

One Year On | MediaWorks Workplace Culture Progress Report

Maria Dew KC and Jennifer Kerr

October 2022

Contents | Rārangi upoko

Terms of this Review	3
Background	3
Executive Summary	6
Review of 32 Recommendations	7
Action 1: MediaWorks Acknowledgements	7
Action 2: Board and Leadership.....	8
Action 3: People & Culture	9
Action 4: People Management	11
Action 5: Diversity.....	12
Action 6: Pay Equity	13
Action 7: Workplace Policies.....	14
Action 8: Valuing Māori at MediaWorks	16
Action 9: Valuing all MediaWorks Staff	17
Conclusion	19

Terms of this Review

The purpose of this 2022 review is to provide an independent assessment of the progress that MediaWorks has made against the 32 recommendations outlined in the report of 30 July 2021 into its workplace culture conducted by Maria Dew KC.

This 2022 review was commissioned by MediaWorks primarily as a desktop exercise reviewing documentation provided by MediaWorks and/or requested by the reviewers. In addition, a small number of interviews have taken place with key individuals selected by the reviewers.

One year on, MediaWorks is holding itself accountable for what has changed.

Background

In March 2021, MediaWorks commissioned an independent review, by Maria Dew which was published to staff and the wider public in August 2021.

The 2021 Review asked for an independent assessment of the workplace culture. In particular, the Review was asked to consider allegations of sexual and racial harassment, discrimination, misuse of drugs and alcohol, bullying and any other significant matters that may be impacting MediaWorks culture.

This process has been a first for MediaWorks. As Mediaworks employees, past and present, said, the issues raised are not just for MediaWorks, but for the radio and media industry generally. However, MediaWorks was willing to take a hard look at itself and what has been happening on its watch over many years.

The 2021 Review produced 32 Recommendations, grouped into Action Areas 1 to 9. These recommendations covered, in broad terms, areas of leadership, people management, diversity, pay equity, workplace policies and valuing staff.

Since that time MediaWorks has been working on the recommendations of the July 2021 Report.

The return of COVID lockdowns from August 2021 into 2022 and the MediaWorks potential sale and due diligence process during 2022, were matters that understandably impacted the ability of MediaWorks to fully progress some of the recommendations. Despite this, some progress has been made. This follow up report provides an independent assessment of progress and what remains to be done.

The key issues to emerge from the 2021 Review are summarised by way of background below.

The “Boys’ Club” culture

Most 2021 review participants believed that a very dominant “Boys’ Club” had been in play for many years within MediaWorks. There was a strong theme that emerged from both female and male participants that the Boys’ Club culture was harmful in various ways; including the use of alcohol and drugs and the lack of accountability for sexualised and other poor behaviour.

Sexual harassment and sexism

The reports of sexual harassment and sexist behaviours were relatively high, in both the interviews and survey results.

Gender and race discrimination

The 2021 review highlighted that many staff had concerns about gender bias impacting female progression within MediaWorks.

Misuse of drugs and alcohol

Some participants raised concerns about the wider MediaWorks drinking culture and small pockets of acceptance of drug taking. Participants observed that the radio industry party culture meant that some staff had lost sight of the fact that they represented MediaWorks at work events and still need to act professionally.

Bullying

There was a significant number of MediaWorks people, both in the 2021 interview and survey data, that reported either witnessing or experiencing unreasonable and repeated bullying behaviour.

People & Culture function

One of the most significant and consistent themes to come out of the 2021 Review was that MediaWorks staff had little faith in the ability of the People & Culture (P&C) team to deal effectively or confidentially with any complaints.

Gender Diversity

In 2021 MediaWorks had an even split of male and female staff.

However, in broad terms, male staff dominated Tier 2 senior management roles (75%), production, content, announcer (71 to 67%) and technology roles (85%). The female staff dominated the promotional, marketing, human resources and administrative roles at MediaWorks.

Ethnic Diversity

MediaWorks had not collected any data on the ethnic diversity of its staff until the 2021 Review. The 2021 Review data confirmed the ethnic diversity at MediaWorks is limited and approximately composed of the following:

- New Zealand European: 82.9%
- Other European / Australian: 7.9%
- Māori: 6.1%
- Chinese: 2.0%
- Pasifika and other ethnicities: 1.0%.

2021 Recommendations

The key issues that emerged led to the 32 Recommendations in the 2021 Report. The MediaWorks progress against these recommendations is assessed below as at August 2022.

Executive Summary

Overall Mediaworks has made an encouraging start in addressing the 32 recommendations. Not everything has been completed, but this was not expected in a multi-year culture change programme.

The investment in a capable People & Culture team, supported by the ELT and Board has been an important step in setting up the organisation for success. Mediaworks are to be congratulated on continuing their focus on the 32 recommendations despite the distractions and difficulties of COVID impacts and a potential sale process. It will be important that all stakeholders understand that continuing this leadership focus, accompanied by financial investment, will be required to embed the culture change.

One year on from the original review, it is much too early to declare successful completion. However, good progress has been made and the signs are positive for continued success. We are particularly encouraged by the setting up of the various employee networks which shows good engagement from within the business and the reduction in the Gender Pay Gap. Much is still dependent on the entire leadership remaining capable and committed to the new ways of working and pushing on with the necessary work.

Ultimately, progress against the 32 Recommendations should, over time, lead to improvements, both in the short and long term, as against the key cultural issues identified above. It is hoped that some of these gains are already visible to staff, though more will need to be achieved over coming years.

The 3 – 5 year MediaWorks Culture Plan that has now been developed lays out a sound basis to achieving these improvements to process and systems, and to developing its leaders to drive the necessary changes to culture. We strongly encourage MediaWorks to continue the commitment to this journey and to see it through.

Review of 32 Recommendations

Action 1: MediaWorks Acknowledgements

Recommendations

- [1] *MediaWorks to provide a general apology to current and former staff. The apology to acknowledge that over the past years MediaWorks has failed to respond adequately to complaints of misconduct and that this has caused harm to some current and former staff, and it has undermined the culture of MediaWorks.*
- [2] *MediaWorks to provide an apology to the young female guest for the failure to keep her safe at the 2019 Promotional Event and for its handling of her complaint after the event. The company should make amends for the harm caused to the young woman, through a restorative process as recommended by this Review.*

Completed

These two recommendations have been achieved.

MediaWorks did provide both these apologies in August 2021. These were private and public apologies to staff and the young female guest at the 2019 promotional event. One year on, the follow up feedback has been positive that the restorative process was helpful for the young female guest at the MediaWorks radio event in the summer of 2020.

Action 2: Board and Leadership

Recommendations

- [3] *The Board and Leadership Team commit to and publish a company-wide “Culture Change Plan” to ensure measurable targets are set for achievement of the recommendations in this Report. Annual progress against the Plan is to be independently reviewed and reported to staff.*
- [4] *The Board to retain an independent Board adviser or member with specialist People & Culture expertise, for a period of at least three years.*
- [5] *The Board’s People & Culture Committee to have specific oversight of the Culture Change Plan.*
- [6] *MediaWorks to develop and adopt a “MediaWorks Values” document, in consultation with all staff.*

Completed

These four recommendations have all been achieved. The Chief Executive Officer, Cam Wallace, has delivered a MediaWorks Culture Change Plan to all staff in November 2021. This covers the 18 months through to December 2022.

On 7 April 2022, this was updated by the new Chief People Officer and CEO, with a three-year plan. This three-year plan is a more comprehensive plan which targets long term culture change.

MediaWorks now has in place a MediaWorks Values document, developed in consultation with staff.

As from 10 January 2022, Jennifer Kerr was retained as an independent adviser to the Board with specialist expertise in People & Culture. Jennifer is due to finish her tenure with the Board in October 2022. We urge the Board to regularly assess whether they have sufficient People expertise at Director level to continue to oversee this culture change over the next 3 – 5 years.

Action 3: People & Culture

Recommendations

- [7] *The leadership of the People & Culture (P&C) function to be strengthened with senior and experienced leadership with knowledge and skills in organisational development, employee relations and culture change.*
- [8] *The structure and function of the P&C team to be reviewed by an external expert to ensure the following:*
- (a) *The P&C team has a senior and experienced practitioner with responsibility for supporting the Culture Change Plan.*
 - (b) *There is a senior and experienced recruitment practitioner within the P&C team with dedicated responsibility for leading and managing all recruitment including the intern recruitment and relationships with all the Radio Broadcasting Schools.*
 - (c) *The P&C team has senior and experienced expertise to ensure that MediaWorks adopts best practice models for dealing with poor performance, misconduct complaints and MediaWorks' employment law obligations.*
 - (d) *The P&C team have a regular presence in all regional MediaWorks offices to improve visibility and trust in the P&C team.*
- [9] *The P&C team be funded to deal with sensitive sexual complaints or other serious misconduct allegations, by way of an external independent complaint service and external independent investigation when required.*
- [10] *The P&C team, People Managers and trusted staff as "Contact Persons", to be trained to receive and react appropriately to any harassment or bullying complaint.*
- [11] *The P&C team be funded to invest in a suitable Human Resources Information System that allows the team to locate and access staff personnel files that contain all relevant staff employment information and history.*

Progress made

MediaWorks has fully achieved recommendations 7, 8 (a) to (c), 9 and 10. The P&C Team now has an experience People and Culture leader and a senior and experienced team who are recognised and respected, so far as can be determined from this desktop review.

The P&C Team, have to date, been well funded to complete the disciplinary investigations that arose out of the 2021 Review. MediaWorks has not received the same number of serious complaints during 2022, so it appears that the Review has drawn out most of the serious conduct issues that existed during 2021 and earlier.

The bullying and harassment contact persons, which MediaWorks calls 'Navigators', have received training in August 2022. In addition, the networks for Women, Māori and Pasifika and the Rainbow community have been set up act as additional informal channels for concerns to be raised.

The recommendations 8(d) and 11, have not been fully achieved to date. Not all recommendations are expected to be achieved within a one-year time frame.

The regional presence by the People & Culture team and investment in HR Information Systems, will need to be funded to maintain the progress made to date and ensure that the culture and credibility of the HR team does not slip backwards from the excellent progress made to date.

Action 4: People Management

Recommendations

- [12] *MediaWorks to ensure that it only appoints and retains people managers who have been able to demonstrate sound people management skills.*
- [13] *Training programmes delivered for all existing and new people managers that cover the MediaWorks Code of Conduct, Values, Dealing with Non-Performance and Misconduct, Identification and Prevention of Sexual Harassment and Bullying, Unconscious Bias and Discrimination, and skills for developing and engaging with staff. This training to be compulsory for all MediaWorks people managers. An external HR specialist to score overall performance of people managers to ensure they reach an acceptable standard for the role.*
- [14] *Conduct annual 360-degree performance feedback for managers, via an external confidential provider, that will collate feedback in a non-identifiable way to enable MediaWorks to identify successful people managers, those with development needs or high risk behaviours.*

Progress made

Recommendations 12 to 14, remain work in progress for MediaWorks.

It is not possible to refresh and/or upskill all necessary improvements in people leadership and management skills within a 12 month period. However, there are positive signs that this is in progress in the recent senior and some mid-level recruitment processes.

The strength of the People & Culture team will continue to drive this improvement. Continued progress will also be dependent on the will of the Executive Leadership Team (ELT) to embrace that change and of the Board to continue to resource the People & Culture Team to achieve this work.

Action 5: Diversity

Recommendations

- [15] *The internal and external staff recruitment to all be conducted in a centralised manner via the P&C team to ensure MediaWorks obtains an impartial assessment of applicants and to achieve improved recruitment for merit and diversity.*
- [16] *The Intern Programme to be reviewed against other corporate intern programmes to ensure a best practice recruitment and retention model is adopted and gender and ethnic diversity targets are set for the Intern Programme.*
- [17] *Recruitment for senior leadership and general manager roles to be subject to specialist external support to ensure MediaWorks obtains impartial assessment of applicants for management and leadership roles, to achieve improved recruitment for strong people management skills and diversity.*
- [18] *The senior female Board Members and female executives, managers and younger females in MediaWorks are to hold workshops together to discuss what steps can be taken to promote and maintain female career progression within MediaWorks, including formal and informal mentoring.*

Completed

Recommendations 15 to 18 have been achieved in substance.

These programmes are all in place and operating. While MediaWorks has not adopted external recruitment support as proposed in Recommendation 17, there is now sufficient specialist internal P&C resource to ensure that this recommendation is met in substance.

Action 6: Pay Equity

Recommendations

- [19] *The People & Culture team to engage a specialist remuneration consultant to investigate key roles identified in the Review Gender Pay Report, where there is some evidence of unequal pay between men and women for the same or substantially similar roles.*
- [20] *MediaWorks to make it clear to all managers that interns or staff cannot be asked to undertake work duties for MediaWorks for no pay.*
- [21] *Set a Gender Pay Equity Plan for the next five years. MediaWorks to set a measurable overall target for improvement of the MediaWorks gender pay gap company wide. Specific targets should also be set to improve the larger gender pay gaps identified in particular areas of the business.*

Completed

These recommendations have all been achieved. This does not mean that Pay Equity Goals have been achieved. However, MediaWorks now has the tools and personnel in place to implement the change needed.

However, the financial resource required to achieve pay equity will still be required. This will remain a work in progress.

Action 7: Workplace Policies

Recommendations

- [22] *MediaWorks engages an independent expert to advise on the adequacy of its existing policies and practices to address the gaps and revise the existing set of P&C policies, including:*
- (a) *A new Sexual Harassment and Sexual Harm Prevention and Reporting policy, which is separate and more detailed than the current bullying and harassment policy. This policy to better align with the Worksafe NZ sexual harassment advice and guidance.*
 - (b) *A new Prevention and Reporting of Bullying Policy, that better aligns with the prevention and reporting guidance set out in the Worksafe NZ Bullying Tools and Guidance.*
 - (c) *A new MediaWorks Host Responsibility Policy, which sets out expected behaviours at work and social functions associated with MediaWorks.*
 - (d) *A new Workplace Relationships Policy, which sets out expectations that managers are to avoid intimate relationships with younger or more junior staff at MediaWorks and the requirements for disclosure of any intimate or family relationships at MediaWorks.*
 - (e) *A revised Alcohol and Drug Use Policy to limit the availability of alcohol at work events, provide more detail about MediaWorks host responsibility and health and safety obligations and set out expectations of staff at external radio industry events and related after-parties.*
- [23] *MediaWorks to review its EAP provider to ensure that staff are able to select from counsellors that have specialist expertise in sexual harassment, sexual harm, bullying and other serious psychological harm matters.*
- [24] *Exit interviews to be offered to all employees, conducted confidentially by an independent external consultant, communicated to the P&C team for action, as appropriate. Regular monitoring and reporting to the Board to ensure any people management or leadership concerns are identified.*

Completed

Recommendations 22 to 24 have all been achieved. The MediaWorks Code of Conduct and new workplace policies were launched in March 2022.

The Employee Assistance Programme (EAP) Review has been conducted and has confirmed the EAP Provider is suitable.

The Exit Interview process is now in place. As at August 2022, 84 externally conducted exit interviews with MediaWorks employees have been completed. Other work is being progressed to ensure that data is gathered from those who do not wish to provide “in person” exit interviews.

Action 8: Valuing Māori at MediaWorks

Recommendations

- [25] *The appointment of a Māori Development Advisor, as a substantial FTE role, with responsibility to centralise, develop and oversee MediaWorks' various iwi relationships and Māori language obligations and initiatives.*
- [26] *To work more closely with Te Māngai Pāho, the Crown Agency responsible for development of te reo Māori and tikanga Māori in broadcasting and/or any national Māori network of iwi radio stations.*
- [27] *To display MediaWorks commitment more visibly to te reo Māori and tikanga Māori in broadcasting, on MediaWorks website and social media platforms. This should include but not be limited to George FM and Mai FM.*

Work started

Recommendations 25 to 27 have not been achieved. Some work has been undertaken working towards partial achievement. However, we acknowledge that MediaWorks has sensibly chosen to work at a pace that is appropriate to set up the necessary foundations so that greater progress will come in future years. We support this approach but urge the leadership team to be mindful of continuing to fully support and drive progress in this important area.

An external Māori Development Consultant has been engaged for Executive and Board sessions in July and August 2022. This may be a first step towards better understanding and engagement by the Executive Team and Board, before determining the next steps.

There has also been some initial engagement with Te Māngai Pāho to explore opportunities to partner and establish pathways for young Māori to pursue careers in media. A late October 2022 Hui was arranged between Mai FM, Te Māngai Pāho and Ngāti Whātua Ōrākei. We understand that three hui have taken place since the end of the review period. MediaWorks is also exploring an Iwi Radio Station training course and goals for internships. The recommendation for more visible te reo, has been advanced with te reo training in both 2021 and 2022.

However, this does not appear to be anything significantly more than what was already in train prior to the 2021 Review. While some good faith attempts are being made, time and resource has not been invested in this area to the same extent as it has with other areas of Recommendations.

Action 9: Valuing all MediaWorks Staff

Recommendations

- [28] *MediaWorks internal communications to focus more evenly across regional events and achievements, not just Auckland.*
- [29] *The Creative and Sales teams to be provided with expert external facilitation in workshops to better understand the value and pressures in their different roles and find more collaborative ways of working together.*
- [30] *MediaWorks stop calling on air announcer “Talent” as all roles at MediaWorks require talent and the description is seen as a marker of the “old” culture that staff want to change.*
- [31] *The MediaWorks staff “Culture Club” to involve representation from across different regions and departments within the company and its activities to limit the focus on alcohol-based events.*
- [32] *To hold an off-site hui for all MediaWorks Māori, Pasifika, Asian and other non-European staff who wish to attend, to discuss and acknowledge the challenges that can exist for minority ethnic groups at MediaWorks and in the radio industry and develop pathways for support and mentoring to encourage and retain diverse talent at MediaWorks.*

Progress made

Recommendation 28 has been partially achieved. There has been a clear reorientation towards “all of MediaWorks” communications by the CEO via live stream events and regular announcements. However, COVID, travel and budget constraints have restricted increased “in person” visibility in the regional offices.

Recommendation 29 has been progressed but not yet achieved. The P&C Team has held some sessions to facilitate better understanding of Creative and Sales team working relationships issues. However, this remains a work in progress. There appear to be budgetary constraints that have prevented resolution of some of the disparity issues that exist.

Recommendation 30 has formally been achieved by a leadership statement to this effect and removal of the “Talent” description for roles. However, this change has not been imbedded and references to “Talent” are still used on air and informally at times. It appears this will take time for some staff to accept.

Recommendation 31 has been achieved. The new “Responsible Host” Policy is in use across the regions and work events are no longer the subject of serious events reported or observed by senior management.

Recommendation 32 has not been achieved as yet. The offsite Hui for all MediaWorks Māori, Pasifika, Asian and other non-European staff as recommended has been planned for later in 2022.

Conclusion

Completed

Action 1: MediaWorks Acknowledgements

Action 2: Board and Leadership Recommendations

Action 5: Diversity Plan

Action 6: Pay Equity Plan

Action 7: Workplace Policies

Progress Made

Action 3: People and Culture Recommendations

Action 4: People Management Recommendations

Action 9: Valuing all MediaWorks Staff Recommendations

Work Started

Action 8: Valuing Māori at MediaWorks Recommendations

Maria Dew KC and Jennifer Kerr, October 2022