

# **Bullying, Harassment & Discrimination Policy**

Mayflower Theatre – January 2022

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## **1. Introduction**

The Theatre has a zero tolerance to discrimination, harassment and bullying in any form and is committed to providing a working environment which is free from these behaviours and in which the dignity of all employees is respected.

## **2. Who is this policy for?**

It is the responsibility of all employees to be aware of, and follow, the provisions contained within this policy. The application of this policy will be applied consistently across all employees and will be updated as and when required. The policy may be of specific use to employees who want to raise a concern or learn more about this topic.

## **3. Who is responsible for what?**

This policy is intended only as a statement of Mayflower Theatre's intent and therefore does not form part of an employee's contract of employment or otherwise have contractual effect. As a Line Manager at Mayflower Theatre we expect you:

- To actively support diversity and inclusion, so that all colleagues feel valued, engaged and respected.
- To ensure that the decisions you make affecting employment, training, promotion, and career development are based only on an individual's skills, talents and ability.
- To engage with your colleagues to create an inclusive working environment and ensure that everyone is familiar with the policy and aware of their responsibilities.
- To proactively address any inappropriate behaviour including taking formal disciplinary action, as necessary.
- To set an example of inclusive behaviours and help create a working environment free from discrimination, harassment and bullying.
- To support relevant reasonable adjustments to accommodate colleagues' needs. More detail can be found in our Reasonable Adjustments Policy.

As an employee at Mayflower Theatre we expect you:

- To familiarise yourself with this policy and to act in accordance with our commitment to diversity and inclusion at all times.
- To work in partnership to create an inclusive environment in which everyone's contributions are valued.
- To respect the rights of all your colleagues in an environment that is free from discrimination, harassment and bullying.
- To proactively challenge inappropriate behaviour and report breaches of this policy to your Line Manager or the HR team.

## **4. Definitions & Examples**

As per our Diversity and Inclusion Policy, the main topics of this policy have been defined below to help raise awareness and understanding as to what they are and what behaviours constitute them.

### **4.1 Discrimination**

- **Discrimination** - Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
  - **Direct discrimination** - occurs where someone is treated less favourably because of one or more of the protected characteristics set out above.
  - **Indirect discrimination** - occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage.
  - **Discrimination by association** - discriminating against someone because they are associated with a person with a protected characteristic.
  - **Discrimination by perception** - discriminating against someone because others think they have a protected characteristic.
- **Victimization** - Victimization is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint.

#### • **4.2 Examples of Discrimination**

- Not being offered a promotion due to a protected characteristic e.g. because they are a woman or of a certain age etc. This is an example of direct discrimination.
- Advertising a job internally when the only potential applicants are of one sex. This could indirectly discriminate against members of the opposite sex.
- Colleagues treating someone differently after finding out about someone they are close to changing their sex. This would be discrimination by association.
- Assuming someone is of a particular faith because of their name and making further assumptions about what job they may or not be interested in because of this. This would be discrimination by perception.

#### **4.3 Harassment & Bullying**

The Theatre defines harassment & bullying as unwanted conduct which has the purpose or effect of violating someone's dignity, or creating a hostile, intimidating, degrading, offensive or humiliating environment for them.

#### **4.4 Examples of Harassment & Bullying**

- Physical or verbal abuse that directly attacks or ridicules a colleague.
- Inappropriately criticising or humiliating a colleague in front of customers or colleagues.
- Regularly ignoring a colleague and excluding them from meetings or events.
- Making derogatory comments or offensive jokes about women, disabled people or people of a particular race or faith background, sexual orientation or age.
- Inappropriate touching, sexualised comments or trying to elicit sexual favours through threats or promises.
- Setting someone up to fail by overloading them, giving inadequate support and blaming them for failure afterwards.
- Constant criticism, excessive scrutiny and micromanagement of tasks.

### **5. Our Procedure**

If you believe you are being subjected to any harassment then, in the first instance you should ask the offender to stop or make it clear that such attention is unwelcome. If necessary, ask a friend or colleague to help you do this.

Such an informal approach may be all that is needed, but you should make and keep a note of the details.

If your request is ignored and the harassment continues, or you feel unable to take the informal approach, please contact your Line Manager or HR immediately. Details will be taken and should be confirmed in writing by you that it is a true and accurate statement. This constitutes a formal complaint.

Either a Line Manager who took the complaint will investigate the complaint or someone nominated by HR. Allegations will be dealt with seriously and confidentially and there will be no victimisation of any employee making, or being involved in a complaint.

In cases of serious alleged harassment, any employee directly involved may be suspended on full pay pending investigation.

If harassment has taken place, then the accused will be dealt with in accordance with the Disciplinary and Grievance procedures.

## **6. Other policies you may find useful**

- Diversity and Inclusion Policy
- Capability Policy
- Family Friendly Policies
- Health and Wellbeing Policy
- Reasonable Adjustments Policy
- Recruitment Policy
- Sickness & Absence Policy