

ROYAL ACADEMY OF DANCE

Dignity & Respect Policy & Procedure

1. POLICY STATEMENT

- 1.1 The Royal Academy of Dance (hereinafter RAD) is committed to ensuring equality, fair treatment and respect for all its staff¹, students and participants. Responsibility for the RAD's Dignity and Respect Policy and Procedure lies with the Board of Trustees of the Royal Academy of Dance as its governing body. The Board of Trustees assumes accountability and ensures that the RAD's approach is embedded, adhered to and remains fit-for-purpose across all of its activities, worldwide.
- 1.2 As part of this commitment the RAD aims to provide a working and learning environment in which everyone is treated with dignity and respect regardless of age, disability, sex, sexual orientation, gender, transgender re-assignment status, marital / civil partnership or family status, pregnancy, maternity, race, nationality, ethnic or national origin, creed, culture, religion, belief or any other personal factor or quality.
- 1.3 Bullying, harassment and sexual misconduct in all forms is morally unacceptable, and will not be tolerated. Some harassment is unlawful discrimination, and renders both the RAD and the perpetrator liable for legal action. Serious harassment may be a criminal offence. Our definitions include bullying, harassment and sexual misconduct through any medium, including, for example, online.
- 1.4 The scope of this policy is international. It applies to staff of the UK and international offices, and staff engaged direct by the RAD to deliver RAD activities, including teaching, examinations, competitions or events, worldwide. It covers students/participants in RAD-organised events in any country. The RAD office or representatives in the country where the relevant activity is taking place may have additional procedures to deal with bullying, harassment and sexual misconduct which must adhere to this policy as a minimum standard, will follow the principles and procedures laid out in this policy as closely as possible, and will be available on the relevant RAD national website and / or from the relevant office. In the absence of additional in-country or national policy, this policy and procedure apply.

¹ For the purposes of this policy "staff" or "member of staff" refers to permanent employees, temporary workers, examiners, freelance tutors, teachers and pianists, mentors, practical teaching supervisors, chaperones, members of the Board of Trustees or Board Sub-Committees, volunteers or any other person working on a paid or voluntary basis on behalf of the RAD. This policy also refers to visitors to RAD premises and RAD-organised events.

- 1.5 In considering bullying and harassment the RAD also takes into account its statutory duties and the regulatory requirements of the UK Office for Students (OfS) relating to academic freedom and freedom of speech (Statement on Academic Freedom and Freedom of Speech Code of Practice). The Board of Trustees gives due regard to its obligations under the UK Public Sector Equality Duty.
- 1.6 The Board of Trustees delegates the arrangement of appropriate training of Trustees, Directors and other relevant staff to its Executive Board and Human Resources Department. The RAD's approach aims to ensure that staff are able to respond appropriately and consistently to a disclosure about bullying, harassment or sexual misconduct.
- 1.7 Assessment of training needs will be undertaken regularly and a clear training strategy which supports staff to respond effectively to different types of bullying, harassment and sexual misconduct incidents will be reviewed and evaluated on a regular basis to ensure it is fit for purpose. Training activity is reported to the Board of Trustees once per year, as set out in 10.1.
- 1.8 Training and/or information about this policy is made available to staff to raise awareness of bullying, harassment and sexual misconduct for the purpose of preventing incidents and encouraging reporting where they do occur.
- 1.9 Students and participants receive training and/or information about this policy, including via issuing this policy document, establishing programme-specific Codes of Conduct for students, parents and carers and making the policy available through the RAD's UK website.
- 1.10 Staff, students and participants have the right to make a complaint if they consider that they are not being treated with dignity and respect and are being bullied or harassed or subjected to sexual misconduct by an individual or group of colleagues / peers.
- 1.11 Staff, students and participants also have the right to be protected from being bullied or harassed by a third party, such as a customer, member, client, supplier, event attendee, visitor to any RAD premises, or partnership or placement tutor and are able to make a complaint if this should happen.
- 1.12 The RAD takes allegations of bullying, harassment and sexual misconduct very seriously and will address them promptly and confidentially. Bullying, harassment or sexual misconduct by an employee or student will be treated as misconduct under the RAD's relevant Disciplinary Procedure (employee or student). In some cases it may amount to gross misconduct leading to summary dismissal (employees) or termination of programme (Faculty of Education students) or, in the case of other students/participants, removal from

the programme, activity or event. Bullying or harassment or sexual misconduct by a staff member or third party not covered by the Employee Disciplinary Procedure will be dealt with under the relevant contract or Code of Conduct where they exist. We have a duty of care to protect our staff and students and participants from bullying or harassment or sexual misconduct so where formal procedures do not exist, the RAD will take appropriate action in relation to third parties (see Section 6.9).

- 1.13 Staff, students or participants who raise a bullying, harassment or sexual misconduct complaint in good faith will not be subjected to unfavourable treatment or victimisation² as a result of making the complaint, even if the complaint is not upheld.
- 1.14 The policy applies to staff, students or participants and third parties listed in 1.11, whether on or off RAD premises.
- 1.15 The policy does not form part of any employee's contract of employment and the RAD may amend it at any time or depart from it where considered appropriate.

2. BULLYING, HARASSMENT AND SEXUAL MISCONDUCT

- 2.1 Bullying may be characterised as offensive, intimidating, threatening, malicious, oppressive or insulting behaviour, involving the misuse of power that can make a person feel vulnerable, upset undermined, humiliated or can injure the recipient or make him or her fearful.
- 2.2 Harassment is any unwanted conduct which has the purpose of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.
- 2.3 Harassment may be related to someone having, being perceived to have or being associated with someone because of a "protected characteristic" which in UK law are age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race (including colour, nationality, and ethnic or national origins), religion or belief, sex and sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories. A single incident of this type of behaviour can amount to harassment.
- 2.4 A person may be harassed even if they were not the intended "target". For example a person may be harassed by racist jokes about a different ethnic group as they create an offensive environment.

² Victimisation is defined as someone being treated badly or less favourably because they have complained about bullying and harassment or discrimination or they have helped someone who has been the subject of bullying and harassment or been discriminated against.

- 2.5 Sexual misconduct relates to all unwanted conduct of a sexual nature. The RAD will follow the UK's Office for Students (OfS) current guidance on sexual misconduct where necessary.
- 2.6 Bullying and harassment or sexual misconduct may be verbal, non-verbal (including written) or physical, can happen in person or via digital means (often known as cyber-bullying). The concepts of bullying and harassment frequently overlap. The key feature of any conduct which may constitute bullying or harassment is that the behaviour is unwanted to the recipient. Behaviour which makes an individual feel upset, humiliated, uncomfortable or threatened may amount to bullying or harassment, even if this was not the intention. When dealing with any complaints of bullying and harassment it is the impact on the individual that is investigated and considered, rather than the perpetrator(s)' intentions.
- 2.7 Legitimate, reasonable and constructive criticism of a staff member's performance or behaviour or reasonable instructions given to staff in the course of their work, or legitimate, reasonable and constructive criticism of a student's or participant's performance or behaviour or reasonable instructions given to students in the course of their studies will not amount to bullying or harassment of them. However, the following non-exhaustive list are examples of actions that could constitute bullying, harassment or sexual misconduct, through any medium, including on-line:
- Demeaning, condescending or deprecating comments about a person's appearance or speech.
 - Indecent remarks.
 - Questions or comments about a person's sex life.
 - Unwelcome sexual advances or suggestive behaviour.
 - Unwanted physical contact ranging from unwelcome touches to physical assault.
 - Name-calling.
 - Offensive or insulting jokes, banter, gibes, insinuations, literature and graffiti.
 - Racist, sexist, homophobic or ageist jokes or derogatory or stereotypical remarks about a particular ethnic or religious group or gender.
 - Derogatory or stereotypical remarks or comments or other unacceptable behaviour related to someone's transgender status.
 - Excluding, ignoring or victimising people from a conversation, meetings, communications or workplace social activity.
 - Spreading rumours or insults or using hate speech verbally or through electronic communications such as email and text messaging, or any form of social media, whether or not controlled by the RAD.
 - Copying communications that are critical about someone to others who do not need to know.
 - Shouting at, being sarcastic towards, ridiculing or demeaning someone.

- Overbearing supervision, unjustified criticism, or other misuse of power or position.
- Displaying images and or written materials likely to offend in hard copy format or circulating electronically or displaying such material on PC monitors or laptops.
- Distributing private and personal explicit images or video footage of an individual without their consent.
- Unnecessary use of monitoring systems or procedures.
- Deliberately undermining a competent worker or student by over loading them with work or constant criticism.
- Constant negative non-verbal body language whilst meeting with and listening to peers and colleagues making them feel that their opinion is not significant or valuable.
- Attempting to radicalise fellow staff, student(s) or participants by drawing them into terrorism through extremist behaviour in any of its forms.

3. RESPONSIBILITIES

- 3.1 The RAD expects everyone to be courteous and helpful to each other and to be particularly aware of the needs of less experienced colleagues, students and participants. Staff at all levels are required to adhere to policy requirements.
- 3.2 Directors, managers and others responsible for the supervision or teaching of others are especially required to set a good example and always conduct themselves in a calm, courteous, business-like and professional manner. They must also ensure that colleagues for whom they are responsible and students fully understand this policy and attend training/information sessions when required.

4. PROCEDURE FOR MAKING A COMPLAINT RELATED TO BULLYING AND HARASSMENT

4.1 Informal Approach

- 4.1.1 If you believe that you are being bullied and/or harassed or subject to sexual misconduct or you are unhappy with the way that someone is behaving, you should first try to resolve the issue informally by talking directly to the person concerned, if you feel able. This is known as 'self-management' and can take place if you feel confident and safe to do so. It involves you directly telling the other person the behaviour is not welcome and should not happen again. You should explain clearly what aspect of the person's behaviour that is worrying you, is unacceptable, or is causing offence and request that it stops. You may wish to explain the impact that the behaviour is having on you, your colleagues

or cohort of students. It may be that they may be unaware that their behaviour is unwelcome or something which for whatever reason you find offensive and a direct approach may resolve the situation without the need for a formal approach.

- 4.1.2 If you feel uncomfortable about approaching the person concerned, you could also consider speaking with your line manager (employees), the key contact in the Department who contracted you (other staff), the Student Support and Welfare Officer (Faculty of Education students) or Programme Manager/activity/event organiser (other students and participants) for advice and support on resolving the issue without proceeding to informal or formal action.
- 4.1.3 If you feel uncomfortable about approaching the person directly or it is not appropriate to speak with your line manager (employees), the key contact in the Department who contracted you (other staff) the Student Support and Welfare Officer (Faculty of Education students) or Programme Manager/activity/event organiser (other students and participants), but believe an informal approach or conversation might resolve the problem, please contact a member of the HR team or other senior staff member in the relevant country ((Faculty of Education students or other students or participants), who will provide such support as may be appropriate in the circumstances and who will discuss with you various options and approaches you might want to adopt. This could include the member of HR team or other senior staff member having a word in private, or a meeting being organised between those involved with a member of the HR team or another suitable staff member present to try to resolve the situation informally. In the case of a Faculty of Education student a meeting would be held with a Programme Manager or the Student Support and Welfare Officer present. Separate meetings may be held by the member of the HR team or the Programme Manager/Student Support and Welfare Officer or the senior staff member with the complainant and respondent at the start of, or at any point during, this process as a normal part of seeking to resolve the situation.

4.2 Anonymous Complaints

- 4.2.1 The RAD understands that formally reporting an incident is not something that everyone wishes to do. It is possible to anonymously record this type of behaviour by reporting to the Head of HR or the Registrar or a senior member of staff in the country where you are engaged or participate in activities or events. The information you provide will be collated by the Head of HR, analysed to help monitor the prevalence of incidents that take place and understand the impact of training and other initiatives and reported to the Board of Trustees.

4.3 Formal Action

- 4.3.1 If an informal approach does not resolve matters or you think that the matter is too serious for an informal approach you should raise a formal complaint.
- 4.3.2 Employees should use the Grievance Procedure and Faculty of Education students should follow the appropriate Student Grievance Procedure (published in Programme Handbooks and on the Faculty of Education website). Other staff, students, parents/carers or participants should approach the key contact in the UK Department or National Office which engaged you, or a senior staff member who is organising the programme/activity or event in the UK or the country where the programme/activity or event is taking or took place, to make a formal complaint.
- 4.3.3 If the procedure involves the person about whom you are complaining, adjustment can be made and you should consult the Head of HR (staff) or Director of Education (Faculty of Education students) or another senior staff member organising the programme/activity or event in the relevant country for advice so that a suitable alternative person can handle your complaint.
- 4.3.4 All complaints of bullying and/or harassment or sexual misconduct must specifically state in writing:
- The name of the person or people whose behaviour you believe amounts to harassment or bullying or sexual misconduct.
 - The type of behaviour that is causing offence, together with specific examples if possible.
 - Dates and times when incidents occurred and where they occurred.
 - The names of any colleagues, fellow students or others who witnessed any incidents or you believe may also be the victim of bullying and harassment or sexual misconduct by the same person/persons.
 - Any action that you have already taken to try to deal with the behaviour.
- 4.3.5 In the absence of an informal or a formal complaint by a staff member, student or participant, the RAD may take forward a concern about bully or harassment or sexual misconduct under other policies and procedures including the Disciplinary Policy for employees, the Safeguarding Policy or the contract or Codes of Conduct or our general duty of care for staff, students and participants.

4.4.1 Sources of Support

- 4.4.1 The experience of and processes around bullying and harassment and sexual misconduct can be stressful for all involved, including reporting and responding parties, prior to the decision to make a formal complaint, for the duration of any investigation and following its outcome. The HR team or a senior manager (employees), the Student Support and Welfare Officer (Faculty of Education students) or key contact in the Department who engaged you (other staff) or a

senior staff member organising the programme/activity or event can advise you about what support is available. This could include an employee assistance programme (EAP) for employees, staff/student support networks, or specialist external organisations and charities that provide bullying, harassment and discrimination support. These sources of support are not conditional on having made a formal report or complaint. For immediate help the RAD has a number of Mental Health First Aiders who can offer support.

5. FORMAL INVESTIGATION

- 5.1 All complaints will be investigated in a sensitive manner, with the aim of resolving the issues quickly. Line Managers and Directors have a duty to investigate the matter thoroughly and objectively and, if appropriate and necessary, to take corrective action in order to ensure that this policy, the RAD's Equality, Diversity & Inclusion Policy, the Safeguarding Policy and legal obligations are upheld. The Head of HR or their nominee is available to assist a Line Manager and / or Director and / or other colleague nominated by a Director in dealing with a complaint of bullying and harassment or sexual misconduct. Even if such assistance is not required, or a staff member or student or participant does not wish to raise a formal complaint or grievance, all incidents of bullying and harassment or sexual misconduct must be reported to the Head of HR (staff/non-FoE students/participants) or Registrar (FoE students) at the earliest opportunity. The Head of HR or Registrar will take such action as may be appropriate in the circumstances including initiating or conducting an investigation into the complaint, even where the staff member or student or participant decides not to raise a formal grievance or complaint. The Head of HR or Registrar or relevant senior manager will notify the member of staff or student or participant before conducting the investigation or taking any action in these circumstances.
- 5.2 An investigation will take place to decide whether the allegation of bullying and/or harassment and or sexual misconduct is justified, whether there are grounds for action to be taken, (including disciplinary action) and to provide evidence for any disciplinary action, if taken.
- 5.3 During an investigation all parties interviewed will be required to maintain confidentiality. (See Section 8 below).
- 5.4 The RAD reserves the right, at its discretion, to suspend any member of staff or student or participant who is under investigation for harassment and or bullying or sexual misconduct for a temporary period whilst investigations are carried out. Such suspension would be for as short a time as possible and only where considered necessary, having regard to the complaints made and the extent of the investigation. For employees suspension would be on full pay.

- 5.5 The complainant's agreement will usually be sought on any investigatory action, but the RAD reserves the right to take such action it considers necessary to resolve the situation including consideration of and consultation with appropriate experts and referral to specialist services.
- 5.6 The complainant will be invited to attend a meeting to discuss the complaint usually within one week of the RAD receiving the complaint. The complainant will be notified of the date and time of the meeting in writing and will be given the opportunity to have a companion with them, if they wish. A member of the HR team (staff) or an appropriate person from the Faculty of Education (FoE students) or a member of staff from the engaging Department (other staff) or another suitable person (international staff/other students/participants) will usually attend such meetings, for the purpose of making notes for any investigations that may need to be carried out.
- 5.7 Any member of staff or student or participant accused of bullying or harassment or sexual misconduct will be informed of the exact nature of the complaint against them and they will be notified of the date and time of a meeting where they will be given the opportunity to respond to the allegations and put forward an explanation of their behaviour. The individual may have a companion present if they wish. No one will be presumed guilty as a result of the allegation of bullying or harassment or sexual misconduct. A member of the HR team (staff) or an appropriate person from the Faculty of Education (students) or engaging Department (other staff) or other suitable person will usually attend such meetings, for the purpose of making notes for the use of the person dealing with the complaint or any investigations that may need to be carried out.
- 5.8 Investigatory interviews may also be held with witnesses to any of the incidents mentioned in the complaint. Such interviews do not constitute steps under either the disciplinary or grievance procedures, however the RAD will, wherever it considers it reasonable to do so, provide the witness the opportunity to be accompanied by a colleague or other suitable adult.
- 5.9 Where the complaint is about someone other than a staff member or student or participant, such as a customer, visitor or supplier, or event attendee, the RAD will consider what action may be appropriate to protect the complainant and everyone involved pending the outcome of any investigation, bearing in mind the reasonable needs of the business and the rights of the person about whom the complaint has been made.
- 5.10 In very rare cases complainants seek to interact and raise complaints in a vexatious or disproportionate way, such as using offensive or unreasonable language or behaviour, or making persistent and/or unreasonable demands of staff and/or the complaints process. The RAD may reject such complaints without further consideration. This applies both to the nature of the complaint and to how it is pursued.

6. OUTCOME AND COMMUNICATION OF THE DECISION

- 6.1 Following the investigation the Line Manager and/or Director dealing with the complaint will review the evidence and may make their own enquiries. A report outlining the findings of the investigation may be produced, including if appropriate, indication of whether the complaint is upheld and or whether further action is appropriate.
- 6.2 The RAD aims to provide the complainant and responding parties with an outcome of the investigation where it is able to share this information, or an explanation of any actions the RAD has taken, or not taken, as a result of the complaint. Should the outcome of a process change, the RAD aims to inform all parties. If it is considered appropriate, a copy of any report prepared by the Line Manager and/or Director may also be provided to the complainant and the respondent. If the Line Manager and /or Director conclude that the whole or part of any report prepared might have an adverse effect on the continued working relationship between colleagues or students or participants, they may decide to withhold all or part of the report and provide a summary of its findings.
- 6.3 Separate meetings may be held with the complainant and the respondent ahead of the outcome being issued.
- 6.4 Where possible the Line Manager and/or Director will provide the staff member of staff / student /participant and the respondent with the outcome outlining their conclusions and decision on the complaint(s) made within 5 working days of receiving the report, or if this is not possible, as soon as reasonably practicable.
- 6.5 In certain circumstances where a more lengthy investigation is needed both the complainant and the respondent will be advised of the anticipated timescale when they might expect the written outcome. The timescale will, where possible, be kept to a minimum.
- 6.6 The RAD regards bullying and harassment as misconduct and any employee or student found to have harassed or bullied or committed sexual misconduct will be subject to the appropriate employee or student disciplinary procedure as outlined in the Employee or Student Handbook. Cases of serious bullying and harassment may be considered gross misconduct resulting in summary dismissal without notice (employees) or termination of studies (students).
- 6.7 Whether or not the complaint is upheld, in some circumstances it may be appropriate to arrange some form of mediation, counselling and/or training to assist one or both parties to adjust their behaviour or to build bridges between them to enable them to work professionally and in harmony together.

- 6.8 Where a complaint is wholly or partly upheld and employees and / or students continue to work or study together and bullying and harassment or sexual misconduct continues or is repeated, a further investigation will be undertaken and the matter will be viewed seriously and appropriate disciplinary action taken.
- 6.9 Where the respondent is a third party, appropriate action will be taken, which may include communicating to the person and / or their superior about the behaviour, or, if appropriate, banning them from RAD premises and / or services or events or further work for the RAD or contact with the member of staff or student or participant who made the complaint.
- 6.10 Employees or students or participants who make complaints or who participate in good faith in any investigation conducted under this policy will not suffer any form of retaliation or victimisation as a result of making a complaint or assisting in the investigation. Anyone who feels that this is happening should make a complaint. If after an investigation someone is found to have retaliated against or victimised another person for making a complaint or assisting in good faith with an investigation under this policy will be subject to disciplinary action under the appropriate Employee or Student Disciplinary Procedure. Action will similarly be taken with other staff, students and participants who retaliate or victimise a complainant or witness, under the contract, Codes of Conduct or our general duty of care.
- 6.11 Any staff member or student or participant who deliberately provides false information during the course of any investigation or whose complaint is not upheld and is found to have been made maliciously or who otherwise acts in bad faith may be subject to disciplinary action under the appropriate Employee Disciplinary Policy or Academic Misconduct and Disciplinary Offences Policy and Procedures, or action under the relevant contract, Code of Conduct or equivalent.

7. APPEAL

- 7.1 Where an employee or FoE student, whether the complainant or respondent, is not satisfied with the outcome of the grievance, they may take further action by raising an appeal under the appropriate Employee or Student Grievance Procedure as available in the Employee or Student Handbooks.

8. CONFIDENTIALITY

- 8.1 Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. Details of the investigation and the

names complainant and the respondent must only be disclosed on a “need to know” basis.

- 8.2 Information about a complaint by or about an employee or student or participant may be placed on the employee’s personnel file or the student’s file or participant’s record, along with a record of the outcome and or any report or notes or other documents compiled during the process.
- 8.3 Breach of confidentiality may give rise to disciplinary action under the Employee or Student Disciplinary procedure, or action under the contract or Code of Conduct or in order to deliver our duty of care for other categories of staff.

9. POLICY IMPLEMENTATION

- 9.1 New staff are directed to the existence of this policy and receive briefing during induction or on engagement. Existing staff receive regular briefing on the policy and are advised of any changes made.
- 9.2 Faculty of Education students are briefed on this policy as part of their induction to the programme and directed to the Faculty of Education website where it is located.
- 9.3 Other students/participants are made aware of this policy on registering for a programme or activity, through Codes of Conduct and/or the RAD’s UK website.
- 9.4 Public signage in the premises setting out the existence of this policy and acceptable / unacceptable behaviour may also be used.

10. MONITORING AND REVIEW

- 10.1 The Head of HR and Executive Board monitor the use of this policy. All incidents relating to staff, students, participants and third parties must be reported to the Head of HR or the Registrar (in the case of Faculty of Education students), who keep records of the number of incidents of formal complaints of bullying, harassment or sexual misconduct. This includes incidents wherever they occur worldwide. The HR Department reports at least once per year to the Board of Trustees on cases of bullying, harassment and sexual misconduct, including any incidents relating to Faculty of Education students, and on training activities in relation to bullying, harassment and sexual misconduct.
- 10.2 Consideration is given to the development, implementation and evaluation of systems, policies and processes for preventing and responding to bullying and harassment and sexual misconduct, at least once per year, on review of this policy. This includes consultation with the Executive Board on the governance

and reporting to guarantee effective oversight. The Faculty of Education contributes to the RAD's reporting and evaluation mechanisms including outcomes from student engagement and feedback processes.

- 10.3 This policy is reviewed on an annual basis by the Head of HR, the Head of Quality Assurance (Faculty of Education), the Equality, Diversity and Inclusion Committee and Executive Board for approval and ratification by the Board of Trustees.

11. SIGNATURE



Chairman
On behalf of the Board of Trustees

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