



## **Music Nova Scotia Code of Conduct**

*Approved by the Music Nova Scotia Board*

### **Purpose**

Music Nova Scotia believes all our workplaces, venues and activities (including social events) must be inclusive, safe and welcoming for everyone. We all have a responsibility to build safe and respectful spaces, to set and respect personal boundaries, and to engage in considerate, ethical and consent-based interactions.

To this end, this Code of Conduct,

- provides a set of guiding principles to promote inclusion and prevent incidents of harassment, discrimination and violence;
- establishes policies and procedures to facilitate the timely and effective investigation and resolution of complaints;
- identifies potential remedies and consequences for unacceptable behaviour; and
- seeks to ensure that all stakeholders are made aware of their rights and obligations and our policies and procedures

### **Scope / Application**

This Code of Conduct applies to all Music Nova Scotia related workplaces, functions, venues, sites, activities, events and communications. All Music Nova Scotia stakeholders (including staff, Board members, sponsors, partners, volunteers, instructors, patrons, performers, media, contractors, suppliers, exhibitors, and other service providers and guests) must ensure that their assumptions, behaviour, policies and decision-making procedures respect the letter and spirit of this Code and the Nova Scotia Human Rights Act. (Human Rights Act. R.S., c. 214, s.1). (See Appendix A: Definitions and Examples of Discrimination and Harassment)

### **Complaint / Reporting Options**

Anyone who experiences or witnesses harassing, discriminatory, threatening or violent behavior is encouraged to immediately alert Music Nova Scotia staff, and, when circumstances warrant or

conditions permit, report such incidents to a Music Nova Scotia staff manager, coordinator, site manager, venue security, the Executive Director or any member of the Music Nova Scotia Board. (See Appendix B: Music Nova Scotia Contacts For Code Of Conduct First Responders). This allows the unacceptable behaviour and potential danger to be addressed quickly, effectively and fairly.

Music Nova Scotia recognizes that there are circumstances where immediate or direct communication with the person engaging in offensive behaviour may be inappropriate or unsafe; however, on occasion, incidents of harassment or discrimination may be dealt with informally through indirect (mediated) or direct verbal or written communication with the alleged perpetrator.

Where a complainant is unable to satisfactorily address an issue or incident informally, they should file a formal report or complaint. (See Appendix C: Code Of Conduct Incident Report / Complaint Form). Reports or complaints may be made verbally or in writing. Music Nova Scotia staff receiving a verbal report will document it in the prescribed form.

Depending on the nature of the complaint, individuals may also contact an external agency, like the Nova Scotia Human Rights Commission or the Local police, or initiate legal action or processes available in collective agreements or labour laws. Where appropriate, Music Nova Scotia reserves the right to conduct an internal investigation and take immediate or interim action whether or not an external process is anticipated or completed.

## **Investigation**

Music Nova Scotia will ensure that a fair, respectful, timely and proportionate investigation is conducted when a report of harassment, discrimination, violent or otherwise offensive behaviour is made.

The President of the Music Nova Scotia Board will determine who will conduct the investigation. If the President of the Music Nova Scotia Board is the person allegedly engaging in the inappropriate behaviour the President of the Human Resources Committee shall serve as alternate. Depending on the nature of the allegations, the investigation may be referred to an external investigator or agency. After an investigation is concluded, the person making the complaint and the person alleged to have engaged in harassment or discrimination will be informed of the findings.

All complaints, investigations and reports of harassment or discrimination shall be recorded but kept confidential except where disclosure is necessary to protect the health and safety of others,

to investigate the complaint, to take corrective action, or as required by law.

Consequences anyone asked to stop harassing, discriminatory or violent behaviour is required to comply immediately. If an individual or group (whether staff, board member, sponsor, partner, volunteer, instructor, patron, performer, media, contractor, supplier, exhibitor, other service providers or guest) engages in unacceptable behaviour Music Nova Scotia staff, including security staff, have the discretion to take timely and appropriate action to protect the health and safety of participants and to uphold the principles and objectives enshrined in this Code. For example, this could include immediate expulsion from an activity or event and, if appropriate, involvement of local police.

If an investigation concludes that there has been a violation of this Code, individuals found to have violated the Code will be treated accordingly. Staff, volunteers, service providers, and other stakeholders may be subject to a wide range of measures, including restrictions on access to Music Nova Scotia events and opportunities, suspension or termination of service; or requirement of remedial action such as counselling and/or training, or restorative justice processes.

Except in extenuating circumstances, if an investigation concludes that there has not been a violation of this Code of Conduct there will be no documentation concerning the report placed on the file of the complainant or respondent.

### **Reports Made in Bad Faith and Retaliation**

A report, made with a conscious design to mislead or deceive, or with a malicious or fraudulent intent, may constitute grounds for action against the person making the report.

Regardless of the outcome of an investigation or report, individuals who in good faith report or allege harassment, discrimination and violence as well as anyone providing information during an investigation will be protected from retaliation.

### **Code Of Conduct Review**

The Code of Conduct can to be considered a “living” document. It, along with related policies and procedures, will be reviewed and revised periodically by the Music Nova Scotia Board.

## **APPENDIX A: Definitions and Examples of Discrimination and Harassment**

What is Discrimination? The Nova Scotia Human Rights Act explicitly prohibits discrimination based on any of these characteristics: Age, Race, Colour, Religion, Creed, Ethnic, national or aboriginal origin, Sex (including pregnancy and pay equity), Sexual orientation, Physical disability, Mental disability, Family status, Marital status, Source of income, Harassment (and sexual harassment), Irrational fear of contracting an illness or disease, Association with protected groups or individuals, Political belief, affiliation or activity, Gender Identity, Gender Expression, Retaliation.

Definition of Harassment - Harassment is offensive conduct that is known, or a person ought reasonably to know, is unwelcome, harmful or hurtful. It may comprise any single or persistent objectionable act(s), comment(s) or display(s) or any act that demeans, belittles, or causes humiliation. Harassment includes undesirable behaviour(s) directed at an individual or group intended to torment, undermine, frustrate, coerce, frighten, intimidate, incapacitate or provoke a reaction from them or is perceived as such.

### **Examples of what constitutes harassment**

- Unwanted sexual advances, suggestive inquiries, remarks or gestures;
- Offensive remarks or jokes about one's race, religion, sex, sexual orientation, age, disability or any other ground of discrimination;
- Unwelcome and unsolicited physical contact, such as patting, pinching, or kissing (contact without consent may be considered assault);
- Uninvited invasion of personal space and privacy, such as stalking, leering, following, and recording;
- Bullying (physical, verbal, social, cyber);
- Displaying or communicating offensive material, comments, or images;
- Derogatory, degrading or taunting, insults, innuendos or offensive remarks that humiliate, exclude or isolate a person or group; For example, ridiculing their lifestyle, gender identity or expression, beliefs, values, and political or religious choices;
- Giving an individual or group tasks based on their race, religion, sex, age, disability or any discriminatory basis;
- Discrediting, humiliating, demeaning or destabilizing a person or group by spreading malicious gossip or unfounded accusations;
- Preventing a person from expressing themselves (for example, by constantly yelling, threatening, interrupting or verbally abusing them);
- Isolating a person by denying or ignoring their presence and distancing them from others;

- Systematically and selectively sabotaging or undermining an individual's work or work environment by withholding resources (time, budget, autonomy, training, communication) necessary to succeed; or
- Threatening, intimidating or reprisal against someone who has complained about or rejected a sexual advance or offensive behaviour

## **Appendix B: 2018 Music Nova Scotia Contacts For Code Of Conduct First Responders**

1. Executive Director: Scott Long (or designate)
2. Festival Manager: Grace Russell (or designate)
3. Staff Safety Coordinator: Dana Beeler (or designate)
4. Staff Volunteer Coordinator: Laura Sanderson (or designate)
5. Any Music Nova Scotia Board Member on site

## **Appendix C: 2018 Code Of Conduct Incident Report / Complaint Form**

See attached.