



THE PRODUCTION FACTORY

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## CODE OF CONDUCT

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### 1. INTRODUCTION

The Production Factory strives to provide an on-set environment where everyone is treated with dignity and respect. We are committed to providing a safe and respectful working environment for everyone in all countries in which we operate.

We do not tolerate bullying and/or harassment, racism or any other forms of discrimination and our core principles are reflected in this Third-Party Code of Conduct (Code), which establishes the minimum we expect from all third parties operating and working on our sets.

Our clients also, from time-to-time, require that we and our suppliers and contractors comply with their codes and policies (Client Policies) as a condition of working with them. Where we notify you of any such Client Policies, you are also required to comply with these as a condition of working with us.

### 2. WHO MUST COMPLY WITH THIS CODE?

All third parties undertaking work with or on behalf of The Production Factory shall comply with the Code, any applicable Client Code(s) and the Production Factory's safeguarding policy and shall ensure that its workers are aware of this Code and any applicable Client Code(s) and comply with them.

### 3. YOUR COMMITMENT

All third parties working with the Production Factory agree that:

- ❖ You will and will ensure your workers (where applicable) will comply with the requirements in this Code and the Production Factory's safeguarding policy together with such Client Policies as may be applicable, from time-to-time, to the work you are doing with us.
- ❖ You have and will maintain appropriate systems in place to ensure continuous compliance and to demonstrate such compliance.
- ❖ You will allow us and our appointed audit representatives (and those of our clients, as applicable), on reasonable notice, access to your relevant records, documents and premises (if applicable), to undertake audits, interviews and/or investigations to assess your compliance with our Code and any applicable Client Policies with which you are required to comply.
- ❖ You agree to ensure that the obligations under the Code and any applicable Client Policies which you are required to comply, or obligations materially similar to the principles contained in such documents, are cascaded down your own supply chain.
- ❖ This Code is incorporated into any contract we have with you and, as such, any breach of this Code will allow the Production Factory to terminate its relationship with you with immediate effect.



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### 4. BULLYING AND HARASSMENT

We make it our priority to support all third parties working with us, and this policy is designed to help us ensure that all parties feel safe and secure working with us. If you have a concern in relation to any actual or suspected bullying, harassment, or racism, we encourage you to use the support available to try to resolve it as early as possible.

#### What are Bullying and Harassment?

We define:

- Bullying as “any behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset”.

Physical, verbal and non-verbal conduct can all amount to bullying. It can take various forms, from extreme behaviour involving violence and intimidation through subtle actions such as deliberate exclusion.

- Harassment as “unwanted conduct in relation to a protected characteristic that has the purpose or effect of:
  - violating someone else’s dignity; or
  - creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else”.

Harassment can occur where someone perceives another person to have a protected characteristic and can also arise by association, where someone is harassed because they are associated with someone with a protected characteristic.

#### Examples of harassment

Harassment can occur in many forms, and while this is not an exhaustive list, examples include:

- “banter” or jokes, taunts, insults or offensive comments that are sexual, racist, ageist, transphobic, homophobic or derogatory against other protected characteristics (i.e. disability; sex; gender reassignment; marital or civil partnership status; race; religion or belief; sex orientation; and age);
- unwanted physical behaviour;
- excluding someone from a conversation or marginalising them from a group;
- unwelcome comments about someone’s appearance or the way they dress that is relation to a protected characteristic;
- consistently using the wrong names or pronouns for someone; and
- displaying images that are racially offensive.

#### Meaning of sexual harassment

Harassment may be sexual in nature, and the law defines sexual harassment as:

- “conduct of a sexual nature that has the purpose or effect of violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offence environment”; and
- “less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct”.

Sexual harassment can occur in many forms, and whilst this is not an exhaustive list, examples include:

- physical conduct of a sexual nature, unwelcome physical contact or intimidation;

- persistent suggestions to meet up socially after a person has made it clear that they do not welcome such suggestions;
- showing or sending offensive or pornographic material by any means (e.g. by text, video clip, email or by posting on the internet or social media);
- unwelcome sexual advances, propositions, suggestive remarks, or gender-related insults;
- offensive comments about appearance or dress, innuendo or lewd comments;
- leering, whistling or making sexual suggestive gestures; and
- gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours.

### **What to do if you are being bullied or harassed**

If you feel able to, you may decide to raise the issue with the individual themselves, to make it clear that their behaviour is not welcome and to ask them to stop. They may not be aware that their behaviour is offending you.

Alternatively, if you do not feel up to speaking directly to the individual, you may consider speaking with one of our employees who are present on set or form part of the project. You may or may not want them to talk to the individual on your behalf and, where possible, we will respect your wishes. However, if the welfare or safety of you or others is at risk or where your allegations are particularly serious, we may have to approach the individual. In such a case we will, where possible, discuss this with you first.

### **What we expect from you**

We expect you and everyone working on any of our sets to take personal responsibility for observing, upholding, promoting, and applying this Code and any applicable Client Code(s).

There is no justifiable reason to bully or harass someone else and even if you do not intend to bully or harass someone else, this does not legitimise your behaviour as it is the impact on the recipient which is important.

Anyone involved with a complaint about bullying or harassment (including witnesses) must keep the matter strictly confidential and act with appropriate sensitivity to all parties.

## **5. THIRD PARTY CONDUCT**

Where third-parties work with the Production Factory, any third parties shall, in addition to complying with the standards set out in this Code and any applicable Client Code(s), comply with all applicable UK laws and regulations (and if applicable, the laws and regulations of any other jurisdiction where it or its Representatives operate) including but not limited to the laws and regulations relating to issues addressed in this Code or the applicable Client Code(s).

If there is a conflict between: (1) any applicable laws or regulations; (2) the provisions of an agreement with the Production Factory; (3) the provisions of this Code; or (4) any applicable Client Code, you must meet the most stringent standard.

### **Workforce issues**

You agree to meet the following standards:

Slavery, human trafficking and child labour. You must comply with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including the Modern Slavery Act 2015 in any part of its supply chain. This includes, but is not limited to, not supporting or engaging or requiring any forced labour, the use of child labour, bonded labour, indentured labour and prison labour.

Human rights. You must comply with all internationally recognised human rights understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organisation's Declaration on Fundamental Principles and Rights at Work from time to time in force.

Freedom of association and collective bargaining. You must respect, and shall not interfere with, the right of workers to decide whether to lawfully associate with groups of their choice, including the right to form or join trade unions and to engage in collective bargaining.

### **Bribery and corruption**

You must comply with all applicable laws, statutes, codes and regulations relating to the prevention of bribery and corruption (including but not limited to the Bribery Act 2010). To that end, you must not accept, offer, promise, pay, permit or authorise:

- bribes, facilitation payments, kickbacks or illegal political contributions;
- money, goods, services, entertainment, employment, contracts or other things of value, in order to obtain or retain improper advantage; or
- any other unlawful or improper payments or benefits.

## **6. SAFEGUARDING**

The Production Factory fully recognises the contribution it can make to safeguard and support the children and young people in its care.

If you're worried that a child or young person is at risk or is being abused:

- where it is appropriate to do so, notify the member of our staff who is responsible for the shoot of your concerns;
- contact the children's social care team at their local council. You'll be asked for your details, but you can choose not to share them;
- call 999 if the child is at immediate risk; and
- if it's not an emergency, you can report the crime online or call 101. Calls to 999 or 101 are free.

Contact Childline if you want to discuss your concerns and get advice: 0800 1111.

Anyone who has concerns about a child's welfare can make a referral to Children's social care. All professionals and third parties working on our sets have a responsibility to refer a child to Children's social care if they believe or suspect that the child:

- has suffered significant harm;
- is likely to suffer significant harm;
- has a disability, development and welfare needs which are likely only to be met through provision of family support services (with agreement of the child's parent) under the Children Act 1989; or
- is a child in need whose development would be likely to be impaired without provision of services.

The Production Factory often manages projects which involves children. As such, The Production Factory may, at its absolute discretion, require any third parties, operating on set in which children are present, to obtain a DBS check as a condition of working with us.

If requested to obtain a DBS check, you will not be allowed on set until the Producer working on behalf of The Production Factory has seen a copy of your DBS check and is satisfied with its contents.

## **7. BREACHES OF THIS CODE**

You agree to monitor yours and others compliance with the Code and any applicable Client Codes and to report any breaches (actual or suspected) of this Code or the applicable Client Codes as soon as possible to the Production Factory representative working on set or on the project.

If anyone is found to have committed, authorised or condoned an act of bullying or harassment or breached this Code or any applicable Client Codes, we will seek to take action against that individual or group of individuals which may include terminating any existing or future projects and ceasing to use their services for any projects going forward.

If an individual takes action against us as a result of your behaviour towards them on-set or during the course of a project which was contrary to this Code, we reserve the right to pursue you for any losses we have incurred as a result of your behaviour.