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Dignity at Work Policy

Including Dignity at Work Charter

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Introduction

CoisCéim Dance Theatre is dedicated to providing a safe and stable working environment. We are committed to promoting respect and dignity in our workplace. CoisCéim is fully committed to the principles espoused in our **Dignity at Work Charter (Appendix 1)**, which is displayed in the workplace.

All employees are entitled to:

- a workplace free from bullying, intimidation, harassment or victimisation
- be treated with dignity, respect and courtesy
- experience no form of unlawful discrimination
- be valued for their skills and abilities

All staff members are responsible for ensuring that they behave in an appropriate manner, showing respect for those working alongside or engaged with CoisCéim. We do not tolerate any harmful or unsafe act toward any of our employees or partners. Allegations of any such act will be taken very seriously and will be dealt with according to procedures outlined in this policy. Any employee who experiences bullying, harassment or sexual harassment will be fully supported by CoisCéim in bringing such unacceptable behaviour to a close.

Dignity at Work Policy

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

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
- Shouting at staff in public and/or private
- 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

HARASSMENT on the grounds of the following:

- gender
- marital status
- family status
- race
- age
- religion
- sexual orientation
- disability
- 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

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.

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

CoisCéim will ensure that adequate resources are made available to promote respect and dignity in the workplace and to deal effectively with complaints of bullying and harassment.

ALL EMPLOYEES have a responsibility to help maintain a working environment in which the dignity of all individuals is respected. All employees must comply with this policy and ensure that their behaviour does not cause offense to fellow employees or any person with whom they come into contact during the course of their work. Employees should discourage bullying and harassment by objecting to inappropriate behaviour. Employees should inform their Primary or Secondary Grievance Contact (see Appendix 2) if they are concerned that a colleague is being bullied or harassed.

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, 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 their Grievance Contact (see Appendix 2). They will be able to provide advice and assistance about the company policy.

Having consulted with the Grievance Contact, 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

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.

When a formal complaint is being made, the employee should contact their Grievance Contact as soon as possible. All formal complaints should be made in writing, outlining as much detail as possible regarding the allegation. The Grievance Contact will be able to assign a senior member of management to investigate the complaint.

The investigator will meet for an initial meeting with the complainant to discuss the details of the complaint and ensure that the details of the complaint are fully understood.

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. Following from the initial meeting with both parties, the investigator will determine the appropriate course of action. These actions may include – A: Exploring a mediated solution with a view to resolving the issue informally. B: Carrying out a formal investigation with a view to determining the facts and the credibility or otherwise of the allegation(s).

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.

Any statements taken from witnesses will be circulated to the complainant and the alleged bully/harasser for their comments before any conclusion is reached in the investigation. When the investigation has been completed both parties will be informed as to whether or not the complaint has been upheld.

Both parties will be given the opportunity to comment on the findings before any action is decided upon by management.

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.

A record of all relevant discussions which take place during the course of the investigation will be maintained by management. Both parties will be given an opportunity to comment on the conclusions of the investigator. Both parties will be given a copy, in writing, of the conclusions reached by the investigator.

APPEAL

Either party can appeal the decision of the formal investigation in writing within 5 working days. Appeals must be made in writing to the General Manager, outlining the grounds for the appeal. Where possible, the appeal will be heard by the next highest level of management to the manager who conducted the initial investigation. The appeal will focus only on the aspect of the case cited by the appellant as being the subject of the appeal. Both parties will be informed in writing as to the outcome of the appeal.

ACTION POST INVESTIGATION

Where a complaint is upheld a disciplinary hearing will take place. The disciplinary action to be taken will be in line with the company's disciplinary procedure (available from the General Manager). Should a case of bullying or harassment be proven then the

organisation will take appropriate disciplinary action. This can include a warning, transfer, demotion or other appropriate action up to and including dismissal.

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, the appropriate disciplinary action up to and including dismissal will be imposed.

Non-Employees

Where complaints against non-employees are the subject of a formal investigation the alleged perpetrator will be expected to co-operate fully with the process and will be afforded fair procedures and an opportunity to respond fully to the complaint. If the complaint is upheld, appropriate sanctions will apply which may include: Exclusion of the individual from the premises and/or Suspension or termination of service or other contract.

Training and Communication

The company will provide relevant training to all employees and management on how best to implement this policy and maintain the values of dignity and respect in the workplace. The company is also committed to communicating this policy in so far as is practicable to all relevant persons to who it may apply.

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. All questions relating to the execution or interpretation of this policy should be referred to the General Manager.

Useful Resources

MINDING CREATIVE MINDS | Free Dedicated 24/7 Helpline

Free access to experienced team of trained counsellors and psychotherapists who can offer short-term intervention and advice covering practical, day-to-day issues that cause anxiety and stress.

You can call or chat via text/Whatsapp on the numbers below. Or you can access our web portal at <https://mcm.spectrum.life/login?org=MCM2020>

Phone

ROI: 1800 814 244 | NI/UK: 0800 0903677 | International: +353 1 518 0277

Text/WhatsApp

Send "Hi" to 087 369 0010 (when you receive a response please mention "Minding Creative Minds" or that you are in contact from the Creative Sector)

STATUTORY REDRESS

This policy is designed to support employees in the resolution of complaints of bullying/harassment. However, it does not prevent employees from exercising their statutory entitlements. More information about your rights can be found here:

http://www.citizensinformation.ie/en/employment/equality_in_work/bullying_in_the_workplace.html

SAFE TO CREATE

www.safetocreate.ie is a resource for the Irish Arts and Creative Sectors to promote Dignity at Work. On it you will find:

- 'Know your rights' Information for artists and arts workers
- Free counselling, legal assistance and 24/7 helpline for artists and arts workers
- Resources for organisations including relevant legislation, policies etc (in development)
- Sectoral Code of Behaviour and Dignity at Work Trust Statement
- Sign the Code: Online register for organisations and individuals to formally sign up to the Code of Behaviour and publicly declare their commitment to implement it
- Training to address Dignity at Work issues
- Report to Support anonymous reporting system (in development)
- Research programme (in development)

HARASSMENT TOOLKIT

In 2017, Amplify Women produced a toolkit on how to deal with harassment. It is a detailed guide of what to do if you are experiencing issues like this; including making a complaint at work, when to make a criminal complaint, useful information on who to contact and links to get further information. To view the toolkit visit:

https://wft.ie/wp-content/uploads/2017/11/WTF_Harassment_Toolkit_AmplifyWomen-

Appendix 1: Dignity at Work Charter

This Charter, to which CoisCéim is committed and which is on display in our workplace, is reproduced below and incorporated into this document as part of our bullying and harassment prevention policy.

“We at CoisCéim commit ourselves to working together to maintain a workplace environment that encourages and supports the right to dignity at work. All who work here are expected to respect the right of each individual to dignity in their working life. All will be treated equally and respected for their individuality and diversity. Bullying and harassment in any form are not accepted by us and will not be tolerated. Our policies and procedures will underpin the principles and objectives of this Charter.

All individuals, whether directly employed or contracted by us, have a duty and a responsibility to uphold this Dignity at Work Charter.

Managers, supervisors and staff representatives where applicable in the workplace have a specific responsibility to promote its provisions.”

Further information on raising a complaint under this charter is available under our Dignity at Work Policy (Anti-Bullying, Harassment & Sexual Harassment Policy). A copy of this policy is available from the General Manager and at www.coisceim.com.

Appendix 2: Grievance Contacts

The General Manager will provide Employees with name, phone & email details for their Grievance Contacts at the start of their contracts.

ROLE	PRIMARY GRIEVANCE CONTACT	SECONDARY GRIEVANCE CONTACT (for complaints regarding the Primary Contact)
Board Member	Executive Producer (CEO)	External Contact (tbc)
Artistic Director	Chair	External Contact (tbc)
Executive Producer (CEO)	Chair	External Contact (tbc)
General Manager	Executive Producer (CEO)	External Contact (tbc)
Broadreach Project Co-ordinator	General Manager	Executive Producer (CEO)
Administrative Part-Time / Contract Functions	General Manager	Executive Producer (CEO)
Performance Projects & Support	General Manager	Executive Producer (CEO)
TOURING		
Touring Company Manager / Stage Manager	General Manager	Executive Producer (CEO)
Company (Cast & Creative/Tech Team)	Tour Company Manager / Stage Manager if there is no Company Manager	General Manager / Executive Producer (CEO)
Broadreach Project & Support	General Manager	Executive Producer (CEO)