs. There is also, at this point, no obligation to sign up to the NHS Sexual Safety Charter, or to complete any additional training beyond that which is routinely conducted by the business owner.

OFNC will continue to discuss with NHS England how any changes introduced by future legislation should be implemented, but OFNC have been very clear with NHS England there is currently no contractual mechanism available to mandate practices to sign up to this charter and that this would be an additional, unfunded requirement.

If, as suggested, the Government introduces new legislation regarding this issue, it is our view that the existing contract compliance frameworks such as QiO should be used. Utilising this mechanism will avoid duplication for practices and ensure that the resources available and reporting processes are, as far as is possible, appropriate to the primary eye care sector. OFNC have agreed to discuss what appropriate steps post legislation may look like and to work with NHS England to ensure the burden on practices is minimised.

However, we are aware that some practices may wish to familiarise themselves with the NHS materials and should they wish to do so, further information can be found below.

<https://www.england.nhs.uk/publication/an-update-on-actions-to-prevent-sexual-misconduct-in-the-nhs/>