



Sexual Harassment Policy

What is the purpose of the policy?

English National Opera ('ENO') & London Coliseum Limited ('LCL') are dedicated to providing a working environment that is free of harassment and bullying, and where everyone is treated – and treats others – with dignity and respect. The Company will not permit or condone any form of bullying or harassment.

As a responsible and inclusive employer, and in full understanding of our obligations under the Worker Protection (Amendment of Equality Act 2010) Bill effective from October 2024, the ENO & LCL are committed to taking proactive steps to prevent all those working for us from experiencing sexual harassment in the course of their employment and to comprehensively investigate and find resolution to any alleged acts of sexual harassment.

Who does this policy apply to?

This policy applies to everybody working for ENO & LCL. This includes all employees, officers, consultants, self-employed contractors (including freelancers), casual workers, agency workers, volunteers and interns. This policy considers sexual harassment occurring 'in the course of employment.' This covers not only sexual harassment occurring within the workplace, but also sexual harassment occurring outside of the workplace, for example at work-related events such as conferences, drinks or gatherings that take place outside of working hours and workplace premises, whether that be committed by an individual engaged by ENO & LCL or by a third party. A third party is any individual or organisation that is not engaged by ENO or LCL. This includes, but is not limited to:

- **Guests:** Individuals attending company events, such as patrons, ticket holders, or family members of staff.
- **Vendors and Suppliers:** Representatives from external organisations providing services or products to the company, including catering staff, maintenance personnel, or technical crews.
- **Affiliates and Collaborators:** Artists, performers, or representatives from partnering organisations or agencies who may interact with company staff or engage with company events.
- **Media Representatives:** Journalists, photographers, or other media personnel covering company events or performances.

You can follow this process if you feel you are experiencing sexual harassment or indeed if you witness sexual harassment or have a concern that another colleague may be experiencing sexual harassment. Employees who are navigating situations in relation to sexual harassment have the right to seek support and representation from their union at any stage throughout the 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 well-being at every stage.

This policy has been also implemented following consultation with our Trade Unions.

This policy is non-contractual and does not impact upon an employee's statutory rights. The company reserves the right to amend, withdraw or replace this policy at any time.

Who is responsible for monitoring this policy?

The People Team has overall responsibility for the effective operation of this policy. Suggestions for any changes to this policy should be reported to the People Team (people@eno.org).

The People Team has day-to-day responsibility for this policy, and you should refer any questions about this policy to them in the first instance. This policy is reviewed annually by the People Team in consultation with the unions.

What is sexual harassment?

Sexual harassment is defined as unwanted physical, verbal or non-verbal conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. This means that unwanted conduct of a sexual nature that makes other individuals feel uncomfortable, threatened, embarrassed or offended will amount to sexual harassment, whether or not that effect was intended.

In addition, conduct will also amount to sexual harassment where an individual is treated less favourably because they have in the past submitted or refused to submit to unwanted conduct that is of a sexual nature or related to gender reassignment or sex.

A non-exhaustive list of behaviours recognised to be forms of sexual harassment is set out below. It is however important to bear in mind (a) that sexual harassment covers a very broad spectrum of behaviour, which may not always appear to be overtly sexual, and (b) that a person may be sexually harassed even if they were not the intended target of the behaviour.

Sexual harassment may include:

- a. sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- b. using offensive words or making inappropriate sexual comments or jokes;
- c. engaging in suggestive, demeaning or humiliating behaviour, some examples may include but not be limited to leering at colleagues, making sexual comments about or in reference to colleagues;
- d. making unnecessary references directly to or about someone's body;
- e. asking intrusive questions about someone's private life and/or sharing or asking personal information of a sexual nature;
- f. engaging in sexually explicit conversations in the presence of colleagues who might be offended or made to feel uncomfortable by what is being said;
- g. stalking, including online stalking;
- h. making sexual gestures, such as simulating sexual acts;
- i. unwanted physical conduct or 'horseplay', for example unnecessarily touching or grabbing someone, putting a hand on someone including placing their hand on someone's knee or another body part and/or hugging them;
- j. attempting to coerce someone into sexual relations through pressure, manipulation or threats, or by offering rewards in exchange for sex; and
- k. carrying out (or threatening to carry out) sexual violence, including rape and sexual assault.

Our Commitment

Although, statistically, women are more likely to experience or report sexual harassment, it can happen to anyone and we recognize that sexual harassment can be committed by and happen to anyone regardless of gender, age,

role or level in the organisation, or any other category. Sexual harassment does not always occur in plain sight. It can happen in-person and online, and outside of as well as during working hours. Regardless of when and how it occurs, sexual harassment is unlawful, and it will not be tolerated by ENO or LCL.

As an organisation, we will consider any sexual harassment involving employees as a workplace issue and we will act (up to and including dismissal) in line with our disciplinary policy. We are also committed to:

- a. delivering regular training sessions for all staff so that you have a comprehensive understanding of what sexual harassment is and your role in preventing and addressing it;
- b. ensuring that additional training, education and guidance is provided to the Executive and Senior Leadership Team and all Line Managers to give them the confidence to tackle sexual harassment;
- c. carrying out regular risk assessments and audits to identify the risk areas for sexual harassment occurring in the course of your employment so that we can consider how best to mitigate those risks and proactively prevent sexual harassment;
- d. regularly consulting with you via your union officials to ensure that we are effectively identifying and monitoring any problem areas within the business;
- e. following a clear, fair and supportive procedure (which is described below) to encourage the reporting of potential or alleged sexual harassment in the course of employment;
- f. taking steps, where sexual harassment has occurred, to prevent it from happening again. These may include updating relevant policies, providing further staff training or taking disciplinary action against the perpetrator;
- g. preventing third-party sexual harassment (meaning the sexual harassment of staff during the course of their employment by individuals not employed by ENO and LCL such as customers or suppliers) by ensuring that all third parties are made aware of our zero-tolerance to this; and
- h. taking action where any third-party harassment occurs to prevent it happening again. This may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, or sharing information with other branches of the business.

Leading by Example

- Senior leaders and Line Managers must foster a culture built on mutual respect where all employees feel safe to share their views and raise concerns. The company expects leaders and Line Managers to act as role models by consistently demonstrating respectful and inclusive behaviour. This includes being aware of how their own status and actions may impact on others.
- In addition to self-awareness, ENO & LCL expects and encourages leaders and Line Managers to regularly seek and act on feedback from their teams and peers regarding cultivating an inclusive culture actively engaged in preventing sexual harassment.
- Preventing sexual harassment requires leaders and Line Managers to communicate that any form of unfair treatment such as sexual harassment will not be tolerated. Offensive behaviour can sometimes

- be excused as banter or jokes, so leaders and Line Managers must maintain high standards, even when they may face criticism for doing so.
- ENO & LCL will give appropriate training, education and guidance to leaders and Line Managers to ensure they have the confidence and capability to be proactive and deal with unacceptable behaviour at the earliest possible stage.
- As a leader or Line Manager, you are also well placed to pick up on any underlying tensions that could indicate potentially inappropriate behaviours or attitudes. These may include employees being unwilling or reluctant to work together, heated exchanges or perceived favouritism.
- We will support and train leaders and Line Managers so that they are able to foster a culture of open communication and reinforce values based on dignity and respect as this will enable them to understand and resolve issues in their team proactively, quickly, effectively and impartially.

How we can all prevent Sexual Harassment

We all have a shared responsibility to help create and maintain an environment free of sexual harassment. You can do this by:

- considering how your own behaviour may affect others, and amending it accordingly;
- being receptive, rather than defensive, if asked to modify your behaviour;
- treating your colleagues with dignity and respect;
- taking a stand if you think inappropriate comments, jokes or behaviour are occurring;
- making it clear to others if you find their behaviour unacceptable;
- intervening if possible to stop sexual harassment and giving support to others; and
- reporting sexual harassment or potential sexual harassment in the appropriate manner to either your Line Manager, or a member of the People team.

What to do if you are concerned about Sexual Harassment

The following process can be followed by all staff of ENO & LCL.

ENO & LCL commit to treating all allegations of sexual harassment with the upmost seriousness. We will follow a fair and equitable process to ensure all concerns are investigated thoroughly to allow us to resolve matters promptly whilst ensuring all parties are treated sensitively and in a confidential manner.

a. Using informal processes

If you are being sexually harassed, consider whether you feel able to raise the problem informally with the person responsible. The person may not know that their behaviour is unwelcome or upsetting, so an informal discussion may help them to understand the effects of their behaviour and agree to change it. In taking this approach, you should explain clearly what behaviour is not welcome or is making you uncomfortable, and you should ask them to stop immediately. You are encouraged to keep a note of the date and what was said and done if you take this approach. This will be useful if the unacceptable behaviour continues, and you wish to raise the matter formally.

If this is too 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 sexual harassment, you should initially contact your Line Manager or a member of the People Team informally for confidential advice. If the informal approach is not appropriate, or has not been successful, you should raise the matter formally through our grievance procedure.

b. Using the formal process

Reporting

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.

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 set out full details of the conduct in question, including the name of the harasser, the nature of the sexual harassment, 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. 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 receive a written acknowledgement of the complaint. The procedure for investigating a formal complaint is outlined below.

If you wish to make a formal complaint about victimisation, you should submit it in writing to your Line Manager or a member of the People Team. Your written complaint should set out full details of the conduct in question, including the name of the person or persons you believe have victimised you, the reason you believe you have been victimised, the nature of the victimisation, 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.

Investigation

We will investigate all complaints relating to sexual harassment in a timely, confidential and sensitive manner. The investigation will be conducted by someone with appropriate seniority, training and experience and with no prior involvement in the complaint. Details of the investigation and the names of any persons involved will only be disclosed on a 'need to know' basis.

If the report does not come directly from the person being harassed, the nominated investigator will confidentially speak to the person affected and ideally encourage them to report. In cases where individuals are reluctant to report despite encouragement, the investigating manager needs to respect the wishes of the person making the complaint as far as possible.

The investigator will arrange a meeting with you, (usually within one week of receiving your complaint), so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation.

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) the complaint is made against.

c. Using the anonymous reporting concerns hotline (Safe Voice)

To facilitate the safe and confidential reporting of concerns, the Company has established an Anonymous Reporting Hotline Safe Voice. This service enables individuals to raise issues or report incidents of sexual harassment. The anonymous reporting hotline is an additional reporting option and does not replace the existing grievance procedure. Colleagues are encouraged to speak up and use this resource if they experience or witness behaviour inconsistent with the Company's standards of respect, safety, and professionalism.

Safe Voice is available **24 hours a day, seven days a week, 365 days a year**, through a dedicated telephone line (0800 915 1571) and a secure online submission platform <https://www.safecall.co.uk/clients/en0/>.

Reporting Options and Confidentiality

The Company provides three ways to report concerns of sexual harassment or related misconduct:

- **Named:** The reporter identifies themselves for full communication and follow-up.
- **Semi-Anonymous:** Limited identifying details are shared to allow confidential dialogue with the People Team.
- **Anonymous:** No identifying information is provided, and reports may be made through the anonymous hotline or through the online portal.

All reports are treated with the highest level of confidentiality and shared only as necessary to ensure a fair and thorough review. The People Team will promptly assess each report and take appropriate action, including investigation and corrective measures where necessary.

We encourage all colleagues to speak up and utilise, where appropriate, the anonymous hotline if they experience or observe conduct that falls short of the standards of respect, safety, and professionalism expected within the Company's culture.

Supporting the Investigation Process

All reports of sexual harassment should be believed and protecting the person who raised the complaint or who is the recipient of sexual harassment should be paramount. Alongside this, the alleged harasser also needs to be treated fairly in line with procedure and the law.

In some cases, more immediate action may need to be taken, such as suspending or moving the alleged

harasser. A member of the People Team will be able to advise investigating managers on the appropriate course of action. Care must be taken to ensure no action is taken that could be perceived as punishing any person who raises a complaint.

Any staff member who deliberately provides false information, or who otherwise acts in bad faith as part of an investigation, may be subject to action under our disciplinary procedure.

Outcome

Once the investigation is complete, we will inform all parties (separately) of our decision. Whether or not a complaint is upheld, we will consider how best to manage any ongoing working relationships between all parties. As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

If the Investigating Manager considers that there is a case to answer and the harasser is an employee, the matter will be dealt with as a case of possible misconduct or gross misconduct under our disciplinary procedure. Our investigation into your complaint may be put on hold pending the outcome of the disciplinary procedure. Where the disciplinary outcome is that sexual harassment occurred, prompt action will be taken to address it. If the harasser is a third party, such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem.

Appeals

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, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

Next Steps

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 will 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 sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved, and workforce training is targeted where needed.

If you witness Sexual Harassment

Staff who witness sexual harassment or victimisation are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- intervening where you feel able to do so;
- supporting the victim to report it or reporting it on their behalf;
- reporting the incident (whether that is via Safe Voice or via another channel) where you feel there may be a continuing risk if you do not report it; and
- co-operating in any investigation into the incident;

All witnesses will be provided with appropriate support and will be protected from victimisation.

Providing Support

At ENO & LCL we understand that reporting sexual 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 sexual 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 sexual 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.