



## **Bullying and Sexual Harassment Policy**

The Blue Room Theatre aims to provide the best possible working environment for all employees, company members, board members and volunteers working with us; one that is based on goodwill and respect.

Everyone working in and with The Blue Room Theatre is expected to recognise that each individual has a right to a working environment which encourages respectful, considerate, dignified and non-sexualised working relationships. It is everyone's duty to treat their colleagues with dignity and respect. The Blue Room Theatre is opposed to harassment and bullying in any form. Every employee, company member, board member and volunteer is responsible for their own behaviour in this regard and any threatening, aggressive, bullying behaviour, harassment or unwanted sexual attention, language or behaviour may result in disciplinary action.

Harassment includes any behaviour that is offensive, intimidating, humiliating or hostile; which interferes with individuals' work; which causes fear for the harassed person and behaviour which sexualises the workplace. Harassment based on age, sex, race, disability, sexual orientation, gender reassignment, ethnic or national origins, religion or belief, or harassment of a sexual nature is unlawful and may render the persons responsible personally liable for legal action or even criminal proceedings.

This policy on harassment and bullying applies to:

- Employees of The Blue Room Theatre, including full time, part time and casual employees;
- Board members, including any person working voluntarily as part of a Board instigated subcommittee or working party;
- Volunteers, including interns and student placements at The Blue Room Theatre, in the venue or as part of outside events;
- Company members, as defined by the MEAA Independent Theatre Code, being any person working on an independent production with a production agreement with The Blue Room Theatre or delivering events as independent practitioners with The Blue Room Theatre.

### **Definition of sexual harassment:**

Any unwanted conduct of a sexual nature, or other conduct based on sex, affecting the dignity of individuals at work, which can include unwelcome physical, verbal or non-verbal conduct whereby the behaviour is inappropriate, offensive or distressing for the recipient and such conduct creates an intimidating, hostile, humiliating or sexualised working environment for the recipient. Conduct or comments become harassment when they are unwelcome to others or make others feel uncomfortable or threatened, even if they are intended as a joke.

Conduct may include:

- Insinuating and sexualised remarks
- Grabbing or deliberate touching
- Suggestive gestures and jokes
- Staring, meaningful glances
- Seemingly accidental touching
- Demand for sexual attention
- Derogatory remarks about an individual's body, manner or sexual activities
- Insult after rejection of an advance and / or repeated propositions
- Showing, sending or display of pornography
- Promise of advantage for sexual concessions
- Threat of disadvantage for rejection of advances
- Physical force, or threat of force, for sexual action

This list is not exhaustive and it is recognised that unwanted sexual attention can take many forms.

### **Definition of bullying:**

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices.

Bullying is unacceptable at The Blue Room Theatre and may also be against occupational health and safety law.

### **Principles:**

- Everyone working at or with The Blue Room Theatre is expected to consider the impact that their actions or comments may have on others and to take responsibility for their own behaviour.
- The Blue Room Theatre encourages someone with a concern to firstly directly address it with the individual(s) involved. This helps to foster an honest and open community and is often the fastest path to a resolution.

- The Blue Room Theatre encourages everyone to report instances of sexual harassment and bullying and to encourage their peers to do the same. Peer to peer support will help to create a working culture where inappropriate sexual behaviour or language is unacceptable and can be challenged either in the moment or through the formal procedure.
- The Blue Room Theatre will keep a log of incidents which are reported to help identify patterns.
- The Blue Room Theatre will support and participate in industry initiatives to raise awareness of sexual harassment and bullying in the workplace and which give people the confidence to challenge and change a working culture which condones bullying and inappropriate sexual behaviour or language.
- This policy is endorsed and supported by the Board of The Blue Room Theatre, who will support the Executive Director in managing reporting and complaint handling as appropriate.

### **Reporting and Complaint Handling:**

- The procedure for reporting is outlined below and all cases will be taken seriously and treated sensitively.
- Anonymity is ensured when requested in relation to a complaint. If it becomes apparent that revealing a complainant's identity is essential to resolving the issue at a point in the process, permission will be sought prior to doing so.
- At any point in the Complaint Handling process, the Executive Director may bring in a Board member or an appropriately qualified external person to assist in the handling of the complaint.
- If the Executive Director is the subject of the complaint, the Chair of the Board should be taken to replace the Executive Director in the complaint handling procedure.
- Where the Executive Director believes a complaint is of a serious or criminal nature, it will be reported to WA Police and police processes will override any internal processes.
- Where a complaint involves Serious Misconduct by a company member covered by a Production Agreement, The Blue Room Theatre's rights under that Production Agreement may come into effect.
- Where a complaint involves an employee of The Blue Room Theatre, the Employment Policy of The Blue Room Theatre, which covers Performance Management and Serious Misconduct, may come into effect.

**Stage One:** Report in writing (by email) or verbally (in a confidential environment) to the Executive Director, The Blue Room Theatre Producer or Producer of your independent production or event. Report to whichever of these people you are comfortable reporting to and indicate to them if there are any people who you do not want involved in the handling of the issue, or if they are a part of the issue. Include as much information as you can and are comfortable sharing about the incident or incidents when you are reporting it.

**Stage Two:** The Executive Director will meet with the complainant in a safe, confidential environment to talk more about the events and to assess how they feel. This meeting is informal and you may bring a colleague, friend or support person to this meeting. The Executive Director may bring a member of the Board to this meeting. Where the complaint is made by a company member, the Executive Director will discuss with the complainant how they would like the complaint handled within the production team and what involvement, if any, they would like from the company producer and The Blue Room Theatre Producer.

**Stage Three:** The Executive Director will meet with the person against whom the complaint is made. This meeting is informal and will take place in a safe, confidential environment. The Executive Director may bring a member of the Board to this meeting.

**Stage Four:** The Executive Director will discuss the outcomes of these meetings with people including the Board or external experts.

**Stage Five:** Actions are agreed and communicated to both parties. The Executive Director will report incidents and outcomes to the Board. In some cases, the Board may be required to approve or take further action.

#### **Distribution and Adherence:**

- This policy is shared with all employees, board members and volunteers at the commencement of their duties with The Blue Room Theatre.
- Independent producers are briefed on this policy as part of the 'Producer briefings' that occur prior to the commencement of each season of works, as well as included in Producer Information Packs.
- This policy is included as an attachment to all production agreements or one-off event agreements and independent producers will be required to ensure that all company members are given copies of the Policy along with their copy of Cooperative Agreements.
- Adherence to the Policy will be a condition of entering into a production agreement with The Blue Room Theatre.
- The Board will review this policy annually and update it as required to reflect industry standards and experience working with the policy. The Blue Room Theatre encourages those covered by the policy to provide feedback on the operation of the policy and input to its ongoing development.

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