

Bullying & Harassment Policy

The South Devon Players Theatre & Film Company is committed to providing all employees with an environment free from bullying and harassment. In this policy, “employees” refers to both paid staff and volunteers, eg: anyone involved in an official capacity with any of our work. This includes actors, technicians, fundraisers, administrative staff, creative crew, casual volunteers.

All employees will be expected to comply with this policy and management will take appropriate measures to ensure that bullying/harassment does not occur.

The South Devon Players is committed to dealing with complaints of bullying and/or harassment in a fair and sensitive manner, and endeavouring to ensure confidentiality with respect to any complaints.

Appropriate disciplinary action, ranging from a written warning, to dismissal for serious offences, will be taken where bullying/harassment allegations are upheld against an employee.

In the case of non-employees, appropriate sanctions, including for example suspension of contracts or exclusion of contracts, will be taken.

The policy applies to employees both in the workplace and at work associated events such as meetings, conferences and work related social events, whether on the premises or off site, and also to conduct on electronic media such as email, social media, or websites.

The policy applies to bullying/harassment not only by fellow employees but also by a client, customer or other business contact to which an employee might reasonably expect to come into contact with in the course of their employment.

Definition of Bullying

“Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment which could reasonably be regarded as undermining the individual’s right to dignity at work.

An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once off incident is not considered to be bullying.”

The bullying can include conduct offensive to a reasonable person, e.g. oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti or other material which state/imply prejudicial attitudes which are offensive to fellow employees.

Other examples of bullying behaviour include:

Personal insults and name calling

Persistent unjustified criticism and sarcasm

Public or private humiliation

Sneering

Instantaneous rage, often over trivial issues

Unfair delegation of duties and responsibilities

Setting impossible deadlines

Unnecessary work interference

Making it difficult for staff to have access to necessary information

Aggression

Not giving credit for work contribution
Continuously refusing reasonable requests without good reasons
Intimidation and threats in general.

Definition of Harassment

*Sexual harassment is any form of verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.
The unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.*

Examples of sexual harassment include:

Sexual gestures

Displaying sexually suggestive objectives, pictures, calendars

Sending suggestive and pornographic correspondence including faxes, text messages or e-mails

Unwelcome sexual comments and jokes

Unwelcome physical conduct such as pinching, unnecessary touching, etc.

Same sex sexual harassment.

Harassment on the grounds of gender, marital status, family status, race, age, religion, sexual orientation, disability or membership of the Traveller community *is defined as any unwanted conduct which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material*

Effects of Bullying & Harassment on the victim

Bullying can have a physiological, psychological and behavioural impact on an individual's character. Victims can lose their self-confidence and self-esteem and are at increased risk of suffering stress-related conditions that can trigger further trauma.

Apart from the direct impact on a victim's health, long-term exposure to bullying may also have consequences for the victim's livelihood, through absenteeism and even resignation from work in order to avoid contact with the bully.

Responsibilities

All employees have a responsibility for ensuring dignity and respect of their colleagues and contacts in the workplace and to creating and contributing to the maintenance of a work environment free from bullying/harassment or from conduct likely to contribute to bullying or harassment.

Management and others in positions of authority have a particular responsibility to ensure that bullying, sexual harassment and harassment does not occur and that complaints are addressed speedily through the appropriate procedures.

In particular management should:

-provide good example by treating all in the workplace with courtesy and respect

-promote awareness of the organisation's policy and complaints procedures

-be vigilant for signs of harassment and take action before a problem escalates

-respond sensitively to an employee who makes a complaint of bullying or harassment

- explain the procedures to be followed if a complaint of bullying, sexual harassment or harassment is made

-endeavour to ensure that an employee making a complaint is not victimised for doing so

- monitor and follow up the situation after a complaint is made so that the sexual harassment or

harassment does not recur

Complaints Procedure

There is both an informal and formal procedure to deal with the issue of bullying/harassment at work. Any investigation will be completed as quickly as possible.

Informal Procedure

It is often preferable for all concerned that complaints of bullying or harassment are dealt with informally whenever possible. This is likely to produce solutions that are speedy, effective and minimise embarrassment and the risk of breaching confidentiality. Thus, ideally, in the first instance a person who believes that they are the subject of bullying/harassment should ask the person responsible to stop the offensive behaviour.

If a person finds it difficult to approach the alleged perpetrator directly then a person should seek help and advice on a confidential basis from the management committee. They will be able to provide advice and assistance about the company policy.

Having consulted with the company committee, the complainant may request the assistance of a manager / supervisor in raising the issue with the alleged perpetrator(s).

In this situation the approach of the manager / supervisor should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low key manner.

If the complainant is dissatisfied with the outcome of the informal procedures then they have the right to proceed with the formal Procedures.

Formal procedures may also be initiated if the complainant is suffering extreme distress and unable to approach the alleged perpetrator.

Formal Procedures

A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure will not reflect negatively on a complainant in the formal procedure.

It is recognised that it may not always be practical to use the informal procedure particularly where the bullying or harassment is serious or where the people involved are at different levels in the organisation. In such instances the employee should use the formal mechanism set out below.

1. When a formal complaint is being made, the employee should contact the administrative committee as soon as possible. All formal complaints should be made in writing, outlining as much detail as possible regarding the allegation.
2. A meeting will then be held with the alleged bully or harasser. In the interests of natural justice the alleged bully or harasser will be notified in advance, in writing of the nature of the complaint, given a copy of the allegation, informed of his or her right to representation at any meetings and will be given every opportunity to rebut the detailed allegations made.
3. Whilst it is desirable to maintain utmost confidentiality, once an investigation of an issue begins, it may be necessary to interview other staff. If this is so, the importance of confidentiality will be stressed to them.
4. All complaints received will be treated seriously, confidentially and dealt with as soon as is practicable. Strict confidentiality and proper discretion will be maintained, as far as is possible, in any necessary consultation to safeguard both parties from innuendo and harmful gossip.
5. Dependant on the extremity of the offence and the evidence available, appropriate action will be taken to make sure that the situation is remedied.

Action Post Investigation

Where a complaint is upheld a disciplinary meeting will take place. The disciplinary action to be

taken will be in line with the company's disciplinary policy. Should a case of bullying or harassment be proven then the organisation will take appropriate disciplinary action. This can include a warning, demotion or other appropriate action up to and including dismissal.

Where deemed necessary, or where a potentially illegal act has taken place, the company reserves the right to contact law enforcement or other official organisations for further advice or action.

Records of any warnings for bullying/harassment will remain in the employee's file and will be used in determining disciplinary action to be taken if any further offences of the same or similar nature occur in the future.

Regular checks will be made by one of the investigators to ensure that the bullying/harassment has stopped and that there has been no victimisation for referring a complaint in good faith. Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying/harassment at work is a serious disciplinary offence.

Malicious Complaints

If a complaint is found to be malicious and false, the appropriate disciplinary action up to and including dismissal will be imposed.

Further Information

This policy has been created following assessment of the risk to the health and safety of employees from bullying in the workplace with due regard to the relevant codes of practice.

This policy will be subject to regular review in line with changes in legislation, case law, other relevant developments, changes in the workplace and the experiences of the organisation in implementation.