

Dignity at Work Policy

What is the purpose of the policy?

NOTE: Where English National Opera ("ENO") is referenced in this policy it refers to all ENO Group Companies including London Coliseum Limited ("LCL"). Where "the company" is referenced, it also refers to all ENO Group Companies including London Coliseum Limited ("LCL").

English National Opera strives to offer an environment where everyone is treated with dignity and respect. We do not tolerate bullying or harassment in any form. ENO has a duty of care to protect all its employees, and through the enactment of this policy will take prompt action should any member of staff experience a problem with bullying or harassment. All employees are encouraged to use this policy and the support available to try to resolve issues as early as possible. ENO will investigate any complaint that is brought to our attention in a fair, independent and confidential manner. After due consideration of all findings, ENO will take prompt and appropriate action. Informal resolution is also a route available to employees who have experienced bullying or harassment.

Who does the policy apply to?

This policy applies to everybody working for ENO. This includes all employees, officers, consultants, self-employed contractors (including freelancers), casual workers, agency workers, volunteers and interns. This policy can be used by anyone experiencing bullying or harassment, whether that be at work, or outside of the workplace at work-related events such as social functions or business trips and covers all forms of harassment whether that be in person, via telephone, or online.

This policy covers bullying and harassment by staff (which may include consultants, contractors and agency workers) and also by third parties such as customers, suppliers or visitors to our premises. We also have a separate policy dealing specifically with sexual harassment which can be obtained from the People Team.

All those working with ENO are expected to comply fully with the terms of this Dignity at Work policy and our Sexual Harassment Policy. Workers are expected to familiarise themselves with all ENO policies and to uphold our values at all times. ENO regards acts of bullying and harassment as a serious disciplinary matter. Those found to be acting in an unacceptable manner towards others may find their continued employment or engagement at risk.

This policy does not form part of any employee's contract of employment, and we may amend it at any time.

What is bullying and harassment?

Bullying or harassment can take place face-to-face, behind your back, by telephone, email, text, social media or any other form of communication.

Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. It is noteworthy however that power in this context does not always mean being in a position of authority, but can also include personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. It may include, for example:

- physical or psychological threats;
- overbearing and intimidating levels of supervision; or

- inappropriate derogatory remarks about someone's performance (although legitimate, reasonable and constructive criticism of a worker's performance or behaviour given in the course of employment will not amount to bullying).

Harassment is defined as unwanted physical, verbal or non-verbal conduct, which has the purpose or effect of violating a person's dignity, or creating for that person an intimidating, hostile, degrading, humiliating or offensive environment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is however unacceptable even if it does not fall within any of these categories.

By way of example, harassment may include:

- offensive emails, text messages or social media content;
- derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender; or
- mocking, mimicking or belittling a person's disability.

It may also include 'third-party harassment', which occurs where a person is harassed by someone who does not work for, and who is not an agent of, ENO, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, colour or sexual orientation by a client, customer or supplier visiting our premises, or where a person is visiting a client, customer or supplier's premises or other location.

Bullying and harassment:

- can be intentional or unintentional;
- will include conduct which is not specifically targeted at an individual or group, but which has an overall impact that creates a negative work environment (for example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment);
- can arise from repeated behaviour over a period of time, or from one isolated incident; and
- can take place between staff at all levels of our organisation or between staff and third parties.

ENO's approach

ENO believes everybody deserves to be treated with respect. We value inclusivity, appreciate difference, welcome learning from others, and consider people equal without prejudice or favour. We will not tolerate any behaviour that does not live up to these values, including bullying or harassment in any form. We will work to the best of our ability to ensure everybody who works with or for us is treated according to these beliefs.

ENO will never victimise, unfairly treat or discipline anybody who makes a genuine formal or informal complaint about bullying and harassment. We will respect and maintain your confidentiality and will speak to anybody involved about their responsibility to maintain confidentiality on the issue. As we have a duty to protect you and your colleagues, there may be times we decide to act on your complaint independently. In these situations, we will encourage you to use our support services and will inform you of the outcome of our investigations if you wish to know.

How do I make a complaint about bullying and harassment?

Employees who are navigating situations involving bullying or harassment have the right to seek support and representation from their union at any stage throughout the complaint process, including discussing with them how to proceed with next steps. If you decide to make a formal complaint, a union representative may assist you

by providing guidance on policy steps, attending meetings with you, and advocating on your behalf to ensure a fair and transparent process. Our commitment is to foster a respectful and supportive workplace, and union support is available to help protect you and your wellbeing at every stage.

This paragraph highlights the employee's right to union support while emphasising the company's dedication to a fair complaints process.

a. Using informal processes

If you have a complaint about bullying and harassment, we encourage you to try to resolve problems informally where possible and appropriate, before using the formal process. It is important to remember that the other person may be unaware of their behaviour and the impact it has on you, so your informal feedback may give the person a better understanding and an opportunity to change or stop their behaviour.

To address a complaint informally, you should speak to anyone involved in the situation about how their behaviour is affecting you. It can be helpful to describe particular instances of this behaviour, including times, places, events or conversations in order to clearly illustrate your point. You should use the opportunity to ask the person to change or stop their behaviour.

We advise you to try to resolve your complaint as early as possible using this approach, to reduce stress and worry for you and possibly the other person involved.

Where you do follow this approach, you are encouraged to keep a note of the date and what was said and done. This will be useful if the unacceptable behaviour continues, and you wish to raise the matter formally.

If raising the matter informally is difficult for you, please speak to your Line Manager, or a member of the People Team for confidential advice and assistance. They may, with your agreement, speak to the person concerned on your behalf or accompany you when you speak to the other person.

If you are not certain whether an incident or series of incidents amounts to harassment or bullying, you should initially contact your Line Manager or the People Team informally for confidential advice.

b. Using the formal process

If you do not feel that the informal process is a viable option for addressing your complaint, or if you have already pursued the informal process and your issue persists, you may decide to follow the formal process for addressing complaints through the grievance procedure.

We ask you to put your formal complaint in writing and send it to your Line Manager. If your complaint is against your Manager you should send it to the People Team. Your written complaint should include full details of the conduct in question including a detailed account of the incident(s), the date the incident(s) took place, who was involved (including any witnesses), and any action you may have taken. This will provide the best opportunity for us to fairly and reasonably investigate your complaint whilst details of what took place can readily be remembered by anyone involved. We understand this may not be possible in all cases and will investigate any complaint made in good faith.

Once a formal complaint has been submitted, you will be sent written acknowledgement of the complaint.

The procedure for investigating a formal complaint is outlined below.

- First, the investigator (who will be a senior manager) will arrange a meeting with you (usually within one week of the complaint being made) to discuss the problem. You have the right to be accompanied at the meeting by a colleague or a trade union representative of your choice.

Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. Where your complaint is about someone other than an employee, such as a customer, supplier or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person.

- We will then speak to other witnesses, and we will meet with the individual/individuals concerned, who may also be accompanied by a colleague or trade union representative of their choice to hear their account of the event(s) in question. They have a right to be told the details of the allegations against them, so that they can respond. In all cases, the importance of confidentiality will be emphasised to any contributor(s). Please note, where the accused is a third party, we will attempt to discuss the matter with them, but this may not always be possible.

We will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the person(s) about whom the complaint has been made.

- Once the investigation is complete, we will inform all parties (separately) of our decision on how the matter will be progressed. Whether or not a complaint is upheld, we will consider how best to manage any ongoing working relationships between all parties.
- If the outcome of the investigation is that there has been bullying or harassment, and the relevant individual is an employee, the matter will be dealt with as a case of possible misconduct or gross misconduct under our disciplinary procedure. If the accused is a third party, such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem.
- If you are not satisfied with the outcome you may appeal in writing to the People Team stating your full grounds of appeal, within 7 calendar days of the date on which the decision was sent or given to you. We will hold an appeal meeting, normally within one week of receiving your written appeal. Where practicable, the appeal hearing will be conducted by a senior manager who has not been previously involved in the case and is senior to the individual who conducted the previous meeting. They may ask anyone previously involved to be present. You have the right to bring a colleague or trade union representative to the meeting.
We will confirm our final decision in writing. This is the end of the procedure and there is no further appeal.

What to do if you witness bullying or harassment

At ENO, we all share responsibility for ensuring a safe working environment for ourselves and others. You may not have experienced bullying or harassment directly but have witnessed someone else being bullied or harassed. If this has occurred, you should raise your concerns in order to protect the safety and wellbeing of the other person.

We understand you may feel worried about getting involved in a situation that does not directly affect you. We will support you in raising your concerns in an informal or formal way, so the bullying or harassment can stop. We will not victimise, unfairly treat or discipline you for raising a genuine concern.

There are several support services that provide confidential advice and guidance on your options. We encourage you to contact the People Team, your trade union representative or Line Manager to explain the situation and get advice on possible next steps.

If you decide to raise a formal complaint, we ask you to send this in writing to your Manager, or if the complaint is about your Manager, to the People Team as soon as possible after the time of the incident. Once that report is made, the nominated investigator will confidentially speak to the person affected and ideally encourage them to make a report themselves. In cases where individuals are reluctant to report despite encouragement, the investigating manager will respect the wishes of the person making the complaint as far as possible.

Protection and support for those involved

Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation or counselling, or to change the duties, working location or reporting lines of one or both parties.

Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure. If you believe you have suffered any such treatment you should inform your Line Manager or the People Team. If the matter is not remedied, you should raise it formally using our grievance procedure or this procedure if appropriate.

We will monitor the treatment and outcomes of any complaints of harassment or bullying we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, and workforce training is targeted where needed.

Providing Support

At ENO & LCL we understand that reporting bullying and harassment takes courage and can be extremely stressful. We will ensure that any individuals raising a concern or complaint are given reassurance and support throughout the process. This support may also need to be extended to any employees who have witnessed bullying and harassment.

As well as providing opportunities to talk, our People team are trained to signpost employees to relevant services such as our Employee Assistance Programme if appropriate.

We will also educate leaders and line managers to be vigilant for signs of victimisation whereby an employee is treated less favourably because they have reported bullying and harassment, and we will take appropriate action through our disciplinary policy if required.

If you have any questions or require any further support in relation to this policy, please contact a member of the People Team (people@eno.org) who will be able to advise.