

# Tyneside Cinema Review Executive Summary



Turning Moment

Autumn 2020

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## Executive Summary

### 1. Acknowledgements

Thank you to all those who have contributed to this review. People have spoken candidly about their experiences and views. For some, this was a harrowing experience. We have worked hard to incorporate contributors' views comprehensively.

### 2. Background and Introduction

In March 2020, historic allegations of sexual harassment and abuse were made by current and former Cinema staff on Twitter. Approximately 100 staff collaborated to sign a joint letter asking for change. In response, Turning Moment were appointed by the Cinema and the review commenced on the 13<sup>th</sup> July 2020.

### 3. The Review Team

The review team consisted of five members who have many years' operating experience in human resources, mediation and social research in different types of organisation, including charities. They were led by Dave Barrett.

### 4. Review Scope

Although a number of different types of concern were raised by current and former staff, the scope of the review was specifically focused on *'the organisation's people policy, practice and culture, and its relationship with/impact on leadership and employee experience at all levels'* (quoted directly from the candidate scoping brief). The objectives were to:

- Conduct a desktop review of previous investigation cases relating to sexual harassment allegations.
- Complete a series of in-depth discussions with staff.
- Devise and administer a questionnaire to all staff.
- Compile a series of recommendations based on the review findings.

Turning Moment agreed a specific contract to achieve these objectives; the review scope was then expanded to include contributions from former staff.

### Limitations of Scope

It was not part of our objective to make factual findings in relation to the historic allegations discussed in this report. It was not within the remit of Turning Moment to conduct any such fact-finding investigation (and we did not speak to all of the individuals involved or alleged to have been involved). It is important to understand that this report should therefore not be read as making any such findings in relation to any of the alleged incidents referred to. The purpose of this report is to address the way in which those allegations were handled within the organisation and identify the lessons that can be learned from that review process.

### 5. Publication of the Report Findings and Recommendations.

The Cinema committed to publishing the findings of the report to staff, stakeholders, and review contributors. All contributor identities are protected by anonymisation. The report is protected by a legal agreement and must not be shared beyond named individuals.

### 6. Review Operating Context

We have been pleased with the overall level of engagement in the review although the context for it has been challenging for all those involved. There have been four factors that potentially affected the efficient running of the review and, we suspect, limited some participation:

- **Covid-19:** Increased stress levels – other issues may have been a higher priority.
- **Trust in the Review Process:** Scepticism regarding the review's independence and impartiality.
- **Redundancy Programme:** The stress of this for staff was a much higher priority.
- **Twitter Campaign:** Some people were unwilling to participate because of this.

### 7. Communication and Engagement

Full engagement and participation in the review was essential to its success and credibility. In order to engender trust and demonstrate our independence, we communicated directly with participants; doing this through the review commissioner (the Trustees) was impossible because trust between the Cinema, staff and former staff was at an all-time low.

### 8. Methodology and Approach

The key elements of the review were:

- Initial preparation.
- Human Resource Desktop review.
- Deciding on who to contact.
- Contacting staff and former staff.
- In-depth discussions.
- Questionnaire design.
- Questionnaire rollout.
- Analysis.
- Final report.
- Communication, enquiries and feedback

This type of review process differs from other types of formal HR process in that anonymity was required for people to feel safe enough to share their views. Permission was sought from each contributor to use the quotations presented in the main report.

The data for the review was obtained from four different sources:

- A desktop review of previous investigation cases.
- 100 returned questionnaires.

- 43 two-hour in-depth discussions.
- 16 personal statements.

The information we reviewed was a mix of quantitative survey data and over 850 qualitative quotations. For the Executive Summary, quotations have been amalgamated and expressed as statements that capture general sentiment and protect identities. The quotations are presented fully in the main body of the report.

### **8.1 Questionnaire Data Summary**

100 (58%) responses were returned, giving a confidence level of 95% that the responses are representative of the whole sample. Of these 100 respondents, 55 (55%) were female, 49 (49%) came from the creative and technical sector. Those who listed themselves as 'other' included individuals working in the kitchen and external contractors. 45% of responses came from customer-facing roles. Current members of the workforce represented a slightly higher proportion of respondents than former employees. The composition of the respondents reflects the overall composition of the Cinema's staff, according to the sample provided.

### **8.2 In-depth Discussions**

The main purpose of the in-depth discussions was to create the opportunity for contributors to tell and share their experiences. Many people we talked to and corresponded with became distressed as they recounted their experiences to us. The quotation statements presented in this summary are synthesised from hundreds of quotes to protect people's identities.

### **8.3 HR Desktop Review**

This reviewed case files, policies and procedures to understand if there are opportunities for the Cinema to reduce the likelihood of incidents of sexual harassment occurring in the future.

### **8.4 Statements**

We reviewed the data and information that was provided in 16 personal statements and validated this by comparing it with the data collected via the other survey methods.

## **9. Recommendations**

The recommendations in this report are not legally binding and have no legal standing. The review team cannot enforce them. However, the Chair of Trustees publicly stated that all the recommendations in this report will be implemented. Based on our findings, we have made a total of 74 recommendations ([Summary of Key Recommendations](#)).

## **10. Definitions**

It has been widely alleged by staff and former staff that there has been a culture of sexual harassment, abuse and day-to-day bullying and harassment of staff. It is important that these terms are briefly clarified (Refer to [ACAS](#) for further information):

**Sexual harassment** is unwanted behaviour of a sexual nature. It can happen to men, women and people of any gender or sexual orientation. It can be carried out by anyone of the same sex, opposite sex, or anyone of any gender identity. Employees or workers could experience sexual harassment from anyone they come into contact with because of their job.' (ACAS definition).

**Sexual violence (Abuse)** is defined as any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.' (World Health Organisation).

**Bullying and harassment** are offensive, intimidating, malicious or insulting behaviours, an abuse of or misuse of power through means intended to humiliate, undermine, denigrate or injure the recipient. It may be persistent or an isolated incident. It can also occur in written communications, by phone, email, social media, not just face-to-face. Whatever form it takes, it is unwarranted and unwelcome to the individual.' (ACAS definition).

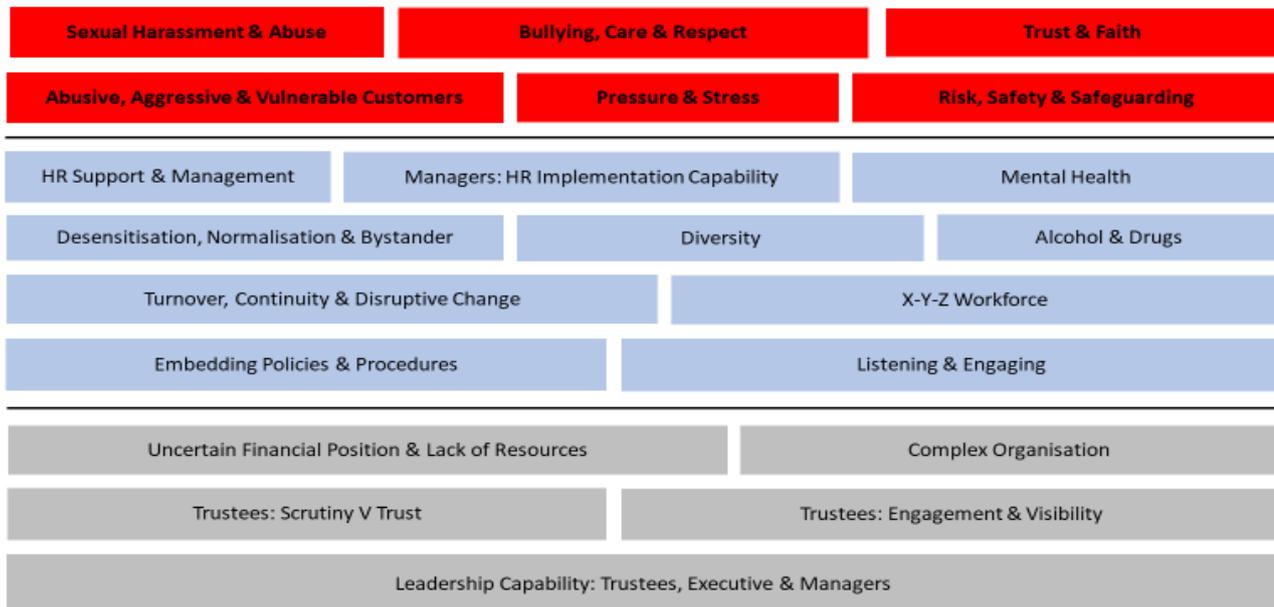
## 11. Key Findings

We have structured our findings in the following way:

- **Presenting Issues (Red):** The issues that staff have clearly reported or discussed with us.
- **Complicating Factors (Blue):** The deeper issues in the Cinema's culture and ways of working.
- **Deep Underlying Issues (Grey):** The foundational issues sitting deep in the operation. Each of these categories has been summarised in graphs in this summary.
- **Conclusions:** These clearly set out our thoughts on what can be inferred or established from the data and information we collected.
- **Recommendations:** The mitigating factors and actions that are likely to improve the situation.

Everything described in our report is based on the above data sources. All four of these data sets corroborate one another. This means we have confidence in our findings.

### 11.1 Key Findings Infographic



### 11.2 Overall

In our discussions, staff described a workplace of extremes, where some staff have few problems and enjoy their work, whilst others have experienced serious and persistent issues. Review contributors described a range of experiences between these polarities. The severe nature of some people’s experience was shocking – allegations of sexual harassment, serious sexual assault, bullying, a lack of care and respect. The culture is divided, especially between senior leaders and front-line staff. Genuine concerns are not listened to or taken seriously. People described it as an ‘us and them’ culture.

A lack of transparency was described which was felt widely inside and outside the Cinema. Although there have been allegations of a cover-up, we have not found clear evidence of that; rather we have identified negligence and incompetence. The Cinema has made genuine attempts to resolve matters but, in the main, these have been inadequate, delayed and poorly executed - leading to further problems and issues. The Cinema’s leadership started a journey of professionalisation, but this was insufficient and did not adequately consider the level of support the leadership needed.

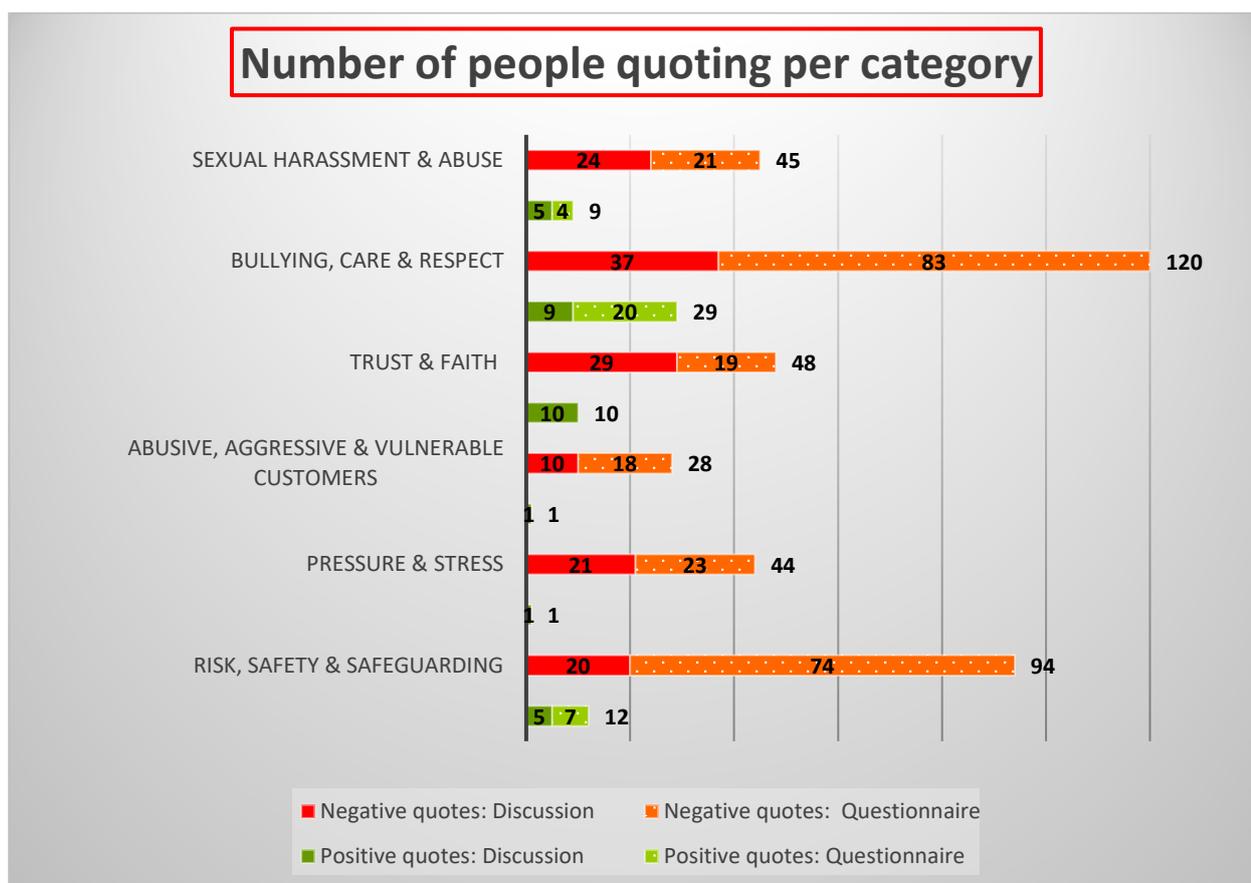
Ultimately, the Board of Trustees and Senior Leadership Team are accountable and have failed in their duty to protect some of their staff from harm and this has exposed those people to unnecessary hurt, distress and in some cases, long-term mental health issues.

Our report sets out how the Cinema needs to prevent these issues from reoccurring. Our recommendations are categorised into short, medium and longer-term measures. Successfully making the necessary changes will require the courage and humility to accept the mistakes of the past, the vigilance and tenacity to ensure further mistakes do not occur and finally, the ability of Trustees, leaders and staff to collaborate and galvanise around a clear purpose that will enable the Cinema to survive, heal and ultimately thrive.

### 11.3 Presenting Issues - Red

A combination of factors has led to several major Presenting Issues (Red) for the Cinema. The Graph 11.4 shows the number of people who talked about the Presenting Issues. The graphs underline the high numbers of people talking negatively, which are highlighted in red and orange. The numbers of people talking about positive issues are in green:

**Graph 11.4 – Presenting Issues:**



Below are synthesised examples of quotations, protecting the identities of review contributors. These quotations are categorised and support the information in the above graph (11.4).

#### Sexual Harassment and Abuse:

- ❖ Sexual harassment at the Cinema was well known. Women working there knew who the alleged perpetrators were, and it was common knowledge new female staff would be targeted. It was known that no-one would listen, or nothing would change if they raised it.
- ❖ I was never the victim of sexual harassment but the poor handling of the situation and lack of communication about what was happening, meant that I felt unsafe at work.
- ❖ I have been damaged forever by what has happened to me. If I’m ever sexually harassed at work again, I know the only thing I can do is to leave.

### **Bullying, Care and Respect:**

- ❖ Tyneside Cinema is the worst place I have ever worked. It feels like an abusive relationship – you don't want to leave but it's hurting you. I still can't walk past the building.
- ❖ There are some lovely people at the Cinema, but you don't realize until after you've left that you fell into a bullying-type culture and went along with it because you wanted to keep your job.
- ❖ My immediate managers are very supportive, but this isn't consistent across the organisation.

### **Trust and Faith:**

- ❖ Trustees and senior managers are not honest or open and are out of touch; as a result, there is no trust in them.
- ❖ You raise something with a manager, they say they'll do something about it but then nothing ever happens.
- ❖ My loyalty had been destroyed. The only way I could survive was to leave.
- ❖ The response of the Cinema to the allegations made on Twitter make me think that they simply don't care for their staff.
- ❖ The Chair of Trustees denied knowing about the abuse on regional TV. I cannot return to work there under the current management.

### **Pressure and Stress:**

- ❖ We do some great stuff but there's a lot of pressure to hit unrealistic targets. Everyone has a massive workload. It's overwhelming.
- ❖ People love the Cinema but feel over-worked and unappreciated.
- ❖ The place just isn't run properly. I used to end up in tears every day.
- ❖ The pressure to do too much makes good people behave in bad ways.

### **Abusive, Aggressive and Vulnerable Customers:**

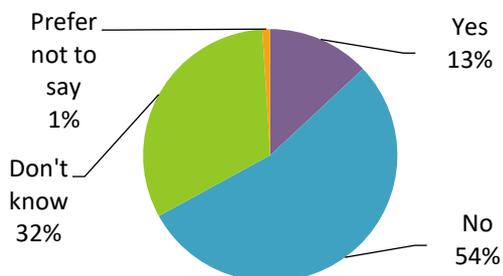
- ❖ My direct supervisors were good at dealing with troublesome customers. The problems lay higher up in the organisation.
- ❖ I feel powerless to ask groups of drunk men to leave the bar. There is no security and no-one to help me.
- ❖ A customer walked up to me and put his hand around my throat. When I reported this, I was told 'Yes, we know he sometimes does that'. Nothing was done about it.

### **Risk, Safety and Safeguarding:**

- ❖ Our team take safeguarding very seriously.
- ❖ It never felt like staff safety and well-being were priorities.
- ❖ I had to clear up sick and human fluids. I don't remember ever seeing a risk assessment.
- ❖ I didn't really feel cared for.

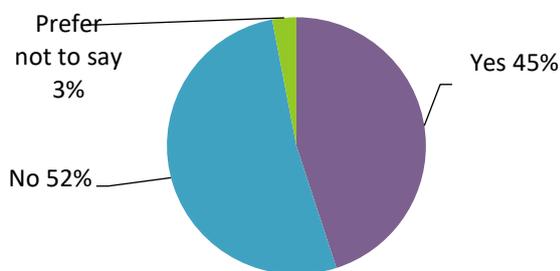
The following graphs are taken from the questionnaire survey. They underline the negative experiences that people described. This information is based on 100 respondents (Trustees, Managers, Staff, Former Staff and Stakeholders):

*Do you think Tyneside Cinema has taken any steps to improve safeguarding, such as managing and preventing abuse, harassment and bullying?*



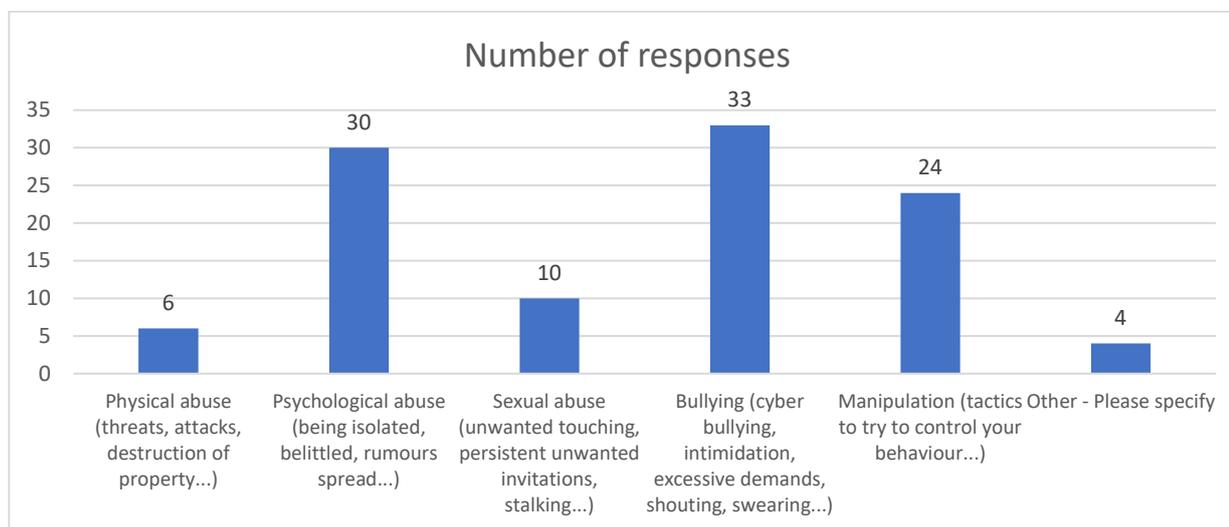
Over half of questionnaire respondents felt no steps had been taken by the Cinema to improve safeguarding. There was a lack of awareness among respondents of safeguarding measures at the Cinema.

*Have you ever experienced abuse, harassment or bullying while working at Tyneside Cinema?*



45% of respondents said they had experienced abuse, harassment or bullying. Former members of the workforce were more likely to state that they had experienced mistreatment than were current staff.

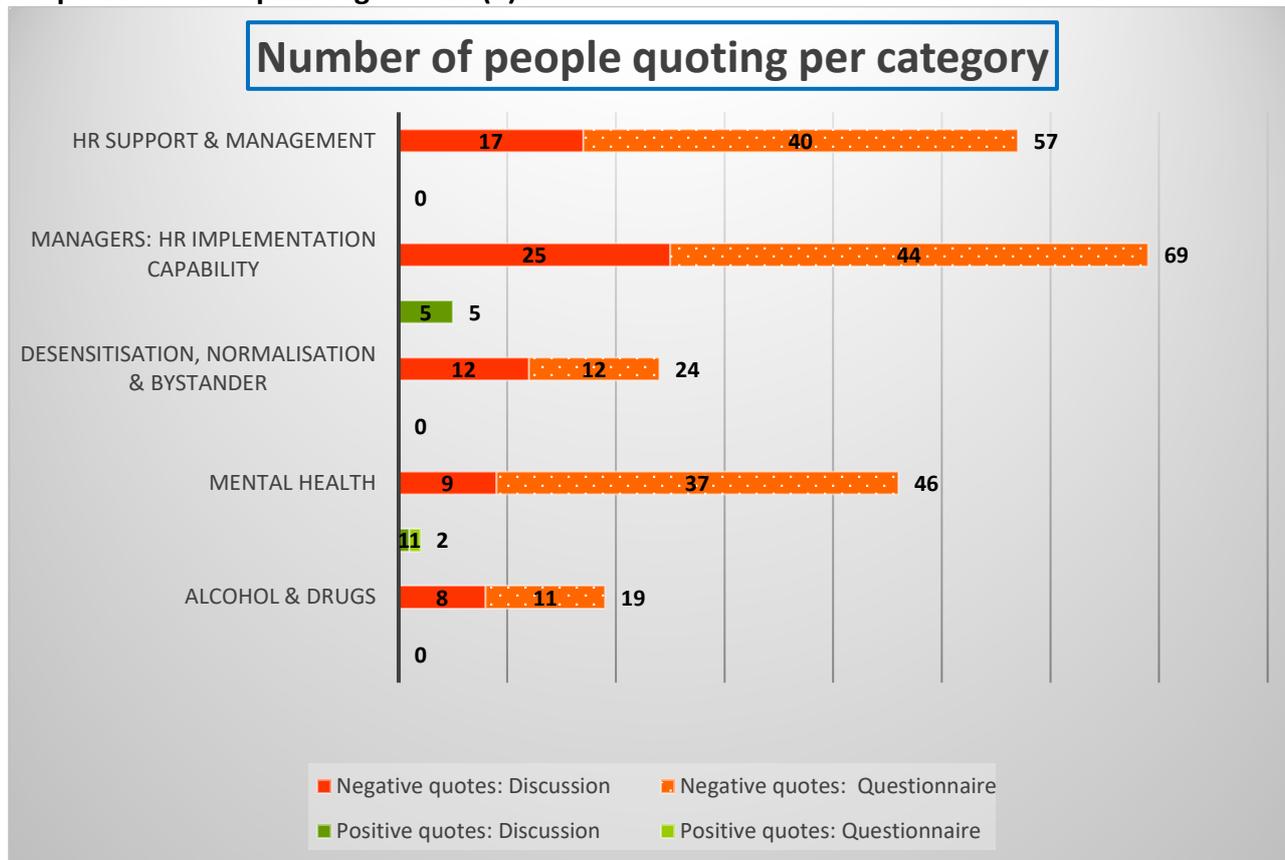
The graph below describes in detail the types of bullying and harassment people experienced:



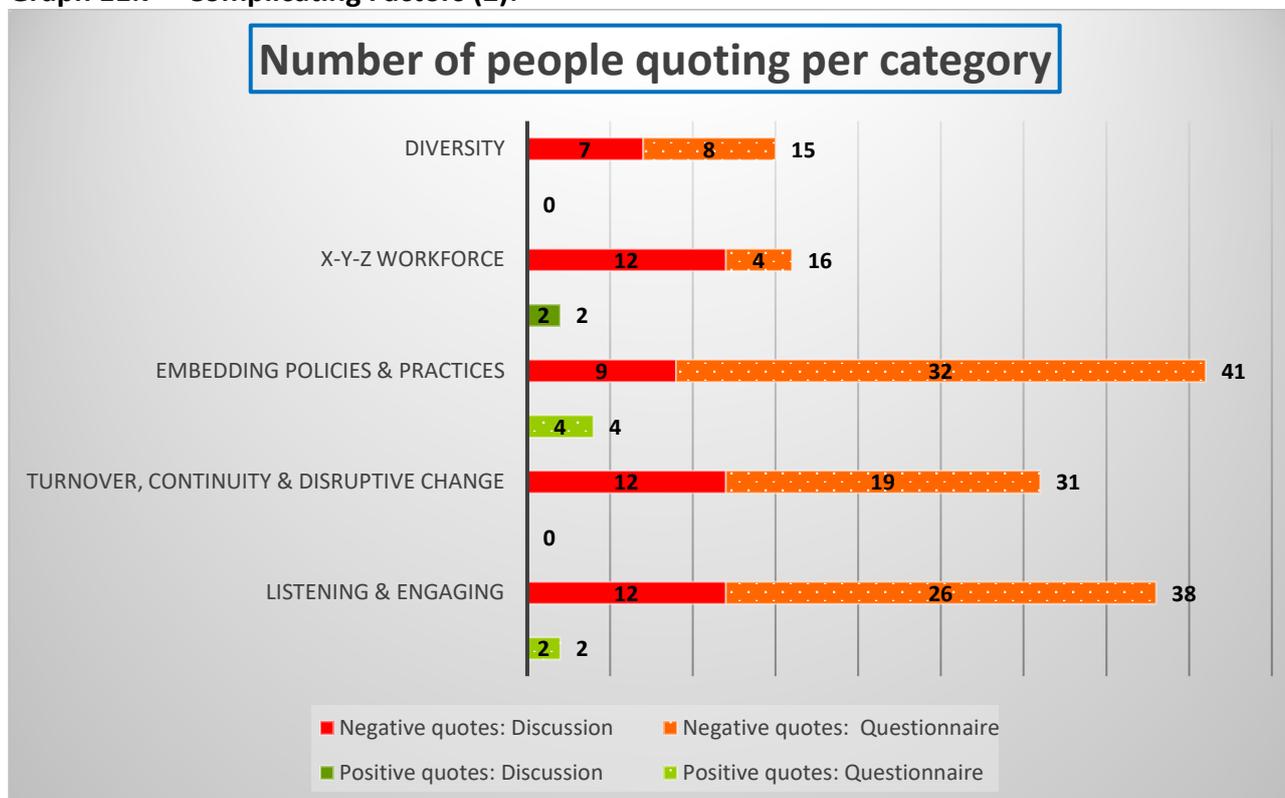
### 11.5 Complicating Factors - Blue

The Complicating Factors (Blue) affect the Presenting Issues (Red) by either contributing to or exacerbating their impact on staff and the culture. The two graphs (11.6 & 7) below show the numbers of people and the issues they described in relation to the Complicating Factors. The graphs underline the high numbers of people talking negatively, which are highlighted in red and orange. The numbers of people talking about positive issues are in green:

Graph 11.6: – Complicating Factors (1):



Graph 11.7 – Complicating Factors (2):



These are examples of review contributors' descriptions, synthesised into anonymous statements to protect identities. These quotations are categorised and support the information in the two graphs (11.6 and 11.7) above:

### **HR Support and Management / Managers: HR Implementation Capability:**

- ❖ We have increased investment in training for managers and want to do more.
- ❖ HR support has been inadequate and inconsistent. There is way too much to do and people (HR) just leave.
- ❖ Some staff confuse bullying with being managed. Difficult conversations need to be had.
- ❖ I think they wanted to do the right thing but did not know how to deal with issues as difficult as sexual harassment.
- ❖ There seemed little point in raising problems with managers as nothing was done about them.
- ❖ The policies are there; they're probably too bureaucratic but the problem lies more with a failure of the executive to apply behaviours and values. It was a case of 'if the policy is there, it's alright' – there was a greater focus on having it than using it.

### **Listening and Engaging / Turnover, Continuity and Disruptive Change:**

- ❖ What's the point? Nothing raised on the annual staff engagement survey was ever addressed.
- ❖ Some managers are easier to approach than others.
- ❖ We have had so many managers in recent years. It just adds pressure as they each want something different.
- ❖ Restructures are used to manage problems, but this creates an awful atmosphere and people then don't do their jobs properly.

### **Diversity / X-Y-Z Workforce (Multi-generational):**

- ❖ The 'boys' club' atmosphere seemed to encourage sexist, racist, homophobic, and transphobic comments and jokes.
- ❖ I enjoyed the 'craic' at the Cinema.
- ❖ I have had racist comments directed at me by my manager - it's horrible.
- ❖ There's a gulf between senior managers and front of house staff – an 'us and them' or 'upstairs/downstairs' feel to things. Communication is poor.

### **Mental Health / Alcohol and Drugs:**

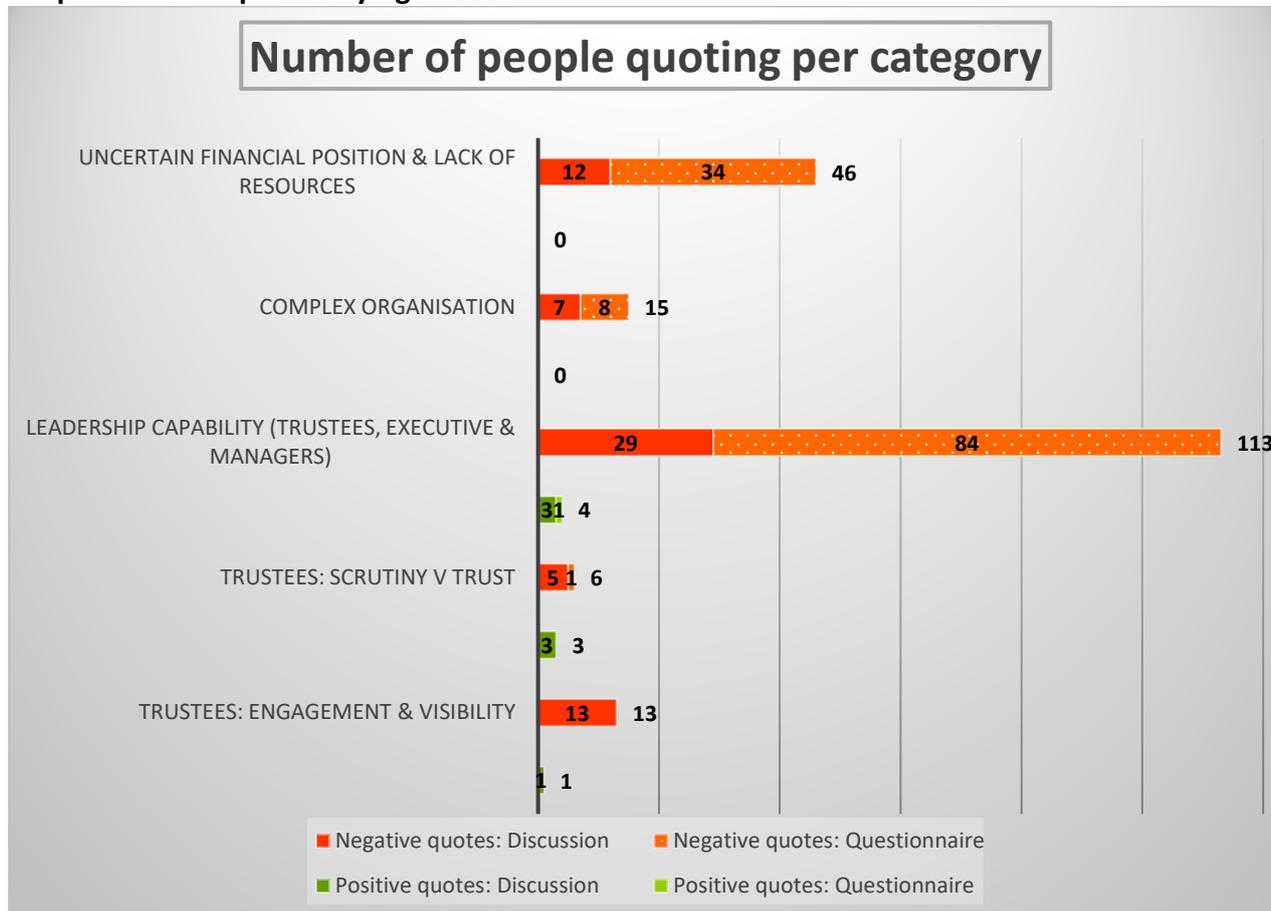
- ❖ I was always supported sensitively by my managers in relation to my mental health difficulties.
- ❖ In recent years there are more young people with mental health issues.
- ❖ A member of staff with mental health issues was treated horrendously.
- ❖ There was a lot of socialising outside work which often involved a great deal of drinking.
- ❖ Once alcohol's involved, it's easy for the line between managers and staff to become blurred.

## **11.8 Deep Underlying Issues - Grey**

The Deep Underlying Issues (Grey) are those that affect the whole organisation and have a pervasive effect on staff, the culture of the Cinema and how it operates. The graph (11.9) below shows the numbers of people and the issues they described in relation to the Deep Underlying

Issues; it shows the high numbers of people talking negatively, highlighted in red and orange and the much lower numbers in green (positive):

**Graph 11.9 – Deep Underlying Issues:**



Below are examples of review contributors’ descriptions, synthesised into anonymous statements to protect identities. These quotations are categorised and support the information in the graph (11.9) above:

**Uncertain Financial Position / Lack of Resources:**

- ❖ We are constantly chasing funding and losing focus on our core offer. Expectations of what we can achieve are unrealistic.
- ❖ Important things needed doing and there was never enough cash. But money was wasted on unnecessary things like the staff away-day.
- ❖ Financial information wasn’t communicated – we needed more than three weeks’ notice.

**Complex Organisation:**

- ❖ The Cinema’s scope and complexity have increased significantly since 2014 and are now draining resources.
- ❖ There are multiple hierarchies – part-time/full time; young/old; cinema/non-cinema; office/project/cinema.

- ❖ We often had to carry awkward, heavy equipment across a busy public road – with no training in how to do this safely.
- ❖ Staff regularly work alone in different parts of the Cinema.

### **Trustees: Scrutiny V Trust:**

- ❖ Board meetings and papers are well organised. The Trustees discuss and challenge reports from each of the executive team. The Chair manages the meetings well.
- ❖ It is not the Trustees' role to interfere in the day-to-day running of the Cinema.
- ❖ An Audit and Risk committee has been set up to oversee financial, commercial and operational risks.
- ❖ We may have trusted too much.

### **Trustees: Engagement and Visibility:**

- ❖ The Trustees gain information informally through the public bits of the Cinema, coupled with managers attending Board meetings.
- ❖ Communication was poor and we felt very distant from the Trustees.
- ❖ I have never met any of the Trustees. The Board don't know us.
- ❖ The Trustees don't even say 'hello'.

### **Leadership Capability:**

- ❖ Decisions were made to save money in the short-term which resulted in loss of money in the long-term. This should have been foreseen.
- ❖ At its heart, the Cinema was unprofessional, chaotic and complacent.
- ❖ The Cinema is not a healthy place to be. You don't realize how bad it is until you leave.
- ❖ There is a sense of firefighting at the Cinema; every day is a battle and every day there is some sort of panic.
- ❖ The leadership didn't show that they were listening and responding to people's feelings or acknowledging what we (the organisation) didn't know.

## **12. A Summary of Overall Conclusions**

Based on these findings, our principal conclusions are that the Cinema has a culture where:

### **12.1 Presenting Issues (Red):**

- Sexual harassment has persisted over many years and has not been properly addressed.
- Bullying and a lack of respect were endured, sometimes daily and for long periods of time.
- Some staff have lost trust and faith in the higher leadership.
- Staff have been exposed to unnecessary safety risks in the course of their work.
- Because of the combination of factors highlighted, staff have suffered pressure and stress.
- Some staff and managers have not experienced any issues or difficulties compared to others.

## 12.2 Complicating Factors (Blue):

- Staff have had good or bad experiences depending on their team or physical location.
- Both male and female staff have suffered severe mental health issues and distress.
- Managers have not had appropriate or consistent HR guidance and support.
- Senior leaders and managers have struggled to follow HR processes and procedures.
- High levels of inconsistency, turnover and change have added to wellbeing issues.
- Inclusivity and diversity levels are low and need to change.
- Genuine complaints have been discouraged, dismissed or mishandled by managers.
- Committed and passionate people feel they are not valued or appreciated.
- Some staff have felt they have not had a voice in the running of the organisation.
- Disrespectful behaviours have become normalised and accepted.
- Several restructuring initiatives has caused further uncertainty and inconsistency.

## 12.3 Deep Underlying Issues (Grey):

- All the good things have been completely overshadowed by more serious issues.
- Persistent financial uncertainty and a lack of resources have added to feelings of pressure.
- The Board of Trustees are not visible or adequately engaged with the staff.
- Trustees have not scrutinised, delegated or monitored their responsibilities effectively.
- Attempts to professionalise the organisation have been too slow and inadequate.
- Senior Leadership have struggled to lead and manage a complex organisation.
- There appear to be divisions and angst between some staff and managers, also between front of house and office.

The Board of Trustees delegate their responsibility for operating the Cinema to the Chief Executive Officer and the Senior Leadership Team. Both management bodies and some staff have played a part in the events described to us, either directly or indirectly through their duty as a manager. However, the Board of Trustees remain ultimately accountable for the Cinema's overall safe operation. Our main conclusion is that the Board of Trustees has failed in their duty to delegate and monitor their responsibilities appropriately and this has resulted in staff not being adequately protected from harm.

## 13. Summary of Key Recommendations

Based on our conclusions, our key recommendations are a mix of immediate, medium and longer-term action:

### 13.1 Immediate:

- A public apology should be given by the Cinema to all those affected and clear acknowledgement made of the harm and distress caused.
- Safety procedures should be put in place where there are immediate risks.
- Some unsafe practices must be stopped immediately.
- Appropriate management action should be taken against some individuals.

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- The Chair and CEO have resigned. Further changes to the make-up of the Board of Trustees should be implemented over the next 12-18 months.
  - A Zero Tolerance approach to harassment and bullying of any kind should be put in place.
  - The Board of Trustees should increase their level of scrutiny and monitoring of management.
  - High level HR support should be in place and maintained.

### **13.2 Medium:**

- Policies and procedures should be reviewed and updated to protect staff and customers.
- Staff should receive key pieces of training to deal with safety and risk issues.
- Managers should be adequately supported to address any future complaints that arise.
- Monitoring of implementation and practical effectiveness should be used on key or high-risk areas of work.

### **13.3 Longer-term:**

- A culture of listening, engaging and collaboration should be created between managers and staff.
- Trustees and senior leaders should collaborate more closely on strategy and management.
- The overall capability of leaders to create a respectful and diverse culture should be developed.