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PRS for Music  
**CODE OF CONDUCT**  
**MEMBER POLICY**



## **Policy relating to the Conduct of Members towards *PRS for Music* Employees (the "Policy"):**

### **1. Introduction**

- 1.1 At *PRS for Music*, we believe that our members have a right to be treated in a courteous and respectful manner. Our Code of Conduct requires us to deal with members "fairly, honestly, reasonably, impartially, courteously and in accordance with our membership agreements". In particular,
- where we fail to deal with a member in accordance with that requirement, the member may pursue this formally through our internal complaints procedure, and if the member considers that the complaint has not been resolved to their satisfaction, they can refer it to the independent Ombudsman.
  - if a member has particular communication needs, for example if they have a disability, condition or illness, we will make reasonable adjustments to accommodate these. Please contact [memberdetails@prsformusic.com](mailto:memberdetails@prsformusic.com) / call 0203 741 4805 / write to Member Services, *PRS for Music*, 1st Floor, Goldings House, 2 Hays Lane, London, SE1 2HB, to discuss this matter in confidence.
- 1.2 Our Code of Conduct also sets out the standards of behaviour that *PRS for Music* and its employees expect of members: members are required not to behave in a rude or unpleasant way to employees or make unreasonable demands of their time. The vast majority of our members communicate with us in a polite and courteous manner, but unfortunately, there are occasions when the manner in which a member interacts with one or more of our employees or the nature of that interaction is unacceptable. This Policy sets out how *PRS for Music* will deal with such unacceptable conduct.
- 1.3 In this Policy, references to "Member" include references to an individual Member dealing with us personally or through another individual authorised to act for that Member in a representative capacity. Where the misconduct is that of an individual acting in a representative capacity, the Member will be considered responsible for the conduct of that individual.

### **2. What constitutes "unacceptable behaviour"**

- 2.1 Each of our Members has a right to be listened to and understood and to have reasonable and legitimate queries and enquiries to be investigated and addressed. We do not view behaviour as unacceptable just because a Member is assertive, forceful or determined in pursuing a reasonable enquiry of *PRS for Music* or because they have threatened to make a complaint through proper procedures or are pursuing that complaint.
- 2.2 However, our employees have a right to be treated fairly and courteously by the individuals they deal with and we expect our members to treat them with courtesy and respect. Our employees have the right to work in a safe environment, free from any abuse or harm caused by others. *PRS for Music* owes a duty of care to its employees to ensure that they are not subject to abusive or threatening behaviour.
- 2.3 *PRS for Music* only considers behaviour unacceptable, if in its reasonable opinion, the member's behaviour -
- is aggressive, abusive or offensive (see 2.3.1); and/or
  - amounts to an unreasonable demand of the employee and/or unreasonable level of contact (see 2.3.2).

### 2.3.1 *Aggressive or abusive behaviour*

Aggressive or abusive behaviour includes language (whether verbal or written) that may cause employees to feel afraid, threatened or abused, such as:

- threats;
- verbal abuse;
- derogatory remarks;
- rudeness;
- obscene or offensive language or images;
- inflammatory statements;
- discriminatory remarks; or
- unsubstantiated allegations.

This will apply whether such communications are made to the employee[s] directly or indirectly including online trolling

### 2.3.2 *Unreasonable demands and unreasonable levels of contact:*

Unreasonable demands and contact include: -

- making or sending an excessive number of phone calls, emails or letters about the same matter without presenting any new or relevant information;
- demanding responses within an unreasonable timescale;
- unreasonably refusing to accept explanations or to comply with reasonable requests for information. This includes insisting on and pursuing complaints and enquiries through channels other than those established by *PRS for Music* for that purpose; refusing to comply with reasonable requests for information to enable *PRS for Music* to respond to or investigate your query whilst demanding that the query be resolved;
- raising queries in bad faith or mischievously;
- insisting on speaking to certain employees who are not involved in the subject-matter of your query or complaint or authorised to deal with it;
- contacting multiple employees about the same query rather than pursuing enquiries through channels established and published by *PRS for Music* for that purpose;
- repeatedly contacting an employee where reasonably requested by that employee or their manager not to do so. This may include contacting employees regarding matters that are not within *PRS for Music* business.

## **3. How will *PRS for Music* respond to unacceptable behaviour?**

3.1 If a member displays any of the behaviours as defined above in section 2.3 *PRS for Music* may:

- issue a warning, advising the member that we consider their actions unacceptable and why; and ask them to modify their behaviour immediately and setting out further steps we may take should the member fail to comply; (see sections 3.2 and 3.3);
- restrict direct contact with the member (this can be in any number of ways, see section 3.2);
- terminate membership (see section 4);
- contact the relevant authorities. *PRS for Music* has a zero-tolerance position on violence and threats against our employees and this behaviour will always be reported to the police; and/or

- take any other action that we consider appropriate to the circumstances, including legal action.
- 3.2 **Communications with *PRS for Music* employees:** Our employees should not have to tolerate unacceptable communications from Members.
- 3.2.1 Telephone calls: Where unacceptable or offensive behaviour occurs by phone, then our employees reserve the right to end the call. Before this action is taken *PRS for Music* employees will warn the caller that their conduct is considered to be unacceptable or offensive and to allow the member the opportunity to moderate their behaviour. [If the call is terminated by a *PRS for Music* employee, they will log the details in the member file with the reason for terminating the call and notify their immediate manager.]
- 3.2.2 Written communications: If the member contacts *PRS for Music* by email or letter, we do not have to respond to an abusive email or letter, but our employees will in the first instance issue a warning that the conduct is considered to be unacceptable or offensive and will not be tolerated in the future. This communication will be logged in a member file and notified to the employee's immediate manager.
- 3.2.3 Online trolling: Where the member seeks to create discord on the Internet by starting quarrels or upsetting people by posting inflammatory or derogatory messages in any online community which identifies directly or indirectly any particular employee[s], *PRS for Music* will warn the member that the post[s] are unacceptable and require the same to be removed.
- 3.3 **Restricting contact:** Where a member continues to communicate in an unacceptable manner or carry on with the unacceptable behaviour, despite a warning from employees, as outlined in section 3.2 above, *PRS for Music* reserves the right to restrict contact ("Restricted Contact Measure"). The Restricted Contact Measure will be appropriate and proportionate to the nature of the unacceptable behaviour and the circumstances of our employees and the Member. The Restricted Contact Measure might include one or more of the following:
- limiting contact to one form of media (e.g. by phone, email or letters only);
  - limiting contact to a particular frequency (for example, only reply once a month);
  - informing the member that if no new issues are raised, we will log their correspondence but not respond any further.
- 3.4 **Termination of Membership:** If a member persists/repeats behaviour despite a warning or the Restricted Contact Measure, Management may recommend to the PRS Board that it should consider whether the member's membership should be terminated, pending which we may suspend the provision of online and non-core services. In such circumstances, *PRS for Music* will:
- write to the member formally notifying them of the breach and setting out the steps that it requires the member to take to remedy that breach ("the Warning"). The member may be invited to respond in writing to Warning within 30 days.
  - where the member unreasonably refuses to adhere to or to respond to the formal Warning, *PRS for Music* will write to notify the member of its intention to escalate the matter to the Board and prepare a paper for consideration by

the Directors, including, if requested by the member, a written submission of the member's position.

- After consideration of the Paper, the Board may resolve and will inform the member of its intention to do one or more of the following:
  - to renew or withdraw, as the case may be, the Warning;
  - to terminate the member's membership;
  - to commence legal proceedings against the member (if, in the reasonable opinion of the Board, the member's conduct amounts to a breach of the membership contract);
  - to notify regulatory or other authorities if, in the reasonable opinion of the Board, the member's conduct is dishonest or in contravention of any other legal obligation).

3.5 *PRS for Music* will notify the police of any abusive or offensive communications or threats if we believe that such behaviour amounts to criminal offence.

#### **4. Challenging *PRS for Music's* decision**

4.1 If the member disputes the basis or validity of a Warning, Restricted Contact or other measure we have taken with regard to the services we are willing to provide to them, including a decision to terminate membership, the member may appeal in writing using our complaints procedure found [here](#). Where a member wishes to appeal a decision to terminate their membership, they must do so before the expiry of the notice period. If no appeal is made before termination of membership takes effect, the member will be able to complain to the Ombudsman, but the termination will remain effective.

4.2 While the complaint is being considered, any Restricted Contact arrangements will remain in place.

4.3 The appeal will be considered within 15 working days of receipt of a valid complaint and the member will be advised either that the current restriction or termination still applies or that a different course of action has been decided. If this timeframe cannot be met, we will inform the member of this in writing, and let you know when you can expect a full response.

4.4 If the Member is not satisfied with the decision, they may refer the matter to Dispute Resolution Ombudsman Limited, [www.disputeresolutionombudsman.org/members/prs](http://www.disputeresolutionombudsman.org/members/prs). The Ombudsman has no power to reinstate membership if terminated, although they may recommend that the Board review its decision to terminate your membership if *PRS for Music* is found to have failed to follow a fair process.

4.5 Our membership complaints handling procedure can be found here: [www.prsformusic.com/help/complaints/i-have-a-membership-complaint](http://www.prsformusic.com/help/complaints/i-have-a-membership-complaint)

#### **5. Monitoring and updates to this Policy**

5.1 The Board will monitor this Policy from time to time to ensure that it is being applied in a fair, reasonable and consistent manner.

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