

# **The Iceland Symphony Orchestra's Policy against Bullying, Gender-based or Sexual Harassment, and Violence in the Workplace**

The Iceland Symphony Orchestra's policy and response procedure are made in accordance with Article 38 of the Act on Working Environment, Health, and Safety in Workplaces, no. 46/1980, and in accordance with the Regulation on Measures against Bullying, Sexual Harassment, Gender-based Harassment, and Violence in Workplaces, no. 1009/2015.

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## ***Objectives***

The objectives of the policy are to prevent bullying, harassment, and violence from occurring in the workplace and to ensure that resources are available should a staff member believe themselves to have been the victim of such a violation.

## ***Guidelines***

Bullying, gender-based or sexual harassment, and violence are prohibited by law and are not tolerated in the workplace.

- Staff members are forbidden to bully, harass (in either a sexual or a gender-based manner), or use violence against members of staff.
- It is the responsibility of all staff members to prevent bullying and other inappropriate forms of behaviour, both through their own actions and by reporting such behaviour to individuals specified in the response procedure.
- It should be born in mind that an individual might be unaware that their behaviour is inappropriate. It is therefore important that staff members set boundaries and, if they find the behaviour objectionable, communicate this clearly. If an individual does not trust themselves to speak to the party in question directly, they should seek assistance from management and, depending on circumstances, report the incident.
- This applies both to interactions between staff members and to interactions between staff members and outside persons with whom they have contact in connection with their work.
- This applies to interactions that take place in the workplace, i.e., a place, in or out of doors, where a staff member spends their working hours or a place they must frequent because of their work. It also applies to interactions that take place over the phone, computer, or through other telecommunications devices, at workplace or union functions, and on work-related trips. The ISO also has the right to refer to incidents occurring outside the workplace (or outside the aforementioned situations) and fall under with these rules, should the Human Resources Manager consider them likely to impact

the relationship between individuals in the workplace. Such incidents are then considered to fall under the jurisdiction of these rules.

- All matters are to be handled in accordance with the response procedure.
- False accusations of bullying, harassment, or violence will be dealt with appropriately.
- If a staff member believes themselves to have been the victim of bullying, harassment, or violence, or if they consider themselves to have witnessed such behaviour, they should report it so that appropriate measures can be taken.
- Complaints or observations should be directed to the complainant's immediate superior, to the Human Resources Manager, or to the Managing Director. If the complaint or observation involves their immediate superior, the complainant may turn to the Managing Director or to the Human Resources Director. If the complaint or observation involves to the Managing Director, the complainant may turn to their immediate superior, to the Human Resources Director, or to the Chair of the ISO Board of Directors.
- The Human Resources Manager is responsible for the ISO's response procedure.

## ***Definitions***

### **What are bullying, sexual harassment, gender-based harassment, and violence?**

- **Bullying:** Repeated behaviour that is generally intended to cause pain to the person at whom the behaviour is directed. Examples include belittling, offending, hurting, or threatening the individual, or causing them fear. Conflicts due to differences of opinion or due to opposing interests do not fall into this category.
- **Gender-based harassment:** Behaviour specifically related to the sex or gender of the person at whom the behaviour is directed, and which is unwelcome to them, the purpose or result of which is to disrespect the person and to create circumstances that are threatening, hostile, demeaning, humiliating, or offensive to the person.
- **Sexual harassment:** Any form of sexual behaviour that is contrary to the wishes of the person at whom the behaviour is directed, the purpose or result of which is to disrespect the person, particularly when the behaviour leads to threatening, hostile, demeaning, humiliating, or offensive circumstances. The behaviour can be verbal, symbolic, and/or physical.
- **Violence:** Any behaviour that leads to, or could lead to, physical or emotional harm or suffering for the person at whom the behaviour is directed, including threatening to engage in such behaviour, coercion, or arbitrary deprivation of liberty.

**For more details, see Regulation no. 1009/2015:**

[REGULATION 1009 2015 - FINAL.pdf \(government.is\)](#)f

# RESPONSE PROCEDURE

## Procedure for RESPONDING to Bullying, Sexual or Gender-based Harassment, and Violence

### ***Complaints/Observations***

#### **Whom to consult:**

- Immediate superior
- Human Resources Manager
- Managing Director
- Chair of the Board of Directors if the matter involves the Managing Director

A member of staff who has been the victim of, or has knowledge of, bullying, harassment, or violence in the workplace should inform their immediate superior, the Human Resources Manager, or the Managing Director. If the complaint or observation involves the staff member's immediate superior, then the staff member can turn to the Human Resources Manager or the Managing Director. If the complaint or observation involves the Human Resources Manager, then the staff member can turn to the Managing Director. If the complaint or observation involves the Managing Director, the staff member can turn to the Human Resources Manager or the Chair of the ISO Board of Directors. In all instances, the manager to whom the complaint or observation is reported is required to respond to the allegations and to fulfil the obligations resting with an employer by law, which include preventing such inappropriate behaviour from reoccurring in the workplace.

The terms "*alleged victim*" and "*alleged perpetrator (offender)*" should be used during the inquiry into the case.

### ***Inquiry into the Case***

The person responsible for the inquiry shall take responsibility for the investigation and shall immediately initiate the response procedure. All complaints and observations should be taken seriously. All individuals involved in the matter should be shown consideration during the investigation. The responsible party should, without any unnecessary delay, assess the alleged victim's or alleged offender's need for immediate support and provide it.

#### **Formal inquiry**

If an incident warrants a formal inquiry, the response should follow the procedure below:

- Internal review of the alleged conduct, with the participation of the complainant's immediate superior and the Human Resources Manager, in which an assessment is made of whether there are credible grounds to believe that bullying, sexual harassment, gender-based harassment, or violence has taken place.

Or:

- The matter is handed over to an outside expert who has been certified by the Administration of Occupational Safety and Health to assess such matters.
- Investigation
  - The alleged victim is interviewed, and their experience and description of events is heard. The investigation ascertains whether, according to the victim, anyone else was witness to the event.
  - The alleged offender is interviewed, and their experience and description of the events is heard. The investigation ascertains whether, according to the offender, anyone else was witness to the event.
  - The alleged witnesses, if any, are interviewed, and their experience and description of events is heard.
  - Depending on circumstances, the alleged victim and the alleged offender are offered outside counselling.
  - The material thus gathered is assessed, and a decision is made about whether there is reason to interview either the alleged victim or the alleged offender again.
  - The evaluating parties meet with the Human Resources Manager and, depending on circumstances, the immediate superior or the Managing Director.
  - The results of the investigation are communicated to the relevant parties, along with suggested interventions.

#### **Request for an informal inquiry or confidentiality**

If a staff member requests an informal inquiry or confidentiality regarding their complaint or observation, a position must be taken on whether this is permissible. If it is permissible, information is gathered from the staff member, and they are provided with support through confidential conversation or counselling. Appropriate measures should be taken in consultation with the staff member. Other individuals in the workplace shall not be informed of the matter.

#### ***Handling of Information***

All information obtained throughout the affair should be treated as confidential. Written material shall be kept in a safe place, and are the responsibility of the employer, in accordance with the Data Protection Act. Members of staff to whom the matter pertains are to be granted access to these materials at their request if the Data Protection Act allows it.

#### ***Interventions***

If it is determined that no bullying, harassment, or violence has taken place, interventions are used to improve communication between the parties and consideration is given to preventative measures.

If it is determined that bullying, harassment, or violence has taken place, an action plan is put in place. This includes a decision on the consequences for the offender and preventative measure to reduce the likelihood of a reoccurrence.

If the matter pertains to an individual who is *not* a staff member at the ISO, i.e., a client or a supplier, but nonetheless concerns interactions connected to the work of the orchestra, the response procedure is initiated, and steps are taken to prevent such an incident reoccurring.

### ***Follow-up***

Follow-up consists of providing support for the individual/victim and monitoring interactions, mental health, and wellbeing in the workplace. A timeframe is set for assessing the efficacy of workplace interventions. This assessment includes a re-evaluation of the interventions, and a determination of whether further workplace interventions are needed, such as changes to the workplace, to the manner of response, to the organization of the work, or to other factors.

### ***Conclusion***

When the matter is considered concluded, the employees concerned are informed. The employees concerned are generally considered to be the alleged victim and the alleged offender.

If no bullying, harassment, or violence is determined to have taken place, the procedure requires that interventions must be used to improve communication between the involved parties. If bullying, harassment, or violence is determined to have taken place, the procedure requires that a decision must be made regarding the consequences for the offender, and preventative measures must be taken to reduce the likelihood of a reoccurrence.