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 employees and Faculty of Education students (hereinafter students). As part of this commitment the Academy aims to provide a working and learning environment in which everyone is treated with dignity and respect regardless of age, disability, gender, transgender re-assignment status, marital / civil partnership or family status, pregnancy, maternity, race, nationality, ethnic or national origin, creed, culture, sexual orientation, religion, belief or any other personal factor or quality.

1.2 Bullying and harassment 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.

1.3 Employees and students 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 by an individual or group of colleagues / peers.

1.4 Employees and students also have the right to be protected from being bullied or harassed by a third party, such as customer, member, client, supplier, visitor to our premises, partnership or placement tutor and are able to make a complaint if this should happen.

1.5 The RAD takes allegations of bullying and harassment very seriously and will address them promptly and confidentially. Bullying or harassment 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 (students).

1.6 Employees or students who raise a bullying and harassment complaint in good faith will not be subjected to unfavourable treatment or victimisation as a result of making the complaint, even if the complaint is not upheld.

1.7 The policy applies to all employees and students whilst on or off RAD premises.

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1 For the purposes of this policy “employees” refers to permanent employees, temporary workers, examiners, freelance tutors, teachers and pianists, mentors, practical teaching supervisors, chaperones, volunteers or any other person working on a paid or voluntary basis on behalf of the RAD.

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.
1.8 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 AND HARASSMENT

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” such as age, sex, gender reassignment, marital or civil partner status, pregnancy or maternity, race (including colour, nationality, and ethnic or national origins), disability, sexual orientation, religion or belief. 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.

2.5 Bullying and harassment 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.

2.6 Legitimate, reasonable and constructive criticism of an employee’s performance or behaviour or reasonable instructions given to employees in the course of their employment, or legitimate, reasonable and constructive criticism of a student’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 or harassment:

- 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 verbally or through electronic communications such as email and text messaging.
• 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 displaying such material on PC monitors or laptops.
• 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 employee(s) or student(s) by drawing them into terrorism through extremist behaviour in all its forms.

3. RESPONSIBILITES

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 and students. Personnel 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.

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 you are unhappy with the way that someone is behaving, you should first try to resolve the issue informally
by directly talking to the person concerned, if you feel able. 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) or Programme Manager (students) 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) or Programme Manager (students) but believe an informal approach or conversation, might resolve the problem, please contact a member of the HR team (employees) or Student Support Officer (student) 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 a meeting being organised between those involved with a member of the HR team present to try to resolve the situation informally. In the case of a student a meeting would be held with a Programme Manager or the Student Support officer present.

4.2 Formal Action

4.2.1 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 complaint using the employee Grievance Procedure (published in the Employee Handbook on SelectHR) or the Student Grievance Procedure (published in Programme Handbooks and on the Faculty of Education website). If the procedure involves the person about whom you are complaining, adjustment can be made and you should consult the Head of HR (employees) or Director of Education and Training (students) for advice so that a suitable alternative person can handle your complaint.

4.2.2 As outlined in the employee Grievance Procedure and Student Grievance Procedure your complaint should be made in writing to the appropriate person; in the case of employees your line manager or Director (or an alternative person as agreed with the Head of HR) and for students with the Registrar (or an alternative person as agreed with the Director of Education and Training).

4.2.3 In bringing a complaint of bullying and/or harassment, the employee or student should follow the appropriate grievance procedure but also specifically state in writing:

- The name of the person or people whose behaviour you believe amounts to harassment or bullying.
- The type of behaviour that is causing offence, together with specific examples if possible.
- Dates and times when incidents of bullying and harassment occurred and where they occurred.
- The names of any employees who witnessed any incidents or you believe may also be the victim of bullying and harassment by the same person
- Any action that you have already taken to try to deal with the behaviour.

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 Academy’s Equality, Diversity & Inclusion Policy and legal obligations are upheld. The Head of HR will assist any Line Manager and / or Director and / or other colleague nominated by a Director in dealing with a complaint of bullying and harassment. Even if such assistance is not required, or an employee does not wish to raise a formal complaint or grievance, all incidents of bullying and harassment should be reported to the Head of HR (employees) or Registrar (students) at the earliest opportunity. The Head of HR or Registrar will take such action as may be appropriate in the circumstances including conducting an investigation into the complaint, even where an employee decides not to raise a formal grievance. The Head of HR or Registrar will seek the permission of the employee or student before conducting the investigation or taking any action in these circumstances, which would be considered informal.

5.2 An investigation will take place to decide whether the allegation of bullying and harassment 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 point 8 below)

5.4 The RAD reserves the right, at its discretion, to suspend any employee or student who is under investigation for harassment and or bullying for a temporary period whilst investigations are carried out. Such suspension would be for a 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.

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 (employees) and an appropriate person from the Faculty of Education (students) will attend all 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.
5.7 Any employee or student accused of bullying 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 challenge 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. A member of the HR team (employees) and an appropriate person from the Faculty of Education (students) will attend all 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 interviewee opportunity to be accompanied by a colleague.

5.9 Where the complaint is about someone other than an employee or student, such as a customer, visitor or supplier, 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.

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 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. 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, they may decide to withhold all or part of the report and provide a summary of its findings in the written outcome that is sent to the employee / student and alleged harasser.

6.2 Where possible the Line Manager and/or Director will provide the employee / student and alleged harasser with a written outcome outlining their conclusions and decision on the complaints made within 5 working days of receiving the report, or if this is not possible, as soon as reasonably practicable. 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 alleged harasser.

6.3 In certain circumstances where a more lengthy investigation is needed both the complainant and the alleged harasser will be advised of the anticipated timescale when they might expect the written outcome. The timescale will, where possible, be kept to a minimum.

6.4 The RAD regards bullying and harassment as misconduct and any employee or student found to have harassed or bullied 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).

6.5 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.

6.6 Where a complaint is wholly or partly upheld and employees and/or students continue to work or study together and bullying and harassment behaviour continues or is repeated, a further investigation will be undertaken and the matter will be viewed very seriously and appropriate disciplinary action taken.

6.7 Where the harasser or bully is a third party, appropriate action will be taken, which may include public signage in the premises setting out acceptable/unacceptable behaviour, communicating to the person and/or their superior about the behaviour, or in very serious cases banning them from RAD premises and/or services or contact with the employee/student who made the complaint.

6.8 Employees or students 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 someone 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.

6.9 Any employee or student who deliberately provides false information during the course of any investigation or whose complaint is not upheld and is found to be have been made maliciously or who otherwise acts in bad faith may be subject to disciplinary action under the appropriate Employee or Student Disciplinary Procedure.

7. APPEAL

7.1 Where the complainant or alleged harasser 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 of the person making the complaint and the person accused must only be disclosed on a "need to know" basis.
8.2 Information about a complaint by or about an employee or student may be placed on the employee’s personnel file or the student’s file, 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.

**9. POLICY IMPLEMENTATION**

9.1 New employees are directed to the existence of this policy on SelectHR and receive briefing during induction. Existing employees receive regular briefing on the policy and are advised of any changes made.

9.2 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.

**10. MONITORING AND REVIEW**

10.1 The Head of HR and Executive Board monitor the use of this policy and the Head of HR (employees) and Registrar (students) keeps records of the number of incidents of formal complaints of bullying and harassment made.

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

**11. SIGNATURE**

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Chairman
On behalf of the Board of Trustees

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