WRITTEN SUBMISSION FOR THE CREATIVE INDUSTRIES INQUIRY

As a freelance TV producer with more than ten years’ experience I would like to submit my observations for consideration by the committee. I have asked to do this anonymously because the criticisms I have, were they to be attributed to me, would be very likely to affect my future employment practices.

At the end I have addressed the relevant points listed for consideration in the call for submissions but the main part of my submission is an overview of my three main criticisms of the agencies, regulators, broadcasters and production companies based in Scotland. These I believe are obstacles to a sustainable TV industry and can roughly be defined as Carpetbagging (or brass-plating) Companies, Warehousing Productions and Parachuting Personnel, and in my opinion these practices are verging on fraud. I have tried where possible to provide evidence and references, including my own employment history of the last two years, but this is problematic as despite repeated concerns in various reports there has been no real research or monitoring into whether 'out-of-London' commissioning has been properly enforced. Given the large sums of public money involved from both agencies and broadcasters, and that people can be jailed for non-payment of the TV licence, I believe a system of spot-checks and fines should be brought in to ensure compliance.

Anecdotally, these are all believed to be widespread problems but there is a fear of raising them for being seen as anti-English and/or as biting the hand that feeds. I should add I'm not a nationalist and I have no desire to see a breakaway SBC but would rather see the current system properly enforced.

The reason these practices are wrong and against the spirit, and often the letter, of Ofcom's insistence on commissioning 'out-of-London' is that they do little to achieve the main points of developing sustainable production up here, namely;

- **producing a skills base and knowledge economy outside London;**
- **ensuring a diverse workforce and a diverse range of non-London experiences and viewpoints both behind and in front of the camera are shared with the rest of the UK;** and
- **in the case of the BBC, ensuring the regions that help generate the licence fee receive an equitable proportion of it back in production spending.**

**Carpetbagging**

There is clear evidence that certain companies have taken advantage of the 'out-of-London' commissioning by the BBC and to a lesser extent Channel 4 by setting up Scottish offices that have little commitment to the local industry and that productions are 'warehoused' up here after being developed and pitched in London by the London operation, when the production are completed the offices are then closed until another production comes up. This is to take advantaged of the 'quota' system and to ensure productions that might not otherwise have got made are made up here.

According to Scottish Enterprise's 2013 'Broadcast Production Market Assessment' report:

**Despite accounting for 24% of the companies interviewed, non-Scottish-owned companies account for 66% of the reported turnover and 42% of permanent Scottish-based employment.**
If you are trying to build a sustainable, robust Scottish production sector this is surely a major problem. The report also revealed that 59% of investment was in non-Scottish owned companies which is worrying given how loose some of their commitments to Scotland are. To my knowledge, Endemol Scotland for example have closed and re-opened offices at least twice (they currently have no office or staff North of the Border) Mentorn Scotland has also closed and re-opened, it’s main current productions are all programmes that started life South of the Border – Question Time, The Big Questions, Hotel of Mum and Dad. Lion Scotland, although maintaining an office continually, didn’t have any production staff employed for something like an 18 month period about 4 years ago. Tiger Aspect opened a Scottish office in Spring 2014 in order to make a BBC Three production, an idea developed down South. My understanding is that the office will close when the production is finished.

Scottish Enterprise provides assistance to many of the companies that locate up here, I would be very interested to know what kind of monitoring they do of the length of commitment companies have to being up here before they are granted funds. They previously funded some English based companies (Keo, Talkback Thames and Shed, who have since had Waterloo Road cancelled) to open offices here through Regional Selective Assistance while I can find no recent evidence of Scottish originated indies being funded – to me this seems patently unfair.

Another issue is how much budgetary and creative autonomy these companies really have. In my experience the purse strings and the editorial decisions are tightly controlled by the senior financial and creative staff based in London. In the case of one company I worked for, when production budgets were granted by the broadcasters, 20% was immediately skimmed by the London office and only 80% then returned to Glasgow.

In 2009 Scottish Enterprise said in its report 'Growing the Television Broadcast and Production Sector' that one of its main objectives was:

'Increase the scale of independent production companies, increasing the number of independent production companies with a turnover of £10m with a substantive base in Scotland from 1 to 6 by 2013.'

According to it's own 2013 report 'Broadcast Production Market Assessment' only two 'Scottish based' companies have a turnover in excess of £5M and none of over £10M. As well as failing to meet their own targets I’d like to know if they were offices of London based companies or proper long-term based Scottish based or owned companies. The 2009 report then goes on to say:

Priority will be given to:

Independent production companies who are based in Scotland - who are managed on a day to day basis within Scotland, with key creative and decision making talent based in Scotland (my emphasis) or who partner with such Scottish based companies, demonstrating that they have a long-term commitment to working in Scotland.

Independent production companies who can demonstrate:

- Greatest level of spend in Scotland per pound invested, and therefore employment of Scottish based crew, facilities, services and locations;
Can Scottish Enterprise show examples of how they have ascertained that the companies they have prioritised have made these commitments? How do they define 'based in Scotland'? People who already live here? Having an address here? Being on the electoral roll? As I go on to explain in the next section there seems to be no scrutiny of this.

Scottish Enterprise outlines four scenarios in its 2009 report Building the Platform for Success and says the following will be the worst for Scottish indies:

‘Inward investor led’ Low growth, targets met/exceeded: this scenario assumes a significant proportion of commissioning revenue in Scotland is captured by inward investing companies (i.e. Indies from south of the border) relocating to Scotland in the foreseeable future. As a result of which Scotland achieves the SBC’s targets (such as the creation of a new Scottish Network) however this does not necessarily result in long-term sustainable growth of the local broadcasting sector;

I would argue that this and the figures quoted in its 2013 report show this is situation we now find ourselves in.

Ofcom stated in 2009:

'...the policy objective of the statute, which is to buttress and strengthen regional production in the UK. We shall monitor the balance between regional productions originated by regionally-based and London-based producers, and if it becomes apparent that London-based producers are dominating regional production, we shall consider further changes;'

How have Ofcom monitored this? Again the figures in SE's 2013 report would seem to show this is now the case. What further changes will Ofcom consider?

Warehousing Productions

'Moving some output to Scotland is a part of the strategy, but over the longer term, this

will also stimulate creative clusters of talent and lead to a more sustainable broadcasting

ecology, benefiting in-house and independent producers in Scotland.'

- [http://downloads.bbc.co.uk/scotland/aboutus/dqf_in_scotland.pdf](http://downloads.bbc.co.uk/scotland/aboutus/dqf_in_scotland.pdf)

I have already touched on this above but if you read my recent employment history at the end of this document, it should be clear that a large percentage of productions that are being made here were not developed and pitched here but rather 'warehoused' up here in order to fulfil production quotas for the broadcasters. Not being privy to those meetings, I'm not sure whether it is made clear by the production company when it pitches the idea that this will be made away from London, or if (as I suspect) when ideas are pitched the broadcasters 'suggest' that if ideas can be made away from London they are likely to get commissioned. This also seems to be the case with number of second or established series of productions, where after the first or a few series is made it's moved up here - is this a condition of re-commissioning? Again, I think this is an area Ofcom and/or FoI requests should try and investigate further to find out the scale of it. Especially now with
conglomerates owning a number of companies it's easy for productions to appear Scottish by borrowing desk space from a sister company up here. Lucky Day productions for example, make productions up here in the offices of IWC, but the management and creative control is all kept in their London offices.

Another related problem is the type of programmes that are being 'sent' up here. They are largely formatted entertainment, lifestyle and childrens programmes, where there's a high division of labour and standardised production. There are two points here; one is that formats are worth a lot financially to companies, particularly the smaller ones, just one successful format for a Scottish company can allow it to keep going for years (look at STV and Antiques Roadtrip). Secondly, pre-existing formats shipped up here are doing little again to develop knowledge based talent.

The reasons this is a problem are self evident. If we are trying to build a knowledge economy and also to have diverse ideas from different parts of Britain on the screen then this will prevent that. Transplanting ideas from London to Scotland both robs the audience from seeing different ideas but also robs the chance for a truly 'creative' and sustainable industry to flourish. It also becomes a Catch 22 where the broadcasters say, we don't get enough good ideas from Scotland so why bother persisting with commissioning from companies up there. I know Scottish based indies and the small number of Scottish based development teams of London companies struggle to get meetings, have calls and emails replied to and be generally taken seriously by commissioners down South or even the few commissioners that are based up here. In an industry where ideas are the lifeblood any hope of building a sustainable industry must involve ideas generation occurring up here. Otherwise if regulations forcing regional production are relaxed the productions will very quickly return to London.

**Parachuting Staff**

Intrinsically bound up with the first two points is the problem of having staff moving up here with productions to Scotland. Again, this does little to build the skills for the future. This isn't some kind of anti-immigration view as it isn't like personnel come from down South to fill the jobs Scottish based staff won't take, in fact in my experience it's the opposite, Scottish based staff fill the lower paid positions while the senior creative and financial posts (commissioners, series producers, producer/directors, production managers and executives) tend to be filled by staff not based, or moved, up here. A related problem is that most execs on programmes, though happy to take the money, don't even bother to come to Scotland and the slow inefficient tortuous process of FTP'ing rough cuts and emailed comments back is well worn routine. I would refer you to my own list of employment at the end to see how prevalent this is.

It should be noted of the three commissioning posts created in Scotland in 2009, two of the three had no prior connection to the Scottish TV industry. The Head of Arts and Factual controller based up here from 2012 also have no prior connection and spend large amounts of time in London meeting with other BBC management and production companies. Ironic given the reason to move them up here was to give local companies more access as they spent so much time travelling to commissioners in London.

This is arguably an even bigger problem in house at the BBC where the expansion of areas like arts, factual and science have seen an influx of staff from London and Bristol where these programmes were previously made as the argument goes, there isn't the necessary experience existing up here to make these programmes. This argument was maybe justifiable five to ten years ago but it's surely a dereliction of duty if the BBC still
hasn't managed to train up locally based staff in these areas. Again, Ofcom should monitor where appointments have come from, particularly executive and series producer roles as that is where the real power, creativity and money lies.

I must mention in here the ending of The Research Centre's Nation and Regions Series Producer Course. The course, which was funded by C4, BBC and Scottish Enterprise was playing a small but symbolic role in trying to reverse the kind of trends I have identified here by training locally based producers (who would be more inclined to also take on local talent rather than ship people up) to take on more senior roles by having day long sessions in Glasgow over a whole year. However, the course was put out to tender last year and given to the London based DV Talent. It is now based in London with no specific regional remit which rather defeats the point of the exercise.

Most seriously, there is also anecdotally accusations of individuals concealing their normal place of residence i.e staff from within the M25 claiming they live outwith. Ofcom's I&RP Monitoring Form records where production staff are living. The production managers I've spoken to have never been asked to produce evidence that staff addresses are genuine. The new Scottish tax codes, the electoral register or utility bills should allow Ofcom or an external auditor to carry out spot checks and enforce fines. As there are currently no sanctions, Ofcom is a toothless watchdog. This I believe would prevent fraudulent abuse of the public money that is supposed to be being used to create jobs in Scotland.

There is also a cost to all this. London based staff seem adept at wringing concessions out of the Talent Managers up here, whether that is a higher rate of weekly pay or money towards accommodation and travel, I'm not sure how this provides good value for money for the licence fee payer. I have a friend who is a factual Talent Manager in London and she says they often struggle to get personnel to return to London as they can't afford to meet the value of the rate rises and/or concessions they get to move to Scotland!

In short though, there's no point trying to have regional commissioning and production if you are simply moving the ideas and personnel of London to Glasgow. Very few of the network commissions that come up here offer anything about Scotland to a UK audience and could be made or filmed anywhere. In fact, the likes of Question Time and Location, Location are filmed all over and are only really using Scotland for office space. A Producer/Director on LLL or Antiques Roadtrip is very unlikely to spend any time working or living actually in Scotland and Scotland will only feature minimally, if at all, on screen. This is in direct contradiction to what the BBC itself says:

'The BBC will tell Scotland’s story to the rest of the world, and will tell big UK

and global stories from a Scottish perspective.'

http://downloads.bbc.co.uk/scotland/aboutus/dqf_in_scotland.pdf

As the SBC report of 2008 stated:

It is vital to ensure that an increase in TV production of this kind brings lasting benefits to the wider industry in Scotland, rather than primarily benefiting companies and crew who are ordinarily based elsewhere in the United Kingdom.
So in brief here are my points:

- The role of public sector agencies and the effectiveness of the support they provide;

- Public sector agencies like Ofcom, SE and CS must do more to monitor the broadcasters commissioning, and companies staffing to check out-of-London commissioning is not being abused. For example, proper monitoring of workforce addresses and not allowing companies to ‘carpetbag’ up here – opening offices up here for less than a year in order to move a commission up here.

- An external auditor should be able to carry out spot-checks and enforce fines for non-compliance.

- Ofcom should go further than the current statutes and enforce broadcasters, to prioritise Scottish owned companies to make network programmes up here. They should also make broadcasters prioritise ideas that were genuinely developed up here, rather than farmed out from elsewhere. Broadcasters must be given targets to fulfil in these areas.

- Public funding priority should also be given to either Scottish owned companies or companies with a demonstrable long term commitment to Scotland and developing Scottish talent. Funding should not be given to companies to re-locate here.

- How the issues that hinder the growth of creative industries can be overcome and how to capitalise on opportunities;

- I would refer you to the answer above.

- How to retain those with the necessary creative skills in Scotland;

- CS, ES and Skillset should provide more training to enable senior positions to be filled by personnel based up here. For example, bring the Series Producer training course back to Glasgow. Every production made up here must have at least one executive producer based in Scotland.

Finally my own experience of roughly the last 18 months, which I believe to be fairly typical of most Scottish freelancers. As you can see, only the Alba commission is genuinely a Scottish affair and only one network production out of five, deemed Scottish by Ofcom, has been from an idea developed up here and made by a Scottish owned company, albeit a plc. Relocated means they moved here to take the job.
<table>
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