



FREELANCE **SURVIVAL GUIDE**

Advice for successful freelancing plus insights into how BECTU supports the freelance community in film, TV, theatre and live events.

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the media and entertainment union



BECTU

a sector of Prospect

Welcome to BECTU



BECTU

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Working as a freelancer can bring flexibility, variety and a certain level of freedom. However whilst independence is one of the attractions of freelancing, creative sector freelancers do best when they are part of a community, connected to those doing similar work and connected to organisations which understand the challenges you face.

BECTU, the media and entertainment union, provides a range of key advice and support for freelancers working in film and TV production and in theatre and live events. The union also negotiates several collective agreements with employers and employers' bodies (particularly in film and TV) and several of our craft branches produce recommended rates covering grades from junior to senior and several types of production.

The union is also a vital industry network. Through union membership freelancers are well positioned to receive news on industry developments and there are opportunities to come together, either at branch meetings or at industry events, some of which are organised by BECTU. In this guide you'll find out more about BECTU's work for freelancers and how you can benefit. Join us at www.bectu.org.uk and get involved.

MARK DIMMOCK

What is freelancing?

Freelancing is a general term used to describe self-employment. If you're working for yourself, you should register with the HMRC as a sole trader and complete an annual self-assessment tax return. Failing to register can lead to penalties.



Financial peace of mind. Make it happen.

Dealing with financial issues can be daunting. How would you pay your bills if you fell ill or were made redundant? Do you understand the new "pension freedom" rules? Would you like to help your children financially?

We offer BECTU members practical, affordable financial advice on these and other financial issues. This advice is specific to you and could improve your financial situation.

Lighthouse Financial Advice Limited is an appointed representative of Lighthouse Advisory Services Limited which is authorised and regulated by the Financial Conduct Authority.

Book your complimentary, no obligation, initial consultation now.

Call 08000 85 85 90 or email appointments@lighthousefa.co.uk or visit www.lighthousegroup.plc.uk



Making your money work harder



Individual and collective voice

The number of freelancers in BECTU continues to grow. New members either join the union as freelancers or existing members leaving full, part-time or fixed term contract employment transfer their membership to the relevant freelance branch.

The biggest impact the union has on the lives of our members comes when we help a group of people to come together to do something collectively.

Recent positive developments include the introduction of the first ever Major Motion Picture Agreement (covering budgets over £30m) as well as the launch of a new accord on working conditions in TV Drama. Both agreements provide an essential platform for future improvements. In both cases the commitment of BECTU members brought employers to the table and the negotiations were led by union officials and active members elected by their branches.

NO MORE "TAKE IT OR LEAVE IT"

By sticking together, BECTU members have challenged the 'take it or leave it' attitude of some employers. Member-led campaigns have reduced unpaid overtime in VFX, and achieved better terms for people working in construction on film sets. Workers concerned that their skills weren't recognised have changed that by establishing grading schemes in partnership with the employers.

All of this happens because BECTU members form branches and meet regularly, backed by the union. The union's officials have the skills and experience you need to encourage your colleagues to work collectively.

SURVIVAL TIPS

Always be up to date on social media and always be clear and thorough when dealing with clients. eg, send complete price lists, double check appointments and addresses and provide good after care.

Megan Mitchell make-up artist

Value all your client relationships, even ones from years ago that you haven't worked with for ages. You never know when they'll come in handy.

Olga Fitzroy recording engineer/mixer

Get everything in writing! Even if you think everything was clear on the phone or at that meeting, send a follow up email. Those verbal contracts aren't worth the paper they aren't written on!

Sophie Clayton prop and puppet maker/supervisor

Once you make your rent with your freelance job, quit any other job. Instead, step up your game, keep in touch with people that you have an existing work relationship with, ask them if they have anything coming up and research new clients/companies you'd like to work for. Work attracts more work and you only learn by doing.

Alex Mill assistant director & aspiring director

WHAT IS THE RIGHT RATE?

Several of our branches host regular meetings where members get together to produce a ratecard for their grades and areas of production. These are recommended rates which are either underpinned by a collective agreement or freestanding. The rates are published on the union's website (www.bectu.org.uk/rates). Join BECTU and you can be involved in the discussions about rates, and other industry issues, which take place at branch and divisional levels.

STICKING UP FOR CRAFT SKILLS

BECTU also works closely with employers on long-standing industry recognised grading schemes covering riggers and special effects technicians (SFX). A more recent initiative covers grips; other union branches including ADs, locations, camera and sound have ambitions to develop similar schemes of their own.

The union is also looking to undertake similar work to develop a collective voice for freelance members in theatre and live events.

GET INVOLVED – TRAINING PROVIDED!

BECTU trains members to organise themselves and their colleagues more effectively with regular Freelance Organisers Training Days. If you'd like to get started, join your branch. If you and your colleagues would like to know more about setting up a new branch, drop us a line to info@bectu.org.uk to ask us how.

Freelance Survival Guide

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TAX ADVICE

Tax is one of the biggest challenges facing the self-employed in the creative sectors. The rules can be complex and are subject to change dependant on the government's annual budget and policy as set by Her Majesty's Revenue and Customs (HMRC). In addition, there is pressure on employers to deduct tax and national insurance contributions at source (through the payroll) from the freelancers they hire, which makes record keeping all the more important for the self-employed. Depending on the scale of your business you can do your own accounts or you can employ an accountant. BECTU retains the advice

of a tax consultant and publishes the Tax Guide for Freelancers which is updated annually (free to members). The guide covers tax essentials for the self-employed and includes chapters on Tax Basics (including the cash and accruals basis for calculating your income tax), Tax Years, Starting Up in Business, Expenses, National Insurance Contributions, Self-Employment, Lorimer Letters, agency rules, VAT and using a limited company. BECTU members should use their website login to access the full guide. www.bectu.org.uk/tax-guide

BECTU supports members with issues at work; the union also provides a range of low-cost training

EMPLOYMENT STATUS AND THE SELF-EMPLOYED

Broadly speaking, being self-employed gives you tax advantages compared to employees, but employees have more legal protection. In particular, employment law gives employees the right not to be unfairly dismissed. That protection is not available to the self-employed.

Employment law also recognises an intermediate category of 'worker' which does not exist in tax law. Workers have the right to holiday pay, pension contributions and the legal minimum wage. It is possible to be both self-employed for tax purposes and a worker for employment law purposes. That means you have the tax and NI (national insurance) advantages of self-employment but are also entitled to holiday pay, pension contributions, the relevant legal minimum wage and certain other protections arising from your status as a worker. The employment law protections of the 'worker' do not apply where an individual sets up a limited company becoming in effect owner and employee.



MARK DIMMOCK

Are you a BECTU member keen to support our work for freelancers?

Drop a line to info@bectu.org.uk



BECTU's Freelancers Fair is a fantastic opportunity to network and meet like minded individuals. There are lots of workshops and helpful advice sessions. The networking workshop was a particular favorite and the advice and guidance, I gained there has been invaluable.

Charlotte Austwick,
camera assistant

SURVIVAL TIP

Keep detailed records where an employer deducts tax and NI at source for a self-employed engagement and where your work straddles both employment and self employment. Put aside 25% of your self-employed earnings where you are paid gross (ie without the deduction of tax and NI) for your tax bill. Submit your tax return on time (different deadlines apply for postal and online submissions). Become familiar with the HMRC's website www.gov.uk/browse/business

CONTRACTS

Many of the disputes affecting freelancers arise because the contract is unclear. What exactly have you been hired to do? For how long? And for what payment? When will you be paid? Some employers mistake the hiring of freelancers as a licence to play fast and loose with their obligations to treat people fairly and to pay people as agreed and on time. You can help yourself to avoid these pitfalls by bringing as much clarity to the employment contract as possible (the contract for services, in the case of the self-employed, as opposed to the contract of service for the employed). Request a contract and if one does not materialise, turn your verbal agreement into a written contract by sending an email to confirm your understanding of the terms and conditions you've agreed to. Request an acknowledgement of your email. Taking these steps is a mark of your professionalism and will help you later should a problem arise.

SURVIVAL TIP

What your contract should say (as a minimum)

- Your name; the name of the employer/person hiring you**
- Role you've been hired to perform**
- Date(s) of the engagement**
- Daily rate or fixed fee (including or excluding holiday pay calculated at 12.1% of the daily rate)**
- Length of working day plus overtime rate**
- Any other fees which apply eg for travel, overnight accommodation, equipment hire or per diems**
- Payment arrangements and terms, including additional late payment fee**
- Cancellation terms (check the PACT and APA agreements on our website for industry norms www.bectu.org.uk/agreements)**

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MONIES OWED

One of BECTU's most in demand services is help with monies owed cases. Where our freelance members have not been paid they turn to us for help; most of the time a letter from us results in payment. Where this constructive approach fails the union may seek legal advice on behalf of member and may add the defaulting employer to our Ask First List to warn other members to steer clear. (The list is published quarterly in our union journal Stage Screen and Radio and is also posted online for members). Where a monies owed claim has to go to law, BECTU can provide members with a briefing on the Small Claims Court which is designed to support claimants without the need for legal or professional representation. If you're offered work that



is to be delivered abroad try to ensure that the company that engages you is UK-based, to maximise the chances of redress in the event of a problem. Guard against exploitation by companies which are not well funded or structured; if you're unsure about a company's standing, make discreet enquiries of your contacts, investigate, check the register at Companies House.

(NB: BECTU membership also provides access to a range of legal services covering employment law, copyright and non-work issues too. Legal representation applies where a potential claim is assessed as having a 50/50 chance of success. See the section on Legal Services later in this guide).

Because none of us knows when life might take a change for the worst.

Have you considered how you would cover your bills if you were injured or ill and off work?

PG Mutual can help you build an Income Protection Plus plan that could provide you with a regular income that could protect your home and family by covering all your outgoings*.

So all you'd have to worry about is getting better.

PG Mutual. Provides an income if you couldn't*.

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Freelance Survival Guide

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SURVIVAL TIP

Keep a record of all attempts to chase unpaid debts. Members should seek BECTU's advice promptly when it's clear there is a problem.

INSURANCE PUBLIC LIABILITY INSURANCE

Public liability insurance (PLI) is one of the union's most popular benefits for freelancers. Comprehensive cover up to £10m per claim is provided at a low cost of £31.50 (2018-19) for the whole or part of the policy period; the policy runs from 1 May – 30 April. The plan, which is brokered by Hencilla Canworth Ltd, indemnifies "against legal liability for damages in respect of accidental (1) Personal Injury (2) Damage to Property (3) Obstruction, trespass, nuisance or interference with any right of way, air, light or water or other easement, occurring during the Period of Insurance within the Territorial Limits in connection with Your Business". (Extract from Key Facts 2018-19).

Not all freelancers require PLI but approximately two-thirds of BECTU's freelance membership, working across film and TV production and theatre and live events, take this up through BECTU. The cover operates worldwide where businesses are based in Great Britain, Northern Ireland, the Republic of Ireland, the Isle of Man or the Channel Islands. Cover also extends to limited companies where no more than two people are directors of the company, one being the BECTU member and the other a family member employed in a clerical capacity. BECTU members working in partnership can also choose to be covered by BECTU's PLI policy. More detail on the policy, including exclusions, can be found at www.bectu.org.uk/pli

MEDIA FREELANCER INSURANCE

Kit cover is a key requirement for many of the union's freelancers, whether we're talking camera or lighting

equipment, art department tools or a hair and make-up artist's supplies. The Media Freelancer Insurance plan starts with kit cover; the cost of the premium depends on the value of the kit being insured but BECTU members have the benefit of a minimum outlay of £100 (plus ipt and £25 admin fee). Cover through the plan, which is also brokered by Hencilla Canworth, can be expanded to cover other insurance needs such as

- Buildings and contents
- All risks on specified items
- Business interruption
- Employers' liability
- Public liability
- Product liability
- Professional indemnity
- Personal accident.

For more information visit www.bectu.org.uk/mfi or www.bectuinsurance.com

SURVIVAL TIP

Make sure you have the insurance you need, wherever you source this.

STARTING OUT – HOW TO AVOID EXPLOITATION

Decades ago it was the norm for freelancers to have gained high levels of experience in staff employment to sustain a freelance career. Today the reverse is true. Many new entrants are starting out as freelancers making for a more precarious start to working life in an industry where the demand for settled employment outstrips the available opportunities. How do you avoid working for free? Our answer is to be your own best critical friend. Value your education and skills. Everyone craves financial independence and even employers recognise that. Why should you work for free? Who can really afford to do that? (NB: the offer of lunch and travel expenses is not pay!). Furthermore, employers are breaking the law by engaging workers either without pay, or with pay which is less than the national minimum wage. (Work experience for full-time students can be unpaid and volunteers are excluded from the national minimum wage regulations). If you are a BECTU member and want to challenge the way an employer is treating you in terms of pay you can seek our help. If you are not a BECTU member, you can seek advice in confidence and report breaches of the National Minimum Wage Regulations to ACAS (the government's employment advisory service). Contact the ACAS helpline on 0300 123 1100.

SURVIVAL TIP

If you feel you cannot avoid doing a minimal amount of work for free, be clear about what you want to get from the experience and make sure the employer commits to adding to your learning.

SOCIAL MEDIA DOS AND DONTs

The internet is a public space. If you're using social media to promote yourself for work, be professional at all times. Don't post anything which you wouldn't want an employer to see. Remember there should be a private you and a professional you. Observing this discipline means people you want to influence won't form a negative opinion of you. As Jude Winstanley of The Unit List writes in the Creative



We all have access to relevant, first class industry standard training courses, with a wide range of very talented, caring and genuine trainers.

David Jordan, business analyst, former BBC member, now freelance

Union members use **Prospect Plus** benefits for discounts on a range of selected Apple products, savings on car insurance & more. **Join BECTU online today at www.bectu.org.uk**



SILVERHUB/REX/SHUTTERSTOCK

The number of freelance members in theatre and live events is growing

Toolkit Help Note Getting In, Getting On:

- Check the social media use policy of the company you're working with
- Lock down your online security so that sensitive personal information is not freely available
- Take care with comments or information which could defame your employer or compromise your work or reputation. During your engagement you are a representative of the company that has hired you and you must act appropriately.

SURVIVAL TIP

Download the full *Getting In, Getting On* Help Note at www.creativetoolkit.org.uk/help-notes You'll also find other guides written with the creative sector in mind covering health and safety, business skills, CV writing, networking and succeeding at interview.

TRAINING

With the independence of freelancing comes the need for self-help. And training is an all-important area. To stay employable all workers have to keep up to speed with technological advances, changes in practice or the introduction of new equipment and, for the most part, if you're a freelancer you'll have to meet the cost. Organisations such as ScreenSkills (formerly Creative Skillset) for film and TV, and Creative & Cultural Skills, for theatre and live events, may be able to offer financial assistance or discounted training so do make contact with them.

BECTU offers a number of vocational courses including the popular Creative Industries Safety Passport, the City & Guilds Accredited Temporary Electrical Systems NA7909 (3) and Emergency First Aid at Work, together with a series of one and two day workshops aimed at boosting business skills for freelancing, setting up a website and online self-marketing. These courses are open to all with BECTU

Media Freelancer Insurance brings you professional kit cover and more

Visit www.bectuinsurance.com for immediate quotes and cover

Up to 20% discount for BECTU members; premiums start at £100 (plus ipt and admin fee)

No Claims Discount available.

Equipment, Employers' and Public Liability, Buildings and Contents, Professional Indemnity and Personal Accident Insurance

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members benefitting from discounted rates. Several of our courses run at locations throughout the UK and in addition BECTU backs learning projects in Scotland, the North of England and Wales. Follow the links here www.bectu.org.uk/training-development for the full vocational course programme and for information on our learning projects.

SURVIVAL TIP

Take advantage of annual industry events such as the ABTT Show, BVE and PLASA, all of which run valuable seminar programmes. Check in with equipment manufacturers too.

GET CONNECTED

Good contacts boost a freelance career so you need to get connected. Be part of online industry forums and support groups (if they don't work for you you can always bow out) and take advantage of masterclasses and networking events. BECTU runs a series of networking events annually and tries to be responsive to members when they call for something specific. The union's annual Freelancers' Fair, devised by our Writers Producers and Directors branch is always a hit, particularly with workers in TV and film. The next one happens on Friday 21 June 2019. The union's Young Members' Forum offers an important space too for new entrants to shape the union as we move forward. Follow them on twitter [@bectu_ym](https://twitter.com/bectu_ym)

LEGAL SERVICES

Every year BECTU members receive over £1 million compensation for injuries or mistreatment thanks to legal representation provided free by the union's specialist solicitors, Thompsons.

This long established firm prides itself on only acting for the injured or mistreated and won't, as a matter of principle, act for insurance companies in injury claims or employers in employment cases. Where a legal case has at least a 50% chance of success BECTU members (and their families for non-work accidents) get free legal representation. Monies owed and personal injury (including disease) top the list of claims pursued for BECTU members but of course the union and its lawyers provide advice on the full range of employment issues including unfair dismissal and discrimination claims.

Legal services also extend to certain non-work issues – the union provides a free will-making service for example



BECTU trains representatives to support our staff and freelance members. Picture shows union representatives at annual conference

as well as reduced rates for conveyancing, probate and powers of attorney. Support is extended to family members on all additional services and for non-work injury and disease claims. To benefit from the union's legal services, individuals need to be union members when the issue giving rise to a claim occurs (with an exception for latent disease cases). For more on the union's legal services and on union benefits generally visit www.bectu.org.uk/benefits-services

More BECTU services

Visit our website to learn about

Ratecards – www.bectu.org.uk/rates

Copyright – www.bectu.org.uk/copyright

Script Registration – www.bectu.org.uk/script-registration

Early Bird – www.bectu.org.uk/early-bird

Crewbus – www.bectu.org.uk/crewbus

Sound legal advice for members

BECTU members get free legal advice and representation for:

- Personal and serious injury
- Industrial disease or illness
- Employment law
- Clinical negligence (special terms apply)

Family members are also covered for personal injury away from work.

Whether you're an employee or a freelancer, when you use your union legal service, provided by Thompsons Solicitors, you keep 100% of your compensation within the union scheme.



0800 587 1278

www.thompsonstradeunion.law/bectu