

# Research Accountability Practices

## Survey Analysis

A study on accountability practices, ethics policies & procedures, whistleblowing & reporting, and workplace misconduct in the arts, culture, and heritage sector



Canada Council  
for the Arts

Conseil des arts  
du Canada

<b>Executive Overview .....</b>	<b>3</b>
<b>Introduction.....</b>	<b>4</b>
What is at issue? .....	4
Legal Protections, Accountability Practices, Whistleblowing, and Policies .....	5
<b>BCMA Study .....</b>	<b>7</b>
BCMA Accountability Practices Survey .....	7
<b>Methodology.....</b>	<b>7</b>
<b>Respondents .....</b>	<b>9</b>
<b>Results .....</b>	<b>10</b>
Workplace policies/procedures (Questions 9 – 17) .....	10
Ethics Policies:.....	10
Channels to report misconduct: .....	12
Whistleblowing Policies:.....	12
Whistleblowing Effectiveness .....	14
Observation of unethical behaviour/misconduct .....	18
Reporting (Questions 18 – 21) .....	20
Reporting of unethical behaviour/misconduct .....	20
Comfortability in reporting .....	22
NDAs (Questions 22 – 24): .....	24
Written Feedback (Questions 25 – 29) .....	26
Supports needed (Summary of Questions 25 -27): .....	26
<b>Key Findings and Discussions .....</b>	<b>28</b>
People are experiencing/witnessing unethical behaviour/misconduct in their workplace .....	28
Organizations need support building ethics policies .....	29
Beyond policies & procedures.....	29
Equity-deserving groups are disproportionately impacted .....	30
Need for internal educational resources and opportunities .....	31
External support systems are also necessary .....	32
<b>Conclusion .....</b>	<b>32</b>
<b>References .....</b>	<b>34</b>
<b>Figures (demographics) .....</b>	<b>36</b>

## Executive Overview

With funding from a Canada Council for the Arts Seed Grant, the BC Museums Association is undertaking a research project on accountability practices. The research process is two-fold:

1. a research and consultation process to review accountability practices in other sectors, jurisdictions, and countries to better inform BCMA's accountability practices and membership code of conduct/ethics; and
2. arts, culture and heritage sector research and consultation, including speaking with equity-deserving communities, to gain a better understanding of what supports are needed within the sector and how the BCMA can best support our members

A survey was completed under the second component of this research. It aids in the deeper understanding of needs within the arts, culture and heritage sector and allows the BCMA to better inform our member services.

The key findings from this survey include:

- People are experiencing/witnessing unethical behaviour/misconduct in their workplace
- Organizations need support in building ethics policies
- The need to go beyond policies & procedures and focus on workplace culture
- Equity-deserving groups are disproportionately impacted
- People are seeking educational resources and training opportunities
- External support systems and/or reporting systems are necessary

## Introduction

“Isn’t there anything you can do?” This is a question the BCMA is asked regularly by members. From boards that create toxic working environments, to managers who undermine and exclude racialized workers from decisions that directly impact them, to institutions that publicly support repatriation, but privately put up barriers to reconciliation; arts and culture workers/volunteers do not have access to meaningful paths that hold harmful institutions accountable.

Professional associations like the BCMA must develop more robust professional ethics standards, systems to review and respond to complaints, and procedures for holding members/organizations who violate these standards accountable. Legal mechanisms exist for workers in unsafe workplaces, but these processes are time consuming, unwelcoming to historically marginalized communities, and provide only the barest minimum of support. The BCMA has a member code of conduct and membership review policy and process, but these mechanisms are clearly not adequate to serve our community and their diverse challenges.

Increasingly the BCMA is called on by members to take a more active role in addressing systemic racism and toxicity in the arts, culture and heritage sector. The Research Accountability Practices Project will be integral to this. In addition to a survey, the research project includes assessing how whistleblower, ethics violation, and complaint processes work in other sectors, jurisdictions, and countries. We are at the precipice of a new era of bravery and accountability within the sector and this project will be the first step towards developing impactful ethical standards.

## What is at issue?

In 2021, the BCMA released the report *Governance Challenges and Opportunities in BC’s Small to Medium Non-profit Museums*. The report was based on a qualitative study done with leadership staff of small to medium non-profit museums in B.C. Although focused on a subset of the museum population, the report gave insight into the issues of toxicity in the sector.

The results stress that the arts, culture and heritage sector is seeing a crisis of bad governance and toxic leadership. Amongst challenges such as compensation levels, board structure and succession, and board disconnection from the professional and community aspects of the Executive Director’s (ED) work, there was a concerning level of participants reporting issues of bullying and harassment. Examples specific to the board/ED

relationship included silencing, marginalizing, verbal abuse, gossip, threats, sexual harassment and racist/sexist behaviour.

While the report focuses exclusively on small to medium museums and cultural organizations, recent examples from the Royal BC Museum (Report to British Columbians, 2021), National Gallery (ARTnews, 2022), and Canadian Museum of Human Rights (CBC, 2020) show that not only are large cultural institutions overwhelmingly white-led, but they are also systemically toxic working environments. While toxic large cultural institutions are more likely to attract media attention, as the 2021 study shows, the same patterns of behaviour and systems of oppression are present in small and medium institutions.

Through recent consultations with the BCMA's Indigenous Advisory Committee, IBPOC Network Advisory, and 2SLGBTQIA+ Network Advisory it is undeniable that this crisis is even more acute for racialized, marginalized, and gender non-conforming communities. In conversation, they have all expressed the need for holding organizations and individuals accountable to higher professional standards. Indigenous, racialized, and equity-deserving individuals working within the arts, culture and heritage sector have few options to speak out against systemic racism and internal toxicity and often face career repercussions when they do.

Data shows that Indigenous, racialized, and gender non-conforming communities are less likely to hold management positions or receive promotions within the sector, are compensated at lower rates than their cis, white, and male peers, and are more likely by a significant factor to suffer from stress and burnout (2021 Canadian Census, Hill Strategies). Further, the average tenure of IBPOC professionals is 3.2 years compared to the average 10.8 years in the sector, indicating that racialized professionals are not staying in their positions (Canadian Museum Association, 2023). It is abundantly clear that the arts culture, and heritage sector, and museums especially, are not safe and welcoming spaces for equity-deserving communities.

## Legal Protections, Accountability Practices, Whistleblowing, and Policies

Currently, the arts, culture and heritage sector in B.C. does not have any proper whistleblowing<sup>1</sup> protections, formalized accountability policies<sup>2</sup>, or uniform standards of

---

<sup>1</sup> Whistleblowing – “the activity of a person, often an employee, revealing information about activity within a private or public organization that is deemed illegal, immoral, illicit, unsafe or fraudulent.” (Wikipedia)

<sup>2</sup> Accountability policies – policies focused on holding individuals and institutions responsible for their actions and outcomes

ethics<sup>3</sup>. Up until 2007, when the Whistleblowing Protection Act passed, Canada did not have any legal act on whistleblowing. Since then, all provinces have implemented whistleblower protection legislations that were modeled after the federal legislation. In 2019, B.C. passed the Public Interest Disclosure Act (PIDA), making it one of the last two provinces to pass such laws. This legislation, however, does not cover all workers in the sector – it covers public servants, health care, universities and some organizations that receive public funding under its legislation. Non-profits and private museums are not explicitly covered under any whistleblower protection legislation. Even for those organizations it does cover, research shows the legislation in Canada leaves a lot to be desired. A study in 2021, for example, had Canada tied for last place in whistleblower protection laws (Whistleblowing Canada Research Society, 2023).

Apart from government legislation, some professions have their own standard code of ethics and policies/procedures. Medicine for example, has the Hippocratic Oath. Engineers and foresters in B.C. have a duty to report that is set out in the Professional Governance Act and in their individual Code of Ethics. Ethics are inherently tied to membership or accreditation in many sectors throughout B.C. Without equivalent standardized codes, where does this leave the arts, culture and heritage sector in the province?

All organizations have an ethical, and in some cases legal, duty to their employees to provide a space free of harassment and discrimination, compensate with equal pay regardless of gender, create a safe and healthy work environment, and take preventive measures against harassment and bullying (WorkBC, 2024). Although the legalities differ across institutions, **the sector should be striving to go beyond the bare minimum when it comes to ethics and accountability**. Compliance goes beyond the law, and even beyond policies and procedures, it is about human rights and ethical workplace culture.

“Research suggests that whistleblowing reports are an important source of information to uncover wrongdoing within organizations... they provide the best early warning system for fraud, corruption, regulatory failure and wrongdoing.” (Brown, Mazurski and Olsen 2008, cited in Lewis et al. 2014). However, policies around whistleblowing ethics cannot solely address accountability issues. Research shows that workplace culture is equally, if not more, important; ethics policies will not create any positive changes without addressing workplace culture (Whistleblowing Canada Research Society, 2023).

---

<sup>3</sup> Ethics policy – also referred to as a code of ethics, a set of principles outlining the companies’ values and expectations for employee behaviour and institutional decision-making; guides employees in acting ethically in the workplace

## BCMA Study

As discussed above through a summary of the governance report from 2021, there is evidence of toxic workplace culture in B.C.'s arts, culture and heritage sector. In response, professional associations, like the BC Museums Association, have been called on by their members to support professional ethics and accountability.

The Research Accountability Practices project is a response to this call to action. The research is divided into two main focuses:

1. a research and consultation process to review accountability practices in other sectors, jurisdictions, and countries to better inform BCMA's accountability practices and membership code of conduct/ethics; and
2. arts, culture and heritage sector research and consultation, including speaking with equity-deserving communities, to gain a better understanding of what supports are needed within the sector, and how the BCMA can best support our members

## BCMA Accountability Practices Survey

The BCMA Accountability Practices Survey falls within the second focus of this research: sector research and consultation. The Governance Challenges and Opportunities in BC's Small to Medium Non-profit Museums report allows for a base level of understanding of ethical issues and toxicity in the sector. Where governance is only one piece of the whole story, the BCMA Accountability Practices Survey expands on this knowledge to better understand the sector across all levels of employment and positionality, and across all topics of ethics and accountability.

The purpose of the BCMA Accountability Practices Survey was to gather information on personal and organizational experiences with ethics and reporting/whistleblowing. This survey feedback is guiding further research and outputs. It helps the BCMA understand the needs of our community and will further inform our policies, resources, programs, and future support services. It also allows us to better advocate on behalf of the arts, culture and heritage sector. This research particularly helps to support racialized, historically marginalized and gender non-conforming communities, who are disproportionately affected by inequitable accountability practices.

## Methodology

This online survey was created on Survey Monkey and shared on the BCMA website. To advertise for participants, the survey was shared on the BCMA's social media, posted as

QR codes at the BCMA Annual Conference, and posted to local and national museum/heritage listservs.

The survey comprised of 29 questions in total. It was broken down into 6 sections: organizational structure, personal demographics, workplace ethics policies and procedures, reporting and whistleblowing, non-disclosure agreements (NDAs), and research project feedback. In the project feedback section, respondents<sup>4</sup> had the opportunity to comment on the following questions:

- What aspects of accountability/ethics/HR practices would you like more information on?
- What support does your organization need with accountability/ethics practices?
- What support do you need as an individual in the workplace with accountability practices?
- How do you envision the BC Museums Association playing a role in workplace ethics issues?
- Any additional comments?

Survey participation was optional. Respondents were informed that they may leave the survey at any point in time by clicking the exit button, but that this would not delete any answers previously saved on other pages.

Due to the nature of the survey topic of accountability and ethics, the BCMA was aware that some questions might be difficult for respondents and/or trigger negative emotions. All respondents were informed that questions were optional, and they could leave at any point in time. BCMA encouraged participants to take care and reach out to supports in their region, such as Canada's crisis line, if they were feeling distressed.

All answers will be kept anonymous. Results of the survey are only shared in a condensed and aggregated manner to ensure that individual responses are not identifiable.

---

<sup>4</sup>Terminology 'respondents' – Although we refer to individuals as 'respondents' throughout this report, it is important to remember that all 'respondents' are individuals with lived experience who work beside us in the arts, culture, and heritage sector. These individual experiences, some of which involve workplace trauma, should not be diminished as data points, but rather considered as lived realities.



# Respondents

To gain a better understanding of the overall arts, culture and heritage sector positionality, BCMA encouraged individuals with all levels of ethics knowledge to take part in the survey. 53 respondents participated in this survey. Due to the nature of the topics, all questions were left as optional; therefore, there is a varying range of number of respondents per question. All results are based on the understanding of this sample size. It would be beneficial to expand the research with a more expansive sample size and distribution throughout British Columbia.

## **Type of Organization** ([see Figures: Q1](#)):

- Most respondents (62.26%) work/volunteer in museums
- Approximately 20% of respondents work/volunteer in galleries (18.87%), archives (20.75%), and heritage sites (18.87%)
- The remaining population is spread across cultural centres, science centres, arts service organizations, Indigenous run centres or organizations, libraries, conservation consultancy, catering, and students.

## **Organizational Structure:**

- Organizations represent a wide range of annual operating budgets ([see Figures: Q2](#))
- 52.82% identified as a small organization ([see Figures: Q3](#))
- 67.92% pay their staff a living wage, 22.64% do not, and 7.55% are unsure ([see Figures: Q4](#))

## **Region** ([see Figures: Q5](#))

- The majority of respondents were located throughout BC (85.42%)
- As the survey was posted to national listservs, 14.58% of respondents were responding from other provinces and territories in Canada
- Most respondents were either from the Lower Mainland/Southwest (39.58%) or Vancouver Island/Coast (31.25%)
- Respondents were also from the Cariboo, Kootenays, Nechako, and Thompson-Okanagan regions. It is acknowledged that respondents are not equally represented through all regions of British Columbia.

## Demographics:

- Research shows equity-deserving groups are disproportionately affected by issues of ethics and accountability. BCMA emphasized this as a target demographic in the survey intro and targeted outreach out to these population groups to share this survey. 8 respondents (15.09%) identified as IBPOC, 15 (28.30%) as 2SLGBTQIA+, and 14 (26.42%) as a person with disabilities. ([see Figures: Q6](#))
- 80.39% of respondents identified as an established professional (>5 years of experience). The remaining respondents were comprised of students (1.96%), emerging professionals (11.76%), contractors (3.92%), and volunteers (1.96%). ([see Figures: Q7](#)). With future research, a further breakdown of established professionals would be beneficial. Respondents were of a range of ages: 18-24 (1.96%), 25-34 (31.37%), 35 – 44 (27.45%), 45-54 (19.61%), 55-64 (17.65%), 75+ (1.96%). ([see Figures: Q8](#))

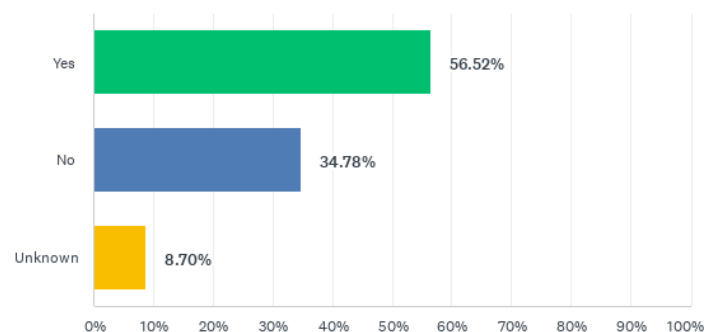
## Results

### Workplace policies/procedures (Questions 9 – 17)

#### Ethics Policies:

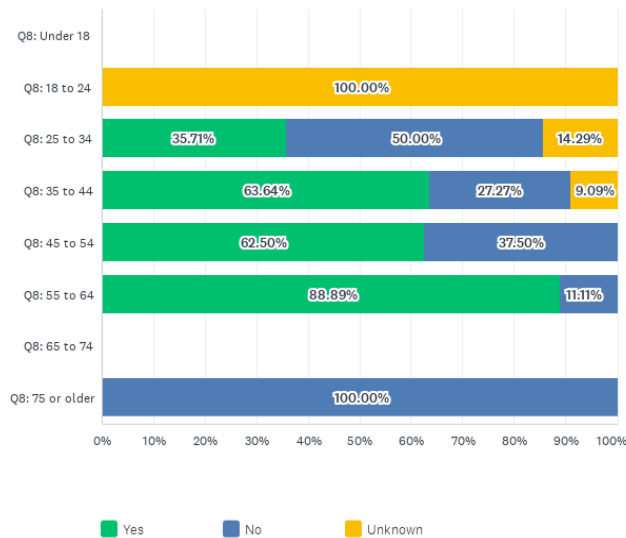
As seen in figure Q9, 34.78% of respondents stated that their organizations do not have an ethics policy. 8.7% do not know if their organizations have an ethics policy.

Q9 Does your organization have an ethics policy?



All respondents that answered “unknown” to the question “does your organization have an ethics policy?” are under the age of 44. More research is necessary to determine why this pattern exists, however, one possible factor could be a lack of thorough training and onboarding. This could indicate a need to emphasize ethics training as part of onboarding practices to emerging professionals and/or new employees.

### Q9 Does your organization have an ethics policy?

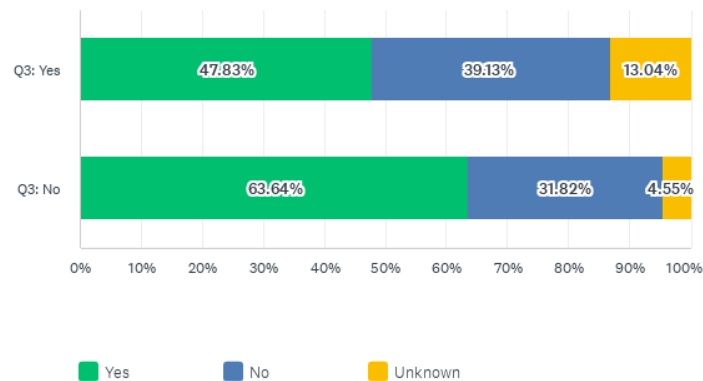


Smaller organizations are less likely to have an ethics policy than larger organizations (47.83% compared to 63.64%). From community consultation and written responses, it can be inferred that this result is related to capacity levels and resource availability.

*“We do not have time to research and write policy - sample policies that we can adopt would be useful”*

The development of accessible and adaptable ethics tools and policies is recommended to help bridge this gap. The need to develop ethics policies is not limited to small institutions; 31.82% of respondents in larger organizations do not have an ethics policy.

### Q9 Does your organization have an ethics policy?

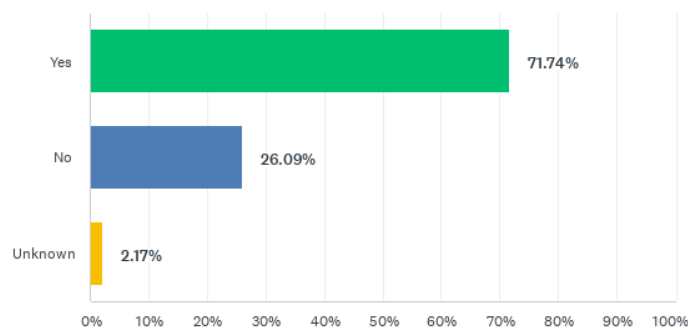


\*Above based on response to “Would your organization self-identify as a small organization? (e.g. small professional staff or volunteer-run and/or annual operating budget under \$250,000)”

### Channels to report misconduct:

As seen in Figure Q10, 71.74% of respondent's organizations have a channel to report misconduct. This is noticeably higher than the 56.52% positive response to having an ethics policy. Some organizations, therefore, have methods for reporting without the associated written policies. Other organizations may have related policies, without directly referring to them as ethics or whistleblowing policies. Notably, one-out-of-four respondents do not have any channel to report misconduct in their workplace.

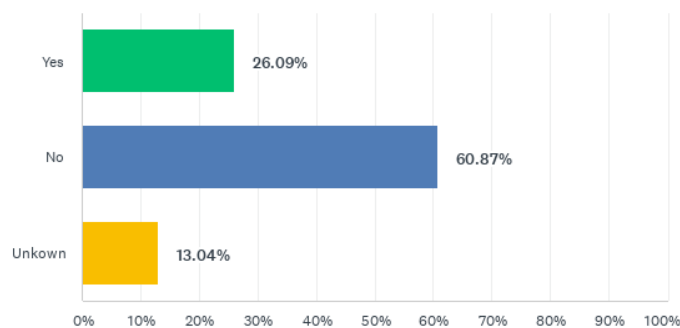
Q10 Does your organization offer a channel to report misconduct?



### Whistleblowing Policies:

60.87% of respondents' organizations do not have a whistleblowing policy/procedure. As previously mentioned, some organizations have similar structures of reporting without referring to them as "whistleblowing".

Q11 "Whistleblowing is the activity of a person, often an employee, revealing information about activity within a private or public organization that is deemed illegal, immoral, illicit, unsafe or fraudulent." Does your organization have a whistleblowing policy/procedure?



All respondents that did not know if they have a whistleblowing policy at their organization were under the age of 44, reflecting similarities to the responses of those who did not know if their organization had an ethic policy. This data reinforces the need to implement ethics training and conversations about avenues for reporting into onboarding training. Even if an organization does not have written policies, it is important for employees to know what options are available to them when they onboard.

Q11 "Whistleblowing is the activity of a person, often an employee, revealing information about activity within a private or public organization that is deemed illegal, immoral, illicit, unsafe or fraudulent." Does your organization have a whistleblowing policy/procedure?

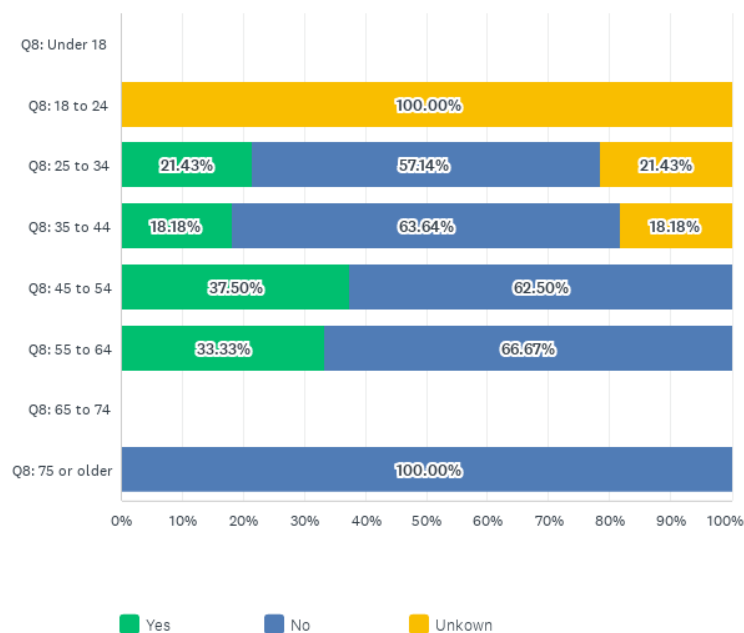
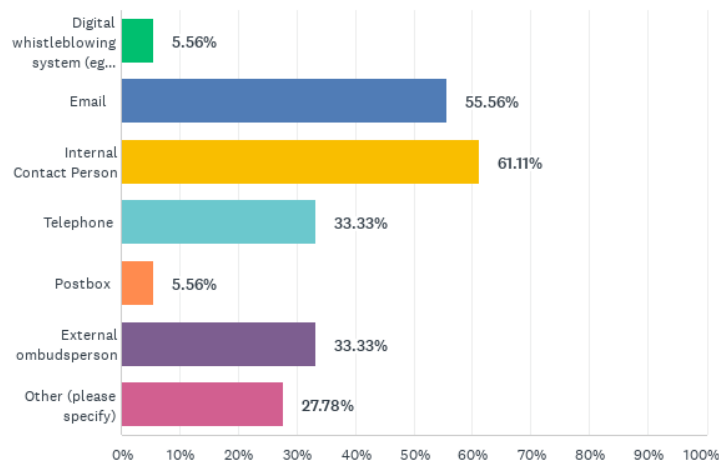


Figure Q12 breaks-down the type of whistleblowing channels that are available within institutions with whistleblowing procedures. Internal contact persons and email were the most common available forms of reporting.

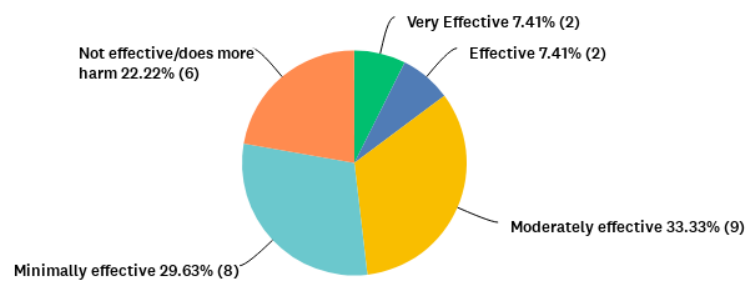
Q12 If yes, what type of whistleblowing channels are available in your organization? (Check all that apply)



### Whistleblowing Effectiveness

Those with whistleblowing procedures in their organization were asked to rate the effectiveness of the procedures. As seen in figure Q13, only a small percentage of respondents view their organization's procedures as "very effective" or "effective". Most see the procedures as moderately or minimally effective. 22.22% believe their organization's procedures are either not effective or do more harm.

Q13 How would you rate the effectiveness of whistleblowing procedures at your organization?

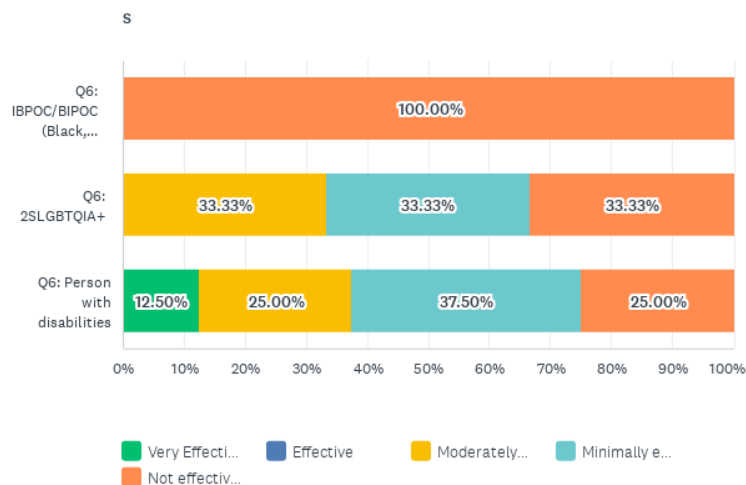


Previous data shows the importance of having policies and procedures. However, these results indicate the need to go beyond the implementation of procedures to address effectiveness and workplace culture. This could include creating feedback systems to understand effectiveness of policies in practice, implementing changes to policies to be more accessible and understood, and fostering a healthy workplace culture that embraces feedback and speak-up culture.

Further research is needed to understand the diversity of implementation across organizations that leads to policies being rated as either “effective” or “very effective”. It is assumed that policies that are rated highly are complimented by or integrated into an ethical culture in the workplace.

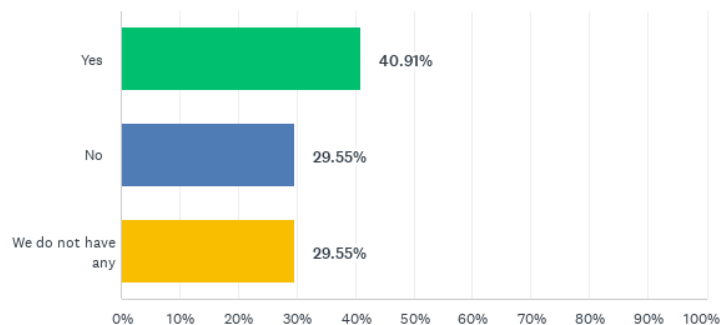
These results were compared across equity-deserving groups. 100% of IBPOC respondents said their organization’s whistleblowing procedures were “not effective/does more harm”. All 2SLGBTQIA+ respondents rated their whistleblowing policies as moderately effective or below. Although further research is needed, this indicates the need to look at ethics policies and procedures with an equity lens. Changes to policies are necessary to address the disproportionate impact of toxic workplace culture on equity-deserving groups.

#### Q13 How would you rate the effectiveness of whistleblowing procedures at your organization?



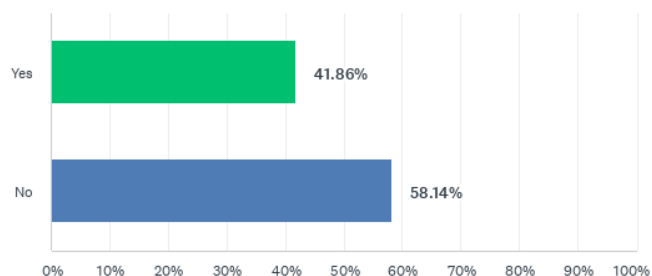
As seen in figure Q14, 29.55% of respondents do not feel like they understand their organizations misconduct reporting procedures/whistleblowing procedures. This indicates a need for further training within organizations to ensure employees understand the policies that are in place. A written policy is only as effective as the level of understanding and uptake from employees.

Q14 Do you feel like you understand your organizations misconduct reporting procedures/whistleblowing procedures?



Feedback is a crucial part of successful policies. This includes both the opportunity to receive feedback about policy effectiveness in practice, and the implementation of the feedback. 58.14% of respondents have not had the opportunity to give feedback about ethics policies at their organizations.

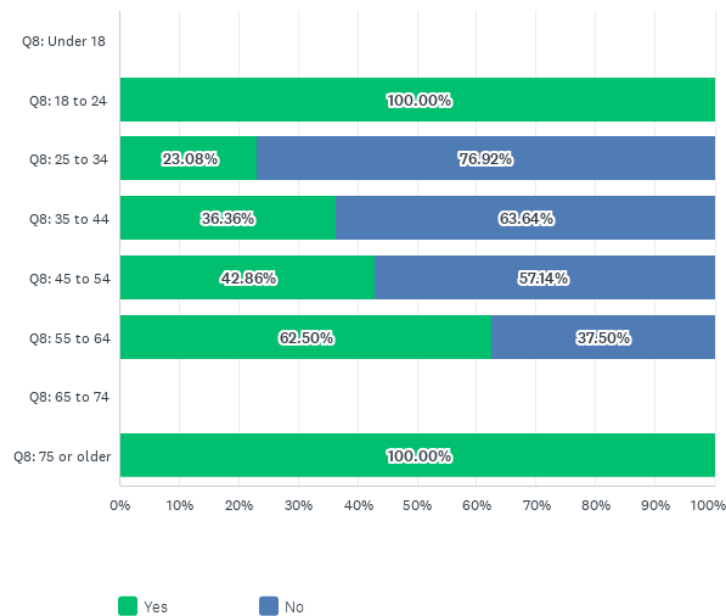
Q15 Have you had an opportunity to provide feedback on the effectiveness (or lack) of the policies (ethics, reporting misconduct, whistleblowing)?





The opportunity to give feedback increases with age. Further research is required for the reasons behind this correlation. Regardless, the data indicates a need in the sector to recognize the value of feedback across as generations, including younger and emerging professionals. Further research would also be necessary with groups under the age of 24, as only one participant identified as being in this age range, skewing the results to 100% of that age group.

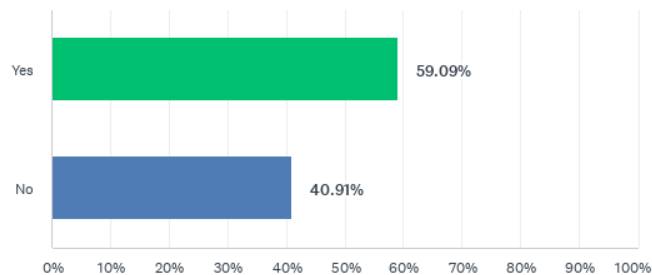
Q15 Have you had an opportunity to provide feedback on the effectiveness (or lack) of the policies (ethics, reporting misconduct, whistleblowing)?



Observation of unethical behaviour/misconduct

As seen in figure Q16, 59.09% of respondents have observed and/or experienced unethical behaviour/misconduct in their workplace.

Q16 Have you observed and/or experienced unethical behaviour/misconduct in your workplace?



This average percentage of respondents that have observed and/or experienced unethical behaviour/misconduct is higher for equity-deserving groups (IBPOC 71.43%, 2SLGBTQIA+ 76.92%, and persons with disabilities 83.33%). This indicates that equity-deserving groups are disproportionately impacted by ethical misconduct in the workplace.

Q16 Have you observed and/or experienced unethical behaviour/misconduct in your workplace?

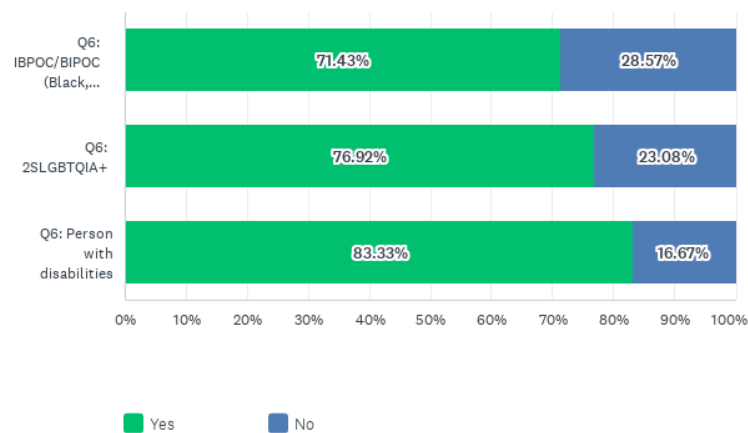
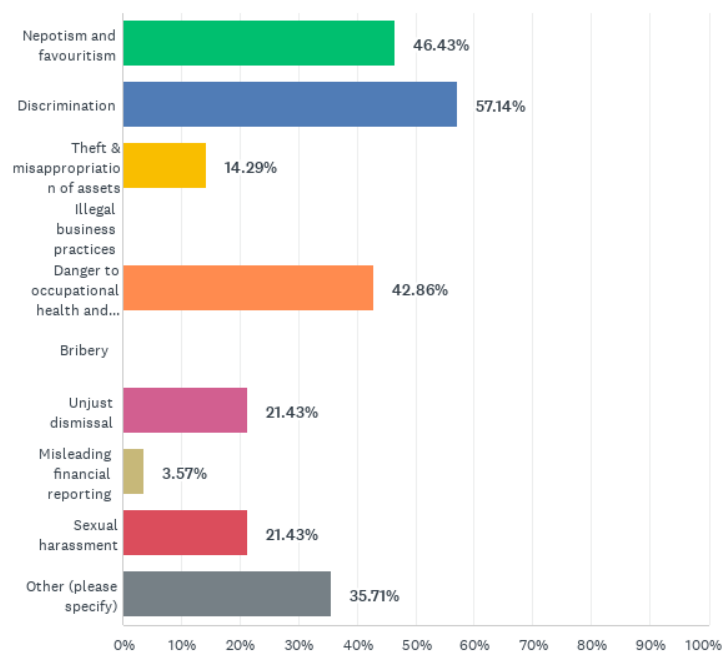


Figure Q17 shows the breakdown of the type of behaviour(s)/misconduct respondents have observed. Discrimination, nepotism and favouritism, and danger to occupational health and safety were the three most observed behaviours/misconducts reported in this survey. Sexual harassment, unjust dismissal, theft and misappropriation of assets, and misleading financial reporting were also reported, as well as harassment, non-sexual gender-based violence, and bullying specified through the “other” category. The reporting of any amount of these misconducts in the sector needs to be taken seriously.

**Q17 If yes, what type of unethical behaviour(s)/misconduct have you observed? (Please check all that apply)**

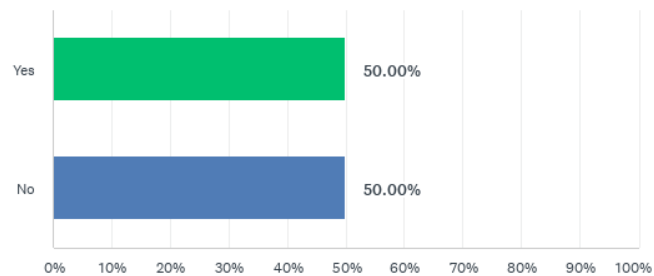


## Reporting (Questions 18 – 21)

### Reporting of unethical behaviour/misconduct

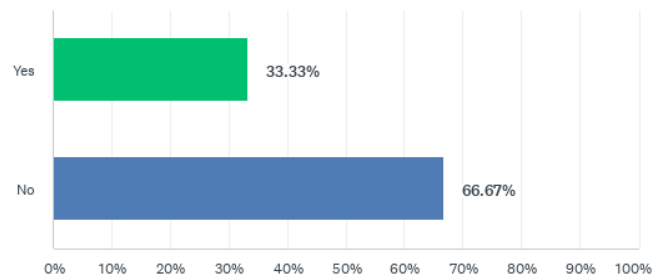
Half of the respondents reported unethical behaviour/misconduct in their workplace.

Q18 Have you ever reported unethical behaviour/misconduct in your workplace?



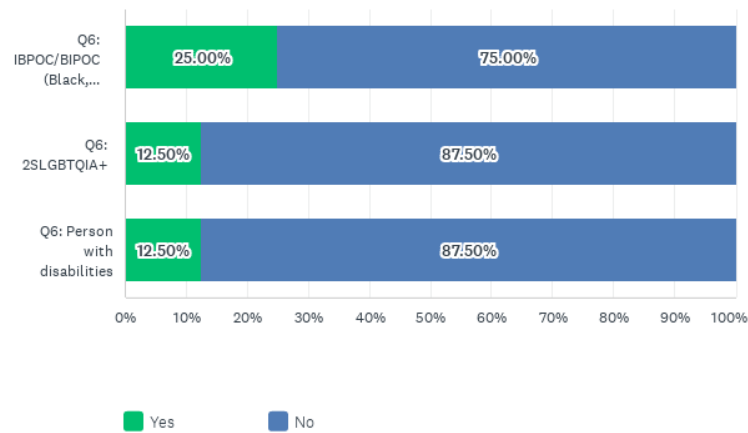
Out of the respondents that have reported, two-thirds were dissatisfied with the management of the issue they raised.

Q19 If yes, were you happy with the management of the issue you raised?



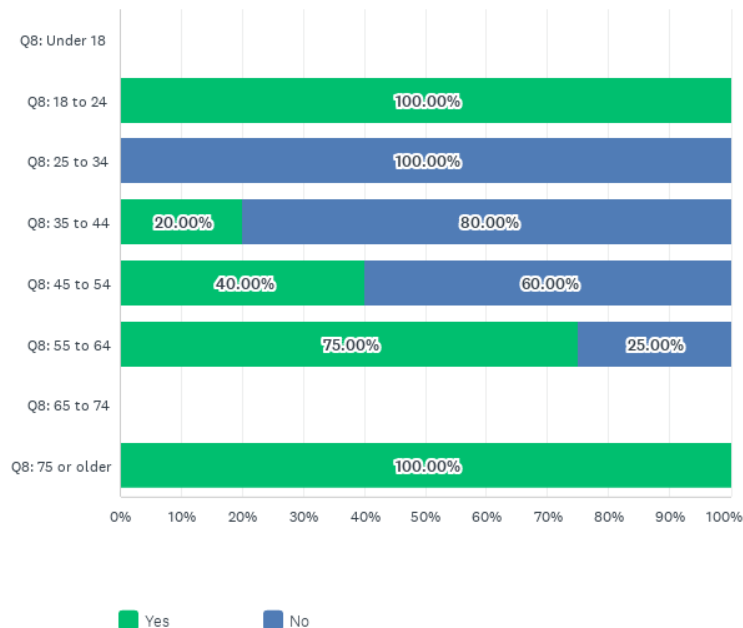
Compared to the general average of 66.67%, equity deserving groups report higher levels of dissatisfaction with the management of issues they have raised (IBPOC 75%, 2SLGBTQIA+ 87.5%, persons with disabilities 87.5%). More research is required, although this reinforces the disproportionate impact of ethical issues on equity-deserving groups as referenced in the introduction to this report.

Q19 If yes, were you happy with the management of the issue you raised?



The results also show a correlation between satisfaction with the management of an issue and age: as age increased satisfaction with management of issues increased. Future research would be necessary to understand the correlation between age and contentment.

Q19 If yes, were you happy with the management of the issue you raised?



When comparing these results against organizations that have ethics policies, the results were unsurprising, yet impactful. Levels of satisfaction with issue management is higher on

average for those in organizations with ethics policies (46.15%) than those without an ethics policy (11.1%). It should be noted that even with an ethics policy, 53.85% of respondents were not satisfied. This indicates both the benefit of policy, and the need to go beyond policy when dealing with workplace ethics and procedures.

Q19 If yes, were you happy with the management of the issue you raised?

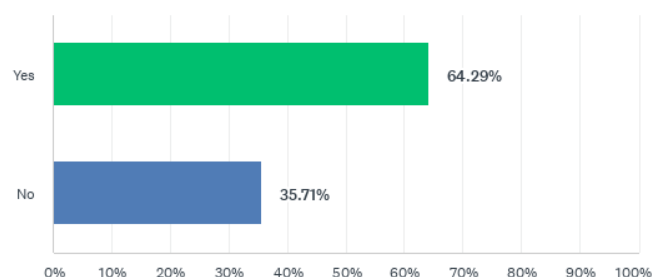


\*^ Based on saying yes/no/unknown to having an ethics policy

### Comfortability in reporting

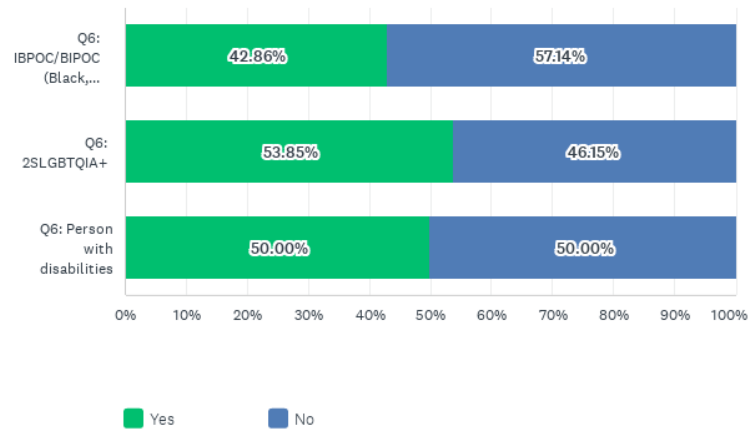
As seen in figure Q20, 64.29% of respondents feel comfortable reporting unethical behaviour in the workplace.

Q20 Would you feel comfortable, under current policies in your workplace, to report unethical behaviour or experiences in your workplace?



Equity-deserving groups rated below average in comfortability reporting (IBPOC 42.86%, 2SLGBTQIA+ 53.85%, persons with disabilities 50%).

Q20 Would you feel comfortable, under current policies in your workplace, to report unethical behaviour or experiences in your workplace?



Those with an ethics policy at their organization were far more likely to feel comfortable reporting (86.96%), than those without (40%), or those who did not know if they had an ethics policy (25%).

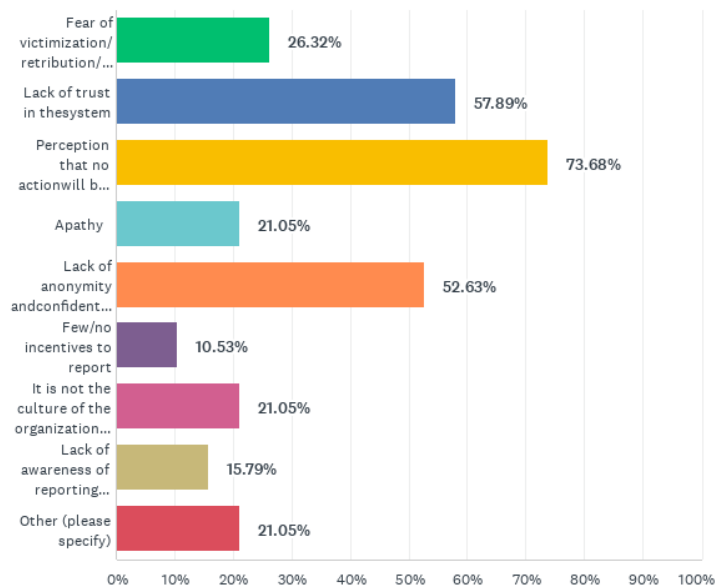
Q20 Would you feel comfortable, under current policies in your workplace, to report unethical behaviour or experiences in your workplace?



\*^ Based on saying yes/no/unknown to having an ethics policy

Figure Q21 illustrates the reasons people do not feel comfortable to report. The three most common reasons are: perception that no action will be taken, lack of trust in the system, and lack of anonymity and confidentiality. Responses in “other” include nothing being done last time, board favouritism, and no formalized treatment of those that transgressed.

Q21 If no, why wouldn't you want to report? (Check all the apply)



#### NDA's (Questions 22 – 24):

The vast majority of respondents have not been asked to sign an NDA<sup>5</sup> (88.64%). It should still be flagged, however, that some respondents have been asked to sign an NDA.

<sup>5</sup> NDA – non-disclosure agreement or an NDA is a clause in a document that restricts sharing information with others that is designated as “confidential.” An NDA is a clause inside an agreement. Sometimes they are referred to as confidentiality or privacy agreements. (Can’t Buy My Silence)



Q22 Have you ever been asked to sign an NDA (non-disclosure agreement)?

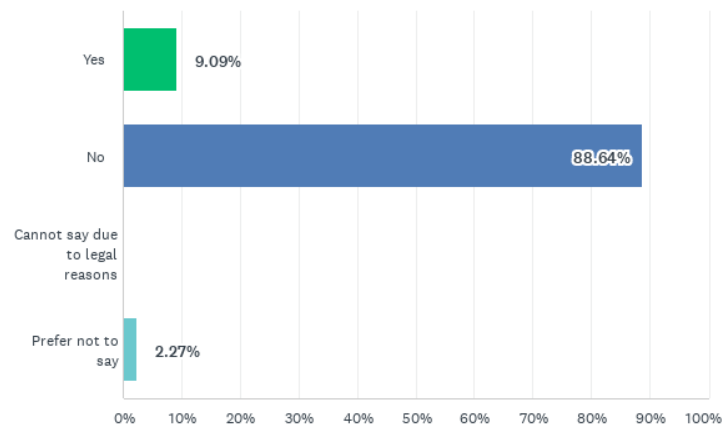
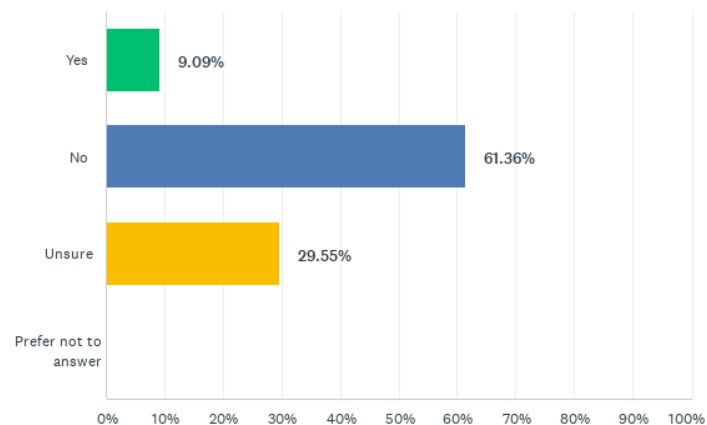


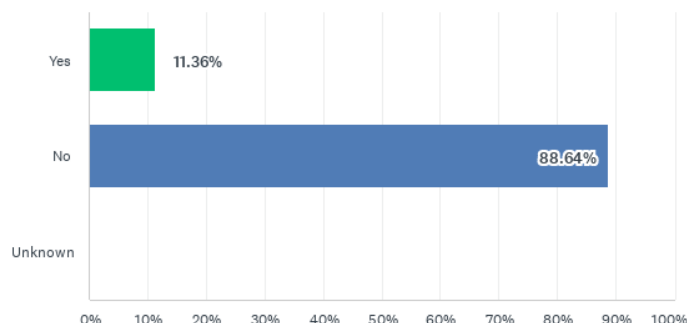
Figure Q23 demonstrates whether people would ask someone to sign an NDA or not. The question was asked to gain a better understanding of where the sector is situated regarding NDAs.

Q23 Would you ever ask someone to sign an NDA?



Only 11.36% of respondents have been asked to sign a non-compete disclosure/closure. Interestingly, this is lower than the national average of 27% (Angus Reid Institute, 2024). Ontario banned non-compete clauses in 2021. While still legal in BC, 56% of respondents in British Columbia support banning non-complete clauses (Angus Reid Institute, 2024).

Q24 Have you ever been asked to sign a non-compete disclosure/clause? (Including those in employee contracts)



## Written Feedback (Questions 25 – 29)

### Supports needed (Summary of Questions 25 -27):

Open-ended written feedback was requested for the following three questions:

- What aspects of accountability/ethics/HR practices would you like more information on?
- What support does your organization need with accountability/ethics practices?
- What support do you need as an individual in the workplace with accountability practices?

The results were analyzed across all three questions, as responses to the questions had overlapping themes. The responses were categorized into the following general themes: governance, human resources (HR), practices & policies, workplace culture, resources & education, legal concerns, and external supports.

#### *Governance:*

Issues regarding governance were frequently mentioned in the written responses. Seven responses discussed the need for support with boards including: ethical issues/harassment stemming from the board, convincing board members of the need for training and support, and the need for board education. Two respondents mentioned issues with management including: circumventing ineffective management and need for management training. One individual expressed feeling a lack of power over implementing organizational changes to structure and operations. This indicates issues with power hoarding and governance.

### *Human Resources (HR):*

Four separate responses referred to the need for HR solutions. Commonly, HR was discussed as an issue for small institutions. Respondents either do not have an HR person, need an external HR person, or address the issues of staff not having capacity to act as internal HR.

### *Practices/Policies:*

Respondents in the arts, culture and heritage sector expressed needs for assistance with practices and policies. Common needs included education on the best practices for an ethical workplace (4), templates of policies and/or sharing ethics policies across similar museums (5), general learning about policies, including privacy & accommodation policies, (4) and processes/procedures for dealing with unethical behaviour (4).

### *Workplace culture:*

Many written responses fit into the theme of workplace culture. Respondents expressed the need for mechanisms for change, alongside the sentiment that reporting and policies mean nothing without action. Other comments included the need to normalize ethics feedback and accountability within the workplace, including how to navigate giving and receiving feedback (2); the need for leaders to implement and practice policies, and raise awareness to staff (2), and the need for workplace culture support for small institutions. Lastly, respondents expressed the human need to feel heard, listened to, and treated fairly (3).

### *Resources & Education:*

Respondents emphasized the need for more resources and education. Employees in the sector expressed the difficulty of focusing on ethics when they have a shortage of time and resources. Therefore, supports are needed to make ethics changes more accessible and easier to implement. As mentioned previously, this includes the need for templates (5), and training on feedback (2). Other responses included the need for general education and training, including free and accessible training (8), training on how to deal with microaggressions and staff conflict (2), education on how to train people on policies (1), and a desire for a checklist of actionable steps for ethics implementation within institutions (1).

### Legal:

Respondents also have a desire for legal information. This includes ethics requirements by law (2), legal proceedings outside of the workplace and labour law & BC Civil Rights Commission standards (2), and liability.

### External supports:

Members in the arts, culture and heritage sector need external supports. Responses included needing a reporting route with low barrier to entry, a clear pathway, and a channel to report issues (2), external contacts for advice (2), alternative contacts for when management/boards are ineffective or the issue (2), and external support to enact change.

## Key Findings and Discussions

### People are experiencing/witnessing unethical behaviour/misconduct in their workplace

The survey results showcase a crisis of toxicity – experiences of unethical behaviour and misconduct are apparent in the arts, culture and heritage sector. 59.09% of respondents witnessed or experienced unethical behaviour/misconduct in their workplace.

Comparatively, a study from 2013 found that 42% of workers in Canada have experienced or witnessed some form of misconduct at work (Ipsos). Berlingieri and MacQuarrie (2024), however, found a higher result: their study concluded that 71.4% of the survey respondents from Canada have experienced at least one form of harassment/violence in the workplace.

In the BCMA's study, the average was even higher for equity-deserving groups, indicating the disproportionate experience for IBPOC, 2SLGBTQIA+, and persons with disabilities in the sector. Discrimination, nepotism and favouritism, and danger to occupational health and safety were the three most observed behaviours/misconducts reported in this survey. Respondents also answered with experiences of theft and misappropriation of assets, unjust dismissal, misleading financial reporting, sexual harassment, harassment, non-sexual gender-based violence, and bullying.

Written statements also speak to issues of workplace harassment and bullying. Some respondents shared their personal experiences speaking to verbal harassment and microaggressions. Others spoke to issues of bullying, harassment, misogyny, and discrimination at the board level.

9.09% of respondents have been asked to sign an NDA. Although this is not a large percentage of the respondents, it is not insignificant. In one-on-one conversations relating to this research, several respondents said off the record that they have been asked to sign NDA as part of HR disputes, indicating that attempts to silence respondents are taking place in the sector. NDAs are not as silencing as they first appear. NDAs put a social and financial pressure on individuals to stay silent, however, people that have signed NDAs can still be whistleblowers (Whistleblowing Canada Research Society, NDAs). The arts, culture and heritage sector could benefit from further education on NDAs, their harm in creating an accountable system, and individuals' rights regarding NDAs.

## Organizations need support building ethics policies

The data shows that the average level of satisfaction with ethical issue management is higher for those that have an ethics policy at their organization. Furthermore, respondents also feel more comfortable reporting wrongdoing/misconduct when there is an ethics policy in place (86.96% comfort compared to 40% comfort in places without an ethics policy). Ethics policies are a good foundation for comfort in, and management of, ethical reporting.

60.87% of survey respondents do not have whistleblowing policies at their organizations, 34.74% do not have ethics policies, and 26.09% do not have a channel to report misconduct. It is understood that some organizations have similar policies without calling them ethics/whistleblowing. Many, however, do not have the channel to report or the associated policy in place. As seen above, policies are only a first step in increasing comfort and management of reporting.

Respondents expressed a desire to learn more and update their policies but lack the time and resources to do so. As seen in written feedback, museum and cultural workers are seeking templates, policy sharing and example policies, and education on best practices.

## Beyond policies & procedures

The data shows that procedures and policies are not enough; to create an ethical workplace, organizations must go beyond policies and look at workplace culture. Most respondents with whistleblowing procedures at their organization do not view the procedures as effective; the majority of respondents said these procedures were moderately, minimally, or not effective, or even did more harm.

Similarly, 53.85% of respondents with ethics policies at their workplace were dissatisfied with the way the reporting of misconduct was managed. This again indicates that while policies increase satisfaction, they cannot solely change an unethical climate.

Whistleblowing Canada Research Society found similar results in one of their studies in 2023:

*“Legislation alone will not protect whistleblowers, especially if it is introduced into an unwelcoming or resistant environment as it will not be upheld. Culture is equally or even more important. Culture is greatly impacted by leadership and the values and norms.”*

Cultural shifts in the workplace that would support a healthy, ethical climate include, but are not limited to:

- creating feedback systems to understand effectiveness of policies in practice,
- implementing changes to policies to be more accessible and understood,
- and fostering a healthy workplace culture that embraces feedback and speak-up culture.

For ethics changes to go beyond policy, they need to be implemented into daily workplace culture. As noted in the written feedback, it is important for leadership to model and demonstrate the ethical behaviour outlined in the written policies. Furthermore, for all employees to enact ethical workplace culture, they need to understand the policies that are in place. 29.55% of survey respondents do not feel like they understand their workplace policies. As mentioned earlier, the need for robust training during onboarding, and having accessible procedures/policies is an essential part to supporting an ethical workplace culture. Some respondents reported the need for support in this which highlights a need for guidance on how to properly train employees on ethics policies and reporting mechanisms.

Another important aspect in ethical workplace culture is feedback. In the written responses, respondents emphasized the need to normalize feedback and accountability in the workplace. It is also important to normalize feedback about accountability systems as a whole. 58.14% of respondents have not had the opportunity to give feedback on their workplace's accountability systems. 53.85% of respondents were dissatisfied with the way ethical issues were addressed. Feedback to how the policies work in practice is important to make real change.

## Equity-deserving groups are disproportionately impacted

The results of this survey reinforce the commonly reported issue in the arts, culture and heritage sector that equity deserving individuals are disproportionately mistreated and impacted by toxicity and harmful workplace ethical culture. IBPOC individuals report a higher level of observing and/or experiencing unethical behaviour in the workplace, report higher levels of dissatisfaction with management of issues reported, and report that their organization's whistleblowing procedures are either not effective or cause more harm.

Similar trends are seen within the 2SLGBTQIA+ respondents, who reported higher levels of experiences of unethical behaviour/misconduct, dissatisfaction with management of issues raised, and view their whistleblowing policies as either moderately effective or worse. Persons with disabilities also report experiencing and observing higher levels of misconduct, and higher levels of dissatisfaction with how misconduct is managed.

Discrimination was the highest reported experience of misconduct in the workplace. In addition, respondents are seeking help to manage and respond to microaggressions in the workplace. These themes are often discussed within the BCMA's Networks – there is a crisis of workplace toxicity and discrimination in the sector.

Policies about ethics need to be written with a specific focus on equity. Using an equity lens puts the focus on what ethics, accountability, and an ethical workplace culture looks like for *all* people, but especially equity deserving individuals. Power, positionality, personal or past experience and other factors need to be considered when writing and revising policy documents. As outlined above, policies on their own are not enough. The sector is in need of a culture shift. Although this can begin with policies and training, the ultimate change that is needed is in workplace culture.

## Need for internal educational resources and opportunities

The arts, culture and heritage sector needs training and educational resources from the BCMA regarding ethics, accountability, and whistleblowing. As explored in the survey data, requests have been made for:

- Knowledge on best practices for an ethical workplace
- Board education
- Training on how to receive and give feedback
- Training on how to deal with microaggressions and conflict resolution
- Education on how to train employees on ethics policies and procedures
- Education on workers rights
- Checklist of actionable steps for ethics implementation

There is a desire to implement positive change, but people need support at all levels. Leadership is struggling with governance or boards, and lack of time and resources to devote to producing and supporting ethical policies. Employees are feeling unheard and feel they lack power to implement changes; they also do not know where to go when they are not supported in the workplace, especially in small institutions without HR. There is a call from survey respondents and members for the BCMA to help educate and provide resources to make these changes more accessible.

## External support systems are also necessary

All levels of employees in the arts, culture and heritage sector need external support systems for ethics reporting, guidance, and supports. Currently there are not effective systems in place for museum workers to go through when they encounter governance and board toxicity/harassment, ineffective management, or feelings of lack of power/control to implement changes. The existing systems have limitations in effectiveness, require undue emotional labour, and lack timeliness and impact. Many small organizations do not have Human Resources personnel to reach out to, and some express that management does not have the capacity or training to act as HR. Even when organizations have an internal reporting structure, issues can arise when the person employees are supposed to report to is involved in the harm.

The three main reasons people do not feel comfortable to report unethical behaviour or misconduct are: perception that no action will be taken, lack of trust in the system, and lack of anonymity and confidentiality. Although many organizations prefer internal structures, it can make it difficult for employees to trust they can report anonymously and for issues to be managed without bias.

Many different needs were expressed for external supports, and the BCMA was called upon to assist with these needs. Suggestions included:

- An accessible route with low barrier to entry to voice issues, discuss situations anonymously, and access support
- External third party to report behaviour to; to receive functional support (i.e. direction to legal resources, etc.)
- Directory of resources (financial, legal, hire experts, funding for HR, etc.)

Although different forms of needs were expressed, there was a consensus of need for further support in the sector with ethics and accountability.

## Conclusion

The arts, culture and heritage sector continues to face a crisis in workplace toxicity, ethics, and accountability practices. Individuals and organizations are seeking support in policies, practices, governance, and workplace culture transformation.

The BCMA thanks survey participants and the broader sector for their interest in this work. The survey was the first step in the Research Accountability Practices project. The results of the survey and this research will inform member services and codes of conduct at the BCMA and will be used to advocate for new processes of accountability within the sector.



The BCMA will seek to add resources, programs, and future support services related to this topic.

## References

Angus Reid Institute (2024). *Labour Mobility: By two-to-one margin, Canadians support banning non-compete clauses*.

Berlingieri A. and MacQuarrie B. (2024). *Confronting harassment and violence in Canadian workplaces: Insights and evolutions*.

BC Museums Association. Prepared by Willard, M. and Bell, L. (2021). *Governance Challenges and Opportunities in BC's Small to Medium Non-profit Museums*. BC Museums Association. Retrieved from <https://museum.bc.ca/brain/report-on-small-to-medium-non-profit-museums-governance/>

Canadian Museum Association (2023). *Workplace Diversity Survey*. Retrieved from <https://museums.in1touch.org/uploaded/web/docs/Documents/CMA-Workplace-Diversity-Survey.pdf>

Can't Buy My Silence. *NDA Information*. Retrieved from <https://www.cantbuymysilence.com/nda-info>

Forward, P. (2023). *Study of private members bill c290 - an act to amend the public servants disclosure protection act*. Brief submission to the Operations and Estimates (OGGO) Committee. Whistleblowing Canada Research Society.

Hill, K. (2023). *Racialized workers have particularly low incomes in the arts and culture*. Hill Strategies.

Ipsos Reid (2013). *Four in Ten (42%) Employed Canadians Have Observed Some Form of Workplace Misconduct; One in Five (17%) Cite Witnessing Privacy Violations*.

Ho, K. (2022). *National Gallery of Canada Fires Four Senior Staff in Sudden Restructuring*. ARTnews. Retrieved from <https://www.artnews.com/art-news/news/national-gallery-of-canada-fires-senior-curators-greg-hill-kitty-scott-1234647287/>

Pauls, K. (2020). *'Pervasive and systemic' racism at Canadian Museum for Human Rights, report says*. CBC. Retrieved from <https://www.cbc.ca/news/canada/manitoba/pervasive-and-systemic-racism-at-canadian-museum-for-human-rights-report-says-1.5674468>

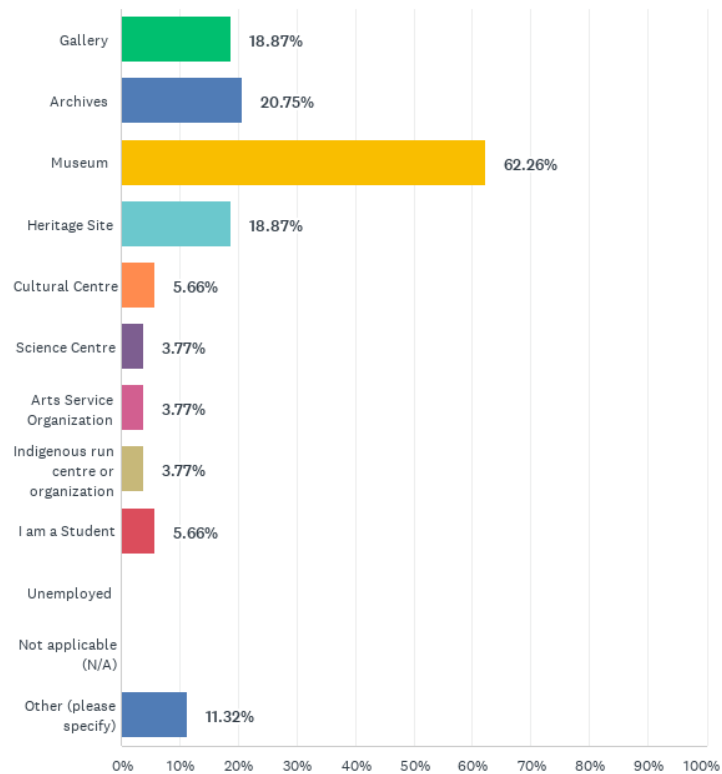
Royal British Columbian Museum (2021). *Report to British Columbians*. Retrieved from <https://royalbcmuseum.bc.ca/records-related-report-british-columbians>

Work BC (2024). *Workplace Rights*. Retrieved from <https://www.workbc.ca/access-employer-resources/manage-employees/workplace->

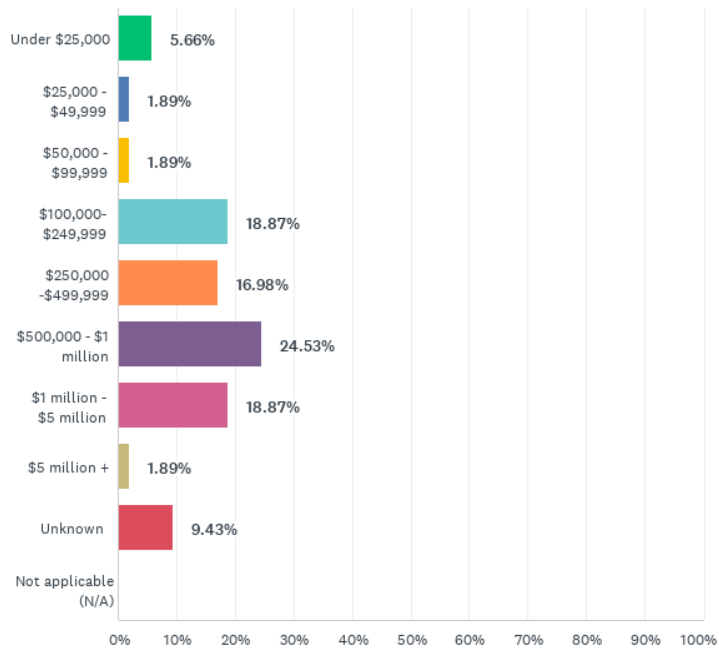
[rights#:~:text=Workplace%20Rights%201%20Human%20rights%20The%20B.C.%20Huma  
n,Bullying%20and%20harassment%20...%206%20Job%20termination%20](#)

## Figures (demographics)

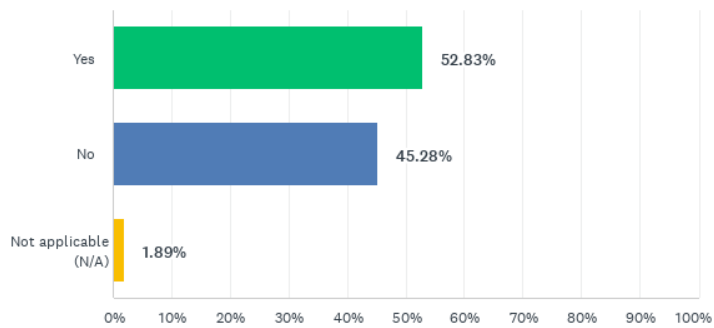
Q1 What kind of organization do you work/volunteer for? (check all that apply)



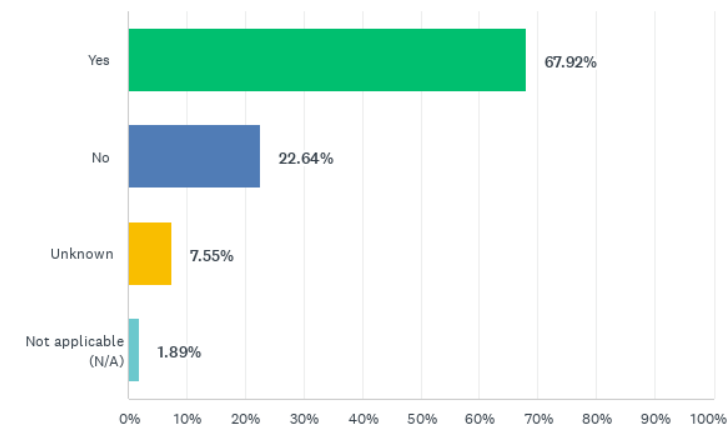
### Q2 What is your organization's annual operating budget?



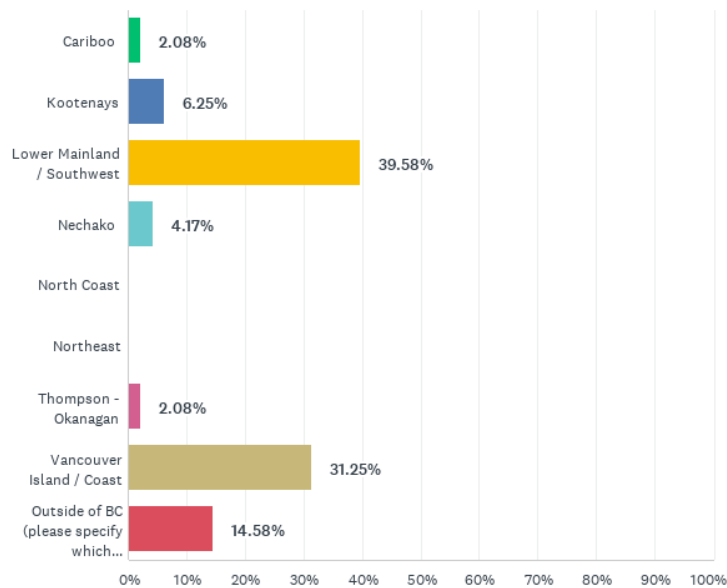
### Q3 Would your organization self-identify as a small organization? (e.g. small professional staff or volunteer-run and/or annual operating budget under \$250,000)



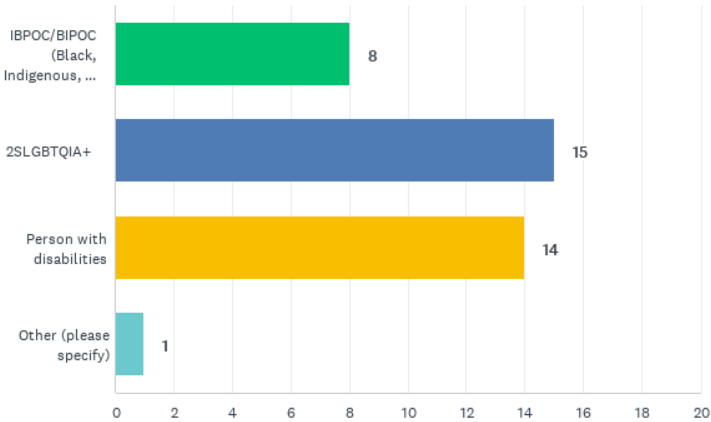
Q4 Do you get paid/pay your staff a living wage for your community?



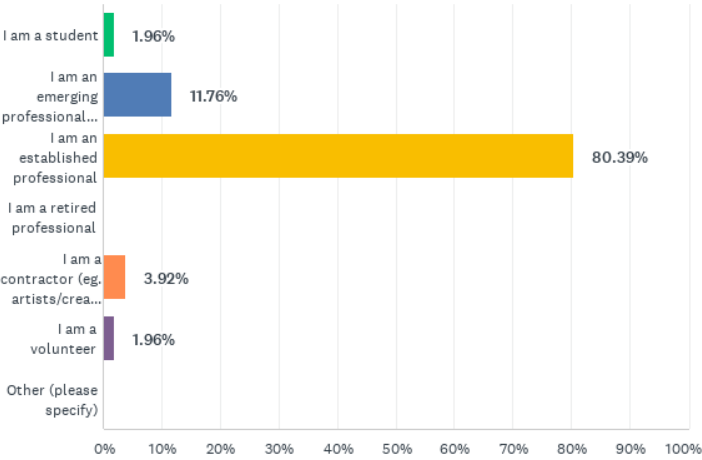
Q5 (OPTIONAL) What region are you located in?



Q6 (OPTIONAL) Please indicate if you identify with any equity seeking groups?



Q7 (OPTIONAL) Please indicate your experience level within the culture & heritage sector.



## Q8 (OPTIONAL) What is your age?

