



Positive Strategies for Resolving Conflict

When the show must not go on



The RSC has put in place a respect policy for staff

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The worlds of the media, arts and entertainment are often seen as glamorous, however a survey of 4,000 workers, commissioned by the Federation of Entertainment Unions (FEU), revealed these industries were “hotspots” of bullying. More than half of those questioned said they had been intimidated, harassed or discriminated against at work. The FEU held a consultation in 2014 with its members to discuss the findings and to compile a range of guides to help reps deal with members experiencing the problem. It then created an industry-wide code of practice for employers. Positive Strategies for Resolving Conflict was designed to bring together influential members of the creative industries to discuss how employers and unions could respond and disseminate good practice.



In show business they say the show must always go on but, as industry experts were told, it should not be at any cost.

Outrageous behaviour in the competitive creative industries, particularly from the so-called talent and maestros, has for too long been accepted as part of the territory. People fear the “power of talent” and the consequences of speaking out.

And, yes, Jeremy Clarkson did get a name-check.

As the FEU survey revealed, peer to peer bullying between musicians, actors, dancers, reporters and writers was also rife. That is why it set up the Creating without Conflict campaign – to rebut the myth for the need for “creative tension”. It also proved that when people respect each other, they feel safe to express themselves and where bad behaviour is stamped on, it pays dividends in artistic and creative contexts.



Ellie Peers, acting general secretary of the Writers' Guild of Great Britain (WGGB), introducing the FEU event in east London in November, pointed out the high proportion of freelances in the arts and media created a particular problem: “Many fear they will be labelled a trouble-maker or that reporting bullying and harassment could affect their future employment,” she

said. “Only a third of those surveyed by the FEU who suffered bullying and harassment reported the incidents.”

Organisations which tolerated bullying risked damaging the health of employees and faced reputational risk, she said. Companies which became known for treating staff badly would not attract top people and could lead to expensive legal consequences. The Jimmy Savile case may be an extreme, but it happened – and with very serious outcomes.

The event brought together leaders and HR staff from creative organisations such as the Royal Shakespeare Company (RSC), ITV, the BBC, TV production companies, Scottish Ballet, orchestras including The Hallé and City of Birmingham Symphony Orchestra (CSBO), National Theatre and the English National Opera among others.

Conspicuous by their absence were representatives of the newspaper industry, which as a shame because the FEU survey showed bullying in this sector was “exceptionally high”.

An important element of the day was sharing experiences and good practice. Chairing a panel session, Horace Trubridge, the Musicians’ Union’s assistant general secretary, said he wanted to dismiss the myth that artists are expected to suffer if they are to attain a higher professional level.



Catherine Mallyon, executive director of the RSC, said the organisation recognised it had a problem with bullying and set out to tackle it with a series of working groups to discuss the issue. The company then instituted a respect policy which involved agreeing to a set of values and setting expectations of behaviour. Copies of the policy are put in prominent places. The RSC said it expected staff to respect each other’s skills and expertise; to listen to the ideas of others; consider the impact their behaviour had on others, to support each other and to collaborate on working together to create a healthy, happy and safe environment for all.

“We did wonder about the word happiness,” she said, “but, while we can’t sort out world happiness, we felt we could aspire to it within the RSC.”

The policy and its bold posters advertising it had to sit alongside others, she said, such as equal opportunities, health and safety, a whistle-blowing – now renamed speaking up – policy and training and development. The respect policy was something, she said, that needed to be constantly maintained and developed.

When Angela Barge joined the CBSO as its HR manager she was warned there was a problem, but nobody would say what it was or who it involved. She worked with the Musicians’ Union to devise a training and bullying policy which included a script to help people speak to others they felt were behaving inappropriately.

It hasn’t been easy; when a meeting was called to discuss the issue, while 90 per cent of the staff came along, only one in 10 of the orchestra turned up. The CBSO has now adopted the FEU’s code of conduct and Angela is working on ways to include freelancers in the anti-bullying policies.



Charlotte Jones is chief executive of the Independent Theatre Council (ITC) which works with more than 400 companies, many of them small, many of them without an HR department. She said: “Good art thrives on good management. Our members are artists who suddenly find themselves as managers, which can be an isolating and difficult experience.”

Members must sign up to the organisation’s values which promote sharing and learning together. The ITC believes “the performing arts thrive when people are put before profit” and members must provide the best possible working conditions, equal opportunities and share knowledge and experience with peers. [<https://www.itc-arts.org/about-us>].

“One of the biggest problems is the maxim that the show must go on,” Charlotte said. “The arts can be dominating and tyrannical. People are not props and they must be put before profit; show business must realise that people are more important than the show.”



Alex Efthymiades, is director of Consensio, a leading workplace mediation company which works with a range of firms, including the BBC. She said managing relationships must be seen as a strategic priority by arts and media organisations. Pressures of deadlines could lead to conflict between people who feel under stress.

It is better, she said, to provide informal procedures for resolution before getting into grievance situations. The BBC was training a group of people in the organisation to act as mediators. Organisations should also take stock of their culture, and use an inclusive, collaborative approach which embraces management, HR, the unions and staff to set up anti-bullying frameworks. “Conflict is not always bad,” Alex said. “Sometimes organisations need it to develop and create change, but it must be carefully managed. If it exists in a healthy environment, it can be creative rather than destructive.”

The advice of the panel came into play during an exercise where participants were invited to provide solutions for a set of real-life case studies – including the orchestra where two musicians hadn’t spoken to each other for 15 years; an orchestra where the younger members complained the older ones weren’t up to scratch; the only female of a TV film crew who was belittled by her producer and suffered sexual innuendos from her team; and the make-up artist who became concerned that a male actor had deliberately exposed his genitals when she was applying make-up.



The participants were also able to draw on an earlier session by Dr Wanda Wyporska, executive director of the Equality Trust, which discussed: “What are bullying and harassment?” and gave a resume of the law, the effects of bullying and spelled out a range of employer responsibilities. There was no legal definition of bullying, she said, but ACAS, the arbitration service, described it as “offensive, malicious or insulting behaviour and an abuse of power that undermines, denigrates or injures the recipient. Harassment is unlawful and is defined by the Equality Act 2010 as “unwanted conduct related to a ... protected characteristic”, for example age, disability, sex or sexual orientation, which intimidates an individual or violates his/her dignity.

Stephen Spence, assistant general secretary of Equity, who facilitated the case study session, soon discovered that making decisions based on the case studies was not easy and created a lively debate in the room. Was the actor exposing his genitals committing an illegal act and therefore the theatre should call in the police, or was it just a part of the normal flashing of flesh seen behind the stage of virtually every production?



Susan Hoyle, is director of the Clore Leadership Programme which exists to strengthen leadership in the arts. She said her aim was to create a new paradigm of leadership, not one about power and control, but about respect, generosity and empathy. If art organisations were to flourish they needed to be open, inclusive and generous, not only to their audiences, but also their staff.

She said: “Effective teams are brought together not on the basis of hierarchical structures but because there is a job to be done and that particular combination of individuals has the experience and skills for the task in hand. If the leader makes everyone feel valued they will play to their strengths and have the confidence to develop. At other times leaders will need to lead from the front and wage a charm offensive to encourage others to hold their nerve....”

She gave a list of examples of leaders who were strong role models for this new paradigm – some, but not all, Clore leaders. The list did not include Donald Trump, America’s president-elect. “What do you do when the bullies win?” asked Annie Hogben of the Writers’ Guild.

“That’s exactly why we need to be doing more to challenge and oppose these people and make the arts a beacon of light,” said the Independent Theatre Council’s Charlotte Jones.

Pictures: @Jess Hurd

Creating without Conflict report <https://www.nui.org.uk/documents/creating-without-conflict-final-report/>



FEU & employers code of conduct

- Acknowledge there is an industry-wide problem with bullying and harassment and that employers, workers and industry bodies must pledge to make workplaces safe, positive environments to enable creative workers to do their jobs.
- Make it a priority to provide training for managers and workers in dealing with unreasonable behaviour and education on awareness of bullying.
- Provide access to confidential bullying hotlines and counselling services.
- Work towards the inclusion of workers on arts and media organisations' structures, bodies and boards.
- Provide clear guidance for staff and freelancers on all company anti-bullying and health and safety policies.
- Ensure freelance and casual workers are included in company anti-bullying policies.
- Recognise the positive role unions have in formulating anti-bullying policies and their contribution to promoting workplaces cultures where creativity can flourish without conflict.
- Support specific training for students and new entrants in the arts and media.
- Share good practice and work collectively in the workplace to promote the message of non-tolerance of bullying by managers and between co-workers.
- Require commissioners/commissioning bodies to ensure clients sign the code of conduct and, where appropriate, set up anti-bullying policies.



Angela Barge is HR manager at the City of Birmingham Symphony Orchestra. After graduating with a BA in Management and HR she worked in various HR roles for the NHS, for the Anchor Trust, the largest care and housing provider in the UK and Birmingham Metropolitan College before joining the CBSO after the birth of her second daughter.



Alex Efthymiades, director and co-founder of Consensio has 15 years of experience in the field of organisational conflict resolution and mediation.

Alex has worked at the American Red Cross in New York, at a centre for women's rights in Honduras, and at the United Nations in Geneva. She set up Consensio with Anna Shields in 2007. <http://www.consensiopartners.co.uk/>



Luke Crawley worked for the BBC from 1982 in World Service & Network Radio. He was an active union representative at all levels before joining BECTU as a full-time union official in 1993. In 2007 he was elected assistant general secretary leading a team of officials with responsibility for members in the BBC, theatres & cinemas and commercial broadcasting. He was re-elected in 2012.



Sue Hoyle is Director of the Clore Leadership Programme, which aims to strengthen leadership in the arts and culture, including performing and visual arts, film and digital media, libraries, museums and heritage. She was director of dance and subsequently deputy secretary general for Arts Council England and has been a board member of the British Council and London Philharmonic Orchestra and chaired the Boards of DV8 Physical Theatre and Shobana Jeyasingh Dance Company.



Charlotte Jones is chief executive of the Independent Theatre Council, a community of peers working in drama, dance, opera and musical theatre, mime and physical theatre, circus, puppetry, street arts and mixed media. She was previously deputy director responsible for management advice, union negotiations and dispute resolution. She trained as a solicitor and also worked at York Rape Crisis and Women's Aid as a counsellor and advisor and as a freelance trainer. <https://www.itc-arts.org/>



Catherine Mallyon is an executive director of the Royal Shakespeare Company, a governor of the company and a member of its Board. She was previously deputy chief executive of Southbank Centre and her major projects included reopening Royal Festival Hall after refurbishment in 2007 and the renewal of Hayward Gallery in 2010. In her earlier career, she was general manager of arts and theatres at Reading Borough Council.



Ellie Peers is acting general secretary of the Writers' Guild. For the past three years at the union she has led negotiations for theatre writers' pay and conditions, supporting equality and diversity in the arts, culture and

entertainment world and carried out a successful overhaul of the union's membership systems. She has more than 16 years' experience as a trade union organiser and worked previously for Unite and Unison.



Stephen Spence is deputy for the general secretary, Equity. He previously worked for the union Prospect and in Australia for the Media Entertainment & Arts Alliance, the Australian Theatrical & Amusement Employees Association and Actors Equity of Australia. He has been president of the South Australian Unions and on boards such as the South Australian Film Corporation and the

British Equity Collecting Society.



Horace Trubridge is an assistant general secretary of the Musicians' Union. He played clarinet and saxophone semi-professionally from the age of 14 and was a founder member of the successful doo-wop group Darts. He is also a professor of the Royal Society of Musicians and a governor at the BRITS school.



Wanda Wyporska is executive director at The Equality Trust, which aims to improve the quality of life in the UK by reducing economic inequality. Previously she worked as an equality officer for the Association of Teachers and Lecturers and at the TUC.

BECTU is a media and entertainment trade union representing workers in broadcasting, cinema, film, digital media, independent production, leisure, theatre and the arts.

The Musicians' Union represents more than 30,000 musicians working in all sectors of the British music business.

Equity is the UK trade union for professional performers and creative practitioners

The National Union for Journalists is the voice of journalism and media workers in broadcasting, newspapers, magazines, books, public relations and new media, including photographers and illustrators.

The Writers' Guild of Great Britain represents writers in TV, film, theatre, radio, books, poetry, animation and videogames.

