



CONSORTIUM OF NON-PROFIT THEATRE COMPANIES

## **CAST: RESPECTFUL WORKPLACE POLICY**

### **A CONSORTIUM OF AUSTRALIAN NON-PROFIT THEATRE COMPANIES**

#### **Purpose**

This policy outlines CAST Member companies' expectations for fostering a respectful, safe, and inclusive workplace. It defines unacceptable behaviours such as discrimination, harassment (including sexual harassment), bullying, victimisation, vilification, gossip, and breaches of confidentiality. It also details the procedures for reporting and addressing these behaviours.

#### **Our Shared Commitment**

CAST Member companies are dedicated to ensuring a workplace free from discrimination, bullying, and harassment. Everyone involved with CAST is expected to contribute to a culture of respect and inclusion.

Unacceptable behaviour often goes unreported due to fear of retaliation or belief that nothing will change. CAST encourages all individuals to speak up early, allowing preventative action to be taken. Reports will be treated seriously, confidentially (unless otherwise agreed), and prompt, appropriate action will follow.

All individuals are responsible for behaving appropriately and for reporting any unacceptable behaviour they experience or witness.

#### **Leadership Responsibilities**

Those in leadership roles have an added responsibility to:

- Model respectful behaviour.
- Communicate and uphold this policy.
- Respond to concerns with professionalism, urgency, and alignment with CAST procedures.
- Support informal resolution where appropriate.
- Guide individuals in formal complaint processes, if requested.
- Prevent and address victimisation of those who raise concerns.
- Provide advice on policy interpretation.
- Ensure support is available to all affected parties.

While some employees have formal roles and responsibilities in relation to leadership, all employees are encouraged to show leadership in modelling safe, productive and supportive workplace behaviours.

#### **What is a Respectful workplace?**

In all CAST companies, we aim to create and maintain an environment in which everybody feels safe, both physically and emotionally, which means:

- everyone is treated with dignity, courtesy, and respect.
- We do not tolerate discrimination, harassment, bullying, or abuse of power.
- We encourage and promote high standards of conduct.
- We hold leaders accountable for modelling appropriate behaviour.
- We address all reports of unacceptable conduct sensitively, fairly, and promptly.
- We apply disciplinary action when necessary, up to and including dismissal.

#### **Scope**

This policy applies to everyone in CAST workplaces which includes, but is not limited to:

- board members;

- leadership and management personnel (e.g. artistic directors, executive)
- directors, general managers, company managers, heads of department,
- human resources managers, managers, supervisors, producers,
- promoters;
- Show personnel (e.g. actors, dancers, directors, choreographers, writers,)
- stage management, chaperones, technical crew, front of house;
- production and administrative staff;
- full-time, part-time, seasonal and casual employees;
- job candidates, including people auditioning for roles;
- student placements, apprentices, work experience students/interns;
- contractors, sub-contractors and secondees (e.g. casting, talent and
- freelance agents who have been contracted or sub-contracted for a
- specific purpose;
- volunteers and anyone working in an unpaid capacity.

## Application

This policy applies to all CAST workplaces, including touring venues, company vehicles, or any other locations where work is carried out on behalf of CAST member companies. It also applies to work-related functions and activities, including but not limited to:

- Interactions with clients, visitors, and members of the public
- Employment-related matters such as recruitment, selection, conditions, benefits, training, promotion, task allocation, shifts, hours, leave arrangements, workload, equipment, and transport
- On-site, off-site, or after-hours work
- Work-related social functions (e.g., opening nights, after-parties, award nights, and industry events)
- Rehearsals, tours, work-related travel, client functions, promotional activities, conferences, seminars, or training sessions
- Use of social media and electronic communication (e.g., Facebook, Twitter, Instagram, email, texts).

## Unacceptable Behaviours

CAST member companies are committed to fostering a safe, respectful, and professional workplace. The following behaviours are considered unacceptable. This list is not exhaustive and other unacceptable behaviours may also apply.

## Discrimination

**Discrimination** is treating or proposing to treat someone unfavourably because of a protected personal characteristic, which is unlawful under federal discrimination law.

Protected characteristics include, but are not limited to:

- Disability, disease, or injury (including work-related injury)
- Parental status or carer status
- Race, colour, descent, national origin, or ethnic background
- Age
- Gender and gender identity
- Sexual orientation
- Industrial activity
- Religion
- Pregnancy and breastfeeding
- Marital status

- Political opinion
- Social origin
- Medical records
- Associating with someone who has one of these characteristics (e.g., parent of a child with a disability)

Discrimination can be **direct** or **indirect**:

- **Direct discrimination** occurs when someone is treated less favourably because of a protected characteristic. *Example:* An employer refuses to hire someone based on age.
- **Indirect discrimination** occurs when a seemingly neutral policy or practice disadvantages people with a protected characteristic. *Example:* A benefit offered only to full-time workers may indirectly discriminate against women, as more part-time workers tend to be female.

**Exceptions:** It is not unlawful discrimination where:

- The act complies with other legislation
- The person cannot perform essential job requirements even with reasonable adjustments
- There is a genuine occupational requirement (may require legal exemption)
- It is necessary for health and safety
- Positive discrimination or affirmative action applies

## Harassment

**Harassment** is unwelcome and unsolicited behaviour that a reasonable person would find offensive, intimidating, humiliating, or threatening. Harassment related to protected characteristics is unlawful.

Harassment can be physical, verbal, or written and includes but is not limited to:

- Intimidation, verbal abuse, repeated threats, or ridicule
- Sending offensive messages by text, email, or other means
- Derogatory comments or jokes
- Displaying offensive materials or objects
- Ridiculing accents or English-speaking ability
- Belittling or teasing based on protected characteristics

## Sexual Harassment

**Sexual harassment** is any unwelcome behaviour of a sexual nature that could reasonably be expected to offend, humiliate, or intimidate. It is unlawful and unacceptable.

Examples include, but are not limited to:

- Staring or leering
- Unwelcome physical contact (touching, hugging, pinching)
- Suggestive comments or jokes
- Obscene gestures or insults
- Intrusive questions about private life
- Displaying or distributing sexual material
- Sending sexually explicit communications
- Inappropriate advances via social media
- Unwanted flirting or requests for dates
- Inappropriate gifts
- Conduct that may constitute criminal offences (assault, stalking, etc.)

Sexual harassment may occur at or outside the workplace, including tours, travel, or work-related social events.

**Consent:** Consensual, welcome, and reciprocated behaviour is not sexual harassment, but professionalism is expected at all times. Consent must be clear and enthusiastic.

## Workplace Bullying

**Workplace bullying** involves repeated unreasonable behaviour towards a person or group that creates a health and safety risk. It can be physical, verbal, written, overt, or covert.

Examples of bullying behaviours include, but are not limited to:

- Physical intimidation or abuse
- Aggressive conduct or threatening gestures
- Manipulation, coercion, or intimidation
- Shouting, belittling, or offensive language
- Sarcasm, innuendo, or demeaning language
- Ganging up on someone
- Public humiliation
- Teasing, practical jokes, or ridicule
- Isolation or exclusion
- Unreasonable blame or criticism
- Unjustified refusal of leave or benefits
- Assigning impossible or unpleasant tasks
- Deliberately withholding information or resources
- Changing hours or deadlines to inconvenience

**Reasonable Management Action:** Reasonable and fair management practices do not constitute bullying (see Section below).

## Victimisation

**Victimisation** is subjecting or threatening to subject someone to detriment because they made or supported a complaint, asserted their rights, or refused to engage in unlawful behaviour.

Victimisation is unlawful and will result in disciplinary action.

## Vilification

**Vilification** is any public act that incites hatred, serious contempt, or severe ridicule against a person or group based on race, sexual orientation, gender identity, HIV/AIDS status, or other protected attributes.

### Gossip and Confidentiality

- Workers must avoid gossiping about past or present allegations of inappropriate workplace behaviour.
- Concerns about inappropriate behaviour should be raised with a relevant manager or leader.
- Confidentiality must be maintained regarding complaints and investigations, with information shared only on a 'need to know' basis.
- Breaches of confidentiality may result in disciplinary action.
- Those involved in complaints are entitled to seek personal or professional support without breaching confidentiality.

**General Rule:** If unsure whether a behaviour or conversation is appropriate, err on the side of caution and do not engage.

## Reasonable Management Action

Workplace bullying does not include reasonable management action carried out in a reasonable manner. Each CAST member company has rights and obligations to effectively direct and control the way work is carried out. It is reasonable for managers and supervisors to allocate work to a worker and give fair and reasonable feedback on its workers' performance are **not** workplace bullying. Examples include:

- Setting reasonable performance goals, standards, and deadlines
- Allocating working hours or shifts reasonably
- Transferring workers for operational reasons
- Conducting fair and reasonable disciplinary actions and investigations
- Providing objective feedback on performance or behaviour
- Implementing organisational changes or restructuring
- Termination of employment following fair process

Workplace conflicts or differences of opinion, including those about artistic direction, are not bullying when handled professionally.

## References

This policy complies with all relevant federal and state legislation concerning discrimination, harassment, workplace health and safety, and human rights. Key legislation includes but is not limited to:

- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Fair Work Act 2009 (Cth)
- Applicable state and territory anti-discrimination and work health and safety laws

The above list is not exhaustive and additional Federal and/or State legislation may apply subject to specific circumstances.

This policy has been developed in alignment with the Live Performance Australia Respect@Work Guide.

## Review

This policy, and the legislation that informs it, may be amended from time to time, and to the extent that there is an inconsistency between the law and this policy, the law will prevail. For this reason, this policy is not incorporated within any employment contract or contract for services.

Each CAST Company will have its own policies and procedures, and any CAST policies or procedures should be read in conjunction with the employing entities policies

## Appendix - Grievance Resolution Procedure

### Our Commitment

CAST is committed to fostering a safe, respectful, and inclusive workplace for all. We encourage you to speak up if you experience or witness unacceptable behaviour. Your voice matters, and you will be supported throughout the process.

### Is It Safe to Speak Up?

We understand that unacceptable behaviour often goes unreported due to fear of retaliation or the belief that raising concerns will not lead to change. At CAST, we take all reports seriously and handle them confidentially—unless there is a safety risk that requires further action. Speaking up early helps address issues promptly and prevents further harm. You will be supported throughout the process.

### Who Can I Talk To?

**If you feel safe and comfortable:** You are encouraged to speak directly and respectfully with the person involved to resolve the issue.

**If you do not feel safe or the behaviour continues:** Please raise your concerns with a trusted person in a position of authority. For CAST Employees, Trainees, and Work Experience Students, this could include:

- Immediate Manager or their Manager
- Stage Manager or Company Manager
- Artistic Director, Director, or Producer
- Touring Show Director
- Executive Director or HR Manager
- Board or Management Members

For Workshop Participants, you may speak with:

- Workshop Coordinator
- Education Coordinator
- Other persons in positions of authority

You may also seek confidential advice or support from external organisations

- Fair Work Commission
- Media Entertainment and Arts Alliance (MEAA)
- Centre Against Sexual Assault (CASA)
- Employee Assistance Programs (where available)

### Options for Resolving a Grievance

There are three paths, depending on the situation:

#### Personal Action

If the behaviour is not serious and you feel safe, try discussing it directly with the person involved. You may seek support from your supervisor before doing so.

#### Informal Complaint

Once a complainant has raised their grievance with the HR practitioner or appropriate senior leader, the person hearing the grievance may decide to deal with a complaint informally if:

- the grievance is of a less serious nature;
- the person raising the grievance requests that the matter be dealt with informally or confidentially, and considers this appropriate; and
- the grievance has arisen from a misunderstanding or lack of/unclear, communication.

Informal ways of dealing with complaints will emphasise resolution rather than factual proof or substantiating of a complaint and can include, but are not limited to the following actions:

- a private discussion is held or mediated between the relevant parties to the grievance, where the parties agree to participate;
- an impartial third person conveys information between those involved;
- an impartial third person helps those involved to talk to each other and find a resolution;
- the grievance is resolved through conciliation or counselling;
- the aggrieved person decides to deal with the situation themselves but may seek advice on possible strategies;
- the person hearing the grievance agrees to speak to the parties involved on their behalf to privately convey the aggrieved party's concerns and reiterates the CAST Respectful Workplace Policy without assessing the merits of the case; or
- a supervisor or manager observes unacceptable conduct and takes action even though no formal grievance has been made.

An informal complaint may also be dealt with without the need to individually identify the aggrieved individual or individuals. Informal ways of dealing with the grievance may also include collective actions such as:

- providing training to all workers;
- redistributing and explaining relevant policies;
- making alterations to working arrangements to reduce the risk.

In some instances, an independent mediator may be engaged.

The person hearing the grievance will document the steps taken to address and resolve the grievance using the informal process via the Grievance Resolution Report in Appendix 1.

An informal process may be formalised at any point where the person hearing the grievance considers it appropriate, particularly where an informal process has been ineffective or new information is received

## **Formal Complaint**

Appropriate for more serious matters. Involves a formal investigation to assess the complaint and determine outcomes, which may include disciplinary action.

### **Step 1: Initial Information Gathering**

The person hearing the grievance meets with the complainant, explains the process, and collects evidence (documents, witnesses).

### **Step 2: Notifying the Respondent**

The respondent is informed of the allegations and given a chance to respond. Both parties are advised about confidentiality and support options.

### **Step 3: Response Collection**

Both parties present their account. Records are kept and reviewed for accuracy.

### **Step 4: Witness Interviews (If required)**

Witnesses may be interviewed, maintaining confidentiality.

## Step 5: Clarify Evidence

If new or conflicting evidence arises, follow-up interviews are conducted as needed.

## Step 6: Decision Making

### Investigator's Determination

After thoroughly reviewing all relevant information, evidence, and witness statements, the investigator will make a determination based on the balance of probabilities — meaning the decision will reflect what is more likely than not to have occurred. The possible outcomes are:

#### Substantiated:

The evidence indicates that it is more likely than not that the unacceptable behaviour or misconduct took place. This means that, considering all the information, the investigator believes the complaint is true on the balance of probabilities. Appropriate corrective and disciplinary actions will follow in line with organisational policies.

#### Not Substantiated:

The evidence does not support the claim on the balance of probabilities. While this does not necessarily prove the complaint is false, there is insufficient proof to confirm that the alleged behaviour occurred. No disciplinary action will be taken, but other supportive or preventative measures may still be considered.

#### Inconclusive:

The evidence is insufficient, contradictory, or unclear to make a decision on the balance of probabilities. When a conclusive determination cannot be made, the organisation may consider alternative responses such as further investigation, mediation, training, or ongoing monitoring to address the issue.

## Step 7: Notify Outcome

All relevant parties are informed of the outcome. A written Grievance Resolution Report is recommended.

## Outcomes

### If Substantiated:

Where the complaint is substantiated, a range of potential outcomes may follow, depending on the findings, which may include one or a combination of the following:

- Counselling or training
- Written warnings
- Apology or behavioural agreement
- Adjustments to working arrangements
- Termination of employment (in serious cases)

### If Not Substantiated:

Preventive actions may still be taken, such as training or policy reminders.

## General Principles

These principles apply to all grievances and complaints handled by CAST:

- **Confidentiality:** Information will be shared strictly on a need-to-know basis to protect privacy and ensure a fair process.
- **Support:** All parties involved have access to support resources and may bring a support person to any interviews or meetings. The support person should not be directly involved in the complaint.

- **Fairness:** Both the complainant and respondent have equal rights to present their case and respond to allegations.
- **No Retaliation:** Any form of victimisation, intimidation, or retaliation against individuals who raise grievances or participate in investigations is strictly prohibited and may lead to disciplinary action.
- **Bad Faith Complaints:** Malicious, false, or knowingly misleading complaints will be investigated and may result in disciplinary consequences. The intent is to protect the integrity of the grievance process.

## Additional Considerations

- **Support Person:** Participants may bring a support person to interviews or meetings. This person’s role is to provide emotional support but not to act as an advocate or speak on behalf of the participant. The support person must not be involved in the complaint or grievance.
- **Requests for Anonymity:** While CAST is committed to maintaining confidentiality, complete anonymity may not always be possible if it compromises natural justice, workplace safety, or the ability to conduct a thorough investigation. Complainants will be informed if anonymity cannot be maintained.
- **Criminal Offences:** Allegations involving potential criminal conduct—such as sexual assault, stalking, or cyber abuse—will be referred to the police as required. CAST also has a legal obligation to report certain incidents, especially those involving children or vulnerable persons.
- **Victimisation:** Any form of retaliation or adverse treatment towards individuals who raise concerns or participate in grievance processes is unlawful and will be addressed promptly and seriously.

## Grievances Involving External Parties

Where grievances involve individuals from outside organisations, CAST will coordinate with the other organisation to determine the appropriate course of action.

## Vexatious or Malicious Complaints

Complaints made with malicious intent or without basis may result in disciplinary action. Examples include:

- Fabricating allegations to harm someone
- Repeating issues already addressed
- Raising claims the complainant knows to be false

## Procedural Flexibility

CAST reserves the right to adapt this procedure when necessary to address individual circumstances or ensure procedural fairness.

## Record Keeping

All grievance records will be documented using the **Grievance Resolution Report** and securely filed by HR or the designated responsible person.

## Version Control and Review

Version	Date	Notes
Version 1.0	1 July 2019	Old Version – superseded
Version 2.0	1 June 2021	Old Version – superseded

Version 3.0	1 September 2022	Old Version – superseded
Version 4.0	1 November 2025	Old Version – superseded Now incorporates Grievance Resolution Procedure and Reporting unacceptable behaviour Policy
Review	November 2028	

