

# BEST PRACTICES TRAINING

Working with Supporting Artists

In association with



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Produced by  
**MAD DOG 2020**  
**CASTING**

# Today

- Introduction & Welcome
- Supporting artist / Agency / Production
- Unions and their agreements
- Legal and other responsibilities
- Employment rights / Worker rights / H&S / HR
- Best working practice! – Expectations / reality
- Check List and Summary

# Our aim of today

To understand best practice when working with supporting artists by understanding;

## LEGISLATION

How can the UK Government's legislation help to mitigate risks to the production and supporting artists

## DUTY OF CARE

To deliver a production's duty of care for supporting artists

## BEST PRACTICE

Applying best practice when working with supporting artists and agencies

## RESPECT

To be respectful of all crew and encourage diversity, inclusion and social mobility within the industry and on screen.

# A Quick Quiz

A Supporting Artist is  
classed by the HMRC as  
a;

- A. PAYE employee of the agency they are represented by?
- B. Self-employed who looks after their own taxes?
- C. PAYE employee of the production they are working for?

There are how many  
Supporting Artist  
Agency's are operating  
within the UK?

A. 19

B. 37

C. 47

Which of these agreements are commonly used within the 40mile radius of Charing Cross?

- A. FAA/PACT
  - B. ITV/Equity
  - C. BBC/Equity
- 
- A. PACT/Equity Supporting Artists Agreement

The Producers and a Supporting Artist Agency should have an agreed set of terms and conditions (i.e. rate, working hours, OT etc) in place prior to filming?

- A. TRUE
- B. FALSE



A supporting artist is currently working as 'regular' continuity on a TV Drama. They injure themselves whilst at home. Would production insurance cover this?

- A. TRUE
- B. FALSE

It's Government regulation for a Supporting Artist Agency to register with the Employment Agencies Standards Inspector (EAS)?

- A. TRUE
- B. FALSE

Who we're talking about;

# What we'll look at

**SUPPORTING  
ARTISTS**

**AGENCY**

**PRODUCTION**

**THEIR ROLES &  
WORKING  
RELATIONSHIPS**

# Supporting Artists

- Supporting Artist, such as SA, Extras, Background or BG
- Are a vital part of any production!
- Primarily through an agency (SAA) although sometimes are found through open castings held by either the production or agency, or via a direct booking.
- Professional SAs will be signed up to a number of agencies
- They are also booked for any standout features/skills, if there's a specific brief for the production

# Supporting Artists

- A Supporting Artist is not required to give individual characterisation in a role or speak dialogue other than crowd noise or reaction.
- There are two descriptions which a SA can be put under:
  - i. Walk-On Artist
  - ii. Background Artist
- Other roles include;
  - i. Stand In's
  - ii. Doubles

# Supporting Artist Agencies (SAAs)

- Main source and supply of SAs
- Managing the logistics of SAs availability, booking, release and transportation needs & processing SAs payments
- Responsible for making sure the required SA's attend the shoot. If there are any issues (due to illness or other), it is the booker's responsibility to find a suitable replacement.
- The Knowledge 2019 identified 47 agencies
- Digital technology adopted by the larger traditional agencies and online platforms helps agencies cast, manage, book and process chit-less payments online
- Regulated under the conduct of employment agencies and employment businesses regulations 2003 (SI 2003/3319) Amendment 2010 (CEA03/10).

# Production Company

- International & domestic spending has been at its highest in years
- “Since the introduction of film tax relief in 2007, UK production spend on film has increased to a new high of £1.72 billion in 2016, with an overall growth rate over the last four years of 47%”\*
- A number of the international production companies setting up shop within the UK, Disney and Warner Bros
- Also an increase in Band 1\* TV programmes being produced by public service broadcasters

\*‘How screen sector tax reliefs power economic growth across the UK’ Summary report October 2018

\*Band 1 TV Show – less than £850k per hour.



# Their Working Relationship

- At the start of a production, how does the show go about sourcing and engaging SAs?
- Need to establish what terms and conditions you will be using on the show prior to filming.
- In some cases, the production company will have their own list of agencies that they work with rather than who the AD may already work with.
- To check that the agency does comply with their terms and conditions such as rates of pay and 'rights to work with the UK'
- For international productions, this is incredibly important as it affects their ability to qualify for UK Tax Credits

# Quick Question for you

**Can you have more than one agency on a show?**

# Recap

**Why do we need best working practice to help the industry?**

# UNIONS AND THEIR AGREEMENTS

# What we'll look at

WHO ARE THEY?

THEIR DIFFERENCES

THEIR ROLE

## Who are they?

- Equity
- FAA - Film artists association;  
Branch of BECTU

## The 4 main agreements

- FAA/PACT – Revised 2017
- BBC/Equity – Revised 2016
- PACT/Equity Supporting Artists Agreement - 2019
- ITV/Equity – 2004

## What are their differences that you can see?

- When they were last revised?
- Are they national agreements?
- Which is the most popular? Why?



## Who decides to use their agreements?

- The producer(s) that will make this call. There may be many factors to the decision to which agreement you're using but in and around London you push for a FAA/PACT agreement. It's the most used/well known agreement especially if you're looking to employ professional SA's onto your production.

# LEGAL AND OTHER RESPONSIBILITIES

# What we'll look at

UNIONS

PRODUCTIONS

AGENCIES

SUPPORTING  
ARTISTS

WHO'S ACCOUNTABLE FOR THESE RESPONSIBILITIES?

# Unions

- The unions are responsible for the welfare of the supporting artistes that come under their agreement.
- Their agreements protect SAs and are up to date with current legislation. Re. right to work, minimum wage and Data Protection.
- Only three of the four agreements have been updated within the last 4 years

# Productions

- Responsible for complying with government legislation relating to the employment of any of their workers whether they are a crew member, cast or otherwise.
- This includes the 'right to work' documentation and that worker rights are respected.
- Broadcasters such as the BBC, Channel 4, Channel 5, ITV and Sky standard practice makes sure that all agencies, who supply SA's over the age of 16 are DBS checked. On all productions though, they will set a number of safeguards in place whilst children/young people are on set/engaged with the production.

# Agencies

- Represent the Supporting Artist and should ensure SAs are contracted by productions on an existing union agreements, or that the terms and conditions used include the minimum terms set out by the unions and are specified within the production's agreement with the agency
- Responsible for complying with government employment legislation detailed within the CEA03/10 employment regulations
- The UK Data Protection Act (DPA) 2018

# Supporting Artists

- The right to work within the UK
- Registered as self employed
- All paperwork is completed on the day with the production
- Freelance insurance

# EMPLOYMENT & WORKER RIGHTS, HEALTH AND SAFETY, HR



# What we'll look at

WHO GOVERNS  
THEM?

WHO'S  
RESPONSIBLE?

PROCEDURES  
IN PLACE

PROTECTING THE  
WORKING RIGHTS  
OF SA'S

# Employment rights and Worker's rights

- SA's are classed as 'self employed' workers
- The Union agreements are in place to detail the terms and conditions for supporting artists/walk on's, working on productions. These include the FAA/Pact Agreement (2017), the Pact/Equity Agreement (2019) and the Equity/BBC and Equity/ITV Agreements.
- Sadly, they are all voluntary.

# Employment Status and responsibilities

A person is generally classed as a 'worker' if:

- they have a contract or other arrangement to do work or services personally for a reward (your contract doesn't have to be written)
- their reward is for money or a benefit in kind, for example the promise of a contract or future work
- they only have a limited right to send someone else to do the work (subcontract)
- they have to turn up for work even if they don't want to
- their employer has to have work for them to do as long as the contract or arrangement lasts
- they aren't doing the work as part of their own limited company in an arrangement where the 'employer' is actually a customer or client

# Worker's Rights

Workers are entitled to certain employment rights, including:

- getting the National Minimum Wage
- protection against unlawful deductions from wages
- the statutory minimum level of paid holiday
- the statutory minimum length of rest breaks
- to not work more than 48 hours on average per week or to opt out of this right if they choose
- protection against unlawful discrimination
- protection for 'whistleblowing' - reporting wrongdoing in the workplace
- to not be treated less favourably if they work part-time

# Health & Safety

- Have you seen a Health and Safety officer on set?
- Did you get a health and safety briefing?
- Did you know who was in charge of H&S on the day?

# Health & Safety

- Health and Safety will be involved in all aspects of the production
- They will write the risk assessments for every day/location of the filming including all department risks.
- The Production is responsible for passing on this information and it is normally sent with the callsheet.
- Not always possible to send a risk assessment earlier due to changes in schedule etc
- So what's the best working practice to relay the risk assessments to the SA's?

# Health & Safety

- Which of the agreements have this as a standard in them?
- All of them? None of them? Some of the them?

# Human Resources

- The industry as a whole has only in recent years been looking to its constituents to look harder than ever at its own employment practices for all involved with this industry.
- BECTU's membership has grown extensively over the last 4 years
- In that period, a record number of film departments from Costume, AD's and Supporting artists have created branches within the group.



# Human Resources

- Within the studio's, there has been a huge effort to provide a support network.
- Within the smaller budget productions, The production team does end up being a go to HR dept.
- It's becoming more common for established production companies to provide a support network/welfare officer on set.

# Human Resources

- Although the industry is changing, Supporting Artists have not always felt protected.
- As they feel that some agencies only have the productions interests at heart.
- Main issue – is lack of training both off and on set especially when an issue has arisen to verify that a complaint has been followed through.
- Best working practice would engage all crew on how to report a problem

## How does each agency/ production help protect the working rights of SAs?

- An agency will always strive to gain an understanding of the terms and conditions prior to principal photography detailed within the agreement being used (i.e FAA/PACT, PACT EQUITY)
- A production will always look to comply with government regulations to confirm all SA's are within terms & conditions agreed
- Transparency is needed between ADs and agencies to create best practice guidelines and to standardise the core services

# How can we make a difference with best working practice?

- Service Agreements/Contracts - The production 'contracts' the supporting artists through the agency and so is legally responsible and liable for complying with relevant Government legislation on employment and data protection
- Supporting Artists Agreements: Using an up to date and relevant agreement will allow clarity between both the supporting artists, agency and production.
- Create and implement within existing production courses 'working with supporting artists' training modules for assistant directors, producers, supporting artists and agency staff

# CONCLUSIONS FOR BEST WORKING PRACTICE

EXPECTATIONS  
BETWEEN  
PRODUCTIONS/  
AGENCIES/ SA's

ASSISTANT DIRECTORS  
& THEIR ROLES

HOW DOES THIS HELP  
ON-SET TEAMS

# Expectations between Productions, Agencies, SA's

## Productions

- Clear communication about the schedule, crowd breakdown and special requests needed.
- A service agreement with clear terms and conditions between the production and agency
- A Union Agreement – FAA/PACT, PACT/Equity, BBC/Equity and ITV/Equity
- To book and confirm SAs, early as possible.
- Although a SA can be heavy pencilled, they are still free to take another job. The only way to guarantee the booking is for the production to book.
- A professional and courteous attitude whilst at workplace
- For SA's to turn up on time
- For SA's to engage with the process of getting them ready to go to set

# Expectations between Productions, Agencies, SA's

## Agencies

- A service agreement with clear terms and conditions for the production
- A Union Agreement – FAA/PACT, PACT/Equity, BBC/Equity and ITV/Equity
- A clear understanding of what's required by the production – Crowd Breakdown & Budget.
- A Schedule – no matter how uncertain.
- To be made aware if multiple agencies are being used
- Responsible for making sure the required SA's attend the shoot. If there are any issues (due to illness or other), it is the booker's responsibility to find a suitable replacement.
- If a SA is booked as a Stand-In for the entirety of a shoot the payment should go through the agency, and they not be paid directly.



# Expectations between Productions, Agencies, SA's

## Supporting Artists

- Clear communication from the agency about what to expect on the day of filming
- Clear communication from the On Set teams from arrival and when on set
- To be given respect, dignity within the work place and a positive and productive working environment for all.

# Assistant Director & their roles

- 1<sup>st</sup> AD
- 2<sup>nd</sup> AD
- 3<sup>rd</sup> AD
- Crowd Team –
  - i. Crowd 2<sup>nd</sup> AD
  - ii. Crowd 3<sup>rd</sup> AD
  - iii. Crowd PA

# Assistant Director practices

## 2<sup>nd</sup> AD & Crowd 2<sup>nd</sup> AD

- Good communication and working relationship
- A crowd breakdown (2<sup>nd</sup> AD/Crowd 2<sup>nd</sup> AD) for characters and numbers needed
- Which will include Specials ( Doubles, Stunts, Special action supporting artists (SPACT'S) Musicians, special skills required, vehicle drivers, animal handlers etc.

# Assistant Director practices

Different Productions, have different approaches to prep and during;

## **Period**

Look brief

Fittings prior to filming day

Potential for early calls

## **Sci-fi/ Fantasy**

Look brief

Fittings prior to filming day

Potential for early calls

## **Contemporary**

Dependant on production type-  
SA's could be asked to bring in  
options

# Information for SA's & AD's on set

## Crowd Team - on the Day.

- Welcome and sign in – making sure a member of the AD Crowd Team know you are there
- Depending on call time – either breakfast / costume / make Up
- Go through the process to get camera ready - if unsure ask
- Line up for departments to check SA's before travelling to set
- Briefing of H&S, Scene , what the day holds in store , set etiquette/requests – no personal items etc
- Travel to set
- On set
- Show holding area. Tea Table. Toilets
- Depending on the scene then paying attention to continuity
- Have Fun. Without SA's, we can't bring the film/TV Show to life

# CASE STUDIES

# Problem solving – Ask the Audience

- From Agencies and SA's to Production and On Set teams – AD's, Make Up and Costume
- These working scenarios are common problems on set/during the shoot such as;
  - Schedule changes.
  - Continuity SA's.
  - Communication between SA and Agency.
  - Production requests
- Choose a case study from 1 – 5 (Choose 2)

# Recap

## On the uncertainty and the unpredictability of a production

- Working practice training is needed to fill a gap in the misunderstanding and lack of information concerning the roles and legal responsibilities of the production company, supporting artists' agencies and the supporting artists themselves.
- We as individuals need to gain a better understanding of what we are responsibly for.



# CHECK LIST, SUMMARY & MOVING FORWARD

# Best Practice Recommendations

## **Agencies and productions at the very least should;**

- Use the existing Supporting Artists Agreements of the FAA/Pact, Pact/Equity, BBC/Equity and ITV/Equity.
- Ensure that a service level agreement - or terms and conditions of service – detailing the responsibilities of the production and the supporting artists agency, is in place prior to the start of principal photography

# Best Practice Recommendations

**Professionalise the sector to improve its reputation by industry parties collaborating with each other to:**

- Set, and adhere to fair commission rates and fees
- Standardise and agree those elements that comprise the core services supplied by SAAs (Supporting Artists Agencies)
- Encourage the adoption of software systems to simplify, secure contracting processes and document sharing
- Encourage start-up agencies to meet with the Employment Agencies Standard Inspectorate (EAS), and encourage established agencies to meet with the EAS every two years to review their systems of operation

# Best Practice Recommendations

## Continued...

- Invest in staff and management training
- Work with trade bodies, trade unions and the EAS to devise a system for recognising and alerting the public and productions about agencies which are not bona-fide
- The unions and FAA need to review and update their Supporting Artist Agreements, if necessary, to make them fit for contemporary production and business
- These should be put in place no matter the type of production

# Checklist

As suggested by the CSA report, follow these 3 checklists:

- PRODUCTION CHECKLIST



- SAA CHECKLIST



- SA CHECKLIST



QUESTIONS?

# Sources & Further Reading

As suggested by the Extra Factor: Supporting Artists Liability and Best Practice report, follow these 3 checklists:

- PRODUCTION CHECKLIST



- SAA CHECKLIST



- SA CHECKLIST



# Sources and further reading

- Comparison Chart for Union Agreements
- Best Working Practice Checklists – Recommended by The Extra Factor: Supporting Artist Liability and Best Practice Report 2017
- Unions agreements – available online at .....