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**Clauses and Contract Language**

This document has been created by SoundCheck Aotearoa to assist people to integrate a Code of Conduct, Sexual Harassment Policy and other related policies into contracts. The suggested wording and advice below is tailored for live music events but could be adjusted for other settings. For related guidance see the [SoundCheck Aotearoa website](http://www.soundcheckaotearoa.co.nz).

**How to use this template**

There are a range of different clauses in this document, you can choose the ones which are relevant to you. Throughout the text there is wording in [square brackets] which you should amend or delete if the suggested wording is not relevant to your work.

**The document also includes “Guidance notes” in yellow boxes to give you more information. You should delete all guidance notes before using any clauses or contract language from this document. You can delete the yellow guidance boxes by clicking on them and deleting.**

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| **What** | **Who uses it?** | **Where do I put it?** |
| 1. Employment Agreement Clause | Employers | In the Employment Agreement. |
| 1. Contractor / Supplier Agreement Clause | Anyone engaging contractors, subcontractors, partners, sponsors, vendors, volunteers, interns | In the contract or as an attachment in an email. (Wherever you are specifying payment for the work is a good option.) |
| 1. Performance Agreement / Rider | Performers | Attach / include in both your Offer Sheet and final Performance Agreement. |
| 1. Venue Safety Clause | Performers or Promoters coming into a venue | In the Performance Agreement (if you are being booked by the promoter) or into your communications with the venue (if you are booking or being booked directly by the venue). |
| 1. Performance / Hire Agreement | Promoters/Buyers, Venues hiring their space | Attach / include in both your Offer and final Performance or Hire Agreement. |
| 1. Ticketing Terms & Conditions | Promoters | In the terms and conditions of ticket purchasing. |

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| **Use of these clauses without formal contracts:**  If you do not have written contracts and are negotiating terms via email, you can include these clauses in your offer emails (we recommend including them wherever you are finalising payment for services). In lieu of a signature, you may choose to use this language:  “By agreeing to work with us you are committing to us, and all those you will be working with, that you will comply with the following:” |

1. **Employment Agreement Clause**

[NAME] is committed to creating a safe and inclusive workplace, free of any form of bullying and harassment, including but not limited to sexual and racial harassment, gender-based discrimination, racial or any other unlawful discrimination, and/or violence.

We have specific policies which set out our approach to preventing and responding to this kind of behaviour and specify the responsibilities of [NAME], our leaders and our workers. You must ensure you are familiar with all our policies (including our Code of Conduct and [name any specific policies if you want to]), and comply with all procedures and responsibilities under those policies at all times during the term of this Agreement.

**GUIDANCE: Insert specific policies where they exist, e.g. H&S Policy, Sexual Harassment Policy, Code of Conduct, Venue Safety Agreement.**

[NAME] reserves the right to cancel or amend all or any of its policies, or introduce new policies from time to time at its own discretion, on reasonable notice to you (where appropriate).

1. **Contractors/Supplier Agreement Clause**

[NAME] is committed to creating a safe and inclusive workplace, free of any form of bullying and harassment, including but not limited to sexual and racial harassment, gender-based discrimination, racial or any other unlawful discrimination, and/or violence.

We have specific policies which set out our approach to preventing and responding to this kind of behaviour and specify the responsibilities of [NAME], our leaders and our workers. You must ensure you and all your workers (if applicable) are familiar with all our policies (including our Code of Conduct and [name any specific policies if you want to]), and comply with all procedures and responsibilities under those policies at all times during the term of this Agreement.

**GUIDANCE: Insert specific policies where they exist, e.g. H&S Policy, Sexual Harassment Policy, Code of Conduct, Venue Safety Agreement.**

[NAME] reserves the right to cancel or amend all or any of its policies, or introduce new policies from time to time at its own discretion.

1. **Artist Performance Agreement Safety Clause (from artist to buyer)**

[NAME] is committed to creating a safe and inclusive workplace, free of any form of bullying and harassment, including but not limited to sexual and racial harassment, gender-based discrimination, racial or any other unlawful discrimination, and/or violence.

We have specific policies which set out our approach to preventing and responding to this kind of behaviour and specify the responsibilities of [NAME] and [the Promoter/Buyer ie. the recipient of the agreement]. If your own company policies are not consistent with our approach, you must ensure that you and all of your workers (if applicable) are familiar with all our policies (including our Code of Conduct and [name any specific policies if you want to]), and will comply with all procedures and responsibilities under those policies at all times during the term of this Agreement.

**GUIDANCE: Insert specific policies where they exist, e.g. H&S Policy, Sexual Harassment Policy, Code of Conduct, Venue Safety Agreement.**

[NAME] reserves the right to cancel or amend all or any of its policies, or introduce new policies from time to time at its own discretion.

1. **Venue Safety Clause**

[NAME] is committed to creating a safe and inclusive workplace, free of any form of bullying and harassment, including but not limited to sexual and racial harassment, gender-based discrimination, racial or any other unlawful discrimination, and/or violence.

We have specific policies which set out our approach to preventing and responding to this kind of behaviour. The Venue must ensure that all of its workers are familiar with our [policies/Code of Conduct], and will comply with all procedures and responsibilities under those policies at all times during the term of this Agreement.

We have specific requests of the Venue to assist in creating a safer space. By agreeing to this contract, the venue agrees to the terms listed in [insert Appendix or document name].

[NAME] reserves the right to cancel or amend all or any of its policies, or introduce new policies from time to time at its own discretion.

**GUIDANCE: You may wish to ask the venue questions around their approach to safer spaces, including:**

* **Crowd Safety - does the venue have a policy/policies on the below? If so, please supply copies. If not, please provide as much detail as possible in the space provided.**
* **Incident Response & Staff Training - does the venue have a policy/policies on the below? If so, please supply copies. If not, please provide as much detail as possible in the space provided.**
* **Venue Features - what safety and accessibility features does the venue have? (e.g. mobility access, mobility and gender-neutral bathrooms, safe zone)**

**OR you may include a specific list of requests for the venue, such as:**

* **A minimum of one (1) woman/non-binary security staff rostered during the event.**
* **A minimum of one (1) gender-neutral bathroom, clearly marked.**
* **Prominent placement around the venue for artist/tour-supplied 'safer spaces' signage.**
* **A monitored safe zone for patrons who are intoxicated, feeling unsafe, or require assistance or support of any kind.**
* **Free water, readily available at all times for patrons and workers.**
* **A security report with the Promoter Rep/TM before load out concludes, reviewing any incidents or trends from the event.**

[**See here**](https://sites.google.com/view/cchange-aotearoa/resource-list/safety-riders-venue-agreements) **for more information on Venue Safety & Culture Agreements.**

1. **Performance/Hire Agreement Safety Clause (from buyer/venue to artist/hirer)**

[NAME] is committed to creating a safe and inclusive workplace, free of any form of bullying and harassment, including but not limited to sexual and racial harassment, gender-based discrimination, racial or any other unlawful discrimination, and/or violence.

We have specific policies which set out our approach to preventing and responding to this kind of behaviour and specify the responsibilities of [NAME] and the [Artist/Hirer, select as required]. You must ensure that you and all of your workers (if applicable) are familiar with all our policies (including Code of Conduct and[name any specific policies if you want to]), and will comply with all procedures and responsibilities under those policies at all times during the term of this Agreement.

**GUIDANCE: Insert specific policies where they exist, e.g. H&S Policy, Sexual Harassment Policy, Code of Conduct.**

[NAME] reserves the right to amend all or any of its policies from time to time at its own discretion, on reasonable notice to you (where appropriate).

1. **Ticketing Terms and Conditions**

[NAME] is committed to creating a safe and inclusive workplace, free of any form of bullying and harassment, in accordance with its related policies, including but not limited to sexual and racial harassment, gender-based discrimination, racial or any other unlawful discrimination, and/or violence.

By purchasing tickets to [EVENT], you accept that any bullying and/or harassment will not be tolerated and may result in refusal of entry; removal from [EVENT]; and/or police involvement. [NAME] reserves the right to determine, at [NAME]’s sole discretion, what constitutes these behaviours.

If you experience or witness any behaviour that makes you or anyone else feel uncomfortable while at [EVENT], please talk with [designated role(s) at the event].

**GUIDANCE: specify which role(s) at your event audience members can speak to about harassment and bullying.**