

Prevention and Response to Bullying and Harassment Policy

11 August 2022

The policy contains the following sections:

1	Policy statement	1
2	Scope of policy	1
3	Definitions	2
4	Preventing bullying and harassment	4
5	Options for dealing with bullying and harassment.....	5
6	Confidentiality of a report of bullying or harassment	9
7	Response to internal reports of bullying or harassment.....	9
8	Reporting bullying or harassment externally	11
9	Record keeping	12
10	Review of the bullying and harassment policy	12
11	Workplace monitoring.....	12
	Appendix 1: Information for Harassment Contact Persons	14
	Appendix 2: Bullying and Harassment Reporting.....	16
	Appendix 3: Steps in formal independent investigation process.....	18

For the purposes of this policy, the following people hold the following roles:

Role	Name(s)	Role	Name(s)
Management Team	CEO – Jo Oliver jo@recordedmusic.co.nz	Harassment Contact Persons	Sarah Owen sarah@recordedmusic.co.nz
	Head of Operations and Licensing – Liz Diamond liz@recordedmusic.co.nz		Nicky Harrop nicky@rhythmethod.co.nz
Health and Safety Representative	Liz Diamond – as above	External support services	1737.org.nz, counselling via your GP, or refer to soundcheckaotearoa.co.nz

Recorded Music Policy

Prevention and Response to Bullying and Harassment

1 Policy statement

1.1 Recorded Music respects and supports each person's right to work in a safe and inclusive workplace, where people are valued and treated with respect. See also Recorded Music Policies on Representation and Inclusion, and Prevention and Response to Sexual Harassment.

1.2 We are committed to creating a positive workplace culture, free from bullying and harassment, by:

- Creating a safe and supportive work environment that is free from bullying and harassment.
- Regular communications and the implementation of training to ensure that all staff members are aware of and understand their rights and responsibilities.
- Having clear expectations on leaders, management and staff to lead from the top by modelling appropriate behaviour.
- Empowering staff members at all levels to deal with situations where they feel bullied or harassed, and to safely intervene in situations where others may be experiencing bullying or harassment.
- Encouraging the reporting of behaviour that may be in breach of this policy, including by having clear processes in place, ensuring these processes remain up-to-date and by following those processes.
- Treating everyone fairly and with respect.
- Ensuring the well-being of both the complainant and the respondent where there is a report of bullying or harassment, and ensuring that their legal rights and the principles of natural justice are complied with.
- Addressing any issues or incidents of bullying or harassment, regardless of whether there has been a formal report of bullying or harassment, in an appropriate manner that is consistent with this policy.

2 Scope of policy

2.1 This policy applies to everyone who works at or for Recorded Music, including all:

- (a) employees and contractors;
- (b) members of the Board of Recorded Music;
- (c) members of Recorded Music Board Committees, such as the Artist Committee, Music Awards Committee, etc.

and references to 'we' are to all of us.

2.2 The policy applies to conduct and behaviour:

- (a) in our workplace and at work events (such as off-site training, industry and staff functions); and

- (b) outside of our workplace, when the behaviour or conduct is (a) related to our work (for example, at industry events including the Music Awards) or (b) otherwise has the potential to impact on the safety of the working environment.

2.3 We also expect visitors, volunteers, other individuals that we work with, and individuals and organisations that we publicly support and/or provide funding to, to conduct themselves in a manner that is consistent with this policy and the laws covering bullying and harassment, and Recorded Music will support our people in addressing any inconsistent behaviour.

3 Definitions

What is bullying?

3.1 Bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that can lead to physical or psychological harm.

- a Repeated behaviour is persistent, and can involve a range of actions over time.
- b Unreasonable behaviour means actions that a reasonable person in the same circumstances would see as unreasonable. It includes victimising, intimidating or threatening a person, as well as harassment, discrimination or violence.

3.2 Bullying can be carried out in a variety of ways, including through email, text messaging and other social media channels.

3.3 Examples of bullying behaviour which if repeated and unreasonable may include:

- Belittling or demeaning remarks (including comments made to others);
- Displays of hostility, anger or yelling at another;
- Public reprimands and put downs;
- Unreasonable demands;
- Tampering with personal effects;
- Undervaluing a person's contribution;
- Harsh and unjustified feedback or criticism;
- Unfair distribution of work; or
- Delegating work below a person's level of experience.

3.4 Bullying is not:

- One-off instances of forgetfulness, rudeness or tactlessness;
- Constructive feedback and genuine peer review;
- Reasonable requests for work instructions to be carried out;
- Reasonable management directions delivered in a reasonable way;

3.5 Some behaviours, while inappropriate or otherwise inconsistent with Recorded Music values, may fall short of the above definition of bullying. For example, a single incident is not considered bullying,

but can escalate if left unaddressed. It is therefore important that all inappropriate behaviours are identified and addressed.

What is harassment?

- 3.6 Harassment occurs where a person, or a group of people uses language (whether written or spoken), visual material, or physical behaviour that directly or indirectly:
- a expresses hostility against, or brings into contempt or ridicule, a person because of a particular characteristic they have, including their race, colour, ethnic or national origins, sex, age, disability, marital status, gender identity, or sexual orientation;
 - b is hurtful or offensive to the person; and
 - c has, either by its nature or through repetition, a detrimental effect on the person or persons.
- 3.7 The person doing the harassment does not have to be intending to harass for the behaviour to amount to harassment – it depends on how the person the behaviour impacts on is affected by the behaviour.
- 3.8 Recorded Music has a separate policy in respect of sexual harassment.

Bullying and harassment in the workplace

- 3.9 Bullying, harassment and inappropriate behaviours can be subtle, context dependent and may include different perspectives or cultural understandings of what is considered appropriate behaviour.
- 3.10 Bullying and harassment is not limited to managers or senior staff members targeting more junior members of staff. Managers or senior staff members may be bullied by those more junior to them, bullying can also occur between co-workers, and other people in the workplace such as clients and visitors. It is important that all managers and staff treat each other with respect, regardless of their role or seniority.

Relevant law

- 3.11 There is a range of legislation dealing with aspects of bullying and harassment:
- The Employment Relations Act 2000;
 - The Health and Safety at Work Act 2015;
 - The Harmful Digital Communications Act 2015;
 - The Human Rights Act 1993; and
 - The Harassment Act 1997.
- 3.12 A specific group of behaviours may amount to crimes or offences under criminal legislation.

Effects on those who experience bullying or harassment

- 3.13 Bullying and harassment can have long-lasting effects on people who experience or witness bullying and harassment, both in their personal and professional capacity. People who may not have

experienced bullying and harassment but have witnessed someone else being bullied or harassed can also be negatively affected.

HEALTH AND WELLBEING OF INDIVIDUALS	IMPACT ON THE WIDER WORK ENVIRONMENT
<p>Anxiety, stress, fatigue and burnout</p> <p>Reduced coping strategies</p> <p>Low self esteem</p> <p>PTSD</p> <p>Deterioration in health</p> <p>Decreased emotional well-being</p> <p>Serious physical or mental health issues, including depression and suicide ideation</p> <p>Feelings of reduced personal control and helplessness</p> <p>Increased likelihood of substance abuse</p>	<p>A hostile work environment</p> <p>Decreased worker health and well-being, motivation, performance and commitment</p> <p>Workers attending work while sick, or taking more leave</p> <p>Increased worker turnover</p>

- 3.14 The effects of bullying and harassment can extend to affect the wider workplace and can cause others to feel unsafe at work. This creates stress in the workplace, impacts negatively on productivity and may lead to people leaving their jobs.
- 3.15 Bullying and harassment also has the potential to cause damage to Recorded Music’s reputation both internally and externally. We are committed to preventing and addressing bullying and harassment to the greatest extent possible, both to maintain Recorded Music’s reputation externally, and to ensure that the workplace is a safe environment where our people are proud to work.

4 Preventing bullying and harassment

Roles and responsibilities

- 4.1 All of us have a shared responsibility to support the safety of colleagues and others in the workplace and to promote positive workplace behaviours. All staff will:
- Build a common understanding about what bullying and harassment is
 - Behave in a manner that does not bully or harass others, and treat all Recorded Music staff and managers with respect
 - Keep an eye out for other people and intervene (whether directly or indirectly) to help and support someone who might be experiencing bullying or harassment.
- 4.2 Those in leadership roles have an additional responsibility to foster a positive, respectful culture in which bullying and harassment is less likely to occur. The Recorded Music Management Team is responsible for all employees and contractors of Recorded Music. Their role is to:

- Create and maintain an environment where staff members can conduct their daily work in a safe and respectful work environment.
- Communicate this policy to employees and contractors and ensure it is enforced.
- Take measures consistent with this policy should they witness any acts of workplace harassment. In such cases, the Management Team must demonstrate fairness, impartiality, and be free from intimidation or favouritism.
- Ensure that all discussion, communications and actions are handled with extreme sensitivity and utmost confidentiality.
- Be available to help senior executives, employees and contractors know about and meet their obligations under the relevant legislation and this policy.
- Give advice, support and information if a senior executive, employee, or contractor believes bullying or harassment has occurred at any level of the organisation, including the options available and how they may want to proceed.
- Refer anyone approaching them about bullying or harassment to appropriate help and support, and if necessary, secure independent representation for the person.
- Ensure that complaints are dealt with appropriately and according to this policy and that no complainant is retaliated against.

Communications, information and training

- 4.3 Bullying and harassment prevention is more effective when people have access to the information they need. Recorded Music will:
- Promote this policy widely on a regular basis.
 - Conduct regular information sessions for staff about recognising bullying and harassment, what is bullying and harassment, how to report concerns and how to use the complaint process.
- 4.4 This policy will be provided to employees at induction and will be stored in a shared drive so that everyone knows where they can go to get help.
- 4.5 To ensure a high level of awareness and effective implementation of this policy, the Management Team will ensure that everyone who works at Recorded Music is aware of the policy and their rights and responsibilities.
- 4.6 The Management Team will ensure that staff at Recorded Music receive appropriate training on preventing and handling bullying and harassment on a regular basis.
- 4.7 Recorded Music has provided training for the prevention and handling of sexual harassment also – see the separate policy.

5 Options for dealing with bullying and harassment

Confidentiality

- 5.1 Recorded Music recognises that maintaining confidentiality to the greatest extent possible and respecting the wishes of a complainant is important in order to create and maintain an environment where employees feel safe to report incidents of bullying or harassment.
- 5.2 If a staff member discusses a sexual harassment matter with one of the people within the Management Team on a confidential basis, confidentiality will be maintained but within the boundaries of our legal obligations as an employer (expanded on in paragraph 5.3 below).
- 5.3 Recorded Music has a duty to ensure that the workplace is safe. This means that where matters are disclosed to someone in the Management Team, that person cannot guarantee to keep that matter confidential or promise that they will not take any action in response to the information. If a person in the Management Team becomes aware of a situation that they consider is sufficiently serious, or where they are concerned that the health, safety or wellbeing of an individual and/or others may be exposed to an imminent risk, they may be obligated to take steps to deal with the situation to ensure that the workplace is safe. In these circumstances, Recorded Music will inform the individual(s) concerned of the proposed process and involve the individual(s) in that process as far as possible.

Options

- 5.4 If you experience or see bullying or harassment, you could take one or more of the following options.
- 5.5 If an incident makes you feel uncomfortable but you think it may not meet the legal definitions of bullying or harassment, you are encouraged to raise the issue with someone you feel comfortable talking to.

Option 1: Seek advice and support

- 5.6 If you experience or see bullying or harassment, you could seek advice and support from others, including the following:
- A trusted person who is willing to support you to raise a concern and/or test your perception of events. This could be a colleague or friend.
 - An independent counselling service such as 1737.org.nz, one of the counselling services listed at <https://soundcheckaotearoa.co.nz/>, or counselling via your GP. These services are confidential and free of charge, and can assist people who have experienced or seen bullying or harassment to get the help they need, and to make decisions on what they would like to do next.
 - A Harassment Contact Person (see below).
 - An independent lawyer.

Option 2: Discussion with Harassment Contact Person

- 5.7 The purpose of Harassment Contact Persons is to provide contacts for people within Recorded Music to talk to about their concerns without fear of the matter being disclosed to the Management Team or others within the organisation. Harassment Contact Persons' role is not to act as an advocate.
- 5.8 The Harassment Contact Persons at the date of this policy are listed on the front cover.
- 5.9 Harassment Contact Persons will:

Clearly explain the parameters of their role.

- Listen to your concerns and explore with you what's happened and what this has meant for you.
- Not form a view on the merits of any allegations.
- Treat all information provided by you in strict confidence.

If wanted, Harassment Contact Persons will:

- Provide you with information about the internal complaint process and outline other informal and formal options available.
- Provide you with information about available support services.
- Provide you with advice and support that assists you to be safe while you consider your options.

5.10 If the Harassment Contact Person is concerned that your health, safety or wellbeing is at imminent risk, the Harassment Contact Person may consider it necessary to take steps to ensure you are safe. Such steps may include contacting an external professional, such as a counsellor or Police, or contacting a person trusted by you such as a family member or friend. The Harassment Contact Person will explain why they consider it necessary to involve someone else and will ensure that you are informed as to what steps the Harassment Contact Person will be taking.

5.11 To enable Recorded Music to assess the workplace culture and to identify and develop strategies for addressing bullying and harassment, Harassment Contact Persons are required to provide statistical and non-identifying information to the Management Team on a regular basis.

5.12 Recorded Music recognises that the role of Harassment Contact Persons as a first port of call is important in creating a culture where employees feel safe and supported when dealing with bullying and harassment. It is also important that Harassment Contact Persons are supported, and their wellbeing is preserved. For this reason, we encourage Harassment Contact Persons to contact one of the counselling services listed above, on a strictly confidential basis, after a disclosure has been made. In addition, Harassment Contact Persons will receive training at least once per year.

Option 3: Addressing the behaviour directly

5.13 You might decide to let the person you believe has acted inappropriately towards you know that their behaviour is unwelcome, inappropriate or offensive and needs to stop. This may resolve the matter quickly and in a low-key manner.

5.14 This approach may be appropriate where you do not feel unsafe or threatened by approaching the person. The ways that the behaviour could be addressed directly include:

- Telling the person directly about the behaviour you do not like and asking them to stop it.
- Writing a letter or email on a 'private and confidential' basis to the person.
- Taking a support person with you to tell the person that the behaviour needs to stop.

5.15 Resolution may involve a verbal or written apology or agreement on how the parties will behave towards one another in future.

5.16 You should not approach someone directly about their behaviour if by doing so you would feel unsafe or threatened in any way. If you are uncomfortable with this approach or if you try this and the issue is not resolved, you can contact one of the Management Team to take the matter further.

Option 4: Formally report bullying or harassment to Management Team

5.17 You can make a written or verbal report to anyone within the Management Team if you have experienced or seen sexual harassment.

5.18 If the report relates to an individual or individuals within the Management Team, and it may be inappropriate for any member of the Management Team to receive the report, you can make the report to the Board Harassment Contact named on the front of this policy.

5.19 The Management Team is responsible for the overall facilitation of harassment disclosures or complaints. If a report is made to one member of the Management Team, or the Board Harassment Contact, confidentiality will be handled as per clause 5.22 and 5.23 below.

5.20 A form for submitting a formal report or complaint is in Appendix 2 to this Policy.

5.21 When dealing with a report or complaint, the complaint handler will:

- Treat all matters seriously
- Make sure complaints are taken seriously, and fairly and impartially investigated, and the alleged harasser is given the opportunity to offer an explanation
- Advise both parties of their right to seek independent advice
- Make sure investigations are completed in a timely manner
- Make sure neither the person who complained nor the alleged harasser are victimised (e.g. being punished, bullied, intimidated)
- Support all parties involved (including witnesses and support people)
- Find appropriate remedies and consequences for confirmed sexual harassment
- Communicate the process and its outcome
- Ensure confidentiality
- Keep good documentation
- Get help from specialist external advisors as required.

5.22 People who make reports or complaints of bullying or harassment in good faith, and people who support them or speak up for them, have legal protections against victimisation or unjustified disadvantage in employment (such as dismissal, or denial of benefits including pay rises, or promotion).¹

¹ Section 66 Human Rights Act 1993; section 103 Employment Relations Act 2000

6 Confidentiality of a report of bullying or harassment

- 6.1 The person(s) who received the complaint will ensure the details of the matter are only known to those directly concerned (including their representative or support person) and those involved in investigation and considering the reported behaviour.
- 6.2 The person who made the disclosure or complaint will be kept informed as to who is made aware of the complaint. This will vary from case to case, and may include:
- The person who is the subject of the complaint.
 - Individuals who may have witnessed the behaviour complained of, or who may have information that is relevant to any investigation or attempts to resolve the matter.
 - Another member of the Management Team
 - The Board Harassment Representative, or another member of the Board.

7 Response to internal reports of bullying or harassment

- 7.1 When a report of sexual harassment is received, the complaint handler will consider the information in the report and consider what action is reasonable taking into account the seriousness of the issue and the views of the person who experienced the reported behaviour.
- 7.2 The approaches that could be taken in response to a report of sexual harassment that relates to a staff member includes:
- A a one on one meeting between the complaint handler and/or another member(s) of the Management Team and the subject of the complaint;
 - B a meeting between both the complainant and the subject of the complaint;
 - C a meeting that is facilitated by a mediator or specialist facilitator; and
 - D a formal independent investigation.

Option 1: One-on-one meeting with the subject of the complaint

- 7.3 The complaint handler and/or another member(s) of the Management Team could have a one-on-one meeting with the subject of the complaint and discuss the concerns raised in relation to their behaviour.
- 7.4 Clear expectations should be set as to behavioural expectations in the future. The complainant will be informed as to the agreed outcome. The complaint handler will monitor the situation to ensure that the behaviour has stopped.
- 7.5 This approach will be appropriate if the complainant does not want to attend a meeting with the respondent and is comfortable for the complaint handler to address the issue. In some cases, explaining the way that others perceive their behaviour can be enough to stop the behaviour reoccurring.

Option 2: Meeting with both the complainant and the subject of the complaint

- 7.6 The complaint handler could arrange a meeting that is attended by both the complainant and the subject of the complaint. Both parties should be invited to bring a support person to the meeting.

- 7.7 The complainant should be given an opportunity to explain their concerns and the effect of the behaviour on them. The subject of the complaint should then be given a chance to respond. The parties should then seek to determine what needs to happen in order to resolve the matter, and how they will work together moving forward.
- 7.8 A record as to the agreed way forward should be made, and the complaint handler should monitor the situation to ensure that the behaviour has stopped.
- 7.9 This approach will be appropriate if the complainant is comfortable attending a meeting with the subject of their complaint, and if both parties are prepared to engage and discuss the matter in a constructive manner.

Option 3: Mediation or facilitation

- 7.10 A meeting between the parties, facilitated by a specialist facilitator or mediator who can guide the discussion in a safe environment, can be an effective forum which allows both parties to discuss their concerns and to explore ways in which they might be able to achieve a way forward.
- 7.11 The parties may mutually agree to a private mediator or facilitator, or could attend mediation through the Ministry of Business, Innovation and Employment's mediation service.
- 7.12 This approach will be appropriate if both parties are amenable to discussing and working through the issues and it is necessary to have an impartial and unbiased person guide the discussion.

Option 4: Formal independent investigation

- 7.13 In some cases, the complaint handler may consider it is necessary to carry out an independent investigation. The steps in the process of an investigation are set out in **Appendix 3** of this Policy.

Response to reports of bullying or harassment where the subject of the complaint is an individual outside of Recorded Music

- 7.14 Where a report of bullying or harassment concerns an individual outside of Recorded Music (for example during an industry meeting or event) there are a number of approaches that could be taken in response, including:
- A Arrangements can be put in place that prevent the subject of the complaint from attending meetings or events at Recorded Music's offices.
 - B Arrangements can be put in place so that the complainant (and any others that may be affected) are not required to interact with the subject of the complaint.
 - C The complaint handler or the complainant could lodge a written complaint to the subject's employer or contracting organisation.
 - D The complaint handler or another member of the Management Team could have a one-on-one meeting with the subject of the complaint and discuss the concerns raised in relation to their behaviour.
 - E The complaint handler or another member of the Management Team could arrange a meeting with the individual's manager or another senior person at the organisation to discuss the concerns raised in relation to the individual's behaviour.

Potential outcomes or resolutions of internal reports of bullying or harassment

- 7.15 There are a range of possible outcomes or ways that a report of sexual harassment may be resolved.

Informal resolutions

- 7.16 In some cases, it may be appropriate to resolve the matter informally.
- A written or verbal apology.
 - A written agreement as to how the parties will behave towards each other in the future.
 - A change in reporting lines or the way those affected work together.
 - If the subject of the complaint is outside Recorded Music, action could be taken to prevent that individual from attending Recorded Music's events or meetings at our offices.
 - The subject of the complaint agreeing to attend training or seeking assistance from an external provider.

Disciplinary action

- 7.17 Where allegations are admitted or substantiated, disciplinary action that matches the seriousness of the breach may be taken.
- 7.18 Factors taken into account in determining the level of seriousness include the nature of the conduct and whether or not the person breaching the policy was in a position of trust or authority in relation to the complainant.
- 7.19 Whether or not disciplinary action is taken as a result of a bullying or harassment complaint is a confidential matter between the employer and the subject of the complaint. However, the complainant will be given sufficient information about the action taken in response to their complaint to feel safe and empowered to take further steps if the behaviour recurs.

If a complaint is not upheld

- 7.20 Where a complaint is not upheld, there will be no consequences for the complainant unless it is established that the complaint was made maliciously or in bad faith (for example, where the complainant makes factual allegations they know to be untrue).
- 7.21 Where allegations are not substantiated it may still be appropriate to undertake some action, for example, refresher bullying and harassment training or communications training. This ought not to single out or punish the subject of the complaint if there has been no finding.

8 Reporting bullying or harassment externally

Making a complaint under relevant legislation

- 8.1 If you are not satisfied with the outcome of making an internal complaint or do not wish to use the internal procedures, you can either:

- Lodge a complaint with the Human Rights Commission about the alleged behaviour under Parts 2 and 3 of the Human Rights Act 1993;² or
- If the employee has raised a personal grievance under the Employment Relations Act 2000 within 90 days of the alleged harassment, apply to the Employment Relations Authority for a determination.

8.2 Employees cannot both lodge a complaint with the Human Rights Commission and apply to the Employment Relations Authority.

8.3 As the Employment Relations Act is only relevant for employer / employee relationship problems, independent contractors should direct their complaints to the Human Rights Commission.

Reporting to the Police

8.4 Serious bullying, harassment, or physical assault, may come under the provisions of the Crimes Act 1961, or the Harassment Act 1997. In such a case, the complainant, or Recorded Music on the complainant's behalf, may lodge a complaint with the Police. In such serious cases, Recorded Music will support the complainant to do so, if they wish.

Other external reporting

8.5 A worker can make a complaint about harmful digital communications to NetSafe who will investigate the matter. For further information, see NetSafe's website:

www.netsafe.org.nz/advice/harmfuldigitalcommunications

8.6 Complaints about objectionable content can be made to the Department of Internal Affairs under the Films, Videos and Publications Classification Act. See <https://www.dia.govt.nz/Censorship-Overview>

9 Record keeping

9.1 Where a report of bullying or harassment is received, the Management Team will keep all relevant documentation in a secure location.

10 Review of the bullying and harassment policy

10.1 This policy will be reviewed at least every two years to ensure that it conforms to current law and remains best practice.

11 Workplace monitoring

11.1 Recorded Music will use the following mechanisms to help determine whether bullying or harassment exists in the workplace, and whether people are reporting incidences of bullying or harassment, to help us improve our practices:

- Anonymous reports provided by Harassment Contact Persons

² Note the complaint should be made wherever possible within 12 months of the conduct occurring, as the Commission has a discretion not to take action on a complaint where the conduct occurred more than 12 months prior: s80(2) Human Rights Act 1993

- Exit interviews
- Collecting statistics
- Regular discussion with staff on workplace culture.

Appendix 1: Information for Harassment Contact Persons

Key skill requirements

The following skills, knowledge and personal attributes are to be demonstrated by any person seeking to become a Harassment Contact Person.

Skills:

- Ability to use effective active and reflective listening skills
- Sound communication skills both written and verbal
- Ability to respond with empathy in sensitive and stressful situations
- Sound judgement and ability to maintain confidentiality (any evidence of a lack of discretion may be a disqualifying factor)

Knowledge:

- Harassment Contact Persons will acquire knowledge of relevant legislation and best practice on matters of:
 - Equality, discrimination and harassment
 - Internal and external resolution options available to staff, in particular Recorded Music's processes
 - Awareness or ability to acquire awareness of cross cultural issues and sensitivities

Personal attributes:

- Genuine interest in equity and diversity issues
- Credibility with other members of the workplace/work unit
- Demonstrated standards of workplace behaviour that reflects the standard of ethical behaviour expected at Recorded Music

Appointment of Harassment Contacts

To ensure that Harassment Contacts can receive disclosures relating to sexual harassment in strict confidence, members of the Management Team will not be appointed as Harassment Contact Persons for Recorded Music (but could be Harassment Contact Persons for other music industry bodies).

Recorded Music retains discretion to remove individuals from the role of Harassment Contact for any reason.

Role and Responsibilities of Harassment Contact Persons

Harassment Contact Persons will:

- Behave as a positive role model of workplace behaviour.
- Provide a safe environment for individuals to express concerns in a confidential manner.

- Clearly explain the parameters of their role at the start of any meeting with an employee, including the limitations on their ability to keep matters confidential.
- Listen to the individual's concerns.
- Not form a view on the merit of any allegations.
- Listen and discuss options for resolving a complaint.
- If requested, provide information about the internal and external complaint process and outline other informal and formal options available to the individual.
- Support the employee in accessing applicable policies and procedures.
- Provide information about available support services.
- Provide non-identifying statistical data to the Management Team.

Appendix 2: Bullying and Harassment Reporting

Use this form to report sexual harassment. A report can be made by someone who is experiencing sexual harassment or has seen sexual harassment occurring in the workplace.

You are entitled to independent advice on this and may seek support from someone you trust to complete this form.

Give the completed form to one or more of the people in the Management Team. As per clauses 5.1 to 5.4 of the policy, this report will be treated confidentially.

Name:

Position:

Team:

When did the incident(s) happen: (date and time)

Provide details of the incident, for example:

- Where did it occur?
- Who was present?
- What was said or done? Who by?
What is their position?
- Why did you think this behaviour was unreasonable in the circumstances?
- Has this occurred before? If so, when?
- Who witnessed this incident?
- How did this incident make you feel?
- How has this incident affected you?
- Have you taken any actions? If so, what?
- As a result of this report, what would you like to happen?

I understand that I can seek help to complete this form

I understand that the information provided this report may be disclosed to the parties involved

I declare to the best of my knowledge the information provided in this form is true and correct

Name

Date

Appendix 3: Steps in formal independent investigation process

All parties will be treated with care and respect, and the principles of natural justice will prevail.

1. The subject of the complaint will be informed of the complaint and the potential outcomes if the allegations are substantiated.
2. The complaint handler will decide what interim measures to take to ensure the safety and welfare of the people involved during the investigation. Depending on the circumstances, options could include:
 - Reassignment to other duties or relocation until the investigation is complete.
 - The subject of the complaint taking a voluntary leave of absence or being suspended pending the outcome of the investigation.
 - The complainant taking leave.
3. An independent investigator will be selected after consulting with the parties. This will be someone who is trained to carry out investigations into bullying and harassment complaints and is unbiased and was not involved in the incident.
4. The complaint handler will prepare terms of reference for the investigation and consult with the parties about the intended process.
5. The investigator will:
 - Confirm the process and timelines with everyone involved.
 - Interview all parties involved and any witnesses, and review any relevant documentation to determine the facts.
 - Give the subject of the complaint reasonable opportunity to respond to the allegations / concerns in writing and in person.
 - Give the complaint handler a written report on their findings to be given to the decision maker (likely the CEO).
6. The decision maker will then review the report and:
 - Provide a copy of the report to the complainant and the subject of the complaint.
 - Meet with the people involved separately to discuss the report and the investigator's findings.
 - Discuss the possible outcomes and resolutions with the complainant.
 - Meet with the people involved and advise them of the proposed actions that Recorded Music will take (to the extent possible, taking into account privacy considerations).
 - Remind the people involved of their ability to make an external report of sexual harassment if they are unhappy with the outcome.
7. A member of the Management Team or other delegated person will regularly check the wellbeing of the people involved both during and after the completion of the investigation.