



MMF UK
CODE OF PRACTICE & FRAMEWORK FOR TRAINING AND EDUCATION

September 2017

The purpose of this document is:

- To set out guiding principles and a code of practice for music managers that help managers demonstrate the breadth and depth of values, knowledge and skills that underpin being a music manager.
- To set out a framework for training and education that helps managers and training providers to assess the usefulness of any course.

This document has been developed in consultation with the MMF Board, membership and a wider range of other industry colleagues. All MMF members are asked to sign up to the Code of Practice as a condition of membership.

In 2017 the MMF also adopted an enforcement process to assess any complaints against non-compliance with the code.

Any course that seeks accreditation from MMF needs to adhere to the principles and code of practice set out in this document and show which of the competencies and occupational standards the course aims to meet.

The principles, code of practice, competencies and occupational standards will be reviewed by **MMF's** board every five years with the next review due in 2022.

JARGON

This paper uses a number of education terms that may not be familiar to everyone. A brief explanation of these terms is given here.

Principals and Code of Practice – overarching statements about the way in which managers should conduct their work.

Competencies – the skills that managers need.

Accreditation – MMF approval and other education establishment approval for courses that are relevant and useful to managers.



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THE PRINCIPLES THAT GUIDE A MUSIC MANAGERS PRACTICE.

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- Putting the artist first and recognising the **manager's** duty of care to the artist.
- Understanding the music industry and making the industry work for the artist.
- Understanding the **artist's** place in the industry and knowing the right business transactions to make that maximise the career of the artist.
- Believing in the **artist's** product - having a strong and passionate belief in the work of the artist and their potential to develop.
- Making the right decisions at the right time to push the **artist's** career forward.
- Knowing the wider marketplace and how to work outside the music industry to guide the **artist's** career.

THE MUSIC MANAGERS ROLE

The **manager's** role covers the following areas.

Representation - acting as the **artist's** central link within and outside the music industry.

Strategic thinking –planning the **artist's** career in a systematic and logical way.

Leadership – leading the **artist's** development as a business and brand.

Decision-making – looking at all the business options put forward to the artist, prioritizing, negotiating and making the best possible decisions that drive the artist forward as a business.

Organisation – coordinating artist activities and making sure they get to the right place at the right time, properly prepared and safe.

Implementation – getting things done efficiently and effectively.



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CODE OF PRACTICE

Music Managers should at all times and to the best of their ability:

1. Protect and promote the interest of their clients to the highest possible standard;
2. Devote sufficient time so as to properly fulfil the requirements of good management in the interest of their clients;
3. Conduct all of their affairs with their clients in a transparent manner;
4. Not act in any fashion, which is detrimental to their **clients'** interests;
5. Conduct themselves in a manner which is professional and ethical, and which abides by best business practices and methods and comply with any relevant Statutory Regime and case law that is in place or is created;
6. Exercise the rights and powers implied or granted to them by their clients in their written or oral agreements for the **client's** best interest.
7. Ensure that no conflict of interest shall interfere with the discharge of their duties towards their clients.
8. All conflicts of interest must be disclosed immediately and noted in any artist management agreement.
9. The **Manager's** share of the proceeds coming from their **client's** professional (artistic) activity should be commensurate to the level of investment the manager has provided, in time or financially, not to exceed 25% on a commission basis or 50% on a profit-share arrangement.
10. The Manager must ensure that the **client's** money (income and expenditure) is recorded and managed completely separately to the private assets of the manager.

11. The Manager makes a commitment (and is duty bound) to absolute transparency in all contractual and financial business dealings that concern collaboration with their client. This includes in particular giving access to all accounting, settlement of accounts with third parties, and contracts.
12. Music Managers shall respect the relationships of other managers with their clients.
13. A manager who is approached by an artist, who was previously the client of another manager, shall confirm that the artist has fulfilled his, her, or their legal obligations to the previous manager before entering into a management relationship with the artist.
14. Where a manager acts independently as publisher, agent, record producer or in any other capacity as well as a manager for his, her, or their clients, they shall declare such interests so that the client has the ability to determine for themselves if they feel it constitutes a conflict of interest and therefore detrimental to the **client's** career.
15. Where a manager acts independently in any other capacity as well as manager for his, her or their clients where such activity ordinarily involves the charging of fees or commissions, the manager shall not charge multiple fees or commissions, without first gaining the consent of their artist in writing.
16. Managers must ensure that all monetary transactions made on behalf of or in the interest of their client and all books of account and records must always be reasonably open for the inspection of the client or their appointed representative with reasonable notice, during business hours.
17. Where a manager engages an artist under a written agreement, the manager shall ensure that their client seeks and receives expert legal advice on the terms of such agreement before signing it.
18. Managers will endeavour to keep themselves well informed of current events, legislation and case law, both national and international, as it pertains to the proper exploitation of their **client's** career and the proper administration of their **client's** business.

19. The MMF shall have the right to terminate a **manager's** membership if they are convicted of a criminal offence involving fraud, dishonesty, racism, sexual offence or harassment or abuse of minors



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THE COMPETENCIES THAT GUIDE A **MANAGER'S** WORK

Updated September 2017

Knowledge/ Understanding

- Demonstrates knowledge of the music industry, the artist and the **artist's** place in the music industry and knows how to put that knowledge into practice.

Strategy

- Can think strategically in the best interests of the artist.

Accounting/ Finance

- Has a financial understanding of the music industry, how various stakeholders contribute to the **artist's** financials and how to make sure all revenues payable to the artist are maximised.

Legal/Contractual

- Understands all traditional contractual models from various revenue sources - including new media agreements and knows how to make them work for the artist.

Marketing/ branding/ sponsorship

- Understands the place of merchandising, branding and sponsorship. Knows how to match the artist to the right brands, sponsorship and merchandising opportunities.

Sync

- Can identify and secure the right sync and brand partnerships – selling the sync and the brand to the artist and potential sync and brand partners.

Music Publishing

- Understands music publishing and the variety of ways in which the artist can earn royalties through publishing.

Live Events

- Can manage live performance – planning, budgeting, accounting (including tax and insurance) and logistics (nationally and internationally).

Recording

- Knows how to schedule recording and the marketing, promotion and release of recordings nationally and internationally.

Negotiation

- Has strong, flexible, negotiation skills with artist, professional representatives (e.g. lawyers, publishers, recording industry, media, marketing etc.) other possible stakeholders.

Business Acumen

- Can develop and make deals that are in the best interest of the artist and demonstrate the integrity of the manager as someone to do business with.

Networking

- Recognises the importance of networking and the value of personal communication skills.

Political Stance

- Knows how to politically manage their business, career and their **artists' career's**.

International

- Has a broad understanding of the international music industry and understands nuances of different markets and the challenges of working an act overseas.

Digital

- Keeps up-to-date with Digital/ New Media and other technologies – understanding the threats and opportunities that technical developments offer.

Copyright

- Understands the main principles of copyright; licencing vs assignment, the different aspects of Publishing/Recording (Master) rights and neighbouring rights and how to manage these.

Image

- Understand and knows how to work with image rights.

Health and Safety

- Acknowledges and understands health and safety in the context of the artists working environment.

Recording

- Knows how a label works and how to build an artist owned label/publisher and relevant products.

Public Relations/ Media

- Understands how to work with public relations and the media.

Live Events

- Understands how to organize and manage artist run events.

Continuing Professional Development

- Values personal development and broader business skill development that contribute to a successful managerial career in the music industry.

Complexity

- Understanding of broader creative industry opportunities to assist lateral development of artists career (fashion, media, presentation, journalism, etc.)

Vulnerability

- Understanding the legal frameworks that govern supporting young people under the age of twenty-one who may be emerging or established artists.
- Understanding issues related to alcohol, substance abuse, work/life balance, resilience, mental health and all aspects of wellbeing support for themselves and the artists they represent.



Putting the MMF Code of Practice into action

Introduction

The MMF Code of Practice was developed in 2013 and reviewed in 2017. Building on the Code and its intentions to help support the knowledge, standing and professional reputation of the Music Manager, this document sets out how the MMF will act if a member is considered to have breached the Code of Practice.

The purpose of the Code of Practice

The Code of Practice sets out a framework of knowledge and standards of practice that the MMF and its membership have agreed represent the knowledge that music managers need and how music managers should perform their duties and responsibilities.

The Code of Practice enables the MMF to assess any whether a music management learning and development programme is of a sufficient standard in terms of the knowledge content and level of performance that managers can be expected to reach.

The Code of Practice also gives artists and others in the music industry an opportunity to assess whether the music managers they are working with have the knowledge, skills values and behaviours that lead to best practice in music management.

As in all industries there will be times when standards of knowledge and performance are not always at the level expected.

This policy sets out how the MMF will address issues raised regarding music **managers'** knowledge and performance against the MMF Code of Practice.

Putting the Code of Practice into action

When concerns are raised with the MMF regarding a member in relation to the spirit of MMF Code of Practice then the following process will be followed:

Stage One

The complainant will be asked to put their concerns in writing, via email highlighting where a breach of the MMF Code of Practice may have occurred.

The MMF team will first check if the manager complained about is an MMF member. If the individual is not a member, the MMF will be unable to take formal action but may still be able to contact the manager to understand the situation and potentially exert pressure to resolve the

issue. If they are a member we will initially speak to the complainant about the proposed next steps and if they agree try to resolve the issue informally by calling the manager (for example if **it's** simply outstanding debt it may be quickly resolvable).

The MMF staff team will assess the validity of the concerns raised against the spirit in which the MMF Code of Practice should be deployed and contact all relevant parties noted in the complainants written statement. If the matter raised is subject to legal process then the MMF shall not be able to adjudicate until this has concluded and a judgement reached.

Stage 2

If not possible to resolve in stage 1 then the MMF member manager will be asked to respond in writing within 5 working days.

The MMF staff team (normally CEO and General Manager) within 10 working days will assess all replies and respond to the complainant and the other parties with a view on whether or not a breach of the spirit in which the MMF Code of Practice should be deployed has occurred.

If no breach of the MMF Code of Practice has occurred then no further action will be taken.

If it appears a breach of the MMF Code of Practice has taken place then relevant parties will be asked to outline the actions they will take to resolve the concerns raised.

At this point the MMF will deem that:

- 1 - the resolution proposed supports the spirit of the MMF's code of practice.
- 2 - the resolution proposed does not support the spirit of the MMF's code of practice and requires further consideration.

Stage Three

If it has not been possible to reach an agreement between the parties involved, the case will be referred to an appeals panel comprising 3 directors of the MMF drawn from the Board who are not connected personal or professionally with either the complainant or defendant.

The MMF will review all available evidence and suggest one of three actions.

- 1 - the proposed actions to resolve the issues raised are in line with the MMF's code of practice.
- 2 - the proposed actions are not in line with the issues raised and further action needs to be taken to meet the MMF's code of practice.
- 3 - It is not possible to resolve the issues raised in line with the MMF's code of practice and the MMF member concerned should be advised that membership of the MMF may be revoked.

Where suspension or termination of membership is the outcome, then following appeal the terms of censure will always be published. If the decision is to warn, admonish or reprimand then an additional vote must be taken as to whether following appeal the terms of the censure will be published.

Summary

This procedure sets out a three-stage process that enables the MMF to assess and resolve issues related to the MMF Code of Practice.

Initially it should be reviewed on an annual basis once it has been implemented.

Jim Thomas/Annabella Coldrick
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