

# Guidelines and procedures for reporting

Our aim is to foster an open, diverse and safe cultural arena while promoting an arts and culture sector that is free from discrimination and harassment. Everyone has the right to a safe working environment.

Employers have a legal obligation to create a safe and inclusive environment for all employees, including freelancers, self-employed persons, volunteers and others. Protection against harassment and discrimination is a fundamental entitlement for everyone.

In accordance with Chapter 4 of the Equality and Anti-Discrimination Act, all employers in Norway have a duty to promote equality and actively work towards preventing discrimination, harassment and gender-based violence. Section 13 'Prohibition against harassment' requires employers and managers of organisations to preclude and seek to prevent harassment and sexual harassment.

## Risk factors

The arts and culture scene carries specific characteristics that increase the risk of sexual harassment, discrimination and abuse of power. Recruitment often takes place via social networks, and many are self-employed. The importance of maintaining good relationships can create power relations that make it difficult to speak up about unpleasant experiences and setting boundaries. Additionally, the competitive nature of the industry, driven by the pursuit of prestige and opportunities, creates a high threshold for people to report unwanted behaviour. Many different factors contribute to uneven power relations within these environments. Everyone possesses different degrees and forms of power, based on factors such as job titles, employment protection status, experience, success, social networks, power of definition or being a part of a majority. In social settings, lines between work and private life can blur, and the presence of alcohol can further increase the risk of crossing other people's boundaries.

In arts and culture environments, it is necessary to have an awareness of both your own boundaries and others'.

## Guidelines

To reduce the risk of transgression and unwanted behaviour, NN has developed guidelines that define expected conduct for employees, contract workers, employee representatives and volunteers within the organization.

The purpose of these rules is to protect everyone in the enterprise from harassment. The guidelines are not intended to regulate how good colleagues interact with each other, as long as the behaviour is consensual and does not negatively affect others in the working environment.

At NN, we expect everyone to

- be aware of power relations and risk factors for abuse of power. We are familiar with what may constitute sexual harassment and discrimination, and take care not to overstep other people's boundaries.
- be conscious of roles, power dynamics and boundaries when working with others. Everyone must be mindful not to misuse their positions of power.
- be aware of how jokes, humour and compliments can be perceived differently, exercise caution if using nicknames or commenting on other people's appearances.
- refrain from using insults based on group affiliations.
- avoid attributing characteristics to others due to their gender, gender expression, sexual orientation, functional ability, skin colour, cultural and religious affiliation.
- be mindful about alcohol consumption in work-related settings.

## Terms

**Discrimination:** Unfair differential treatment related to gender, gender expression, gender identity, sexual orientation, ethnicity, functional ability, religion and beliefs, age, care responsibilities, or other significant aspects of a person. Discrimination comes in many forms and includes acts, statements or omissions.

**Sexual harassment:** Unwanted sexual attention that has the purpose and effect of being offensive, intimidating, hostile, degrading, humiliating or distressing. Emphasis is placed on the victim's experience, and the person who harasses someone does not have to do so intentionally in order for it to be considered sexual harassment. Sexual harassment can take place physically, non-physically, verbally and digitally, and can be anything from sexually charged staring, comments and questions about someone's body, gender, sexuality and sexual orientation, and crude jokes. It can also be unwanted physical contact, groping and, in the most serious cases, criminal assaults.

**Harassment:** Acts, omissions or statements that have the purpose or effect of being offensive, frightening, hostile, degrading or humiliating. To be considered harassment, it must be perceived as unreasonable and undesirable by the victim.

## Procedures for reporting

Anyone who experiences reprehensible conditions or has an unpleasant experience while working for NN is encouraged to report it. The term reporting can seem very serious. The goal is to create a good culture for feedback and to lower the threshold for reporting situations and experiences that are problematic, unpleasant or worthy of criticism.

- We would like anyone who experiences anything unwanted, whether major or minor, to report it. It is also possible to report cases that concern others.
- All notifications will be treated confidentially.
- The general manager has formal responsibility for considering received cases. If the case concerns particularly serious incidents, the matter must be reported to the police, and the employer must not start a separate process.
- Cases must be dealt with quickly and good information about the process must be provided to the parties involved.
- The person whom the notification concerns is entitled to respond and the employer must safeguard both/all parties.
- As an employer, NN is obliged to investigate all feedback and notifications. The employer must speak to both/all parties individually. Any joint meetings should only take place at the request of the one reporting.
- Minutes must be kept.
- The manager must make an assessment of the case and give an appropriate reaction that both or all of the parties involved are informed of.

### **How do I report something?**

There are no formal requirements for reporting. It can be done verbally, in writing, via email, SMS or digital solutions. A manager who learns of harassment has a duty to act.

To facilitate a tidy process, it is helpful to describe the situation in writing, by noting down the time and place, what happened and how you reacted. Also, it is crucial to keep any evidence of unwanted sexual attention, unfair differential treatment or other undesirable conditions.

Preferably, the victim should make it clear to the person who is harassing them that their behaviour is unwanted, distressing or offensive. However, it is important to acknowledge the difficulty that can come with standing up for oneself, especially if the power relations are uneven between the parties, which is often the case in a work context. The legislation states that if the behaviour is sufficiently serious, it is not a requirement for the victim to speak up, because one could expect the person to have understood the severity of their behaviour.

Anyone who experiences harassment or discrimination can also seek advice from their trade union, from the Equality and Anti-discrimination Ombud, and from Balansekunst's advisory hotline, tel. (+47) 400 38 800

You can provide written or verbal notification to one of the following contacts:

- General manager
- Chair of the board
- Safety representative
- Other

You can also report a matter anonymously.

Anonymous notifications can be submitted via the following website:

**[URL]**

Please note that anonymous notifications limit NN's possibility to follow up and investigate the matter.

### **Handling cases**

If the harassment is severe enough to be classified under the Penal Code, the employer should, in consultation with the affected individual, consider reporting the incident to the police. If the victim wishes to involve the police, an internal investigation should not be conducted to avoid potentially compromising or destroying evidence.

In cases involving sexual harassment and discrimination that violate the Equality and Anti-Discrimination Act and/or company guidelines, the employer or another responsible person within the company must handle the case.

The person handling the case should speak separately to each party involved. Both the one reporting and the person accused of misconduct are allowed to have a supporter present at the meeting. If any witnesses were identified by the parties, they should be interviewed to determine if they observed the alleged events.

Dialogue between the parties should only take place if the one reporting desires it. The person handling the case must keep detailed records of all meetings and ensure that both parties are well informed about the process of the case. Also, they have an obligation to maintain confidentiality, but must take action if they become aware of harassment that could jeopardize a healthy work environment.

The person handling the case and conducting the investigation must evaluate and reach a conclusion regarding the case. They should also consider appropriate sanctions if the accused person is found to have violated the guidelines.

Typically, sanctions cannot be imposed on individuals whose connection to the employer/client is more peripheral than those mentioned above. The person in charge of the notification must consider whether the accused individual can be investigated or sanctioned.

Possible sanctions:

- A chat
- A serious talk
- A clear/written warning
- Reassignment
- Deprivation of responsibility
- End of cooperation
- Dismissal with notice (must be in accordance with the Working Environment Act Section 15)

It is essential that all parties involved in the case receive information about the conclusion and outcomes. The ultimate objective is to achieve reconciliation and restore a healthy working environment.