

**Written evidence from Professor Rowan W Parks, The Royal College of Surgeons of Edinburgh
[NHS0001]**

31st October 2023

The Rt. Hon. Caroline Nokes MP
Chair of the Women and Equalities Select Committee
House of Commons
Westminster
SW1A 0AA

Dear Ms Nokes

I am writing to you following the Women and Equalities Select Committee's witness session on sexual safety in the NHS and the particular problems within the surgical profession.

The Royal College of Surgeons of Edinburgh is headquartered in Scotland and is the largest of the UK's four surgical Royal Colleges, with members and fellows in over 100 countries worldwide. Around half of our 31,000 members and fellows are based in England, and we therefore play a leading role in setting surgical standards and guiding the professional development of surgeons and dental surgeons in the NHS across the four nations of the UK and internationally. I welcome the fact that your Committee has chosen to inquire into the sexual misconduct in surgery report. I am determined that the RCS Edinburgh will lead work to achieve positive change in the profession.

The College unequivocally supports the comments made by the three witnesses who gave evidence to the committee, as well as the recommendations of the Working Party outlined in their report. Sexual harassment and assault are unacceptable, and we need to instigate cultural change to bring an end to this behaviour.

I particularly wanted to offer comment on the lack of ownership between different organisations – NHS Trusts and Health Boards, the GMC, trade unions and us as Royal Colleges – when an incident violating someone's sexual safety is reported, which the witnesses spoke of in their evidence. These institutional failings are deplorable, and deeply upsetting to survivors of sexual misconduct. The emotional and mental wellbeing of survivors must be the guiding principle of dealing with these incidents. With that in mind, there are valid concerns over who would be the most appropriate organisation to respond. Royal Colleges have no jurisdiction in the investigation or sanction of poor professional behaviours in Trusts, although we recognise our clear role in setting standards and in education. We agree that the current system of reporting and investigation of sexual misconduct is not fit for purpose. In particular, for Trusts and Royal Colleges there is the risk that the perpetrator may be well known to internal investigators, perhaps even in leadership roles. This conflict of interest is demonstrably not in the interests of survivors, as your witnesses explained.

The GMC should be involved in cases where the appropriate punishment is removal from the register, but those serious incidents are rarely if ever the first time a perpetrator has behaved inappropriately: there is often a pattern of escalation. For the safety of our colleagues, we need a system which demonstrates to perpetrators that their behaviour will not be tolerated before it gets to that level of seriousness.

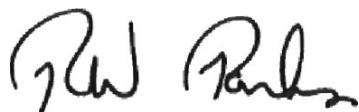
For these reasons, it is our belief as a College that an independent body to investigate such complaints would be most appropriate, similar to the Independent Office for Police Conduct, and that such an organisation should be established. This will ensure that investigations are external, independent and fit for purpose, as called for in the report of the Working Party on Sexual Misconduct in Surgery. We would be happy to contribute to the development of such an organisation.

As Royal Colleges, we also need to improve when it comes to our educational and training offerings, as these are the best tools we have to influence cultural change towards a safer, more inclusive surgical workplace. Our College has been extremely concerned about this issue of professional behaviours in the workplace for a number of years, after a similar sexual misconduct scandal occurred in Australasia. Following that, we worked with the Royal Australasian College of Surgeons which resulted in a long-standing campaign against workplace undermining and bullying; you can find information about that on our [website](#). Our courses, such as NOTSS (Non-Technical Skills for Surgeons), promote collaborative team working, good communication and a levelling of the hierarchical structures in surgery, which has been shown to improve team morale and also improve patient outcomes. By levelling the hierarchies, we also go some way to addressing the power imbalances which perpetrators often utilise both to commit their acts but also to pressure survivors into silence afterwards.

As a signatory of NHS England's Charter on Sexual Safety in Healthcare, we are committed to taking and enforcing a zero-tolerance approach to any unwanted, inappropriate and/or harmful sexual behaviours within the workplace, and to the ten core principles and actions to help achieve this listed in the Charter. To do that we recognise that we need to do more to live up to our responsibilities. We are currently reforming our disciplinary procedures, and producing a new code of conduct, to strengthen our ability to respond to poor behaviour reported to us. We are developing a Conflict Resolution Course for surgeons, and we are also developing a respect and civility statement to be added to the end of sign-in checklists at the beginning of operations, which we will ask Trusts to adopt. We hope that these 'nudges' will help to address cultural change.

We are committed to doing our part in protecting our colleagues in the workplace, and to supporting appropriate action towards that end. If you or the members of the Women and Equalities Select Committee wish to discuss this issue with us further, we can make ourselves available at your earliest convenience.

Yours sincerely



Professor Rowan W Parks
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November 2023