

JERMYN STREET THEATRE

VALUES STATEMENT AND POLICIES

April 2020

CONTENTS

Jermyn Street Theatre Values Statement	2
Policies	3
<i>Artistic Decision-Making Criteria At Jermyn Street Theatre</i>	4
<i>Equality Policy</i>	5
<i>Healthy and Safety Policy</i>	10
<i>Respect At Work Policy</i>	12
<i>Safeguarding Policy</i>	18
<i>Grievance Policy</i>	30
<i>Disciplinary Policy</i>	34

JERMYN STREET THEATRE VALUES STATEMENT

WHY?

We're the smallest producing theatre in the West End, but we have the biggest heart and the biggest dreams.

We believe nothing is impossible in our intimate space. We can stage anything from one-person shows to musicals. Every few weeks our theatre transforms into something and somewhere new.

We have faith in our artists' talent and trust in our audiences' curiosity. Everyone who works here becomes part of our family, and our audience members are our friends.

Whether it's in writing, production teams, casting, stage management or design, we challenge ourselves to produce work of an international quality, to be enjoyed in the most intimate theatre in London.

WHO?

We're a theatre for writers and actors, supported by creative and innovative direction and design.

We work with artists of international standing, alongside those at the start of their careers.

We collaborate with other theatres to bring outstanding work from around the UK and the world to the centre of London and to spread our work to new places.

We put female artists and female stories at the heart of what we do. Over half of our on- and off-stage teams are women. We celebrate the diversity of our modern world.

We're a theatre for everyone. We keep our ticket prices accessible and our bar prices low.

HOW?

Every time we create work, we aspire for excellence.

We expect and encourage a safe environment of brilliant ideas, mutual respect, shared skills, and kindness.

Our ticket sales can only account for around 60% of our costs. We have no regular public funding, so we rely on generous individuals and small trusts to fund our overheads and our work.

Many of our staff are volunteers, giving up their time freely for love of this theatre. Within our means, we'll always put our artists first. We work with company wages. We are a full signatory to the Equity Fringe Agreement, guaranteeing a legal wage and protected working conditions for everyone.

JERMYN STREET THEATRE POLICIES

These policies are reviewed and championed by Jermyn Street Theatre. If you have any questions about the policies or action plans, please direct them to the Artistic Director of Jermyn Street Theatre.

In promoting these values, Jermyn Street Theatre acknowledges that it is a small organisation run by a small team. Its scale, budgets, and staff capacity may sometimes affect issues pertaining to these policies, as they affect all other aspects of the organisation and its work, but it welcomes feedback on how it can be the best, most inclusive and supportive working environment possible.

These procedures are in line with those outlined by UK Theatre (UKT) of which Jermyn Street Theatre is not a member, but whose values we strive to uphold, and the union Equity. Jermyn Street Theatre is a signatory to the Equity Fringe Agreement. Copies of UKT union agreements which include these policies are available direct from UKT.

ARTISTIC DECISION-MAKING CRITERIA AT JERMYN STREET THEATRE

All projects are assessed according to the following aims. Aims are created in each category and then evaluated after the project ends.

1. **Quality.** Does the project have the human resources, budget, funding, partnerships and timescales in place to deliver it to the highest possible standards?
2. **Artistic development.** Will the project result in artistic learning and development; will it push the artists involved into new territory, enhance their skills, or allow them to work in new ways or ways important for their continuing development?
3. **Audience development.** Will the project result in audience learning and development; will it increase the audience from its existing base, introduce new stories, artists, writers or styles to the audience?
4. **Organisational development.** Will the project, often through partnerships, result in organisational learning and the advancement of skills of the theatre's staff?
5. **Equality and diversity.** We are not an Arts Council England organisation but we embrace the creative case. We are committed to equal employment on and off-stage for male and female artists and production staff. How far does the project advance our commitment to the creative case and to equality?
6. **Financial development and risk.** Jermyn Street Theatre takes varying degrees of risk on each project according to how fully it fulfils criteria 1—5 above; greater risk may be accorded to projects that fulfil the above criteria to an outstanding degree.

EQUALITY POLICY

PART A

STATEMENT

Jermyn Street Theatre is committed to promoting theatre as an activity for all. In order to achieve this, we aim to create an inclusive working environment, which maximises the potential of all staff and artists and upholds equal opportunities in all aspects of employment. We will not tolerate discrimination, harassment, bullying or victimisation of employees or third parties who work on our behalf.

PRINCIPLES

The key principles of this Equality policy are: to provide equal opportunities for all; to promote an inclusive culture; to respect and value difference; to prevent discrimination, harassment and victimisation; and to foster good relations across the workforce and with partners.

Our policy is governed by the Equality Act 2010, which makes it unlawful to discriminate directly or indirectly in recruitment or employment because of a protected characteristic as defined in the Equality Act 2010. Members of staff, our audiences, our actors and creative teams, and participants in our events will never be treated less favourably than another because of their belonging to either a protected group, or a group that Jermyn Street Theatre has identified as requiring protection in addition to the Equality Act.

The protected characteristics as listed in the Equality Act 2010 are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation

In addition, we have chosen to identify some other characteristics which we see as being in need of protection under this policy. These are:

- class/socio-economic status
- parenthood
- paternity

If any person appointed as a member of staff or freelance worker considers that they are suffering from unlawful discrimination, harassment, or victimisation in her or his appointment or progression through Jermyn Street Theatre because of belonging to any of the above groups, then they may make a complaint, which will be dealt with through the agreed Grievance procedure. Please see our Respect at Work policy for further detail on harassment and bullying.

Equality and diversity are vital to the work of Jermyn Street Theatre, and we always welcome feedback on how to improve and develop our policies and procedures.

PART B

DISCRIMINATION

You must not unlawfully discriminate against or harass other people including current and former staff members, job applicants, consultants, contractors, actors, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts) and on work-related trips or events, including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

Direct discrimination: treating someone less favourably because of a protected characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.

Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.

Harassment: this includes sexual harassment and other unwanted conduct related to a protected characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Respect at Work policy.

Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.

Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

RECRUITMENT AND SELECTION

Recruitment, promotion, and other selection exercises such as termination of contracts will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person. Recruitment procedures should be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a protected characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should be used with the approval of the Artistic/Executive Directors.

For example:

1. Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
2. Questions to establish if an applicant is fit to attend an assessment or to determine any reasonable adjustments that may be needed at interview or assessment
3. Positive action to recruit disabled persons or to improve working conditions for someone who has declared an existing health condition
4. Equal opportunities monitoring (which will not form part of the selection or decision-making process)

Where necessary, job offers can be made conditional on a satisfactory medical check.

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from UK Visas and Immigration. However, it is understood that most people working at Jermyn Street Theatre are self-employed contractors.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary, and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

TERMINATION OF EMPLOYMENT

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

DISABILITIES

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you appropriately.

If you experience difficulties at work because of your disability, you may wish to contact the Artistic/Executive Directors of Jermyn Street Theatre to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Artistic/Executive Directors of Jermyn Street Theatre may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable or affordable, we will explain our reasons and try to find an alternative solution where possible.

PART-TIME AND FIXED-TERM WORK

Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

BREACHES OF THIS POLICY

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have suffered discrimination you can raise the matter through the steps laid out in our Grievance Policy. Complaints will be treated in confidence and investigated as is appropriate.

There must be no victimisation or retaliation against staff who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary procedure.

HEALTH AND SAFETY POLICY

INTRODUCTION

When working for, with, or on the premises of Jermyn Street Theatre, it is essential that you read the following policy and any accompanying documents in order to understand the role you play in the health and safety of activities at Jermyn Street Theatre.

As your employer, we have a duty of care to ensure you work in a healthy and safe environment. As an employee you also have responsibilities for your own health and safety and of those around you.

The following policy outlines these responsibilities. This is supported by ongoing conversations prompted by changes in health and safety legislation and evolution of the company over time. This document is reviewed and updated periodically.

HEALTH AND SAFETY STATEMENT

Jermyn Street Theatre is committed to ensuring the health, safety and welfare of its employees, as far as is reasonably practicable. We will take steps to ensure that our statutory duties are met at all times in accordance with the Health and Safety at Work Act 1974 and associated legislation.

MANAGEMENT

Jermyn Street Theatre recognizes and accepts that it is their responsibility to provide and maintain safe and healthy work conditions for its employees, guests and participants in Jermyn Street Theatre events.

Jermyn Street Theatre has a duty to:

- Provide and maintain safe and healthy working conditions taking account of any statutory requirements
- Be responsible for instruction and training to enable workers to perform their work safely and efficiently
- Minimizes risks as far as is reasonably practicable
- Maintain a constant and continuing interest in health and safety matters applicable to Jermyn Street Theatre' activities in line with current legislation and associated codes of practice.
- Provide and maintain a safe and healthy place of work with proper access and egress with welfare and facilities as far as reasonably practicable.

Those working for, with, and on the premises of Jermyn Street Theatre equally have a duty to exercise personal responsibility and do everything to prevent injury to themselves and others by working safely and efficiently by:

- Taking reasonable care for their own health and safety and that of others who may be affected by their actions
- Reporting incidents and hazards that have led to, or may lead to, injury or damage to equipment or people
- Adhering to JST company procedures, directions and safety instructions provided by manufacturers and suppliers to secure a safe working environment.
- The correct use of protective clothing and equipment provided and by meeting statutory obligations
- Refraining from willful misuse, or interference, with anything provided in the interests of health and safety, and to take reasonable care in any action that might endanger themselves or others.
- Giving feedback to JST where their experience and expertise gives insight into a particular area pertaining to health and safety.

RESPECT AT WORK POLICY

OUR COMMITMENT

We are committed to creating a safe and supportive work environment, free of discrimination, harassment (including sexual harassment) and bullying.

Everyone here is treated with dignity and respect. When you work with us, we want you to feel confident, valued and proud to be a part of Jermyn Street Theatre.

While we recognise that the nature of theatre is to examine topics that are controversial, complex and even provocative, those who work in the theatre have a right to be free of the threat or presence of any type of harassment and bullying. Artistic freedom of expression is essential, but the creative space must also be a safe space.

Behaviour that contravenes either the law, or our values, is never tolerated. Some harassment and/or bullying may constitute unlawful discrimination and may also amount to civil wrongs or criminal offences. In addition, we will not tolerate victimisation of someone for making allegations in good faith of discrimination, harassment or bullying, or for supporting someone to make such a complaint.

If a report has been made that you have been harassed or bullied, the matter will be dealt with under Jermyn Street Theatre's Grievance procedure.

As per the Grievance procedure, and depending on the nature of the grievance, it could be possible to resolve the report informally.

Regardless of the outcome of your complaint, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Who?

This Respect at Work policy covers discrimination, harassment and bullying both of and by members of staff, artists, consultants, contractors and anyone else engaged to work at Jermyn Street Theatre. It is communicated clearly to everyone who works here. It also aims to empower you in knowing what behaviour not to tolerate in your professional interactions with our audience members, donors and other members of the public.

If the harasser or bully is a third party, we will consider what action is appropriate in order to deal with the problem.

Where and when?

This policy covers behaviour in any work-related setting, at any time, including but not limited to performance and rehearsal spaces, and also any off-site meetings, business trips and work-related social events. It also covers digital communications. This is not an exhaustive list.

WHAT SHOULD YOU DO

If you feel you or a colleague are being discriminated against, harassed or bullied, you should speak to your nominated contact point or to the Artistic/Executive Director. They will advise you on next steps based on Jermyn Street Theatre's Grievance procedure. You could first consider whether you feel able to raise the problem informally with the person responsible. This informal stage helps to foster an honest and open community and is often the fastest path to a resolution. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. However, you should only do this if you feel comfortable doing so. If this is not appropriate, too difficult or embarrassing, we will discuss the next steps of the Grievance procedure with you.

PROTECTION AND SUPPORT FOR THOSE INVOLVED

We commit that any staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Policy.

Equally, we commit that those who are the subject of a complaint must not suffer any form of retaliation or victimisation as a result of being required to participate in a grievance or disciplinary process. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Policy.

DISCRIMINATION AND THE LAW

As stated in our Equality Policy it is unlawful to discriminate against employees and other workers because of sex, marriage or civil partnership, gender reassignment, pregnancy or maternity, sexual orientation, race (including national origin and nationality), religion or belief, disability and age. These are known as 'protected characteristics'.

The law divides discrimination into four broad categories — direct discrimination, indirect discrimination, harassment and victimisation.

Direct discrimination involves treating a person less favourably because of a protected characteristic (for example not promoting an individual because of their race or sexual orientation). It includes discrimination because of perceptions or assumptions about a person's characteristics, even if these are incorrect (for example, not promoting an

individual because they are assumed to be gay). It also includes discrimination because a person associates with someone who has a protected characteristic (for example, not promoting an individual because they have a disabled child). Direct discrimination cannot be justified (with the exception of age discrimination).

Indirect discrimination occurs when an apparently neutral provision, criterion or practice is applied across all groups, but this would put those with a particular protected characteristic at a particular disadvantage when compared with others who do not share this characteristic (for example imposing a requirement that candidates work shifts on Sundays, which could particularly disadvantage candidates whose religious beliefs wouldn't allow them to do so). Indirect discrimination will be discriminatory unless it can be justified.

Harassment is unwanted conduct related to a protected characteristic or of a sexual nature which has the purpose or effect of violating an individual's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment can occur through conduct by third parties as well as by work colleagues.

Victimisation has a particular legal meaning and involves subjecting a person to a detriment because they have, for example, complained about discrimination or assisted somebody else in doing so.

It is not normally an acceptable answer to an allegation of discrimination to say that it was not intentional or deliberate.

The law makes it unlawful to discriminate against: job applicants (in recruitment arrangements and decisions); employees and other workers (in relation to terms and conditions of employment/work, opportunities for training and promotion, dismissal and other matters); and to certain ex-employees (e.g. in relation to references).

DEFINITIONS OF HARASSMENT AND BULLYING

What is bullying?

Bullying may be persistent unwelcome behaviour, mostly using unwarranted or invalid criticism, fault-finding, exclusion and isolation. Bullying may include a person feeling that they are:

- constantly criticised
- subject to trivial fault-finding
- undermined, especially in front of others
- overruled or marginalised
- isolated and excluded
- singled out and treated differently from other employees
- belittled or patronised

- taunted and teased where the intention is to embarrass and humiliate
- denied information or knowledge necessary for undertaking work and achieving objectives
- denied support by your manager
- either overloaded with work or have all their work taken away
- have your responsibility increased but your authority removed
- encouraged to feel guilty, and to believe you're always the one at fault
- physically or psychologically threatened

Legitimate, reasonable and constructive criticism of a worker's performance or behavior, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

How is harassment different from bullying?

Bullying and harassment can seem similar. The key difference is that bullying is rarely connected to gender, race or another form of discrimination. At Jermyn Street Theatre, we define harassment as behaviour motivated by discrimination and the protected characteristics (as outlined in our Equality policy).

Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Conduct or comments become harassment when they are unwelcome to others or make others feel uncomfortable or threatened, even if they are not intended in that way. **Intention is not the same as impact.**

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 if the jokes create an offensive environment.

Examples of harassment related to protected characteristics can take a number of forms, and can include:

Sexual harassment

Specific examples of harassment related to sex or of a sexual nature might 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

Racial or religious harassment

Specific examples of racial or religious harassment might include:

- derogatory or degrading abuse or insults and offensive comments about race or religion
- display, circulation or discussion of racist pictures, objects or written materials
- repeatedly dismissing or not taking seriously a person's request for their religious practices to be accommodated
- unjustified display of emblems that have sectarian or religious significance
- telling of jokes related to race or religion

Harassment related to disability

Specific examples of harassment related to disability might include:

- mimicry and imitation of the disabled person
- telling of jokes related to disability
- offensive comments about disability or matters associated with disability

Harassment related to sexual orientation

Specific examples of harassment related to sexual orientation might include:

- teasing or name calling about an individual's sexual orientation (real or perceived)
- homophobic 'jokes' or derogatory stereotyping based on sexual orientation
- 'outing' a person (i.e. revealing their sexual orientation) against their wishes

Harassment related to age

Specific examples of harassment related to age might include:

- 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

Safeguarding Policy

1. Introduction

Jermyn Street Theatre has a duty of care to safeguard from harm all children and young people with whom it interacts. We strongly believe that all children and young people have the right to be treated fairly, justly and have the right to freedom from abuse and harm. This policy details the legal requirements, organisational procedures and best practice. This policy applies to all JST staff, including those who work on a volunteer and freelance basis as well as JST's Board of Trustees.

Our policy ensures that

- the welfare of all children and young person is paramount
- where children are involved in a production all our staff and volunteers are carefully selected and vetted and accept responsibility for helping to prevent the abuse of children and young people at work
- all children and young people, irrespective of age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity, have the right to protection from harm, bullying, abuse and exploitation
- all suspicions and allegations of harm, abuse, exploitation and bullying will be taken seriously and responded to swiftly and appropriately
- the rights of parents, guardians and carers are acknowledged and that a copy of this policy is made available to them on request
- as part of the recruitment and induction process, all JST staff on productions with children involved will be provided with the information and training necessary to understand and implement safeguarding guidelines and procedures

We have procedures in place to address poor practice, and to help any child/young person who appears to be at risk, or who appears to be a victim of abuse. We will offer help and support when a child/young person tells us that they are affected by these issues.

The terms "child", "children", "girl" and "boy" are used to refer to anyone under the age of 18. The terms "young person", "young people", "young woman" and "young man" are used to refer to anyone between the ages of 18 and 25 years.

2. Code of Good Practice

The Code of Good Practice in Appendix 1 has been developed to protect, and create a safe environment for, children and young people and to protect JST staff.

Any breach of the code of good practice by JST staff may result in disciplinary action.

All staff working on a show that involves a child or young person are required to read and sign the code to acknowledge its provisions.

3. Safeguards

JST has the following safeguards in place to ensure the safety and protection of any child or young person involved in a production or visiting the theatre:

- For any ticket booking where JST is aware that a child will be attending a performance JST will contact the parents or carers to check the age of the child and to ascertain that the production is suitable.
- JST staff should try not to allow physical contact with a child. Be aware that it may be misinterpreted. If the child has an accompanying parent or guardian, encourage that person to help the child in close work.
- Always gain written permission from parents/guardians for the taking of photographs and video material. Images can only be used in a printed format within the boundaries of the project (i.e. copies given to parents/guardians) or for publicity purposes. Images may be shared on Jermyn Street Theatre's website, Facebook page and Twitter account. Parents/guardians will be informed of this and only with their confirmation will images be used on social media. Images will be kept safely in the confines of Jermyn Street Theatre.
- JST will not allow a child to be involved in any press or publicity unless consent has been given on the child's registration form and JST will follow the guidelines. In any event, photographs, visual recordings or other images should not be taken for any other purpose.
- JST staff will adhere to the following general guidelines as recommended by the NSPCC:
 - o Treat all children with respect. Listen to them carefully.
 - o Provide an example of good conduct you wish others to follow.
 - o Remember that someone else might misinterpret your actions, no matter how well-intentioned.
 - o Do not use inappropriate language.
 - o Do not use inappropriate physical contact.
 - o Keep your conversation to the project in hand when working closely with children. Do not encourage them to give personal details unless required to do so for the Activity and an accompanying adult is present.
 - o Always follow JST's health and safety procedures in the event of an accident
 - o Take all suspicions and allegations of abuse seriously and respond to them swiftly and appropriately.
 - o Report any allegations or suspicions of abuse to the person within your organisation who is responsible for dealing with such matters (in the case of JST, this is the Designated Safeguarding Officer).

4. Designated Safeguarding Officer

JST's Designated Safeguarding Officer is the Resident Producer Johanna Heanley. The Designated Safeguarding Officer can be contacted on 07375384171 or via email on joheanley@jermynstreettheatre.co.uk.

The Designated Safeguarding Officer has primary responsibility for ensuring effective safeguarding and protection procedures at JST and for dealing with allegations or suspicions of abuse.

The role and responsibilities of the Designated Safeguarding Officer are:

- To ensure that all staff are aware of what they should do and who they should go to if they are concerned that a children, young people and adults may be subject to abuse or neglect.
- Ensure that any concerns about a children, young people and adults are acted on, clearly recorded, referred on where necessary and, followed up to ensure the issues are addressed.
- The Designated Safeguarding Officer will record any reported incidents in relation to a child, young person or vulnerable adult. These will be kept in a secure place.

5. Responding to suspicions or allegations of abuse

- It is not the responsibility of JST staff to decide whether or not a child or young person is being abused or at risk of being abused. This is the responsibility of the applicable local authority's children's social care team in conjunction with other agencies such as the police. The responsibility of JST staff is to take any concern about the wellbeing of a child or young person seriously and to act on the concern immediately in accordance with this policy.
- If a staff member becomes aware of any concern regarding the wellbeing of a child or young person, he or she must report this immediately to the Designated Safeguarding Officer. The Designated Safeguarding Officer will then follow the procedure set out in Appendix 2 of this policy.
- All JST staff need to be prepared to react in accordance with this policy and Appendix 2 of this policy in any of the following scenarios:
 - o A child or young person discloses abuse happening in a place other than at a Jermyn Street Theatre premises eg at home or school.
 - o A child or young person alleges that a member of staff or other person associated with JST has abused him or her.
 - o There is suspicion or evidence of abuse of a child or young person by a member of staff or any other person whether or not associated with the production they are involved in

Appendix 2 also provides guidance on how to document any issues or concerns raised. In all cases, staff should act immediately and inform the Designated Safeguarding Officer.

6. Creating a Safe Organisation

Photographs

- Only use images of children, young people and adults in suitable dress to reduce the risk of inappropriate use.
- Address the use of images of children, young people and adults on the JST's website. (Images accompanied by personal information, e.g., this is X who likes to collect stamps – could be used by an individual to learn more about a child prior to grooming them for abuse.)
- Photographic images may be used on JST's website, Facebook account and Twitter account, as well as promotional material. Children, young people and adults' names may be used next to images of them in programmes and cast lists.
- Written expectations of professional photographers or the press who are invited to an event, will be made clear by JST in advance.
- Do not allow photographers unsupervised access to children, young people and adults.
- Do not approve photography sessions outside the event or at a child, young person or adult's home.
- Parents/guardians will sign a consent form which will state all of the above. It will confirm to them agreeing that JST are allowed to take photos of their child, young person and adult, and use them for publicity purposes if necessary.

Parents, guardians and chaperones

- JST believes it to be important that there is a partnership between parents, guardians and us.
- All parents and guardians will have access to JST's Safeguarding Policy and Procedures.
- All parents and guardians have the responsibility to collect (or arrange collection of) their children after rehearsals or performances. JST has a responsibility to ensure suitable arrangements are in place to take children, young people and adults' home.
- All children will be chaperoned by a licenced chaperone, who is also DBS certified.

All licensed children need to be chaperoned in law while taking part in a performance. Chaperones acts in loco parentis and should exercise the care which a good parent might be reasonably expected to give that child. Regulations require a ratio of 1 chaperone to 12 children.

A chaperone's first priority is always to the child and the chaperone must not take part in any activity that would prevent them from proper supervision and care of the children they are responsible for. A chaperone will have total charge of a child – unless the child is being

chaperoned by his/her parent/carer – whilst the child is at the theatre/performance location, and is responsible for the child's care and control. If the child has completed his performance and is then handed into the care and control of his parent/guardian who is outside of the stage performance area, the chaperone will no longer have responsibility for the child.

Chaperones are required by law to keep a record for each child, per performance:

It is a requirement under the Regulations that these records be kept and made available, together with each child's Licence, at every place of performance where a child is present, for inspection by an officer of the Local Authority in whose area the performance takes place.

Upon completion of the production, the daily record sheet/s should be stored at the Licence Applicant's main company address for a period of not less than 6 months after the final performance date for which the Licence has been granted.

Licensed Chaperones are approved by Local Authorities and will be familiar with the law regarding children in entertainment.

7. Productions or workshops at schools

Upon arrival at the school these guidelines should be followed:

The liaison person should:

- Announce the company's arrival at reception and ask for the contact teacher.
- Check if there is a visitor's book. If so it should be signed by the liaison person or everyone if necessary.
- Ask where the performing area is and assess implications for the get in i.e., how close can the van get to the hall.
- Ask where the staff toilets are. Never use the pupils' toilets.
- Ask for a private changing area. Ensure that this area is „out of bounds“ until the performance has begun.
- Ask if the team can have access to the staff room or an area where refreshments can be made.

Please remain polite and co-operative at all times with teachers and pupils. Please be aware at all times of the stress that teachers are sometimes under. If any team member is subjected to any prejudiced remark or behaviour e.g. a racist or sexist remark please report immediately to the CSM who should report it immediately to the teacher. The CSM should report the incident immediately to JST management. The JST management and the school will then resolve the issue verbally or in writing.

8. Child Performance Licensing

All children who perform on stage or in television, films, commercials or who work as models, have their welfare and safety protected by the following children in entertainment legislation:

- Children & Young Persons Act 1933 & 1963
- Children (Performances) Regulations 1968
- The Children (Performance) (Miscellaneous Amendments) Regulations 1998(1) ♣
The Children (Performance) Amendment Regulations 2000
- The Children (Performance) (Amendment) (No.2) Regulations 2000
- Statutory Instruments: 1968 No. 1728, 1998 No. 1678, 2000 No. 10, & No. 2384

For the purposes of children in entertainment a child is a person aged from birth until the end of their compulsory schooling.

It is the responsibility of JST to establish contact with the relevant local authority in which a child resides to obtain instructions as to whether a license is required.

The Children (Performances) Regulations 1968 only apply to actual performances and therefore the following information does not apply to rehearsals or regular workshops. Rehearsals are, however, affected by the Regulations, if they take place during the currency of a licence (between first and last performing day). Rehearsals are then subject to the same restrictions and conditions applicable to that licence i.e. time at place of performance, performing times and so forth. Rehearsals also count as a performance when calculating length of working week i.e. 5 days broadcast, 6 days theatre/other.

It is the responsibility of JST to find out the latest regulations of work times and hours for children and young persons before the engagement starts.

Appendix 1 Code of Good Practice

The following are guidelines for standards of personal behaviour and conduct for all staff, volunteers and agents of JST working with children/young people:

Physical Environment

In any situation or environment ensure wherever possible that you are never left alone with a child or young person; and try to ensure that there is more than one JST staff member with a group at all times. If you do not hold a DBS certificate you must ensure that you are never left alone in sole charge of a group or a child or young person.

Physical Contact

- At all times maintain a safe and appropriate distance from participants
- Do not engage in or allow any physically rough or sexually provocative games or inappropriate talking or touching during any Activity.
- Seek agreement from participants prior to any physical contact, which should occur only when it is absolutely necessary in relation to a particular Activity. If the person appears doubtful or uncomfortable then you should not proceed. Always explain what you are going to do and why beforehand. Physical contact should be minimised and ceased as soon as it is safe to do so.
- Ensure that disabled participants are informed of and comfortable with any necessary physical contact.

Interpersonal Dealings

- Promote equality by treating all children and young people equally, with respect and dignity.
- Do not discriminate or show signs of approval or prejudice.
- Do not steal or condone someone else's stealing, regardless of the value of the item stolen.
- Empower children and young people to share in the decision making process.
- Build balanced relationships based on mutual trust and focus on work not on friendships.
- Always put the welfare of each child or young person first.
- Use appropriate language and body language at all times.
- Ensure that any feedback given to children and young people is enthusiastic and constructive rather than negative.
- Ensure that relationships are appropriate to age and gender.

Bullying

- Don't engage in or tolerate inappropriate physical activity or any bullying.

- Ensure that unacceptable behaviour by a child or young person is challenged and addressed swiftly.
- Report any instances of bullying, including violence or derogatory remarks or behaviour to the Designated Safeguarding Officer promptly.

Other

- All members of staff must dress appropriately when working with children, young people and vulnerable adults. This applies to skimpy or revealing garments and bare chests for men. It also applies to text on clothing; for example FCUK may cause offence to some children.
- Foul or sexually inappropriate language must never be used where children, young people or vulnerable adults are present.
- Do NOT accompany a child/young person on their journey home and never offer them a lift in your car.
- Never give a child or young person your personal contact details, or become friends with them on social networking sites.
- Ensure allegations are reported immediately, including any made against you.
- Follow procedures set out in the JST safeguarding policy for reporting allegations and don't investigate yourself.
- Don't ever agree to keep allegations confidential

I have read the Code of Good Practice relating to JST's Safeguarding Policy and agree to abide by it at all times when working with children and young people for JST.

Name: _____ Signed: _____

Date: _____

Appendix 2 – Stages to follow if you are worried about someone

The following section provides clear guidelines for staff to follow if they have concerns about a child, young person or adult.

Suspicion of abuse

- If you see or suspect abuse of a child, young person or adult while in the care of JST, please make this known to the Designated Safeguarding Officer.
- If you suspect that the person with responsibility for safeguarding is the source of the problem you should make your concerns known to the local authority, find contact details below.
- Please make a note for your own records of what you witnessed as well as your response, in case there is follow-up which you are involved in.
- If a serious allegation is made against any member of JST, chaperone, venue staff etc, action will be taken to ensure the individual does not have further contact with the child, young person or adult until the investigation is concluded. The individual will be excluded from the theatre, rehearsal rooms, filming location, TV Studio etc. and will not have any unsupervised contact with any other children, young people and adults in the production.

Disclosure of abuse

If a child, young person or adult confides in you that abuse has taken place:

- Remain calm and in control but do not delay taking action.
- Listen carefully to what has been said. Allow that person to tell you at their own pace and ask questions only for clarification. Don't ask questions that suggest a particular answer.
- Don't promise to keep it a secret. Use the first opportunity you have to share the information with the person with responsibility for safeguarding. Make it clear to the person that you will need to share this information with others. Make it clear that you will only tell the people who need to know and who should be able to help.
- Reassure the person that 'they did the right thing' in telling someone.
- Tell the person what you are going to do next.
- Speak immediately to the person with responsibility for safeguarding. It is that person's responsibility to liaise with the relevant authorities.
- Never investigate or take sole responsibility for a situation where a person makes a disclosure.
- As soon as possible after the disclosing conversation, make a note of what was said, using the person's own words. Note the date, time, any names that were involved or mentioned, and who you gave the information to. Make sure you sign and date your record.

Who to tell and what to tell them

If you have concerns about the wellbeing of a person in your care you have a duty to report it to the Designated Safeguarding Officer. If you are unable to contact them you should contact Westminster Council's Children's Social Care Team.

Recording of information

- In all situations, including those in which the cause of concern arises from a disclosure made in confidence, the details of an allegation or reported incident will be recorded, regardless of whether or not the concerns have been shared with a protection agency.
- An accurate note shall be made by using the Incident Form (annexed to appendix 2) of the date and time of the incident or disclosure, the parties involved, what was said or done and by whom, any action taken to investigate the matter, any further action taken e.g. suspension of an individual, where relevant the reasons why the matter was not referred to a statutory agency, and the name of the persons reporting and to whom it was reported.
- The record will be stored securely and shared only with those who need to know about the incident or allegation.

USEFUL CONTACTS

Westminster Social Services and Early Help

<https://www.westminster.gov.uk/children-and-family-support>

Tel: 020 7641 6000 (operates 24/7)

NSPCC

<https://www.nspcc.org.uk>

Tel: 0808 800 5000

Annex to Appendix 2 - Suspicions or Allegations of Abuse Incident Form

STRICTLY PRIVATE AND CONFIDENTIAL

Name of child	
Parent's / Carer's detail	
Address	
Phone Number(s)	
What is said to have happened or was seen?	
When did it occur?	
Who else was there?	
What was said by those involved?	

Is there any evidence, eg bruises, bleeding, changed behavior?	
Who has been told about it? Have you made anyone else aware of this or discussed it with anyone else?	
Completed by	
Date and Time	
Signature	

GRIEVANCE POLICY

USING THIS PROCEDURE

Issues that could cause grievances may include:

1. terms and conditions of employment;
2. health and safety;
3. work relations;
4. bullying, harassment or sexual harassment;
5. new working practices;
6. working environment;
7. organisational change; and
8. discrimination

This grievance procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the disciplinary procedure which is available in the Disciplinary Policy.

INFORMAL PROCEDURE

Most grievances are best resolved informally in the first instance if possible. Often grievances are the result of a breakdown in communication and can be resolved quickly and informally through discussion with management. Dealing with grievances in this way can lead to a speedy resolution of the problem without the need for a formal hearing. If you feel unable to speak to your line manager, for example, because the complaint concerns him or her, then you should speak informally to another member of Jermyn Street Theatre core staff. If this does not resolve the issue or you are not comfortable raising the grievance informally with anyone, you should follow the formal procedure outlined below.

If you decide to try and resolve the problem informally, it is a good idea to keep notes or a diary of any incidents of bullying or harassment and your attempts to resolve matters. These notes will not be kept on file but if the informal process does not help resolve matters, these may help us investigate should you decide to take things further.

FORMAL PROCEDURE

If your grievance cannot be resolved informally, you should put it in writing and submit it to the Artistic Director, indicating that it is a formal grievance. If the grievance concerns the Artistic Director, you may submit it to the Executive Director.

The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations, we may ask you to provide further information.

Investigations

It may be necessary for us to carry out an investigation into your grievance. The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.

You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as requested as a part of our investigation.

We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases, we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases, we will hold a further grievance meeting with you after our investigation and before we reach a decision.

Right to be accompanied

You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague. You must tell the person holding the grievance meeting who your chosen companion is in good time before the meeting.

At the meeting, your companion may make representations to us and ask questions but should not answer questions on your behalf. You may talk privately with them at any time during the meeting.

Acting as a companion is voluntary, and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.

If your chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else.

GRIEVANCE MEETINGS

We will arrange a grievance meeting normally within one week of receiving your written grievance.

You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the times specified, you should inform us immediately and we will try, within reason, to agree an alternative time.

The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved and to assist us to reach a decision based on the available evidence and the representations you have made.

After an initial grievance meeting, we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.

We will write to you, usually within one week of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate, we may hold a meeting to give you this information in person.

CASES INVOLVING BULLYING, HARASSMENT OR SEXUAL HARASSMENT

In cases where the outcome of the grievance concludes that harassment, sexual harassment or bullying has occurred, prompt action will be taken to address it which is likely to result the matter being dealt with under our disciplinary procedure.

Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling or to change the duties, working location or reporting lines of one or both parties.

Any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under our disciplinary procedure.

APPEAL

If the grievance has not been resolved to your satisfaction, you may appeal in writing to the person named in the outcome letter, stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.

We will hold an appeal meeting, normally within one week of receiving your written appeal. This will be dealt with impartially by the most senior management available, up to and

including board level (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see above).

We will confirm our decision in writing, usually within one week of the appeal hearing.

This is the end of the procedure and there is no further appeal.

DISCIPLINARY POLICY

REASONS FOR DISMISSAL

We may consider dismissing someone or terminating their contract because: they are incapable of performing their contractual duties to the required standard; they are capable but unwilling to do so; or because they have committed some sort of misconduct. Most of this document relates to misconduct.

INFORMAL APPROACHES

We believe most disciplinary matters can be dealt with informally. If you are asked to attend an informal meeting with your manager or the Artistic/Executive Director, you are advised to make every reasonable effort to do so. Most disciplinary issues arise through misunderstandings, failures of communication, pastoral issues or unintended negligence.

FORMAL APPROACHES

Step One. You will be informed, orally or in writing, of our disciplinary complaint against you. If you are informed orally, a written account will be sent subsequently. This statement will set out your alleged conduct, capability or characteristics, or other circumstances, which may result in disciplinary action (including dismissal).

Step Two. You will be invited to attend a meeting to discuss the issues raised. The meeting will be at a reasonable time and place. If circumstances dictate, it may take place by telephone or Skype. You have the right to be accompanied by a colleague or a union representative. You must take all reasonable steps to attend the meeting in which we will fully explain the complaint and you can make representations and explain your view of the situation. After the meeting you will be informed of our decision, and a written statement will follow.

Step Three. You have the right to appeal against any disciplinary action (including dismissal) within one working week of receiving our decision. We will arrange a second meeting, attended by at least one senior manager or colleague from another arts organisation who was not present at the original meeting. Until the appeal meeting, the original disciplinary decision (including dismissal) will apply. After the appeal meeting, you will be informed of our final decision without unreasonable delay.

DISCIPLINARY OUTCOMES

It is in the interests of all concerned that management maintains high standards of work performance, good order and discipline. It is also necessary to have clearly defined procedures so that all concerned are aware of their rights and duties and the consequences arising from minor or major breaches of discipline.

We believe in the effectiveness of informal approaches and will take such a course wherever possible. Such approaches are not penalties, but positive incentives to improve.

Relatively minor offences such as unauthorised absence, bad time keeping, incompetence or negligence of a moderate degree will be dealt with by the full disciplinary procedures applying each step as necessary until the matter is resolved or corrected.

No Employee/Contractor will be dismissed for a first breach of discipline except in the case of major breach of discipline or gross misconduct which may lead to dismissal with or without notice. Such major breaches of discipline or gross misconduct include: criminal offences, theft, fraud, deliberate falsification of records, violence, corruption, other criminal offences (e.g. unauthorised entry to computer records), gross negligence, serious negligence which causes unacceptable loss, serious act of insubordination, flagrant disregard of Health and Safety regulations, or serious incapability through alcohol or being under the influence of unprescribed drugs. This list is not intended to be exhaustive and in addition there may be other offences of a similar gravity which would constitute gross misconduct.

Paid Suspension. In cases where it is necessary for us to investigate certain aspect of a disciplinary matter, then you may be suspended on full pay until sufficient facts may be established and witnesses interviewed. The investigative phase should be resolved as quickly as possible. Suspension pending investigation should be viewed as a precautionary measure and does not prejudice the outcome of the disciplinary hearing in any way. Under no circumstances can you be suspended without pay or the payment of your last applicable instalment.

Recorded Oral Warning. Where a breach of discipline has occurred which is of a minor nature, you will be interviewed formally by an Executive staff member and the alleged offence brought to your attention. You will be given the opportunity to explain your behaviour. If the explanation is not satisfactory, you will be issued with an oral warning which will be recorded and confirmed in writing. This letter of confirmation will state the nature of the complaint and outline the areas for improvement and the time frame in which improvement is expected.

Written Warning. If no improvement has been achieved, or desire for improvement demonstrated, after a Recorded Oral Warning has been issued, or if you should commit a further breach of discipline, or if the alleged offence is of a more serious nature than would be appropriate to be dealt with as a Recorded Oral Warning, you will be informed in writing of the nature of the complaint and asked to attend a disciplinary hearing. You will also be informed in writing of your rights as laid down above. You will be interviewed formally by the Artistic/Executive Director and will be given the opportunity to explain your behaviour. If the explanation is not satisfactory, the Artistic/Executive Director will issue a formal notice of warning which will be confirmed in writing. This letter will state the nature of the complaint and outline the areas for improvement and the time frame in which improvement is expected.

Final Written Warning. If no improvement has been achieved after the action referred to above has been taken or if you should commit a further breach of discipline, or where the breach of discipline is considered to be more serious so that, although no previous warning has been issued, it is appropriate to deal with the matter at this final stage, you will be informed in writing of the nature of the complaint and asked to attend a disciplinary hearing. You will also be informed in writing of your rights as laid down above. You will be interviewed formally by the Artistic/Executive Director. The procedure at interview will be as set out above, except that it will be emphasised that any recurrence of the breach of discipline may lead to dismissal. The formal notice of warning which is confirmed in writing will be placed on your file for no more than twelve months, but in exceptional circumstances, this period may be longer. This letter will state the nature of the complaint and outline the areas of improvement.

Dismissal with Notice. If no improvement has been achieved after a Final Written Warning has been issued, there has been a recurrence of these circumstances or any other equally serious breach of discipline, then you will be formally interviewed by the Artistic/Executive Director (preferably in person but if necessary by telephone or Skype) and you will be given a chance to explain your behaviour. If the explanation is not satisfactory, the Artistic/Executive Director may inform you that you will be dismissed from our employment or your contract terminated with notice, specifying the terminating date. A letter giving the reason(s) for dismissal will be sent to you.

Summary Dismissal. In the event of allegations of gross misconduct, you may be suspended on full pay (as laid down above). On completion of the investigations you will be informed in writing of the nature of the allegations and asked to attend a disciplinary hearing. You will also be informed in writing of your rights as laid down above. You will be interviewed by the Artistic/Executive Director and will be given an opportunity to explain your conduct at the meeting. If the explanation is not satisfactory, the Artistic/Executive Director may summarily dismiss you (i.e. without notice or payment in lieu of notice). A letter giving the reason(s) for dismissal will be sent to you.