

Duckie Dignity at Work Policy

Key Contacts

Internal

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External

- Equity UK 020 7379 6000 www.equity.org.uk
- Shout Crisis Text Line 85258 www.crisistextline.uk
- SANE Line 0300 304 7000 www.sane.org.uk
- NSPCC Hotline 0808 800 5000 www.nspcc.org.uk
- Switchboard (LGBTQIA+) 0300 330 0630 www.switchboard.lgbt
- Samaritans 116 123 www.samaritans.org
- Harassment Helpline 020 7670 0268 harassment@equity.org.uk
- Survivors Trust 0808 801 0818 www.thesurvivorstrust.org
- Rape Crisis 0808 802 9999 www.rapecrisis.org.uk
- Survivors UK 020 3598 3898 www.survivorsuk.org
- Safeline 0808 800 5005 www.safeline.org.uk
- Refuge 0808 200 0247 www.refuge.org.uk
- Victim Support 0808 168 9111 www.victimsupport.org.uk

This policy takes into account current legislation, including but not limited to:

- The Health and Safety at Work Act 1974
- Public Order Act 1986
- Protection from Harassment Act 1997
- The Management of Health and Safety at Work Regulations 1999
- Sexual Offences Act 2003
- Equality Act 2010
- Protection of Freedoms Act 2012

1. Scope and Introduction

- This policy outlines the Dignity at Work initiatives for Duckie. All those working with Duckie are required to read this document and conduct themselves according to its directions. Duckie values everyone who works with it equally, whether they work full or part time, are employed or self-employed. If you are a volunteer please also refer to Duckies volunteer policy.

- Duckie recognises that threatening or intimidating behaviour can create a work environment that interferes with job performance, undermines job security, and causes undue stress. We are committed to providing a work environment and culture in which everyone we work with is treated with dignity and respect, free from bullying, intimidation and harassment. The physical and emotional wellbeing of our workers is our foremost priority. We believe in building relationships on the basis of mutual respect, and we strive to create an environment where it is possible to give and receive feedback in a constructive way and for people to know their voices and experiences will always be valued and listened to. We also aim to ensure that everyone at Duckie understands what is expected of them and in turn, what they can expect in terms of acceptable behaviour.
- We will not tolerate any form of harassment or bullying by or on our staff, performers, management, audience members, volunteers, venue team or anyone else.
- We undertake to work with all parties involved to resolve complaints of harassment and bullying. To achieve this, we will ensure that procedures are in place for the reporting of complaints, we will deal with all complaints promptly, fairly and confidentially and we will allow all parties concerned the opportunity to make their case and to appeal a judgement if they feel that it is unfair.
- Where bullying or harassment is found to have occurred, Duckie will take appropriate action.
- This policy will be reviewed periodically by The Duckie Board of Directors and amended if approved by Equity and the workforce or required by changes in legislation or developments in employment law practice.

2. What is Harassment & Bullying?

- Harassment is any unwelcome behaviour that has the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may be related to "protected characteristics" under the Equality Act 2010, i.e.: a person's age, disability, gender reassignment, race, religion / belief, sex, sexual orientation, marriage / civil partnership and pregnancy / maternity or to a personal habit or characteristic. It may also be related to issues such as employment status, trade union membership or non-membership. Harassment can take many forms and may be directed at one person or at several.
- Bullying is offensive treatment through vindictive, cruel, malicious or humiliating attempts to undermine an individual or group. Bullying may combine a variety of different approaches – it can be physical, verbal or non-verbal. It can be experienced from manager to subordinate, subordinate to manager, peer to peer, or group to

individual. It can be implied rather than explicitly stated and can undermine the ability and confidence of the person on the receiving end. Such attacks on personal or professional performance are often not apparent to other parties.

- Harassment and bullying can be evidenced in many ways including offensive e-mails, text or social media content, unwanted physical conduct or by suggestive or offensive comments. Comments do not have to be directed at the victim. For example, commenting on a person's partner's race or disability would be classed as harassment. They do not have to be true, e.g.: comments about a person's perceived sexual orientation could be harassment whatever their actual sexual orientation.

The Legal Test for **Harassment and Sexual Harassment** (Equality Act 2010):

*Is the behaviour **unreasonable** and is **their intention** behind the behaviour to:*

- *Violate your dignity as a human being*
- *Make you feel intimidated, degraded or humiliated*
- *Create an intimidating, hostile, degrading, humiliating or offensive environment*

Any one of the above could constitute harassment or sexual harassment.

3. When is Behaviour Unacceptable?

- In order to assess whether bullying or harassment has taken place, we will consider if the reported behaviour is unacceptable by reasonable normal standards and if it is harmful or unwelcome to the person(s) on the receiving end. Perpetrators may not be aware that their actions amount to harassment. However, the effect of their actions is what ultimately matters. A one-off act, if serious, can amount to bullying or harassment. Duckie also acknowledges that perpetrators of bullying and harassment may be members of the public / audience. Duckie management will always do its utmost to protect its workers against bullying and harassment, regardless of the source and we acknowledge that behaviour some performers may be willing to brush off may have a serious impact on others.
- Examples of unacceptable behaviour could include but are not limited to:
 - derogatory comments, offensive language, remarks or jokes
 - spreading malicious rumours or insulting someone
 - insulting behaviours or gestures
 - displaying offensive or suggestive literature or remarks
 - intrusion by pestering, spying or stalking
 - embarrassing, threatening, humiliating, patronising or intimidating remarks
 - unwanted physical contact
 - physical or verbal assault

- unwelcome sexual advances, such as touching or standing too close
- undermining a person's self-esteem, for example by constantly making unfavourable comparisons with others or belittling their status
- deliberately undermining a competent worker by overloading or under loading them with work, and constantly criticising them
- excluding or isolating a colleague, not co-operating with them or victimising them

4. What should you do about Harassment or Bullying? Informal Procedure

- We aim to create an environment in which people feel safe to speak out about harassment or bullying without fear. If you believe that you or anyone else has been harassed or bullied, you may wish to consider the following possible actions if you would prefer not to involve management or Equity in the first instance:

- I. If you feel able, it could be a constructive first step to tell the person or people concerned that you do not consent to the behaviour that is being directed at you and that it should stop immediately. In asking them to stop, you are making it clear that their behaviour has made you feel bullied, harassed or unsafe. This gives them an opportunity to stop without anyone else being involved.

Some advice on addressing challenges such as these:

- a) Get the person's attention and enter into a discreet conversation.
 - b) Name the behaviour as the problem, rather than the person.
 - c) Keep the impact in your court and make a clear request on what course of action you're looking for.
 - d) Look to conclude with reconciliation and forgiveness.
- II. If you do not feel able to make a personal approach, but still wish to keep things informal, you could contact any member of Duckie management or Equity to speak to that person on your behalf. The company will always act with total discretion and be guided by your wishes at all times.
 - III. Duckie management will treat all disclosures in the strictest confidence. You may also make your disclosure anonymously.

- Alternatively, you can write to the person or people concerned, keeping a dated copy of the correspondence.
- This kind of informal action may be enough to end the harassment or bullying, especially if the other party is unaware that they are causing harm. However, an

informal approach may not be sufficient if the person(s) concerned do not take responsibility for the action or if they dispute the allegation.

5. What should you do about Harassment or Bullying? Formal Procedure

- We fully recognise that there may be instances where the performer does not feel able to act on harassment or bullying via the informal procedure above. They may also simply prefer to follow the formal procedure as laid out below.
- If you feel that you are the victim of, or witness to, unacceptable behaviour, keep a written record of events, incidents and words said, and inform Duckie management, preferably in writing, as soon as you feel able to do so.
- Any instances of sexual violence must be formally reported.
- Formal reports will be investigated, and the reporter made aware of any updates.
- The following actions may be taken in response to a formal report:
 - **Mediation** between parties to reach a resolution, re-establish acceptable boundaries and move forward.
 - **Probation** of individuals who have been found to have non-maliciously impacted the well-being of others.
 - **Termination** of the bookings of individuals who have maliciously breached or compromised the well-being of others, or the reputation of Duckie. In severe cases, this may involve reporting to the authorities.
 - **Reconciliation** of report if the alleged victim decides not to pursue any further action or if the report is found to be inapplicable. However, Duckie treats all reporting of concerns extremely seriously and will not take this course of action unless all parties are engaged with it.
- Duckie management will then examine your concern, discuss and confirm an outcome with you. If you are unhappy with the resolution proposed by management, you can contact Equity who will then investigate the issue on your behalf.
- Duckie management are accountable to The Duckie Board of Directors. If you wish to report concerns directly to The Duckie Board of Directors, they will treat your concern with the same confidentiality and process laid out in this policy. Contacts: Duckie Board Chairs, Phoebe Patey-Ferguson Phoebe.patey-ferguson@bruford.ac.uk / Hemanth Rao h.rao1@nhs.net

6. References

- Equity Bullying and Harassment Resources – [Dignity at work | Equity](#)
- Health and Safety at Work Act 1974 – <http://www.legislation.gov.uk/ukpga/1974/37>
- Public Order Act 1986 – <http://www.legislation.gov.uk/ukpga/1986/64>
- Protection from Harassment Act 1997 – <http://www.legislation.gov.uk/ukpga/1997/40/contents>
- The Management of Health and Safety at Work Regulations 1999 – <http://www.legislation.gov.uk/uksi/1999/3242/contents/made>
- Sexual Offences Act 2003 – <http://www.legislation.gov.uk/ukpga/2003/42/contents>
- Equality Act 2010 – <https://www.legislation.gov.uk/ukpga/2010/15/contents>
- Protection of Freedoms Act 2012 – <http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>