

THE STABLES THEATRE AND ARTS CENTRE

Anti-Harassment and Bullying Policy

1. Introduction

1.1 All members and visitors must be treated with dignity and respect, free from harassment and other forms of bullying.

1.2 All members are responsible for treating their colleagues and visitors with dignity and respect and should consider whether their words or conduct could be offensive to others. Even unintentional harassment or bullying is unacceptable.

1.3 Where harassment or bullying is shown to have taken place it will be dealt with under our Disciplinary Procedure as a form of misconduct. In some cases it may be treated as gross misconduct leading to summary expulsion of those responsible.

2. What the law requires

2.1 We are responsible for ensuring that members and visitors are protected from unlawful harassment, bullying or discrimination on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age.

2.2 Individual members may also, in some cases, be held legally liable for harassing their colleagues or third parties and may be ordered to pay compensation by a Court.

3. What is harassment and bullying?

3.1 Harassment is an unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

3.2 Harassment often (but not exclusively) targets the gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief or age of the victim.

3.3 A single incident of unwanted or offensive behaviour to one individual can amount to harassment.

3.4 Examples of harassment include:

a) unwanted physical conduct or "horseplay". Physical conduct ranges from touching, pinching, pushing or brushing past someone or invading their personal space to grabbing, shoving, punching and more serious forms of physical or sexual assault.

b) unwelcome sexual behaviour which the harasser may perceive as harmless, flirting, and which may involve unwanted suggestions, advances, propositions or pressure for sexual activity.

- c) suggestions that sexual favours may result in a benefit to a member or that refusal of sexual favours may hinder it.
- d) continued suggestions for social activity within or outside the Theatre after it has been made clear that such suggestions are unwelcome.
- e) inappropriate behaviour, whether in the form of offensive or intimidating comments or gestures or insensitive jokes or pranks.
- f) the sending or displaying of material that is pornographic or obscene or that some individuals or groups may find offensive (including emails, text messages, video clips and photographs taken or sent using mobile phones or via the internet or social media).
- g) ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a social activity.

4. Informal steps to resolve bullying or harassment

- 4.1 If you consider that you are being bullied or harassed you should, initially, attempt to resolve the problem informally with the person responsible if you feel able and explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing to do on your own you should seek support from a member of the Council of Management in the first instance. The Chair (Head of Safeguarding) will provide confidential advice and assistance to those who believe they have been bullied or harassed and will offer to assist in the resolution of any problems, whether through informal or formal means.
- 4.2 If you are in any doubt as to whether an incident or series of incidents which have occurred constitute bullying or harassment then you should initially contact the Chairman (or if the matter concerns the Chairman one of the Safeguarding Leads) confidentially, on an informal basis. They will be able to advise you how your concerns should be dealt with.
- 4.3 If informal steps have not been successful or would not be appropriate you should follow the formal procedure set out below.

5. Raising a formal complaint about bullying or harassment

- 5.1 The informal procedure may not be appropriate due to the nature of the harassment or bullying or because you do not feel able to talk directly to the person creating the problem. In these cases, or where the informal procedure has been unsuccessful, you should raise your complaint in writing with the Chairman (Head of Safeguarding) whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. If the matter concerns that person then contact one of the Safe Guarding Leads.
- 5.2 Your written complaint should set out full details of the conduct in question including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.
- 5.3 As a general principle the decision to progress a complaint rests with you. However, we have a duty to protect all members and may decide to pursue the matter independently if, in all the circumstances, it is considered appropriate to do so. The

oversight of a formal complaint and investigation will be undertaken by a panel comprising three members of the Council of Management (the Panel)

6. Formal investigations

- 6.1 Complaints will be investigated in a timely and confidential manner to establish full details of what happened. Your name and name of the alleged harasser or bully will not be divulged other than on a “need to know” basis to those individuals involved in the investigation. Someone with suitable experience and with no prior involvement in the complaint will investigate and we will set out a provisional timetable for the investigation, which will be communicated to all parties. The investigation will be thorough, impartial and objective and will be carried out with sensitivity and with due respect for the rights of all parties concerned.
- 6.2 Consideration will be given to whether the alleged harasser or bully should be temporarily suspended.
- 6.3 At the outset of the investigation the investigator will meet you to hear your account of the event leading to your complaint. You will have the right to be accompanied by a member colleague of your choice. We will arrange further meetings with you as appropriate throughout the investigation and/or at its conclusion.
- 6.4 The investigator will also meet the alleged harasser or bully who may also be accompanied by a member colleague of their choice. It may also be necessary to interview witnesses to any of the incidents mentioned in your complaint. Where it is necessary to interview witnesses the importance of confidentiality will be emphasised to them.
- 6.5 At the conclusion of the investigation the investigator will submit a report to the Panel to consider the complaint who will usually arrange a meeting with you to report the outcome within a week of the conclusion of the investigation. A copy of the investigator’s report, together with the Panel’s findings will be provided to you and to the alleged harasser or bully.
- 6.6 If the Panel finds that harassment or bullying has occurred prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence. The findings will be dealt with under our Disciplinary Procedure. Consideration will be given to whether the harasser or bully should be expelled and if not what measures will be taken against them.
- 6.7 Even where a complaint is not upheld, consideration will be given to how the ongoing relationship between you and the alleged harasser or bully should be managed. This may involve, for example, arranging some form of mediation or counselling or a change in duties.
- 6.8 Any member who is, after investigation, found to have deliberately provided false information or to have acted in bad faith may be subject to action under our Disciplinary Procedure.

7. Appeals

- 7.1 If the grievance has not been resolved to your satisfaction you may appeal, in writing, to the Chairman stating your full grounds of appeal within one week of the date on which the decision was sent or given to you.

- 7.2 We will hold an appeal meeting as soon as possible. This will be dealt with impartially by a further Panel of three members of the Board who have not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a member colleague of your choice to the appeal.
- 7.3 We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of procedure and there is no further appeal.
- 8. **Protection for those making complaints or assisting with and investigation**
 - 8.1 Any member who makes complaints or who participates in good faith in any investigation conducted into alleged harassment or bullying will be protected from any form of intimidation or victimisation as a result of their involvement.
 - 8.2 Any member who considers that they have been subjected to any such intimidation or victimisation should seek support from the Chair. They may, alternatively or additionally, raise a complaint in writing under this procedure or our Grievance Procedure.

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