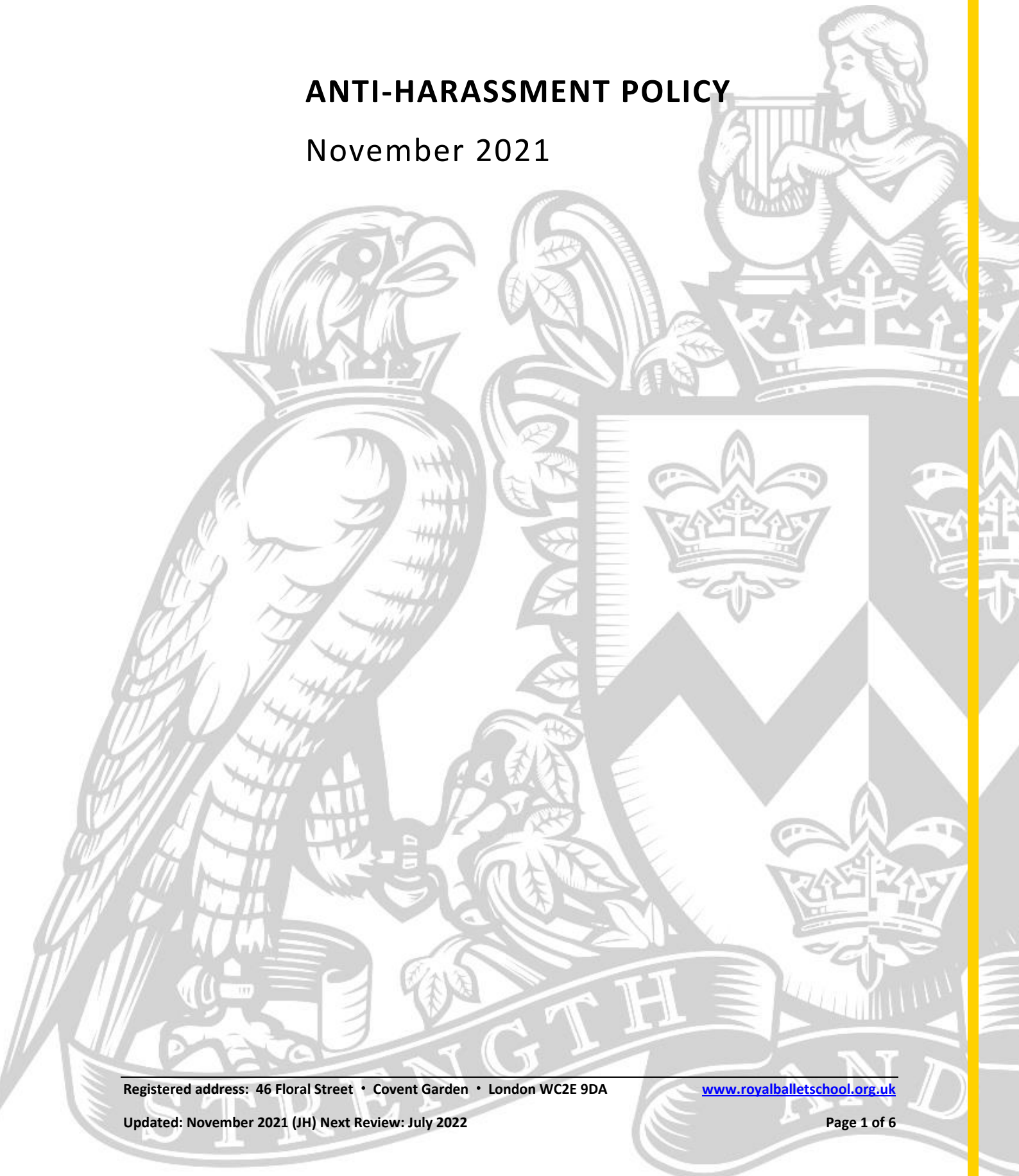


ANTI-HARASSMENT POLICY

November 2021



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The Royal Ballet School (“The School”) wishes it to be clear that any form of harassment by or of its staff is unacceptable and may be against the law. Every effort will be made to ensure that any such problems are dealt with quickly and effectively. This policy applies to **ALL** staff and should be read in conjunction with the Staff Code of Conduct, Whistleblowing Policy, Equity, Diversity & Inclusion policy and Disciplinary Policy & Procedures.

Definition of Harassment

Harassment and bullying may be defined as any form of unwelcome behaviour that affects a person’s dignity. It’s the conduct of one person against another, or others, when an intimidating, hostile or offensive atmosphere is created for the complainant(s). Harassment is defined as per the Equity Act 2010 as being:

“...unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.”

Harassment may be a single act or persistent behaviours and will amount to unlawful discrimination if it relates to one of the nine protected characteristics under the Equity Act:

- Age
- Disability
- Gender Reassignment
- Ethnicity
- Religion/Belief
- Sex
- Sexual Orientation
- Pregnancy/Maternity
- Marriage/Civil Partnership

The School also finds harassment relating to caring responsibilities, gender identity and working status, (i.e. working part-time), unacceptable. The Protection from Harassment Act 1997 also makes harassment potentially a criminal offence and gives the harassed party the right to legal redress.

Behaviours that constitute types of harassment covered by this law:

- Sexual harassment occurs when an individual engages in unwanted behaviour of a sexual nature. It has the purpose or effect of:
 - I. violating someone's dignity
 - II. creating an intimidating, hostile, degrading, humiliating or offensive environment for the individual concerned'Of a sexual nature' can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, inappropriate touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings, or sending phone messages or emails with material of a sexual nature
- Sexual misconduct relates to all unwanted conduct of a sexual nature, including; sexual harassment and unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as per the Equity Act 2010); assault or rape (as per the Sexual Offences Act 2003); unwanted physical sexual advances, or intimidation or promises of resources or benefits in return for sexual favours (as per the Equality and Human Rights Commission: Sexual Harassment and the law 2017); as well as distributing private and personal explicit images or video footage of an individual without their consent (as per the Criminal Justice and Courts Act 2015).
- Verbal abuse – including verbal threats, derogatory name-calling, insults, ridicule or belittling of another person;
- Physical assault or threat of violence or intrusive behaviour and invasion of personal space.
- Pestering, spying or stalking or making persistent, unwelcome contact – including sending text messages, emails, gifts and making unnecessary phone calls.
- Excluding someone from a normal conversation in the work environment or from social events or deliberately undermining someone by spreading malicious lies, making insulting comments or bringing a vindictive allegation of unacceptable behaviour as well as displaying or circulating abusive or offensive materials on paper or electronically all constitute harassment.
- Harassment also includes sending offensive text messages or social media posts, using humour to put another person or group of people down e.g. telling jokes that are sexist, racist or about an individual's sexual orientation

At the School we discourage any form of behaviour that embarrasses a person's cultural, race or sexual characteristics (including sexual orientation) that are unwanted by the recipient, or which creates an intimidating, hostile or offensive environment, which is not tolerated.

Definition of Bullying

According to the Advisory, Conciliation and Advice Service (ACAS), Bullying is defined as offensive, intimidating, malicious, insulting behaviour and/or an abuse or misuse of power that undermines, humiliates or denigrates. This type of behaviour can be seen in those in senior positions abusing their authority as well as those in junior positions behaving poorly towards other people.

Examples of behaviour that is likely to constitute bullying are:

- Psychological intimidation, humiliation, excessive and/or unreasonable criticism or fault-finding of any colleague or peer
- Asserting a position of superiority in an aggressive, abusive or offensive manner, including via electronic media
- Preventing access to resources
- Unfair allocation of work and responsibilities or setting unreasonable goals or targets in work
- Abuse of power or behaviour that causes fear or distress for others
- Acting unreasonably by failing and refusing to listen, reflect and take appropriate account of the position or needs of other
- Treating staff and/or students in an unprofessional manner or refusing to follow agreed and fair procedures.

Cyber Bullying

Online behaviour is considered equivalent to face-to-face behaviour. Employees must not engage in any conduct online that would not be acceptable in the workplace or that is unlawful. For example, making derogatory remarks, bullying, intimidating or harassing other users, using insults or posting content that is hateful, slanderous, threatening, discriminatory or pornographic. This includes conduct that impacts work using social media (e.g. Twitter, Facebook). The ICT Acceptable Use Policy provides further guidance.

Bullying and harassment are unfair and The School regards them as unacceptable. The behaviours mentioned may constitute bullying and harassment even if the intention of the person whose behaviour is in question is good.

Fair management allows managers to give fair and constructive feedback and set achievable targets, as well as standards of behaviour in relation to work requirements and teaching and learning respectively. Staff appraisals should be fair and should contain a balance of good practice and areas for improvement. This should be done fairly and constructively. A differing view or opinion to that of the line manager will not necessarily constitute bullying and harassment unless the concerns raised are dealt with unfairly.

Freedom of speech and academic freedom is protected by law. An academic debate will not in itself constitute harassment. The debate should be conducted respectfully and without creating an intimidating, hostile, degrading, offensive or humiliating environment for others.

Victimisation

Victimisation is defined as occurring when an employee is treated unfairly because they have made or supported a complaint or raised a complaint under the Equity Act or have indicated their intention to do so.

Staff are protected from victimisation under the Equity Act 2010. Victimisation can be described as subjecting an employee to unfavourable treatment because, in good faith, they have:

- taken out court proceedings under the Equity Act, other similar legislation or they have indicated their intention to do so;
- given evidence or information in connection with the proceedings;
- participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation
- alleged that a person has harassed or unlawfully discriminated against them;

Third party harassment

The School operates a zero-tolerance policy in relation to harassment perpetrated against one of its employees by a third party, such as a client/customer or visitor to the organisation. All employees are encouraged to report any and all instances of harassment that involve a third party in line with our reporting procedure, as outlined below.

If we find that the allegation is well-founded, we will take steps we deem necessary in order to remedy this complaint. This can include, but is not limited to:

- warning the individual about the inappropriate nature of their behaviour
- banning the individual from company premises
- reporting the individual's actions to the police.

In addition to this, the School will endeavour to take all reasonable steps to deter and prevent any form of harassment from third parties taking place.

Preventive Measures for all forms of Harassment and Abuse

a. Staff and Student Training

The School ensures there is safeguarding training for staff to identify the different types of abuse, when abuse is taking place and what should be done in these circumstances. We use training to create awareness of all forms of sexual misconduct, Cyberbullying and cyber safety among the student and staff community. Equity and Diversity training is conducted for all staff.

b. Ensuring Inclusivity in the School

The School ensures that it is inclusive by developing a workplace policy covering Equity, diversity and inclusion (Equity, Diversity & Inclusion Policy). This policy helps everyone to know that The School supports and treats everyone fairly, what kind of behaviour is expected regarding discrimination and the law and what we do not accept. This also include where staff can find procedures for resolution of issues and allegations. We ensure the policy is monitored and reviewed annually to assess whether they are working well and are also clearly understood by members of The School community. At the governance level, inclusivity is embedded in activities of all committees.

Actions to be taken in alleged cases of Harassment, Victimisation and Bullying

Staff who feel they have become the object of harassment may seek personal support from friends, colleagues, senior members of staff or anyone else they know. They should not feel that their behaviour in any respect excuses the harassment; nor should they hesitate to act on a single instance, as early action often minimises the long-term harmful effects.

Informal Resolution

If they feel able to do so, they may raise the matter directly with the person whose behaviour is offending, pointing out what is unwelcome in their behaviour and asking them to stop; they should not feel obliged to do this, however, nor will they be thought to have consented to the behaviour by not doing so.

Formal Resolution

Staff may make a complaint about harassment to any member of the Senior Leadership Team (SLT) or Human Resources (HR) who will then investigate the complaint in whatever way she or he considers appropriate using the existing Complaint, Whistleblowing and Disciplinary Policies and Procedures. All incidents will be formally logged for future reference. If it proves impossible to resolve the complaint informally, further action will be taken as follows.

A complaint against a member of staff will be dealt with under the terms of employment and Staff Disciplinary Procedures applicable. A complaint against a senior member of The School will be referred to the Artistic Director

A complaint against the Artistic Director will be referred to the Chair of Governors

While the School cannot act directly against someone with no connection with The School, representations will be made to the relevant employer or organisation where possible, and the complainant will be supported in any complaint they would like to make to the police. An alleged offence of a criminal nature, (e.g. incitement to racial hatred, or any form of indecent assault, (both sexual and physical), will be dealt with under the law of the land.

In all cases, the complainant will be informed of the outcome. Staff who are not satisfied with the outcome of their complaint may wish to seek further advice from the Equality and Human Rights Commission, (www.Equalityhumanrights.com), or the ACAS Helpline, (<https://www.acas.org.uk/>), for confidential and impartial advice on employment-related issues. All incidents of any form of abuse and harassment are duly logged for future reference.