

# Harassment and Bullying policy

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# 1. Policy

**This policy has been written in accordance with the Royal Court's policy on Bullying, Harassment and Unwanted Sexual Attention.**

Animikii Theatre aim to provide the best possible working environment for all employees and freelancers working with us, one that is based on collaboration and respect.

We expect all employees to recognise that each individual has a right to a working environment which encourages respectful, considerate, dignified and non-sexualised working relationships. It is the duty of every employee to treat their colleagues with dignity and respect and we are opposed to harassment and bullying in any form.

The Policy applies to harassment on the grounds of any protected characteristic; please refer to our 'Diversity and Inclusion Policy' for a list of protected characteristics.

Harassment breaches Animikii Theatre Policy as outlined and it is classified as a serious offence which may result in disciplinary action including summary dismissal under the Disciplinary Procedure.

This policy on harassment and bullying applies to all members of staff as well as freelance and contract staff employed by Animikii Theatre. It is the responsibility of all managers, members of staff and people employed by Animikii Theatre to ensure this policy is upheld and clearly communicated to everyone.



## 2. Definitions

Harassment includes any behaviour that is offensive, intimidating, humiliating or hostile; which interferes with individuals' work; which causes stress, anxiety, fear or sickness on the part of the harassed person and behaviour which sexualises the workplace. Harassment based on age, sex, race, disability, sexual orientation, gender re-assignment, ethnic or national origins, religion or belief, or harassment of a sexual nature, is unlawful and may render the persons responsible personally liable for legal action or even criminal proceedings.

The following interpretations and examples of harassment may be helpful in determining whether harassment has taken place:

### 2.1 General Harassment

"Harassment can take many forms and may be directed in particular against women and ethnic minorities or towards people because of their protected characteristics. It may involve action, behaviour, comment or physical contact which is found objectionable or which causes offence; it can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating work environment."

### 2.2 Sexual Harassment; unwanted sexual attention, language or inappropriate behaviour of a sexual nature or intent.

Any unwanted conduct of a sexual nature, or other conduct based on sex, affecting the dignity of individuals at work – which can include unwelcome physical, verbal or non-verbal conduct whereby the behaviour is inappropriate, offensive or distressing for the recipient; and such conduct creates an intimidating, hostile, humiliating or sexualised working environment for the recipient. Conduct or comments become harassment when they are unwelcome to others or make others feel uncomfortable or threatened, even if they are intended as a joke. Intention is not the same as impact.

## Conduct may include:

- Insinuating and sexualised remarks
- Grabbing, deliberate touching
- Suggestive gestures and jokes
- Staring, meaningful glances
- Seemingly accidental touchings
- Demand for sexual attention
- Derogatory remarks about an individual's body, manner or sexual activities
- Insult after rejection of an advance and / or repeated propositions
- Showing, sending or display of pornography
- Promise of advantage for sexual concessions
- Threat of disadvantage for rejection of advances
- Physical force, or threat of force, for sexual action



This list is not exhaustive and we recognise that unwanted sexual attention can take many forms.

## 2.3 Racist or Sectarian Harassment

"In the workplace, racial or sectarian harassment may take the form of actual or threatened physical abuse or it may involve offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature or offensive remarks about a person's skin colour, physical characteristics or religion. It may also include repeated exclusion of a person from an ethnic or religious minority from conversations, patronising remarks, unfair allocation of work or pressure about the speed and/or quality of their work in a way which differs from the treatment of other employees."

## 2.4 Bullying

Which leaves the recipient feeling hurt, upset, vulnerable or helpless. It is often inextricably linked to the areas of harassment described above. The following are examples of bullying:

- Unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of others.
- Spreading malicious rumours or making malicious allegations.
- Intimidation or ridicule of individuals with disabilities and /or learning difficulties.
- Ignoring or excluding an individual from the team / group

# 3. Principles

- We ask everyone working for Animikii Theatre to consider the impact that their actions or comments may have on others and to take responsibility for their own behaviour.
- If you feel comfortable doing so, we encourage you to firstly directly address your concern with the individual(s) involved. This helps to foster an honest and open community and is often the fastest path to a resolution.
- We encourage everyone to report instances of sexual harassment and encourage their peers to do the same. Peer to peer support will help to create a working culture where inappropriate sexual behaviour or language is completely unacceptable and can be challenged either in the moment or through the formal procedure.

- We will keep a log of incidents which are reported to us to help identify patterns
- We will ensure we raise awareness of sexual harassment in the workplace by providing a workshop for all staff on an annual basis, keeping the conversation live and giving people the confidence to challenge and change a working culture which condones inappropriate sexual behaviour or language.
- We will communicate this policy clearly to all writers, actors, stage managers, creative teams and other freelancers working with us.
- This policy is endorsed and supported by the Board of Trustees, who undertake to support the Artistic team in managing cases which may result in disciplinary action and / or dismissal.

## 4. Responsibilities of managers

Every manager has an obligation to prevent harassment / bullying and to take immediate action once it has been identified, whether or not a complaint has been made.

Allegations of harassment or bullying, received either informally or formally, must be dealt with promptly and sensitively.

It is important that managers recognise that sexual harassment is any sexual advance unwanted by the recipient or behaviour which causes offence to the recipient. Similarly, racial harassment is behaviour which is racially offensive to the recipient. Managers must therefore take care to ensure that they do not pre-judge situations based on their own sexual or racial attitudes and perceptions.

It may not always be appropriate for a line manager to be involved with specific complaints. For example, if the complainant is male and wishes to speak to a male, but the manager is female, or, if the complaint relates to the conduct of the line manager. The procedure below sets out the alternatives for such instances.

## 5. Responsibilities of all employees

Every employee has a personal responsibility **NOT** to harass or bully other members of staff.

An employee who becomes aware of harassment or bullying occurring should bring the matter to the attention of their manager.

## 6. Redress

An employee who feels that they have been harassed or bullied has a right to seek redress via the procedures set out below.



## 7. Procedure for dealing with harassment

An employee who feels that they are being subjected to harassment or bullying may attempt to resolve the matter informally in the first instance. In some cases it may be possible and sufficient for him/her to explain clearly to the person(s) engaged in the unwanted activities that the behaviour is unwelcome, that it offends or makes him/her uncomfortable.

- If at the initial informal discussion stage the circumstances are too difficult or embarrassing to approach the harasser alone, the complainant may wish to be accompanied by a friend or colleague;
- the complainant may wish to write a letter to the harasser (research has shown this to be very effective);
- the complainant should keep a record of any incidents, detailing when, where, what occurred, and witnesses (if any);
- in some cases victims of harassment or bullying may not be sufficiently confident to tell the harasser that his or her behaviour is unacceptable. The company emphasises therefore that staff **are not required** to approach the harasser in an attempt to resolve the problem informally, and are entitled to report the matter immediately if they so wish.

Where the steps outlined above are unsuccessful or inappropriate, the complainant should raise the matter informally and in confidence with their manager. Alternatively, the matter may be raised with a more senior manager (if felt necessary this could be of the same sex as the complainant).

If the complaint relates to the conduct of the complainant's manager, the complainant may choose to discuss the matter with a more senior figure, as in the Artistic Director or a member of the board.

The matter will be discussed with the complainant and agree a course of action. The complainant may be accompanied by a representative or work colleague at these meetings. The alleged harasser will also have the right to state their version of events and also be accompanied by a representative or colleague.

The complainant must be assured that they will not be discriminated against or victimised for raising the complaint. Confidentiality will be observed throughout and the need for any disclosure of the details of the case will be discussed and agreed.

At any stage of the process the complainant, the manager dealing with the complaint or the accused may feel that they need the help of an independent person before deciding on the best course of action. The Company will seek the advice of a suitable trained persons who can give confidential advice and assistance, including:

- advising on the nature of harassment;
- offering guidance on resolving harassment problems, including acting as an independent broker

If the situation cannot be resolved informally then the complainant has the right to pursue their complaint formally via the Company's Grievance Procedure.

Where management consider that there may be evidence of harassment, they may consider it appropriate to undertake a full investigation of the circumstances. In this case a manager not connected with the department involved, or an individual external to the company will be commissioned to undertake this investigation. Best practice in relation to confidentiality will be maintained during this investigation; and both the complainant and alleged harasser will have the opportunity to have their say. The investigator will also interview and take statements from any appropriate witnesses to the alleged harassment.

Where there is evidence that harassment has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate. Harassment is a serious offence which may result in summary dismissal.

## 8. Communication

All staff will be informed of the Harassment and Bullying Policy and Procedure. They must be reassured regarding:

- fear that others will consider the behaviour trivial and not take complaints of harassment seriously;
- fear that no action will be taken against a person guilty of harassment;
- fear of retaliation or victimisation in registering a complaint either informally or formally through the Grievance Procedure.

The Harassment and Bullying Policy will be part of staff induction.

## 9. Training

Training will be provided for those employees who have a specific responsibility for implementing this Procedure or who may be involved in dealing with complaints which arise.

## 10. Monitoring and review

In order to assess the effectiveness of the Procedure, statistics will be maintained in respect of the complaints of harassment. Strict confidentiality will be maintained and the monitoring process will comply with the Data Protection Act.

The effectiveness of this policy will be reviewed regularly.

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