



Muziekgebouw Code of Ethics (full version)

Music connects. Whoever you are. That is why we want to inspire people to discover, experience and share the power of music. The main goal is for as many people as possible to feel connected to each other and therefore at home in Muziekgebouw. Each day, we are dedicated and fully committed to achieving this.

That is a big responsibility. And at the same time one that makes us vulnerable. Our work is characterised by constant pressure to achieve high ambitions with limited resources, time and money. And because we work with varying (external) partners and audiences, we are vulnerable in the areas of diversity and inclusion and role and position (hierarchy).

That is why we work on realising a socially safe working environment in which everyone feels welcome and supported. Clear agreements about what we expect from each other in terms of behaviour and manners are helpful therein. Tips on what we can do if we do not feel safe and supported or notice that someone else is bothered by this are also helpful.

This Code of Ethics provides a framework. We expect every person involved (employee, partner, audience, artist) to adhere to our basic rules and take note of them. If you are a victim or witness of undesirable behaviour, don't look the other way. If in doubt, act in the spirit of this code and discuss it: if possible with the person or persons involved, with colleagues, your manager, the personnel advisor or our internal or external confidential advisers.

For whom:

This code applies to anyone working for us or with us, regardless of capacity:

- Employees (with a permanent, temporary or on-call contract)
- Freelancers, interns, volunteers
- External parties (public and partners who play with us, rent from us or whom we hire)

We add our basic rules to all agreements that we conclude and we ask the person or persons involved to act in accordance with these rules. We also make these rules accessible to our visitors (see Appendix 1).

Core values

The guiding principles for our Code of Ethics are based on the following core values:

- Innovation
- Quality
- Hospitality

**Innovation**

At Muziekgebouw, we pursue innovation. Not only innovation in terms of content, but also in respect of the audience. That is why we strive for a form of inclusivity in which creators, music lovers, employees and partners are as important as each other and therefore equal. We embrace diversity; by being open to other perspectives and encouraging everyone to engage in open dialogue about these perspectives.

Quality

At Muziekgebouw, we always strive for the highest possible quality. To achieve this, it is important to work together as efficiently as possible, with an eye for each other. Quality can only be delivered in a socially safe environment, where everyone is seen and has a voice. With quality as our compass, we strive for connection and look for the best possible means to communicate openly with each other.

Hospitality

We want to be free from pigeon-holing and labelling. We do not make assumptions and mention things in a constructive and productive way. Hospitality means offering space for other perspectives and actively inviting everyone to contribute different ideas. We act proactively for those who need it and stand up for each other. Hospitality is looking beyond your own interests, enjoying the freedom to be yourself and thinking from a perspective of equality. Everyone deserves to be treated respectfully and hospitably.

We can work from these core values by ensuring:

Trust

We trust each other, are friendly and are allowed to make mistakes and learn from them. We dare to be vulnerable in this. We honour our agreements and can each other to account for desired and undesirable behaviour.

Respect

We take each other into account, help each other where necessary and respect each other's values and standards.

Openness

We are curious about the other, try to discover each other's motives and put ourselves in the other person's position.

Equality

We get things done *together* and do not abuse our position (of power).

Solidarity

We are there for each other and stand shoulder to shoulder. We support each other in difficult situations and don't look the other way.

These values are interrelated: one cannot exist without the other. They are reflected in this document and all aspects of our work.



Our basic rules:

Reflecting on our vision, guiding principles and core values, we are bound by the following basic rules:

1. We all share a joint responsibility for creating and sustaining an inclusive workplace that is positive and supportive;
2. We do not intimidate and treat everyone equally regardless of position/role, mental or physical health, cultural origin, age, sex, gender identity or any other external or internal characteristic.
3. Under no circumstances do we tolerate transgressive behaviour, defined as discrimination, sexual harassment or intimidation, verbal or physical aggression or violence, or bullying.
4. We value inclusivity and differences, are open to learning from others and strive not to act biased. We build relationships based on mutual respect and give and receive feedback in a constructive way, because we know this will improve quality, creativity, productivity and collaboration.
5. We respect each other's dignity, regardless of the hierarchical position of our role within the organisation. We work as a team, get things done together and do not abuse our position (of power).
6. We recognise that transgressive behaviour can have significant consequences for people's physical and mental health and well-being. We therefore offer help and protection to reporters and victims by conducting thorough and fair investigations into the report and by taking appropriate measures.
7. We understand that reporting transgressive behaviour can be difficult and requires courage. We respect confidentiality and strive to make the reporting process clear and simple. People who have submitted reports should not experience any form of retaliation as a result thereof, or otherwise become victims of it.

Internal reporting (staff, freelancers, interns, volunteers)

You can raise the issue of behaviour if you experience the behaviour as undesirable. We expect everyone to play an active role in this. Not only if you experience undesirable behaviour yourself, but also if you notice that someone else falls victim to undesirable behaviour. This goes beyond Muziekgebouw colleagues alone. Undesirable behaviour can also come from our visitors, musicians or partners with whom we interact in this building.

If you want to report undesirable or transgressive behaviour, you can do so in various ways, depending on what you feel most comfortable with:

1. Internally: discuss it with the person or persons involved. People are not always aware that their behaviour is experienced as undesirable. Discussing the effects of this behaviour on you or your colleague can make the person involved aware. If you prefer not to do this by yourself, ask your manager or the personnel advisor to attend. Alternatively, you can ask the internal confidential adviser to help you prepare for this conversation.



2. Internally: discuss it with your manager. Managers are responsible for creating and monitoring a working atmosphere in which everyone is treated with respect. So, if your own approach has insufficient effect, or if you do not want or cannot take action yourself, you can contact your manager. If you prefer not to do this by yourself, ask a colleague or the personnel advisor to attend.
3. Internally: discuss it with the internal confidential advisers. You can contact them for assistance, advice, support and guidance, should you experience undesirable behaviour. They promise all parties involved confidentiality with regard to all information that comes to their attention. Muziekgebouw has appointed two internal confidential advisers: Ineke Steetskamp and Ton Muijselaar. They can be reached at vertrouwenspersonen@muziekgebouw.nl

If you would like to contact one of them individually, please send an e-mail to Ineke@muziekgebouw.nl or Ton@muziekgebouw.nl. You can also contact them by telephone or in person. For more information about how confidential advisers can help you and how confidentiality is guaranteed, please go to G:\Algemeen\Personeelsinformatie\Vertrouwenspersonen.

4. Externally: discuss it with the external confidential adviser. This person is affiliated with our Occupational Health and Safety Service: Hilde van Houten. She can be reached on 071-3642040 (general number of the Occupational Health and Safety Service) or h.vanhouten@optimaalwerk.nl
5. Externally: via a confidential adviser at Mores Online, Reporting Centre for Undesirable Behaviour for the performing arts, television and film sectors, art education and museums, the contact details of which can be found at www.mores.online.

Note: we are working together with the internal confidential advisers and the personnel advisor on further arrangements and procedures associated with a report. Examples include a complaints procedure for undesirable behaviour and a whistleblowers' scheme. All employees will be informed once these arrangements are in place. The information will also be shared on our website and on G:\Algemeen\Personeelsinformatie\ Sociale Veiligheid.

External reporting (public, external parties and partners)

If, as a visitor, external party or partner of Muziekgebouw, you would like to report undesirable or transgressive behaviour by another visitor, partner or employee of Muziekgebouw, choose one of the options below, depending on what you feel most comfortable with:

1. Discuss it with the person or persons involved. People are not always aware of their behaviour. Discussing the effects of this behaviour on you can make the person or persons involved aware.
2. Discuss it with an employee of Muziekgebouw. A Public Service Manager is present during every concert or performance. Ask for this person if you want to report undesirable or transgressive behaviour.
3. Send your report to info@muziekgebouw.nl
4. Discuss it with a confidential adviser from your own organisation;



5. If you cannot contact your own organisation, you are advised to contact a confidential adviser from an umbrella trade association. Such as: Mores www.mores.online or Stichting Sociale Veiligheid Podiumkunsten (part of the Dutch Association for the Performing Arts NSPK): www.socialeveiligpodiumkunsten.nl
6. Submit a complaint via the complaints procedure.

Lastly

We are aware that the composition of staff, partners and the public can change quickly. We therefore do not want to fall into a “this is how we always do things here” attitude and open ourselves up to new people and new perspectives. We respect each other, regardless of where someone is from and what knowledge he, she or they bring with them or want to acquire.

We also want to keep this document dynamic. Establishing basic rules for interacting with each other is one thing, but encouraging and safeguarding desired behaviour is another. It is therefore important to continue investing in a safe and stimulating inclusive working atmosphere. This means, among other things, that:

- An inclusive working atmosphere and social safety will remain permanent items of the agendas of the supervisory board, management board, managers and works council;
- We will continue to carefully probe this topic during employee satisfaction surveys and the annual appraisals;
- We create space for dialogue on this topic within the various working groups and teams;
- We will evaluate this Code of Ethics each year;
- We will provide regular information and training on topics related to inclusion, a pleasant and safe working atmosphere and recognising and tackling undesirable behaviour.

Amsterdam, 20 November 2023

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Appendix 1 – Making our basic rules accessible

We believe it is important that our basic rules are accessible to everyone within the organisation, but also to our visitors, partners, clients, musicians, hirers and suppliers.

That is why we share these rules with everyone involved. We make our basic rules accessible to our guests in the ticket information and on our website.

We make our basic rules accessible to our staff and partners by making these rules part of the employment contract or order confirmation.

In all our agreements with employees, interns, freelancers, employers, clients, partners, musicians and suppliers, we state the following:

1. by signing this document you comply with our basic rules;
2. you are familiar with the rules and guidelines and will act in accordance with this information and advice;
3. if you do not adhere to these basic rules, it may lead to disciplinary actions and/or termination of the agreement.



Appendix 2 – How do I recognise transgressive behaviour?

Transgressive behaviour manifests itself in four different ways: sexual harassment, discrimination, aggression and violence (verbal and/or physical) and bullying. These factors are not clearly defined and combinations of undesirable behaviour with other conflicts (often) occur. Undesirable behaviour often occurs within unequal power relations, but not necessarily so. It is important to know that transgressive behaviour does not necessarily need to be an offence. What matters is that the recipient experiences the behaviour as transgressive. That alone is sufficient reason to bring it up for discussion.

You may encounter transgressive behaviour:

- as intentional or unintentional undesirable behaviour, aimed at either an individual or a group;
- as undesirable behaviour that is not specifically targeted, but generally creates a negative working atmosphere;
- as repeated undesirable behaviour over a period of time, or one isolated incident;
- as undesirable behaviour between employees and/or managers at the same or at different levels within the organisation;
- in one or more departments or one or more areas of work, within or outside the organisation;
- between employees, other staff and independent contractors and/or customers
- inside or outside the organisation;
- as mobbing, when several people participate;
- as neglect or exclusion;
- during daily work, during work-organised events either at work or another location, during or outside working hours;
- during personal contact, by telephone, via e-mail, text messages and online, for example via social media.

Not all harassment is sexual in nature, but keep in mind that on the subject of sexual harassment:

- an embrace, a kiss on the cheek or a casual touch does not always equate to harassment. The decisive factor is whether the behaviour was unwanted or offensive.
- It is not important whether a person has sexual feelings for the recipient, but only that the behaviour is sexual in nature and that it was unwanted and/or offensive.
- In the event of sexual harassment, sex, gender identity and orientation are not relevant. Anyone can sexually harass another person.



Appendix 3 – Complaints procedure for undesirable behaviour

Preamble

The Muziekgebouw's starting point is that all employees, partners, visitors and artists treat each other with respect and integrity, creating a socially safe (working) environment in which everyone feels welcome and supported. We do this based on the core values of our Ethical Code: trust, respect, openness, equality and solidarity.

If something has happened that you would like to submit a formal complaint about, this complaints procedure will provide guidance. The Muziekgebouw's (internal or external) confidential advisors will support you if you wish. They will discuss with you, under strict confidentiality, which (informal or formal) avenues you can take and what you can expect from submitting a complaint based on this procedure. A complaints procedure as described here is a drastic process and not an easy decision. We therefore recommend that you first speak to one of the confidential advisors before submitting a formal complaint. Who the confidential advisors are and how to contact them can be read in the Ethical Code: muziekgebouw.nl/ethicalcode

Article 1: Definitions

In this complaints procedure, the following terms are defined as stated below:

- a. Organisation: Muziekgebouw aan 't IJ
- b. Board: the managing director of Muziekgebouw aan 't IJ
- c. Supervisory board: the supervisory board of Muziekgebouw aan 't IJ
- d. Employee: the person who works at or for the organisation on the basis of:
 - An employment contract (also on-call contract)
 - Secondment - contract for services (also freelancers/self-employed persons)
 - Volunteer contract
 - Agency contract
 - Internship agreement
- e. External party: visitor, partner, performing artist, tenant, external organisation
- f. Undesirable behaviour: see Appendix 2 - How do I recognise transgressive behaviour? - to the Ethical Code: <https://www.muziekgebouw.nl/ethicalcode>
- g. Complaint: a written expression of dissatisfaction submitted to the complaints officer regarding the treatment and/or handling by the organisation and/or an employee of the organisation and/or an external party.
- h. Complaints officer: the employee designated by the board to whom the complaint can be submitted. The complaints officer is the contact person for both the board/supervisory board and the external complaints committee. The position of complaints officer cannot be filled simultaneously with the role of confidential advisor.
- i. Complainant: the complaining employee or his/her/their legal representative or next of kin.
- j. Person complained against: the organisation or employee or external party against whom the complaint is directed.
- k. Complaints committee: The Muziekgebouw is a member of the Dutch Association of Theatres and Concert



Halls (“VSCD”) and members of the VSCD can appeal to the complaints committee of the Social Safety Foundation for the Performing Arts (“Stichting Sociale Veiligheid Podiumkunsten”) of the Dutch Association for the Performing Arts (“NAPK”). The members of the complaints committee and the complaints procedure to which they adhere can be found at:

<https://socialeveiligheidpodiumkunsten.nl/klachtenregeling/> (in Dutch)

- l. Internal confidential advisors: the employees designated by the organisation to whom the complainant can turn with a complaint regarding undesirable conduct. They offer assistance, advice, support and guidance and guarantee strict confidentiality.
- m. External confidential advisor: the confidential advisor appointed for this role by the Occupational Health and Safety Service to which the Muziekgebouw is affiliated. The contact details of the external confidential advisor are included in the Ethical Code <https://www.muzeekgebouw.nl/ethicalcode> but can also be found via our Occupational Health and Safety Service: <https://optimaalwerk.nl/over-ons> (in Dutch)

Article 2: The complaints committee

- 2.1 If an employee or an external party submits a complaint about undesirable conduct, the complaint will be submitted to the board* via the complaints officer.
 - * • If the complaint is directed against, or submitted by, the board, then in this procedure, “board” should be read as “supervisory board”.
 - If the complaint is directed against, or has been submitted by, a member of the supervisory board, then in this procedure, “board” should be read as “chairman of the complaints committee”.
 - If the complaint is directed against, or submitted by, the complaints officer, the complaint must be submitted directly to the board and a replacement complaints officer will be appointed.
 - The complaint can also be submitted directly to the complaints committee via the (email) address of the Social Safety Foundation for the Performing Arts of the NAPK, stating “complaints committee”. See Article 1k.
- 2.2 The board will first investigate whether there are still possibilities to reach a solution in the informal (preliminary) phase. The aim is to do this within two working days. If this is not the case, the complaint will be submitted to the independent external complaints committee for advice.
- 2.3 This independent external complaints committee is charged with three tasks, namely:
 - Expressing a judgment on the admissibility of the complaint;
 - Investigating the complaint about undesirable conduct;
 - Issuing advice on the complaint to the board.
- 2.4 The external complaints committee consists of two members and a chairperson. The committee members can be found at <https://socialeveiligheidpodiumkunsten.nl/klachtenregeling> (in Dutch)
The complaints committee is supported by a secretary. The members of the complaints committee may not be directly or indirectly involved in the subject about which the complaint has been submitted.

Article 3: Submitting a complaint

- 3.1 A complaint about undesirable conduct must be submitted in writing by the complainant to the board via the complaints officer (see Article 2.1). If there are multiple complainants against the same person complained against, each complainant must submit a separate complaint letter.



The complaint includes at least:

- a. Name, address, place of residence, telephone number, email address of the person submitting the complaint;
 - b. Date and signature;
 - c. A description of the complaint;
 - d. The name and contact details of the person(s) complained against;
 - e. A description of (if possible) the time, place, nature and content of the conduct, any steps already taken, any witnesses and evidence;
 - f. If necessary, the desire to use English as the working language.
- 3.2 The complaints committee has the option to bundle individual complaints about the same case and to handle and assess them collectively.
- 3.3 If, in the opinion of the complaints committee, the complaint has not been clearly stated, the complainant will be given time to provide clarity about the complaint within a period to be set by the chairman of the complaints committee. If the complainant has not provided clarity within that period, the complaint may be declared inadmissible.
- 3.4 The complaints committee will handle the complaint in accordance with the [complaints procedure of the Social Safety Foundation for the Performing Arts](#) (in Dutch)

Article 4: Summary of the working method according to the complaints procedure of the Social Safety Foundation for the Performing Arts:

- The complaint must be submitted in writing - via the complaints officer - to the Social Safety Foundation for the Performing Arts. Both the organisation and employees can submit a complaint (see Article 3.1)
- The complaint will be assessed for admissibility. If the complaint is declared inadmissible, the complaints officer will be notified. This notification is sent to the board and the complainant.
- When the complaint is taken into consideration, an independent agency will be engaged to act as secretariat. From this moment on, all information and documents relating to the complaint will only be available to those directly involved, the members of the committee and the secretariat.
- The complaints committee sends the documents to the person complained against. This person will be given the opportunity to respond to the complaint in writing by means of a defence.
- The complainant can then also respond in writing to this defence.
- The complaint will then be dealt with in a (closed) session of the complaints committee. The committee may call witnesses for this purpose. Both the complainant and the person complained against may be assisted by an advisor, lawyer or confidant during the hearing.
- In principle, the parties are not heard in each other's presence.
- The committee will make a decision within three weeks of the last hearing. The complaints committee sends the decision to the board* of the organisation where the alleged undesirable behaviour took place.
*If the complaint is directed against, or submitted by, the board, the decision will be sent to the supervisory board.



Article 5: Measures

- 5.1 Within 10 working days of receiving the decision, the board of the Muziekgebouw will inform the complaints committee, the complainant and the person complaint against in writing whether the committee's judgment/advice is accepted and whether the board will take measures as a result and, if so, what measures.
- 5.2 If this period is deviated from, the board will notify the committee, the complainant and the person complaint against of this, stating the reasons, and stating the period within which the board will make a decision on the position and measures.
- 5.3 The board may at any time, whether or not at the request of the committee or confidential advisor, take temporary measures if, as a result of undesirable behaviour, an untenable situation arises for one or more of those directly involved.

Article 6: Protection of complainants

The complainant may not be disadvantaged in his or her work or position within the organisation because of submitting a complaint.

Article 7: Assistance

The complainant and the person complained against may be assisted or represented by an advisor, lawyer or confidential advisor. The costs of engaging a lawyer or advisor will be borne by the complainant or the person complained against. For Muziekgebouw employees, the costs of the confidential advisor are borne by the Muziekgebouw.

The costs for handling the complaint by the complaints committee of the Social Safety Foundation for the Performing Arts will be borne by the Muziekgebouw.

Article 8: Final provisions

- 8.1 Everyone involved in submitting and handling the complaint is obliged to maintain confidentiality. The duty of confidentiality remains in force even if the party or parties involved no longer fall under the scope of the complaints procedure.
- 8.2 The Muziekgebouw ensures that everyone who works for or with us in any capacity is informed in an appropriate manner about the existence of this complaints procedure and the accessibility of the confidential advisors. This complaints procedure will also be placed on the Muziekgebouw website as an appendix to the Ethical Code.
- 8.3 A complaints procedure is free of charge for the complainant(s) and the person complained against (except for any costs of an advisor or lawyer engaged by the complainant(s) or the person complained against).
- 8.4 After completion of the complaints committee's investigation, the files will be archived by the secretary of the complaints committee. This file is only accessible to the complaints committee and the secretary and will be kept for five years.



- 8.5 If a complaint is submitted in any one year, the board will report to the works council and the supervisory board in the same year regarding the nature of the complaint handled and the functioning of the complaints committee, without the persons involved being traceable.
- 8.6 If a complaint is submitted in any one year, this will be mentioned in the social annual report/report of the (internal) confidential advisor. This will be mentioned without it being possible to trace which incident or which persons are involved.
- 8.7 This complaints procedure may be amended by the board at the request of the (internal) confidential advisors, taking into account the right of consent of the works council. How the complaints procedure of the Social Safety Foundation for the Performing Arts can be amended is described in their complaints procedure in Article 16.
- 8.8 In situations not provided for in these regulations, the board will decide.

The procedure will enter into force on 5 November 2024, with the consent of the works council.

Appointments:

With effect from the effective date, the following person has been appointed as

Complaints officer:

HR advisor of the Muziekgebouw

Contact details:

carlagroen@muziekgebouw.nl T: 06 31631665