



Wyong Musical Theatre Company

Discrimination, Abuse, Bullying and Harassment Policy

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1. Scope

This policy applies to:

- committee members;
- all members, including: production teams and cast; temporary or permanent members; student placements, apprentices, contractors, sub-contractors and volunteers;
- how Wyong Musical Theatre Company Inc provides services to clients and how it interacts with other members of the public
- all aspects of appointment and selection; conditions and benefits; training and opportunity; task allocation; workload; equipment and transport
- on-site, off-site; WMTC related social functions; conferences – wherever and whenever members may be as a result of their Wyong Musical Theatre Company Inc duties;
- members treatment of other members, of patrons, and of other members of the public encountered in the course of their duties to Wyong Musical Theatre Company Inc.

2. Aims

Wyong Musical Theatre Company Inc is committed to providing a safe and respectful environment for members and patrons free from all forms of discrimination, abuse, bullying and harassment.

All Wyong Musical Theatre Company members are required to treat others with dignity, courtesy and respect.

By effectively implementing our *Discrimination and Harassment Policy*, we will attract and retain talented members and create a positive, fun environment for members.

3. Member's Rights and Responsibilities

All members are entitled to:

- selection decisions based on merit and not affected by irrelevant personal characteristics or relationships;
- work free from discrimination, bullying and harassment of any kind;
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised;

- reasonable flexibility in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

All members must:

- follow the standards of behaviour outlined in this policy;
- offer support to people who experience discrimination, bullying or harassment of any kind;
- avoid gossip and respect the confidentiality of complaint resolution procedures;
- treat everyone with dignity, courtesy and respect.

3.1 Additional responsibilities of members and volunteers

Members and volunteers must also:

- model appropriate standards of behaviour;
- take steps to educate and make members aware of their obligations under this policy and the law;
- intervene quickly and appropriately when they become aware of inappropriate behaviour;
- act fairly to resolve issues and enforce behavioural standards, making sure relevant parties are heard;
- help members resolve complaints informally;
- refer formal complaints about breaches of this policy to a committee member;
- ensure members who raise an issue or make a complaint are not victimised;
- ensure that decisions are based on merit
- seriously consider requests for flexible rehearsal / show arrangements.

4. Unacceptable Conduct

Discrimination, abuse, bullying and harassment of any kind are unacceptable at Wyong Musical Theatre Company Inc and are unlawful under the following legislation:

- *Sex Discrimination Act 1984* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Age Discrimination Act 2004* (Cth)
- *Australian Human Rights Commission Act 1986* (Cth).

Members (including the committee members) found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including suspension or expulsion from the company, in accordance with the Constitution of WMTC.

4.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

Directly - when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

For example, a member is harassed and humiliated because of their race or a member is refused opportunity because they are 'too old'.

Indirectly - when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law.

Protected personal characteristics under Federal discrimination law include:

- a disability, disease or injury, including work-related injury
- parental status or status as a carer, for example, because they are responsible for caring for children or other family members
- race, colour, descent, national origin, or ethnic background
- age, whether young or old, or because of age in general
- sex
- religion
- pregnancy and breastfeeding
- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer, non-binary and heterosexual
- marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- political opinion
- social origin
- medical record
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.

It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future.

4.2 Bullying and Abuse

If someone is being bullied or abused because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying and abuse can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair practices.

Under Federal law, this behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Behaviours that may constitute bullying or abuse include:

- sarcasm and other forms of demeaning language

- threats, verbal abuse or shouting
- coercion
- isolation
- inappropriate blaming
- ganging up
- psychological abuse – making someone feel ashamed, inadequate or less than themselves.
- constant public criticism
- deliberately withholding information or equipment that a person needs to do their job or access their benefits

Wyong Musical Theatre Company Inc has a zero-tolerance approach to bullying and abuse.

4.3 Sexual harassment

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected or intended to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken, cyber or written. It can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments or jokes
- displaying offensive screen savers, photos, calendars or objects
- repeated unwanted requests to go out
- requests for sex
- sexually explicit posts on social networking sites
- insults or taunts of a sexual nature
- intrusive questions or statements about a person's private life
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, grooming, stalking or obscene and inappropriate communications.

Just because someone does not object to inappropriate behaviour at the time, does not mean that they are consenting to the behaviour.

All members and volunteers have the same rights and responsibilities in relation to sexual harassment. A single incident is enough to constitute sexual harassment – it doesn't have to be repeated. All incidents of sexual harassment – no matter how large or small or who is involved – require committee members to respond quickly and appropriately.

Wyong Musical Theatre Company Inc recognises that comments and behaviour that do not offend one person can offend another. This policy requires all members and volunteers to respect other people's limits.

Wyong Musical Theatre Company Inc has a zero-tolerance approach to sexual harassment.

4.4 Victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

Wyong Musical Theatre Company Inc has a zero-tolerance approach to victimisation.

4.5 Gossip

It is unacceptable for members at Wyong Musical Theatre Company Inc to talk with other members, volunteers, clients or suppliers about any complaint of discrimination or harassment.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, in a leadership position) is a serious breach of this policy and may lead to formal discipline.

5. Merit at Wyong Musical Theatre Company Inc

All decisions at Wyong Musical Theatre Company Inc will be based on merit – the skills and abilities of the candidate/performer/artist is measured against the inherent requirements of the position – regardless of personal characteristics, reputation or personal relationships with other members or acquaintances of the company.

It is unacceptable and may be against the law to ask members/volunteers questions, or to in any other way seek information, about their personal characteristics, reputation or personal relationships, unless this can be shown to be directly relevant to a genuine requirement of the position.

6. Resolving Issues at Wyong Musical Theatre Company Inc

Wyong Musical Theatre Company Inc strongly encourages any member or volunteer who believes they have been discriminated against, bullied, harassed in any way or victimised to take appropriate action by contacting one of the committee members as soon as possible.

Members who do not feel safe or confident to take such action may seek assistance from any member in a leadership position, for advice and support or action on their behalf.

7. Other Relevant Wyong Musical Theatre Company Policies

Members, especially committee members, production teams and cast, are encouraged to read this policy in conjunction with other relevant Wyong Musical Theatre Company Inc policies:

- Conflict of interest policy
- Health and safety policy
- The Wyong Musical Theatre Company Constitution

8. More Information

If you have a query about this policy or need more information please contact the Secretary at secretary@wmtc.com.au

9. Review Details

This policy was adopted by Wyong Musical Theatre Company Inc on _____

This policy was last updated on _____

Signed by _____ Name _____

Position _____