



THE PRODUCTION FACTORY

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## CODE OF CONDUCT

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### 1. INTRODUCTION

The Production Factory strives to provide a working environment (both on and off set) where everyone is treated with dignity and respect. We are committed to operating with the highest levels of integrity, as this is the foundation we need to truly make a difference for our people, clients and communities.

We are committed to providing a safe and respectful working environment for everyone in all countries in which we operate. We have a zero-tolerance approach to bullying, 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.

From time to time, our clients require that we and our suppliers/contractors comply with their codes and policies (Client Policies) as a condition of working with them. Should this be applicable, we will notify you that, as a condition of working with us, you will also be required to comply with these Client Policies.

### 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.

- We define 'third parties' to include:
- any non-employee, organisation or company working on The Production Factory's behalf;
- any non-employee, organisation or company otherwise supplying goods and services to The Production Factory's under a commercial agreement;
- joint venture partners;
- sub-consultants; and
- third party sponsors/agents.

Third Parties are responsible for ensuring their Directors, employees, agents, representatives, suppliers, subcontractors and other business partners understand the expectations set out in our Third Party Code.

### 3. YOUR COMMITMENT

All third parties working with The Production Factory agree that:

- 1) You will ensure your employees and your workers (where applicable) will comply with the requirements within this Code and our Safeguarding Policy together with other Client Policies as and where applicable.
- 2) You have and will maintain appropriate systems in place to ensure continuous compliance and to demonstrate such compliance.
- 3) 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.
- 4) 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.

#### **4. HOW WE WORK TOGETHER**

##### **Bullying and Harassment**

We're committed to creating and maintaining a working environment in which the dignity of all our people is respected, including interactions Our People have with Third Parties. We expect our working environment to be free from unwanted conduct, and for everyone to have the right to be treated with consideration, dignity and respect. 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.

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.

### **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

### **Diversity, Equality and Inclusion**

The Production Factory is a workplace where diversity is valued and celebrated, and where everyone has a voice, is empowered and has the same opportunities to be their best self. We expect all third parties to value Diversity, Equality and Inclusion and the benefits it can bring to our business relationship.

### **Anti-discrimination**

We do not tolerate discrimination of any kind in The Production Factory, including a requirement that all business-related decisions are based on merit, with no one being treated more or less favourably based on the grounds of any protected characteristic.

### **Health, safety and wellbeing**

Third parties are expected to provide and maintain safe and healthy working conditions, equipment and systems for their workforce and, where applicable/required, for the benefit of Our People. All Third Parties must comply with appropriate health and safety legislation, and are expected to have in place appropriate management systems (including training) wherever they operate.

## 5. THIRD PARTY CONDUCT

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.

### Human Rights

All Third Parties are responsible for avoiding the direct or indirect infringement of any internationally recognised Human Rights. Third Parties are expected to mitigate and prevent impacts that are linked to their operation, products or services, including having appropriate due diligence measures in place to identify, prevent, mitigate and account for their Human Rights impacts and enable remediation. Third parties should address adverse Human Rights impacts with which they are involved when they occur.

### Modern slavery

All Third Parties are required to have a clear prohibition on the use of Modern Slavery throughout their supply chain and are expected to have adequate risk-based due diligence processes and management systems to minimise such risks arising and to take action if issues are identified. We expect Third Parties to work to implement best practice on Modern Slavery and Human Rights remediation and elimination, demonstrating a commitment to address Modern Slavery issues applicable to their operations.

### Labour practices

All Third parties must follow all applicable laws and regulations relating to acceptable labour practices wherever they operate and through their supply chains. We also expect the following principles, informed by the International Labour Organization (ILO) core conventions, to be followed:

- **Employment is always freely chosen.** We do not tolerate forced, bonded or involuntary prison labour or schemes that give such an effect.
- **Freedom of association and the right to collective bargaining are respected.** Workers are expected to have the right to join or form trade unions of their own choosing without discrimination and to bargain collectively (unless restricted by law). Where the right to freedom of association and collective bargaining is restricted under law, we expect employers to facilitate the development of parallel means for independent and free association and bargaining.
- **Working conditions are safe and hygienic.** Adequate steps should be taken to prevent accidents and injury to health arising from or associated with the course of work. This includes minimising so far as is reasonably practicable the causes of hazards inherent in the working environment and we expect employees to be provided regular and recorded health and safety training. Facilities provided to workers should meet as a minimum their basic needs.
- **Child labour shall not be used in any form by Third Parties or their supply chain.** Third Parties should pro-actively support the transition of any child found to be performing child labour into

quality education until they are no longer a child. Young persons under 18 should not be employed at night or in hazardous conditions.

- **Living wages are paid.** Wages and benefits paid for a standard working week are expected to meet, at a minimum, national legal standards or industry benchmark standards (whichever is higher). All workers are expected to be provided with written and understandable information about their employment conditions (including hours and wages) before entering employment and at the pay period concerned each time they are paid. Deductions from wages as a disciplinary measure is not expected to be permitted unless legally allowed and with the express permission of the worker concerned.
- **Working hours are not excessive.** All working hours must comply with national laws and collective agreements. We expect the following measures:
  - Working hours, excluding overtime, should be defined by contract, and are not expected to exceed 48 hours per week; o All overtime should be voluntary;
  - Working hours should not exceed 60 hours in any seven-day period, unless in exceptional/legally permitted instances; and
  - Workers should be provided with at least one day off in every seven-day period (or legally allowed equivalent).
- **No discrimination is practiced.** We expect there to be no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.
- **Regular employment is expected to be provided where possible.** We expect work performed must be on the basis of recognised employment relationship established through national law and practice.
- **No harsh or inhumane treatment is allowed.** Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation is expected to be prohibited.

## 6. INTEGRITY

### Anti-bribery and corruption

We have a zero tolerance approach to any form of bribery or corruption wherever we operate, and require that all Third Parties strictly adhere to this requirement by operating in full compliance with all applicable laws and regulations. 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.

### Preventing tax evasion

We have a zero-tolerance approach to all forms of tax evasion under the laws of each jurisdiction in which we operate and expect all Third Parties to comply with tax obligations at all times in relation to our business relationship. This includes a requirement that Third Parties do not facilitate the tax evasion of others in any country.

In addition, all engagements involving freelancers, contractors, or personal service companies must be assessed in line with HMRC's IR35 guidelines to determine the correct employment status for tax purposes.

### Privacy and data protection

Third Parties are expected to comply with all privacy laws and regulations wherever you collect, use or process personal data in connection with our business relationship. This means processing data only as authorised and directed by The Production Factory and as required by applicable laws and regulations. Third parties should protect personal data and confidential information against unauthorised and unlawful use, disclosure, access, loss, alteration, data and destruction.

## 7. 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.

## 8. BREACHES OF THIS CODE

You agree to monitor your employees and your workers (where applicable) 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.

## **9. WHISTLEBLOWING**

For questions or concerns about the Third Party Code, in most instances you will be able to discuss this with your Production Factory representative; however should you wish to raise a concern about our Third Party Code of Conduct or breaches of this code, you can do so confidentially and via [uk.hr@theproductionfactory.com](mailto:uk.hr@theproductionfactory.com)