

CODE OF ETHICS

of the Helena Modrzejewska National Stry Theatre

(hereinafter: the Code)

Preamble:

Us, the Workforce Community of the Helena Modrzejewska National Stry Theatre in Cracow, are bringing to life this following Code of Ethics in the aim of maintaining the highest standards of integrity, honesty and fairness as well as respect and professionalism in Our place of work. We aim for Helena Modrzejewska National Stry Theatre to become and remain an Institution with an exemplary care for safety and dignity of it's Workers and Collaborators. Given the nature of Our Institution, creating and environment of equal opportunities and cooperation based on mutual respect, empathy and acceptance is of particular importance to Us. Therefore, We hereby declare the following:

I. Definitions

1. **Code -** Code of Ethics of the Helena Modrzejewska National Stry Theatre in Cracow,
2. **Employee** a person employed in the Helena Modrzejewska National Stry Theatre in Cracow on the basis of an employment contract,
3. **Collaborator** a non-Employee, e.g. a director, a screenwriter or other collaborator,
4. **Discrimination** a violation of the rule of equal treatment in employment with respect to the establishment and termination of the employment relationship, employment conditions, access to promotion and training in order to improve professional qualifications in particular on the basis of gender, age, disability, race, religious beliefs, nationality, worldview, trade union membership, ethnic origin, sexual orientation, mental or physical health, type of employment (for a definite or indefinite



period of time; full-time or part-time employment),

5. Mobbing

actions or behaviours involving persistent or prolonged harassment or intimidation causing a lower assessment of professional suitability, causing or aimed at humiliation or ridicule, isolation or elimination from the team of coworkers,

6. Harassment

undesirable behaviour that has the purpose of violating dignity and creating an intimidating, hostile, demanding, degrading, humiliating or derogatory atmosphere,

7. Sexual harassment

any unwanted conduct of a sexual or gender-related that has the purpose or effect of violating dignity , in particular, creating an intimidating, hostile, degrading, humiliating or derogatory atmosphere; this conduct may consist of physical, verbal or non-verbal elements,

8. Psychological violence

humiliating, degrading, ridicule, manipulating for achieving one's own gains, involvement in conflicts, insinuation of mental illness, social isolation i.e. controlling, prohibiting, limiting contact with other people, using threats, spreading rumors, punishing by denial of interest or constant public and unjustified criticism,

9. Unacceptable Behaviours

Discrimination, Mobbing, Harassment and Sexual Harassment, Psychological violence as well as any conduct contrary to the key values of the Theatre, which violates the ethics of the Institution as to interpersonal relationships. Unacceptable Behaviours include, but are not limited to, shouting, name-calling, criticizing personal life, using threats, making demeaning and/or offensive gestures, making propositions of sexual nature, using physical violence, making threats of physical violence, exhibiting sexually motivated actions, sexual harassment,

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| 10. | Ethics Commission | a body appointed by the Director of the Theatre for one artistic season to carry out a comprehensive analysis of the Report/Notification, which consists of representatives selected by the Workforce Community from each groups of Employees, |
| 11. | Witness | a person who has provided explanations and statements to the Ethics Commission, |
| 12. | Notice | information regarding a potential occurrence of an Unacceptable Behaviour, |
| 13. | Mediation | means of resolving a conflict and prevention of its escalation or persistence, |
| 14. | Mediator | person or persons conducting Mediation, |
| 15. | Member of the Ethics Commission | person, who by virtue of their position or professional experience is held in high esteem and trust by the members of the Workforce Community, who has been chosen jointly by the employees within a specific group employee group among candidates selected through a general election held on the initiative of the employer, |
| 16. | Ethics Officer | a person who has appropriate substantive background to resolve cases regarding violation of key ethical values as well as other provisions of this Code, who has been appointed by the Director out of candidates proposed, in particular but not limited to, by persons designated as Members of the Ethics Commission, the Artistic Council, trade unions and the Director. |

II. General provisions

1. Helena Modrzejewska National Stary Theatre (hereinafter: the Theatre) prevents any and all Unacceptable Behaviours, which are prohibited by the

provisions of applicable law as well as don't reflect the key values of the Theatre.

2. The Theatre prevents in particular psychological violence, behaviours bearing hallmarks of Discrimination in employment relationship, Harassment, Sexual harassment and Mobbing.
3. The Theatre obliges every Employee and Collaborator to treating each other with mutual respect, to caring for welcoming and friendly atmosphere, to absolute refrainment from undertaking activities and behaviours which may in any way violate personal rights.
4. The Theatre obliges every Employee and Collaborator to familiarize themselves with the provisions of this following Code of Ethics and to commit to comply with its provisions.
5. The Theatre obliges every Employee and Collaborator to react to every instance of Unacceptable Behaviours, in particular by applying solutions provisioned in this Code.
6. The Theatre may apply the provisions of this Code in its sole discretion in the events which justify the prevention of Unacceptable Behaviours, in particular when no formal reporting has been made.
7. Utilizing, in good faith, the mechanisms of prevention of Unacceptable Behaviours envisioned in this following Code may not constitute a basis of unfavourable treatment of an Employee or a Collaborator and therefore they may not be subject to negative consequences.
8. Actions undertaken in bad faith, which shall be understood as conscious and informed decisions to accuse of Unacceptable Behaviors, which are not supported by any objective circumstances, as well as exploiting the provisions of this Code in order to obtain undue and unjustified advantages, along with exploiting the provisions of this Code in order to avoid the consequences of improper execution of job responsibilities will not benefit from the protection.

III. Theatre's key values

1. The Helena Modrzejewska National Stary Theatre's Team has had collaboratively developed a set of key values which constitute the basis of ethical standards in force in the Theatre. Those are the following:

- Integrity,
- Respect,
- Professionalism,
- Teamwork,
- Responsibility
- Empathy,
- Mutual trust,
- Respect for diversity.

2. Every person entering a cooperation with the Theatre is obliged to respect the Theatre's key values without exception. This obligation bears not only on the Employees but also on the Collaborators, i.e. in particular, but not exclusively on directors, screenwriters, stage designers, guest actors and other artists exhibiting their theatrical undertakings.
3. The contracts (including civil law contracts) concluded with the Theatre include provisions obliging to abide by this Code and to cooperate with the Ethics Committee during the course of its investigations.
4. Refusal of participation in the investigation on part of the Ethics Committee regarding an individual being subject to accusation of committing Unacceptable Behaviour(s) does not prevent the investigation from progressing. In relevant cases, information regarding refusal of participation can be subject to public disclosure, especially if it constitutes an obstacle in to the parties' further cooperation.
5. If, as a result of the investigation, the allegations being subject to the Ethics Commission's investigation are proven to be true, the Commission can request permission on part the Director of the Helena Modrzejewska National Sary Theatre to publicly disclose the results of the investigation. Committee's request shall be passed unequivocally.
6. The Director of the Helena Modrzejewska National Sary Theatre will grant permission for a public disclosure of the results of the investigation should all possibilities for amicable resolutions of a conflict have been exhausted given that such disclosure is not opposed by the concern for the best interest of the Institution, its' financial situation as well as good name and reputation of the members of the Workforce Community. The Director the Helena Modrzejewska National Sary Theatre will grant permission for a public disclosure when it does not negatively affect the image of the institution, its financial situation as well as good name of the members of the Theatre's Workforce Community..

7. The provisions of this Code of Ethics is available to every member of the Workforce Community in both Polish and English on the Theatre's website in the Ethics tab.

IV. Responsibilities of the Director of the Helena Modrzejewska National Sary Theatre

The Director of the Helena Modrzejewska National Sary Theatre is in particular but not exclusively obliged to:

1. Taking every effort to ensure that the provisions of this Code are precisely followed by all persons to whom they are addressed to. To this end, the Director is obliged, in particular, but not limited to, before conclusion of a contract with an external entity, to make sure that said contract contains appropriate provisions regarding compliance with this Code and to ensure that the contracting party has been made aware of the provisions of this Code,
2. To take appropriate steps in cases of any and all manifestations of noncompliance with this Code,
3. Monitoring the provisions of the internal sources of applicable internal law to ensure its compliance with the key values of the Theatre,

V. Responsibilities of individuals employed on managerial positions:

Managerial staff is in particular, but not exclusively, obliged to:

1. Refraining from all sorts of Unacceptable Behaviours and on every occasion to immediately respond to any manifestation of Unacceptable Behaviours regardless whether it was observed or reported by Employees or other persons
2. Bringing awareness to the influence that members of the Workforce Community have on those around them and to prevent Unacceptable Behaviours from occurring,
3. Providing an example of high ethical standards in order to effectively resolve conflicts between Employes and other individuals and also to

recognize all manifestations and displays of Unacceptable Behaviours as well as providing an adequate reaction to them,

4. Informing Employees and other individuals who are parties to the conflict about the availability of Mediation as well as conducting Mediation when it is required by the circumstances,
5. Immediate reporting of any and all situations reminiscent of Unacceptable Behaviour as per provisions of this Code.

VI. Mediation

1. In the event of a conflict which negatively impacts both the atmosphere within the Institution and the interpersonal relationships among the members of the Workforce Community which cannot be resolved independently between the Parties and which persists despite undertaking attempts to resolve it, an Employee or another person engaged in the conflict may request mediation:
 - a) by sending an e-mail to this following address: komisja.etyki@stary.pl
 - b) by sending an e-mail to a chosen member, of the Ethics Committee or by contacting them directly
 - c) by sending an e-mail to the Director of the Theatre, or by contacting him directly.
2. Mediation is conducted by a member of the Ethics Committee acting as a mediator. Member of the Ethics Committee acting as a mediator may enlist help of an external expert, who has been previously approved by the management of the Theatre, and/or the Ethics Officer.
3. In cases, where request for Mediation has been submitted via the Theatre's Director, he shall be responsible for determining whether Mediation will be conducted by the Director, or otherwise to select a member of the Ethics Committee, an external witness, an Employee or the Ethic Officer to either conduct it or delegate it to.
4. Before commencing Mediation, it is imperative to obtain a clear consent from conflicted parties.
5. The main goal of Mediation is to properly diagnose the sources of a problem and take appropriate measures to mitigate it as well as establish a solution



aimed at eliminating the possibility of the reappearance of conflict along with the conflicted Parties.

6. The course of mediation proceedings is not formalized and is therefore not fixed.
7. In the event of a necessity, when circumstances or information disclosed in the course of mediation favors this (in particular if the severity of the conflict is so significant, that the likelihood of reaching an agreement is negligible) the mediator/s may, at any stage of the proceedings, request the Theatre's Director to conduct an investigation and refer the case to the Ethics Committee.
8. At the end of mediation, Parties shall determine conclusions that result from the mediatory proceedings. This shall be carried out with the help of the mediator whose role is limited to helping develop a common stance/position in the form of an agreement.
9. In the event that mediation has led to a successful settlement of the conflict, Parties sign the developed agreement. This agreement is to be drawn up in three identical copies – one for each of the Parties and the Theatre's Director.
10. In the event that mediation does not yield conflict settlement, mediator draws up a protocol of the mediation as per the template attached to this Code in Appendix no. 1, in which the mediator provides instructions for further proceedings. Parties to the conflict, after familiarizing themselves with the contents of the protocol may submit their comments in writing.
11. Agreements and mediation reports are made available by the Mediators to the Ethics Officer.

VII. Ethics Committee

1. Every professional group within the Theatre shall have their own representative in the Ethics Committee.
2. Members of the Ethics Committee are chosen by the Employees and permanent collaborators by the means of direct secret ballot, among candidates who have agreed to serve on the Ethics Commission.
3. Ethics Committee is appointed by the Theatre's Director for the duration of one year.



4. Full list of Ethics Committee's members, including their contact information, is available in the Theatre's intranet in the "Ethics" section, as well as it is made public through posting on information boards.
5. Member of the Ethics Committee can be dismissed before the end of his term. Dismissal is carried out by the Director upon receiving a justified request from other Ethics Committee members or upon request of at least 5% of employees.
6. Ethics Committee's work is chaired by the Ethics Officer.
7. The personal composition of the Ethics Committee tasked with review of a particular case may be limited to those members, whose knowledge and experience attest to their competences. The decision regarding limiting the personal composition of the Committee is made by the Ethics Officer.
8. Upon Committee's request and with the Director's approval, Ethics Committee in their work may be accompanied by external witnesses.
9. Member of the Ethics Committee whose personal interests are subject to the investigation or is in other way personally interested in a particular conclusion of the case, is obliged to immodestly recuse from said investigation.

VIII. Management procedure of Unacceptable Behaviours Cases

1. Notice of an Unacceptable Behaviour may be submitted:
 - a) via an e-mail addressed to the Ethics Committee at: komisja.etyki@stary.pl
 - b) to a member of the Ethics Committee,
 - c) to the Ethics Officer,
 - d) to the Theatre's Director.
2. In particularly justified cases, verbal notification is allowed, especially when formulation of its content bears significant difficulties due to the nature of the claim. The aforementioned remains applicable to instances where the



legitimacy and validity of the claim is uncertain or the notice has not been made by a person directly affected by the conflict .

3. In order to guarantee effective investigation of the notice of an Unacceptable Behaviour it is strongly advisable to include as much information as possible within said Notice. The notice, if possible, shall include the following information:
 - a) name, surname and job position of the person submitting the Notice;
 - b) name, surname and job position of the person whose behaviour the Notice concerns,
 - c) name, surname and job position of the person who is subject to Unacceptable Behaviours (in relevant cases where the Notice is not actively being submitted by such person);
 - d) description of the events or circumstances which in the opinion of individual submitting the notice constitute Unacceptable Behaviour,
 - e) indication of evidence supporting the validity of the Notice and circumstances reported therein (e.g. names of persons who has had witnessed the Unacceptable Behaviour, copies of communication such as e-mail and text messages);
 - f) information concerning the expected resolution of the matter which is subject to the Notice (in relevant cases where the Notice has been submitted by individual directly affected by the matter).
4. Notices which don't include any of the afore indicated elements will be considered subject to the proviso that the lack of information may bring adverse effects to the course of the investigation.
5. Upon receipt of the Notice, the person to whom it has been submitted should immediately review its contents and then forward it to the Ethics Officer, along with recommendation of the preliminary inquiry of the case to decide on further proceedings of the case, and provide recommendations regarding referring the Notice to investigation by the Ethics Committee.
6. The Ethics Officer shall inform both the person submitting the Notice or who is directly affected by the events presented in the Notice in the event that said Notice has been subjected by another person, as well as the person



against whom the Notice has been submitted about the fact that the case has been referred to the Ethics Committee.

7. Any and all information contained within the Notice and obtained in the course of the investigation, including those obtained in the course of the investigation on part of the Ethics Committee shall be confidential. Disclosure of the information revealed in the course of the investigation may only be made to the extent necessary for safeguarding the proper course of investigation. Any person who, by virtue of his function or position, acquires the knowledge of the circumstances which constitute the subject of the Notice is obligated to maintain confidentiality and therefore to not disclose it to others, with the exception of those individuals taking part in the investigation.
8. When the circumstances and information contained within the Notice have been ascertained and justify undertaking measures aiming at prevention of further escalation of the conflict may the aforementioned measures be adopted. Those measures include temporary relief from work performance of the person stipulated in the Notice as one committing Unacceptable Behaviours, while remaining at the disposal of the investigators. Pearson against whom allegations of Unacceptable Behaviours have been made in the Notice shall be separated from the victim of Unacceptable Behaviours.
9. Ethics Committee is tasked with examining the information contained within the Notice as well as deciding on further action. These actions may include, in particular, determining the scope of evidence and analyzing it, hearing the person who has had submitted the notice or who is directly affected by the Notice (in the event that the notice has been submitted by another person) as well as hearing the person whose actions constitute the basis of the claim, hearing the witnesses etc.
10. Before commencing the investigatory work, Ethics Commission shall choose among its members the Secretary, who is tasked with planning particular investigatory activities of the Committee, contacting the witnesses, gathering and storing necessary proof.
11. Every Employee or other Collaborator is obliged to appear before the Committee or its' designated member upon request and truthfully provide answers to the best of their knowledge.
12. Each Employee and other Contractors shall keep in confidence the fact of the interview with the Committee, the course of the interview, as well as everything learned during the interview.

13. The Committee may set a time limit within which the circumstances indicated in the Notice should be clarified. If it proves difficult or impossible to clarify the circumstances within the time limit so established then they shall be completed as soon as possible.
14. In order to avoid doubts, information determined by the Committee and documents obtained or generated during the course of investigation shall not be made available to persons other than the Ethics Officer, members of the Ethics Committee, the Human Resources and the Director. In particular, they will not be disclosed to the person submitting the Notice, a victim of Unacceptable Behaviour, or the person whose conduct is subject to the investigation.
15. In principle, Committee meetings are minuted. Individual members of the Committee may take personal notes, which will then be forwarded to the Ethics Officer acting as a Chair of Ethics Committee.
16. In justified instances, when the Committee decides that the detailed minutes of the Committee's meeting are warranted, said meeting shall be recorded (audio). All persons participating in such meeting shall be informed that the recording constitutes the minutes of the meeting
17. In justified instances the Committee may deviate from the rules set forth in this Code.
18. After the investigation, the Committee shall issue a written report.
19. The written report shall include Committee's findings, and in cases where it is warranted, recommendations regarding further action. The aforementioned recommendations are not binding for the Theatre's Director.
20. The report is submitted to the Theatre's Director for further action, in particular, regarding decisions or any recommendations contained in the report. In justified instances, the Theatre's Director invites the Ethics Committee and/or the Ethics Officer to discuss the contents of the report.
21. Should the Committee's findings justify undertaking certain follow-up actions, in particular undertaking actions aimed at eliminating the risk of reoccurrence of Unacceptable Behaviour, said follow-up actions shall be introduced immediately, but no longer than 3 months since the day of submitting the report to the Director.



22. After the report has been submitted, the Committee shall inform the person identified as the victim of Unacceptable Behaviour as well as the person identified as one committing such behaviours about the result of its findings to the extent permissible by law, in particular, taking into account the applicable data protection regime as well as limitations arising from legally protected secrets.

IX. Follow up

1. In the event that the Committee determines that an Unacceptable Behaviour has taken place, and that said behaviour was in no way excused by the attendant circumstances over which individual subject to the Notification has had no control, on grounds of recommendations provided by the Committee, the Theatre's Director shall adopt adequate follow-up measures.
2. Depending on the type of Unacceptable Behaviour, its scale and intensity the aforementioned in pt. 1 consequences may in particular include:
 - a) written request to cease and/or refrain from such behaviour addressed to the culprit (perpetrator) of Unacceptable Behaviour by the Theatre's Director,
 - b) separating the perpetrator from the victim of Unacceptable Behaviour by transferring the culprit to another position (including inferior position to one previously held),
 - c) consequences stemming from improper execution of the agreement concluded by the culprit with the Theatre, including the possibility of its termination.

X. Final provisions

1. In each following artistic season, the Director shall convene meetings with the Ethics Committee to discuss current issues, including amendment proposals to this Code
2. Ethics Committee may propose the Director to convene a meeting with the aim of presenting proposed changes to this Code on its own initiative.
3. This Code was concluded in two language versions: Polish and English. Both versions are equally binding.



4. This Code is being introduced by an order of the Director of the Helena Modrzejewska's Narodowy Stary Theatre.


DYREKTOR
Waldemar Raźniak

