

## Written evidence submitted by the British Phonographic Industry (BPI) MiM0038

### INTRODUCTION

This submission is made by the British Phonographic Industry (BPI), the representative voice for recorded music in the UK. Our membership includes approximately 500 music companies, ranging from hundreds of SME independent labels from all over the UK, to the largest global record companies Sony, Universal and Warner. Within the BPI itself, 46% of staff are women, and in senior leadership roles<sup>1</sup> there is a 50/50% split; women make up 48% of the BPI's Council<sup>2</sup>; the organization has just appointed its first female Chair, and has a female Chief Operating Officer.

The BPI is a member of UK Music, the umbrella organisation for the wider commercial music industry. The BPI has contributed to and endorses their submission, and asks the Committee to consider this paper alongside UK's Music's. Here, we seek to provide further detail to the Committee about the specific role and activities of record labels to support the progression of women - both as artists and employees within our member companies - and detail our work to tackle misogyny and other forms of bullying and harassment.

Music has a special place in British culture and can be a powerful force for good. To that end, all those operating in the music industry should strive to make safe spaces for all to enjoy, whether it is fans attending a concert, artists expressing their creativity, or employees and freelancers powering the music ecosystem.

Record labels condemn misogynistic attitudes and behaviours, in society at large and where they are found to exist in the music industry. We are equally committed to ensuring equality of opportunity is provided to everyone in the sector, irrespective of gender. As we outline in this submission, we and our members are taking active steps to prevent and tackle misogyny, and putting in place initiatives to further enhance the experience and opportunities for women in the sector.

### KEY POINTS

- Record labels are committed to tackling misogyny where it exists: significant steps are already underway to better understand and address barriers that may have held back women artists and staff from progressing; labels recognise there is more to be done – including to tackle bullying, harassment and discrimination – and are committed to playing their part in taking action
- Misogyny is also a feature of society at large, sometimes reflected in artistic expression. In considering the impact of lyrics it is important to balance potential and actual offence with freedom of expression
- The music industry is made up of many overlapping parts, representing different communities within the sector, and compared to some other industries there is a high proportion of freelancers (72%)

### ABOUT THE MUSIC INDUSTRY

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<sup>1</sup> Including Heads of Department, CEO and Chair

<sup>2</sup> This includes BPI Executive & Chair and senior industry members, including co-opt

## The music industry ecosystem

*Fig 1: Illustration of recorded music's multi-part creative process*



As this illustration shows, the creative process in music is made up of multiple constituencies.

Within this ecosystem is a range of professionals, many of whom (72% across the sector as a whole) are self-employed/freelance. This includes recording artists (many of whom may also be songwriters), record label employees, session and orchestral musicians, songwriters and composers, music publishers, artist managers, studio producers and engineers, video producers, stylists, promotions teams, through to the live sector and digital music service providers, merchandisers, distributors, wholesalers and retailers, including hundreds of independent record shops all over the UK. In addition, artists have a close relationship with the media (traditional and social media), who regularly feature artists and play a key part of raising artists' profiles.

The BPI represents the large and independent label community in this ecosystem, so our submission focuses predominantly on women working on the business side of the industry, which is the area over which labels have more influence than, for example, women artists and fans during performances or live events. While there is more to do, companies with more robust internal resources in place are seeking progress, and at greater pace that is possible in the freelance community.

The BPI and record labels endorse the need for safe spaces in all environments, from studios to festivals, and work is already underway to support the roll out of initiatives such as the UN Safe Spaces Now.

### **The role of record labels**

Record labels vary in size and structure, from micro-businesses to larger organisations, but all have at heart the purpose of developing new talent, providing the investment and creative support required to enable artists to realise their creative vision, make brilliant music and reach as big an audience as possible by developing fanbases around the world. The main functions of a record label are summarised in the illustration above.

Record labels are inherently 'people businesses', staffed by people (some of whom are musicians themselves) who are passionate about and committed to the craft of music –and to helping the best talent achieve their ambitions.

### **WOMEN IN THE RECORDED MUSIC SECTOR**

The label community does its utmost to ensure that women artists and employees can work and succeed in safe spaces without fear of misogynistic treatment or attitudes. This includes providing a clear message and fostering a culture where misogyny and violence towards women will not be tolerated and will be tackled where it occurs.

Similarly, record labels are fully committed to providing opportunities and supporting the progression of women in the music industry - both behind the microphone and across the many support functions within labels. A significant amount of work has been undertaken by labels over several years to develop pathways to progression and improve support for women across the industry.

### **The artist-label relationship**

The relationship between an artist and a record label is bespoke. For this reason, each artist will have a unique experience depending on how and who they (and their own management and other representatives) choose to work with and what type of record deal they have - if they choose to work with a label at all.

Where labels are involved in 'frontline' relationships with artists – i.e., they are signing new talent and releasing new music – there are strong professional relationships between the label and the artist. In this capacity, the label provides creative, financial and human resources to support the artist's career. Larger labels tend to have extensive resources in place, while smaller independent labels may be less well-resourced but are nonetheless committed to supporting both artist and employee welfare through a variety of industry-wide resources.

In the freelance sections of the industry, resources tend to be less available still (including in relation to aspects of employment law, maternity rights etc).

### ***Artist specific support***

Regardless of which label and which deal an artist decides to opt for, the role of the label is to partner and support their artists to succeed, including supporting the wellbeing of artists, for example through the provision of specialist counselling and support resources.

For larger record companies, with teams and resources at their disposal, there are a number of in-house resources in place (sometimes on a global scale) that encompass the wider welfare of artists as individuals. Their various programmes include:

- Providing relevant information and key resources to help artists in their career – such as explaining how the music industry works and what support is available to them, which includes:
  - Free screening, counselling and psychological support (from qualified, specialist in house professionals)
  - Wider wellness and health advice
  - Financial advice and assistance
  - Communicating with wider artist teams (separate to labels) including lawyers and managers to highlight the support available
  - Tailored support around sexuality, gender, race and neurodiversity
  - Social media and PR advice
  - New programmes to support artist who are coming to the end of their label contract

As well as this specific support, artists benefit from the wider support offered by labels to their employees – more information on which is provided below.

### ***Wider experiences of artists***

The BPI and record labels recognise the importance of understanding the experiences of women artists in the wider music industry and the factors and influences on their careers as recording artists. In turn we are actively considering what steps should be taken to support women artists.

In light of this, and as part of the sector's ongoing work to improve diversity and inclusion, and to provide equality of opportunities to women, BPI label members have been working proactively on a gender study. This work has been running for several months, and we are aiming to publish our emerging findings from this work in the coming months and to work collaboratively across the industry to implement its recommendations.

### **Women working in labels**

The representation of women in the wider music industry workforce has seen progress in recent years, with UK Music's 2020 Diversity Survey finding that the industry is now 49.6% women, up from 45.3% in 2016. The report also found that two thirds of entrants to the music industry are now women. The BPI and its members support the work of the UK Music Diversity Taskforce and are implementing the commitments in its 10 Point Plan<sup>3</sup>, as well as working to raise issues around intersectionality that means some women may be more vulnerable than others.

### ***Leadership***

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<sup>3</sup> See UK Music submission for more detail

Larger record labels are conscious that senior roles have historically been occupied predominantly by men. For this reason, there has been substantial progress in the appointment, promotion and empowerment of women into senior leadership roles – and this work is ongoing. Record labels recognise the importance of gender balance (alongside other forms of diversity) to both represent society and to ensure that organisations benefit from a diversity of perspectives from the top. Senior women as role models are important for the industry today and in encouraging through the next generation of women coming into the sector.

Initiatives and commitments within the larger labels include seeking (and in some cases achieving) equal gender split in senior label roles, with a significant increase in the number of frontline labels run by women, and more women in senior corporate roles. Stretch targets also exist to maintain gender parity across companies and focus on improving progression into senior roles.

For example, across the major record companies (about whom we have more data than smaller companies) there are significantly more women now in senior and ‘frontline’ roles than ever before. Labels recognise that some departments have traditionally employed fewer women traditionally than men, for example Artist and Repertoire (A&R), the area of the business responsible for identifying new talent, and steps have been taken to address this, with dedicated programmes to consider barriers to entry and build a more diverse pipeline for the future of the industry.

***Staff culture and welfare***

In addition to the progress made in leadership roles, the larger record companies each have a wide package of measures in place for their respective employees. These are not gender specific but form part of a suite of measures designed to help the career development of women by fostering a culture of support and inclusivity. Below are examples of some of the key policies that aim to benefit women employees are well supported. That increasing numbers of women joining and progressing at record companies suggests these measures are having a positive impact:

Examples of label initiatives	
Support	<ul style="list-style-type: none"> <li>• Core hours and remote working policies</li> <li>• A variety of women’s networks</li> <li>• Wider employee network groups, open to all employees, which offer support, have access to funding for events, educational discussions and training, which feed into company policies</li> <li>• In-house wellbeing professional</li> </ul>
Progress & Transparency	<ul style="list-style-type: none"> <li>• Diversity, Equality and Inclusion policies</li> <li>• Gender pay gap reporting – and ethnicity pay reporting</li> <li>• Career progression initiatives including personal development plans, leadership programmes and targeted training.</li> <li>• Access to coaching and mentoring for women</li> </ul>

<p>Safety &amp; Reporting</p>	<ul style="list-style-type: none"> <li>• Behavioural Codes of Conduct and policies</li> <li>• Confidential third-party reporting as well as in-house reporting mechanisms and clear signposting as to where to find these services</li> <li>• Grievance procedures</li> <li>• Compulsory training and policies on topics such as anti-harassment, unconscious/conscious bias etc.</li> <li>• Specific training for both men and women to handle challenging situations, e.g., with women’s charities on issues such as domestic violence</li> <li>• Travel safety policies enabling employees to take expenses-paid taxis home if working late or attending a work-related event</li> </ul>
<p>Parenthood</p>	<ul style="list-style-type: none"> <li>• Personalised support around fertility, pregnancy and early parenthood (including pregnancy loss leave)</li> <li>• Enhanced maternity policies (flexi-days etc.)</li> <li>• Enhanced shared or equal parental leave policies to encourage a rebalancing of care-giving responsibilities between genders</li> <li>• Coaching for staff taking maternity or paternity to help with the return to work</li> <li>• Specific parental policies (separate from births) allowing additional leave for childcare or offering</li> <li>• Hybrid working support</li> </ul>
<p>Health</p>	<ul style="list-style-type: none"> <li>• Specialist mental health support services</li> <li>• Employee medical schemes, including specific ‘women’s health’ options</li> <li>• Free sanitary products available in the workplace</li> <li>• Access to expert menopause support and work adjustments to support menopause</li> <li>• Free access to a women’s wellbeing coach</li> <li>• Mandatory mental health training</li> </ul>

Additionally, larger record companies fund initiatives outside of their companies for the wider industry and the public including charitable support, educational and career-based programmes and music therapy, to name just a few.

**Forthcoming industry initiatives**

As outlined in the submission from UK Music, there is considerable work already in train within the music sector (and across the wider creative industries) to tackle bullying, harassment and discrimination (BHD) - issues which clearly intersect with misogyny. This includes creating - for the first time - a single and consistent framework to prevent BHD for the whole music industry. This would take the form of an online resource, for everyone working in music, setting out what constitutes bullying and harassment, what to do in the event it occurs (whether as victim, witness or reported), signposts to relevant support and training resources.

The BPI has taken a lead in developing this work on behalf of the wider sector, building on several existing resources in place within individual parts of the music industry, including the support services provided by BPI members, with organisations such as Help Musicians UK (which the BPI supports and has established a support line and in collaboration with other industry partners such as the MU, MMF and Ivors Academy).

This work on BHD is further complemented by the ongoing work to establish an Independent Standards Authority via Creative UK, which the BPI is fully engaged with.

## **LYRICS**

The BPI supports the points made by UK Music in its submission in relation to the Committee's question about lyrics. In relation to the Committee's specific question, as far as labels are aware there does not appear to be specific evidence of a correlation between lyrics and violence against women and girls.

In the context of the role of the record label, as described above, labels partner with artists and other parts of the music ecosystem to support the fulfilment of their creative vision.

It is usually the case that artists and songwriters will collaborate (if not already one and the same as singer-songwriters). The label supports the artist in their development, the distribution of their music and on marketing and promotion to engage with fans. In this respect, the label does not 'censor' the artist or songwriter's work. Labels do, however, ensure that releases are compliant with the law, such as defamation or criminal obscenity laws.

The BPI recognises that there can be a delicate line to tread between respecting freedom of expression and lyrics that are potentially challenging or offensive to some listeners. Lyrics in music – as in other art forms – are a vital part of the artist's expression of their life experiences or viewpoints, or may be a character they play through their music. Such experiences may differ from our own and/or be a reflection of the existence of misogyny across society. In this respect, we see the fans as the primary arbiters of what is and is not acceptable to them, and artists will often respond accordingly to the public opinion. We would also contend that there is a further balance to be struck between suppressing challenging viewpoints and enabling freedom of expression, even on difficult subject areas, which can in turn generate awareness and positive debate.

The public discourse around lyrics, as a reflection of public attitudes and cultural acceptability, has regularly shifted over time. We see that certain songs are no longer be acceptable to fans now and for that reason they are rarely listened to. For example, Robin Thicke and Pharrell Williams' *Blurred Lines* has been banned (responding to student demand) in many universities. Equally, artists may

inadvertently cross a line of acceptability and respond accordingly, a recent example being the US artist Lizzo changing the lyrics of a song that contained a word many considered ableist and offensive to the disabled community.

Importantly, the question of lyrics is coupled with the guidance systems in recorded music, which help fans make informed choices about what they listen to. Parental Advisory is a warning label which was first introduced in the UK in the 1980s on physical products. In 2011 the BPI formalised this usage with a code of conduct focusing on online content. As well as labelling “explicit” songs, ‘clean’ edits of some songs are made for radio/broadcast play to help ensure audiences are not inadvertently exposed to content they may find offensive.

Record labels are, on occasion, contacted by fans about the content of music but comments or complaints about misogyny have not featured. This suggests that the system of guidance is well understood and works effectively.

### **CONCLUDING REMARKS**

We welcome the opportunity to contribute to this inquiry and value the wider work that the committee is undertaking to identify abhorrent cultures and behaviours in society that perpetuate misogyny. As we hope this submission makes clear, the BPI and our record company members share the Committee’s ambition to see misogyny – in music and beyond - eradicated so that women and girls can feel safe wherever they are. We are already actively engaged in taking steps to identify and address misogyny where it occurs, with more work being done to provide safe and supportive environments in which women can work and succeed.

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