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**Bristol School of Acting**

## **Respect at BSA**

# **Framework, Policy and Procedures**

### **Introduction**

BSA is dedicated to the highest quality training for actors. Our values are that we will be:

- inclusive
- rigorous
- committed to our craft
- collaborative
- transformative

The success in achieving our purpose rests with our people. We want our staff and students to make changes in the profession, so that they can create art that takes risks and is both challenging and irreverent, but not in an atmosphere of coercion or intimidation. Artistic freedom of expression is essential, but the creative space must be a safe space.

### **Purpose of this policy**

The purpose of this policy is to assist in establishing an environment in which harassment, bullying and victimisation are regarded as unacceptable across BSA. Individuals should have the confidence to complain about harassment or bullying, and lack of consideration, in the knowledge that their concerns will be dealt with appropriately and fairly. This policy outlines the procedures to be followed (or directs to the relevant procedures in another policy) if anyone within the School feels they are being harassed, bullied or victimised.

This policy forms part of the Respect at BSA Framework, which comprises the policies and guidelines expressing our approach to ensuring all students and staff can work and study in a safe, respectful and welcoming environment. Other policies and resources in the Framework are:

- Equality, Diversity and Inclusion Strategy
- Staff Policy and Procedure Handbook
- Student Code of Conduct
- Intimacy in Performance Protocol
- Student Non-Academic Misconduct Policy and Procedure
- Religious Observance Policy
- BSA Rules

The principles of this policy apply to all staff (including freelance), students and contractors working or studying at the School.



We will keep information confidential if it has been given in confidence; however, there may be cases where information provided is of a serious nature and we are under an obligation to use this information in order that we fully discharge our duty of care.

## DEFINITIONS

### Harassment

Equality legislation makes harassment on the grounds of a protected characteristic unlawful. This protection includes people who find the behaviours offensive even if it is not directed at them and even if they do not possess the characteristic. Note that BSA considers all harassment unacceptable even when it does not directly relate to the protected characteristics listed below, and that harassment does not necessarily comprise sustained/repeated unacceptable behaviour – a single instance may constitute harassment.

The Equality Act 2010 offers protection from:

- Unwanted conduct that is related to the protected characteristics of age; disability; gender reassignment; race; marriage and civil partnership; pregnancy and maternity; religion or belief; sex; sexual orientation and that violates the person's dignity or creates an intimidating, hostile, degrading, humiliating or hostile environment for that person
- Unwanted conduct of a sexual nature (sexual harassment)
- Less favourable treatment for rejecting/submitting to sexual harassment or harassment related to sex or gender reassignment

Harassment that is targeted at an individual or group of individuals may occur on the grounds of:

- A person's actual personal characteristics - for example, a person's views are persistently ignored or not sought because they have a diagnosis of mental ill health;
- A person's perceived personal characteristic – for example, homophobic/derogatory remarks are made to a person assumed to be gay, whether they are or not;
- The characteristic of a person with whom someone is linked – for example, a person is harassed because of the religious or philosophical beliefs of a relative or friend.

Alternatively, harassment may not be personally targeted at an individual at all. For example, if, in a particular team, a culture exists which permits offensive or stereotypical jokes, then a person may have a valid complaint of harassment, even if these do not relate directly to the complainant. For instance, a racist work culture which denigrates minority ethnic groups may create an offensive environment for staff of all races. People of any race or ethnic background would have a right to complain even where the offensive remarks were aimed at only one particular race.

Harassment can take a variety of different forms ranging from repeatedly ignoring a colleague or subjecting them to unwarranted attention, to intimidation, humiliation, ridicule or offence. Harassment may not be deliberate; someone may harass another person unintentionally.

Differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. People should feel comfortable about explaining why particular words or conduct are unacceptable to them, and should be able to expect that others will treat their views seriously.



People in positions of trust and authority and those with a pastoral role have a particular obligation to ensure that they do not use their power to harass other staff or students of the University.

Please see Appendix A for examples of behaviour which constitutes harassment.

### **Sexual Harassment (aka Sexual Misconduct)**

This is any form of unwanted conduct of a sexual nature (physical, verbal, non-verbal, in writing, virtually, via social media etc) that offends, upsets, degrades, intimidates or is hostile to the person experiencing it. Sexual harassment may include but is not restricted to the following, even if the harasser perceives these behaviours as harmless and well-intentioned:

- unwanted physical conduct including touching, caressing/stroking, pinching, pushing, grabbing;
- unwelcome sexual advances or suggestive behaviour, either physical or verbal (including written);
- any of the above behaviours that continue despite it being made clear that they are unwelcome, including repeated suggestions for social activity, asking someone out, etc.

The issue of sexual harassment is a complex one. Behaviour potentially classifiable as sexual harassment or misconduct may not always be obvious or follow an easily recognisable pattern. The following are important to note:

- a person of any gender can experience sexual harassment *from* a person of any gender;
- conduct may be unwanted even if the person subject to it does not explicitly object to it;
- it is irrelevant whether the conduct in question is acceptable to others or is common in either party's workplace, which in itself would be a serious issue;
- any of the behaviours discussed in this section of the policy that have been welcomed in the past can subsequently become unwelcome.

Mutual attraction of course can occur in the workplace or place of study. But you are strongly advised to bear in mind that when advances are made to another person, if there is absolutely *any* doubt about the recipient's openness to those advances they may be construed as sexual harassment and must cease or be avoided. The best principle to adopt is that of "**NO**" *means no*. Even in the absence of an explicit "no" if there is no "yes" and there is any indication the advances may be unwelcome then they must stop immediately.

### **Bullying**

Bullying is the exercise of power over another person through negative acts or behaviours that undermine him/her personally and/or professionally. It is often characterised by inconsistent treatment of people. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour; placing inappropriate pressure on the recipient which can affect self-confidence or has the effect of isolating or excluding them. It involves behaviour that is unacceptable to the recipient and creates an intimidating, hostile or offensive environment for employment, study or related social activities. Note that the above use of the term 'exercise of power over another person' does not imply direct workplace authority/seniority of one party over another. Bullying can occur between any parties regardless of whether such a professional relationship exists.

- Bullying may consist of a single incident, sporadic events or a continuing process. Behaviour that may appear trivial as a single incident can constitute bullying when repeated.



- As with harassment, bullying is not always deliberate; someone may demonstrate bullying behaviour without intending to do so. Whichever form it takes it will often cause embarrassment, fear, humiliation or distress to an individual or group of individuals.
- Bullying may be by an individual against another individual (perhaps by someone in a position of authority such as a manager or tutor) or groups of people (perhaps a person will act in a bullying manner towards several colleagues). Similarly, a group of people may also be responsible for bullying behaviour towards an individual (for example, if a group of staff members act in a way that leaves an individual feeling isolated or excluded). People in positions of authority can be bullied by those who are not.
- Harassment and bullying are to be distinguished both from the sort of vigorous debate which is to be encouraged in a School, and from the actions of a manager or tutor making reasonable and appropriate (but perhaps unpopular) requests of his/her staff or students. These are examples of conduct that (whether or not acceptable to the recipient) are warranted in the circumstances.
- The defining features of harassment and bullying are therefore that the behaviour is both unacceptable to the recipient and unwarranted by the circumstances of the relationship between the parties.

### **Hate Crime**

A hate crime is defined by the Metropolitan Police as:

*Any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.*

It does not require specific evidence as long as the victim perceives the incident is due to prejudice relating to any of the above named characteristics, and it does not necessarily have to be reported by the victim – it can be reported by a witness who believes it to arise from prejudice as described above. Hate crime falls into the following three categories:

- Physical assault: This is always a criminal offence regardless of 'cause' but may be defined as a hate crime if the victim or witnesses believe the assault to be triggered by prejudice as described above.
- Verbal abuse: This may include but is not restricted to threats or abusive name-calling (in person or via a written medium), and may be categorised as a hate crime if the victim or witnesses believe the abuse to have been triggered by prejudice as described above. With verbal abuse it can sometimes be unclear whether an offence has been committed as it is a less overt and obvious attack than physical assault, and the victims can be left feeling there is little they can do. However, there are laws in place that make verbal abuse an offence and, as stated above, in some instances it may be categorised as a hate crime.
- Incitement to hatred: This is an offence in which someone acts in a threatening manner which is intended or likely to stir up hatred, whether it be directed at an individual or a group with particular characteristics as listed (though not restricted to those) in 7 above. The incitement could be via words, images, music or other actions, and may be via physical or virtual actions such as material posted on websites, social media or sent via phone texts. Content may include (but is not restricted to):



- a. messages calling for violence against a person or group
- b. web pages/social media content showing pictures, videos or descriptions of violence against anyone due to their perceived differences
- c. virtual discussions/exchanges in which people ask or encourage others to commit hate crimes against a person or group.

### **Victimisation**

Victimisation occurs when a person is treated less favourably because they have, in good faith, made an allegation of harassment, or have indicated an intention to make such an allegation, or have assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation

We will not tolerate any victimisation of anyone raising a concern under this policy.

### **WHAT TO DO IF YOU ARE BEING HARASSED OR BULLIED**

- Anyone who considers that they may have been the subject of harassment or bullying has the right to be listened to and to be given informed advice on how the matter may be resolved and ideally by someone with whom they feel comfortable. BSA is a relatively small organisation, but has a number of different people who can provide information or advice and have been trained to do so. Please see the relevant sections for people who can provide information or advice.

### **Support for staff**

There are different options available to you if you believe you are experiencing bullying, harassment or victimisation at BSA, which includes:

- line manager: ideally you should speak to your line manager if you have been a victim of bullying, harassment or victimisation, or have been accused of it.
- Head of School: if you cannot speak to your own line manager you can speak to the Head of School

### **Support for students**

There are a number of people to whom students can speak, including staff and, if they feel comfortable, student representatives.

- Your year group's student representative
- Your personal tutor
- Head of Course or Programme Leader
- The BA Courses Coordinator
- Any member of the Senior Leadership Team

### **MAKING A COMPLAINT**

#### **Staff procedure for making a complaint**

If you feel that you have been, or are being, subjected to harassment, bullying or victimisation, we would strongly advise you to take 'Supported Personal Action' as an early intervention for minor issues by talking to the person to make them aware of the effect of their behaviour on you. You can obtain support before speaking to the person from any of the people listed in paragraph 27 above.

- You can have a conversation with, or write to, the other person and explain, as clearly as possible, what it is that you consider unacceptable about their behaviour and ask them to stop behaving in this way.



- You could enlist the help of a colleague to find ways of bringing the topic of harassment, bullying or victimisation into a conversation in the presence of the person causing offence. A first port of call is the list of people included here who will have been trained to offer support.
- It is very important that the person accused knows that their behaviour is perceived as unacceptable by another individual. People often do not realise they are offending others and will change their behaviour as soon as they know.
- In many situations, this can be the most effective way to raise concerns. However, you should not feel pressurised to raise concerns this way and should be aware of options available, including informal and formal complaints.
- If you decide to take Supported Personal Action, you are advised to make a note of factual information about the discussion that takes place and any agreed outcomes and you should keep copies of relevant pieces of written or email correspondence.
- **Informal and formal complaints** can be made under the BSA Staff Grievance Policy.

### **Student procedure for making a complaint**

If you feel that you have been, or are being, subjected to harassment, bullying or victimisation, you should not feel that it is your fault or that you have to tolerate it without question. The behaviour in question could be coming from another student, a member of staff at BSA or someone else associated with BSA. Generally, complaints are most easily resolved if they are raised at the time the problem first occurs and with the person/s directly involved. If you feel that you have been, or are being, subjected to harassment, bullying or victimisation, you may feel able to take action on your own to make the other person aware of the effect of their behaviour on you. You can take advice before doing this from the people listed above..

Some ways you could take action are:

- You can have a conversation with, or write to, the other person and explain, as clearly as possible, what it is that you consider unacceptable about their behaviour and ask them to stop behaving in this way.
- You could enlist the help of a peer to find ways of bringing the topic of harassment, bullying or victimisation into a conversation in the presence of the person causing offence.
- If you do choose to contact the person, you might wish to seek advice or support beforehand from your personal tutor or another member of staff
- If you do decide to raise your concerns directly with the person concerned, face-to-face, you might wish to invite someone else to be present when you are having the conversation. If you decide to raise your concerns in writing, you should keep copies of relevant pieces of correspondence. In either case, it may be advisable to note down factual information.
- These are informal ways in which you can take action. Subsequent formal stages are set out in the Complaints Policy and Non Academic Misconduct policy

### **Guidance for those accused of Bullying, Harassment or Victimisation**

- If you are approached informally by a member of staff or student about your behaviour, do not dismiss the complaint out of hand. Remember that all people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. You may be offending them without intending to in such a scenario and an apology may resolve the matter.



- You may seek confidential advice from people mentioned above for staff and students. It would be advisable to do this before taking any other steps. Any discussion will be confidential but you should be aware of the limits to confidentiality. If necessary, request a statement setting out limits of confidentiality from whatever source you are seeking advice.
- If you come to realise that you have harassed or bullied another person, be ready to change the behaviour causing offence. Training, coaching and counselling may be available to support you to change behaviours that may have caused offence or distress.
- If after reflection you believe the accusation is unfounded, you should say so and participate fully in the proceeding so that any matter can be resolved as quickly as possible. Mediation and informal resolutions can be effective in resolving any matter informally; therefore, these should be considered a serious attempt to mend working relationships.
- For members of staff, if a formal procedure is invoked both you and the complainant have a right to be accompanied at meetings by a work colleague or trade union representative. Students also have the right to be accompanied to meetings if a formal disciplinary process is invoked.
- Malicious<sup>1</sup> or vexatious<sup>2</sup> allegations of harassment or bullying may give grounds for disciplinary proceedings against the complainant.
- For members of staff, regardless of the outcome of the complaint, you will be required to take reasonable steps to restore adequate working relations between yourself and the person who made the complaint.

#### **Oversight, monitoring and review**

- The Senior Leadership Team is responsible for reviewing this policy, its effective operation and any monitoring (including equality monitoring) of any actions taken as a result of the policy.
- <sup>1</sup> Malicious - motivated by wrongful, vicious or mischievous purposes
- <sup>2</sup> Vexatious – not having sufficient grounds for action and seeking only to annoy or cause embarrassment to the recipient



## **Appendix A: Examples of Harassment**

What follows is some examples of unacceptable behaviours which might constitute harassment in relation to a person's protected characteristic. Some of the offences listed under a particular heading might also apply to other situations. This is not an exhaustive list.

### **Race**

- This is offensive or hostile treatment of an individual(s) on the basis of their race, nationality, ethnic origin, or skin colour. Examples include:
- racial abuse of a physical, verbal or prejudicial nature;
- racist jokes, insults, ridicule or name calling of a racist nature;
- the display of racially offensive written or visual material including graffiti;
- open hostility to black and other racial groups.
- Subtler forms include:
- deliberate unfair allocation of work;
- unequal treatment in the application of conditions of employment;
- unreasonable pressure to complete tasks;
- exclusion from conversation and normal workplace activities or social events;
- unreasonable withholding of permission to attend training or similar events;
- disproportionate monitoring of timekeeping.

### **Gender**

- This is unwanted conduct of a sexual nature, or other conduct based on gender affecting the dignity of people at work. Examples include:
- derogatory comments about gender or matters associated with gender;
- ostracism related to gender (whether the person affected is of the same or different gender);
- degrading comments about appearance or dress;
- physical conduct of a sexual nature ranging from unnecessary touching to sexual assault;
- making offensive comments to a pregnant woman about her appearance;
- unwelcome sexual advances, flirtatious or suggestive remarks, leering, whistling or sexually suggestive gestures;
- display of pornographic or sexually suggestive pictures, objects or written materials;
- repeated requests to go on a date or to socialise outside of work when this is unwanted;
- pressure for sexual behaviour/favours in return for avoiding detrimental treatment;
- detrimental treatment following the rejection of a sexual advance.

### **Disability**

- This is unfair and unwelcome treatment based on the fact that a person has a physical or sensory or mental impairment or learning difficulties. Examples include:
- Offensive patronising language, action or behaviour including jokes about disability,
- inappropriate comments and questioning regarding a person's impairment,
- the consistent or repeated failure to provide clear identified facilities or requirements in order for a person to perform his/her duties or receive an adequate service (including their training)
- prevention of attendance at training or similar events.

### **Age**

- Ridiculing or demeaning behaviour based on stereotypical perceptions and prejudices, about a person(s) because of their mature age and experience (or lack of experience in the case of a young person). Examples include:
- Unnecessary stipulation of age as a criteria in job descriptions;
- not taking a person seriously because of his/her age;



- unfair exclusion of people from training or promotion;
- telling jokes related to age or the perceived effects of age;
- derogatory stereotyping based on age;
- talking down to and humiliating staff on the basis of their age.

### **Sexual orientation**

- Behaviour, which condemns, ridicules or excludes individuals on the basis of stereotypical perceptions of sexual orientation. Examples include:
- teasing or name calling about an individual's sexual orientation (real or perceived)
- the display or circulation of offensive written or visual material, use of verbal abuse, threats or derogatory comments about people who are, or are assumed to be LGBTQ+;
- homophobic 'jokes' or derogatory stereotyping based on sexual orientation;
- 'outing' a person (ie revealing their sexual orientation) against their wishes;
- using intrusive questioning about a person's partnership or domestic circumstances;
- the systematic exclusion of people who identify as LGBTQ+ from workplace activities;
- unequal treatment in the application of conditions of employment.

### **Religion/Belief**

- Socially unacceptable behaviour, which fails to accommodate or acknowledge the rights or needs of individuals with different and dedicated religious convictions, beliefs and practices. Examples include:
- criticising people for items worn for religious reasons;
- denigrating cultural festivals, or making derisory comments against an individual's beliefs;
- repeatedly dismissing or not taking seriously a person's request for their religious practices to be accommodated.

### **Transgender**

- Behaviour, which condemns, ridicules or excludes individuals on the basis of stereotypical perceptions of their gender identity. Examples include:
- derogatory remarks, "jokes" or innuendos;
- gossip;
- persistent use of incorrect name / pronoun;
- disclosing or threats to disclose the gender history of an individual;
- expressing or acting on stereotypical assumptions;
- display of, or electronic transmission of, offensive materials;
- excluding an individual from social activity because of their gender identity;
- intrusive questioning of a person's transition.

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