

CRASH ENSEMBLE

REF:
HR-6

Dignity and Respect in the Workplace Policy

Crash Ensemble is committed to protecting the dignity and respect of all those who work together on all Crash projects including but not limited to rehearsals, workshops, performances, recordings, broadcast, education & outreach. In particular, Crash Ensemble is committed to ensuring that the workplace is free from any form of bullying or harassment, and that our work environment is conducive to providing a high-quality service in an atmosphere of respect, safety and equality and will take appropriate disciplinary action, including dismissal, against employees and freelancers who violate this policy.

Bullying

Any form of bullying is prohibited by Crash Ensemble. Bullying is defined as 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 or engagement as an employee or freelancer, 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 it is not repeated, it is not considered to be bullying.

The following is a non-exhaustive list of examples of types of bullying, and are illustratory

- Being treated less favourably than colleagues
- Verbal abuse, insults
- Humiliation
- Intimidation, aggression or threatening behaviour
- Isolation or exclusion with negative consequences
- Intrusion by pestering, spying and stalking
- Withholding work-related information
- Unfair and excessive criticism
- Undermining behaviour
- Excessive monitoring of work.

The behaviour must reasonably be capable of undermining dignity at work.

Bullying is behaviour that is inappropriate at a human level – e.g. purposely undermining an individual, targeting them for special negative treatment, the manipulation of their reputation, social exclusion or isolation, intimidation, aggressive or obscene behaviour, jokes that are obviously offensive to one person, intrusion by pestering, spying and stalking. These are all examples that share the feature that they are unacceptable at the level of human interaction.

Harassment

Harassment is any form of unwanted conduct that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Harassment may be related to any of the following grounds:

- Family status
- Civil status
- Sexual orientation
- Religious belief (or lack thereof)
- Gender
- Age (16+)
- Race, colour, nationality or ethnic or national origin; or
- Membership of the Travelling community
- Disability

For the purpose of the above , "conduct" includes acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material. To constitute harassment, the behaviour can be a once-off event or persistent and repeated behaviour. The following are some specific examples of the forms such conduct might take:

- Verbal harassment – spoken words, shouting, ridicule, unfair or excessive criticism, jokes, comments or songs
- Physical harassment – pushing, shoving or any form of assault
- Written harassment – including production of faxes, text messages, emails or notices
- Intimidatory harassment – gestures, posturing or threatening poses
- Visual displays such as posters, emblems or badges
- Isolation or exclusion from social activities
- Excessive monitoring of work
- Unreasonably changing a person's job content or targets
- Pressure to behave in a manner that the person thinks is inappropriate – e.g. being required to dress in a manner unsuited to a person's ethnic or religious background where there is no objective need to do so.

These examples are not exhaustive and are illustrative.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

It is up to the person to decide which behaviour is unwelcome, irrespective of the attitude of others to the matter.

For the purposes of the above definition, conduct includes acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material. Sexual harassment may occur

between men and women or between persons of the same gender. A single incident may constitute sexual harassment. The following are some specific examples of the forms such conduct might take:

- Non-verbal conduct of a sexual nature – looks, gestures, whistling, suggestive symbols, pictures, written materials, faxes, emails or text messages
- Verbal conduct of a sexual nature – advances, propositions, suggestions, jokes, comments or innuendo and continued suggestions for social activity outside the workplace
- Physical conduct of a sexual nature – groping, kissing, fondling, patting, pinching, unnecessary touching, assault or rape
- Gender-based conduct – conduct that denigrates, ridicules or is intimidatory or physically abusive of a person because of his or her sex, such as derogatory or degrading abuse or insults that are gender-related.

These examples are not exhaustive, and are illustratory.

Complaints procedure

In incidents where freelancers or employees feel they are being bullied, harassed or intimidated, they should raise the issue with the CEO, or if the issue is with the CEO, then it should be raised with the Chairperson of the Board. This will be treated as an informal complaint and Crash Ensemble will deal with any such complaints as quickly as possible so that the matter can be addressed promptly and hopefully resolved.

If a complaint cannot be resolved quickly and/or it is of a serious and grave nature, the aggrieved person may make a formal complaint in writing and Crash Ensemble will initiate a formal investigation. The alleged bully or harasser will be made aware of the nature of the complaint, will have the right to seek representation from a work colleague and will be given every opportunity to rebut the allegations made. Strict confidentiality and proper discretion will be maintained throughout the process.

Once an investigation of an issue begins, it may be necessary to interview other staff. Any statements taken from witnesses will be circulated to the person making the complaint and the alleged harasser for their comments before any conclusion is reached in the investigation. A record of all relevant discussions, which take place during the course of the investigation, will be maintained by the investigator who will be a suitably skilled person and either a member of management or an external consultant. 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.

References:

Arts Council Dignity & Respect in the Work Place
Template
Chamber Choir Ireland Policy
Irish Baroque Orchestra Policy
Irish National Opera Policy

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