



BRIGANTES

ORCHESTRA

Charity Number: Brigantes Music 11877752

Bullying and Harassment Policy

(February 2024)

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1. Introduction to Brigantes Music

Brigantes Music is a Charitable Incorporated Organisation (Charity Commission Number 1187752).

The aims of Brigantes Music include advancing the education of people in the arts, specifically professional-standard classical music. We aim to do this in a variety of ways, including hosting professional symphonic concerts via our orchestra (the Brigantes Orchestra), outreach in the community to inspire and educate people who would not necessarily attend classical music concerts, as well as inspiring children and young people to learn about and hear classical music.

2. Purpose of this policy

Brigantes Music strives to offer an environment where everyone is treated with dignity and respect. We do not tolerate bullying or harassment. This is without regard to gender, sexual orientation, transgender status, marital or family status, colour, race, ethnicity, nationality, ethic or national origins, creed, culture, religion, belief, age, or disability. Everyone at Brigantes Music should have the opportunity to contribute to the organisation's success and realise their potential. These principles extend to employees, guest players, sub-contractors, consultants, agency employees, those taking part in our programmes, visitors and guests.

This policy and procedure is intended to support this commitment in practice and to provide guidance to staff on how to deal with concerns of bullying or harassment. Breaches of this policy may be regarded as misconduct and will be subject to investigation that could lead to disciplinary procedures with sanctions applicable up to and including dismissal.

3. Policy

Brigantes Music will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace. This is regardless of whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

Brigantes Music will not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal.

Musicians, staff members, trustees and volunteers should be aware that, if a court or tribunal finds that you have bullied or harassed someone, the treatment may amount to a crime punishable by a fine or imprisonment.

Brigantes Music will take appropriate action if any of our employees or contractors are bullied or harassed by our stakeholders or suppliers.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee or contractor, then the employee may be subject to disciplinary action, up to and including dismissal.

Musicians, staff members, trustees, volunteers and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result. False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

Bullying or harassment is something that is unwelcome, unwarranted, and causes a detrimental effect. If employees complain they are being bullied or harassed, then they have a grievance which must be dealt with regardless of whether or not their complaint accords with a standard definition. It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate

sensitivity. Bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

4. Reporting concerns of bullying or harassment

If you witness bullying or harassment, you should report the incident in confidence to the Orchestral Manager or, if they are unavailable or implicated, to either the Musical Director or Designated Safeguarding Lead Trustee. Reports of bullying and / or harassment will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

If you are a victim of bullying or harassment by a stakeholder or contractor / supplier (i.e. not a colleague), you should report the incident in confidence to the Orchestral Manager or, if they are unavailable or implicated, to either the Musical Director, or the Designated Safeguarding Lead Trustee.

If you are a victim of bullying or harassment by a colleague at Brigantes Music, you should follow one of these two pathways:

- a) *Informal resolution* - if you are being bullied or harassed by another employee, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask the Orchestral Manager, Musical Director or Designated Safeguarding Lead Trustee colleague to do this on your behalf or accompany you when having a meeting with the perpetrator(s).

If this approach does not work, or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own manager, you should raise the issue with the Designated Safeguarding Lead Trustee or the Chair of the Board of Trustees. They will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator(s), without prejudging the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a fellow employee.
- such behaviour is contrary to our policy.
- the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible for the Orchestral Manager, Musical Director, or Designated Safeguarding Lead Trustee to have this conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Orchestral Manager or Designated Safeguarding Lead Trustee will discuss this with you, if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

b) Raising a formal complaint - if informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the Orchestral Manager or the Designated Safeguarding Lead. A formal complaint may lead to disciplinary action against the perpetrator(s).

Brigantes Music will investigate the complaint. You will be asked to co-operate with the investigation and provide the following details (if not already provided).

- The name of the alleged perpetrator(s).
- The nature of the harassment or bullying.
- The dates and times the harassment or bullying occurred.

- The names of any witnesses.
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would need to be told your name and the details of your complaint in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

After the investigation, we will meet with you to consider the complaint and the findings of the investigation. At the meeting, you may be accompanied by a fellow worker or union official.

After the meeting (and normally within five working days), we will write to you to inform you of our decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing to the Chair of the Board of Trustees explaining the reasons why you are dissatisfied with the decision.

You should submit your appeal within five working days of receiving written confirmation of our decision. If you submit an appeal, you will be invited to attend a meeting to consider it. Once again you may be accompanied by a fellow worker or a union official. We will write to you afterwards to confirm our final decision.

5. Disclosure and confidentiality

We will treat personal data collected during this process in accordance with General Data Protection Regulations (2018).

6. Use of the disciplinary procedure

Harassment and bullying constitute serious misconduct. If, at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.