



Minutes for AAPTLE Meeting #21

Wednesday 17th November 2020 12pm on Zoom

Chaired by CITA

Present:

SBTD- David Farley, Rosie Whiting, Nicky Shaw, Cat Silver

MDA- Diane Alison-Mitchell

ALD- Ian Saunders, Mark Jonathan, Johanna Town, Stuart Porter, Lucy Carter

Stage Sight- Jai Morjairia

FMTW- Leo Wann, Peter McKintosh

PMF- Mandy Ivory-Castile

Scene-Change- Max Jones, Anna Fleischle

PMF- Suzy Somerville, Dan Shelley

Stage Sight- Tamykha Patterson

PMA- Tracey Elliston

CITA- Nikki Edmonds, Catherine Kodicek, Charlie Rungen, Claire Hartley

SMA- Andy Rowley, Arran Pallan

IPSE- Andy Chamberlain, Peter Thompson

SDUK- Alex Sutton

Welcome and Apologies

Guest Speakers; Peter Thompson, Partnerships Manager and Andy Chamberlain, Policy Director from IPSE <https://www.ipse.co.uk/about-us.html>

- They are a not for profit that represent freelancers and single self employed
- They first formed in 1999, they were set up as professional contractors to fight IR35 but have moved on a great deal since then.
- They are not very well known in the theatre and live entertainment industry but they are hoping to make connections to the freelancers in our industry
- Thanks to Paule Constable and Bruno Poet from FMTW for first approaching them
- They have been in the media campaigning against the IR35 regulations that the government wants to introduce

- Since the pandemic started, they have been lobbying government on behalf of freelancers who have fallen between the gaps of the government Covid schemes
- If there are any further questions they invite people to email AAPTLE and they will answer them
- They offer a range of services such as money saving offers, contract checking, personal insurance, business insurance, they have partner organisations like banks and breakdown cover and investments and pensions, mortgages for the self-employed and zip-car- check the website for the full list of services they offer
<https://www.ipse.co.uk/about-us.html>
- They do podcasts and webinars and they have a national freelancer's day.
- They run "freelance corner" which provides support to freelancers and encourages people to speak to each other
- In the new year, they plan to launch a marketplace for people to link to smaller businesses
- They are really keen to support freelancers in all sectors and believe that they can help arts freelancers.
- There is an opportunity for us to work together, they already have the infrastructure in place. It would be a really good opportunity for there to be a single voice for freelancers
- IPSE recognises that the arts community has been hard hit by the pandemic
- They approach campaigning by building a case study, they do research and present a case to govt
- Andy – director of policy – he wants to create a better environment for freelancers with policy at govt level. They have campaigned against low pay and no pay
- From February 2020 IPSE were aware that in addition to a health crisis, Covid was going to be a financial crisis for self employed people. They wrote to ministers and lobbied hard for SEISS. The govt listened to IPSE and other lobbying groups, as we know what govt offered has fallen short but the reason that SEISS even existed is due to the lobbying efforts of the various groups of which IPSE was a part
- IPSE are very aware of the freelancers who have fallen through the cracks – they have continued to lobby for further help and to fill the gaps but it has become apparent that the govt is unwilling to move on any of the issues;
 - New freelancers
 - PAYE 50% threshold
 - Incomes of more than £50K
 - Company Directors (where they are the sole employee)
- IPSE gave evidence to the select committee about the freelancers who have fallen through the cracks with a plan of help but the govt has stated it will not do more
- There is a chance that with the next tax returns going through, there is a better argument for the newly self employed to receive help through SEISS
- **They encourage freelancers to get their tax returns in early to bolster the chance of newly self employed to be included in the 4th tranche of SEISS**
- Furlough has been used to a limited degree by self employed people who are able to pay themselves a small salary.

- The complication for company directors where they are the only employee is that if they take furlough they are not permitted to work – so that becomes impossible.
- The Govt grants have been offered to companies that have buildings – but the real issue is that even if theatres have been helped with the building, is not trickling down to the individual people.
- Local authorities have money but they are tapped out
- Bounce Back loans are available but they need to be paid back – so some people are going to go into debt as they will not be able to pay it back – it is also unequal assistance as others are being given money, but others are required to pay the money back
- A quarter of all self-employed have now burned through all of their savings
- Universal Credit is available and the minimum income floor has been suspended so that freelance people will be eligible- IPSE wrote to the treasury to extend the suspension which was agreed to – small win
- They lobby govt via research and case building. They have a freelancer's confidence index. Unsurprisingly it has recorded the lowest earnings in 7 years
- IPSE is asking govt to help them now to power the recovery post covid as freelancers will be the people to help the country to recover

Questions from AAPTLE member

Does your organisation help or look after freelancers on continuous rolling PAYE contracts?

- Terminology is so varied in the freelance world – IPSE first used the term contractors but it was a word association with the construction industry so they changed it to freelancer. They use it interchangeably with any other word, their members have lots of different descriptors for themselves – micro-business, contractor, consultant, sole-trader, self-employed, freelancer, IPSE says they are all self-employed
- There is a sub-set of the self-employed who are highly skilled professionals who are specialists in their field.
- Their general feeling is that they want to represent everyone who is self employed
- PAYE freelancers is a tricky one. They found this during lobbying govt for support. PAYE freelancers were not eligible for SEISS because they were employees but neither were they eligible for furlough as they were not employed at the time of the scheme roll-out. They have rights when they are in employment the same as any other employee in terms of tribunals, unfair dismissal and other things but that is not obvious. The tax status and employment status is very confused.
- PAYE freelancers are really falling between two stalls.

Question SMA

Stage managers have a special exemption for tax which they share with actors. They are employed but they do not pay tax at source. How would IPSE work with Equity? Also, the arts bailout has been routed through the arts council and the funds have therefore been mostly channelled through buildings, how might IPSE work with the arts council? Also SMA is very concerned with graduates and new entrants to the arts, how might IPSE support that work?

- IPSE are very interested in working with other organisations, they have been talking with FMTW as a starting point, but working with Equity and the Arts Council is on their radar. It might be trickier to work with Equity, they are open to having conversations with other organisations
- In terms of new starters, they are planning work to hand hold new starters for the first 6 months or so to ensure they get a good start in their chosen industry
- Arts Council money is going to buildings rather than to the people who work for those buildings, it is a really good idea for IPSE to approach the Arts Council
- IPSE has a relationship with BECTU via Tony Lennon on IR35 and tax for freelancers
- IPSE are talking at the moment to the MU at the moment

SMA - Alan Lean is the finance expert with Equity, the arts council requires people to apply to it, rather than to give money.

Question from CITA – you mention your proposals that you made to govt that they rejected, are these proposals “dead in the water” or is there any movement?

- The IPSE proposals have been facing a closed door – they are continuing to push
- If there are other groups who want to make proposals or bolster the argument, they would welcome the input

Question SBTB – we can gather case-studies and info to bolster the arguments if that would be useful – how can we co-ordinate that with you?

- Email it through to us and we can take it forward. Peter.Thompson@ipse.co.uk

Comment SBTB – the retrain campaign featuring the ballet dancer felt particularly insulting as it diminishes the years, money and effort taken to achieve a career in the arts in the first place but it is perhaps down to us to explain to govt what we do and that we are experts in our field and just how skilled we are.

- MU contacts were as incensed as us about that campaign. This present catastrophe will end, and the idea that we should allow people to just leave the industry is very short sighted.

Chair thanks Peter and Andy for coming and agree to book them to come again and talk to us again, but if anyone has any further questions, please email them

Peter.Thompson@ipse.co.uk

Reflections on the BECTU meeting that was in the previous meeting and the follow up meeting.

- The BECTU meeting was quite frustrating. We put a lot of questions to them and we did not expect that we would get through them all. A lot of the early questions were being answered, it seemed, along “party lines” until there was an intervention question

whereupon the answers dived more into the nitty gritty of the issues facing freelancers in BECTU.

- Half the answers weren't answered, and we asked if they would reply to them which they have not yet done.
- We were able to ask about day rates and specifically the film day rates that are organised by craft which we look at with envious eyes and ask "why can't theatre have those?"
- We are chasing the remaining answers that we ran out of time for and there is a working group meeting to respond to the questions that BECTU have put to us.

SBTD – I felt more hopeful speaking to IPSE today than I did listening to BECTU last time

Chair – Thanks to Paule Constable and Bruno Poet for making the connection to IPSE – every time we make links to other organisations we become more of a body.

- BECTU presentation was horrifying, the main message was that the members do everything and we won't do anything for you. The talk was mostly applicable to film. I wasn't sold on joining at all.
- To add to that, they did not answer any of our questions, rather, they sent back some homework and a lot of questions for us.
- What we have in AAPTLE is a grass-roots union. We are all here representing all our disciplines in theatre, we are doing what we really want the unions to do.
- IPSE were great but it is not really about organising the freelancers, it is about organising the organisers.
- We really want ALL the unions to coordinate together to offer something to freelancers
- Until we have a real offer from unions, we are in a fork in the road
- Equity are going to try and set up a meeting with Equity, it would be great if IPSE also did this
- IPSE are great with lobbying but they may not be able to work with us in a micro level to help freelancers
- AAPTLE becoming a union is really tricky, we do not have any of the legal rights that unions have.
- In terms of refusing to work for bad pay etc, freelancers really cannot just turn work down, they are too precarious, there are other ways we could make our point, flyers, campaigns and checking that the agreements that have been made are being stuck to, which we would like unions to support us. AAPTLE could help do some of this work
- Freelancers are finding out that all the work that is being done is being done by individual people who can do that work in an association or on their own- the unions are not really listening to us or in a position to do what we need them to.
- The AAPTLE meetings and the people who are present are a form of grassroots organising. We are all agreeing that we want day-rates – is there a way that we could just get on with that? Is it about offering advice, rather than offering a rate card. The "get-arounds" are there if we want to do them.

- With the rate card – maybe we do look to the UK film industry rates and US theatre rate cards and see what is comparable so we can start a conversation about this- perhaps this conversation can happen in Slack?

Second Lockdown

- Furlough – there is a gap between the Producers who are putting people back on furlough and the producers who aren't. Can we champion the producers who ARE putting their staff back on to furlough? In order to keep raising awareness in a positive way?
- There has been a curious thing happen in Cardiff. They were contacted by the Arts Council and told to put their staff on furlough AND to then repay their cultural recovery fund money to the amount of the furlough – they went back and forward on it because they had work for the people to do, but in the end were told it was okay, they would not actually need to repay the cultural recovery fund and they do not need to put their staff on furlough if there is work for them to do. Which was very frustrating.
- Positive news!!! The Leicester Curve have been extraordinary. They have had a massive restructuring due to Covid – they have re-employed loads of freelancers, they have NOT reduced people's rates despite doing fewer hours, everything they have put out has been really positive. They are going ahead with the work they were planning to do, they haven't used the second lockdown as an excuse to "clean house".
- ATG are bringing people back on furlough *after* they were publicly shamed in The Stage by a writer talking about the fact that they weren't – it is very interesting when organisations do the right thing after they have been publicly called out....
- More positive news, ENO managed to make a little show, and because their staff are on furlough the Designer was able to make work with numerous freelance folks and they were all paid at good rates.
- The clarification that rehearsals could continue was very welcome and a number of freelance stage management are working in good covid-safe environments. Shout out to Wiltshire Creative and Salisbury Playhouse. There is a of streaming going on, Equity variation for subsidised houses has a formula for this which is that if they can only seat a certain number of people, they can sell the remaining tickets to a virtual audience for streaming at no extra payment which most SMA and Equity members are really happy with. There are protections for minimum rates of pay for pro-rated pay if all performances cannot go ahead, there is now a minimum rate which is also good news. Equity did a good job negotiating that.
- More good news - National Theatre Scotland have 55 short films that they have created, "Scenes for Survival" – you can see that they have really learned lessons on how to create theatre in this way.
- Jermyn Street Theatre production "15 Heroines" is another example of how theatres are creating work, it was a really successful show.
- "15 Heroines" employed a lot of freelancers, JST ensured that they gave as many freelancers as possible work by using the fact that it was filmed to their advantage
- The first preview was the recorded version, so it was strange for the creative team to not have a full tech – the 15 short plays were teched in 2 days and recorded in 2 days.

3. Unconscious Bias Trainings

ALD – have booked Unconscious Bias Training with Chicken-shed on the 25th November at 1300; they have a place spare if anyone wants to take it up. There is a poll on the slack for future dates for training.

4. Events

CITA in conjunction with ABTT– have a covid-safe working for costume webinar on 30 November at 1400.

Next Meeting – Zoom – Tues 1st December - Chair and Host; Scene Change