



# Job quality in the Creative Industries

The final report from the  
Creative PEC's Good Work Review

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**Creative Industries**  
**Policy & Evidence Centre**  
Led by **nesta**



## About the Creative Industries Policy and Evidence Centre

The Creative Industries Policy and Evidence Centre (The Creative Industries PEC) works to support the growth of the UK's Creative Industries through the production of independent and authoritative evidence and policy advice. Led by Nesta and funded by the Arts and Humanities Research Council as part of the UK Government's Industrial Strategy, the Centre comprises a consortium of universities and one joint enterprise from across the UK. They are: Birmingham, Cardiff, Edinburgh, Glasgow, Work Advance, London School of Economics, Manchester, Newcastle, Sussex, and Ulster. The PEC works with a diverse range of industry partners including the Creative UK.

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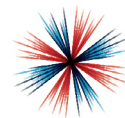
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We thank DCMS for co-funding the Good Work Review, alongside the AHRC via their funding for the PEC, informing the original research specification and Terms of Reference, and enabling the PEC to extend both the research and engagement activities. Particular thanks go to Elizabeth Mitchell and Rachel Prosser who supported many aspects of the Review process.

We owe our thanks to the considerable number of others who have directly contributed to the Good Work Review, through Call for Evidence submissions, bilateral interviews and the policy roundtables. The full list is included in Annex A. Their insights have helped shape our understanding of the picture of job quality in the Creative Industries, the nuances within this, and the priorities and actions required to promote Good Work for all those working in the Creative sector across the UK.

Finally, we thank Alice Kent, Anna Zabow and Billy Beckett at the PEC for their support with the communications campaign that accompanied the launch of the Good Work Review.

As ever, any errors or omissions remain the responsibility of the authors.

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## 1

# Introduction

We talk often about the success of the Creative Industries. In doing so, we note the breakneck pace at which the sector has grown – between 2011 and 2019 expanding at double the rate of the UK economy as a whole<sup>1</sup>. We celebrate the global recognition of British brands, books, artists, musicians, actors or animation and how this positively contributes to both our trade balance<sup>2</sup> and soft power<sup>3</sup>. We reference the 400,000 additional jobs created in the sector since 2015<sup>4</sup> and the many more jobs the industry will support in the years to come.

We assume that these jobs will be good jobs. The Creative Industries seemingly encapsulate the vision of a high-growth, high-wage, high-skilled, high-productivity modern economy. More than eight in ten (83%) of those working in the Creative Industries work in professional or managerial roles, compared to 46% across the UK workforce. Nearly three quarters (73%) of those employed in Creative Occupations are degree-educated (44% of those working across all industries are as well-qualified). In some parts of the Creative Sector productivity is 1.5 times the UK average and creative roles are amongst the best-paid in the economy<sup>5</sup>.

But these headline statistics belie a much more complex picture. Pay can be low, hours long and workplace culture poor – often to the detriment of the wellbeing of workers and the overall diversity of the Creative sector<sup>6</sup>. Covid-19 has thrown the precarity of Creative work into sharp relief<sup>7</sup>. The sector faces important questions about job quality. How good are jobs in the Creative Industries really?

## 1.1. The PEC's Good Work Review: aims and approach

In January 2022, the PEC commenced an independent review of job quality and working practices in the UK Creative Industries. Through the Good Work Review we tackle head-on a range of questions and concerns about the structural features of Creative labour markets. These have been surfaced through many of the PEC's past reports, examining skills, talent and diversity in the Creative Industries, from our initial evidence synthesis<sup>8</sup> that identified job quality as the first of nine critical issues and evidence gaps, to more recent work on social mobility<sup>9</sup> and skill needs, gaps and investment in the Creative sector<sup>10</sup>. The objectives of the PEC's Review as set out in the original Terms of Reference have been to:

1. Establish a robust baseline picture of job quality in the Creative Industries, across a range of domains and benchmarked against other sectors of the economy;
2. Identify the key challenges and opportunities for promoting quality work, spanning the range of themes considered in the Taylor review<sup>11</sup> and Fair Work Frameworks<sup>12</sup> that exist in the Devolved Nations, but drawing out priority themes and the most pressing concerns in the Creative Industries context;
3. Consider sector-based policy levers for improving job quality and articulate a set of high-level priorities and detailed recommendations for Government and industry\*, that could help to shape a ten-year roadmap for advancing job quality in the Creative Industries in each of the four UK nations.

\*By Industry we mean key industry representatives from creative businesses, industry bodies and trade associations, trade unions and professional bodies.

This report is the product of a vast programme of work over the course of nearly a year: a process that has entailed examining thousands of data points, reviewing hundreds of existing papers on Creative work, and listening to the views of 120 stakeholders from across the Creative Industries in each of the four UK nations. In calling the project a Review of Good Work our intention is not to be exclusive or divisive. Rather we aim to settle on a single descriptor that captures a multitude of existing terms in a context where there is no singular, widely adopted definition of job quality. As such our objective is that this is considered an umbrella term for work that is not only 'good' but 'fair' 'decent' and of 'quality'.

**Figure 1.1. The PEC's Good Work Review: an overview of our approach**



The first phase began with a **rapid evidence assessment**, reviewing academic and grey literature concerning the quality of work in the Creative Industries. The literature review was complemented by quantitative baselining of job quality. This developed a new framework for measuring job quality at the sectoral level, with new analysis of secondary data sources such as the Labour Force Survey, Annual Population Survey, Understanding Society and the Employer Skills Survey.

The second phase of work, run in parallel with research activities, included wide-scale engagement with policymakers, industry stakeholders and representatives of Creative workers.\* In March 2022, the PEC launched an open **Call for Evidence**, structured around a series of questions. These concerned: the definition of 'Good Work' and the picture of job quality in the Creative Industries; examples of current practice; and alternative approaches to driving up the quality of work in the sector. The Review received 35 detailed submissions from stakeholders in different parts of the UK, representing the various Creative sub-sectors and types of Creative workers. Submissions to the Call for Evidence provided rich insight to inform the Review, with: follow-up **bilateral interviews** to examine complex, technical issues; and the provision of **case studies** of effective practice. It was also an essential mechanism to hear from a diverse range of voices from across the sector, including those currently under-represented in the Creative Industries.

A central concern for the PEC has been to ensure the Good Work Review was truly UK-wide – a challenge given the distinct definitions, sectoral make-up and policy context in each UK nation. In response, the PEC team convened **Policy Roundtables**, co-hosted with key Industry and Government stakeholders in London, Edinburgh, Cardiff and Belfast. These Roundtables provided a platform to debate potential policy directions and options and proved instrumental in informing our final conclusions and recommendations from the Review. This is not least in helping to reflect differences in each of the four UK nations.

To ensure the policy-relevance of the Good Work Review, the PEC research team benefitted from an **Advisory Board** of senior representatives of Government in each nation, the Creative Industries Council, Creative Wales, Creative Scotland and Creative UK.

\*A full list of stakeholders we have engaged through the Review can be found in Annex A.

## 1.2. This report

Given the breadth and depth of the Good Work Review, and the diverse audience we hope to reach, we have published a series of outputs from our work.

This report presents the **final conclusions and recommendations** from the PEC's Good Work Review.

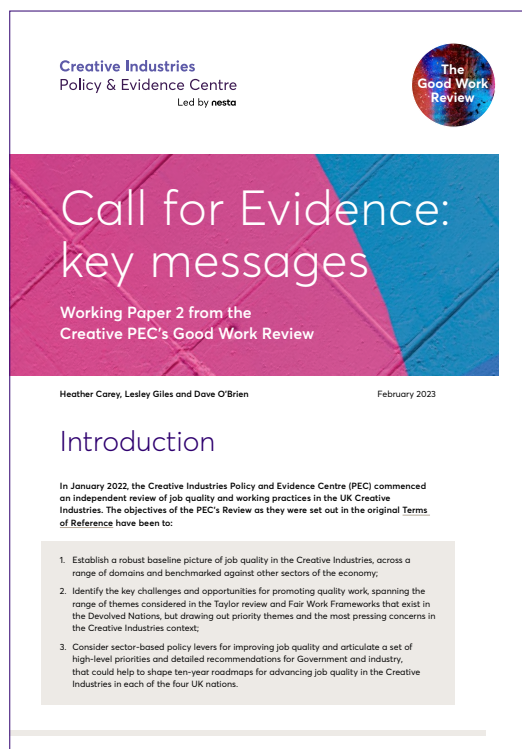
In the pages that follow, we call for Government and Industry to: shift their focus, to look beyond the pace of growth and the volume of opportunities in the Creative Industries: to consider the quality of work in the Creative sector: to aspire for more and better jobs: and to pursue a labour market strategy where Creative workers are viewed as an asset to be nurtured, central to the competitive advantage of the Creative Industries. The report details practical steps to realise this reorientation of Creative Industries policy.

The report sets out why this is important and what 'Good Work' looks like in a Creative Industries context (Chapter 2). It seeks to provide a balanced assessment of where the sector performs well, and where there is a need for improvement (Chapter 3). We set out four priorities seeking to address the most pressing challenges (Chapter 4), providing the rationale for why we think these are crucial to achieving Good Work in the Creative sector and weighing the options for driving improvement in these areas. Finally, we outline how these policy recommendations could work together, to form the basis of a series of roadmaps for advancing job quality in the Creative Industries within each nation (Chapter 5).

To provide transparency in how we have reached our conclusions and to avoid this report becoming extremely lengthy, we have published a series of accompanying outputs, available [here](#).

Working Paper 1: A quantitative baseline of job quality in the Creative Industries

Working Paper 2: Call for Evidence: key messages



We would encourage those who would like to further examine the evidence, explore the issues in greater depth and/or understand more about our approach, to consult these supporting documents.

## 2

## Defining quality work in a Creative context

### 2.1. Quantity vs the quality of work: why job quality matters

Over the past two decades or more, there has been growing recognition of the need to look beyond levels of employment in the economy and labour market participation rates, to consider how to deliver 'more and better jobs'. This is in the context of: record high rates of employment that have failed to translate into better quality work<sup>13</sup>; the UK's 'productivity problem' being closely linked to management practices that are insufficiently people-centred<sup>14</sup>; and global megatrends, including (but not limited to) digitalisation, which continue to drive a shift in where, how and how long we work<sup>15</sup>.

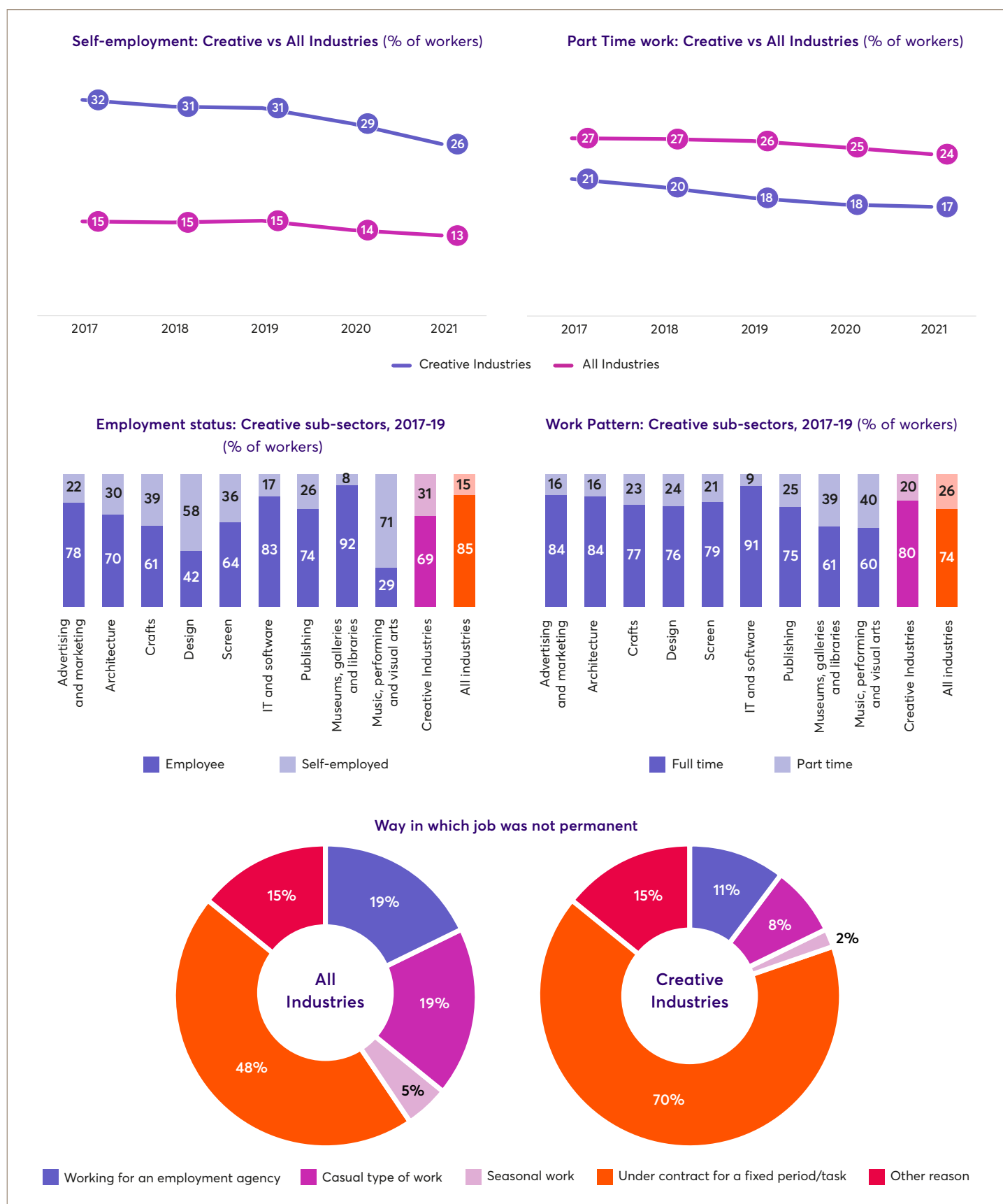
Across the economy, there has been a rise in 'modern' or 'atypical' working practices, including self-employment, part-time work, zero hours contracts, and 'gig' or platform work, which has, in turn, sharpened focus on insecure work and job quality, in the UK and internationally<sup>16</sup>. While labour market trends are more subtle and nuanced than this narrative often implies, in the Creative Industries, working in this way isn't 'atypical' at all (Figure 2.1). For example:

- **Creative workers are twice as likely to be self-employed.** While there has been a marked decline in self-employment since the pandemic, in 2019 nearly one third (31%) of workers in the Creative Industries were self-employed, compared to 15% of workers across the economy. In Music, performing and visual arts and Design, the majority of workers are self-employed (71% and 58% respectively), with rates of self-employment also heightened in Craft (39% of workers) and in Screen (36%).
- While Creative employees are no more likely to be on a non-permanent contract than other workers, **the way in which Creative jobs are non-permanent is distinctly different to other parts of the economy.** In the Creative Industries, 70% of those that are not permanent staff are under contract for a fixed period or task (compared to 47% across all industries), while a much smaller share are agency workers or undertaking casual work. Zero Hour Contracts are also less prevalent in the Creative Industries (affecting 1.1% Creative Workers compared to 2.6% all workers).
- **Part-time work is also much more common in some Creative sub-sectors.** In Museums, libraries and galleries; and Music, performing and visual arts nearly four in ten workers work on a part-time basis – substantially higher than the average across all industries (26%).

So, in parts of the Creative Industries, part-time, project-based, freelance work is **the dominant** form of employment, which, as we discuss later, presents a very distinct set of challenges for advancing quality work in the sector.



Figure 2.1. Modern working practices in the UK Creative Industries\*



Source: Annual Population Survey 2021 and Annual Population Survey 2017-2019

\*Data for the Creative Industries and All Industries is based on the Annual Population Survey 2021. To enhance statistical reliability, data presented Creative sub-sectors is based on a three-year pooled sample of the Annual Population Survey for the years 2017, 2018 and 2019. Please refer to the Technical Annex for further information.

Beyond balancing the opportunities and risks associated with modern ways of working in the Creative sector, there are a range of reasons why industry stakeholders should be concerned with the quality, as well as quantity, of jobs. Nationally and internationally, the case for advancing quality work is well-evidenced and compelling.

For individuals, work is strongly correlated with the quality of their lives – not only determining wealth and living standards, but also providing a sense of purpose and an avenue to deploy their skills and talents<sup>17</sup>. Work is a crucial factor that influences a persons' health and wellbeing, with evidence of lower rates of staff absenteeism due to ill health<sup>18</sup>.

By creating the conditions in which workers can thrive – deploying High-Performance Workplace Practices (HPWP)\* including staff training, autonomy, teamwork, performance incentives and mechanisms to promote strong worker voice – businesses are able to attract and retain talent, make effective use of the skills of their workforce, better adopt new technology, promote strong employee engagement and, crucially, unlock the discretionary effort of workers that has been shown to improve productivity, drive innovation and enhance the performance of firms<sup>19</sup>.

At a macro-economic level, the quality of management has been shown to be a key cause of the UK's 'productivity puzzle', with wide-ranging evidence that better use of skills in the workplace and stronger management practices delivers higher wages, higher rates of productivity and stronger growth of the economy<sup>20</sup>.

As policy makers contemplate how to stimulate growth of the UK economy, workplace practices warrant considerable attention. In a sector like the Creative Industries, that derives competitive advantage from the skills and talents of the workforce, the case for promoting quality work is greater still.

"To work effectively, productively and contribute fully to organisational missions, we need safe, happy and healthy workplaces, with inclusive cultures which attract and develop talented people. These are workplaces where good performance is recognised and rewarded and poor practice and bad behaviour can be called out, challenged, and addressed. This is key to the long-term success and sustainability of both your organisation and the wider cultural sector. It needs as much strategic planning as a strong, successful programme of work."



Arts Council England submission to the Call for Evidence

\*High Performance Workplace Practices include organisational and management practices that are known to improve an organisation's capacity to effectively attract, select, hire, develop, and retain high-performing personnel. These practices include work flexibility and autonomy; teamwork and information sharing; training and development; and benefits, career progression and performance management, and more.

Figure 2.2. The case for Good Work

### Individual



41% of people think paid work is 'very good' for most people's mental health – an increase of 15 percentage points since 2019<sup>21</sup>.

In 2020, 18 million working days were lost due to stress, anxiety, depression and other mental health conditions<sup>22</sup>.

### Business



High Performance Workplace Practices have been shown to reduce staff turnover by over 20%<sup>23</sup>.

Up to 20% of differences in the productivity and profitability of UK firms attributable to management practices<sup>24</sup>.

### Economy and society



Management accounts for, on average, one-third of the gap in (TFP) productivity between the United States and other countries<sup>25</sup>.

Small and Medium Sized Enterprises (SMEs) that are more extensive users of formal management practices exhibit higher rates of growth in turnover and productivity<sup>26</sup>.

## 2.2. Quality work in a Creative context

To advance quality work as a priority for the Creative Industries, we first need to define what 'Good' or 'Fair' Work looks like in a Creative context.

Conceptualising and measuring job quality has preoccupied economists, sociologists and anthropologists for decades<sup>27</sup>. Facets of job quality are enshrined in legislation and often the subject of collective bargaining and workplace disputes<sup>28</sup>. Improving job quality is an explicit priority nationally, sub-nationally, and internationally<sup>29</sup>. There is consensus that quality work includes and extends beyond compliance with minimum statutory employment rights and protections, seeking to unlock the benefits of high-quality work for individuals, employers, the economy and society. Yet there is no singular, widely adopted definition of job quality, nor consistency in the language used to describe the outcome we seek – instead a multitude of terms, including work that is 'good', 'fair' and 'decent'.

In developing our definition of Good Work and quantitative framework for measuring job quality in the Creative Industries, we have reviewed recent, significant contributions that have sought to advance our understanding of how best to define and measure job quality. This includes academic research and literature<sup>30</sup>, considerable work undertaken in each UK nation<sup>31</sup>, and international policy literature<sup>32</sup>. Our approach has also been informed through discussions with economists and labour market analysts and has been tested through the Call for Evidence, which helped to add 'creative colour' to the definition, as well as weights and measures to the importance of different domains in a Creative Industries context.

While it will ultimately be up to industry stakeholders to work together to agree a definition of quality work, and in the Devolved Nations there are existing definitions on which to build, for the purposes of the PEC's Review, we have used the following definition:

'Good' work in the Creative Industries is characterised as offering: **fair reward** commensurate to skill and contribution, that counterbalances **security and flexibility**; provides **autonomy and personal fulfilment**; where workers have **agency, voice and representation** and the opportunity to **utilise their skills, develop and progress**; in a healthy, respectful and inclusive environment. This experience of work must be fair and equal for **all Creative workers**, irrespective of their gender, age, ethnicity, disability or socio-economic background.

The emphasis given to delivering these outcomes for Creative workers from all backgrounds reflects the pressing need to enhance diversity and inclusion in the Creative sector<sup>33</sup> and that equality in both access to opportunities and experiences at work is a crucial underpinning principle of any definition of quality work. The text underlined represents the different domains that we have explored in greater depth through the Review, which are described in further detail in Figure 2.3.

If this is the yardstick against which we measure job quality, how do the Creative Industries measure up? This is the question to which we now turn in the next section.



**Figure 2.3. Defining Good Work in the Creative Industries: the PEC's six domains of Job Quality**

Definitions of Good or Fair Work in each UK nation place a strong emphasis on fair reward. This includes both objective measures, such as rates of pay or the provision of non-pecuniary benefits like paid holiday entitlement and pensions, but also subjective measures – particularly whether pay and reward are commensurate to the skills of workers and the relative contribution of their efforts to the success of the organisations they work for. Fair contractual terms, including terms of employment and relating to intellectual property vested in work product, were also viewed as important in a Creative Industries context.

The opportunity to use and develop one's skills, for personal growth and career advancement is a key facet of Good or Fair Work. For employers, up and reskilling the workforce is vital to remain competitive in the face of changing global markets and megatrends – particularly in a sector like the Creative Industries which is more globally focussed, innovative and at the vanguard of technological advancement.



Striking a balance between the stability and security of employment and income on the one hand, and the flexibility afforded to workers in determining how and when they work on the other, is an important dimension of quality work. This includes whether workers have predictability over their working hours and (related) income and the extent to which they can adapt their work to accommodate the needs of their personal lives.

For workers, the ability to speak up, constructively challenge and be listened to; to influence decisions that affect their everyday working lives is a vital aspect of quality work. Mechanisms that support dialogue and collective representation can strengthen the voice of workers, improving worker wellbeing, promoting greater levels of staff engagement, and in turn delivering improved productivity and performance for firms.

Work has long been valued for much more than financial gain and since the pandemic more people acknowledge that work is good for our physical and mental health. Work that provides a sense of purpose and personal fulfilment and that empowers workers with the ability to influence their daily working lives is a key feature of quality work. In the sectoral context, a distinct but important component of job quality is Creative freedom and recognition.

All definitions of good and fair work recognise working conditions as an important facet of quality work. This includes and extends beyond physical and psycho-social risk to consider the extent to which workers are treated with dignity and respect and operate in working environments that are healthy, supportive and inclusive.

## 3

## How 'good' is work in the Creative Industries?

### 3.1. Introduction

One of the fundamental objectives of the PEC's Review has been to answer the question of 'how good is work in the Creative Industries?' While the question may seem simple, coming up with an answer has been anything but.

To do so, we have consulted three main sources:

- **The literature:** drawing together the large, well-established literature on work in the Creative Industries, much of which has focused on investigating the working lives, and working conditions, of Creative workers across the diverse range of occupations and industries constituting the Creative economy;
- **The data:** constructing a quantitative framework that would enable the research team to benchmark indicators of job quality in the Creative Industries against other parts of the economy, explore differences within Creative sub-sectors and examine disparities in the experience of work for different types of Creative workers;
- **The industry:** our Call for Evidence provided a vehicle for industry stakeholders to share their views about what's great about work in the Creative sector, and where there were areas for improvement. We continued this discussion through bilateral interviews and policy roundtables, engaging 120 stakeholders from 80 organisations across the UK and different Creative sub-sectors.

What follows is our assessment of what these activities tell us about job quality in the Creative Industries. The discussion is structured around the six dimensions we have used to define Good Work through the course of the Review.

### 3.2. Assessing job quality in the Creative Industries

#### Fair reward

Definitions of Good Work in each UK nation<sup>34</sup> place a strong emphasis on fair reward. This includes both objective measures, such as rates of pay or the provision of non-pecuniary benefits such as paid holiday entitlement and pensions, but also subjective measures – particularly whether these are commensurate to the skills of workers and reflective of their relative contribution to the success of the organisations that they work for. Fair contractual terms, including terms of employment and relating to intellectual property vested in work product, were also viewed as important in a Creative Industries context.

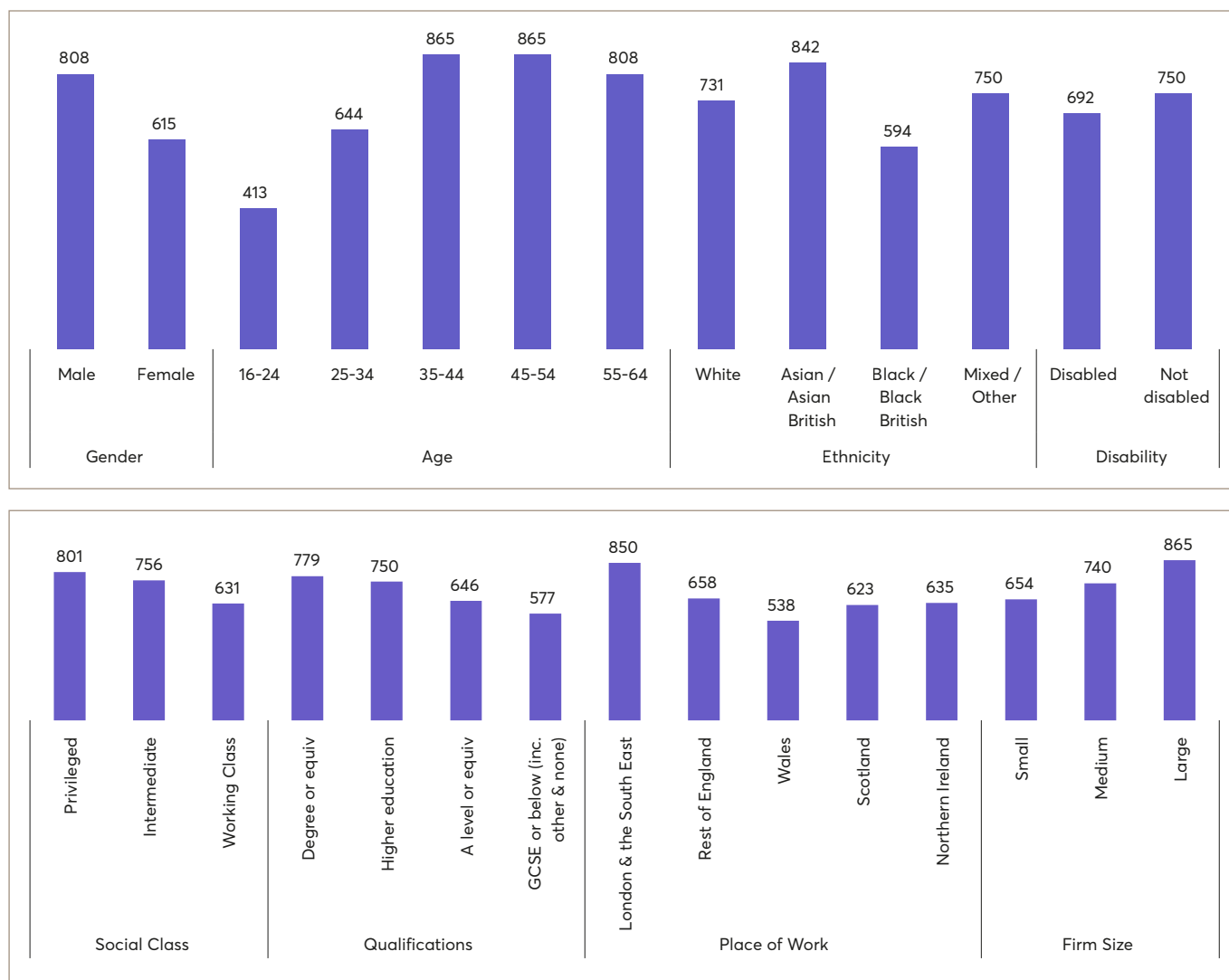
“Wales has a highly-skilled, bilingual TV and film workforce which can create world-class content from across Wales. Roles producing...content offer well-paid jobs in more deprived, low-income areas, enabling people to work from their communities rather than move away. For many, this is considered a Good Work benefit....”



Public Service Broadcaster, submission to the Call for Evidence

At surface-level, the **earnings** of full-time employees in the Creative Industries are amongst the highest in the economy. In 2021, the average full-time worker employed in the Creative Industries earned just over £800 per week – nearly forty percent higher than the UK average (£577).


But averages can mask distinct differences, and the Review has found significant **pay disparities** within the Creative Industries. For instance, between 2017-19, full-time employees in IT and Software earned 60% more than the average UK worker. But for those employed in Music, performing and visual arts; Museums, galleries and libraries; and Design, earnings are much more in line with, or below, average rates of pay across the economy. Evidence from a range of Creative sectors has found striking pay disparities between a small number of highly paid, prominent, 'stars' and the majority of other Creative workers who experience much lower rates of pay.<sup>35</sup> Average earnings also vary between different socio-demographic groups and depending on where and how Creative employees work. As might be expected, earnings are higher amongst those that are better qualified, those working in high-cost London and the South East and those employed by larger businesses. In contrast, earnings are lower in other parts of England, Wales, Scotland and Northern Ireland, amongst less well-qualified workers and those employed in small firms. The Review also echoes wider research<sup>36</sup> in surfacing a significant gender pay gap, along with disparities in earnings for Creative workers who are black/black British, disabled or have a long-term health condition and those from low socio-economic backgrounds (Figure 3.1).

**Figure 3.1. Median Weekly Earnings (FT Employees) in the Creative Industries, by worker characteristics**

Source: Annual Population Survey 2017-2019

The data presented above only concerns the earnings of Creative employees, and a critical evidence gap is the lack of robust data on the earnings of self-employed Creative workers. Indeed, a wide range of submissions to the Call for Evidence challenged the **adequacy of freelancer pay**. Indeed, many emphasised the volume of 'hidden labour' undertaken by freelancers and suggested that pay rates were insufficient: to offset additional unpaid work associated with pitches and development work; compensate for contracting, administration, travel and equipment costs; or to enable Creative freelancers to invest in their professional development. Others emphasised how freelance Creative workers often experience considerable delays before being paid for their work, and that pursuing payment in the Small Claims Court can be a long and costly process<sup>37</sup>.



“Encourage commissioners to recognise the value images bring to their businesses and ensure that value is reflected in the fees offered to freelancers.” 

Association of Illustrators, submission to the Call for Evidence

There are also ongoing concerns about the extent of **unpaid work** in the Creative Industries. While we lack evidence on the full scale of unpaid work, data suggests that unpaid overtime is high in the Creative Industries and stakeholders emphasised that the expectation that workers work, unpaid, beyond contracted hours was commonplace<sup>38</sup>. The use of unpaid internships within the Creative Industries has been widely reported<sup>39</sup>. Indeed, recent research (Brook, et al., 2020) found nearly nine out of ten cultural workers reported working for free in some way and just under a half of those under 30 had completed an unpaid internship in the hope that such roles whilst hard might offer the break to get in and on in the sector<sup>40</sup>. Recent research conducted by the PEC and others also suggests that unpaid internships continue to be used in Fashion<sup>41</sup> and parts of Screen<sup>42</sup>.

Past research and submissions to the Call for Evidence suggest a range of underlying drivers of this, including: commercial models and the distribution of revenue; short-term public funding; a sense that Creative work is a vocation; and an oversupply of workers for some Creative roles often willing to ‘work in the industry at any cost’. Indeed, this connects closely with issues of fairness in Creator pay, with several stakeholders consulted through the Review suggesting a need to sharpen focus on **equitable remuneration** and the fair distribution of revenue generated from the sales of Creative works. This is particularly evident where technological change continues to impact commercial models, as recent debates over music streaming revenue show<sup>43</sup>.

Indeed, the Review finds a higher share of workers in the Creative Industries are looking for another job because they are unhappy with their pay (25% compared to 20% across all industries). **Pay dissatisfaction** isn’t always driven by low pay – high earners tend to have high pay expectations, as seen in some of the best-paying parts of the sector, and the wider economy. However, pay dissatisfaction is particularly high in Museums, galleries and libraries, where rates of pay for employees are: slightly below average and amongst women; those aged between 25-34; those with a disability or long-term health condition; workers that are less-well qualified; and those working in smaller businesses, potentially reflecting pay disparities observed for these workers (see Figure 3.1).

Looking beyond pay to wider **benefits**, the Review finds that Creative workers tend to have lower paid holiday entitlement and are less likely to be offered an employer pension. Further, with freelance work dominant in parts of the Creative sector, responsibility for employment benefits (e.g. sick pay, holiday pay, pensions) and mechanisms to mitigate employment risk (e.g. insurances) also tend to fall on the worker alone, rather than being shared as part of an employer/employee relationship<sup>44</sup>. This therefore adds to questions about the adequacy of freelancer pay, the safety net for Creative freelancers and the extent to which self-employed workers are saving sufficiently for their retirement – something for which we have very limited evidence.

## Security and flexibility

Striking a balance between the stability and security of employment and income on the one hand, and the flexibility afforded to workers in determining how and when they work on the other, is an important dimension of quality work<sup>45</sup>. This includes whether workers have predictability over their working hours and (related) income and the extent to which they can adapt their work to accommodate the needs of their personal lives. The appropriate balance between these two facets of work will vary considerably from worker to worker – a key assumption here being that workers have a degree of choice over such decisions.

This is a particularly live debate in the Creative Industries and featured strongly in submissions to the Call for Evidence. Several stakeholders highlighted that the prevalence of contract or project-based work in the Creative Industries often meant employment contracts were short. As a consequence, workers experienced a lack of job security and income stability, with a need to continually look for their next job. Covid-19 was reported to have exacerbated long-standing issues, reducing the quantity of work for freelancers and increasing competition for roles, echoing wider research on the impact of the pandemic on the Creative and Cultural Industries<sup>46</sup>.

“Work in music tends to be defined by a high degree of flexibility and much less security, this is due to a very project focused and fragmented work landscape that historically has been dominated by freelancers collaborating with a smaller number of fixed companies (e.g. venues, studios and labels) to create work.”

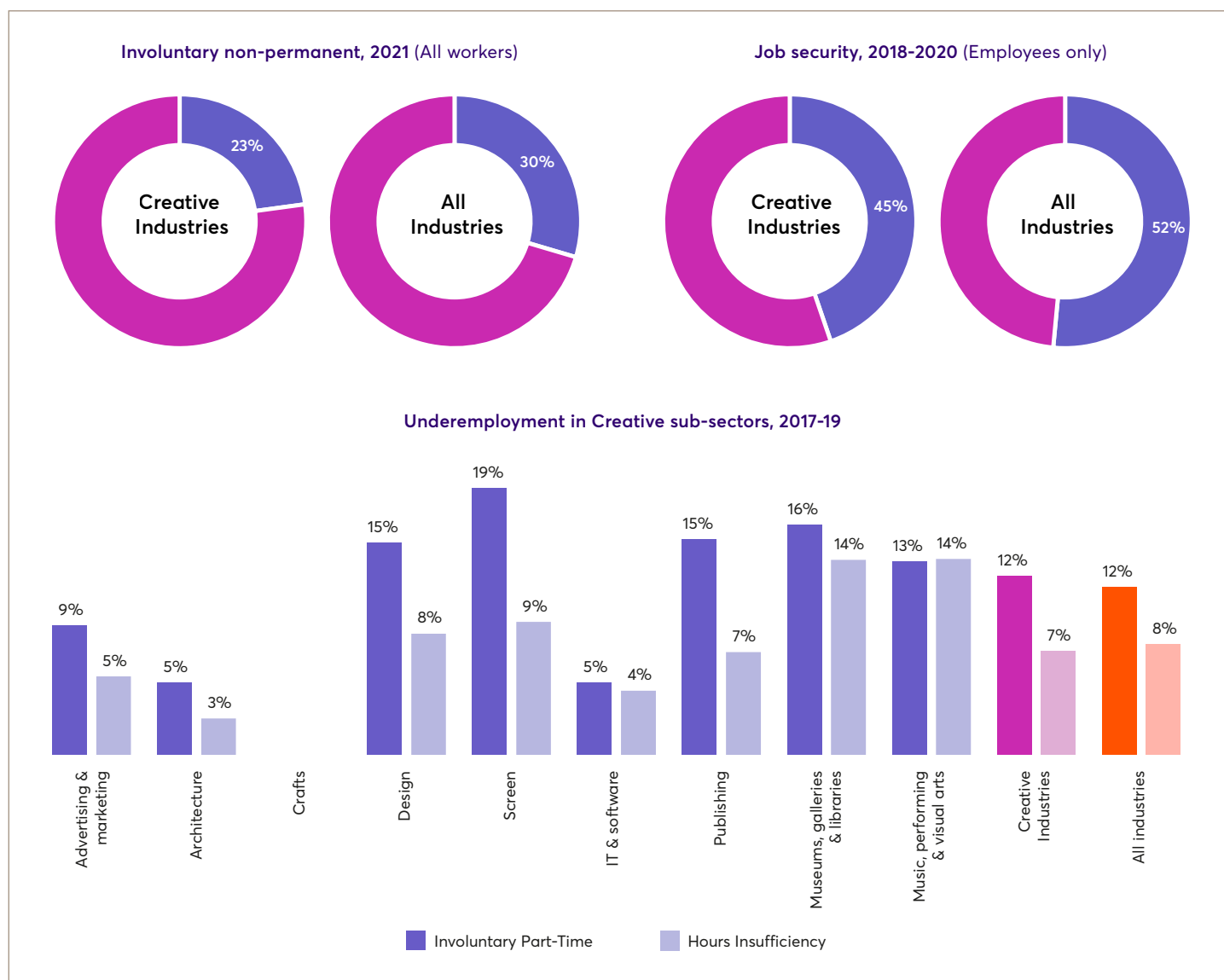


Membership Organisation (Music) submission to the Call for Evidence

This is borne out in the data: as we note earlier, rates of self-employment are high in the Creative Industries and Creative workers are often under contract for a fixed period of time (see Figure 2.1). The data also suggests that the **employment status** of Creative workers generally reflects choice rather than need. Less than one in four (23%) Creative workers on temporary contracts state this is because they could not find a permanent job – lower than average across the labour market (30%). Further, less than one in ten (9%) self-employed Creative workers suggest they work in this way because they are unable to find an employee job, with rates in line with the average and relatively consistent over time.

**Under-employment** is, however, more common in parts of the Creative Industries, with the proportion of part-time workers suggesting they would like a full-time job higher than average across the economy (16% and 12% respectively) and rising since Covid-19. Creative employees also generally report their jobs are **less secure** than those employed in other industry sectors – 45% Creative employees feel their job is secure compared to 52% of workers. Further, this excludes self-employed Creative workers who, as many submissions to the Call for Evidence emphasised, experience more acute insecurity in employment and income.

There are marked differences between Creative sub-sectors. Workers in Museums, galleries and libraries and Publishing tend to struggle more to find permanent work. Under-employment is also more pronounced in these sectors, alongside those working in the Screen Industries and Music, visual and performing arts. There is also evidence that for some workers, involuntary insecure work and under-employment is more pronounced. For example, a larger proportion of women, those aged 25-34, disabled workers and those from working-class backgrounds are employed on temporary contracts because they are not able to find a permanent job. Under-employment is higher amongst men, younger workers aged 16-24, ethnic minority workers and self-employed Creative workers. Creative workers with a disability or long-term health condition, from working class backgrounds, and those that are less-well qualified are also more likely to experience insecure work than their privileged, well-qualified, able-bodied counterparts.

**Figure 3.2. Insecure work in the Creative industries**

Source: Annual Population Survey 2021, 2017-19 and Understanding Society 2018-2020

"For a freelance illustrator the ability to set one's own working hours and place of work within the bounds of supplying the work to the prescribed time scale allows for a better work life balance and the option to work around family commitments."



Freelance Illustrator submission to the Call for Evidence

While the prevalence of formal flexible working arrangements in the Creative sector, such as flexitime, annualised hours contracts, term-time working and/or job sharing, is broadly in line with other professional service industries, workers in the Creative Industries benefit from considerably more flexibility in determining their work hours than in most other sectors of the economy. Over 40% of Creative workers stated they have a lot of control over when they start and finish their working day, compared to 29% of workers across the economy and with rates particularly high in Design, IT and Advertising and marketing. Despite high rates of self-employment, autonomy over

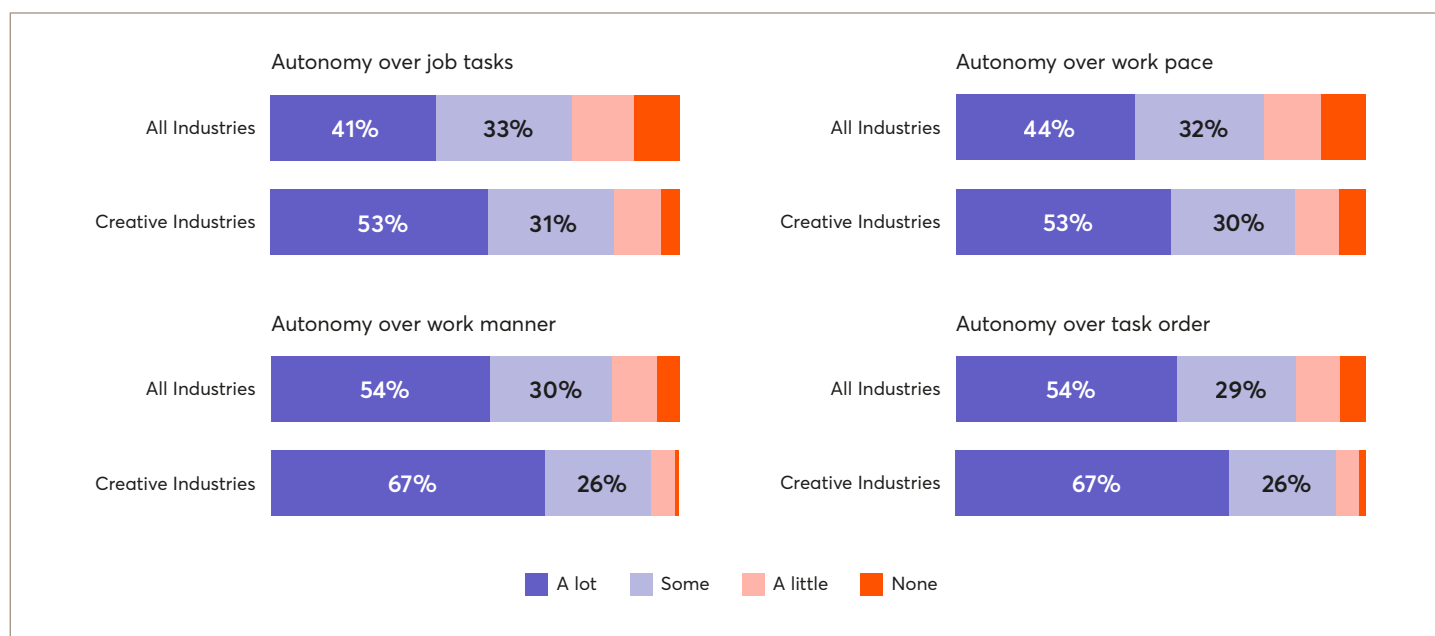
work hours is actually below average in the Screen Industries, potentially reflecting the need to work to specific production schedules in parts of the sector. More generally, self-employed workers benefit from considerable flexibility: nearly two-thirds (65%) have a lot of influence over their work hours, compared to less than one-third (31%) of employees. Concerningly, there appears to also be racial and class-based disparities. Workers from Black, Asian or Minority Ethnic Backgrounds (34%) and working-class backgrounds (42%) are slightly less likely to be able to influence their work hours than their white, privileged counterparts (44%).

### Autonomy and personal fulfilment

Work has long been valued for much more than financial gain and since the pandemic more people acknowledge that work is good for physical and mental health<sup>47</sup>. Work that provides a sense of purpose and personal fulfilment and that empowers workers with the ability to influence their daily working lives is a key feature of quality work<sup>48</sup>. Several Call for Evidence submissions highlighted that, in the sectoral context, a distinct but important component of job quality is Creative freedom and recognition.

In addition to greater control over their working hours, Creative workers benefit from considerably greater autonomy across a multitude of domains: greater influence over the tasks they do in their job; the pace at which they work; how they do their work; and the order in which they carry out tasks (Figure 3.3).

**Figure 3.3. Autonomy in the Creative Industries**



Source: Understanding Society 2018-2020

While it can be difficult to quantify the meaning that individuals derive from their jobs, there was strong consensus amongst submissions to the Call for Evidence that one of the most positive aspects of Creative work is how it can provide an outlet for creativity and an opportunity to pursue one's passion: work that is rewarding and instils a sense of purpose<sup>49</sup>. Indeed, many submissions emphasised how the cultural and social value of Creative jobs and the ability to positively impact people's lives motivated many to pursue work in the sector.



"...working in TV and film production gives people the opportunity to contribute meaningfully to telling someone else's story and to entertain and inform... It can also be a vibrant and creative atmosphere where people can become multiskilled and branch off into different areas of expertise."

Trade Association (Screen) submission to the Call for Evidence

"Our industry's success, coupled with the deep connection that many people have to what we produce, mean that high numbers of people want to work in publishing."

The Publishers Association submission to the Call for Evidence

"The ability to work creatively, to have one's stories heard and/or seen. For some it is the opportunity to communicate a message or an idea to others, to engage in a creative conversation, to stir the thoughts and feelings of others."

WGGB – Writers Guild of Great Britain submission to the Call for Evidence

"Fulfilment, engagement, sense of meaning and purpose, achievement, opportunities to work in line with one's own interests and values, opportunities to contribute to communities and society, artistic and personal growth, collaboration with other creatives. High levels of autonomy and flexibility."

Freelance dance psychology researcher, lecturer, and coach submission to the Call for Evidence

"Creative industries can be a platform for marginalised voices to tell their stories. They allow us to challenge stereotypes through art or entertainment, encourage people to examine their worldviews, and also provide much needed relief in dark times. To be able to provide that for people and to be given a voice is very positive."

Freelancer and Chair of TV Mindset and Coalition For Change submission to the Call for Evidence

"For [music] teachers, delivering a subject that can have a life-changing effect and helps so many areas of young people's development – i.e. social cohesion, confidence, good mental health and overall wellbeing, benefits to academic subjects like maths and English, and more."

Musicians' Union submission to the Call for Evidence

Indeed, this is evident when we consider job satisfaction amongst workers, with rates higher in the Creative Industries than in other parts of the economy, although the gap between the sector and the average across all industries has narrowed in recent years. There is also variation between Creative sub-sectors, with higher rates of job satisfaction in Music, performing and visual arts, but below average rates in Museums, galleries and libraries.

## Healthy, respectful, and inclusive environment

All definitions of Good Work recognise working conditions as an important facet of quality work. This includes and extends beyond physical and psycho-social risk to consider the extent to which workers are treated with dignity and respect and operate in working environments that are healthy, supportive and inclusive.

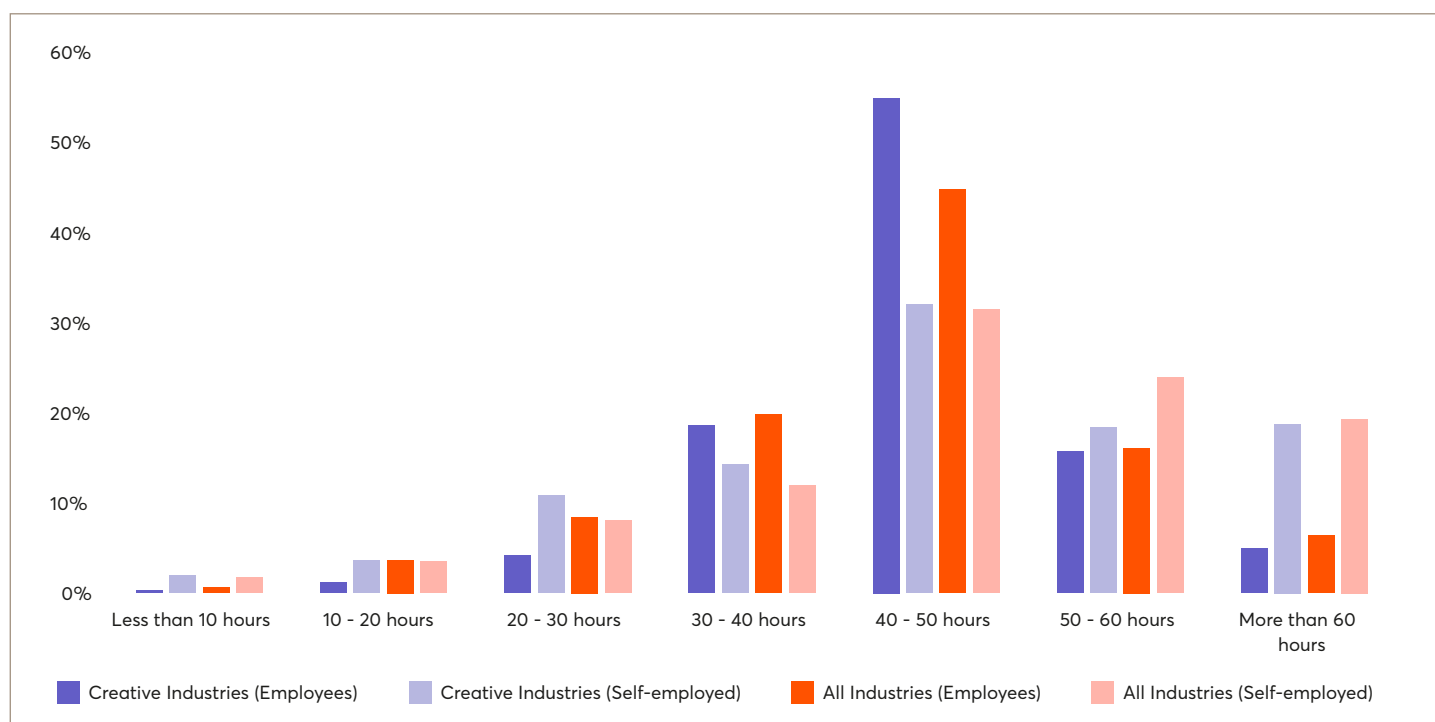
When we examine working conditions within the Creative Industries, we find a range of concerns. Work intensity was a recurring theme in the Call for Evidence, with a substantial number of submissions from various Creative sub-sectors (TV and Film; Music and the performing arts; Advertising) suggesting that working hours in the Creative Industries can be extremely long, often well beyond contracted hours, with few breaks and long commutes<sup>50</sup>.

This is also borne out by the data, which suggests that Creative workers tend to work longer hours than their counterparts in other parts of the economy. Risk of job strain is particularly acute in Advertising and marketing; IT; Screen; Music, performing and visual arts, and amongst Freelancers, who are more likely to work extremely long hours (more than 50 hours per week) than employees.

“Working hours in the TV industry are well known for being long. The desire to get all the necessary shots ‘in the can’, to shoot all the necessary pages of the script and the need to achieve the vision of the creative team frequently requires the cast and crew to stay until things are done. The pressure increases with stretched budgets and squeezed production schedules imposed by broadcasters and streaming platforms...”

Dr J Swords, XR Stories and Screen Industries Growth Network at University of York submission to the Call for Evidence

Figure 3.4. Usual hours worked (including overtime) 2017-2019



Source: Annual Population Survey, 2017-2019

In parts of the Creative sector these risks are exacerbated by work culture and poor workplace practices, with evidence of a lack of respect and dignity, bullying and harassment in some Creative contexts<sup>51</sup>. #MeToo, #BlackLivesMatter and #TimesUp movements have all illustrated the ongoing issues of harassment in Creative work<sup>52</sup>. Together these factors negatively impact the health and wellbeing of the Creative workforce. While accidents resulting in injury are rare and Creative workers are less likely to report an illness caused by or made worse by work, for those that do, this more often relates to stress, anxiety or depression. This echoes wider work in suggesting that mental health could be a more important concern for the Creative Industries – something also highlighted by several submissions to the Call for Evidence<sup>53</sup>.

“[An] emerging body of academic work ... highlights the psychosocial working conditions of musicians as being detrimental to mental health and wellbeing. Sources of anxiety include: the status of work (financial precarity, performance anxiety, anti-social working hours and the prevalence of alcohol or substance use)... the status of value (being the culture of the music industries e.g. bullying, high levels of pressure to succeed and vulnerability derived from a presence on social media platforms)... and the status of relationships (the damaging impact musical work can have on the relationships musicians have with those around them, including disrupting family life, destabilising relationships following periods of absence due to extended periods on tour, and working anti-social hours).”



Dr. G. Musgrave and S.A. Gross submission to the Call for Evidence (Abridged)

A lack of diversity and inclusion remain a critical challenge for the Creative industries. The Review echoes wider research in finding significant disparities in access, pay and progression for those from working-class backgrounds, disabled people and people of colour.

Figure 3.5 presents the scale of under-representation of women, ethnic minority workers, disabled people and those from socio-economically disadvantaged backgrounds in Creative sub-sectors, compared to other industry sectors. While the picture is nuanced, what is unmistakable is that the lack of representation of diverse talent is more pronounced in the Creative Industries than in many other parts of the UK economy. For instance:

- There is a 25 percentage point difference (PPD) in the representation of females in IT and Software: with women comprising 22% of the sector's workforce, compared to 47% across all industries.
- Outside of IT & Software, workers from minority ethnic backgrounds are significantly under-represented in most Creative sub-sectors, despite the spatial concentration of many of these industries in more ethnically-diverse urban centres.
- The under-representation of disabled workers in Advertising and Marketing is second-only to Mining, with pronounced representation gaps also evident in Architecture and IT and software.
- The picture of class-based exclusion in the Creative Industries is striking – with Creative sub-sectors comprising eight of the ten worst performing sectors in the economy for the (under)representation of people from working-class backgrounds.

The causes of inequality are well-documented, and often rooted in the structure, practices, informality and culture that dominates work in the Creative sector<sup>54</sup>.

**Figure 3.5. Representation gaps: Creative Industries vs other industry sectors**

Percentage point difference (PPD) in representation compared to the all industry average



Source: Annual Population Survey, 2017-2019



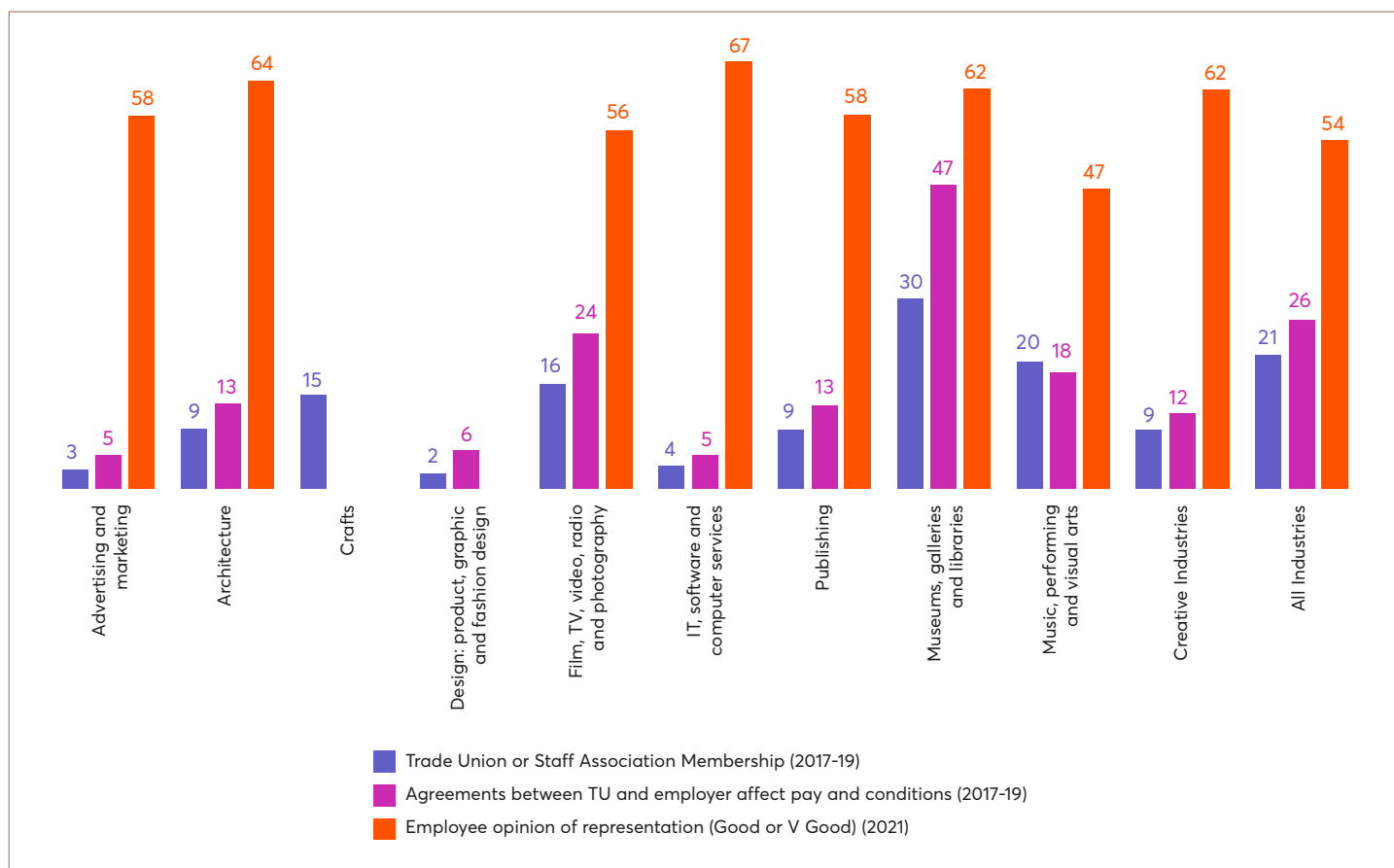
## Agency, voice and representation

For workers, the ability to speak up, constructively challenge and be listened to, along with the power to influence decisions that affect their everyday working lives is a vital aspect of work quality. Mechanisms that support dialogue and collective representation can strengthen the voice of workers, improving worker wellbeing, promoting greater levels of staff engagement, and in turn delivering improved productivity and performance for firms<sup>55</sup>. Such mechanisms can include both formal collective representation and collective bargaining between trade unions and employers, and wider mechanisms for employee consultation, whether formal or informal such as employee forums, staff associations and consultation committees.

Evidence from the Employer Skills Survey 2017 suggests that mechanisms to support employee voice are limited in the Creative Industries, with only 8% of employers in the Creative sector reporting they have formal procedures in place for employee consultation, such as staff associations, employer forums and trade union consultation – below the all industry average (15%) and amongst the lowest rates in the economy. Creative workers are significantly less likely to be members of trade unions or staff associations, and are also less likely to report that their colleagues are members. Relatedly, Creative workers are far less likely to report that agreements between trade unions and employers affect their pay – less than one in ten (9%) in the Creative Industries, compared to over one in four (26%) workers across all industries (see Figure 3.6)

Those working as employees in the Creative Industries do, however, tend to be more positive about their involvement in decision-making at work. But there are significant variations within Creative sub-sectors, for instance:

- More than two thirds (67%) of employees in IT and software suggest their managers are good or very good at involving employees and their representatives in decision-making, despite very low rates of trade union membership;
- In Museums, galleries and libraries employee voice is high, which is likely to be associated with higher levels of trade union membership and collective bargaining in the sector;
- In contrast, workers in Music, performing and visual arts also report strong trade union presence and collective bargaining, but a much smaller share of employees felt that managers were good at involving staff in decision-making.

**Figure 3.6. Voice and representation in the Creative Industries (% workers)**

Source: Annual Population Survey, 2017-2019, 2021

These figures only cover employees, and past research has emphasised how the prevailing structure of work in the Creative Industries can be a challenge for worker organisation and representation<sup>56</sup>. Indeed, several submissions to the Call for Evidence questioned the agency and voice of freelancers in the Creative Industries and the extent to which their views influence decision-making in the sector. Further, formal collective representation, through trade union membership and collective bargaining varies considerably between each of the UK nations and different types of Creative workers – as we explore further in Section 4.

“Either the absence or lack of awareness of appropriate channels for an effective voice are all problems highlighted by the review for people working in the creative sectors and freelancers in particular...”

Creative Scotland submission to the Call for Evidence



## Skills use, development and progression

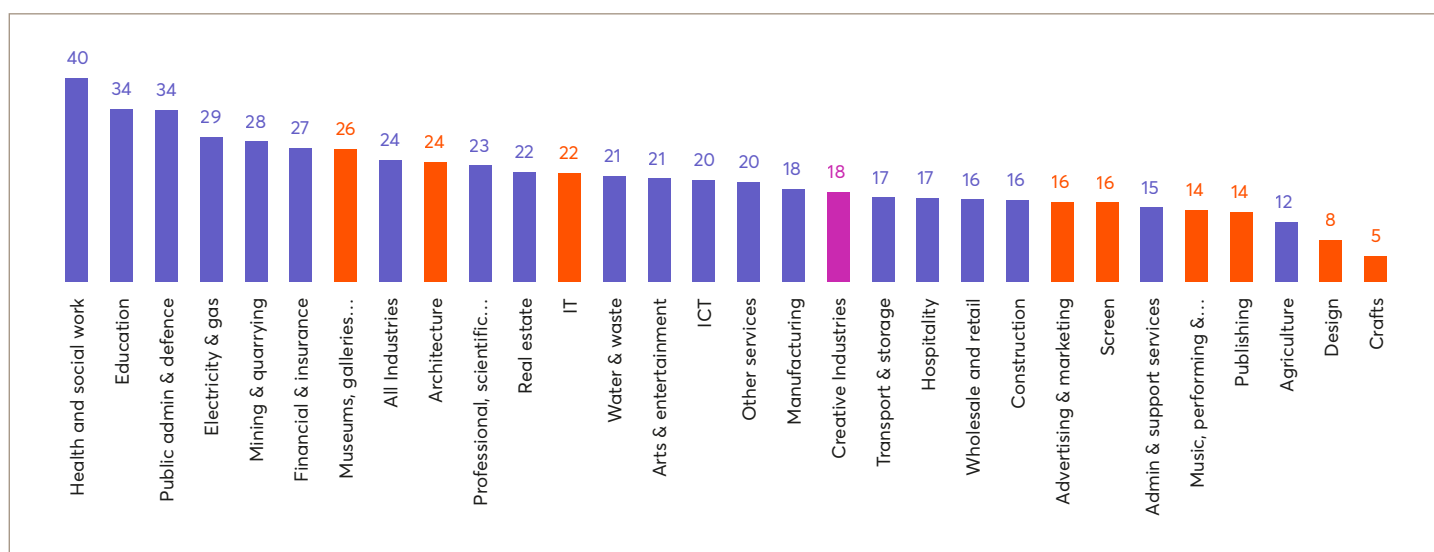
The opportunity to use and develop one's skills, for personal growth and career advancement is a key facet of Good Work. For employers, up and reskilling the workforce is vital to remain competitive in the face of changing global markets and megatrends. This is especially important for Creative Industries, which are more globally focussed, innovative and at the vanguard of technological advancement.

Yet there is overwhelming evidence that investment in skills and opportunities for professional development in the Creative sector falls considerably short. Employers in the Creative Industries are significantly less likely to have a training plan for staff, a process in place for identifying 'high potential' or talented individuals within their organisations, or to have provided on or off the job training for their employees, with rates not just below the UK average but amongst the lower rates in the economy.

Training is also highly skewed towards on-the-job training, with considerably less off-site training, which is often more associated with deeper learning and recognised training programmes and qualifications. Further, Creative businesses that have not provided training, are also less likely to offer other opportunities for professional development. This includes offering supervision to guide employees through tasks, or to provide opportunities for staff to spend time learning from others. 'Stepping up' – where workers perform tasks that go beyond their job role – is however more common, reinforcing concerns in parts of the sector that skills shortages mean that talent is progressed too quickly, without adequate training and support<sup>56</sup>.

Relatedly, Creative workers are much less likely to have participated in training – with just one in five (21%) Creative workers having undertaken any work-related training in the past three months (compared to 25% on average across the workforce) and with rates of training in sectors like Craft, Design, Publishing, Music, performing and visual arts, Screen, and Advertising and marketing amongst the lowest in the UK economy (see Figure 3.7).

**Figure 3.7. Participation in job-related training over the past 3 months (% of workers), 2017-2019**



Source: Annual Population Survey 2017-2019

There are also significant disparities in rates of training between employees and the self-employed, with just one in ten Creative freelancers participating in job-related training over the past 3 months. In an industry dependent on the skills and talent of the, often freelance, workforce, this is a critical concern.

Professional development is also more limited amongst those that are less well qualified, and Creative workers from a working-class background.

While overall Creative employees rate their progression opportunities highly, there is substantial variation between Creative sub-sectors. Past research and submissions to the Call for Evidence suggest in some parts of the sector there is a lack of clarity in progression pathways and that advancement can be more influenced by social and cultural capital than individual merit<sup>57</sup>.

“A high proportion of the screen sector operate as freelancers. This can bring challenges, particularly in terms of greater personal responsibility for training and career progression. A lack of training and support for freelancers on productions can lead to skills gaps and a lack of development. Freelance production crew can be unable to access training owing to the cost of courses being too expensive, a lack of time to attend training alongside long working hours, or because courses are not available in certain areas of the country.”

Charitable Organisation (Screen) submission to the Call for Evidence

### 3.3. Summary

Our examination of Good Work in the Creative Industries paints a mixed picture of performance. There is clearly much that is great about work in the sector: an outlet for creative expression; the ability to pursue one’s passion; and the sense of making a positive difference in the world. Creative work also affords workers considerable flexibility and autonomy in determining what work they do, how, when and with whom they do it.

Yet, too often this appears to come at a high price: the need to work for free to get a foothold into the industry; the toll of long hours in challenging work environments; a lack of agency in influencing decisions that impact working life; and a lack of time and money to participate in training that would upgrade skills and enable career progression.

There are significant variations in this picture across Creative sub-sectors, which we have sought to draw out in the narrative above. But an important message is that no Creative sub-sector performs well across all measures – as illustrated by Figure 3.8 overleaf.

Even in high-paid sectors like IT, Advertising or Architecture hours can be long, work insecure, mechanisms for employee voice lacking and investment in skills development is falling short of other parts of the economy. In contrast, in Museums, galleries and visual arts: collective representation is stronger; investment in skills better and hours more modest; but pay rates are more limited; workers struggle to find full-time work; and job satisfaction is low. In Music, performing and visual arts, Design, Publishing, and Screen, issues are complex and nuanced, with a need for improvement in a range of areas.

So, there is work to do to advance Good Work in all Creative sub-sectors, even if priorities may be different.

Figure 3.8. Characterising job quality in Creative Sub-sectors

Theme	Indicator	Advertising & marketing	Architecture	Crafts	Design	Screen	IT & software	Publishing	Museums, galleries & libraries	Music, performing & visual arts	Creative Industries	All industries
Fair reward, terms and conditions	Median Weekly Earnings	740	692	*	508	673	865	646	519	588	738	538
	Pay Dissatisfaction	24%	28%	*	22%	16%	31%	42%	57%	17%	29%	25%
	Unpaid Overtime	5.8	5.9	2.6	4.7	4.3	5.7	4.8	3.0	4.3	5.2	4.0
	Paid Holiday Entitlement	23.2	23.7	*	21.2	22.0	24.1	23.9	23.5	21.5	23.5	24.9
	Employer pension	82%	100%	*	*	83%	82%	95%	87%	75%	85%	88%
Security and flexibility	Involuntary non-permanent job	22%	10%	*	25%	22%	19%	29%	30%	26%	23%	27%
	Involuntary self-employment	13%	10%	*	10%	11%	13%	13%	*	6%	10%	10%
	Involuntary part time work	9%	5%	*	15%	19%	5%	15%	16%	13%	12%	12%
	Underemployment (hours insufficiency)	5%	3%	*	8%	9%	4%	7%	14%	14%	7%	8%
	Job Security	44%	50%	*	*	50%	44%	*	38%	43%	45%	52%
	Flexible working arrangements	17%	21%	*	*	16%	24%	14%	25%	17%	20%	22%
	Flexibility (Autonomy over work hours)	48%	36%	*	57%	27%	48%	41%	39%	41%	42%	29%
Autonomy and personal fulfilment	Autonomy over job tasks	62%	44%	*	50%	49%	51%	57%	43%	58%	53%	41%
	Autonomy over work pace	60%	42%	*	53%	56%	45%	66%	39%	55%	53%	44%
	Autonomy over work manner	75%	61%	*	70%	56%	59%	80%	58%	75%	67%	54%
	Autonomy over task order	79%	61%	*	58%	69%	64%	73%	59%	65%	67%	54%
	Job Satisfaction (subjective rating)	84%	89%	*	90%	79%	74%	73%	73%	88%	82%	80%
	Job Satisfaction (Looking for another/additional job)	8.7%	4.6%	*	5.3%	8.1%	5.6%	8.1%	6.3%	5.9%	6.4%	6.4%
	Work intensity (Working 50+ hours)	20%	31%	*	21%	31%	23%	19%	4%	26%	23%	24%
	Work intensity (Would like to work shorter hours)	37%	41%	*	36%	35%	38%	38%	24%	20%	35%	34%
Healthy, respectful and inclusive work environment	Work-related illness	3.6%	2.4%	*	2.0%	3.1%	2.8%	1.7%	4.0%	4.8%	3.0%	3.8%
	Work-related mental illness	*	*	*	*	*	*	*	*	*	*	*
	Wellbeing (Happiness)	7.4	7.6	7.6	7.6	7.5	7.5	7.4	7.6	7.6	7.5	7.6
	Wellbeing (Anxiety)	3.2	3.2	2.7	3.1	3.1	2.8	3.2	3.2	3.4	3.1	2.8
	Equal opportunity policy	76%	83%	*	75%	78%	76%	77%	95%	77%	78%	82%
	Representation: Gender	44%	32%	44%	44%	38%	22%	51%	60%	48%	37%	47%
	Representation: Ethnicity	10%	9%	6%	9%	10%	20%	13%	8%	7%	13%	12%
	Representation: Disability	8%	10%	21%	10%	13%	10%	12%	17%	17%	12%	13%
	Representation: Social Class	25%	24%	43%	28%	28%	27%	28%	32%	25%	27%	40%
Agency, voice and representation	Trade Union Membership	3%	9%	15%	2%	16%	4%	9%	30%	20%	9%	21%
	Trade Union Presence	8%	15%	*	6%	30%	10%	27%	46%	26%	16%	29%
	Collective Bargaining	5%	13%	*	6%	24%	5%	13%	47%	18%	12%	26%
	Employee consultation	9%	9%	*	3%	7%	8%	8%	21%	7%	8%	15%
	Employee Voice	58%	64%	*	69%	56%	67%	58%	62%	47%	62%	54%
Skills use, development and progression	Training Plan	38%	38%	*	21%	30%	32%	25%	62%	35%	33%	48%
	Employer Training	58%	60%	*	41%	48%	54%	41%	81%	54%	53%	61%
	Investors in People	6%	8%	*	3%	7%	5%	3%	37%	8%	7%	15%
	Processes to identify high potential talent	11%	6%	*	8%	8%	10%	6%	17%	10%	9%	15%
	Participation in Training	16%	24%	5%	8%	16%	22%	14%	26%	14%	18%	24%
	Perception of progression opportunities	59%	70%	*	60%	52%	68%	56%	39%	49%	62%	54%

Source: Annual Population Survey; Labour Force Survey; Understanding Society. Various years and quarters. Please refer to the technical annex.

Notes: Cell highlighting indicates difference from the All Industry average

Job quality for Creative freelancers is, as we highlight throughout this section, a particular concern. The trade-off between flexibility and security is felt most acutely by these workers. Self-employed Creative workers report considerable autonomy and control over their working hours and job satisfaction is high. But hours can be extremely long and the share of workers looking to leave the industry because they are dissatisfied with their pay is high. While we lack robust data on self-employed earnings, many suggest that pay rates are insufficient to offset costs, unpaid work is considerable, and this leaves little space (either time or money) for freelancers to invest in their skills. With low rates of collective representation, they have limited agency and there is a general perception that freelancers are treated as 'disposable' and are 'invisible' in the decision-making structures of the industry.

"Freelancers – they are often seen as disposable and not supported, even though these organisations could not run without their input."



Freelance Music Promoter and Consultant submission to the Call for Evidence

Finally, one of the most compelling findings from the Review, as illustrated by Figure 3.9 overleaf, is that the experience of work in the Creative Industries can vary considerably depending on age, race, disability and class.

While we might expect pay, flexibility and autonomy to be lower amongst those just starting out in the Creative Industries, the Review also finds that those aged 25-34 lack many of these features of Good Work. Further, these mid-career Creative workers are more likely to want permanent work but not be able to find it. They are also more likely to be: under-employed; they have the lowest rates of job satisfaction of any age cohort; and are much more likely to be looking to leave their job because of dissatisfaction with their pay. This echoes wider research exploring the challenges of balancing family life with work in the Creative industries and the impact this has on retaining mid-career talent in parts of the sector<sup>58</sup>.

"The industry is finding it hard to recruit enough people to fill all the available roles, but at the same time is losing experienced workers due to adverse working conditions, in particular the incompatibility of industry working practices with family life. We have estimated that the number of 'missing older workers' currently is between 23,000 and 35,000. Others... have argued that the industry's real problem is not recruitment of new young workers but excessive attrition."



Film and TV Charity submission to the Call for Evidence

Workers from Black, Asian and Ethnic Minority Backgrounds fare worse on a range of measures of job quality, including pronounced differences in pay, underemployment, insecure work, autonomy, job satisfaction and collective representation. Working class Creative workers tend to earn less, be underemployed, be looking for permanent work but not able to find it, have less autonomy in their jobs, are less likely to participate in training, report lower rates of job satisfaction and higher rates of insecure work than their privileged counterparts. The same is true for disabled workers, who also report lower wellbeing and higher anxiety than workers that do not have a disability.

These pronounced disparities add further to the case for sharpening focus on job quality and driving the systemic change needed across the industry to advance Good Work for all Creative workers. The Review has identified four strategic priorities for achieving this in practice, which were tested extensively through the course of the PEC's engagement activities:

1. Strengthen the baseline platform of protection and support for Creative workers
2. Drive improvements in management and workplace practices
3. Enhance professional development and progression in the Creative Industries
4. Improve Creative worker representation and voice.

In the sections that follow we set out why these must be priorities for the Creative Industries and the actions required by Government, Industry and wider stakeholders to deliver against these aims.



Figure 3.9. Job quality indicators for different types of Creative workers

Theme	Indicator	All Creative Workers	Gender		Age					Ethnicity					Disability		Socio-economic background			Employment status		Qualifications			
			Male	Female	16-24	25-34	35-44	45-54	55-64	White	Ethnic minority workers	Asian/Asian British	Black/Black British	Mixed/Other	Disabled	Not disabled	Privileged	Intermediate	Working Class	Employee	Self-employed	Degree or equivalent	Higher education	A level or equivalent	GCSE or below
Fair reward, terms and conditions	Median Weekly Earnings	738	808	615	413	644	865	865	808	731	*	842	594	750	692	750	801	756	631	738	*	779	750	646	577
	Pay Dissatisfaction	29%	28%	31%	23%	35%	25%	25%	29%	29%	28%	*	*	*	42%	27%	24%	39%	24%	28%	35%	30%	21%	22%	38%
	Unpaid Overtime	5.2	6.1	6.9	9.7	8.3	5.9	5.7	4.5	6.2	*	6.6	6.8	10.6	8.5	6.2	6.9	5.8	5.9	6.5	6.1	6.7	8.6	5.7	5.1
	Paid Holiday Entitlement	23.5	23.9	22.7	19.4	23.6	24.1	24.1	23.5	23.6	*	23.2	22.5	22.4	22.7	23.5	*	*	*	23.5	*	23.7	24.4	22.9	21.9
	Employer pension	85%	88%	81%	69%	86%	87%	92%	89%	86%	*	*	*	*	84%	85%	92%	87%	83%	*	*	87%	87%	78%	78%
Security and flexibility	Involuntary non-permanent job	23%	21%	26%	19%	32%	24%	22%	11%	23%	24%	*	*	*	47%	22%	22%	14%	38%	23%	*	25%	32%	7%	26%
	Involuntary self-employment	10%	11%	9%	*	3%	10%	12%	14%	11%	*	3%	8%	*	8%	11%	*	*	*	*	10%	9%	16%	11%	11%
	Involuntary part time work	12%	18%	9%	23%	21%	11%	13%	10%	12%	18%	*	*	*	12%	13%	10%	13%	11%	10%	15%	12%	16%	11%	13%
	Underemployment (hours insufficiency)	7%	6%	9%	23%	8%	6%	7%	6%	7%	9%	*	*	*	9%	7%	8%	9%	8%	6%	10%	7%	8%	8%	8%
	Job Security	45%	46%	43%	48%	48%	38%	47%	39%	45%	*	*	*	*	39%	47%	46%	50%	35%	*	*	47%	51%	42%	29%
	Flexible working arrangements	20%	19%	22%	20%	21%	22%	18%	*	20%	20%	*	*	*	*	20%	*	*	*	22%	15%	21%	21%	19%	17%
	Flexibility (Autonomy over work hours)	42%	42%	43%	11%	27%	47%	46%	57%	44%	34%	*	*	*	45%	41%	44%	51%	42%	31%	65%	42%	48%	41%	42%
Autonomy and personal fulfilment	Autonomy over job tasks	53%	52%	56%	22%	51%	60%	55%	60%	55%	47%	*	*	*	58%	52%	57%	61%	53%	44%	75%	53%	64%	59%	49%
	Autonomy over work pace	53%	50%	57%	32%	47%	58%	50%	60%	54%	45%	*	*	*	75%	56%	55%	59%	45%	44%	71%	53%	61%	46%	56%
	Autonomy over work manner	67%	67%	68%	46%	58%	70%	71%	77%	69%	54%	*	*	*	67%	67%	66%	77%	61%	59%	85%	66%	74%	68%	73%
	Autonomy over task order	67%	63%	72%	36%	62%	70%	73%	72%	69%	51%	*	*	*	64%	68%	66%	77%	64%	62%	79%	68%	71%	64%	69%
	Job Satisfaction (subjective rating)	82%	81%	82%	83%	75%	85%	83%	75%	82%	72%	*	*	*	78%	83%	81%	85%	76%	78%	89%	85%	88%	70%	74%
	Job Satisfaction (Looking for another/additional job)	6.4%	6.1%	6.9%	9.7%	8.3%	5.9%	5.7%	4.5%	6.2%	7.7%	6.6%	6.8%	10.6%	8.5%	6.2%	6.9%	5.8%	5.9%	6.5%	6.1%	6.7%	8.6%	5.7%	5.1%
	Work intensity (Working 50+ hours)	23%	27%	15%	10%	19%	24%	30%	26%	24%	*	*	*	*	22%	23%	26%	23%	24%	21%	37%	22%	28%	21%	29%
Healthy, respectful and inclusive work environment	Work intensity (Would like to work shorter hours)	35%	36%	32%	16%	35%	38%	40%	37%	35%	31%	30%	33%	31%	35%	35%	38%	39%	39%	38%	27%	35%	40%	35%	31%
	Work-related illness	3.0%	2.8%	3.4%	2.0%	2.7%	3.9%	2.9%	2.9%	3.2%	1.4%	*	*	*	12.3%	2.0%	*	*	*	2.7%	3.5%	3.0%	3.9%	3.3%	2.5%
	Work-related mental illness	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Wellbeing (Happiness)	7.5	7.5	7.5	7.7	7.5	7.5	7.5	7.4	7.5	*	7.7	7.1	7.5	6.9	7.6	*	*	*	7.5	7.5	7.5	7.5	7.6	7.6
	Wellbeing (Anxiety)	3.1	2.9	3.3	3.0	3.1	3.1	3.1	2.8	3.1	*	2.9	3.5	3.2	3.9	2.9	*	*	*	3.0	3.2	3.2	2.9	2.9	2.8
	Equal opportunity policy	78%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Representation: Gender	37%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Representation: Ethnicity	13%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Representation: Disability	12%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Agency, voice and representation	Representation: Social Class	27%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Trade Union Membership	9%	8%	11%	4%	6%	8%	12%	16%	10%	5%	4%	8%	5%	12%	9%	*	*	*	8%	12%	9%	12%	8%	8%
	Trade Union Presence	16%	15%	20%	15%	15%	14%	18%	26%	18%	10%	9%	13%	8%	20%	16%	*	*	*	16%	*	18%	15%	14%	12%
	Collective Bargaining	12%	10%	15%	10%	9%	11%	13%	20%	13%	6%	6%	6%	6%	17%	11%	*	*	*	12%	*	12%	14%	11%	10%
	Employee consultation	8%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Skills use, development and progression	Employee Voice	62%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Training Plan	33%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Employer Training	53%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Investors in People	7%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Processes to identify high potential talent	9%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Participation in Training	18%	18%	18%	22%	19%	16%	18%	16%	17%	21%	21%	21%	21%	19%	18%	19%	18%	16%	21%	11%	19%	19%	18%	13%
	Perception of progression opportunities	62%	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Source: Annual Population Survey; Labour Force Survey; Understanding Society. Various years and quarters. Please refer to the technical annex.

Notes: Cell highlighting indicates difference from the Creative Industries average.

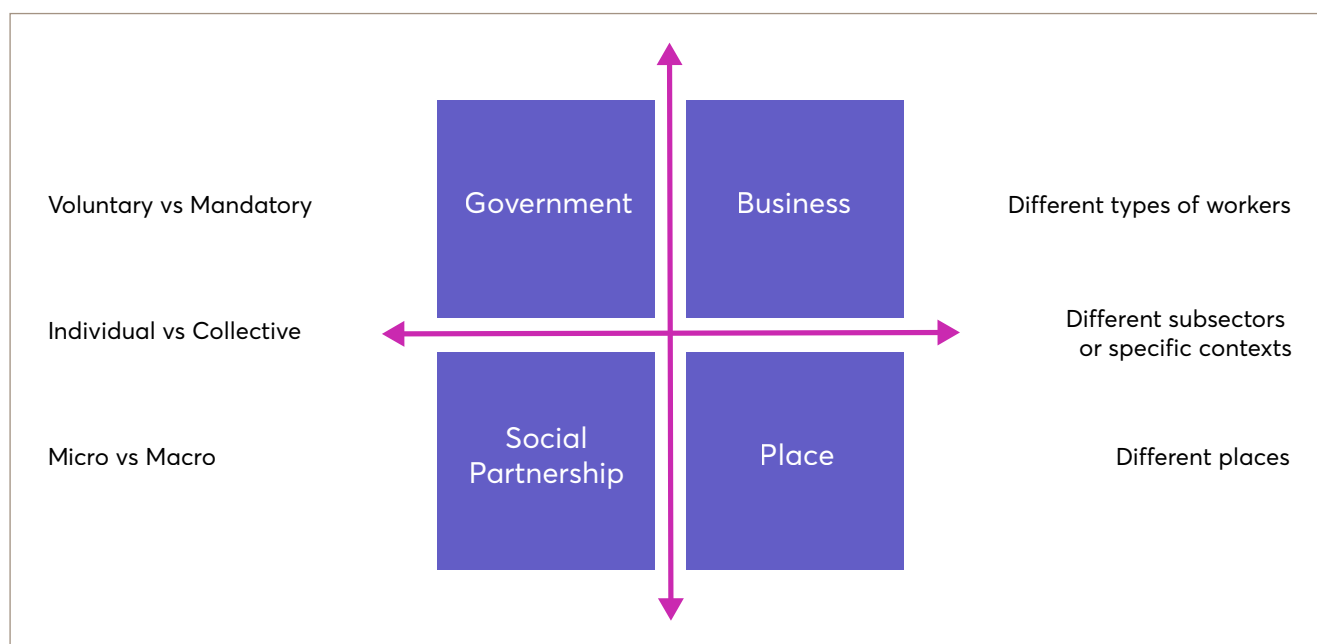
## 4

## Priorities and policies for advancing Good Work in the Creative Industries

Having completed our examination of job quality in the Creative Industries, we now turn to consider the priorities and policies needed to advance Good Work across the Creative Industries.

In exploring priorities, we have considered four main areas: government policy (including levers that sit with Whitehall and devolved areas of policy); business practice and the crucial importance of employer (and Industry representing communities of employers within a sector) leadership; the role of social partnership<sup>59</sup>; and the scope for place-based interventions. As we did so, we acknowledged varying 'scales' and the balance that needs to be struck between: mandatory and voluntary measures; individual versus collective action; and macro (pan-Creative Industry, pan-UK) versus micro policy measures (interventions targeting specific workers; specific sub-sectors or contexts; or in specific nations or regions).

**Figure 4.1. Exploring policy levers for advancing quality work in the Creative Industries**



Through the Call for Evidence, we invited views on how best this balance could be achieved and during Phase 3 of the research programme we examined examples of effective practice from within and beyond the sector, across the UK nations and internationally. To support discussion and debate, the research team developed a 'Policy Playbook' that set out various potential Policy Directions and Policy Options for advancing better employment opportunities for all. These were then debated during Policy Roundtables in each UK nation, exploring their relative importance in making a difference and the extent of support for different options, both as individual interventions, and as a part of a package of measures to drive-up job quality in the Creative Industries.

These discussions have proved invaluable in informing the final recommendations from the Review, as set out in the pages that follow.

## Priority 1: Strengthen the baseline platform of protection and support for Creative Workers


### Why is this a priority?

While the focus of the Good Work Review is sector-based approaches to improving job quality, it is crucial to ground our assessment within the framework of statutory employment rights and protections. This is key in setting a minimum floor and baseline working conditions for all businesses and workers in the UK economy.

Ensuring this baseline platform of protection and support is maintained, strengthened and benefits Creative workers equally, is therefore an important foundational step. The need for a strong framework of rights and protections is particularly important in the context of the Creative Industries, given the prevalence of modern working practices and more insecure forms of work. Yet the Review identifies a range of challenges and opportunities for improvement.

With the [Brexit Freedoms Bill](#) providing a basis to amend or remove European Union (EU) law and the [Retained EU law \(Revocation and Reform\) Bill](#) aiming to 'sunset' any remaining laws that have not been incorporated into an act of parliament by the end of 2023, Creative Industries stakeholders echoed wider concerns across the economy that this could result in the weakening of employment protections in the UK and divergence from the platform of rights available to EU workers. This creates an emphasis on UK Government standing by its commitment to protect current rights. This includes those derived in Europe<sup>60</sup>, as well as progressing plans to strengthen the existing platform, following the 2017 Taylor Review, and as set out in BEIS Good Work Plan and consultations that followed.

Stakeholders also suggested the need to enhance the current legislative platform in certain regards to better meet the needs of the Creative Industries. The failings of the current system and the lack of understanding of the distinct ways of working in the Creative sector was never more evident than during the Covid-19 pandemic, where emergency measures to support self-employed workers were delayed, lacked parity in the scale of support available to employees and featured eligibility criteria that left many Creative workers unable to access support<sup>61</sup>.

"The complexity of the system came into stark relief during the pandemic.  The National Audit Office (NAO) said that as many as 2.9 million people were not eligible for the Self-Employed Income Support Scheme (SEISS)... The [Trade Union] had many members excluded from the scheme because they were PAYE...their client companies insist (often under direction of HMRC) that self-employed individuals are paid via PAYE and subject to deductions of tax and NICs at an 'employee' rate. Members who worked via limited companies/personal service companies – often forced to by companies – and had paid tax and National Insurance via PAYE or found to come within IR35 and taxed at source were also ineligible for SEISS support."

Trade Union (Creative Occupation) submission to the Call for Evidence

Indeed, many of the challenges of building a legislative platform and safety net of social protections equipped to deal with modern ways of working are particularly acute in the Creative sector. This includes a multitude of issues, from the calculation of welfare payments for those who are self-employed and experience fluctuating incomes, to the adequacy of legislative protections in safeguarding Creator rights, and the relevance of employment support services to the needs of Creative freelancers (discussed further below).

Further, the Review suggests that, in some cases, statutory minimums are not always met, and that non-compliance can go unchecked. The widespread use of unpaid internships in some parts of the Creative sector offers one such example<sup>62</sup>.

Complexity in defining employment status and a lack of awareness of rights and responsibilities are seen as key challenges, exacerbated by the distinct structural features and ways of working in the Creative Industries. This is seen, for example, in high rates of freelance and project-based work and the dominance of small and micro enterprises, which often lack specialist Human Resource (HR) functions.

## Policy Recommendations

### Preserving and strengthening the UK legislative platform

The Review has found considerable support for the role of legislation in setting a minimum floor of basic rights and protections and baseline working conditions that businesses, individuals, and wider stakeholders need to adhere to. The power to shape this legislative platform of employment rights, protections and support sits with UK Government and in particular BEIS. Yet there is an important role for DCMS and industry stakeholders on behalf of Creative Industry interests in influencing policy direction, informing programme design, and supporting implementation.

Given the risks noted above, DCMS and industry stakeholders should work with UK Government (especially BEIS) to preserve the current floor of employment rights that are at risk post-Brexit and to ensure that the UK keeps pace with future developments in the EU. Industry stakeholders in each UK nation emphasised the importance of UK Government delivering its commitment to protect current rights, including those relating to: the minimum wage; equality and protection against discrimination; parental rights; paid annual leave; health and safety; limits on working time; information and consultation of employees; and acquired employee rights on transfer of undertakings.

At the same time, DCMS and industry stakeholders should work closely with UK Government on behalf of Creative Industry interests to support the delivery of manifesto commitments to strengthen the existing platform of employment rights. The UK Government's Good Work Plan<sup>63</sup> and subsequent consultations<sup>64</sup> set out a number of measures to extend the current platform of protection. At the time of writing, a very limited number of planned measures have been implemented and, in the absence of the planned Employment Bill, a considerable number of others are yet to be enshrined or enacted, including: additional rights to request a more predictable and stable contract; to request flexible working; enhanced protections for unwell and disabled workers and new mothers; and stronger enforcement, which would strengthen the platform of protections for Creative employees and (in a smaller number of instances) self-employed Creative workers (see Box 1).

## Box 1. Planned changes to employment rights still to be enacted



- **Increase in break of service period:** currently a gap of one week or more is sufficient to break continuity of service (except for various situations where legislation dictates that continuity is preserved for a longer period such as redundancy and incapacity dismissals). The Government has committed to increasing the gap required to break continuity of service to 4 weeks, making it easier for employees with irregular working patterns to accumulate continuity of service.
- **Single Labour Market Enforcement Agency:** the Government has committed to establishing a Single Labour Market Enforcement body. This has been consulted on in 2019 but currently there is no budget or timeline for implementation.
- **Flexible working consultation:** the Government conducted a consultation on flexible working in 2021. The proposals under consideration include establishing a right to reasonable notice of working hours, the right not to suffer any detriment for refusing work offered as unreasonable notice and the right to compensation when shifts are cancelled without reasonable notice.
- **Protection for unwell and disabled workers:** the Government conducted a consultation early in 2022 on a range of measures to reduce ill-health related job losses including the right for non-disabled employees to request workplace modifications, a review of statutory sick pay, automatic reporting of sickness absence to the government through payroll and co-funding of occupational health services for SMEs.
- **Unpaid carer leave:** Unpaid carers may be granted the new right of an additional unpaid week of leave each year.
- **Enhanced redundancy protection for new mothers:** Currently, if a woman on maternity leave is selected for redundancy, she has enhanced rights to be offered suitable alternative employment without competitive interview. This protection is expected to be extended for six months after returning from maternity leave, to tackle discrimination relating to redundancy decisions for those on or returning from maternity leave.
- **New legislation on tipping practices:** New legislation to ensure that tips in the hospitality sector are distributed without deduction by employers. This follows a government consultation which uncovered that a significant number of employers were retaining tips and not passing them on to staff, particularly those that were paid on card.
- **A new right to request a more predictable and stable contract:** Individuals on zero-hour contracts may be granted the right to request a more 'predictable' contract after 26 weeks service in a bid to address the uncertainty for those working in the gig economy.

Source: elaborated from various sites including ACAS, CIPD

Other legislative requirements and protections are also important for Creative workers. One particular area of concern relates to creator rights. Several submissions to the Call for Evidence emphasised how technological advancement continues to challenge the financial sustainability of commercial models in parts of the Creative sector and the efficacy of the legislative framework in the UK. This, in turn, then hampers the ability of Creative workers to generate fair reward for their work or, in some cases, to protect their Intellectual Property (IP) from unauthorised reproduction.

Issues are wide-ranging, and in recent years we have seen Government-commissioned reviews which only serve to illustrate the disruptive effects of technology on the Creative sector, such as those concerning: the future of journalism<sup>65</sup>; House of Commons inquiries into the economics of music streaming<sup>66</sup>; House of Lords' inquiries on the impact of AI<sup>67,68</sup>. In addition to acting on the findings of detailed examinations<sup>69</sup> underway into the fairness of the music streaming environment, DCMS should also reflect on their relevance to other parts of the Creative Industries. This needs to include how best to support close working with the Intellectual Property Office and Competition and Markets Authority to future-proof the IP framework on an ongoing basis and strengthen and systematise the examination of the impact of market changes on revenue models, remuneration flows and Creator earnings<sup>70</sup>.

“The rapid advancement of technology, notably that around artificial intelligence (AI), and the government’s failure to update our intellectual property framework is hampering performers’ ability to generate fair reward for their work. A key policy ask of Equity is to reform the Copyright, Designs and Patents Act 1988 to protect performers against AI-made performance synthetisation – the process of creating a synthetic performance.”



Equity submission to the Call for Evidence

Finally, given well-evidenced disparities in access, pay and progression for under-represented groups in the Creative industries, existing corporate reporting requirements (e.g. gender pay gap reporting<sup>71</sup>) may not go far enough, and there is scope for DCMS to work with the Cabinet Office to strengthen focus on action taken to address disparities. This could include: extending reporting to cover other under-represented groups (e.g. disabled workers, those from minority-ethnic and socio-economically disadvantaged backgrounds) and freelancers; extending reporting to other measures of job quality beyond representation and pay (considering formal recruitment, access to training, progression or prompt payment, for example); and, crucially, requiring employers to publish action plans, including explicit targets and measures to address disparities and advance good practice.

## Recommendation 1



Preserve and strengthen the legislative platform of protections and rights for Creative workers – including those relating to employment, IP and corporate reporting of disparities in representation and pay.

## Building awareness and understanding of rights

Once legislative measures are in place, it is vital that steps are taken to ensure employers and individuals understand their responsibilities and rights. Yet, as noted above, there is evidence that levels of awareness, both with regards to employment rights and IP rights, can be very low.

“We need to ensure that visual artists understand their rights, have access to knowledge and are included in the protections around income and work.”



DACS, the Design & Artist Copyright Society submission to the Call for Evidence


UK Government has invested in a range of pan-economy tools and resources to assist different types of workers in determining their employment status, rights and protections, as well as a suite of Employment Status Manuals for a range of Creative Occupations. This is clearly important to get right because whether someone is defined as an employee, worker or as self-employed<sup>72</sup> affects their tax contributions and in turn their rights and protections, with employees having the broadest contributions and in turn rights. Yet, submissions to the Review suggest that Creative workers can find such resources difficult to navigate and, the technical language used, inaccessible<sup>73</sup>. Further,

past research suggests that the margin of error of the HMRC Check Employment Status Tool is significant and opportunities to challenge, such as through the courts, can be costly<sup>74</sup>. Taken together, this suggests there is an opportunity to continue to provide feedback to improve how the system for classifying employment status is working for the Creative Industries and for DCMS to work with HMRC to enhance the sectoral customisation of these resources so that individuals are not unfairly treated.

There is also scope to extend the range of industry-specific guidance and information available, including sector-specific 'easy to read' guidance customised to and promoted by the Creative Industries. Whilst some resources already exist such as the Creative and Cultural Skills Working with the Self Employed Guide, there is a benefit in unifying, extending and enhancing industry-owned resources available, potentially through a single online hub or 'one stop shop' for information and advice. This could include expanding the case examples to better capture more casual and atypical employment relationships in the Creative sector and extending bespoke training activities and materials, podcasts and events to build understanding through shared learning. The Creative Industries Council is well placed to review the resources provided by the different industry intermediaries and partners it works with and to consider the mechanisms to enhance the use of such resources.

The DCMS should work with the CIC and wider industry partners and stakeholders to also consider the merit of dedicated communication and promotion activities for the Creative sector, so that rights and responsibilities are clearly understood by individuals and employers. Whilst awareness campaigns have been run or are planned in different nations, there is value in targeted campaigns and promotion activities in specific sectors such as the Creative Industries, and their sub-sectors. Campaigns could involve a range of industry partners acting as key distribution channels and brokers, so messages are heard – an approach endorsed by the Director of Labour Market Enforcement who has proposed national forums in sectors to encourage widespread promotion and engagement across sector communities.

There is also the potential to draw learnings from the work of the Intellectual Property Office, which has deployed an array of activities to build awareness of IP rights, amongst workers, businesses and educators (see Box 2). These activities sit alongside resources offered by a range of partner organisations. Given past research suggesting Creative workers do not fully understand how to protect their IP; concerns raised in the Call for Evidence that contractual terms can be stacked in favour of the commissioner/employer; and the ongoing challenge posed by technological advancement to Creator rights (discussed above), continued investment in these activities will be crucial.

"Understanding copyright, its value, and how to exploit and protect it,  is vital for everyone, particularly as we live increasingly in a digital world where the lines between creation and consumption are becoming ever more blurred. The Government must commit to spreading knowledge and understanding of copyright. The National Curriculum should, at all Key Stages and in both the English and citizenship modules, instil in pupils an understanding of the artistic and commercial value of their own and others' intellectual property rights."

Creators' Rights Alliance submission to the Call for Evidence



## Box 2. Case study – Building awareness of Intellectual Property rights, Intellectual Property Office



The IPO has developed a range of initiatives to raise awareness of Intellectual Property (IP) and IP Rights. These are centred around guidance, training tools and resources for businesses, business advisors, students and lecturers. The aim of these initiatives is to build understanding of how IP works and what the IP rights are, how to identify, manage and use IP, and what can be protected through patents, copyright, trade marks and designs. [www.ipo.gov.uk/ip-support](http://www.ipo.gov.uk/ip-support).

To support teachers and educators, the IPO has created an IP Education Framework that sets out the IP knowledge needed across education levels. The IPO have developed a suite of resources at all levels of education from primary to HE, including in Arts and Design, to support the teaching of the Framework

At university level, the IPO has developed the [IP Tutor](#) online learning tool to provide basic information about IP rights, and [IP Tutor Plus](#) resources designed to support teachers and lecturers to deliver their own IP training.

The IPO has also created a range of resources for businesses and business advisors to help them understand how to consider IP within business planning. These include digital tools such as IP Equip – a free online introduction to IP – and IP Healthcheck – a free online diagnostic tool. For business advisors and businesses who are interested in further developing their IP knowledge the IPO provides a programme of webinars and an IP Masterclass training course.

The IPO also supports the [British Library's national network of Business and IP Centres \(BIPCs\)](#), which offer guidance and practical assistance on IP and IP rights and online and in-person events in an increasing number of libraries across the UK. In addition, the IPO have invested in a network of regional advisors, working with local partners to integrate IP into new and existing business support programmes. Source: [IPO Education Framework](#); [IPO online tools](#)

### Recommendation 2



**Build awareness of rights and responsibilities, customising mainstream resources and advancing targeted and tailored guidance and awareness campaigns for Creative businesses and workers.**

## Tackling non-compliance and strengthening enforcement

In addition to ensuring the basic platform of legal rights and protections are in place, there is a need to promote compliance and enhance enforcement, to ensure that legal obligations are upheld and unlawful and/or exploitative practices can be challenged. With the Creative Industries in mind, this relates both to employment rights and IP rights.

In the context of employment rights, and given the fact that the proposed Single Labour Market Enforcement Agency has yet to be implemented<sup>75</sup>, it will be important for DCMS and wider industry stakeholders to work closely with the Director of Labour Market Enforcement to tackle non-compliance. This might include expanding existing schemes, such as the [BEIS/HMRC naming and shaming scheme](#). Whilst this currently publicly names businesses that have breached National Minimum Wage rules across the UK, it could be extended potentially to focus more widely on unlawful practices that have posed a persistent challenge for the sector, such as unpaid internships<sup>76</sup>.

The Review has found considerable support for complementing economy-wide enforcement activities with industry-led measures to promote accountability and strengthen enforcement.

This could draw lessons from other sectors, international examples (such as the new Centre for Arts and Entertainment Workplaces being established under Creative Australia) and build on steps being taken to establish industry-driven mechanisms for raising standards as seen with the Creative Industries Independent Standards Authority (CIISA). The CIISA will initially operate in Film, Television and Theatre (see Box 3). Proposals are presently in consultation with the Creative sector and being led by Creative UK and the charity, Time's Up UK. These are currently exploring the means to eradicate unacceptable behaviour, discrimination and harassment and incentivise the adoption of good employment practice. However, in time the focus of the CIISA could extend to advancing practices and raising employment standards more widely. There is scope to use this as a pilot initiative, potentially broadening industry coverage in future to other parts of the Creative sector.

### Box 3. Case study – Creative Industries Independent Standards Authority



The Creative Industries Independent Standards Authority (CIISA) is a new organisation that aims to strengthen industry-led enforcement and the self-regulation of compliance against industry-owned codes of practice, particularly relating to bullying and harassment.

Developed by Time's Up UK working in partnership with industry, it is the intention that the CIISA will have greater powers to undertake mediation of complaints on behalf of companies and individuals, safeguarding complainants, and to conduct confidential investigations into allegations of breaches in codes and guidelines. Stronger enforcement is likely to be complemented with professional advice and a focus on good

employment practice that supports safe, respectful, and dignified working conditions in the sector. The intention is that largely through industry funds (such as a levy) the CIISA will be able to secure significant capability and independence, drawing lessons from other sectors such as the Independent Press Standards Organisation (operating within the publishing, news media and magazine industries).

CIISA is currently in the early stages of development with detailed consultation with the Creative Industries throughout spring and summer 2023, with a view to launch early in 2024.

Source: SOLT, project documentation and consultation

Finally, DCMS should continue to engage in cross-Whitehall forums on IP enforcement and work closely with the Intellectual Property Office in tracking copyright infringement and ensuring demonstrable interventions and sanctions for unauthorised reproduction or wider infringement of Creator rights.

### Recommendation 3



Promote compliance and strengthen enforcement of legal rights and protections, working closely with pan economy enforcement agencies – such as the Director of Labour Market Enforcement and Intellectual Property Office – and piloting Industry-led solutions.

## Enhancing the safety net for Creative workers

Shifts towards modern ways of working raise concerns about the adequacy of the current safety net and spectrum of support, particularly in parts of the economy – like the Creative Industries – where atypical, project-based work and fluctuating employment and income is more prevalent.

Recent developments have called into question the balance between contributions and entitlements of workers with different employment statuses. The Taylor Review, for example, called for dedicated sickness insurance and incentives to train and save for retirement for the self-employed, funded by raising contributions in line with employees<sup>77</sup>. As set out above, Covid-19 highlighted the lack of protections and welfare provisions available to the self-employed during times of financial hardship, with UK Government committing to assess and address inequity in contributions and access to state support and benefits<sup>78</sup>. There are ongoing concerns that those with fluctuating incomes or that experience interrupted periods of work are disadvantaged, both in terms of the threshold at which they are expected to look for or be available for work and in the use of the Minimum Income Floor in calculating Universal Credit payments<sup>79</sup>. This was reported to frequently result in greater financial hardship for Creative freelancers and was said to also disproportionately and unfairly hinder individuals' ability to build and retain their businesses, especially when they were new, as the system is designed more for employees.

"Benefits should be structured to incentivise innovators, not penalise them, if they voluntarily leave employment to launch a self-employed career... This could be achieved inter alia by ensuring that benefits' officers or tax officials are aware of creators' working practices ... averaging incomes over two years, so creators are paid benefits in lean periods and do not become ineligible for benefits on receiving an intermittent or one-off payment such as an advance or royalty cheque. On this basis, government should review the eligibility for universal credit to support authors and offer financial security between contracts. Similarly, the three month period for restricting the search to one's specific field of work should also be reinstated, and any benefit should also be calculated without reference to the minimum income floor which does not represent the true earnings of authors."



Society of Authors submission to the Call for Evidence

All of these findings point to a need to comprehensively review the adequacy and accessibility of social protections for Creative freelancers, including reviewing statutory entitlements of self-employed workers and the eligibility requirements, rules and thresholds for accessing and determining the scale of support. Given the UK Government's stated intention to examine the issue, this is clearly a vital matter that DCMS working with the CIC will need to keep under close review.

Another key area of concern raised through the Review relates to the extent to which individuals lose out on benefits if they move between employment and self-employment, or between different employers – something exacerbated by the extent of project-based/contract work within the Creative sector. Access to Work is one such example. Various problems were cited such as: individuals only being able to apply to the scheme once in work; an overly complex and onerous application process ; a long processing time to access funding and make workplace adjustments; and the fact that disabled talent is repeatedly required to disclose their adjustment needs to each employer whenever they change jobs and that this can act as a key deterrent. In response, seven UK broadcasters have recently collaborated to develop Access and Inclusion Passports which could also have relevance in other parts of the Creative Industries (see Box 4).



## Box 4. Case study – Access and Inclusion Passports

Seven UK broadcasters (Channel 4, ITV, BBC, STV, UKTV, S4C and Paramount UK) have recently collaborated to develop 'Access and Inclusion Passports' which enable workers to easily share information about their disability and any particular requirements and workplace adjustments with their team leader, helping to facilitate confidential

conversations. Crucially, the Passports are transferable across Broadcasters, meaning that Creative workers do not have to repeatedly re-explain their requirements when moving roles, departments or employers.

Source: [variety.com/2022/tv/news/uk-broadcasters-access-inclusion-passport-1235199809/](https://variety.com/2022/tv/news/uk-broadcasters-access-inclusion-passport-1235199809/)

More widely, there is a need for DCMS to work with industry stakeholders to pilot schemes that enhance the portability of benefits, so that entitlements are not lost when Creative freelancers change jobs or employment status. These trials could also draw lessons from other countries, where (for example): entitlements are tied to individuals rather than jobs; digital systems improve access to or the administration of benefits; and multi-employer welfare arrangements enhance the portability of benefits and provide targeted welfare support for communities of workers in those sectors.<sup>80</sup>

Past research has also challenged the adequacy of employment support services for the self-employed (generally) and Creative freelancers specifically<sup>81</sup>. This is particularly the case since the New Enterprise Allowance<sup>82</sup> ceased in 2021. While the Department for Work and Pensions (DWP) has introduced specialist Job Centre Plus (JCP) work coaches for the self-employed, these have been found to lack detailed understanding of the distinct features of the Creative Industries<sup>83</sup>. DCMS should work closely with DWP to extend training and guidance for JCP Work Coaches (such as that offered by Creative and Cultural Skills) and to support wider calls for specialist mentors to have had direct experience in claimants' area of work<sup>84</sup>. The importance of mentors being sector experts has been emphasised by the evaluation of the Creative Scale-Up programme<sup>85</sup> and insights can also be drawn internationally, where significant advantages have been realised from close pairing between the background of the caseworker and the individual (as in Sweden and Switzerland); and where expert business consultants provide tailored support (e.g., Denmark)<sup>86</sup>.

Finally, a number of submissions to the Review expressed interest in special, directed social protection schemes for Creative workers, noting that several countries have introduced such schemes. While global policy debates give much attention to Universal Basic Income (UBI) schemes, no country has (yet) put in a place such a scheme as a sustainable and integrated part of their social support system<sup>87</sup>, with schemes such as Ireland's Basic Income for the Arts (BIA) scheme a targeted measure to mitigate the impact of the pandemic<sup>88</sup>. As yet, pilots have to be fully evaluated and the Review finds insufficient evidence on how best to balance trade-offs in affordability, adequacy of benefits, access, risk-sharing and equity.

The debate remains live and we recommend that UK Government assess the feasibility of varying options for special, directed social protection schemes for Creative workers that face insecurity. This should consider unconditional public transfer schemes alongside wider support such as: soft loans offered at below market rates; and more flexible financial products (e.g. pensions as seen in the Netherlands) and mandatory or voluntary insurance schemes covering income protection, health, pensions and long-term care (e.g. in Germany and Finland) – some of these offer benefits particularly as they are co-funded, matching workers' social security contributions with funding from employers and the state (e.g. in France)<sup>89</sup>. Again this is an issue that DCMS and the CIC will need to give close attention to as the future programme of UK Government evolves.

## Recommendation 4



Undertake a comprehensive review of the adequacy of social protections for Creative freelancers, including examining inequity in the balance of statutory contributions and entitlements; eligibility requirements, rules and thresholds for state support; industry-led pilots and longer-term reforms needed to modernise the welfare system; and assessing the feasibility of special, directed social protections for Creative workers.

## Priority 1 summary: Policy recommendations for strengthening the baseline platform of protection and support for Creative workers

### Recommendation 1 ★

Preserve and strengthen the legislative platform of protections and rights for Creative workers – including those relating to employment, IP and corporate reporting of disparities in representation and pay.

#### Key activities

- Preserve the current floor of employment rights that are at risk post-Brexit.
- Progress commitments to strengthen rights as set out in the UK Government Good Work Plan.
- Review the adequacy and future-readiness of the legal framework to safeguard Creators rights, drawing lessons from the Review of the Economics of Music Streaming.
- Extend corporate reporting requirements to other under-represented groups and measures of job quality; and make it mandatory to publish targets and action plans for tackling disparities.

### Recommendation 2 ★

Build awareness of rights and responsibilities, customising mainstream resources and advancing targeted and tailored guidance and awareness campaigns for Creative businesses and workers.

#### Key activities

- Enhance the relevance and effectiveness of pan-economy resources for defining employment status and understanding rights to the needs of the Creative sector.
- Extend and unify industry-specific resources, including expanding case studies, developing an online hub for resources, and providing bespoke training and events.
- Advance targeted awareness-raising campaigns and promotional activities, working with and through key industry partners in each UK nation.
- Continue to invest in activities to build awareness of IP rights, working in close partnership with the IPO.

### Recommendation 3 ★

Promote compliance and strengthen enforcement of employment and IP rights and protections, working closely with pan-economy enforcement agencies and piloting Industry-led solutions.

#### Key activities

- Work closely with the Director of Labour Market Enforcement, BEIS and HMRC to expand enforcement activities, targeting persistent concerns for the Creative sector.
- Complement economy-wide enforcement activities with industry-led measures, considering scope to expand coverage of the Creative Industries Independent Standards Authority currently being piloted in Film, Television and Theatre.
- Engage in cross-Whitehall forums on IP enforcement and work closely with the IPO in tracking copyright infringement and ensuring demonstrable interventions for unauthorised reproduction or wider infringement of Creator rights.

### Recommendation 4 ★

Review the adequacy of social protections for Creative freelancers, exploring the need for modernisation, customisation and 'special' schemes.

#### Key activities

- Comprehensively review the adequacy and access to social protections for Creative freelancers.
- Advance pilots that enhance the portability of benefits, building on Access and Inclusion Passports being piloted in parts of the sector.
- Extend training and guidance for JCP Work Coaches and ensure specialist mentors have industry knowledge and experience.
- Assess the feasibility of advancing special, directed social protection schemes for Creative workers, including unconditional public transfer schemes; soft loans; flexible financial products; and insurance schemes.

## Priority 2: Drive improvements in management and workplace practices in the Creative Industries

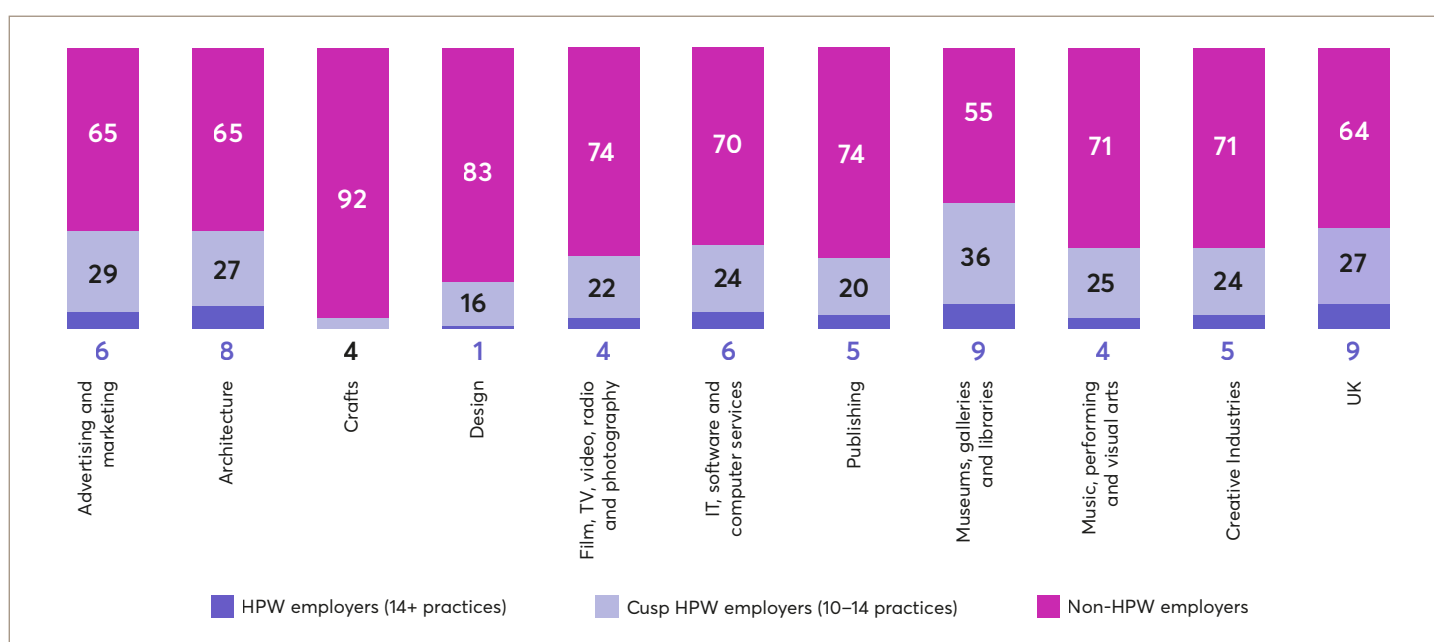
### Why is this a priority?

While ensuring a strong baseline platform of rights and support is a vital foundational concern, Good Work extends beyond statutory minimums. Standardised UK-wide legislative measures and policies cannot mandate best practice amongst employers. Many of the areas for improvement identified in Section 3 – from fair pay, terms and conditions to work intensity, working conditions, and disparities in access and progression of diverse talent – are rooted in the structure, practices, informality and culture that dominates work in the Creative sector<sup>90</sup>.

Improving working conditions and advancing people-centred management practices that support better jobs is therefore a key concern for the Creative Industries. Not only do these enable workers to use their skills and thrive at work but also, in turn, provide a means to deliver productivity and performance dividends for firms<sup>91</sup>.

While there is no 'one size fits all' approach to management, international evidence highlights the importance of employers taking up a blend of High Performance Workplace Practices (HPWPs) to drive better business performance through people<sup>92</sup>. These practices span leadership style, people management, employment relations, work organisation and organisational development<sup>93</sup>. Evidence from the UK Employer Skills Survey suggests that fewer businesses in the Creative Industries adopt such practices, with just 5% of employers in the Creative Industries deploying 14 or more HPWPs and 24% utilising 10-14 such practices, compared to 9% and 27% (respectively) of employers across all industries. All Creative subsectors except for Museums, galleries and libraries fall short of the whole economy average, with management practices particularly weak in Craft; Design; Screen and Publishing.

Figure 4.2. High Performance Working in the Creative Industries (% employers), 2017

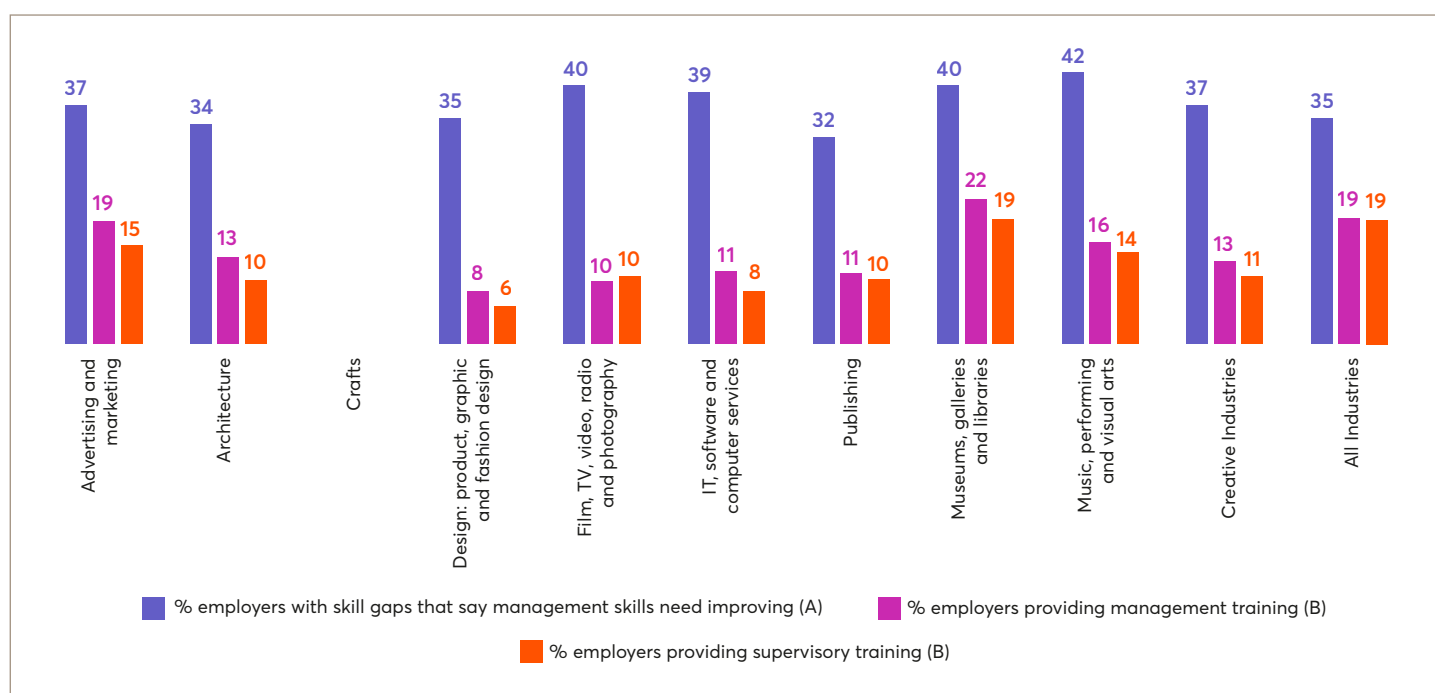


Source: Employer Skills Survey, 2017

The structural features of the Creative Industries – dominated by micro businesses – will undoubtedly play a role. SMEs typically display weaker management practices<sup>94</sup> and past research has highlighted how Creative businesses can lack a specialist HR function. Furthermore, a range of evidence also raises questions about the capacity of managers in the Creative sector to drive improvements within their organisations<sup>95</sup>.

Indeed, data from the Employer Skills Survey suggests that Creative employers that report skill deficiencies amongst their workforce are more likely to point to a need to improve management skills. Yet Creative employers are significantly less likely than other employers to provide management or supervisory training for their employees (Figure 4.3).

**Figure 4.3. Management deficiencies and development in the Creative Industries (% employers), 2019**



Source: Employer Skills Survey 2019.

Notes:

A: Soft/people skills that need improving in occupations with skills gaps that were followed up (prompted) = 'Managing or motivating other staff' (Base = Employers with skills gaps).

B: Types of training funded or arranged for employees (prompted) = 'Management training' 'Supervisory training' [Base = all establishments].

This is backed more widely by research conducted in different Creative sub-sectors<sup>96</sup>. Further, several submissions to the Call for Evidence also raise concern that Creative businesses lack the leadership and management capability needed to: confidently and effectively run their organisation; respond to ongoing technological advances, changing production methods and commercial models; and build more supportive and inclusive work environments needed to attract and retain diverse talent. Often this 'management deficit' was attributed to: the predominance of the micro-sized firms; pressures on funding and financing; Creative businesses being led by technical experts, who are promoted with limited access to training and development; and deep rooted customs and practices relating to the individualism and the informality that characterises work in parts of the industry.



"The rush to diversity isn't being professionalised enough – agencies think they can just parachute different people into the same structures and don't realise they have to change first... Efforts around wellbeing and diversity are talked about more than they're actioned. And when they're actioned that action is often not thought through sufficiently."



Commercial Break submission to the Call for Evidence

Whatever the cause, the case for improving management capability and workplace practices in the Creative Industries is clear. We present a range of recommendations supported by the research for how this can be achieved.

## Policy recommendations

### Advance industry-led employment standards

An important first step in driving improvements in job quality will be to build a consensus about what 'Good' Work looks like from a Creative Industries perspective within the UK economy and to make an explicit strategic commitment to delivering this outcome. Once agreed, this then provides the basis to establish a set of employment standards that the industry can work to, to improve job quality across the Creative sector. Potentially, this could be led by the CIC and equivalent industry leadership groups in each UK nation, working with wider sector bodies, social partners, employers, and workers from the sector but with clear reference points to the different national Governments.

There are a range of recognised economy-wide standards that address aspects of Good Work already, including [Investors In People](#), [Living Wage](#) and [Living Hours](#) accreditation schemes. Each UK nation has taken steps to define Good Work. This is seen with the [Fair Work Framework](#) in Scotland, [Healthy Working Wales](#) standard, and the promise of a Better Jobs Pledge featuring in Northern Ireland's new Skills Strategy<sup>97</sup>. In addition, there are also place-based standards in cities and regions such as the [Mayor's Good Work Standard](#) in London, the Greater Manchester [Good Employment Charter](#) and the Liverpool City Region [Fair Employment Charter](#).

Over the past decade or so, there has also been a proliferation of sector-specific charters, standards and frameworks that seek to tackle some of the most pressing people and workforce issues and foster a better and fairer working environment in the Creative Industries. These standards sit alongside the collective agreements between trade unions and workers, and trade bodies and employers, which set minimum terms and conditions and going pay rates for different jobs and grades in parts of the Creative sector<sup>98</sup>.

Some industry standards seek to advance job quality generally, but many focus on specific dimensions of Good Work or pressing concerns in the Creative Industries. Examples include: eradicating discrimination, bullying and harassment (e.g. the [BFI Bullying and Harassment principles](#) and [Directors UK Bullying and Harassment Campaign](#)); encouraging more inclusive practices and enhancing access, retention and progression of diverse talent (see, for example, [Ukie's Raise the Game](#) and the [CIC Diversity Charter](#)); promoting healthy work environments (e.g., the [Film and TV Charity Toolkit for Mentally Healthy Productions](#)); and protecting Creators' IP Rights (e.g. the [Creators' Rights Alliance Fair Terms for Creators and Pay the Creator](#) campaign). Others concern improving working conditions for particular businesses or workers, such as the [Coalition for Change Freelance Charter](#) or the [NUJ Freelance Charter](#). This encourages good employment practices when working with Creative freelancers (Box 5 overleaf).



## Box 5. Case study – Coalition for Change Freelance Charter

The Charter was formed out of a recognition that the Creative Industries works, at its best, innovating and supplying creative content and ideas, when the creative community of employers, unions and creative practitioners and professionals work together. As such, there was a shared commitment to ensure decent working conditions and to advocate a culture that promotes respect, professionalism, and investment in people. At the heart of this ambition was a joint aspiration to put people first, celebrate differences, with a particular focus on bettering support freelancers to enable the sector to not only survive in future but to grow.

The Charter seeks to improve working conditions in five areas across the industry. While not legally binding, the Charter works on the principle of

collective responsibility and addresses practices around: recruitment and development; workplace culture including race and diversity, bullying and harassment, mental health and wellbeing, commissioning conduct, working hours, and training. The Charter is listed as a 'living document'. As such, the Coalition for Change members are committing to day-to-day policing, annual reviews and regular feedback to assess impact on a pan-industry basis. Evaluation information is expected to include an annual independently run freelancer survey. Companies and industry bodies are encouraged to sign up to the Charter and be issued with a kite-mark logo.

Source: elaborated from Coalition for Change website

There is scope to consider how national Good Work standards could be adapted to address job quality issues specifically in the Creative Industries. In the Devolved Nations, this sectoral customisation would deliver commitments made to progress the Fair Work agenda and emulate work undertaken or underway in other parts of the economy, such as Construction, Hospitality or Care<sup>99</sup>. In such circumstances dedicated steps could be taken through a newly established forum for the Creative Industries. Such an approach is also being piloted by Creative UK and the Mayor of London, who are developing a Charter for Creative Freelancers as part of the Creative Freelancers: Shaping London's Recovery programme.

In England, there is a need for DCMS and the CIC to work with wider industry stakeholders, Creative businesses and representatives of Creative workers, to review how existing industry standards can better work together and provide a basis on which to establish a recognised Good Work Standard for the Creative sector. This could agree a core set of 'operating principles' to govern job quality across the Creative Industries, but with customisable and stackable components or features alongside the core. Taken together this would allow stakeholders in different Creative sub-sectors to maximise value and relevance of the Standard to their distinct context.

## Recommendation 5



Government, industry stakeholders, social partners, employers and workers should co-design Good/Fair Work Standards for the Creative Industries, expanding and aligning existing sector-specific standards and customising national and place-based standards to reflect the distinct job quality issues in Creative sub-sectors in varying locations.

## Strengthening incentives for business

Having established agreed employment standards, there is a need to strengthen incentives for Creative businesses to act and deliver these standards within their own organisations. The Review has found considerable support for intensifying both 'pull' and 'push' factors as a means for catalysing employer leadership of the Good Work agenda, and inspiring action. This then also provides room for different factors to assume different importance in different Creative sub-sectors as there will not be one, single universalistic solution for all workplaces.

Agreed employment standards provide a basis for employer accreditation and kite-marking. This approach is widely used by many of the economy-wide employment standards noted previously (e.g. Living Wage Employers, IIP Employers etc) and national and regional standards in Scotland, London, Liverpool and Manchester. It is also an approach that has some potential in Northern Ireland and Wales with the proposed Business Job Pledge and Welsh Fair Work Standard. An overriding benefit of such approaches is that employers are supported to make management improvements in becoming accredited and often report a range of benefits as a result in terms of attracting talent, promoting staff retention, and enhancing employee engagement. These existing tools thus provide important foundations for each nation to progress more customised approaches for Creative businesses to deploy.

However, the accreditation journey can be time-consuming and costly and hence, as with the employment standard itself, co-design with employers (particularly SMEs) will be vital to ensure engagement and take up. This provides a basis to work through implementation challenges and to maximise relevance and impact in a Creative industries context nationally.

Many existing standards are 'tiered' to support employers of all sizes to engage with standards as part of a journey and encourage their ongoing participation – for example, progressing through: Standard, Silver, Gold and Platinum award levels (in the case of IIP); Supporters, Members and Advocates (in the case of the Greater Manchester Good Employment Charter); and Foundation, Achievement and Excellence (London Good Work Standards – see Box 6). As more bespoke accreditation and kite-marking approaches are considered for the Creative Industries, there is also room for possible co-ordination and alignment between standards so that employers can be recognised for existing achievements and without having to replicate activities already completed.

## Box 6. Case study – Mayor's Good work Standard Accreditation Scheme – Greater London Authority



The Mayor's Good Work Standard brings together best employment practice to help employers improve how their businesses operate. The initiative has been developed in partnership with CIPD and through wider stakeholder engagement including London's employers, professional bodies and experts. The Good Work Standard is an accreditation scheme which sets the benchmark the Mayor wants every London employer to work towards and achieve. It is for employers of all sizes across public, private and voluntary sectors but has a particular focus on businesses with more than 10 employees.

The Standard works as a self-assessment tool organised into four key areas, known as pillars, that are important to enhancing the performance of any organisation. Employers will need to complete and demonstrate a number of requirements across these levels in order to achieve the Good Work Standard. Progress through the Standard takes place as part of a journey. The first part is a Foundation level which requires employers to adhere to the basics of employment practice and core legal requirements. Once employers have completed this Foundation Stage, they are invited to register for and work on the Good Work Standard. The Standard's accreditation is awarded to employers who can demonstrate that they have implemented a sufficient range of requirements and are meeting specified criteria to

reach the benchmark. This operates at two levels: Achievement – the standard for good employment practice; and Excellence – for employers that demonstrate how they embed excellent practices into their organisation.

In a context where it is recognised that there are a number of competing business standards and charters, the GLA is working with other workplace accreditation providers to align processes. For instance, employers can use existing accreditation evidence from wider schemes to demonstrate how they meet the benchmark criteria for the London Standard. This is illustrated with reference to the London Living Wage, which gives employers a 'head start' in achieving the Good Work Standard, and vice-versa.

Over 100 employers have now been accredited by the Mayor's Good Work Standard, meaning over 235,000 Londoners now work for an accredited employer. 31 new employers have become Living Wage Employers through the Good Work Standard. This covers a wide range of sectors including retail, construction, transport, local government, design, media, charities, law, finance, football and social care.

Source: elaborated from the GLA's website

Such an approach would also be important in managing both the heterogeneity of the Creative Industries and dominance of micro-sized enterprises. It would also provide a basis to better acknowledge and celebrate Creative businesses that demonstrate best practice in delivering good employment standards through industry awards and provide more specialist and tailored creative support through Creative Champions and Advisers. This is already seen in existing schemes nationally, in a variety of other industries, and in cities and regions where a network of employer advocates act to inspire and support other businesses on their journey<sup>100</sup>. For instance, the Greater Manchester Combined Authority encourages accredited members to act as Good Employment Champions and Advocates, to support wider promotional and employer engagement activities. One nation may like to lead on piloting a customised tool for the sector, that is capable of wider testing and application with national and sub-sectoral variations.

### Recommendation 6



Develop a tiered accreditation programme, kite-marking and awards for Creative employers that achieve Good/Fair Work Standards (see Recommendation 5) and establish national networks of employer advocates to champion Good/Fair Work across the Creative sector in each UK nation.

## Incentives for employers to promote quality work

Many of those consulted through the Good Work Review highlighted the potential to strengthen incentives for employers to adopt good employment practices by applying conditionality to public sector grants, industry funding and commissioning. This is largely achieved by using funding criteria to set clear goals and expectations around social agendas, such as dimensions of job quality, and allocating funding to shape choices and behaviours amongst suppliers and delivery organisations. Receipt of funding is then made conditional on that criteria being met through explicit contractual outcomes.

This is an approach that has already been deployed in relation to advancing Fair work and better jobs by the Devolved Governments, in Wales through the Economic Contract and in Scotland through Fair Work First principles (see Boxes 7 and 8). Good Work Charters and Standards developed in major city regions have also been embedded in public procurement, for example recipients of the Greater Manchester Combined Authority's investment funds are now required to become supporters of the Good Employment Charter.

### Box 7. Case study – Welsh Government's Economic Contract



In Wales, businesses seeking Welsh Government funding, under the Economic Contract, have needed to demonstrate commitment to 'four pillars of social justice' – that is growth potential; fair work; promotion of health, skills and learning in the workplace; and decarbonisation.

Following the Fair Work Commission there have been a pledge by Welsh Government to repurpose the criteria more closely to the principles of Fair Work.

Source: [businesswales.gov.wales/economic-contract](https://businesswales.gov.wales/economic-contract)

### Box 8. Case study – Scottish Government's Approach to Fair Work First in Procurement



Scottish Government has also been deploying its spending power to leverage employers' commitment to Fair Work across Scotland. This is achieved by applying Fair Work First criteria to the issuing of public grants, contracts and other funding being awarded by and across the public sector. Thus all policy, funding and procurement managers across the Scottish Government have been trained in and guided by the Fair Work Convention principles. This means asking employers to work to certain Fair Work criteria, when receiving public funding including:

- Appropriate channels for effective voice, such as trade union recognition;
- Investment in workforce development;
- Action to tackle the gender pay gap and create a more diverse and inclusive workplace;

- No inappropriate use of zero-hours contracts; and
- Payment of the real Living Wage.

The criteria were updated in 2019 to reflect emerging priorities for encouraging constructive partnerships between employers and workers, and addressing workplace equality.

Further, the Scottish Government and Scottish Green Party Parliamentary Group Bute House Agreement also includes a new requirement on organisations applying for public sector grants to deliver Fair Work by paying the real Living Wage and providing channels for staff to have a say in the workplace.

Source: Scottish Government (2021) Fair Work Action Plan: Annual Report. [www.gov.scot/news/grants-link-to-boost-fair-work/](https://www.gov.scot/news/grants-link-to-boost-fair-work/)

There are also examples of conditionality being deployed in parts of the Creative Industries. For example, the British Film Institute requires funding recipients to sign-up to anti-bullying, harassment and racism principles. It also expects all organisations in their supply-chain to adhere to a Code of Conduct, encompassing many dimensions of Good Work, from paying the Living Wage and limiting excess hours to requests for regular employment and the right to collective bargaining. Furthermore, Arts Council England have extended their funding process for their 2023-2026 Investment Plan, connecting their funding criteria to a series of Investment Principles linked to Good Work. FilmCymru Wales have also established diversity targets for their grants, outreach, training and events. We have seen further examples of such targets extended to commissioning in parts of the Creative sector, where, for example, the BBC requires production companies to commit to at least 20% of their production teams being comprised of under-represented groups.

More recently, there has been growing focus on major Creative events or Awards. For example, the BFI Diversity standards are now an eligibility requirement for major Film and TV awards such as BAFTA. Further, for the 2022 Commonwealth Games, trade unions and the Games Organising Committee signed a Memorandum of Understanding (MOU) to ensure that all artists and creative workers involved in the Games were fairly paid and that the Games were used to actively promote diversity in the sector.

There exists significant potential to extend this practice in the Creative sector, so that anyone in receipt of Government or industry funding or participating in major Creative events or Awards commits to enhancing job quality in the Creative Industries.

Where there exists national levers – such as the Economic Contract in Wales and Fair Work First principles in Scotland – the Devolved Governments should work to strengthen and nuance their implementation in the Creative sector, working with key industry partners.

DCMS and its Arm's Length Bodies, Northern Ireland Government and wider creative agencies and commissioners could also extend their practice, to encompass wider dimensions of job quality. This could work further towards embedding core principles of the proposed Good/Fair Work Standards for the Creative Industries (Recommendation 5) once developed and when wider resources and support is in place to enhance the capacity of Creative businesses to deliver improvements in workplace practices (discussed further below).

## Recommendation 7



Make it a requirement for all organisations in receipt of Government or Industry funding or participating in major Creative events or awards to sign-up to Good Work principles.

## Extending resources and support for management development

Advancing Good Work across the Creative sector will also depend on improving individual leadership and management capability within Creative businesses which in turn can drive better management and working practices. Crucially, this is not just about developing the skills of senior business leaders and owner managers, but all employees with management responsibility including junior team leaders and middle managers.

“Train those in management roles in positive hiring practices, the equality act, mediation, having difficult conversations and managing people. Often those in senior roles have achieved management status through craft excellence, and very few are trained in traditional/ formal people management and the statutory obligations of employers.”



Directors UK submission to the Call for Evidence

Businesses in the Creative Industries have relatively poor understanding of the meaning or commercial benefits of Good Work, or the management practices that would support such outcomes<sup>101</sup>. There is therefore considerable scope to extend and better promote information, advice and resources available to managers, as they seek to improve employment practices within their organisations. This includes resources developed by trade unions, sector bodies and Government, including the Devolved Governments. For example in Scotland, Scottish Enterprise, Scottish Government and the Fair Work Convention have developed the Fair Work Employer Support Tool to build understanding of the concept of Fair Work and support self-assessment amongst businesses, particularly targeting smaller firms that lack dedicated HR functions (Box 9).

### Box 9. Case study – Fair Work Employer Support Tool



The development of employer standards for job quality and Fair Work are illustrated in Scotland with a dedicated Fair Work Employer Support Tool developed with Scottish Enterprise to help employers deliver Fair Work.

The tool is targeted at small and medium-size businesses in the first instance, especially those companies who lack their own dedicated HR functions and people-centred and employment expertise. Its objective is to support employers to self-assess their

Fair Work approach as a basis to then identify areas where they need to make improvements to their working practices moving forward.

The Fair Work tool is being used alongside tools for employees, which supports employees to assess their experience of Fair Work. So, the employer tool complements the Fair Work Convention's Fair Work Employee Self-assessment Tool.

Source: [fairworktool.scot/](https://fairworktool.scot/)



There has also been interest in extending the management advice and guidance available to Creative businesses, especially to SMEs and delivered through business development services, and this offers potential for amplifying the scale and reach of interventions across the sector as a whole. Some practical evidence of this is already seen in England through the DCMS' Creative Scale Up Programme. In addition, there are a wider range of management improvement programmes developing abroad from which to learn. These are more broadly supporting Workplace Innovation and encouraging a regular cycle of adaptation and modernisation amongst businesses, not only in HR and the organisation of work but wider HPW management practices to support the creation of Good Work and performance improvements. As such, programmes are now evident in many countries including Belgium, France, Germany, The Netherlands, the Nordic countries, Singapore and South Korea<sup>102</sup>. Whilst some of these are independent, stand-alone programmes, others are integrated within wider business support services and business infrastructure. One such example which provides potential on which to draw is seen in Scotland.

Scottish Enterprise's solution has been to follow a path of integration, and as principles of Fair Work have become clearer in Scotland, business support services have been refreshed to ensure the principles are explicitly embedded in advice and guidance for businesses to reinforce positive commitments and action. There is strong international evidence on effective practice in engaging SMEs and several countries have moved towards multiple services ranging from: diagnostic and benchmarking tools; training and development programmes (including specialist mentoring, peer learning, coaching); project-based schemes, with very personalised one to one advice directed to the business; through to a range of consultancy services. Although the current Scottish scheme already draws on these features, it is sector neutral in its approach, which therefore raises the potential for piloting sector variants.

In England, DCMS' **Create Growth** business development programme with more than £18m of new funding to support the Creative sector (outside London) might also provide a future vehicle to test and trial broader management improvement programmes. This has the potential not only to offer insights within England but also elsewhere in the UK.

Alongside information, advice and resources, there is a need to strengthen support for businesses and extend the portfolio of management training and leadership programmes for the Creative Industries.

Each nation benefits from a well-developed suite of programmes serving the needs of managers across the economy<sup>103</sup> and Scottish Government has also recently taken steps to embed the principles of Fair Work within management training provided through Business Schools<sup>104</sup>. There is scope to build on wider developments, and sectoral leadership programmes such as CLORE and those offered by ScreenSkills, to strengthen the management training offer. This is necessary to ensure it encompasses: the principles of Good/Fair Work; practical steps for improving employment practices and building healthy, inclusive workplaces; and advice that is relevant and accessible to businesses (including SMEs) in the Creative Industries.

National Governments and industry bodies should also expand financial support for Creative businesses looking to improve management and workplace practices. There are a range of mechanisms already in place, and/or previously trialled, which could be scaled up, extended and given an Industry branding for priority sectors such as the Creative Industries. For example: the Scottish Government Workplace Equality Fund has provided £800,000 annually to incentivise managers to innovate in their management approach to overcome workforce inequalities; Scottish Enterprise has also provided access to a Workplace Innovation Fund (e.g. £133,000 in 2018/19) to enable businesses to support innovations in working practices; the GLA is encouraging innovation in training connected to Good Work in several priority sectors (including the Creative Industries) via a £32m Good Work for All Fund; and the ACE Transforming Leadership Programme has awarded £7m to 18 projects aiming to address evolving and specific leadership issues including diversity and the future of Good Work (see Box 10).



## Box 10. ACE Transforming Leadership programme

This leadership initiative was launched in 2019 by the Arts Council England (ACE), and is stated to be the largest investment in cultural leadership in a decade.

This fund aims to ensure arts and cultural leaders are skilled and from diverse backgrounds to support the continued growth and long-term sustainability of the sector. Funded by the National Lottery, Transforming Leadership was launched to address specific issues around diversity across leadership, opportunities for emerging and early career leaders and the development of executive skills at senior

levels. The leadership programmes supported will carefully consider the diversity of their participants with a number specifically addressing the under-representation of leaders from certain groups.

ACE have awarded around £7m to 18 projects that will deliver a range of leadership development opportunities for leaders from museums, libraries and arts organisations at all stages of their career – including freelancers.

Source: [Arts Council England](#)

Finally, there is growing evidence that bringing business communities with common interests (so called communities of practice) together to work around shared goals can prove effective in securing and sustaining improvements and driving innovation, especially through the workforce. This is particularly in light of high numbers of SMEs that often have more limited resources, capacity and capability to act alone. Business to business networking is increasingly seen as a vital means to share the costs and risks of addressing common problems at work and to support the conditions to share knowledge and insights about what works to secure performance improvements<sup>105</sup>. In the context of this Review, there is scope to nurture this peer-to-peer learning as Creative employers strive to enhance workplace practices.

In the UK, a Business to Business Learning Network has been established for those signing up to the Scottish Business Pledge to share learning and in Wales, the Welsh Government aims to support sector-specific improvements and peer to peer knowledge exchange and learning through dedicated Fair Work Wales Forums<sup>106</sup>. There is therefore scope to promote a Creative Industries focus to these activities, working with Creative Industry partners to support the development of peer-to-peer learning networks of Creative businesses in each nation. These Creative networks can then work together to customise improvements to their employment practices, resolve any management challenges and by so doing better promote wider workplace innovation and moves to advance Good Work.

## Recommendation 8



Extend and customise resources and services, management development opportunities and financial support for Creative businesses to enhance their capacity to drive improvements in workplace practices.

## Priority 2 summary: Policy recommendations for driving improvements in management and workplace practices in the Creative Industries

### Recommendation 5 ★

Co-design Good/Fair Work Standards for the Creative Industries, expanding and aligning existing sector-specific standards and customising national/place-based standards to reflect the distinct job quality issues in Creative sub-sectors.

#### Key activities

- Define 'Good/' 'Fair' Work in the Creative Industries context and make an explicit strategic commitment to delivering this outcome.
- Customise existing Fair Work standards in the Devolved Nations for the Creative Industries context.
- Review how existing industry standards can better work together and provide a basis to establish a Good Work Standard.
- Establish core 'operating principles' to govern job quality across the Creative Industries, with stackable components to enable sub-sectoral customisation.

### Recommendation 6 ★

Develop a tiered accreditation programme, kite-marking and awards for Creative employers that achieve Good/Fair Work Standards and establish national networks of employer advocates to champion Good/Fair Work.

#### Key activities

- Co-design a tiered accreditation programme and kite-marking for Creative employers working towards the Good or Fair Work standards.
- Launch industry awards to acknowledge Creative businesses that demonstrate best practice in delivering good employment standards.
- Establish a network of employer advocates who could inspire and support other Creative businesses on this journey.

### Recommendation 7 ★

Make it a requirement for all organisations in receipt of Government or Industry funding or participating in major Creative events or awards to sign-up to Good/Fair Work principles.

#### Key activities

- DCMS and its Arm's Length Bodies and wider creative agencies and commissioners to make funding conditional on the adoption of Good/Fair Work Principles/Standards.
- Extend the use of existing procurement levers (e.g., Economic Contract in Wales; Fair Work First principles in Scotland; place-based GW standards) in the Creative sector.
- Require those participating in major Creative events or Awards to commit to enhancing job quality in the Creative Industries.

### Recommendation 8 ★

Extend and customise resources and services, management development opportunities and financial support for Creative businesses to enhance their capacity to drive improvements in workplace practices.

#### Key activities

- Extend and better promote information, advice, resources and services available to managers, supporting the basis for ongoing workplace innovation and improvements.
- Strengthen the management training offer, ensuring it encompasses the principles of Good/ Fair Work.
- Expand financial support for Creative businesses looking to improve management and workplace practices.
- Support peer to peer learning networks of Creative businesses in each nation.

## Priority 3: Enhance professional development and progression in the Creative Industries

### Why is this a priority?

As modern economies increasingly adapt to long-term global megatrends such as globalisation, digitalisation, green transition and demographic change, as well as short-term shocks such as the pandemic, this stimulates concomitant developments in employment and skills requirements and places a growing focus on lifelong learning. Continuous professional development throughout people's lives is vital to ensure their skills remain relevant at work.

In a part of the economy which establishes competitive advantage based on talent and at the vanguard of technological advancement, investment in skills, supporting continual up and reskilling throughout people's careers is vital. Yet, as set out in Section 3, employer investment in skills and worker participation in education and training in the Creative Industries lags behind other sectors. Further, where it does take place, training in the Creative Industries is highly skewed towards on-the-job training, and job-specific skills. While Creative employers are more likely to provide training in new technology, they are less likely than all industries to provide any other type of training.

Ongoing skills shortages and skills gaps in the Creative Industries suggest that the supply of appropriately skilled workers coming through the skills system and active in the labour market is failing to keep pace or align with employer demand. The evidence suggests a range of underlying causes – linked to both the supply (skills provision) and demand side (take-up of training).

A range of submissions to the Call for Evidence suggested the de-prioritisation of Creative subjects in education curriculums (particularly in England) was greatly hampering the understanding of creative careers and undermining the future talent pipeline for the Creative Industries, calling for enhanced funding for creative arts education and an urgent reprioritisation of creative subjects in future<sup>107</sup>.

"Better recognition and support for creative education and training in the face of course closures and a significant decline in numbers taking Design & Technology exams at school. The latter is obscured by DfE stats which focus on the (slight) increases in Art & Design take up. Teacher training, CPD and money for equipment and maintenance are all reducing, together with perverse incentives arising from the Ebacc focus on English, Maths and Science. These are contributing to a decline in teaching the 3D skills essential to the future of the creative industries."

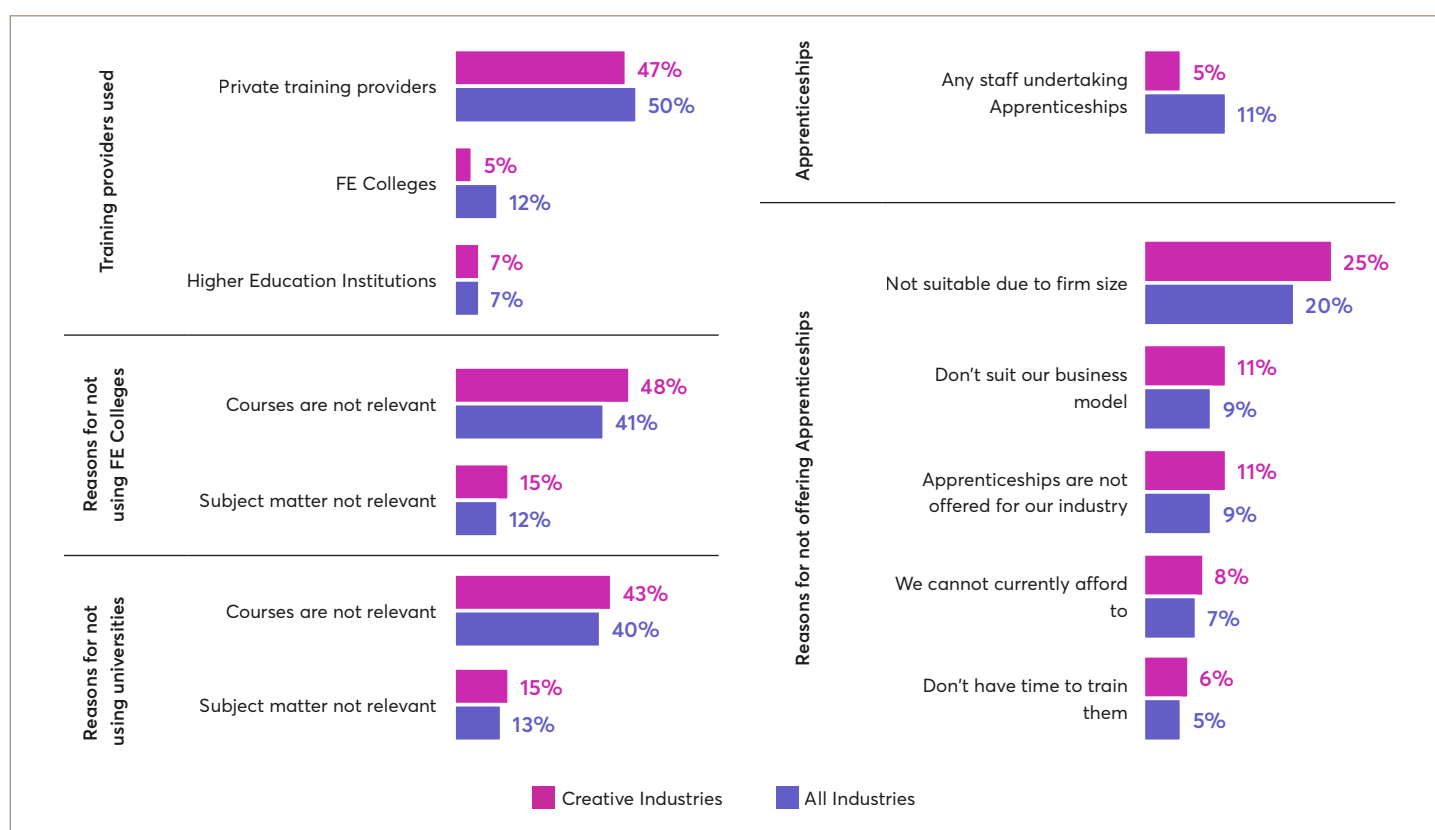


Crafts Council submission to the Call for Evidence

Further, despite the DfE's aim for employers to play a central role in developing skills fit for the future and strengthening career pathways, research suggests persistently low-levels of engagement amongst Creative employers. This is whether considering partnerships with schools, colleges or universities, enhancing the learning offer or widening work-based learning activities such as Apprenticeship places and/or providing work-placements<sup>108</sup>.

For instance, evidence from the UK Employer Perspectives Survey (see Figure 4.4 overleaf) finds that Creative employers are more likely to suggest that the course or the subject matter of learning options available at FE Colleges and Higher Education Institutions are not relevant to their needs. Further, a very small share of Creative employers report having any staff undertaking Apprenticeships citing that: Apprenticeships are not suitable given their firm size or business model; are not relevant to the Industry; or they lack the funds or time to support these learning options.

**Figure 4.4. Employer perspectives on the skills system, 2016**



Source: UK Employer Perspectives Survey 2016<sup>109</sup>

Whilst reforms in technical education in different parts of the UK are generally thought to have enhanced the broad relevance of work-based programmes such as Apprenticeships, especially by strengthening the organisation of training around a job<sup>110</sup>, further reforms are still underway as levels of take up still remain quite modest. This is particularly in comparison to traditional academic education pathways on to and through university, and provides an impetus to continue to stimulate quality and take up in key sectors. Indeed, the level of employers providing Apprenticeships has persisted at low levels<sup>111</sup>. Furthermore, a recent independent National Audit Office report assessing developments in the English system adds further support for ongoing enhancements stating that in the current climate it is unclear whether the conditions are in place to ensure the achievement of a truly connected, employer-led skills system<sup>112</sup>.

The findings from the Review point to a need to drive further reforms end to end in the skills system – including: strengthening and modernising the learning offer so that it better meets the dynamic and changing needs of the Creative Industries; enhancing incentives and support to drive employer ownership and investment in skills; and addressing the barriers Creative workers face in participating in learning and development and progressing at work.

## Policy recommendations

### Modernising the skills system

Evidence from the OECD<sup>113</sup> suggests that effective skills systems require a rigorous approach to anticipating how the skills needed by workers will evolve in the face of global megatrends and changes in the world of work. This Labour Market Information (LMI) can then: inform strategic skills priorities for the Creative industries; shape education and training provision to meet labour market needs; strengthen the case for skills investment; and direct businesses and workers towards learning opportunities that will best position them for future success.

UK Government (DCMS, the Department for Education (DfE) and its new Unit for Future Skills (UFS)), the Devolved Governments, national and sectoral skills agencies should work together to develop a common LMI framework for the Creative Industries to develop a 'shared understanding' of skills priorities for the Creative Industries across the UK. This would help support existing national partnerships such as through the National Occupational Standards Governance Group. This Framework could set out core LMI sources, indicators, sectoral definitions, the role of different partners in delivering this insight and strategies for dissemination. This would also promote greater consistency in 'bottom-up' and local/regional/sectoral skills assessments<sup>114</sup> aligned to the national assessments. These detailed assessments would provide additional specificity and granularity on the changing occupational and skill needs of different parts of the Creative Industries and enhance the Creative sector's collective ability to present a clear and compelling narrative on current shortages, future needs and investment priorities.

This then supports the basis for industry stakeholders in each UK nation to work with FE, HE and private providers to enhance the relevance and responsiveness of skills provision for the Creative sector. This could include co-designing content or making delivery options more flexible, and/or diverse, combining blended delivery methods with a broader range of modular and short-term learning options. It thus provides a basis to respond to the call for more agile training options from Creative businesses and workers.

Much work is already underway on which to build. For instance, Welsh Government is increasing funding for colleges to maintain the relevance of provision and modernise learning. As well as updating its Apprenticeship programme, it is also introducing Shared Apprenticeships to enable progression between different parts of the sector, responding to developments around skills fusion and Createch for instance. Northern Ireland is reviewing funds for FE and HE institutions to strengthen progression pathways and to meet increasing demands at levels 3-8. For example, it is trialling new courses such as the Advanced Technical Awards at level 3 to facilitate entry and 'middle level' technical pathways into priority sectors including in Creative areas. Specific funds are also strengthening engagement with businesses ([SkillUp](#)), enhancing responsiveness ([Skills focus](#)) and promoting innovation ([innovateUS](#)). In England, the DfE is diversifying and innovating in post-16 education through funds such as the National Skills Fund, Office For Students (OFS) Higher Education Short Course Challenge Fund, Strategic Development Fund and funds to trial the delivery of new technical courses between colleges and the Open University. Scottish Government is enhancing the responsiveness of learning through the [Flexible Workforce Development Fund](#) and [National Transition Training Fund](#).

A clear priority is for Industry stakeholders to continue to work with policy makers UK-wide to improve technical education and vocational pathways for the Creative Industries. There are a plethora of developments the sector can engage with [see Box 11].



## Box 11. In Focus – Strengthening technical education pathways in the UK nations

Government in each UK nation is working to strengthen technical education pathways, including by:

- extending funding for technical education in areas of growing demand and exploring ways to enhance access to all age groups;
- refreshing apprenticeship frameworks to maintain their relevance and to capture new emerging areas;
- strengthening technical education pathways e.g. T-Levels in England, Foundation Apprenticeships in Scotland, the vocational Traineeship programme at level 2 and the Advanced Technical Award at Level 3 in Northern Ireland and higher degree apprenticeships in Wales;
- offering additional flexibilities in the delivery model, such as the new Flexible Apprenticeships in England, being piloted in the Screen Industries;
- trialling new sector-focussed initiatives such as Skills Bootcamps in England – a 16 week programme to fast track individuals towards upskilling opportunities in high employment growth sectors;
- refreshing National Occupational Standards to ensure they capture workforce competencies in emerging/evolving skill areas in the devolved nations.

However, with steps to modernise the national skills systems being vulnerable to changes, in structures and funding as well as skills initiatives, not helped by a reliance on short term piloting and funds, there will be a need for industry stakeholders to work to preserve those skills activities best serving Creative Industry needs. It is vital, therefore, that DCMS, sector skills agencies and industry stakeholders in each UK nation continue to work closely with the Department for Education, Devolved Governments and national skills agencies (e.g. the Institute for Apprenticeships and Technical Education, Skills Development Scotland) to systematically and strategically examine how best to maximise the value of national funds and national initiatives for the Creative Industries over the long term.

### Recommendation 9



**Enhance the relevance and responsiveness of the skills system to the needs of the Creative Industries, by developing a common LMI Framework, modernising and future-proofing the learning offer and strengthening technical education pathways for the Creative sector.**



## Industry-led skills innovations

In addition to efforts to modernise the skills system, DCMS and DfE, the Devolved Governments, and national and sector skills agencies should extend options for flexible funding to support industry-led skills innovations in the Creative sector. This will prove vital to advance more agile, modular learning options better able to respond to changing skill needs in this dynamic part of the UK economy, and capable of more extensive and flexible delivery into different parts of the UK. Such innovations could include:

- Industry-facing networks of skills providers and sector-specific centres of excellence. There are lessons to draw internationally, where more technical and vocational skills systems have funded 'connected-networks' of industry-endorsed and responsive competence centres e.g. in Germany and Denmark<sup>115</sup>, which can systematically serve industry needs across the economy as a whole. In Scotland, there is the [Digital Academy](#) and in England, the nationally sponsored sector-focused [Institutes of Technology](#) and National Colleges. There is also scope to strengthen links with place-based skills networks, such as the [London Mayor's Academies Programme](#) which aims to serve the needs of priority sectors including the Creative Industries.
- Updating or shaping provision in emerging skills areas. Examples include the UKRI-funded [Emerging Skills Project](#) in advanced manufacturing, and the [Clwstwr](#) in Cardiff City Region, which bring together academia, industry and skills providers to update and enhance provision;
- Technology-enabled learning options, such as online courses, educational resources, blended learning and immersive learning. These have been particularly valuable where access to dedicated workplaces are limited. See for example a range of courses being run by the [construction sector](#) to support training such as in tunnelling. A number of TUC funded Union Learn Programmes for the Creative Industries (such as the Federation of Entertainment Unions courses) have also been made available through this approach to remote workers and freelancers – this is not least to preserve the ongoing use of course materials that can no longer be supported in England due to the closure of Union Learn.
- Skills credential schemes which design and break courses into discrete areas of learning, such as stackable micro credentials, as seen in the [Republic of Ireland](#);
- Sector driven and endorsed accreditation schemes, which validate and record learning as part of a recognised continuing professional development programme such as through TechSkills, Screenskills and NCTJ;
- Digital-badging, which authenticate and recognise skills attainment digitally, such as schemes being advanced by [TechSkills](#) (see Box 12).

## Box 12. Case study – TechSkills industry-certified digital badging scheme



TechSkills Tech Industry Gold is an industry-led accreditation scheme which provides independent industry validation of the quality and relevance of education and training to digital and tech careers. It also develops Tech Industry Gold credentials, designed to strengthen the talent pipeline by recognising the holistic blend of technical, business, project and professional skills needed for job readiness. It deploys a digital badging process where certified micro skills credentials are digitally authenticated through portable and verified records.

It is developing a Tech Industry Gold community where employers, learning providers and other experts actively support each other and share best practice, including the development of new programmes.

Tech Industry Gold Credentials enable individuals to easily articulate skills achieved against industry standards, and employers to easily map skills achieved to business requirements. Industry endorsed and verified records of learner skillsets are recognised and portable across employers, sectors and geographies. The credentials are issued through the Credly platform, which is one of the biggest open digital badge platforms. This has over 35 million credentials issued. Current users of the Tech Credentials include IBM, AWS, Oracle, Microsoft, Adobe, Pearson, CompTIA, Coursera, and a range of universities.

Source: techskills 2022

There is an opportunity to better leverage existing flexible, and experimental funding nationally and locally to more proactively drive such skills innovations in future. This would enable industry stakeholders to work more systematically with HE and FE providers to embed skills innovations into the wider system, as demonstrated by countries like Australia and New Zealand<sup>116</sup>. Current funds to test and trial new delivery options to date in the UK system have tended to be sporadic and unplanned, often responding to emerging urgent needs as they arise, which risks limiting their full impact over the long term. Examples include: in England the National Skills Fund and Flexi-Apprenticeship Funds; within the Devolved Governments funding, such as the Flexible Workforce Development Fund and National Transition Training Fund in Scotland. There is also room to combine public and private funding by formally recognising the value of industry-led skills providers and the role they can provide in the system, building on existing models such as the Next Gen Academy.

### Recommendation 10



DCMS and DfE and Devolved Government in each nation should better leverage existing funding to extend industry-led skills innovations for the Creative Industries, including industry-facing networks, sector-specific centres of excellence, digitally-enabled learning, stackable micro-credentials and digital badging.

## Scaling-up co-investment in skills

Alongside efforts to improve the relevance and responsiveness of education and training provision, much of which is publicly funded, there is a need to unlock broader funding mechanisms for skills co-investment, especially from industry players. Not only can this play a key role in ensuring adequate tailoring of provision to changing industry needs but it can also widen levels of commitment to training, upskilling and reskilling, which are currently extremely low, thus tackling any persistent market failures – such as fears of poaching, time, cost and financial constraints and co-ordination failures. This is a challenge in-common with the wider economy, which sees levels of employer investment in skills overall across the UK falling relative to other countries and UK employers investing only half the EU average per worker<sup>117</sup>. The Review identified a number of options that DCMS and the Devolved Governments, and national and sector skills agencies will wish to consider.

A key priority must continue to be enhancing the effectiveness of the Apprenticeship Levy<sup>118</sup>, further extending flexibility in the Levy model in order to better leverage its value for the Creative sector. Skills policy is a devolved matter and Apprenticeship policy operates differently in different parts of the UK. In England, despite changes in the functioning of the Levy with additional flexibilities granted<sup>119</sup> and new pilots being advanced in parts of the Creative sector (see Box 11 above), ongoing constraints to how Levy funds can be spent and challenges implementing the model in the Creative Industries continue to limit employer engagement and the ability of the sector to make use of its contributions<sup>120</sup>. As such unused funds are still at risk of being returned to HM Treasury.

For those businesses located in Wales, Scotland and Northern Ireland, Levy funds have been integrated into the Devolved Governments general funding settlement which has in practice meant Levy funds may not always be reserved for Apprenticeship training in their own nations. This of course also risks weakening the link between industry contributions and how employers can make use of the funds. Scottish Government have still worked to preserve funding links with employers, in order to promote employer engagement, by introducing an explicit employer facing fund in the form of the Flexible Workforce Development Fund for instance. This enables employers to work with education providers to co-create training to address skill gaps. Given these developments, a key future priority therefore still exists about how to better leverage the value of the Levy for the Creative sector especially beyond England. This might include allocating some funding more directly to priority sectors such as the Creative Industries.

In addition, there is a need to complement national funding measures aimed at employers with a range of wider industry-focussed financial levers to drive overall levels of co-investment in skills and thus boosting employer ownership of skills and training levels. This would build on existing funds like the Apprenticeship Levy in England Flexible Workforce Development Fund in Scotland; Skills for Growth and Skills Focus in Northern Ireland; and the new Creative Skills Fund in Wales. These wider collective financial measures have an established history, by pooling resources from communities of businesses to create a more significant funding pot, and thus enabling a shared investment in more customised training serving those communities<sup>121</sup>. This is particularly important in the context of a substantial freelance workforce in parts of the Creative sector, where individual funds may be more limited.

Sector Skills Funds are already in operation in Film and High-End TV, managed by ScreenSkills and used to support various skills and training programmes<sup>122</sup>, as well as skills levies for those in receipt of funding from the BFI and Screen Scotland. However, these only cover part of the Creative sector and stakeholders consulted through the PEC's Review reinforce past research<sup>123</sup> which emphasises the need for improvements in how these existing models work. For example: many of these levies are voluntary; contributions are capped<sup>124</sup>; and the funds raised fall short of those needed to address skill shortages, develop the talent pipeline and up and reskill workers to respond to the

future skill needs of the Industry. There are also long running models of Sector Skills Funds that have been operating for some time in the UK in other sectors, many of which are linked to the network of Sector Skills Councils that operated from 2002 to 2017. Some of the most well-known and established are those in construction and engineering construction which stem from Industry Training Bodies set up in the 1960s and are centred around the use of an Industry Levy Fund. These are worthy of further consideration to draw important lessons for the Creative Industries.

DCMS and the Devolved Governments, working with national and industry skills bodies, should therefore review the potential to extend and enhance industry collective funds such as Sector Skills Funds. There are also a range of international examples of national or sectoral training funds from which the Creative Industries can draw lessons, often underpinned by levies or tax credit schemes (see Box 13)<sup>125</sup>. Key features of wider existing schemes that are worthy of consideration in the context of the Creative Industries across the UK include: the mandatory nature of skill levies; the scale of contributions; the flexibility with which businesses can use funds; the range of training applications and services employers can access for the funding; the role of industry partners and intermediaries in co-ordinating and managing the funds; and the scope to promote employer ownership of skills by requiring employers in receipt of the benefits (such as tax relief) to produce Employment and Skills Plans, ring-fencing funds and setting out plans for skills investment.

## Box 13. Case studies – Sectoral and International examples of Sector Training Funds



### Ireland's Film Tax Credit (S481)

The Irish Film Tax Credit (S481) is seen as a key cornerstone of Ireland's Screen Industry, enabling Ireland to compete for international investment in an increasingly competitive market, where a range of other countries offer similar financial incentives. In 2019, 124 productions applied for a total of €111m film tax credit, with an estimated Total Economic Impact of €416.9m for the Irish economy.

All applications to the Film Tax Credit must include a Skills Development Plan (SDP) and productions with eligible expenditure in excess of €2m must submit a copy of the SDP to Screen Skills Ireland for approval. In 2019, 43 productions had formal skills training plans and provided professional development and training, supporting on average 5 trainees per production; with 74 skills development days per year for each trainee.

### Ireland's National Training Fund (NTF)

In Ireland, the NTF is financed largely through an employer levy. This is managed and allocated through an enterprise-led funding agency Skillnet. Skillnet operates as a facilitator and funding agency for enterprise-led training networks across the country, providing half the total cost for network activities. This has created the Training Networks Programme (TNP) and hence played a key role in strengthening local skills ecosystems and learning networks with businesses. There are currently 65 Skillnet training networks active in Ireland as part of this programme. These are all funded through a mixture of government funding and the National Training Fund (NTF). The employer levy amounts to 0.9% of the reckonable earnings of employees in certain employment classes. The TNP is aimed at more effectively raising engagement of employers

in training by ensuring improved access to more industry-specific/transferable skills development and updating the knowledge of their workforce. Activities are organised in four pillars: partnerships to encourage training participation at sector level; growing the skills base by giving workers access to lifelong learning opportunities; developing local learning responses; building training in enterprises by continuously identifying and promoting best practice and quality in all aspects of the design, delivery, evaluation and dissemination of enterprise training. In 2016, 14 263 firms received employee training through Skillnet-funded networks. A survey of employers suggested that half of the training undertaken through the Skillnet networks would probably not have happened without the programme, and that the vast majority of employers would not have found training of similar quality.

### Italy's National Training Fund (NTF)

In Italy, training funds were established by law in 2000 and have been operational since 2004. Training Funds represent one important tool through which Italy is facing the pressures brought about by the mega-trends, and equipping adults with the skills needed to thrive in the future labour market. They are associations run by social partners that levy funds from companies to finance the organisation of training activities for the companies themselves or, more rarely, for individual workers. By law, firms are levied 0.3% of workers' payroll, and can decide to channel these resources into one of the training funds. The funds then deploy these resources to support companies' training activities, usually

covering only a share (approx. 60-65%) of the total training cost. From 10 training funds in 2004 to 19 in 2017, training funds today cover almost 1 million firms with 10 million workers, a threefold increase in the number of firms covered by funds since 2004. With a combined budget of EUR 603 million in 2017, training funds are a crucial source of support for upskilling workers in Italy.

Source: PWC (2021) The Film/TV Industry & Ireland's Economy; OECD (2020[59]), Increasing Adult Learning Participation: Learning from Successful Reforms, <https://doi.org/10.1787/cf5d9c21-en>; OECD (2019[51]), Adult Learning in Italy: What Role for Training Funds?, <https://doi.org/10.1787/9789264311978-en>; OECD (2019[55]), OECD Skills Strategy 2019: Skills to Shape a Better Future, <https://dx.doi.org/10.1787/9789264313835-en>.

### Recommendation 11



**Unlock greater funding for skills co-investment and professional development in the Creative Industries, by granting further flexibilities in the use of Apprentice Levy funds; and undertaking a review of the opportunities to extend and enhance industry collective funds such as Sector Skills Funds.**

### Fostering a culture of professional development

Activities to enhance the skills infrastructure and employer investment in skills development must be matched with additional incentives and support for Creative Workers to develop their skills, take up options and overcome the barriers they face around costs, time, and flexibility. With persistently low levels of engagement in learning across the Creative Industries, the DCMS and the Devolved Governments, and national and industry stakeholders need to consider a range of options, from stronger incentives for workers to invest in their skills to enhanced careers advice, funding and services for Creative professionals.

This could include extending the use of occupational licensing or professional accreditation schemes in the Creative sector. International research shows that these schemes when deployed in sectors can play a vital role in enhancing the climate for training and ongoing development by formally specifying skills and qualification requirements for entry and progression, which then in turn supports ongoing skills investment. Given that the schemes tend to work more effectively where the profile of occupations is more highly skilled, there could be some positive benefits in extending their use in the sector<sup>126</sup>. While formal 'license to practice' schemes are relatively rare in the UK, there are well established examples of accreditation schemes, including in the Creative Industries. For example, the National Council for the Training of Journalists (NCTJ) scheme establishes professional standards for Journalists, with associated kite-marking and CPD training programmes offered through the NCTJ Journalism Skills Academy. Industry stakeholders may like to further explore the potential of such options.

Overall though, submissions to the Call for Evidence and discussion at the policy roundtables emphasised a need to explore ways to extend funding and support for Creative workers, particularly for atypical workers at risk of fluctuating employment patterns and job insecurity such as freelancers and those under-represented in senior positions in the Industry. This was thought to be particularly justified on the grounds that many Creative areas are seeing a significant and rapid growth in future, which in a context of pressures on future labour supply and a tight labour market, places an onus on retaining, protecting and developing existing skilled and experienced Creative workers. There is also the potential to extend the strength of support for those considering entering Creative careers from other declining parts of the economy.

In Scotland, Wales and Northern Ireland, the Review has found strong backing for the training activities and courses offered through Creative trade unions and professional bodies, including the Union Learn Fund (still running in the devolved nations), Federation of Entertainment Unions Freelancer training and national learning programmes such as CULT Cymru (Box 14). Many of these are designed to enhance flexibility in access and take up – for example providing online resources.

### Box 14. Case study – CULT Cymru



CULT Cymru is a learning programme led by Bectu in partnership with Equity, the Musicians' Union and the Writers' Guild. As representatives of employees and workers within the sector, the programme provides an opportunity to work in partnership with industry workers, employers and other organisations to arrange learning activities and networking events throughout Wales. A core objective of the programme is to identify individuals personal learning and professional development needs and facilitate access to high quality learning that is relevant and affordable. It aims to offer activities as far as possible at highly subsidised rates (and sometimes free).

The programme engages with creative workers in a variety of ways including:

- Finding out what individuals would like in terms of learning/continual professional development and wellbeing.

- Identifying innovative ways for creative workers to utilise their skills, knowledge and experience and enhancing networking opportunities. This includes facilitating links to experienced trainers.
- Sign-posting individuals to other available information and support both industry specific and generic training via their website.
- Working with individuals and their wider organisations to bring about cultural change in the creative sector so that it is a fair, inclusive and safe place to work where all have the ability to reach their full potential.

Source: elaborated from Wales TUC Cymru [here](#)

Wider services for professional development are also offered by a range of national and industry stakeholders, including careers information, and advice, training courses, bursaries and training funds, mentoring programmes and wider advice and support for Creative workers. But support is fragmented and difficult for Creative workers to navigate. More generally, there is a need to consider how to better assist the professional development of Creative freelancers who do not benefit from the training, careers coaching, mentoring and wider support that some Creative businesses offer employees.

“Tailoring the training to different career stages would help employers and staff identify the training to best meet their need. For example, leaders and managers might need to improve aspects of communication such as delegating, whereas members of their team might need to focus more on developing effective peer-to-peer communication.”



Skills Agency (Screen) submission to the Call for Evidence

This points to a need for more holistic and personalised support to empower, encourage and enable Creative workers to invest in their skills and build successful and sustainable careers in the Creative Industries. Such a requirement highlights the potential for Governments across the UK to recognise, and work more closely with, key industry intermediaries and partners who can help to enhance navigation and access to the range of support and activities available in future. With funding pressures and low pay a significant impediment to learning within the Creative sector, an important component of this must be financial support for professional development. This could draw on successful models already underway in the Devolved Nations, such as the [Screen Scotland Development Fund](#) and [Northern Ireland Screen Skills Fund](#) which provide flexible funding for experienced Creative workers to cover the cost of training. Over the longer term, industry stakeholders must also work closely with the DfE and the Devolved Governments to ensure that the sector and its workers can better benefit from Individual Learning Accounts in Scotland and Wales, and the Lifelong Learning Entitlement that will be introduced in England from 2025.<sup>127</sup>

## Recommendation 12



Empower and enable Creative workers, particularly Freelancers and diverse talent and marginalised groups that are under-represented in senior roles in the industry, to invest in their skills and build successful and sustainable careers, through flexible professional development funds and holistic and personalised support.



### Priority 3 summary: Policy recommendations for enhancing professional development and progression in the Creative Industries

#### Recommendation 9 ★

Enhance the relevance and responsiveness of the skills system, modernising and future-proofing the learning offer.

##### Key activities

- Develop a common Labour Market Information (LMI) framework for identifying skill gaps, anticipating changing needs and dealing with megatrends.
- Increase funding to enable employers and providers to work together to update curriculum and co-design new courses.
- Promote greater flexibility and diversity in sector-focused learning options (short, modular, stackable).
- Strengthen technical education and vocational pathways, extending funding, refreshing framework, extending pathways, enhancing flexibilities, and trialling new sector-focused initiatives (e.g., Bootcamps).

#### Recommendation 10 ★

Advance industry-led skills innovations to meet the distinct and rapidly changing needs of the Creative sector.

##### Key activities

- Extend industry-endorsed 'connected networks' of skills providers and sector-specific centres of excellence.
- Bring together academia, industry, and skills providers to update and enhance sector-focused provision and programmes in emerging skill areas.
- Further invest in technology-enabled learning options (e.g., online, blended, immersive).
- Develop stackable 'micro-credential' schemes.
- Expand sector-endorsed accreditation schemes and the use of digital badging.

#### Recommendation 11 ★

Unlock greater funding for skills co-investment and professional development through more effective use of industry collective funds via skill levies and sector training funds.

##### Key activities

- Grant further flexibilities in the use of Apprenticeship Levy funds, particularly in England.
- Scale-up and advance new Flexi-Apprenticeship pilots, to better enable Creative businesses to make use of levy contributions.
- Examine the potential to extend and enhance industry collective measures and sector Skills Funds, including: reviewing their voluntary nature; contributions and caps; funding allocation and flexibility; and potential links with Creative Industries Tax Reliefs.

#### Recommendation 12 ★

Empower and enable Creative workers, particularly Freelancers and diverse talent, to invest in professional development and build successful and sustainable careers in the Creative Industries.

##### Key activities

- Review the scope for further occupational licensing, professional standards, and accreditation schemes.
- Provide holistic and personalised support for Creative freelancers and diverse talent to upskill and progress their careers.
- Expand flexible professional development funds, building on models already operating in Scotland and Northern Ireland.
- Work with DfE and Devolved Governments to ensure Lifelong Learning Accounts and Entitlements better benefit the sector.

## Priority 4: Improve worker representation and voice

### Why is this a priority?

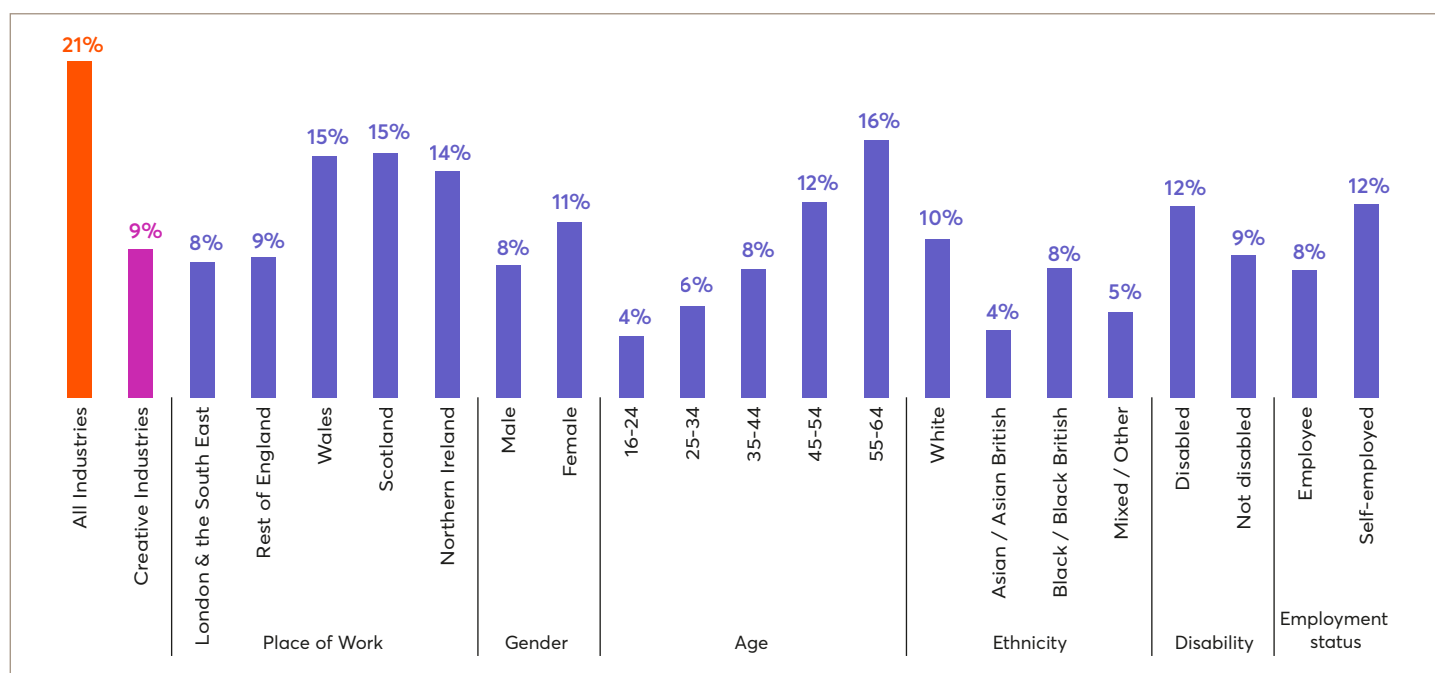
Actions to protect and improve worker representation and voice within workplaces are another vital part of job quality and a means to enrich worker well-being. Effective mechanisms to enhance employee engagement and dialogue can help to ensure that members of the workforce have greater influence in decision making and can and be heard on matters directly affecting them to enhance working conditions<sup>128</sup>.

Crucially, this can address any potential power imbalances between employers and their workers, so individuals have some control over their work and scope to make a difference, through good communication and ways of working that support task discretion and involve employees in securing business improvements. Indeed, there is much evidence<sup>129</sup> to show that where employee engagement is strong this reduces conflict and provides a basis to address unjust, unfair or unequal treatment, identify opportunity and reinforce consensus.

This is particularly important in the Creative Industries, given past research has shown that women, and those from ethnic minority and working-class backgrounds are under-represented within the most senior roles in the industry<sup>130</sup>. Discussion under Priority 1 served to highlight the impact that failing to reflect on the needs of those who are self-employed in the sector can have on the efficacy of policy and the platforms in place to support all workers.

A critical question for this Review is how to enhance worker voice, particularly the voice of diverse and freelance talent, in the structures that govern the Creative Industries. Given the differences in collective representation in Creative sub-sectors and in support for social partnership and formal worker organisation in each UK nation, there will be no 'one-size fits all' approach. Further, as we show in Figure 4.5, collective representation also varies considerably between different types of Creative workers, with those at risk of marginalisation under-represented in formal structures for worker organisation.

**Figure 4.5. Share of workers that are a member of a trade union or staff association**



## Policy recommendations

### Strengthening the voice of freelancers and marginalised groups

An important starting point is strengthening focus on the needs of Creative freelancers and those under-represented in the Creative industries and establishing mechanisms for their voice to be heard and their needs addressed.

"Include freelancers in strategic decision making. When freelancers make up such a large part of the workforce (49%) there need to be structures put in place to ensure they have a bigger say in decisions being made that affect their working conditions and livelihood."



Anonymous submission to the Call for Evidence, Performing Arts and Academia

DCMS and Devolved Governments in each UK nation should appoint a number of 'Ambassadors' to represent the interests of those marginalised in the Creative Industries, including Ambassadors for: women; disabled people; people of colour; people from socio-economically disadvantaged backgrounds; and Creative freelancers. The model could build on the existing Cabinet Office Disability and Access (D&A) Ambassadors programme, with D&A Ambassadors already in post in parts of the Creative sector (see Box 15). This would also address wider calls<sup>131</sup> for a Freelancer Commissioner for the Creative Industries and emulate existing practice in the devolved nations, such as the Future Generations Commissioner in Wales.

There is scope to expand the representation and the role of Ambassadors, to ensure all under-represented groups have a stronger voice in informing both Government policymaking and industry practice. These Ambassadors could play a vital role in advocating for the distinct and diverse interests of the groups they represent, working objectively and constructively to share good practice, supporting and demonstrating the value of a more inclusive approach.

### Box 15. Case study – Cabinet Office Disability and Access Ambassadors



The UK Government's Disability and Access Ambassadors were appointed by the Cabinet Office in 2021 to champion inclusion in their sectors. Managed by the Disability unit, there are 19 ambassadors covering a range of sectors, including Advertising; Arts and Culture; and the Creative Industries.

Senior leaders in their field, the Disability and Access Ambassadors use their influential status to drive improvements in the accessibility and

quality of services and facilities in their sector for disabled people; and also work together as a group to galvanise and encourage accessibility generally across the private sector. Their work includes public advocacy; showcasing best practices; working with Government to drive improvements; highlighting the business benefits of enhanced accessibility and inclusion.

Source: elaborated Cabinet Office [here](#)

In addition, the Review has found strong support for Government in each nation to work together to develop and deploy a 'Freelancer test'. This would be used when introducing new, or reviewing existing, legislation or policy measures, affecting the Creative Industries, to consider the degree to which freelancer needs are being sufficiently considered. This would ensure that there are adequate systems in place to support the self-employed as much as employees in ongoing policy development<sup>132</sup>. It would also seek to avoid any final inequity in access and/or imbalance in the final package of policy measures supported, with due consideration being given to the varying opportunities and challenges of different freelance workers. This is particularly important given the unique and diverse ecology of freelance work in the Creative industries, and the different types of freelancers and freelancer business models operating in the sector<sup>133</sup>.

This could learn from the SME Test developed by the European Commission. This tool encourages policymakers to consider target groups and the differing needs of those the policy is seeking to affect, allowing room for flexibility and segmentation of support services, taking account of the significant variation in characteristics, backgrounds and needs amongst self-employed workers. Policymakers across the UK could routinely deploy the 'Freelancer test', as standard into the policy development cycle. Its aim could be to review the 'freelance-friendliness' of their policies, making use of evidence capturing variations in these communities, to ensure policies and programmes (whether intentionally designed for the self-employed or intended to be open to their use) meet freelancers needs.

## Box 16. Case study – European Commission SME Testing Tool



The European Commission has developed a SME testing tool which it encourages European policy-makers to deploy. The tests typically cover a range of issues such as:

- clarity about the objectives of the policy and measures of success (different policies often need different emphases with objectives to promote entrepreneurship, innovation and growth needing to be quite different to moving individuals from unemployment into self-employment and business start-up);
- consideration about the target groups (acknowledging it is likely entitlements and funding

will be need to be carefully tailored to the varying structure, composition opportunities and challenges of the freelance community and sub-sector the policy is seeking to serve);

- sufficient preparation through impact assessments and cost-benefit analysis (specifically considering the risks and benefits around self-employment);
- allowing room for flexibility and segmentation in support services taking account of the significant variation in characteristics, backgrounds and needs amongst self-employed workers.

Source: elaborated from the European Commission SME Testing Tool

## Recommendation 13



Strengthen the voice of freelancers and marginalised groups to ensure their views and needs influence Government policy-making and industry practice, appointing Ambassadors for women; disabled people; people of colour; people from socio-economically disadvantaged backgrounds; and freelancers; and developing a 'Freelancer Test' to consider the efficacy and impact of new legislation and policy on self-employed Creative workers.

## Reviewing the inclusivity of governance structures and processes

There is strong support for reviewing and extending the engagement of Creative workers and their representatives in the structures and processes that govern the Creative Industries in each of the UK nations. This is seen as crucial to customise and future-proof new policies and practices to ensure they are representative and effective in a part of the economy where modern, pioneering, and atypical forms of work are commonplace.

Whilst the mechanisms to engage with industry vary in different parts of the UK, it is important that, in each nation, Government and industry reviews the structures and approaches that do exist. This is necessary to ensure they are inclusive, capture a broad spectrum of perspectives, covering Creative workers as well as employers, and include freelancers and those currently marginalised in the sector.

Industry governance structures in each nation – including the CIC and equivalent industry leadership groups in each UK nation<sup>134</sup> – should review their membership to ensure adequate representation of Creative workers, including newly appointed Ambassadors (see Recommendation 13) and worker representative organisations – in their varying forms. International practice, such as in the Netherlands, highlights how industry partners representing workers and employers are working more closely with trade unions and wider worker associations to strengthen social partnerships across sectors and promote a more inclusive approach to collective participation and advancing worker interests within the Dutch economy<sup>135</sup>. Further, the Social Partnership and Public Procurement Bill in Wales puts social partnership on a statutory footing, placing duties on public bodies in Wales to involve trade unions or representatives of their staff when carrying out their work.

More widely, industry stakeholders should extend mechanisms for engaging Creative workers in policy design and delivery, for example through the use of independent advisory boards or consultative forums, comprised of a diverse range of Creative workers or specific under-represented groups. Such forums can serve as an important interface between industry governance structures and Creative workers, giving a voice to marginalised groups, democratising decision-making and enhancing policy and programme design and impact<sup>136</sup>. One such example is the use of 'Deliberative Forums' by the Arts Council Northern Ireland (see Box 17).

### Box 17. Case study – Arts Council Northern Ireland Deliberative Forums



In November 2021, Arts Council Northern Ireland (ACNI) began piloting two Deliberative Forums: for rural arts organisations/artists; and minority ethnic and migrant artists and organisations who represent them.

The Deliberative Forums act as an interface between the Arts Council, its partners and constituents in the arts sector, as well as wider community, voluntary and statutory sectors. They create space for the Arts Council to engage with institutions, agencies, groups and artists and deliberate on specific issues of relevance, ensuring the Arts Council understands

the views of key stakeholders and can use these to inform delivery and direction of strategy and policy; and providing a voice for under-represented groups, raising awareness of key issues and advocating for their interests.

Deliberative Forums have approximately 12 members, chosen for their creativity, logical thinking problem-solving ability and detailed knowledge of practice and with representatives from different cultural and ethnic backgrounds, geographical areas, community backgrounds, artforms and types of practice.

Crucially, members are paid for their time and meetings are held at critical points based around specific issues, rather than following a fixed quarterly format. The Forums are Artist-led, who work in partnership with independent facilitators and ACNI to shape the agenda, planned priorities and outcomes sought by each Forum. There are also strong accountability mechanisms in place, to ensure that actions are monitored and acted upon.

The Deliberative Forums have played an instrumental role in informing ACNI's work, co-designing a 3 year, £1.5m rural engagement arts programme and a mentoring and residencies (MEMR) scheme for minority ethnic and migrant artists.

Source: Arts Council Northern Ireland Business Plan, Fora Terms of Reference and discussion with ACNI

## Recommendation 14



**Review and extend the engagement of Creative workers and their representatives in industry governance structures and processes, reviewing the membership of industry governance structures in each UK national and extending the use of independent advisory boards and consultative forums.**

## Strengthening worker voice in business decision-making

Mechanisms to strengthen the engagement of Creative workers within the governance structures of the industry must be complemented by actions by individual Creative organisations and businesses to improve worker voice. While the UK Corporate Governance Code requires organisations to demonstrate their approach to employee engagement<sup>137</sup>, there remain concerns that businesses across the economy prioritise short-term financial returns over long-term investment, fuelling poor employment practices, insecure work and low pay.

One area of focus has been the gender balance of Corporate Boards<sup>138</sup>. Yet, in the context of an industry with persistent and pronounced racial inequality, ableism, and class-based disadvantage a focus on gender alone is not sufficient. Further, in parts of the sector, business decisions greatly impact those not directly employed by the organisation. Instead, businesses and creative organisations across the sector need to review how their management structures enable the worker voice – including diverse and freelance talent – to be heard, extending the diversity of worker representation on Boards and Senior Management Teams.

"Freelancers having a voice in organisations that they work with on a regular basis, being included in the normal day-to-day workings of the organisations. Being supported by orgs having a Good Work freelancer policy and for them to publish this."



Dance North Scotland submission to the Call for Evidence

Creative organisations should also consider how they can strengthen both formal and informal mechanisms for workforce engagement – extending routes by which workers can raise concerns collectively and influence governance at work. The Information and Consultation of Employees (ICE) Regulations already provide employees in businesses with 50 or more employees the right to request collective employee consultation with their employers around key business and employment issues.<sup>139</sup> Recent changes in the rules about when workers can request such consultation activities in principle can greatly enhance the reach and use of such activities by workers. However, there are a range of wider options that Creative employers might consider to enhance engagement with their workers, including amongst smaller businesses. This could draw on the expertise of bodies such as the CIPD, IPA and ACAS, who offer a range of research, guidance and resources learning from, and seeking to spread, good practice. These already highlight the value of a blend of employee engagement tools including: line manager/team/departmental/organisational meetings; surveys, focus groups, online forums and chat rooms; staff associations and consultation committees, covering a range of issues such as training, pay, wellbeing, health and safety, performance and staffing arrangements<sup>140</sup>. It will be crucial to consider how such mechanisms currently, and could, work in different work environments in the Creative Industries to enhance worker voice, including the voice of freelancers. With some of the current resources, like the CIPD's [People Skills Hub](#), intentionally developed for smaller businesses, there is significant potential to develop variants of the existing tools to serve specific populations within the Creative Sector – especially those without professional HR expertise.

There is also scope to extend the breadth, quality and transparency of data collection on workforce matters to sharpen focus on improving job quality. This connects with Recommendation 1 (corporate reporting requirements), but supports more voluntary action by Creative employers to establish more extensive and robust workforce data collection, monitoring and reporting systems. Workforce reporting is increasingly seen to be associated with responsible business practice, providing a means to target areas for action, and to demonstrate how businesses are managing and developing their workers and ensuring a sufficiently inclusive and diverse workforce<sup>141</sup>. This could build on existing practice within the Creative Industries, one such example being Project Diamond led by the Creative Diversity Network, which captures and regularly publishes consistent diversity data on programmes commissioned by major broadcasters (Box 18).

## Box 18. Case study – Creative Diversity Network DIAMOND



Delivered by the Creative Diversity Network (CDN) and supported by Pact and Screenskills, the Diversity Analysis Monitoring Data (Diamond) was launched in 2016 to provide a single online system to capture consistent diversity data on programmes commissioned by the major broadcasters.

Having now delivered its 'fifth cut' of data, a growing number of Broadcasters have adopted the system, currently used by seven broadcasters: BBC, ITV, Channel 4, ViacomCBS, Sky, UKTV and The British Sign Language Broadcasting Trust (BSLBT). The fifth year of data collection accumulated 41,000 diversity

forms relating to more than 850,000 TV production contributions (similar to a programme credit, where a single contribution relates to a single programme or episode).

Diamond collects data on the protected characteristics of people on and off screen – including gender, age, ethnicity, disability and sexual orientation – but does not (yet) include questions relating to socio-economic background.

Source: Elaborated from the [Creative Diversity Network](#)



Such efforts could be extended – individually by firms and collectively – to cover workforce composition, remuneration, representation, recruitment, retention, promotion, access to training and performance management; crucially reporting data for all workers, including Creative freelancers.

### Recommendation 15



**Strengthen the representation of workers in business decision-making, through improved representation on Corporate Boards and Senior Management Teams; enhanced formal and informal mechanisms for worker engagement; and extending corporate reporting.**

### Strengthening collective representation and communities of Creative workers

A critical concern of the Good Work agenda is how businesses and workers can both have a stake in, and share the rewards associated with, commercial success. Collective representation provides one of the strongest mechanisms to ensure workers benefit from performance and productivity gains through better wages and working conditions<sup>142</sup>.

As we note earlier, in some parts of the Creative Industries social partners play an important role in collective representation and bargaining, whether that be Prospect representing creative industry interests in areas such as Museums, galleries, libraries or different members of the Federation of Entertainment Unions (FEU) representing workers and the NUJ representing journalists in TV, theatre, film, music, gaming, cinema, publishing, new media, and other performing arts.

However, low rates of trade union membership in some Creative sub-sectors and amongst younger workers, ethnic minorities, the least well qualified and those working in smaller firms point to the need for a flexible, mixed-model approach encompassing a range of different options.

One possibility, favoured particularly in nations where there is stronger tradition of social partnership, is to consider how to further adapt and modernise established practices for collective representation to expand membership and enhance inclusivity. Internationally, organisations representing workers continue to evolve their activities, positioning, and support offer, to ensure relevance in a modern, fast-paced, global economy. For instance, some trade unions have reviewed and adapted their practices, reaching out to new or growing sectors, enhancing support for atypical workers, and offering greater flexibilities, customisation, and connectivity with the fair work agenda<sup>143</sup>.

**"There should be further promotion and financial support for the establishment of a dedicated digital freelancer union (such as the pre-pandemic work started by the Creator Union – A Trade Union Representing Digital Creators and Influencers in the UK)."**



Dr N. Willment submission to the Call for Evidence

There is also scope to better acknowledge and test alternative structures for worker organisation, drawing on international examples such as Work Councils (seen in Austria) and digitally enabled, platform-based forums. A core purpose of these structures is to provide mechanisms for workers broadly to communicate their collective concerns and organise campaigns to change employer practices<sup>144</sup>. Once, again it is possible to draw on the expertise of bodies such as the IPA and ACAS, who already have much experience working with different sectors to customise solutions to collective representation.

This highlights the potential for Government and Industry stakeholders to expand financial incentives and support for new models of Creative worker representation – for which there is already support within the Devolved Nations. For instance, the proposed Fair Work Fund in Wales<sup>145</sup> could, if progressed, provide financial support to help secure improvements to workforce representation in both unionised and non-unionised workplaces, supporting action in a range of areas (e.g., promoting diversity and inclusion, enhancing employment security and stability, and exploring ways to enhance networking through digitally enabled solutions).

There are also examples of non-traditional mechanisms to represent workers' collective interests – both internationally<sup>146</sup> and in the UK. There has been a growth in worker co-operatives, especially amongst self-employed workers. Whether informally organising loose collaborations of workers or more formally establishing social enterprises governed by workers, these are providing vital services to their members. Whilst such developments still tend to be small scale, they are increasingly providing important complementary functions not least by strengthening workers' voice and campaigning in key areas such as raising wages and working conditions – with some significant successes. As such there is a growing interest in developing the creative worker co-operatives infrastructure in the UK too<sup>147</sup>.

There is also scope to extend programmes that support creative worker networking, especially amongst freelancers. There already exists examples of such programmes in the Creative Industries, which provide insights for further applications. For example, Arts Council England has deployed its funding to encourage larger organisations and anchor institutions in their sub-sectors to connect to suppliers through their networks<sup>148</sup>, local communities and supply chains and consider how they can offer extra support to enable informal creative communities and networks. This might provide creative and cultural practitioners with resources, time and/or access to equipment or spaces, for example. There is scope for wider Creative funding agencies or anchors to build on this approach and to extend activities with partners in other sub-sectors.

The rise in worker-facing platforms (WorkerTech) is opening up new ways to provide a secure and trusted space to freely collaborate. Activities include: enabling information sharing; facilitating communication; bringing workers together to campaign on shared issues; and supporting access to benefits such as around pensions, health and training. These tools have started to be used within the Creative sector, one example being the [Call It! App](#) being deployed by film and TV productions to provide a vehicle for those working on sets to say how they were treated, and to signpost sources of support for those who might need it. There is an opportunity to extend the use of such tools, and for industry stakeholders to work together to consider how to grow the infrastructure of supportive networks for WorkerTech products as seen in other countries such as the US<sup>149</sup>.

## Recommendation 16



Extend support for Creative worker networks, communities and representative organisations in all their forms, including social partners, informal and digital-enabled platform-based forums.

### Priority 4 summary: Policy recommendations for improving Creative worker representation and voice

#### Recommendation 13 ★

Strengthen the voice of freelancers and marginalised groups to ensure their needs influence Government policy-making and industry practice.

##### Key activities

- Appoint 'Ambassadors' to represent the interests of those marginalised in the Creative Industries, including: women; disabled people; people of colour; people from socio-economically disadvantaged groups; and freelancers.
- Deploy a 'Freelancer test' when introducing new, or reviewing existing, legislation or policy measures affecting the Creative Industries, to ensure freelancer needs are being sufficiently considered.

#### Recommendation 14 ★

Review and extend the engagement of Creative workers and their representatives in industry governance structures and processes.

##### Key activities

- Review the membership of industry governance structures in each UK nation, to ensure adequate representation of Creative workers (including freelancers), newly appointed Ambassadors (see Recommendation 13) and worker representative organisations in their varying forms.
- Extend the use of independent advisory boards and consultative forums, to maximise the involvement of a diverse range of Creative workers (inc. Freelancers) in the decisions that affect their working lives.

#### Recommendation 15 ★

Strengthen the representation of workers in business decision-making, through enhanced representation, engagement and reporting.

##### Key activities

- Improve worker representation on Corporate Boards and Senior Management Teams.
- Strengthen mechanisms for worker engagement: e.g., meetings; surveys; focus groups; online forums; staff associations; consultation committees.
- Extend existing reporting systems to include metrics on: representation; remuneration; recruitment practices; retention rates; access to training; and progression, reporting data for all workers, including freelancers.

#### Recommendation 16 ★

Extend support for Creative worker networks, communities and representative organisations in all their forms, including social partners, informal and digital-enabled, platform-based forums.

##### Key activities

- Further adapt and modernise established practices for collective representation to expand membership and enhance inclusivity.
- Expand financial support for informal structures that enable collective worker representation and networking, including grassroots/place-based creative communities.
- Explore the scope to extend the use of technology and digital platforms (e.g. Worker Tech) in the Creative sector.

## 5

# Towards roadmaps for improving job quality in the Creative Industries

## 5.1. Making job quality an explicit priority

This Review is published at a time of profound and ongoing economic shocks, as the country has emerged from the Covid-19 pandemic to face into record-high rates of inflation, fuelling a cost-of-living crisis, tipping the UK economy back into recession and ushering in another era of fiscal austerity<sup>150</sup>.

The situation in the Creative Industries feels precarious. Some parts of the sector are still yet to recover from the decimating impact of the pandemic, while Creative businesses are already starting to feel the pinch of rising energy and input costs<sup>151</sup>. As we reflect on the impact of past recessions on the commercial and consumer-facing parts of the sector and previous rounds of public sector spending cuts on funding for culture and the arts, it is clear that there are challenging times ahead. As budgets are squeezed further, there is a real risk that Creative workers bear the brunt of these challenges.

We urge the Creative Industries to avoid this outcome and to instead advance a labour market strategy that views Creative workers as an asset to be nurtured, central to the competitive advantage of the Creative Industries, rather than a commodity to be exhausted and a cost to be minimised.

“Across many places in the OECD and around the world, there is considerable diversity to the degree to which employers value and utilise the skills of their employees. There is a broad distinction between employers that pursue ‘high road strategies’, where employees and the skills that they possess are viewed as an integral part of a business’s competitive advantage, or ‘low road’ strategies, where labour is considered a commodity and workers are seen as a cost to be minimised.”



OECD/ILO (2017) Better use of Skills in the Workplace: Why it Matters for Productivity and Local Jobs

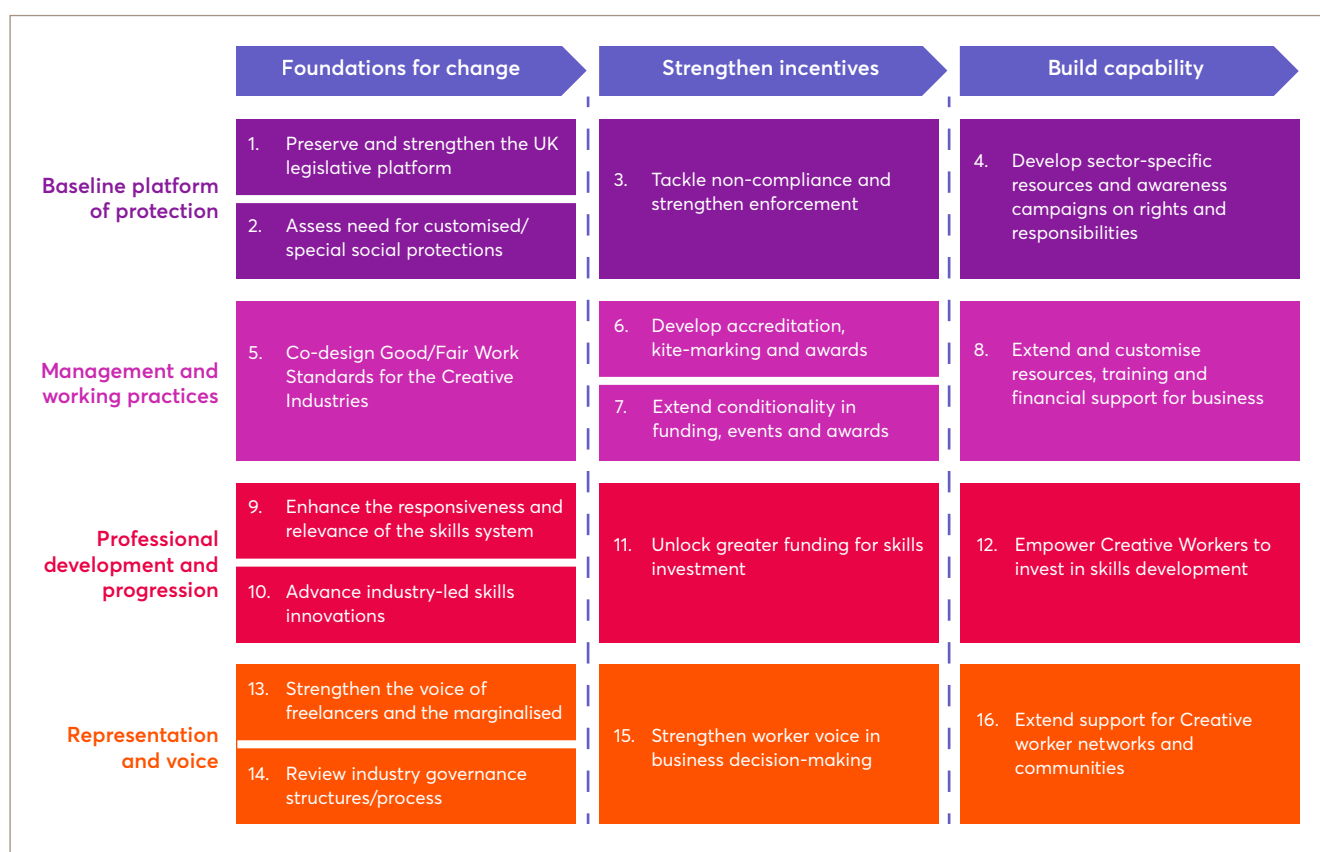
As we set out in this Review, we believe this represents both a considerable opportunity for the Creative Industries and an imperative, to ensure their future resilience and success.

As we demonstrate in Section 2, advancing Good Work will yield real dividends – for Creative workers, businesses and the UK economy – and will put the Creative Industries on a firmer footing over the long-term. The evidence we present in Section 3 suggests an urgent need to safeguard what is great about work in the Creative Industries, while also mitigating the risks that Creative work presents and addressing deep-rooted inequality. This exists not only in access, but also in how workers from different backgrounds experience work in the Creative sector. In short, improving job quality will be vital to ensure a highly skilled, inclusive and productive workforce needed for the future success of the Creative Industries. Given the importance of this goal, we call on Government in each nation, Industry stakeholders and Creative businesses to make explicit the commitment to delivering quality work for all and to work together to achieve it.

## 5.2. Shaping roadmaps for change

Creative Industries have a responsibility to deliver this outcome. The 4 priorities and 16 policy recommendations identified through this Review seek to provide the basis of a series of roadmaps through which Industry can take confident steps forward, aligning as appropriate to the different national systems and their structures. Together, these actions provide **firm foundations** on which to build change and address a range of systemic and structural concerns, relating to the legislative platform, social protections, the skills system and to the industry itself. This alone will not be enough, and other recommendations seek to **strengthen incentives** for Creative businesses to act and take ownership themselves of the need to drive improvements in job quality within their own workplaces. These actions must also be accompanied by interventions that help to **build capacity** within the industry to deliver this and that empower Creative workers to play a central role in advancing better quality work for the next generation of Creatives.

Figure 5.1. Towards a Roadmap for advancing Good Work in the Creative Industries



While it is our hope that these recommendations provide a basis on which to develop connected national roadmaps for advancing Good Work, we are not prescribing a one-size-fits-all approach. What is abundantly clear through the Review is that there are distinct differences in the language, definitions, sectoral make-up and policy context in each UK nation. Indeed, the Fair Work agenda is well progressed in Wales and Scotland, and a range of relevant policy measures are also being advanced in Northern Ireland. Harnessing these developments in the Devolved Nations and using them as a platform to advance Good Work in the Creative Industries represents a compelling opportunity for the sector. As such, we have sought to identify potential ways to realise this in the 'key activities' that sit under each policy recommendation.

Further, while improving Good Work must be a priority for all parts of the Creative Industries, both the challenges and the steps needed to address them vary considerably between Creative sub-sectors. Hence, it will be up to sector bodies and partners to work together to forge an approach that works in their distinct sectoral context. Given the marked geographical footprints to the Creative Industries too, each sector approach will also need to be sensitive to variations in sector priorities and the local delivery infrastructure in different local economies.

“There could be considerable benefits to placing significantly more emphasis on place-based approaches to Good Work: developing local work opportunities for local people, with the wellbeing, green and local economy benefits that flow from that. Our Foot in the Door training programme, in partnership with Housing Associations, local colleges, industry and sector specific training provision, brings together the expertise, community assets and agile responsiveness to build sector capacity in a people-centred way.”



Ffilm Cymru Wales submission to the Call for Evidence

Indeed, strong collaboration between Governments in each nation, industry stakeholders, social partners, businesses and Creative workers will be vital to delivering many of these recommendations, as will connecting sufficiently to local delivery partners. Implementing change of this scale will require clear leadership and strong governance to build and sustain momentum, track progress and ensure accountability. In Scotland and Wales, where there are already existing Fair Work Forums in other sectors, this may take the form of an equivalent body for the Creative sector. As DCMS progresses its Sector Vision and the Department for Communities and Department for the Economy in Northern Ireland their new Culture and Heritage and Creative Industries Strategies, this provides an important opportunity to consider the most appropriate governance structures for driving change.

### 5.3. Avenues for further research

The Review has sought to substantially improve the comprehensiveness and coherence of the evidence base on job quality in the Creative Industries. Yet, it has also highlighted critical evidence gaps that remain.

Despite collating 40 indicators of job quality, we still lack robust data for a range of facets of Good Work. This includes measures of the extent to which workers feel: they do meaningful work; use their skills in the workplace; feel well-supported by their direct managers; or have experienced discrimination, bullying or harassment in the workplace. Promisingly, new Job Quality questions have been added to the Labour Force Survey which will become available from mid-2023 to address each of these gaps. Yet, these questions are only being asked of employees, not self-employed workers. This is a significant shortcoming when analysing data for the Creative Industries and we would urge DCMS, BEIS and the Office for National Statistics to review where questions could be extended to include those who are self-employed.

Indeed, this highlights one of the most significant evidence gaps: what we know about the quality of work for freelancers in the Creative Industries. The Review has highlighted a range of disparities between those who are employed and those who are self-employed in the Creative Industries. But, one-third of the indicators included in the PEC's Measurement Framework cover only employees, given limitations in the sources they draw on. There is an urgent need to progress in-depth research exploring job quality for Creative freelancers – not least concerning: their earnings; unpaid work; their health and wellbeing; the extent to which they feel their voice influences decision-making; their progression opportunities; and how best to enable freelancers to invest in professional development and save for their future.

In some cases, the limitations lie not with the questionnaire design, but the scale of the survey. The extent of data suppression necessary, even when using the largest employer and household surveys in the UK, suggest a need for new primary research in the Creative Industries, and Creative sub-sectors, to develop a fuller and more robust picture. This will be particularly important to support more granular research on job quality in different sub-sectors, creative contexts and UK nations and regions and the experience of work for diverse talent.

Finally, there is scope to strengthen the business case for Good Work in the Creative Industries. While there is growing national and international evidence of the productivity and performance benefits associated with good management and workplace practices (as set out in Section 2.1), there is a dearth of evidence specific to the Creative Industries. There is a need to strengthen evidence on the commercial and creative case for advancing better workplace practices in the Creative sector, through robust empirical research as well as sector case studies of what good looks like. In doing so, industry stakeholders could connect with ongoing efforts to demonstrate the importance of Fair Work in the Devolved Nations and the work of wider enterprise support agencies that seek to convince leaders and their wider management community of the benefits of a people-centred management approach<sup>152</sup>.



## Annex A: List of stakeholders consulted

Advertising Association	Creative & Cultural Skills NI	NUJ
AHRC	Creators' Rights Alliance	Publishers Association
Artists Union	Culture Counts	ReWAGE
Arts & Business NI	Culture Radar	S4C
Arts Council England	Dance North Scotland	Saturday Club Trust
Arts Council NI	Dancers Network	Scottish Enterprise
Arts Council Wales	DCMS	Scottish Government
Association of Illustrators	Department for Communities NI	Scottish Opera
BBC	Design & Artist Copyright Society	ScreenSkills
BECTU	Directors UK	Skills Development Scotland
BEIS	Equity	Society of Authors
BFI	Fashion Roundtable	South of Scotland Enterprise
Books Council of Wales	FfilmCymru Wales	South Wales
Boom Cymru	Film and TV Charity	Spectra
Cardiff University	Freelance dance researcher and coach	Spilsbury Research
CMI Scotland	Freelance illustrator	TAC
Commercial Break	Freelance Music Promoter & Consultant	The Intellectual Property Office
Coventry University	Freelance Writer and Facilitator	Theatre & Dance NI
Craft NI	Freelancer / TV Mindset / Coalition For Change	Thrive
Crafts Council	Future Screens NI	Timewise
Creative Access	Glasgow Film	UK Music
Creative and Cultural Skills Wales	Jerwood Arts	University of Glasgow
Creative Diversity Network	Music Venue Trust	University of South Wales
Creative Dundee	Musician's Union	University of Warwick
Creative Edinburgh	NCTJ	Welsh Government
Creative Industries Council	NI Screen	Westminster University
Creative Scotland	Northern Ireland Office	Writers' Guild of Great Britain (WGGB)
Creative UK		XR Stories / Screen Industries Growth Network
Creative Wales		

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# Endnotes

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4. [www.thecreativeindustries.co.uk/facts-figures/uk-has-almost-2-3m-creative-industries-jobs-official-data](https://www.thecreativeindustries.co.uk/facts-figures/uk-has-almost-2-3m-creative-industries-jobs-official-data)
5. (Giles, et al., 2020)
6. (Wilkes, et al., 2020) (Film and TV Charity, 2022)
7. (Walmsley, et al., 2022)(Comunian & England, 2020) (Eikhof, 2020) (Banks, 2020) (Musicians' Union, 2020) (DACS, 2021)
8. (Carey, et al., 2019)
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10. (Giles, et al., 2020)
11. (Taylor, 2017)
12. (Fair Work Convention, 2016) (Fair Work Commission, 2019)
13. (Green, 2006) (Green, 2008) (Green, 2019) (Giles, 2016) (Sissons & Green A, 2017)(Chung, 2022) (Soffia, et al., 2021)
14. (Bloom, et al., 2017) (Belt & Giles, 2009) (Tamkin, et al., 2010) (Combs, et al., 2006) (Patterson, et al., 1998) (Irvine, et al., 2018)
15. (Wood, et al., 2018)
16. The share of the UK workforce that are self-employed has been on an upward trajectory since the early 00s, rising from 12.0% in 2003 and peaking at 15.3% at the end of 2019. Since the Covid-19 pandemic, self-employment rates have fallen significantly and remained at 13.1% during the third quarter of 2022. Part-time working has also been rising over the past two decades, though peaked in mid-2012 (27.6%) falling back to 25.9% in 2019 and remaining below pre-pandemic levels. Notwithstanding the effects of the Financial Crisis and Covid-19 pandemic, the share of the workforce in temporary employment and the share of workers with a second job has generally been declining since the mid-90s (ONS, 2022). Zero Hours Contracts have, however, been on the rise – with the share of the people in employment on a Zero Hours Contract increasing from 0.8% in 2000 to 3.2% in 2022 (ONS, 2022).
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29. (BEIS, 2018) (Fair Work Commission, 2019) (Fair Work Convention, 2016) (ILO, 2008) (European Commission, 2019) (OECD, 2018) (Department for the Economy NI, 2021)
30. (Findlay, et al., 2013) (Findlay, et al., 2017) (Warhurst, et al., 2017) (Wright, et al., 2018) (Irvine & White, 2018) (Felstead, et al., 2018) (Green, 2019) (Warhurst, et al., 2018) (Giles, 2016)
31. (Taylor, 2017) (BEIS, 2018) (Fair Work Commission, 2019) (Fair Work Convention, 2016) (Fair Work Convention, 2020) (Quick & Kersley, 2015)
32. (OECD, 2017) (OECD, 2016) (ILO, 2008) (European Commission, 2019) (Eurofound, 2021)
33. (Brook, et al., 2020) (Conor, 2021) (Carey, et al., 2021b) (Carey, et al., 2019) (Giles, et al., 2020) (Saha & van Lente, 2020) (UK Music, 2021) (NCTJ, 2022) (Ozimek, 2020) (Creative UK, 2020) (Film and TV Charity, 2021) (OFCOM, 2022) (ScreenSkills / Work Foundation, 2019) (ScreenSkills, 2021) (ScreenSkills, 2022) (ScreenSkills, 2021) (ScreenSkills, 2022) (Advertising Association, IPA and ISBA, 2021) (Alacovska, 2021) (Bridge Group, 2020) (BFI, 2022) (Creative Industries Council, 2020) (Creative UK, 2021) (Fashion Roundtable, 2021) (O'Brien, et al., 2016) (Publishers Association, 2021) (TBR, 2018)

34. (Fair Work Commission, 2019) (Fair Work Convention, 2016) (Taylor, 2017) (Quick & Kersley, 2015) (Irvine, et al., 2018)
35. (Ross, 2013) (Menger, 2015) (Duffy & Wissinger, 2017) (TBR, 2018) (Museums Association, 2017) (Kretschmer, et al., 2019)
36. (O'Brien, et al., 2016) (Brook, et al., 2020)
37. (Schwartz, 2018) (Cohen, 2012) (Mould, et al., 2014) (Merkel, 2019) (De Peuter, 2014) (Gill, 2002)
38. (Banks & Hesmondhalgh, 2009) (Ross, 2013) (Ashton, 2021) (Menger, 2015)
39. (Roberts, 2017) (Brook, et al., 2020) (Frenette, 2015) (de Peuter, et al., 2015)
40. ok, et al., 2018
41. (Carey, et al., 2021b)
42. (Carey, et al., 2021a)
43. (Hesmondhalgh, et al., 2021) (House of Commons, 2021)
44. (McRobbie, 1998) (McRobbie, 2002) (Neff, et al., 2005)
45. (BEIS, 2018) (Warhurst, et al., 2017) (Fair Work Convention, 2016) (Fair Work Commission, 2019)
46. (O'Brien, 2020a) (O'Brien, 2020b) (Bakhshi, 2021) (House of Commons DCMS Committee, 2020) (de Peuter, et al., 2022) (Comunian & England, 2020) (Eikhof, 2020) (Walmsley, et al., 2022)
47. (Clery, et al., 2021)
48. (Taylor, 2017) (Fair Work Commission, 2019) (Fair Work Convention, 2016)
49. (Aujla IJ, 2021)
50. See for example (Swords, et al., 2022) (Wilkes, et al., 2020) and campaigns such as BECTU Eyes Half Shut
51. (Credos, 2020) (Advertising Association, NABS and WACL, 2018) (Wilkes, et al., 2020) (Musicians' Union, 2019) (FEU, 2013)
52. (Orgad & Gill, 2019) (Boyle, 2019) (De Benedictis, et al., 2019) (Byrne & Taddeo, 2019) (Sobande, 2021)
53. (Morgan, et al., 2013) (Shorter, et al., 2018) (Gross, et al., 2018) (Wilkes, et al., 2020) (Film and TV Charity, 2022) (Gross & Musgrave, 2020) (Musgrave, 2022) (NUJ, 2021) (The Society of Authors, 2022)
54. (Brook, et al., 2020) (Conor, 2021) (Carey, et al., 2021b) (Carey, et al., 2019) (Giles, et al., 2020) (Saha & van Lente, 2020)
55. (Combs, et al., 2006) (Belt & Giles, 2009) (Patterson, et al., 1998)
56. (Armstrong & Page, 2015) (Parkinson & Buttrick, 2017) (Giles, et al., 2020) (Carey, et al., 2019)
57. (Carey, et al., 2021b) (Gee & Yeow, 2021) Evert et al 2022 (Neff, et al., 2005)
58. (Percival, 2020; Wreyford, 2013) (Steele, 2022) (Dent, 2019)
59. Social partnership and social dialogue capture the formal and informal arrangements supporting engagement and collaboration between, for example, government, employers, sector/occupational bodies, trade unions and workers
60. Current rights derived from Europe include rights relating to equality and protection against discrimination; parental rights; paid annual leave; health and safety, including statutory limits on working time; information and consultation of employees; acquired employee rights on transfer of undertakings.
61. (Komorowski & Lewis, 2020) (House of Commons Committee, 2020) (Easton & Beckett, 2021) (National Audit Office, 2020) (National Audit Office, 2022) (Musicians' Union, 2020b) (UK Music, 2020) (Unaffiliated group of analysts and theatre freelancers, 2020) (The Society of Authors, 2022)
62. (Brook, et al., 2018) (Brook, et al., 2020) (Carey, et al., 2021b)
63. (BEIS, 2018)
64. Alongside the publication of the Good Work Plan, UK government launched 4 consultations on Employment Status; Agency Workers; Increasing transparency in the labour market; and Enforcement of employment rights.
65. See the Cairncross Review: A sustainable future for journalism (Cairncross, 2019)
66. See the House of Commons Digital, Culture, Media and Sport Committee into the Economics of Music Streaming (House of Commons, 2021) (Hesmondhalgh, et al., 2021)
67. <https://committees.parliament.uk/work/6881/a-creative-future/> (House of Lords Communications and Digital Committee, 2023)
68. See (Equity, 2022) (Frontier Economics, 2020)
69. At the time of writing, the Competition and Markets Authority (CMA) is undertaking a full market study of music and music streaming and the Intellectual Property Office (IPO) is facilitating a programme of research and stakeholder working groups to explore industry-led measures.
70. See (Kretschmer, et al., 2021) for relevant discussion in the context of platform regulation
71. In England, Scotland and Wales any employer with a headcount of 250 or more must report annually on their gender pay gaps, including submitting information to Government and publishing data on their website. Currently, employers 'may' publish a supporting narrative and action plan to explain gender pay gap and actions they will take to address this, but at the current time this is discretionary. Further information can be found [here](#).

72. Employment status defines the minimum rights and responsibilities for individuals and employers, covering areas such as pay, leave and working conditions. The 3 main types of employment status are:
  - an employee – who tend to be individuals that work regularly and are paid for completing those hours of work by their employer. They are generally entitled to the full suite of employment rights.
  - a worker (sometimes called a limb (b) worker) – individuals in this category are less likely to be working in permanent, full-time employment with a single employing organisation and are more likely to have more casual and flexible working relationships often involving multiple employers. They have fewer rights than employees, but are entitled to core statutory employment rights; and
  - a self-employed person – who are individuals that run and manage their own business or work. Generally, self-employed individuals have no statutory employment rights but are entitled to some health and safety protections/obligations as well as anti-discrimination rights when they are contracted by a customer or client.
73. (Easton & Cauldwell-French, 2017)
74. In the HMRC's own assessments around a fifth of assessments are undetermined (HMRC, 2021) (CIPD, 2020)
75. Following the Taylor Review, UK Government launched a consultation into the creation of a Single Labour Market Enforcement Agency. This agency would: strengthen the authority and powers of the Agency's remit by combining roles of previous organisations (that is the Employment Agency Standards; National Minimum Wage Enforcement; and the Gangmasters and Labour Abuse Authority); better share knowledge and improve monitoring data to track non-compliance; create a simpler and more instantly recognisable brand for employers and share good practice; and strengthen penalties and 'breach' charges and raise awareness of the consequences of unlawful practices and non-compliance (BEIS, 2021)
76. (Roberts, 2017) (Brook, et al., 2020) (Frenette, 2015) (de Peuter, et al., 2015) (Carey, et al., 2021a) (Carey, et al., 2021b)
77. (Taylor, 2017)
78. (Sheridan, 2020) (Comunian & England, 2020) (Eikhof, 2020) (Pacella, et al., 2021)
79. (Economic Affairs Committee, 2020) (House of Commons Work and Pensions Committee, 2018)
80. (OECD, 2018)
81. (Easton & Cauldwell-French, 2017) (House of Commons Work and Pensions Committee, 2018) (House of Commons Work and Pensions Committee, 2021)
82. DWP introduced the New Enterprise Allowance (NEA) in 2011 to provide a mentor, advice and support on developing their business and help with a start-up loan for out-of-work JSA claimants and (during Phase 2) low paid Universal Credit claimants with established businesses affected by the Minimum Income Floor. But NEA was scrapped at the end of 2021, and there have been no plans to develop a replacement.
83. (Easton & Cauldwell-French, 2017) <https://www.equity.org.uk/chancellorsplan>
84. (House of Commons Work and Pensions Committee, 2018) (Easton & Cauldwell-French, 2017)
85. (RSM UK Consulting LLP, 2022)
86. (OECD, 2019)
87. (OECD, 2017)
88. Ireland is running a pilot of a Basic Income for the Arts (BIA) scheme which offers valuable insights for other countries. The Pilot is recognition, at government level, of the important role of the arts in Irish society. The BIA aims to: pilot a sector specific support for the arts, in the form of a basic income, to recognise the value of time spent on creative practice and for arts workers who make a key contribution to the creative production process: enable artists and creative arts workers to focus on artistic production/practice without having to enter into employment in other sectors to sustain themselves; support participants to develop their practice by providing income during periods when practice and portfolio are being developed; and minimise the loss of skill and experience from the arts sector. 2,000 recipients will be randomly selected to take part. They will receive the payment set at €325 per week and paid on a monthly basis. See here for further information.
89. (OECD, 2018) (OECD, 2019)
90. (Brook, et al., 2020) (Carey, et al., 2021b) (Conor, 2021) (Saha & van Lente, 2020)
91. (Allas, 2020) (Scur, et al., 2021) (Bryson & Forth, 2018) (Tsoukalas, 2021) (UKCES, 2009)
92. (OECD, 2019)
93. The Employer Skills Survey measures 21 HPW practices, and for companies to be recognised as HPW employers they have to adopt at least 14 of the 21 practices. Those employers with fewer practices are tracked to establish how close they are to the HPW threshold for example those between 10 and 13 practices are considered to be HPW 'cusp' employers.
94. (OECD, 2019) (Osterman, 2008) (Winterbotham, et al., 2018)
95. See for example (Carey, et al., 2019)
96. See for example: (Creative and Cultural Skills, 2018) (Arts Council England, 2017) (Wilkes, et al., 2020) (Armstrong & Page, 2015) (BECTU, 2021) (Hoyle, et al., 2018)

97. (Department for the Economy NI, 2021) (Fair Work Convention, 2016) (Public Health Wales / Healthy Working Wales, 2022)
98. See, for example, collective agreements, grading schemes and codes of practice negotiated or advocated by [Bectu](#), the [Musicians' Union](#), [Equity](#), [Publishers Association](#), [Association of Photographers](#), [Directors UK](#) and the [Society of London Theatre](#).
99. (Fair Work Convention, 2016) (Fair Work Convention, 2019) (Fair Work Convention, 2020). See sector-focussed reports and inquiries in Scotland in [Construction](#), [Social Care](#) and [Hospitality](#), with recommendations to develop a Fair Work Charter in the Creative and Cultural Sector (Scott, et al., 2022); in Wales in [Social Care](#); and plans to establish a Fair Work Forum in Northern Ireland for [Social Care](#).
100. See for example the UK's 100 Best Companies to Work For or HR Magazine HR Excellence Awards or the Social Mobility Foundation Employer Index and the City of London Social Mobility Taskforce and Greater Manchester Good Employment Charter Supporters' Network
101. (Scott, et al., 2022) (Skills Development Scotland / EKOSGEN, 2021)
102. The European Commission supports workplace innovation through project work and the European Workplace Innovation Network.
103. These include a range of development activities, offered by: universities many involving degrees and higher degrees; through new technical education programmes including Higher Level Apprenticeships delivered by approved Work Based Learning providers; and professional bodies such as Institute of Leadership and Management (ILM) and Chartered Management Institute (CMI).
104. (Scottish Government, 2021)
105. (OECD, 2021)
106. (Scottish Government, 2021) (Fair Work Commission, 2019)
107. (Carey, et al., 2019) (UK Music, 2018) (Cultural Learning Alliance, 2021)
108. (Giles, et al., 2020)
109. The 2016 Employer Perspectives Survey is used because this was the last year in which the survey was conducted in all four UK nations
110. For example, see (NAO, 2019) and DfE evaluation surveys of learners and employers [here](#)
111. See recent analysis by the Institute for Fiscal studies in [2022](#)
112. (NAO, 2022)
113. (OECD, 2019)
114. See, for example, sectoral insight currently produced by organisations such as Skills Development Scotland (Skills Development Scotland, 2022) (Skills Development Scotland/EKOSGEN, 2021) or indeed the PEC; regional/ local labour market assessments produced by the Unit for Future Skills, Local Enterprise Partnerships and Skills Advisory Panels in England, Regional Skills Partnerships in Wales, Regional Economic Partnerships in Scotland and local Labour Market Partnerships in Northern Ireland; and sub-sectoral skills insight produced by organisations such as ScreenSkills or the NCTJ.
115. (OECD, 2021)
116. (Kato, et al., 2020)
117. (Learning and Work Institute, 2022)
118. The Apprenticeship Levy requires employers with an annual 'pay bill' of £3 million to contribute 0.5% of their pay bill into the Levy. Employers are able to access Levy funds via a Digital Apprenticeship Service and voucher scheme with registered providers.
119. For example, enabling levy paying employers to transfer increasing amounts of their levy to other organisations in their network and/or supply chain
120. See (ScreenSkills, 2018) (Bazalgette, 2017) (Carey, et al., 2019) (Whybrew, 2018) (CIPD, 2021)
121. See for example (OECD, 2017) (UKCES, 2009)
122. See the ScreenSkills [website](#) for further details on the skills and training programmes supported by the Skills Funds
123. (BFI, 2022) (Nordicity/Saffreys Champness, 2022)
124. The HETV Skills Fund and Film Skills Fund welcome a voluntary contribution of 0.5% of UK production expenditure, capped at £100,000 for HETV productions with a budget greater than £5m per broadcast hour and Film productions with a budget of £13.26m. For productions below these thresholds, contributions are capped at £66,300. As noted by (BFI, 2022), this means that larger productions contribute a relatively smaller share of their budget to the Skills Funds – significantly less than the 0.5% suggested.
125. (OECD, 2017)
126. (UKCES, 2011)




127. In Wales, Personal Learning Accounts provides funding for those aged 19+, who are employed or self-employed but earning under the median income (£29,534) and looking to gain skills and qualification in priority sectors, which includes Creative courses. In Scotland, Skills Development Scotland (SDS) Individual Training Accounts offer those aged 16+ who are seeking employment or in low paid work (£22,000) a grant of up to £200 towards a single training course or episode per year, in curriculum areas aligned to Scottish Governments Labour Market Strategy, including a small number of Creative courses. UK Government is also consulting on the introduction of a Lifelong Loan Entitlement from 2025 equivalent to 4 years of post-18 education that individuals can use over their lifetime to funding modular and full-time study at higher technical and degree level (L4-6). It is yet unclear whether Creative courses will be eligible for funding by the LLE, which connects closely with wider discussion on how best to measure quality and value (see (Giles, 2021) for a fuller discussion).
128. (Bell, 2019)
129. See for example (OECD, 2018) (Coats, 2020)
130. (Easton & Beckett, 2021) (Chandler, 2021) (Henry, et al., 2021) (O'Brien, et al., 2022)
131. (Creative UK, 2020) (Easton & Beckett, 2021)
132. (Deane, 2016)
133. (Henry, et al., 2021)
134. The Creative Industries Council in England; Creative Industries Leadership Group in Scotland; the Creative Skills Advisory Panel in Wales; and Culture, Arts and Heritage Strategy Taskforce in Northern Ireland
135. (OECD, 2019) (OECD, 2021)
136. (Arts Council Northern Ireland, 2022)
137. For instance, giving a non-executive director responsibility over workforce issues; Establishing a workforce director (so-called 'worker on the board'); and/or establishing an employee advisory committee (or broader stakeholder committee).
138. Over the past decade there has been significant focus on the representation of women on the Boards of FTSE companies. The 2011 - 2015 Davies Review and 2016-2021 Hampton-Alexander reviews set targets for representation of women on boards at FTSE 350 companies of 33 % (Davies, 2011) (FTSE Women Leaders, 2021) and in 2022 the FTSE Women Leaders Review published its first report on achieving gender balance (FTSE Women Leaders, 2022)
139. The Information and Consultation of Employees (ICE) Regulations were established in 2005. Their intention was to give employees in businesses with 50 or more employees stronger tools to request collective employee consultation with their employers around key business and employment issues – this required the support of at least 10% of the workforce. However, with the UK Government recently reducing the threshold for the share of employees making the request to 2%, this offers more potential for creative workers to exercise this right and to promote and extend consultation provisions.
140. (CIPD, 2021)
141. (CIPD, 2022)
142. (Bell, 2019)
143. (OECD, 2019)
144. (OECD, 2018)
145. (Fair Work Commission, 2019)
146. Such as in the US and in Canada where Worker Centres support atypical workers (OECD, 2019)
147. (De Peuter, 2014) (de Peuter & Cohen, 2015) (Boyle & Oakley, 2018) (Oakley, 2021)
148. See the Arts Council Support Organisations Programme
149. (OECD, 2019)
150. (HM Treasury, 2022)
151. (Jowett, 2022)
152. For example, in Scotland there has been concerted efforts to bring benefits to life as seen in the Scottish Business Pledge for example and strengthening information and advice around Fair Work has become an integrated component of the business enterprise services delivered in parts of the UK such as Scotland within Scottish Enterprise, Highlands and Islands Enterprise and South of Scotland Enterprise



# Creative Industries Policy & Evidence Centre

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