Agenda for Change report
Introduction
This is a moment of change. A raft of allegations has shone a spotlight on sexual harassment in our industry – behaviour that was never acceptable and should never have been tolerated. It is now incumbent on all of us to create a culture shift.

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Equity has always championed the rights of our members. We are, and will remain, a safe space for workers from across the entertainment industries. We are the first line of defence against bad behaviour and the go-to source of advice whenever our members face problems of any kind. We want to empower members affected by bullying, harassment or sexual harassment to come forward with their experiences and we will support them when they do.

We strive to be more effective still. In response to the testimonies on sexual harassment last autumn, we conducted a members’ survey and established a working group which took evidence from a wide range of interested parties including other unions, trade bodies and vocational training providers. This work produced nearly 200 ideas and forms the basis of this report.

The report focuses on sexual harassment but recognises sexual harassment is on a spectrum of bad behaviour that also includes bullying and harassment. It offers a string of action points, for Equity and for the people, organisations and venues with whom our members work.

There is often a sexual element - sometimes obvious, sometimes subtle - in the work our members do. Clear boundaries that should be always present in these situations are not always recognised and at worst are ignored. This is a problem that can extend to audiences who sometimes fail to differentiate between a performer and the fictional character they are portraying.
Equity members work across the creative industries, in film, television, radio, audio, new media, theatre, opera, dance, modelling, circus, variety and live entertainment, both on and outside union contracts and agreements. The union is uniquely placed to be their voice and secure the safe working environment to which they are entitled.

The union will actively oppose all forms of harassment, prejudice and discrimination whether on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, ethnic or national origin, class, caring responsibilities, or other status or personal characteristic.

This report focuses on sexual harassment. Perpetrators, who are often in positions of power and influence, have thrived in part because members feel vulnerable and indebted, and fear that speaking out will affect their current work or future employment.

The longer-term aim must be to address and change inappropriate attitudes and behaviour in our industry, an industry which for many years has included - and, we believe, in some cases protected – perpetrators.

We are demanding a more professional working environment where our members and future members will not have to endure or observe sexual harassment and where perpetrators understand there is nowhere to hide. Now is the moment to redress the power imbalances, promote a culture of respect and create better working conditions for all.

Maureen Beattie. Equity Vice-President

The Union

Equity has more than 43,000 members - actors, models, stage managers, directors, stunt workers, designers, singers, dancers, choreographers, comedians, circus and variety acts and other entertainers. There is a solidarity in numbers and a strength in standing together.

The nature of work in the creative sector - including insecurity of employment and, often, low pay – is the backdrop here. An overarching problem is a general lack of proper respect for the professionalism of our members, whose skill makes their work look easy. As sexual harassment is mainly, though certainly not exclusively, suffered by women, the broader context is the continuing gender inequality in society at large.

Equity is taking a lead in creating the culture shift that is the proper response to the tide of horrifying revelations of sexual harassment. We have started work at home, examining what more can be done to improve the union’s own procedures and its support for members. We now have an additional staff member to give advice and have improved our helpline. We will conduct an awareness campaign. The wider demand in this report is of those who hold positions of authority and manage the industry. We are asking engagers, agents, casting directors and boards to have and enforce proper codes of conduct. These documents must not be an administrative exercise, a sticking plaster over the collective guilt of past failures. Equity not only expects these policies to be put in place but we will use them to hold engagers to account. They must be the levers of real change. Discussions continue but a new approach can start today. Engagers must commit to listening to complaints of sexual harassment with sensitivity as well as objectivity. There should be zero tolerance of behaviour that - under the Equality Act 2010 - is against the law.

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for tackling problems when they arise. Any retaliation against members who report sexual harassment will not be tolerated.

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What the union will do:

- **Internal procedures**
The union is starting work at home. Equity's Council, the elected governing body, has already agreed that the union will review its own policies and procedures on how to deal with allegations of bullying, harassment and sexual harassment.

Equity staff will be fully trained in how to deal with these issues and in the law. Equity deputies, the union’s workplace representatives, will also have special training on what to do if sexual harassment is reported to them.

- **Contracts, industrial agreements and non-disclosure agreements (NDAs)**
Future Equity contracts and industrial agreements covering performers, stage managers and creative teams will aim to reference engagers’ own policies on dignity and respect at work. We also aim to include the principles laid out in Equity’s July 2017 Manifesto for Casting in our industrial agreements. Until then, dignity and respect at work policies should be attached to contracts.

Equity has particular concerns about non-disclosure agreements (NDAs). We have been alerted to NDAs which include provisions forbidding anything that occurs in the casting or production space to be made public. The implication is that such agreements could prohibit the disclosure of inappropriate behaviour.

The union is asking the industry for an open conversation on the scope and purpose of NDAs. The signing of an NDA at any stage - or any other agreement, including release forms signed by models - should not have the unintended consequence of creating a safe haven for bullies and harassers.

- **Awareness-raising campaign**
Equity will launch a campaign to raise awareness among our membership, signal the union’s leading role in preventing and dealing with sexual harassment and promote the Equity helpline.

Taking inspiration from initiatives including ‘Not In OUR Space!’ run by Canadian Actors’ Equity Association, the union will produce a striking image as a focal point for the campaign. It will feature on posters and other materials which we will send out to known workplaces and casting spaces, and in the information provided to Equity deputies, the union’s workplace representatives. The aim will be to ensure that what constitutes sexual harassment is understood at every level.

The awareness campaign will be promoted as widely as possible, including at cast visits (visits by Equity representatives to productions), in all workplaces, and audition, rehearsal and training spaces, and in the information provided to Equity deputies, the union’s workplace representatives. The aim will be to ensure that what constitutes sexual harassment is understood at every level.

- **Equity helpline**
A dedicated member of staff on the Equity helpline – 020 7670 0268 - is now the first point of contact for any member who has concerns on bullying, harassment, sexual harassment or mental health.

They will assist members in identifying how concerns can be best addressed - whether through the appropriate union organiser or through other organisations offering support, advice or assistance. Out of office hours, messages can be left and the union will aim to respond as soon as it is able but no later than the end of the next working day. This is an additional resource. Members may still raise a
complaint of sexual harassment directly with their industrial, national or area organisers or the equalities and diversity organiser. If a member would – for whatever reason – prefer to talk to a different member of staff then this opportunity will also be made available to them.

Information may be given informally, in which case a member will be given a reference number and the information will be held for up to three months should they wish to take the matter further.

To help understand the scale and nature of the sexual harassment problem, the General Secretary will receive monthly reports on calls made to the Equity helpline and to organisers.

The union will promote the Equity helpline to other support services in the sector. It will ask other industry organisations to encourage Equity members to contact the union.

**No more bystanders**
The union is taking a lead: and we are all in this together. Through advice, training and the awareness campaign, Equity aims to give all members the strength to stand up to perpetrators. All union members who observe sexual harassment will be encouraged to call it out and will be supported when they do.

We understand not everyone will feel able to challenge a perpetrator directly. The union will take appropriate action if witnesses report instances of sexual harassment to us.

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**EQUITY WILL INVESTIGATE LEGAL CHANGES TO STRENGTHEN WORKERS’ RIGHTS AND PRESENT THESE TO GOVERNMENT**

**Intimacy**
Equity is examining the value and role of intimacy direction – where a specialist practitioner advises and protects performers engaged in scenes of simulated sex or nudity to ensure the work is appropriately choreographed, directed and supported. We are aware that the presence of a specialist practitioner will affect everyone in the space, not just the performers, and we will seek to ensure that all our members involved are supported.

The union will also work to ensure that the nature of a role is fully explained when contracts are signed and that any intimate scenes in a script or performance are discussed with the performer and agreed in advance. Any further changes to what has been agreed must be discussed and the performer’s consent given. The views of the performer must be taken seriously.

**The Law**
Equity will investigate legal changes that would strengthen workers’ rights and present these to the government.

**Legislative changes to general workers’ rights that have been already identified as of potential benefit to performers include:**

- Reinstateing the statutory equality questionnaire, axed as “red tape” in 2014, that used to allow claimants to ask engagers for information pertinent to a case of discrimination or harassment.
- Ensuring that third party harassment claims are recognised as an engager’s legal responsibility.
- Seeking to strengthen the Equality Act 2010 for example to include all self-employment
- Extending the time limit for lodging a claim of sexual harassment from three months to at least six

**The Industry**

**Engagers**
Equity welcomes the action that many engagers and their representative bodies have already taken to identify problems and improve policies and procedures.

Every engager must have clear and robust policies including reporting structures, whistleblowing and grievance procedures for workplace bullying, harassment and sexual harassment. These policies, often referred to as dignity and respect at work policies, should also cover third party harassment - from people including audience members, donors or support staff – and stress that inappropriate behaviour will not be tolerated from anyone, whether management, creative team, cast, stage management or crew, regardless of their status. It should be clear that sexual harassment is a disciplinary offence. These policies will be used by the union to hold engagers to account. We will detail the duties and responsibilities of engagers more fully in all future collective agreements and continue to cooperate with them on this work.

Engagers should recognise that unwanted sexual “banter” or small slights to the dignity of workers, if unchallenged, can also foster an environment where harassment takes place more easily. As already outlined, Equity has particular concerns about the use of non-disclosure agreements and is seeking an open conversation with the industry about their scope and purpose.

**What the union is asking of engagers.**
**All engagers should:**

- Adopt clear and robust policies on dignity and respect at work, including third party harassment
- Give clear examples of what constitutes inappropriate as well as illegal behaviour in their dignity and respect at work policies
- Attach their dignity and respect at work policies to all contracts for cast, stage management and creative team members. These should be read and signed when the contract is signed
- Publicise their policies verbally and

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Footnotes

1 http://discriminationhelp.org.uk/final-farewell-equality-act-questionnaire-procedure/

in written materials, such as staff handbooks and leaflets or posters for notice boards, rehearsal spaces, green rooms, locations and studios, clearly demonstrating that they take them seriously; this should be done regardless of the length of the engagement

> Identify a go-to person who is given the proper training to deal with incidents in a sensitive, confidential and objective manner
> Ensure that any complaint is dealt with appropriately, including the possible use of independent advisors or lawyers
> Ensure non-disclosure agreements cannot protect perpetrators of sexual harassment
> Refer any Equity member who complains of sexual harassment to the union for advice and help
> Aim to work with others who have good policies and practice
> At the start of every new rehearsal period, read-through, workshop etc. confirm verbally that they have a policy of zero tolerance to bullying, harassment and sexual harassment
> Share good practice across the sector.

The union suggests that representative bodies, such as UK Theatre, the Society of London Theatre (SOLT), the Independent Theatre Council (ITC) and the Producers Alliance for Cinema and Television (PACT), should make the adoption of proper dignity and respect at work policies, and the training required for enforcing them, a condition of membership.

AGENTS SHOULD ENSURE THEIR CLIENTS ARE AWARE OF THE EQUITY AGREEMENTS GOVERNING NUDITY

Agents
All agents should acknowledge their duty of care to clients and should have a code of practice which includes dealing with allegations of sexual harassment brought to them by their clients. We will work with agents to ensure that agreements with engagers governing nudity and simulated sex are adhered to.

What the union is asking of agents.
All agents should:
> Advise and support their clients if they experience or observe sexual harassment
> Have a clear and robust code of practice which includes how to deal with allegations of bullying, harassment and sexual harassment brought to them by their clients
> Ensure their clients are aware of the terms of the Equity collective agreements that govern nudity and simulated sex
> Ensure performers are advised in writing of the extent and nature of any nudity and/or acts of a sexual nature in advance of entering into a contract and ensure the full terms and conditions are agreed in advance of the first day of engagement
> Ensure engagers adhere to these terms.

Casting Directors
Equity has already made great strides in offering clear and practical guidelines in its Manifesto for Casting launched in July 2017. This responded to members’ concerns that included feeling isolated in auditions and being asked inappropriate questions.

The Casting Directors’ Guild (CDG), which represents many though not all casting directors, has now launched a new code of conduct for its members. Equity welcomes this move.

What the union is asking of casting directors.
All casting directors should:
> Adopt the Manifesto for Casting as principles of best practice
> Produce an appropriate code of conduct. Details of good practice in holding auditions and castings follow later in this report.

Boards
It is the duty and responsibility of governing boards of companies and organisations to do everything they can to protect and support all their workers, whether employed or freelance and regardless of seniority. Boards should undergo periodic training to ensure there is an understanding of statutory duties and how to achieve best practice.

What the union is asking of boards.
All boards should:
> Understand that sexual harassment often arises from a misuse of power and status
> Strive for gender balance, inclusion and diversity, to encourage better decision-making and create an organisational culture where harassment will not be tolerated
> Undergo periodic training on statutory duties and best practice.

Educators and training providers
Empowering and building the confidence of the future generation of performers, stage managers and other creatives often begins in vocational training. Although Equity strives to create conditions where harassment does not take place, it is practical for educators and vocational training providers to prepare students for the world of work, including an understanding of personal space and boundaries, consent, acceptable behaviour and dealing with unacceptable behaviour.

The relative youth and inexperience of students, and the enclosed community of vocational training establishments, make students particularly vulnerable to sexual harassment from both resident and visiting professionals, who may be influential figures in the sector.

What the union is asking of educators and vocational training providers.
All educators and vocational training providers should:
> Have clear and robust policies on bullying and harassment which are understood by all students
Ensure all staff and visiting professionals understand the policies and are trained in them

Promote the union as the go-to resource on work issues as early as possible

Prepare students for the world of work, including training in how to deal with harassment.

The union notes that the Council for Dance Education and Training (CDET) is undertaking an anonymous survey of all students in its accredited schools, offering students the opportunity to pinpoint where training could be improved. Other schools should do likewise.

The workplace

There should be a clear visual presence from the union, such as posters and other materials, in known workplaces and casting suites confirming that inappropriate behaviour or language will not be tolerated.

Castings and auditions

Equity believes that professional recruitment processes that have been long adopted as appropriate by other sectors would help eliminate opportunities for sexual harassment in the creative sector.

Codes of conduct for casting directors, as already outlined, are a start. But the union also requests the provision of safe spaces for castings and auditions, designed to bring out the best in applicants.

The union recommends that castings and auditions should:

Be held in accessible, appropriate and recognised work spaces

Reflect the CDG Code of Conduct that states casting directors should “refrain from facilitating and actively discourage one-to-one meetings in non-professional environments”

Be conducted in the same manner as other work-related recruitment

What the union will do in vocational training establishments:

The union will

Develop the Equity student deputy network of student representatives

Conduct an annual student survey to review and improve the relationship between the union and students

Encourage student deputies to report on how bullying and harassment policies operate in their schools

Maintain regular contact with and visits to vocational training establishments.
processes, with a clear remit and questions and avoiding inappropriate familiarity. Applicants should be considered on the merits of their audition, and on their ability to fulfill the requirements of the role.

Make sure that if an audition is filmed the film is not used or distributed for any other purpose without the consent of the performer.

Not include requests to undress in whole or in part unless a mutually agreed observer is present.

Not include requests to perform simulated sex acts.

Equity further recommends that recruiters make the requirements and nature of the job clear to our members. Models’ agencies should speak regularly with their models about what they are comfortable with in advance of shoots.

Fair recruitment processes, as outlined in Equity’s Manifesto for Casting, should be part of the training for directors and producers across the entertainment industry.

Workplaces and venues

Equity members work in a wide range of environments where engagers have a duty of care, from pubs, clubs and holiday camps to theatres, film sets, television studios and on location.

What the union is asking of workplaces and venues.

Workplaces and venues should:

> Provide changing facilities which are respectful of privacy and take our members’ needs into account.
> Have robust policies on bullying, harassment and sexual harassment which should be clearly communicated to all those working in the workplace or venue.
> Recognise audiences can be the perpetrators of bullying, harassing or sexually harassing language and behaviour and ensure the workplace or venues’ policies on bullying, harassment and sexual harassment are clearly communicated to audiences.
> Have a trained person in the workplace or venue to whom concerns can be reported by victims or witnesses.
> Ensure that adequate security is in place to protect our members, both in the workplace or venue and in accessing and exiting the workplace or venue including parking areas.

The union further recommends that venues which hire out their space to visiting companies and others should require hirers to demonstrate that they have their own anti-harassment policy or that they will comply with the workplace or venue’s policy.

Conclusion

Many engagers are now making considerable efforts to improve existing dignity and respect at work policies and provide training and support on good practice. Educators, agents and casting directors are among those also introducing codes of conduct.

Equity is encouraging all organisations that work with our members to adopt robust procedures and we will work with everyone who has a role to play in transforming workplace culture. The union believes everything possible should be done to create a climate of zero tolerance on sexual harassment.

The challenge is not only to have the right codes of conduct in place but for people to uphold and act upon them.

All workers need to feel confident that they will be treated with respect and taken seriously if they report sexual harassment. The power of the perpetrator comes from people being afraid to speak up because they fear the consequences. Victims of harassment should know they will be listened to and must not fear retaliation for speaking out.

We strongly urge everyone to challenge bad behaviour. To intervene is to do the right thing. Laughing off unwanted sexual “banter” and ignoring small slights contribute to fostering an environment where sexual harassment can take place. Witnesses will receive our strong support if they come forward to report what they have seen.

But it should not be up to brave individuals to make a difference. In this report, we make demands of those who hold positions of authority and manage our industry because they have a duty and responsibility to provide a safe working environment. Their policies and codes of conduct must not be a box-ticking exercise but statements of genuine intent and action. The union is putting the industry on notice that we will be using these policies and codes to hold them to account.

We must all play our part. Organisations such as the Arts Councils, Creative Scotland and the British Film Institute (BFI) must continue to use their leverage with those they fund. Other public institutions such as the BBC must respond conscientiously to concerns raised about conduct. All engagers must raise the bar and recognise the status quo cannot stand.

That also means addressing the gender and power imbalances in our workplaces. Women are not the only victims of sexual harassment, but it does overwhelmingly affect them. Appointing, promoting and supporting more female-identifying directors, producers, board members, cast and crew will be important in making progress on tackling this problem.

Equity has defended its members’ rights for nearly 90 years and the campaign for equality and against bullying, harassment and sexual harassment is not a new one. But shock at the breathtaking scale of ugly, demeaning behaviour that has been exposed in recent times creates an opportunity to stamp out sexual harassment for good. It is an opportunity we must all seize.
Summary of action points

Equity will:
- Run an awareness campaign for our membership, including advice and training
- Widely promote our dedicated helpline
- Review and update our own procedures
- Encourage members to tackle or report instances of bullying, harassment or sexual harassment, whether they experience it or observe it
- Encourage an industry-wide culture of no more bystanders
- Work with other bodies to create workplaces where harassment is not tolerated
- Examine the value of intimacy direction in scenes involving nudity and simulated sex
- Aim to incorporate the dignity and respect at work policies of engagers into future contracts and industrial agreements
- Investigate ways to prevent the misuse of NDAs and to strengthen legal rights for workers including improving access to justice for victims of sexual harassment
- Lobby to change laws that would strengthen workers’ rights

Engagers must:
- Adopt clear and robust policies and procedures which stress that sexual harassment will not be tolerated from anyone, regardless of status
- At the start of every new rehearsal period, read-through, workshop etc. confirm verbally that they have a policy of zero tolerance to bullying, harassment and sexual harassment
- Attach these policies to all contracts, to be signed with the contract
- Ensure their codes of conduct are publicised and enforced in all workplaces or venues

Agents and casting directors must:
- Adopt clear and robust codes of conduct
- Ensure clients/applicants have full, clear information on the nature of an engagement, with particular attention to agreements governing nudity and scenes of a sexual nature
- Ensure castings and auditions are conducted professionally in appropriate workspaces.

Boards must:
- Protect all workers, whatever their status
- Strive for gender balance, inclusion and diversity to create an organisational culture where sexual harassment will not be tolerated
- Undergo periodic training to ensure there is an understanding of statutory duties and how to achieve best practice.

Educators and vocational training providers must:
- Have clear and robust policies on bullying and harassment which are understood by all students
- Ensure all staff and visiting professionals understand the policies and are trained in them
- Prepare students for work including training in how to deal with harassment
- Promote the union as the go-to resource on work issues.

Workplaces and venues must:
- Provide changing facilities which are respectful of privacy and take performers’ needs into account
- Ensure the workplaces or venues’ policies on bullying, harassment and sexual harassment are clearly communicated to audiences
- Ensure everyone using the workplace or venue either has its own anti-harassment policy, or is signed up to the workplace or venue anti-harassment policy.

Identify a trained go-to person with whom problems can be raised
Not allow non-disclosure agreements to create a safe haven for sexual harassment.

This is our checklist of action points necessary to secure change. The list is not exhaustive and will not be the final word. But we believe these demands are a crucial first step.

However, the real challenge in tackling sexual harassment lies with those who hold positions of authority and manage the industry.

www.equity.org.uk
MOTION FROM VICE-PRESIDENT MAUREEN BEATTIE TO EQUITY COUNCIL, 7 November 2017

Given the recent groundswell of testimony from people in our industry who have either suffered personally from sexual harassment or been witness to others being abused, and the unprecedented amount of coverage in the media in the wake of the Harvey Weinstein scandal, now is surely the time for Equity to reconsider how it deals with this issue on a wider basis.

Whilst Equity takes up issues of sexual harassment on behalf of members in the various workplaces, it could look at alternative ways to prove itself to be the first line of defence against such behaviour.

We have done much to respond to calls for the union to offer more help to those who suffer such abuse, but recent testimonials suggest that a radical change is needed and we, as the pre-eminent organisation within the field, need to do more.

We now have an opportunity - an opportunity which may not come our way again for many years - to harness the energy released by the Harvey Weinstein scandal, and rethink the way we deal with sexual harassment, both within the structures of our union and in the wider world of our industry.

I therefore ask Council to agree to the forming of a working group headed by myself and Christine Payne to look into these issues and report back to council. The first task of the group would be to gather together and collate all the excellent, and often radical, ideas put forward by organisations like ERA, The Royal Court, Women@Rada, our own equalities committees, the Stage Management Association, etc. and the ideas and testimonies of our individual members whatever their sexual identity, and present them to council with the group's recommendations.

As time is surely of the essence, I suggest the group remains small and therefore light on its feet - I would suggest eight members including Christine and myself, the chairs of our four equality committees and two councillors to be decided by a ballot of the council. As it is undoubtedly true that the toxicity of sexual harassment permeates every section of our industry - not just performers - I would hope that the working group would reflect that fact.

Again, in the interests of moving things along, I would ask that if possible the voting process to form the group is completed no later than Friday November 17 - earlier if possible - so that the group have time to collate all the information I have no doubt will come their way in time for council on December 5.

PROCESS: WHAT EQUITY’S SEXUAL HARASSMENT WORKING GROUP DID

Equity council set up a sexual harassment working group in November 2017 in response to a motion from vice-president Maureen Beattie. The group met four times between November 28, 2017, and January 16, 2018.

This report brings together the insight and advice gathered by the working group and action points agreed by Equity council.

The working group considered the responses from members to a survey circulated in November and December. More than 340 members put forward ideas for tackling sexual harassment in our industry.

It also met with representatives of Directors' UK, Stage Directors' UK, Stage Management Association, Equity directors and designers committee, Equity stage management committee, BECTU, Equal Representation for Actresses, Women in Film and TV, Women@RADA, The Diversity School, Raising Films, Federation of Drama Schools, Council for Dance Education and Training (which also represents some drama schools), One Dance UK, Conservatoires UK, and the chair of or a representative from each of Equity's industrial, specialist, national, deputies and young members committees and the comedians and circus networks.

Separate meetings and conversations were held with the Personal Managers Association, Casting Directors' Guild, UK Theatre/SOLT, Independent Theatre Council (ITC), Incorporated Society of Musicians (ISM), Theatrical Intimacy, Ita O'Brien, British Film Institute and The Old Vic. Members of the working group also met individually with Equity members who wished to remain anonymous.

The working group received a written report on the views of the young members committee and the ensemble network.

The working group reviewed the work of other organisations, including by the Royal Court Theatre and Women in Film and Television Ireland.

It also reviewed a number of existing policies on dignity and respect at work covering bullying and harassment.

Through the International Federation of Actors (FIA)'s sexual harassment working group, Equity gathered information on what performers’ unions around the world are doing to challenge inappropriate behaviour and influence real change.

The union records its thanks for the insight and wisdom of all who contributed to this report.

Louise Jury, a writer and communications consultant, was asked to reflect the discussions and edit the findings and recommendations to produce this report.