Bullying, Harassment and Discrimination (BHD) Roundtable
Readout 11th April 2023

Attendees: Creative UK (Chair), Advertising Association, UK Music, TIME'S UP UK, Models 1, BFMA, ISM, BPI, Ukie, PMA, Film and TV Charity, MMF, PRS Foundation, Musicians Union, BFC, ACAS, DCMS
Apologies: CIISA, BECTU

Agenda Item 1: Welcome & Action Points from Previous Meeting (Chair)

Chair opened the meeting by thanking attendees for joining this roundtable and their continued engagement. Group reviewed progress of action points from the last roundtable:

Review of Actions:
ACTION: DCMS to identify correct officials at BEIS and provide steer to group on how best to lobby on the issue of licensing model agencies to see if movement on this area is feasible. Status: Ongoing - *S*ince the last roundtable, Models 1/BFMA and DCMS have both been in contact with the Department of Business and Trade team responsible for this policy area, the Employment Agency Standards team. **New ACTION: DCMS to discuss next steps on this issue with Models 1/BFMA**

ACTION: Exploration of use of social media (e.g.TikTok) to reach freelancers as a platform to collect information on their experience of BHD. Status: Ongoing

ACTION: Group to explore the idea of organisations requiring preconditions on BHD codes before applicants are awarded grants or similar benefits. Status: Ongoing - **New ACTION: Chair suggested this as a specific item for discussion at the next roundtable**

ACTION: Creative UK to convene group members to discuss the monitoring piece ahead of the next roundtable to progress this work. Status: Ongoing - the working group has not met since last roundtable, discussions ongoing (update below)

ACTION: Musicians Union to pick up conversations with the group members on issues around worker definitions. Status: Ongoing - group recognised this as an important topic to build up, CUK and MU to liaise on picking up a structured conversation ahead of next roundtable

ACTION: Creative UK to clarify interest from sub sector leads to in the web landing page and next steps. Status: Ongoing - good progress made on developing the e-learning module and work around the landing page, still ongoing as it would be good to hear interest in a landing page that gathers cross-industry guidance in one place

DCMS and ACAS updates

DCMS provided a general update on the recent restructuring of the Department, which is now the Department for Culture, Media and Sport. Digital policy has moved to the newly formed Department for Science, Innovation and Technology (DSIT). Minister Lopez is still responsible for creative industries within DCMS, Lucy Frazer is new DCMS Secretary of State, Michelle Donelan having now taken the role of Secretary of State at DSIT.

An update was provided on the progress of the Worker Protection (Amendment of Equality Act 2010)

which will strengthen protections for employees against workplace harassment. The Bill passed the House of Commons on 3 February 2023 and successfully transferred to the House of Lords, where it passed its Lords Second Reading on 24 March 2023. The Government continues to support the Bill, but dates for future stages are not yet confirmed. The Government hopes to see it on the statute book by the end of this parliamentary session.

With regard to the Government's commitment to publishing new guidance for employers on the steps they can take to help prevent sexual harassment in the workplace, this guidance remains in development, though to be aware this is now on a slightly slower timescale, as the advice needs to take account of the measures in the Bill, once passed. In addition, the Government has committed to support the EHRC to develop a new statutory Code of Practice on workplace harassment. This code will be subject to a full consultation. We hope that this will be published before the measures in the Bill come into force, 12 months after Royal Assent.

ISM: Noted negative comments in the press around the Bill and difficulties it may cause employers. The issue of defining workers and freelancers will be key. The open letter organised by the ISM sent to Minister for Women and Equalities Kemi Badenoch MP calling for amendments to the Equality Act 2010 received a response which suggested the Government will not be changing the law in this area, therefore important to keep monitoring developments in this area.

ACTION: Group to pick up discussions around definitions of worker/employee/freelancers and maintain a watching brief on the progress of the Worker Protection (Amendment of Equality Act 2010) Bill

Agenda Item 2: Monitoring B&H Cross Industry - Developing an industry-wide data set.

Lots of work has taken place in the monitoring group over the last two years, with the key takeaway being lots of survey / monitoring is already taking place in sectors - so the key will be to find wording/crossover that covers all CIs to bring a unified picture together.

The advertising sector launched its 'All In' census two weeks ago; the AA will be picking back up progressing the monitoring sub group work now there is more capacity following the launch. The ISM music sector survey is working well, and raising questions for people in authority in the industry. A key issue highlighted by the ISM survey is the need to focus on the higher education environment, with negative behaviours often beginning in the student community and following into the workplace. The BFMA has mirrored a lot of the questions in the ISM survey for the fashion sector survey, which has been really helpful. It seems like a good template for other sectors to follow. The MU and UK Music surveys are coming through in the next few weeks, and anticipate these will provide insights into the latest situation in the music industry. One of the keys is identifying specific sector characteristics. It sounds positive that we can join together a lot of what's happening across industries.

It was flagged that one of the big issues is being able to define clearly what constitutes 'assault', 'bullying' etc and how can people recognise it as such. This needs to be taken into account when thinking through how to measure these issues. There needs to be a foundational definition built into any survey. In addition, lack of impartiality of police when dealing with complaints from the CIs is concerning.

Chair: highlighted that she has potentially identified a mechanism to bring resources in to support the monitoring work via AHRC / Advanced Education. Propose this resource will 1) produce a baseline and 2) build a methodology for the monitoring work. The top line brief is in the papers shared ahead of the meeting and would like to confirm the group's thoughts on the approach set out.

ACTION: The group to consider the paper and if there are any concerns or suggestions, let Chair know by COP Friday 21st April.

ACTION: Group to discuss ahead of next roundtable how to promote the work that has been done by the group already.

ACTION: Group to discuss ahead of next roundtable the idea of organisations following Baftas lead in requiring preconditions on BHD codes before applicants are awarded grants or similar benefits.

Agenda Item 3: CIISA Update & Q&A

Update on the progress developing the Creative Industries Independent Standards Authority (CIISA). Consultation is happening, the work on the organisational and funding structure has progressed; lawyers have been commissioned to carry out work on data sharing requirements.
Next steps include landing pages with Q&A and a further paper will be shared across industry on the proposal following the consultation. It has been a busy time with a lot of engagement meetings and workshops with stakeholders. Bafta has seconded an individual to help with the work, there's been lots of support from theatre sector as well. There has been a pooling of resources across the sectors which has been really positive. In the next round of funding we anticipate music and theatre sectors to discuss their contributions, replicating what had previously happened with the broadcasters. Theatre and music sectors need to make a contribution over the coming months to get this to the next phase, then how the consultation goes will determine how we move to going live in 2024.

Request for further clarity on the different approaches being taken on the development of CIISA, including on when the move from CIISA development funding to more long term sustainable funding will happen. BPI members will need to see this mapped out and to understand what timelines are to ensure conversations with their members happen in good time. Time's Up UK to pick up on this.

Music organisations highlighted that music is a very fragmented sector and that needs to be taken into account, organisations unsure of how much funding can actually come from the music sector currently. Ensuring CIISA addresses the music sector's issues with BHD will be important.

ACTION: CIISA & Time's Up UK to provide an update and share the latest timeline for the CIISA work with the group

Agenda Item 4: Training Module & Web Landing Page Progress Update

Update on progress on developing an e-learning module, now at the stage of looking at language and scenarios being used to ensure they are appropriate. Requested volunteers from the group to review the latest version. Hoping to publish the e-learning module by the summer.

On the web landing page that will be a central place for the storage of guidance, it would be good to know the level of interest from other sectors beyond the film sector in contributing to this centralised landing page.

ACTION: Group to come back with volunteers for reviewing the e-learning module, and level of interest from sub-sectors on contributing to a central landing page of guidance resources.

Agenda Item 5: Reviewing Roundtable TORs - Are our areas of focus still current, role of roundtable going forward

Chair: As the group reaches two years in existence, it would be useful to review the terms of reference for the group. The 'three pillars' of the work - prevent, protect, monitor - and the objectives still feel very relevant. We need discussion on the purpose of the group and some thinking on how we construct meetings, for instance resources in CIISA may be able to pick up certain work as we go on.

Group feedback: Huge progress has been made, the definitions in the ToR are very clear. As CIISA becomes more established, it will be a moment to review the ToRs again to understand if they are still relevant, or if CIISA will overlap on some of the aims of the group. It is important that the efforts going on in sub-sectors are not lost in the broader focus of tackling BHD issues across the CIs. Request for opportunities to continue where activity can be shared at sub-sector level at future meetings. It was agreed that this would feature as part of a longer meeting in the summer.
One issue is that each CI subsector is very different in terms of issues. Moving conversation towards acknowledging the difference between cultures in CIs would be helpful.
Group agreed the ToRs are still relevant.

ACTION: discussion at next meeting on what agenda items will be over next five months

Chair: Proposed that the next meeting be in person, and will happen before the summer. The date and agenda will be finalised shortly, but will likely focus on the group aims for the next year, and will dedicate more time to feedback on progress made sub-sector by sub-sector.