**Code of Conduct**

**Guidance for creating your own Code of Conduct**

This template has been created by SoundCheck Aotearoa as a tool to help organisations and people in the music community to create their own Code of Conduct.

**What is a Code of Conduct?**

A Code of Conduct sets the tone for how you want to work with others and set standards of behaviour across your professional relationships. You can draft it in plain language to communicate with those you are managing or directing (e.g. employers or contractors) or anyone else you are working or collaborating with. You can also use a Code of Conduct to prompt a conversation with people you are thinking about working with, to ensure they will align with your values and commitment to a safe and inclusive workplace.

**Who can I ask to follow my Code of Conduct?**

You can specify which categories of people your Code of Conduct will apply to. This may depend on the type of working relationships you or your business have with other people, companies or organisations. Typically, a Code of Conduct will apply to employees, but you may also want to consider whether it will include contractors, performers, volunteers, suppliers, visitors to the workplace, guests, award recipients, or other people you work or collaborate with. You should tailor this template to make it work for all the groups it applies to. For example, the consequences of breach may need to be different for employees, guests or award recipients.

**What can I include in my Code of Conduct?**

It is up to you what you include in a Code of Conduct, how aspirational you want to be, and how best to communicate that to the people you work with.

This template Code of Conduct sets out a generic set of expected behaviours in the workplace. It addresses sexual harassment as well as other types of unacceptable behaviours.

As the template is a baseline, you can build on it as much as you want to make it meaningful for your setting. For example, you may wish to include (if applicable):

* Your or your organisation’s values (see below).
* What a respectful workplace looks like for you.
* How you want people to behave and communicate with each other e.g. acting with honesty and integrity.
* Your role as tangata tiriti (people with a commitment to Te Tiriti O Waitangi) and engagement with mana whenua (iwi and hapū with the customary authority in the area). If you’re looking for guidance about this you can contact Soundcheck Aotearoa.
* A reference to your general health and safety expectations – e.g. ensuring the safety of yourself and others at work and reporting hazards.
* Specific conduct you want to prohibit, e.g. sexual harassment, aggressive language, intoxication in the workplace, unpaid labour.
* Encouraging workers to manage their stress response in a way that does not negatively impact others.

**What are ‘values’ and why should I have them?**

You will see some guidance notes in this template which refer to your values, a values statement or kaupapa, if you have developed one.

Although individuals may have their own personal values, defining the values of your business, even if you are a sole trader, can have benefits, including:

* Workers knowing what is and is not acceptable behaviour and having a common language to use when talking about behaviours.
* To help guide decision making. If you have a tricky decision to make, you can ask yourself what option would best reflect your values.
* You can also refer to your values when communicating with others about your decisions (e.g. “Thanks for the opportunity but I’m not sure our values align so won’t be moving forward with the collaboration” or “Our value of manaakitanga means that everyone gets fed".)

Defining your own organisational values may be as simple as asking yourself, and your team if you have one, what is important to you; how you want together; how you want others to feel when they work with you; and/or what behaviours will achieve those goals. For more on how to develop a values statement, check out [Biteable’s blog on company values](https://biteable.com/blog/company-values/).

**How does a Code of Conduct relate to other policies and agreements?**

The legal effect of a Code of Conduct depends on the context in which it is used and how you integrate it into any other contractual arrangements (see below).

Your Code of Conduct can be a supporting document to a range of other documents you use in your business. This may include a Health & Safety Policy; Employment Agreement; Contractor Agreement; Performance Agreement, Supplier Contract, or any other contracts or terms and conditions. You can include a reference to your Code of Conduct in one or several of those documents (for example an artist’s agreement with a venue could require that all venue staff comply with the artist’s Code of Conduct). A range of template clauses are available on the [SoundCheck Aotearoa website.](https://www.soundcheckaotearoa.co.nz/s/clauses.docx)

**Do people need to sign or agree to my Code of Conduct?**

It is always preferable that a worker signs documents to acknowledge they have agreed to them, whether this is a contract, policy or code of conduct. It is a legislative requirement for any employee (including casuals) to have a written employment agreement. It is preferable that other kinds of workers also have written terms that they have agreed to (e.g. an independent contractor agreement or services agreement).

If you refer to your Code of Conduct in your agreements or contracts, when workers sign that contract or agreement, they can agree to comply with your Code of Conduct. You can use the template clauses on the SoundCheck Aotearoa website. Even where you use these clauses in your agreement, it is still important you can show they have been provided the Code of Conduct before signing.

If you do not yet have written contracts in place, the Code of Conduct can still be sent as a standalone document if required. In this case, you may wish to add a signature field to the Code of Conduct, or simply state that by entering the workplace / starting work, the worker accepts these terms. At the very least, we suggest your Code of Conduct is included anywhere you are specifying rates or payment. For example, if rates are being set over email, you can use the following language:

"We have [attached/linked] our [Code of Conduct] that sets out our commitment to creating a safe and inclusive work experience and our expectations for everyone who works with us. By agreeing to work with us you are committing to us, and all those you will be working with, that you will comply with our [Code of Conduct].”

If an individual or business has not agreed to a Code of Conduct, it is still a useful tool that outlines expected behaviours and can be used as a reference point when things go wrong.

**How to use this template**

We encourage you to take this template and make it your own.

Throughout the text there is wording in [square brackets] to give you more information about some aspects of the Code of Conduct and how to amend it. You should amend or delete if the suggested wording is not relevant to your work.

The document also includes “Guidance notes” in yellow boxes. You should delete all guidance notes and these front pages before using this policy. You can delete the yellow guidance boxes by clicking on them and deleting.

# Sample Code of Conduct

## Introduction & Purpose

**Guidance: As a Code of Conduct “sets the tone” for how you want to work with others, this section of your Code of Conduct can be tailored as much as needed to address the big picture of how you expect people to behave in the workplace and/or your values if you have defined them.**

**A Code of Conduct would often just refer to your own workplace. If you want to be more aspirational and signal the role you want to play in developing and maintaining the wider industry culture, there is optional wording in the second paragraph. Delete square brackets if not applicable.**

We [NAME] aim to provide a safe, healthy, respectful [and inclusive] workplace for everyone and we are committed to living our values of [VALUES].

This Code of Conduct confirms our commitment to building a working environment [and an industry] free of any form of bullying and harassment, including but not limited to: sexual harassment; discrimination on the basis of gender, sexuality, ethnicity or any other attribute; and violence.

This Code of Conduct outlines the standards of behaviour that [NAME] expects from everyone who works for us and everyone we work with. We hold ourselves accountable to these standards. It does not anticipate every situation or circumstance; rather, it is a set of principles to guide conduct and decision-making in our work environments.

A breach of this Code of Conduct may lead to disciplinary action, up to and including the termination of your employment, contract or engagement with us. If we consider the breach to be of a criminal nature, we may report the matter to the police.

## What do we expect?

**Guidance: This is another section where you should tailor it as much as possible to reflect your aspirations for your workplace.**

**In the first paragraph we have suggested optional wording that focuses on addressing issues underpinning sexual harassment, discrimination and bullying. You can amend or delete this paragraph as appropriate.**

[NAME] seeks to address the systemic and harmful power imbalances within the music industry [which often relate to gender, sexuality, ethnicity, minority status, age and dis/ability]. That requires us to proactively create an inclusive and welcoming work environment.

We expect *everyone* working for and with us, regardless of their power or influence in the workplace, to:

* be courteous, professional, and respectful at all times and towards all people - regardless of gender, sexuality, ethnicity, minority status, age, religion, dis/ability, or role;
* refrain from any and all behaviour that might lead to, or be interpreted as, sexual harassment or assault - e.g. do not initiate any form of unwanted affection or touching, make suggestive comments, make objectifying jokes or banter, or act in ways that are potentially lewd, sexual and/or harmful;
* maintain an awareness of power imbalances in the workplace that may relate to gender, sexuality, ethnicity, minority status, age, dis/ability, seniority or influence in the workplace; and take extra care not to abuse or take any advantage of that imbalance if you are in a position of power.

**Guidance: People in positions of power may not be aware of all the instances where power dynamics come into play. You may wish to have conversations with team-members at all levels about being aware of and managing power imbalances and reiterate that reporting concerns is encouraged regardless of who those concerns involve.**

* [ensure that your private activities do not impact your ability to do your work professionally, negatively impact the wellbeing of others in the workplace, or bring [NAME] into disrepute.]

**Guidance: Consider whether you wish to include any reference to private activities outside of work (which may depend on your circumstances). Delete the above point if you choose not to include it.**

* be familiar with, and observe [NAME]’s policies [including insert any specific policies you have]

**Guidance: refer to any Health & Safety Policy, Sexual Harassment Policy, Employment Agreement, other policies you have. Delete this point if you do not have any of those documents.**

* actively address any behaviour that breaches this Code of Conduct, including breaches by those in power/senior roles
* not engage in, encourage or condone any form of bullying, sexual or racial harassment, or discrimination
* not be [intoxicated / consume excessive] alcohol or substances while working for us

**Guidance: The optional wording above regarding alcohol/substances will depend on your context. Choose what is applicable to your workplace, and how you define 'working for us', for example if that also includes restrictions while not actively 'on the clock'.**

## Who does this apply to?

Everyone who works for [NAME] and everyone [NAME] works with. This includes leadership, employees and contractors, subcontractors/vendors, sponsors, performers, and partners.

## Where does this Code of Conduct apply?

This Code of Conduct applies to the workplace - anywhere you are working with us, or in any situation that is related to your work with us.

**Guidance: The below list includes examples which you can include in your Code of Conduct to illustrate different work environments. You do not have to include these examples where they are not applicable to you. If you do include them, you should tailor these examples as much as needed to suit your workplace and delete any that do not apply.**

This includes:

* when we are in the [NAME] workplace - e.g. at the venue, on the work site, in the office or studio;
* whenever we are acting on behalf of [NAME] - e.g. in meetings, job interviews, media interviews, awards shows, online communications, work-related social events;
* whenever we are doing something that is connected to or supported by [NAME] - e.g. while traveling on tour, in accommodation paid for by [NAME], working from home, attending external meetings, attending work-related social events or online events;
* when communicating with other workers via email or social media and within work related social media groups

## What happens if these expectations are not met?

If your behaviour falls short of what is set out in this Code of Conduct, we will seek to address this with you in a manner that is reasonable in the circumstances. This may include disciplinary action or dismissal for an employee or termination of a contract for an independent contractor. If criminal behaviour occurs, this may include reporting to the Police.

## What to do if you believe this Code of Conduct is being breached?

* We expect everyone to play an active role in creating a safer workplace. We encourage people to speak up if they experience or see behaviour that breaches or is inconsistent with this Code of Conduct and we will support people who do that.

**Guidance: See** [**bystander intervention resources**](https://www.soundcheckaotearoa.co.nz/visual-resources-and-posters) **on SoundCheck Aotearoa website.**

* If you’re unsure whether or not someone’s behaviour is living up to [NAME]’s expectations, or if any behaviour makes you or someone else uncomfortable, we still want to know about it.
* You can speak to [nominated persons/role] at any time.
* [Our Sexual Harassment/Workplace Conduct Policy contains a range of options for how you can report concerns about behaviour internally and/or externally].
* [If you do not have a policy: In some circumstances, you may also be able to report your concerns to an external authority (e.g. the Police, the Human Rights Commission, Employment NZ (MBIE)).]
* In reporting or raising any concerns you should be mindful of confidentiality and consider the safety and mental wellbeing of everyone involved.
* [Where a potential breach of this Code involves children or young people, refer to our Child Protection Policy.]

**Guidance: If your work involves children or young people (anybody under 18) you should have a Child Protection Policy in place and be aware there are statutory obligations to report certain incidents (see** [**SafeGuarding Children website**](https://safeguardingchildren.org.nz/) **for further information on developing a Child Protection Policy and related practices). Delete the above bullet point if not applicable to your work.**

[NAME] will not tolerate retaliation or discrimination against anyone for reporting a Code of Conduct breach or concerns about behaviour.