



Speak up Policy

Curve or Curve Theatre, Leicester are the trading names of Leicester Theatre Trust Limited (LTT) a registered charity, no: 230708

Policy Owner	HR Manager	
Audience/ who does policy apply to	Staff or Workers to include employees, casual workers, actors, musicians, creatives, freelancers, consultants, agency workers and volunteers	
Legislation and reference documents	<u>Internal</u> <ul style="list-style-type: none">• EDI Policy• Dignity at Work (Bullying & Harassment) Policy• Grievance Policy (Employees only)• Disciplinary Policy (Employees only)• Whistleblowing Policy (Employees only)	<u>External</u> <ul style="list-style-type: none">• ACAS Code of Practice on Disciplinary and Grievance Procedure• General Data Protection Regulation 2016• Data Protection Act 2018
Approved by and date	Equality, Diversity and Inclusion Group (Voices for Change)	
Review period	Annually	
Date reviewed	16 March 2023	
Next Review Date	16 March 2024	

1 Policy

1.1. Policy Aims

Curve is committed to conducting business with fairness, honesty, integrity and respect for the law and our values. In spite of this commitment, individuals may one day observe conduct that seems to violate the law, our values and/or our policies. If an individual observes or suspects such misconduct, they are encouraged to 'Speak Up' as soon as possible. By doing so, this gives Curve the opportunity to deal with the issue. Remaining silent about possible misconduct may worsen a situation and decrease trust.

Curve truly values the help of Staff who identify and Speak Up about potential concerns that need to be addressed. Speaking Up is encouraged and Staff who Speak Up are

protected. They will not suffer for raising concerns in good faith about suspected misconduct, and Curve does not tolerate any form of retaliation against individuals for Speaking Up. After all: Speaking Up is essential for Curve to sustain our reputation, success and ability to operate.

2. Purpose

The purpose of this policy is to explain how you can raise concerns about suspected misconduct or wrongdoing in confidence and without fear of retaliation. It also describes what you can expect from Curve if you Speak Up.

This policy does not form part of your contract of employment and we may amend it at any time.

3. What concerns are covered by the Speak Up Policy

The Speak Up policy can be used to raise concerns about suspected misconduct or wrongdoing within Curve that is: any violations of the law, our values and/or our policies under which the Company operates. Staff are expected to report any fraud or good faith suspicion thereof.

A person who Speaks Up is someone who raises a concern in good faith relating to the below. If you have any genuine concerns relating to suspected wrongdoing or danger affecting any of our activities (a Speak Up concern) you should report it under this policy.

Examples of concerns that can be raised using this Speak Up policy are:

- Conflicts of interest;
- Abusing a position of authority;
- Environmental, health and safety issues;
- Financial misdemeanour;
- Discrimination, Bullying or Harassment;
- Criminal activity e.g. fraud, theft, bribery, facilitation of tax evasion;
- Miscarriages of justice;
- Any breach of legal or professional obligations;
- Any victimisation, harassment, discrimination or act of abuse towards any employee.

Exclusions:

This policy should not be used for complaints relating to your own personal circumstances at work, for example, where you believe you are being subjected to bullying, harassment, discrimination, victimisation etc. These should be dealt with under the Dignity at Work policy and any such complaints should be directed to the HR team for action. **However, if you wish to raise concerns that a 3rd party is being subjected to bullying, harassment etc, these concerns should be reported under this Speak Up policy.**

Other exclusions are as follows:

- To report events presenting an immediate threat to life or property;

- To settle personal disputes;
- To make accusations which you know are false. Doing so may lead to disciplinary measures or immediate termination of any consultancy or engagement.

Issues with business or staff performance, customer service or non-compliance with policy and procedures, where there is no suspicion of deliberate wrongdoing and where there are no legal or regulatory implications, can be dealt with internally by the business, rather than under this policy. However, these matters can be reported to the CEO, if you wish to do so, particularly if you believe appropriate action is not being taken to address your concerns.

4. How to Speak Up

The most important thing is that you raise a concern. You can do this in a number of ways:

- Raise your concerns with your line manager, a member of Senior Management Team (“SMT”) or a member of the HR team;
- Raise your concerns with the Production Company personnel, Company stage manager, Designated Safeguarding officer, Workshop leader or other central liaison point you feel comfortable contacting;
- Attend a drop-in session with the CEO or make arrangements to see him.

Additionally, you can seek support from the following:

- Medicash Employee Assistance Programme (applicable to Employees and if you are a member);
- Theatre Helpline on **0800 915 4617** or via email at www.theatrehelpline.org;
- ACAS on **0300 123 1100** who will be able to offer you free advice;
- National bullying helpline on **0845 22 55 787** or via email at admin@nationalbullyinghelpline.co.uk ;
- Equity Bullying Reporting line on 020 7670 0268
- Musicians Union Safe space scheme: <https://musiciansunion.org.uk/safespace>

If someone else raises a concern with you then you must promptly report the matter to a member of SMT, the HR Manager or CEO who will advise you on what to do next.

Any unjustified delay in reporting an allegation to the relevant person or unauthorised action by Staff (including Senior Management) could significantly compromise an investigation and may result in disciplinary action being taken against those who do so or immediate termination of any consultancy or engagement.

5. Confidentiality/Privacy

All reporting is done confidentially. This means that information about your concern will only be shared with a limited number of people on a strict need-to-know basis. Information will only be disclosed outside this small group if we are required to do so by law or an important public interest is at stake. In principle, we are obliged to inform the implicated person that a complaint has been filed against him/her, but your identity will not be disclosed. You yourself can help us protect confidentiality by being discreet and not discussing your report with your colleagues or anyone else.

You can share your concerns anonymously (where allowed by the law). We do however encourage you to reveal your identity as it is more difficult, and in some cases even impossible, for us to investigate reports that are made anonymously.

Curve is committed to protecting the privacy of everyone involved. We will do everything reasonable to safeguard personal data from unauthorised access and processing. Any personal data obtained as part of this Speak Up policy will only be used for the purposes explained in this policy or to comply with the law or an important public interest.

Speaking Up is encouraged and Staff who Speak Up are protected. Please feel confident that you will not suffer for raising concerns in good faith about suspected misconduct. Any form of threat or retaliation will not be tolerated. Retaliation is treated as a disciplinary matter or termination of any consultancy or engagement. Raising a concern that you know is false will be taken seriously and dealt with appropriately.

If this policy is misused and an individual knowingly makes a false accusation, lies to investigators, interferes with an investigation or refuses to cooperate in an investigation they may be subject to the disciplinary process in line with the disciplinary policy or immediate termination of any consultancy or engagement.

6. Follow-up – What happens next/Timeline

All concerns raised regarding possible misconduct will be taken seriously. Reports will be assessed on a case by case basis and where appropriate, will be investigated. Curve will, where possible, inform you of the overall findings of the investigation but may not be able to give you full details of the outcome or actions taken for reasons of confidentiality, privacy and the legal rights of all concerned.

Review and investigation will be conducted in an independent, fair and unbiased manner with respect to all parties involved and in accordance with relevant law and principles (including fair hearing). Details of the case, your identity and the identity of anyone else mentioned in the report, are kept confidential throughout and after the investigation and are only shared on a need-to-know basis.

If you become involved in an investigation, you need to cooperate and answer all questions completely and honestly. Lying to the people performing the investigation as well as delaying, interfering with or refusing to cooperate with an investigation may lead to disciplinary measures or immediate termination of any consultancy or engagement. All parties involved, including the accused, are entitled to confidentiality in order to avoid unnecessary damage to their reputation. Therefore, if you participate in or learn about an investigation, you must keep the matter confidential.

7.

Formal Action

Curve takes wrongdoing very seriously. If an investigation identifies sufficient evidence indicating wrongdoing by anyone working for Curve, a supplier or contractor, the matter will be escalated for further appropriate action to be taken.

For a Curve employee, this is likely to lead to a formal disciplinary proceeding and, if wrongdoing is proved, the possible outcomes can be significant, including dismissal, or

other action in relation to non-employees. In some instances, serious breaches of this policy may be considered to be an act of gross misconduct which could result in the immediate termination of employment, or, as is the case, the immediate termination of any consultancy or engagement.

Curve may also seek formal recovery of any losses incurred from any individuals or organisations where this has occurred as a result of wrongdoing. Where criminal activity is involved, the matter may be reported to the relevant authorities.