

Sexual Harassment Prevention and Action Policy

Contents

1. Introduction
2. Scope of policy
3. Sexual harassment
4. Victimisation
5. Harassment by a third party
6. Reporting sexual harassment
 - a. Informal steps
 - b. Raising a formal complaint
7. Witnesses of sexual harassment or victimisation
8. Formal investigations
 - a. Action following the investigation
9. Protection and support
10. Confidentiality
11. Record keeping

1. Introduction

This Sexual Harassment Prevention and Action Policy (the “Policy”) applies to Productions affiliated with The Walt Disney Company Ltd. in the UK (collectively the “Production”).

The Policy applies to all cast and crew directly employed by the Production and other individuals engaged as loanouts, agency workers, self-employed contractors, consultants, volunteers and those partaking in work experience on the Production (for the purpose of this Policy, collectively referred to as “crew”). The Policy applies to all crew regardless of age, disability, race, ethnicity, religion or belief, sex, gender identity, gender expression or sexual orientation, whether married, in a civil partnership, pregnant or on maternity.

The Policy does not form part of the Production’s Deal Memo or any other contractual terms, and we may amend it at any time.

We endeavour to prevent any kind of sexual harassment and to ensure that all crew are treated fairly. This Policy is designed to outline what constitutes sexual harassment and how an individual or the Production can deal with situations as they arise.

2. Scope of policy

The purpose of this Policy is to prohibit sexual harassment and set a framework for the Production to deal with any sexual harassment that occurs by crew (which may include consultants, contractors, and agency workers) and also by third parties such as customers, suppliers, visitors or guests. The Production is also committed to providing a workplace free from harassment or bullying under the Production’s Bullying and Harassment Policy.

The Production is committed to providing a safe environment for all its crew free from sexual harassment and ensuring that everyone in the workplace is treated, and treats others, with dignity

and respect. The Production recognises that sexual harassment can occur both in and outside the workplace, such as business trips, location work or at work-related events or social functions or on social media.

Sexual harassment or victimisation of any member of crew, or anyone they come into contact with during the course of their work will not be tolerated. The Production will take active steps to help prevent the sexual harassment and victimisation of all crew. Anyone who is a victim of, or witness to, sexual harassment is encouraged to report it in accordance with this Policy. This will enable the Production to take appropriate action to promptly investigate allegations of sexual harassment and provide support. Sexual harassment will be treated as a disciplinary matter and may lead to dismissal. All complaints of sexual harassment will be taken seriously and treated with respect.

3. Sexual harassment

Sexual harassment is any unwanted conduct of a sexual nature 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 sexual harassment.

Sexual harassment also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex, in the past.

Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behaviours which constitute sexual harassment include, but are not limited to:

- Unwanted physical contact, including touching, patting, pinching, pushing and grabbing
- Physical violence including sexual assault
- Continued suggestions or requests for sexual activity
- Sending or displaying material that is pornographic or sexually explicit or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet)
- Unwelcome sexual advances or suggestive behaviour (which the alleged harasser may perceive as harmless)
- Banter
- Insults based on the sex of the crew member
- Comments on a crew member's private life

A person may be sexually harassed even if they were not the intended target, as sexual harassment is not always directed at an individual and could arise in other scenarios, such as where a culture of behaviour is not specifically aimed at one person.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the alleged harasser. What matters is that the sexual conduct is unwanted by the person against whom the conduct is directed.

4. Victimisation

Victimisation occurs when a person is treated less favourably due to their involvement in specific protected activities related to laws to prevent discrimination and harassment under the Equality Act 2010. This includes taking legal action, giving evidence or information in connection with such legal action, doing any other thing for the purposes of or in connection with the objectives of the laws to prevent discrimination and harassment or alleging that a person has contravened such laws.

Victimisation may include, (but is not limited to):

- Denying someone an opportunity because it is suspected that they intend to make a complaint about sexual harassment
- Excluding someone because they have raised a grievance about sexual harassment
- Failing to promote someone because they accompanied other crew to a grievance meeting
- Dismissing someone because they gave evidence on behalf of other crew in a complaint about sexual harassment.

Sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal if they are committed:

- In a work situation
- During any situation related to work, such as at a social event with crew
- Against other crew or other person connected to us outside of a work situation, including on social media
- Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role

5. Harassment by a third party

Third-party harassment occurs where a person is harassed or sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their engagement.

Third-party harassment could include, for example, unwelcome sexual advances from a client, customer or supplier visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their engagement. Third-party sexual harassment can result in legal liability and will not be tolerated.

6. Reporting sexual harassment

a) Informal steps

All crew are encouraged to speak up about sexual harassment, whether you are experiencing it personally or have witnessed sexual harassment of another crew member or third-party.

If you are being sexually harassed, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or you have tried and the behaviour has continued, you should speak to your Supervisor¹ or a member of HR, who can provide confidential

¹ For the use of this policy, the Supervisor is the person you report into regardless of their title

advice and assistance in resolving the issue formally or informally. If you feel unable to speak to your Supervisor because the complaint concerns them, you should speak informally to HR. If this does not resolve the issue, you should follow the formal procedure below.

If you are not certain whether an incident or series of incidents amounts to sexual harassment, you should initially contact your Supervisor or HR informally for confidential advice.

If informal steps are not appropriate, or have been unsuccessful, you should follow the formal procedure set out below.

b) Raising a formal complaint

If you wish to make a formal complaint under this Policy, you should submit it in writing to HR. Please see the unit list for the contact details.

Your written complaint should set out full details of the conduct in question, including the name of the alleged harasser or person who you believe has victimised you, the nature of the sexual harassment or victimisation, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all crew and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

7. Witnesses of sexual harassment or victimisation

We all share responsibility for taking steps to eradicate sexual harassment in the workplace. If crew witness sexual harassment and do not take action, this can support a working environment in which such behaviour is tolerated or normalised. Crew who witness sexual harassment or victimisation are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- Intervening where you feel able to do so
- Speaking to the alleged harasser to make it clear their behaviour is unacceptable
- Supporting the victim to report it or reporting it on their behalf
- Reporting the incident where you feel there may be a continuing risk
- Co-operating in any investigation into the incident

All witnesses will be provided with appropriate support and will be protected from victimisation.

8. Formal investigations

The Production will investigate complaints in a timely, respectful and confidential manner and will be dealt with as a grievance where applicable, observing the ACAS code of practice. Individuals not involved in the complaint or the investigation should not be told about it, except as necessary for senior leaders, HR, and to comply with any legal or regulatory obligations from time to time.

The Production will promptly arrange a meeting with you as soon as reasonably practicable, so that you can give your account of events. After the investigation is completed, the outcome will be

communicated to you and any applicable right to appeal will be offered to you in line with ACAS Guidance.

Where your complaint is about another crew member, we may consider suspension as appropriate or make other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigator will also meet with the alleged harasser to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.

Where your complaint is about a third-party, such as a customer, supplier or visitor, the Production will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third-party, including the relevant HR teams in the case of alleged harassment by crew or an employee of a third-party company.

The Production will also consider any reasonable requests that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged harasser.

It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

a) Action following the investigation

If the investigator considers that there is a case to answer and the alleged harasser is another crew member, the matter will be dealt with as a case of possible misconduct or gross misconduct under the Production's Bullying and Harassment Policy. Where the disciplinary outcome is that sexual harassment occurred, prompt action will be taken to address it. If the alleged harasser is a third-party, such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. The Production will take into account any aggravating factors, such as abuse of power over more junior crew, when deciding the appropriate disciplinary action to take.

Whether or not your complaint is upheld, the Production 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 or counselling, or to change the working arrangements or reporting lines of one or both parties.

If any sexual harassment or victimisation of crew occurs, we will take steps to prevent it happening again. In addition to disciplinary action against the perpetrator, these may include updating relevant policies and providing further crew training.

Any crew member who deliberately provides false information in bad faith, or who otherwise acts in bad faith as part of an investigation, may be subject to action under the Production's Bullying and Harassment Policy. However, you will not be disciplined or treated detrimentally just because your complaint has not been upheld.

9. Protection and support

Crew who make complaints, report that they have witnessed wrongdoing, 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 the Production's Bullying and Harassment Policy.

If you believe you have suffered any such treatment you should inform your Supervisor or HR. If the matter is not remedied, you should raise it formally.

We will monitor the treatment and outcomes of any complaints of sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised and repeat offenders are dealt with appropriately.

Support and guidance can also be obtained from the following external services:

- Protect (www.protect-advice.org.uk)
- Victim support (www.victimsupport.org.uk)
- Rape crisis (www.rapecrisis.org.uk)
- Rights of women (www.rightsofwomen.org.uk)

10. Confidentiality

Confidentiality is an important part of the procedures provided under this Policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under the Production's Bullying and Harassment Policy.

When appropriate and possible, where a complaint is upheld, we will advise the complainant of the action that has been taken to address their specific complaint and any measures which are relevant to them and have been put in place to prevent a similar event happening again.

11. Record keeping

Information about a complaint by or about a crew member may be stored as part of the Production's HR records, along with a record of the outcome and any notes or other documents compiled during the process in accordance with the Production's Privacy Notice.