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## Code of Conduct

This is a living document – it will be reviewed annually and updated to reflect current and evolving sector best practice and key workplace, social and cultural wellbeing factors.

You can see when this Code of Conduct was last updated by referring to the date at the end of this document.

### ***He mauri tō te tangata, he whakapapa tōna, he mana motuhake.***

Everyone has mana. Everyone has a whakapapa, a genealogy, a heritage and an identity that makes that person no more and no less important than the next person.

Over the last few years, it has become increasingly clear that problematic and damaging behaviours, such as bullying, sexual harassment and harassment of other kinds, are deeply embedded across our society. The performing arts world is not immune to this, nor are the small and tight-knit performing arts communities of Auckland and Aotearoa. But these behaviours are contrary to what we aspire to be. Dignity and respect needs to be central to the treatment of all people in the sector.

Theatre is an art form. The work and process can and should be challenging, experimental, exploratory, and innovative. Artistic freedom of expression is essential. For these things to happen, though, the creative space must be a safe space. This means that everyone feels confident that they will not be exposed to emotional or physical harm.

And because the spaces in which we work are broad – encompassing administration, auditions, rehearsals, technical work, late nights, parties, public-facing frontline work – and a great proportion of arts sector workers are freelance, we have to be extra vigilant about ensuring there is no space for these behaviours to exist.

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To that end, we have created the following Code of Conduct in order to provide guidelines on appropriate behaviours and processes when working at Silo. This is a living document, which we will continue to review and improve as we go on - we welcome suggestions and are open to amendments - and acknowledge the need for continual examination of our working practices and standards.

We believe that this Code is an opportunity for everyone to work towards a more collaborative, communicative and empowering workplace. We are happy for this document to be shared, added to and used by other organisations, companies and independent artists.

## **Our Commitment**

Every employer has a legal responsibility to ensure that the workplace, and work-related social events, afford respect and dignity to everyone.

At Silo Theatre, we strive to provide a safe, fair and empowering workplace culture and environment. Manaakitanga is a central value that we hold at Silo Theatre, and we are committed to our staff, our Trust Board, our production teams and performers, and all third parties (including audiences, venues, partners and service providers) experiencing these values in all aspects of their work and engagement with our organisation.

We make this commitment to you as a member of our Silo whānau. And we expect you to support that commitment through your actions, too.

This Code provides for appropriate disciplinary action up to and including dismissal to be taken where allegations are upheld against an employee. In the case of non-employees or workers against whom a complaint is upheld, appropriate sanctions, including for example suspension of contract or a ban from Silo productions, will be taken.

We are also committed to working with anyone who may misunderstand our expectations, or needs clarification on any aspects of the Code.

## **Who is covered by this Code of Conduct, and in what situations?**

All employees, contractors, trainees, interns, students, board members, volunteers and individuals providing services to the employer are protected by this Code of Conduct. These employees/workers are also required to comply with it.

This Code of Conduct will be given to all Silo employees, contractors, volunteers, interns & Board members at the commencement of their engagement. By signing their contract agreement, they indicate that they have read, understood and agree to the Code.

The Code applies to employers and employees/workers both in the workplace and at work-associated events, which include but are not limited to:

- All activities in rehearsal studios, the Silo office/admin hubs, the theatre auditorium, backstage, greenrooms, dressing rooms and front of house areas including the venue bar, & publicity calls;
- Opening and closing night hospitality, patron and sponsor functions & research events;

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- On tour;
- At any other place where employees/workers are present for company business, for example: training days, award ceremonies, residencies, workshops, festivals.
- Online on all social media platforms. Please refer to the Social Media Policy in your contract.

From time to time, where necessary, meetings may take place at a private residence of the director or a member of the creative team. These meetings should be disclosed to the Producer, Production Manager and Stage Manager with regards to who will be attending and for what purpose.

The Code also applies to a client, customer or other business contact with whom an employee/worker might reasonably expect to come into contact within the course of their employment.

## Responsibilities

Silo Theatre commits to dealing with complaints of bullying, racial harassment, sexual harassment and other types of harassment in a fair and sensitive manner, and to handling complaints with confidentiality where appropriate.

All employees/workers have a responsibility for ensuring they treat their colleagues and contacts in the workplace with dignity and respect, and be aware of the potential impact their behaviour has on others. By this Code, Silo encourages all employees/workers to call out inappropriate behaviour as soon as it arises. Empower yourself and others. Try to avoid being a bystander when inappropriate behaviour is evident in the workplace.

Employees/workers in management and leadership positions (administrative, creative and technical) must take responsibility for the power they have. They must take care to ensure they are not using that power abusively over others in the organisation or projects. They must also be aware of their position of oversight, and that they should keep Silo's management fully informed of any issues or concerns they may have.

## Respecting the Performer and the Audience

The nature of theatre production involves an intense interaction with many creative individuals. This process can expose cast in particular, to vulnerable situations, particularly so in scenes depicting close physical intimacy, nudity, violence or verbal abuse. Silo Theatre requires that such scenarios be thoroughly discussed well in advance as part of pre-production and rehearsals, and where required an intimacy coordinator or other field expert to be engaged as a production/team support mechanism.

The rehearsal and production process should always be one in which all team members are not only able to exercise their own agency if they are feeling unsafe, but are invited to do so on a regular basis.

Manaakitanga is also a central value that underpins Silo Theatre's relationship with audiences. To this end, the audience should never be put in situations that would compromise their safety. As part of the rehearsal process, the director should identify any

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moments of contact with the audience and discuss with the cast the tools that they have to deal with this.

## **Touring Productions**

The process of touring productions, nationally or internationally, creates particular environments, both within the theatre and in the social milieu, which can create opportunities for inappropriate behaviour. For each and every tour, Silo will appoint a production member to be responsible for dealing with any complaints arising under this code. This person will be made known at the health and safety briefing/induction and named in the contracts of the touring party.

## **Students, Interns, Trainees, Volunteers and Child Employees/Workers**

Silo Theatre recognises that individuals in all of these categories are most at risk from abuse of power whether working in administration, technical or creative departments.

Because of their relative youth and/or inexperience, the Silo staff member responsible for the induction process will make it absolutely clear to all such individuals that Silo operates a zero tolerance policy in relation to improper behaviour and actively encourages the reporting of any breach of this Code.

Some specific guidelines:

- It is never appropriate for a child actor (a person aged 17 or under) to be asked by someone in a senior role (including more established actors) to work outside hours in their private home.
- For child actors aged under 18 who are working on a Silo production or project, the only people with access to the contact details of this person will be the director, the stage manager and appropriate Silo administrative staff.
- The rules of engagement and methods of communication between the director and child actors will be outlined by the General Manager and Director in the lead up to the rehearsal period.

In your contract, we have provided the name of the person to whom complaints can be made if the student/intern/volunteer/child employee or worker experiences inappropriate behaviour from any other employee/worker.

## **What does inappropriate behaviour look like?**

The list below is not all-inclusive, but it is meant to provide you with some guidelines.

## **General Conduct**

Harassment of any kind is about the abuse of power. You must take responsibility for the power you have in all workplace situations, and not use it abusively over others who may be more vulnerable than you. Avoid any behaviour that marginalises or diminishes your colleagues and their mana.

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- Colleagues should not be subject to a judgmental gaze or commentary on clothing, bodies, sexiness, physical attributes, weight, attractiveness, or personality characteristics.
- Interrupting or talking over others in discussions is dismissive and rude.
- Co-workers are fully capable of making decisions related to their jobs. If we disagree with one another's decisions, we are committed to discussing it with each other directly.
- Making assumptions about gender, sexuality, race, or religion of colleagues is disrespectful. Strive to use people's proper names, pronunciation and pronouns.
- Shaming or public outbursts are threatening and have absolutely no place at Silo Theatre. Both parties will immediately, in the moment, stop action and step away before an appropriate reset.

## Harassment

Harassment on the grounds of gender identity, marital status, family status, race, age, religion, sexual orientation or disability is defined as any unwanted conduct which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material. Examples of harassment might include:

- Verbal harassment – jokes, comments, ridicule or songs
- Written harassment – texts, messages, emails, letters and notices
- Physical harassment – unnecessary touching, non-consensual touching or any form of assault

There will be zero tolerance for hate speech and discrimination at Silo.

## Sexual Harassment

Sexual harassment is any form of non-consensual verbal, nonverbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. This conduct is not limited by the gender(s) of the complainant and the alleged perpetrator(s). The non-consensual conduct may consist of acts, requests, spoken words, gestures, physical contact or the production, display or circulation of written words, pictures or other material.

Examples of sexual harassment include:

- Unwelcome sexual gestures
- Unwanted displays of sexually suggestive objects including images, text messages or emails
- Unwelcome sexual comments and jokes
- Unwelcome physical contact such as pinching and groping. Or more benign touching that is unnecessary or it has been communicated is unwanted.
- Physical force, or threat of force, for sexual objective
- Threat of disadvantage for rejection of advances
- Promise of advantage for sexual concessions

## **Bullying**

Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical, online or otherwise, conducted by one or more persons against another, or others, at the place of work and/or in the course of employment which could reasonably be regarded as undermining of the individual's right to dignity at work.

An isolated incident of the behaviour described in this definition may be an affront to dignity at work, but as a once off incident is not considered to be bullying. Bullying is conduct which occurs repeatedly, on more than one occasion and which is offensive to a reasonable person.

Many types of conduct and actions can constitute bullying with some being less obvious than others. Bullying can consist of persistent offensive, abusive, intimidating, malicious or insulting behaviour, or abuse of power carried out by an employee, or group of employees, either directly or indirectly, which makes the recipient feel upset, threatened, humiliated or vulnerable.

By way of example only, a pattern of any of the following (non-exhaustive) types of conduct amount to bullying:

- Sharing content about co-workers online that is derogatory, shaming
- Personal insults and name calling
- Persistent unjustified criticism and/or sarcasm
- Public or private humiliation
- Shouting at colleagues in public and/or private
- Instantaneous rage, often over trivial issues or genuine mistakes
- Unfair or unrealistic delegation of duties and responsibilities
- Aggression
- Making offensive comments about a co-workers physical appearance
- Not giving credit for work contributions and ideas
- Intimidation and threats in general
- Physical & emotional abuse
- Spying or stalking
- Pressuring someone to drop a complaint

Bullying can have a physiological, psychological and behavioural impact on an individual. Victims can lose their self-esteem and self-confidence and are at increased risk of suffering stress-related conditions that can trigger further trauma. Apart from the direct impact on a victim's health, long-term exposure to bullying may also have consequences for the victim's livelihood, through absenteeism and resignation from work in order to avoid contact with the bully.

## **When the Code of Conduct is not being followed**

Anyone who is asked to stop any harassing behaviour should comply immediately.

If you are being harassed, notice that someone else is being harassed, or have any other concerns, please act on it.

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1. If you feel comfortable to do so, you should call out the inappropriate behaviour, either at the time, or at a later time. You might find it helpful to use this type of language: "That is not appropriate – it makes me feel uncomfortable".
2. If you witnessed the inappropriate behaviour, check in with the person harmed to see if they need further support.
3. If the behaviour is not rectified immediately, or if you do not feel comfortable to say something to the perpetrator directly, contact someone in the company as soon as you can. Where possible, this should be your line manager (eg. Production Manager, Stage Manager, Producer or Director) or the Executive Director or Artistic Director of Silo. You can do this through email, call or text, or by arranging an in-person meeting through the same methods. A list of contacts will be outlined in your contract and in the production list. This will be a confidential meeting. You are welcome to have a support person (from within or outside the organisation) with you.
4. At this point, Silo management will utilise the complaint procedures outlined in your contract in order to resolve the issue. These include an informal and a formal process, which will be used where appropriate, and as outlined.

All complaints received will be treated seriously & sensitively as swiftly as is practicable. All parties will engage in the process with confidentiality. When serious allegations of harassment and abuse are found, these findings may be disclosed to other interested parties, with the intention of preventing further harm.

Any finding of bullying or harassing behaviour will be regarded as a serious breach of this Code of Conduct and subject to disciplinary action, which may result in the termination of contract or other action deemed necessary to stop the inappropriate behaviour.

## Support Organisations

**Police / Emergency services:** Call 111 (emergency) or 105 (non-urgent)

**Healthline:** 0800 611 116 (support from registered nurses)  
<https://www.health.govt.nz/your-health/services-and-support/health-care-services/healthline>

**Rape Crisis:** 0800 88 33 00 (support after rape or sexual assault)  
<http://www.rapecrisisnz.org.nz/>

**Mental health helpline:** 1737 (support from trained mental health professionals)  
<https://www.mentalhealth.org.nz/get-help/in-crisis/helplines/>

**WorkSafe advice for bullying & sexual harassment:**  
<https://worksafe.govt.nz/topic-and-industry/bullying-prevention-toolbox/bullying-at-work-advice-for-workers/>  
<https://worksafe.govt.nz/topic-and-industry/sexual-harassment/advice-for-workers/>

**ACC's Find Support service for those who have experienced sexual harassment:**  
<https://findsupport.co.nz/>

**Human Rights Commission Making an enquiry or complaint about discrimination or racial or sexual harassment:** 0800 4 YOUR RIGHTS (0800 496 877) or email [infoline@hrc.co.nz](mailto:infoline@hrc.co.nz)

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<https://www.hrc.co.nz/enquiries-and-complaints/>

**Citizen's Advice Bureau 'Problems at Work':** <http://www.cab.org.nz/vat/eb/paw/Pages/home.aspx>

## Endnote

This Code of Conduct is a living document which will be periodically updated.

*This Code of Conduct was last reviewed and updated December 2020.*

Nothing in this Code of Conduct shall undermine or interfere with an individual's legal rights under criminal and civil law. If an employee/worker believes that a crime has been committed against them (e.g. assault, sexual assault) they should report that incident to the New Zealand Police and, if necessary, file appropriate charges.

An employee/worker is at all times entitled to seek formal legal advice.

This Code of Conduct has been built with permission from the Irish Theatre Institute's 'Dignity in the Workplace' document as part of their initiative Speak Up & Call It Out, as well as the Public Theater Code of Conduct and Royal Court's Code of Conduct.

Speak Up & Call It Out is a theatre sector initiative led by Irish Theatre Institute and supported by the Department of Culture, Heritage and the Gaeltacht.