

THE OLD VIC

Dignity at Work Policy

It is The Old Vic Group's policy to make every effort to provide a working environment free from harassment and intimidation. We consider such behaviour to be unacceptable and will not permit, condone or tolerate harassment or bullying of any kind. Bullying or harassment whether intentional or unintentional, is unacceptable and could result in dismissal.

This is our policy on harassment and bullying and explains our procedures for dealing with harassment or bullying if it occurs. If you have questions about any aspect of this section you should speak to the Head of HR of the Old Vic Theatre Trust 2000 (the 'Head of HR').

Scope of this policy

This policy applies to agency, casual and freelance staff as well as employees. Aspects of the policy may need to be applied in different ways to cater for those who are not employees (for example, freelance staff might want to raise a complaint with HR as they will not have a manager and an agency worker accused of harassment would normally be disciplined by the agency rather than by us).

Introduction

Everyone should be treated with dignity and respect at work. Bullying and harassment of any kind are in no-one's interest. Bullying and harassment can lead to:

- poor morale and poor employee relations
- loss of respect for managers and supervisors
- poor performance
- ill-health and absence
- resignations
- damage to our reputation; and
- legal claims.

Individuals who are subjected to bullying and harassment related to 'protected characteristics' have special protection. The protected characteristics are age, disability, race (including national origin and nationality), religion or belief, marriage and civil partnership, sex, sexual orientation, gender reassignment, pregnancy and maternity. Both we, as employer, and the person carrying out the bullying or harassment can be liable. If you bully or harass colleagues, you may have to pay compensation personally.

We do not tolerate bullying or harassment whether it is related to protected characteristics or not. This applies not only in the work-place but outside work where there is a work connection – for example at a social event. Such behaviour is normally gross misconduct and likely to result in dismissal; in serious cases, it may be a criminal offence. In this policy, where we use the expression 'harassment', it includes bullying.

What are bullying and harassment?

Bullying and harassment include conduct that has the purpose or effect of creating an intimidating, degrading or offensive environment. It might include:

- 'picking on' or ostracising or making degrading comments about a colleague
- criticising a colleague in public
- whispering or gossiping campaigns
- shouting at a colleague
- repeatedly putting unreasonable pressure on staff that you manage, for example, imposing unachievable deadlines; and
- conduct related to protected characteristics (we set out examples below).

Bullying or harassment related to protected characteristics has a broad meaning. It is unlawful even if it was unintended and the person doing it was unaware that he or she might cause offence.

For example, you may feel that you know your colleagues and that they will not be offended by a joke about race, religion or sexual orientation, but if they (or someone who over-hears) turn out to be offended, you are likely to be guilty of harassment, even though the person complaining does not have the protected characteristic. For example, you are likely to be guilty of harassment if you make homophobic remarks about someone who you think is gay but turns out not to be or about someone who you do not believe to be gay but finds the remarks offensive, or if you make comments based not on the characteristics of a colleague but on someone he or she associates with and your colleague finds this offensive.

Sometimes conflicts arise between persons with different protected characteristics (for example sexual orientation and religion). We do not expect everyone to be friends but we do require staff and others to treat each other with respect and dignity regardless of privately held views.

Your responsibilities

All staff have a responsibility to ensure that bullying and harassment do not occur. You must demonstrate respect for your colleagues whilst at work and must not harass or bully anyone. Managers have additional responsibilities to ensure that this policy is implemented and, if harassment or bullying occurs, that it is dealt with effectively.

What to do if you are harassed or bullied

If you feel you are being harassed or bullied, we encourage you to report it to:

- any manager (preferably senior to the alleged harasser/bully); or
- the Executive Director of the Old Vic Theatre Trust 2000 (the 'Executive Director'); or
- the Head of HR.

Alternatively, if you would like to discuss this with an independent professional, please contact the Head of HR.

If a customer, contractor or other third party (someone who is not employed by us) subjects you to harassment or bullying, you should tell us. We will do what we reasonably can to prevent it happening again. If you see this happening to a colleague, you should also tell us.

What will happen if I make a complaint of bullying or harassment?

If you make a complaint, we will normally hold an initial meeting with you to:

- find out the details; and
- discuss whether you want the matter to be dealt with informally (initially) or by using a formal procedure.

At the initial meeting, you may be accompanied by a work colleague or trade union representative.

Informal resolution

You may want to try to resolve the problem informally by explaining to the individual concerned that his or her behaviour is unwelcome and should stop. If you wish, you may do this with support from a colleague or a manager.

If you decide to try and resolve the problem informally, it is a good idea to keep notes or a diary of any incidents of bullying or harassment and your attempts to resolve matters. If this does not resolve matters, these may help us investigate should you decide to take things further.

If you choose the informal route, you may not want us to take any action. Although we will normally follow your wishes, if we believe that the welfare, health or safety of others may be at risk or for other overriding reasons, we may decide to look into things further. This may involve approaching the alleged bully or harasser.

Formal approach – grievance procedure

If you feel that attempts at informal resolution have not worked or you do not want to try for informal resolution, you may follow the Grievance Procedure. Depending on the nature of the issues you are complaining about, we may modify the Grievance Procedure. For example, if your complaint is about your manager, it is unlikely to be appropriate for your manager to be involved in considering it.

Examples of harassment related to protected characteristics

Harassment can take a number of forms. Examples include the following:

Sexual harassment

Harassment related to sex or of a sexual nature might include:

- derogatory comments about gender or matters associated with gender
- ostracism related to gender (whether the person affected is of the same or different gender)
- degrading comments about appearance or dress
- physical conduct of a sexual nature ranging from unnecessary touching to sexual assault
- making offensive comments to a pregnant woman about her appearance
- unwelcome sexual advances, flirtatious or suggestive remarks, leering, whistling or sexually suggestive gestures
- display of pornographic or sexually suggestive pictures, objects or written materials
- repeated requests to go on a date or to socialise outside of work when this is unwanted
- pressure for sexual behaviour/favours in return for avoiding detrimental treatment; or
- detrimental treatment following the rejection of a sexual advance.

Racial or religious harassment

Racial or religious harassment might include:

- derogatory or degrading abuse or insults and offensive comments about race or religion
- display, circulation or discussion of racist pictures, objects or written materials
- repeatedly dismissing or not taking seriously a person's request for their religious practices to be accommodated
- unjustified display of emblems that have sectarian or religious significance; or
- telling of jokes related to race or religion.

Disability related harassment

Harassment related to disability might include:

- mimicry and imitation of the disabled person
- telling of jokes related to disability
- offensive comments about disability or matters associated with disability

Harassment related to sexuality

Harassment related to sexual orientation might include:

- teasing or name calling about an individual's sexual orientation (real or perceived)
- homophobic 'jokes' or derogatory stereotyping based on sexual orientation
- 'outing' a person (i.e. revealing their sexual orientation) against their wishes.

Age-related harassment

Harassment related to age might include:

- telling jokes related to age or the perceived effects of age
- derogatory stereotyping based on age; or

- talking down to and humiliating staff on the basis of their age.

Consequences of breaching this policy

Failure to comply with this policy could result in disciplinary action being taken against employees (up to and including summary dismissal) and in the case of non-employees, termination of the relationship.

This policy is not part of any contract of employment and does not create contractual rights or obligations. It may be amended by us at any time.