

# **BBC** **STUDIOS**

## **SCRIPTED PRODUCTION GUIDE: CDS & BIRMINGHAM HUB**

**DRAFT**

## **INTRODUCTION**

This production guide applies to all personnel contracted by BBC Studios Scripted working on productions made within the CDS and Birmingham Drama hubs and will cover working hours and conditions along with BBC Studios policy.

The aim of this guide is to provide clarity to working practices and ensure that hours are managed and sufficient rest is provided for good physical and mental health.

## **ENGAGEMENT AND PAY**

### **Contracting**

- The contract type applied to a role is determined by the HMRC guidance on tax in the Film & TV industry and the IR35 legislation.
- All rates will be negotiated between the booker and the individual. At this point the length of the contract will be agreed and the production base location will be specified.
- Individuals will be employed on a per annum rate if their booking is a year or over, on a weekly rate if their contract is less than a year and on a daily rate if they are booked for occasional days.
- All contracts will be emailed to the individual's personal email address, this will require an electronic signature and should take place before work has commenced. An individual cannot start work without a right to work check having been completed. If a contractual agreement is made last minute we will endeavor to issue the contract within the two weeks of the booking.
- Those crew members paid as gross paid freelance, who have been requested to provide kit for the duration of shoot, must provide a kit list as their contract can't be raised without it.

- A contract can commence and cease on any day of the week and this will be clearly communicated with the individual. If a contract is not in complete weeks then the weekly rate will be pro-rated to a daily rate based on the number of contracted days per week.

### **Tax and Payment Terms**

- If you are contracted as a PAYE net paid employee you will be paid monthly after deductions for tax, national insurance and pension, if you have opted into a pension plan. If an individual is booked after the 3rd of a month then they will miss the payroll cut off and there is a possibility they will not be paid for 6 weeks.
- If you are contracted as a gross paid freelancer you will be paid gross and therefore will be responsible for your own tax, national insurance and personal pension contributions. You will be able to claim your payments using BBC Smartbook and will be paid on a weekly basis.

### **Notice Period**

Notice periods will be clearly stated in an individual's contract but as a general guide:

- Contracts of one year or over will have a one month notice period.
- Contracts of one week or more but less than one year will have a one week notice period.
- Daily bookings – if the worker is confirmed before 1500 hours on the day prior to working and then the booking is cancelled through no fault of the worker, the production will pay for one day at the agreed daily rate. If a booking is not confirmed by 1500 hours on the day before work commences then the worker has not been hired and can accept other work.

### **Pension**

All individuals will be automatically enrolled into the NEST pension scheme, whether they are PAYE or gross paid at the point their contract exceeds 12 weeks. Individuals have the option to join the NEST pension scheme sooner than 12 weeks and details of how to do so are included in the auto enrolment letter they receive upon joining.

## Expenses

- All expenses must be agreed upfront with the Line Producer before they are incurred and all expenses need to be submitted on an expenses claim form.
- A copy of the BBC's Expenses Policy can be found at the end of this document.

## WORKING HOURS

### Scheduling

- An individual's line manager or a member of the production management team will discuss the standard working hours expected for that role at the point of booking, this will include an assumption for the role's standard prep and wrap on that production.
- Crew working days will either be scheduled as a **Standard Working Day (SWD)**, a **Continuous Working Day (CWD)** or a **Semi-Continuous Working Day (SCWD)**.
- Standard Working Day filming hours will be an average of 10 hours per day on camera with a one hour unpaid meal break i.e. 0800 – 1900.
- If a continuous working day is scheduled this will be 9 hours per day on camera without an unpaid meal break i.e. 0800 – 1700. Each individual will be required to take no less than a 20 minute meal break during this period, the timing of the break will be coordinated by the individual's HoD and the AD team.
- If a semi-continuous working day is scheduled this will be 9.5 hours per day on camera with a 30 minute meal break i.e. 0800 – 1800. The 30 minute meal break should be scheduled on location to avoid travel back to unit base.
- Hours will be averaged over a week or a block of filming, if there is a longer day due to schedule requirements (access to locations, talent, sets etc.),

this will be offset by a shorter day. A continuous working day for this purpose will be classed as a 10 hour day.

- Prepping teams should not be required to work before 0700 except in exceptional circumstances that should be managed within the wider hours worked across the week or the block.

### **Scheduled Rest Periods**

- Working Time Regulations ensure that each individual must have an uninterrupted break of 20 minutes when working 6 hours.
- Every worker will be given a daily rest period of no less than 11 hours, defined as wrap to first call.
- A continuous rest period of 24 hours must be taken within 7 working days and/or a continuous rest period of 48 hours must be taken within 14 working days. Wherever possible, the two rest days will be scheduled consecutively.
- HoDs and their deputies will also be consulted on last minute schedule changes so that additional resourcing can be organised if required to ensure teams do not break their rest periods.
- HoDs and their deputies will work with the Producers in advance of the shoot to ensure that the length of the working day is viable for their teams and will communicate additional resourcing requirements in production and planning meetings.
- Hours should be managed by an individual and their line manager and discussions should be had if hours will exceed 55 hours per week over a maximum 17 week period. Discussions should be had on how to reduce working hours, for example staggering team hours or bringing in dailies.

### **Overtime**

- Hours should be managed over the week or the block, if additional time is required on one day, to finish a slate or a scene, then this time should come off another day in that week or across the block.

- Grace period is the time required to complete a slate, or a scene in multi-camera filming, and should be no longer than 15 minutes beyond the scheduled finish. Any time used for this purpose should come off another day in that week or across the block.
- The policy is always to manage an individual's working hours first, if in exceptional circumstances overtime needs to be paid to an individual it will need to be agreed in advance by the Line Producer and will be at 1T in 15 minute increments. Overtime will be calculated by dividing the weekly rate by the number of contracted shooting hours.
- Overtime will not be agreed if the additional working hours break the 11 hours rest between working days.

### **11 Day Fortnights**

- The use of 11 day fortnights will be limited and will only be scheduled in exceptional circumstances.
- On weeks where a 6<sup>th</sup> day is required a production should limit shooting hours to 10 hours on camera.
- Additional payment will be made to individuals who are on 5 day week contracts if they work more than an average 5 days per week over a filming block.

### **7 Consecutive Days**

Approval will not be given for work on a seventh consecutive day, every member of the crew should have sufficient rest whilst working.

### **Clawback**

Clawback will only be used if necessary and won't impinge on the 11 hour turn around / break.

### **Night Work**

- All night work should be scheduled sympathetically where possible to reduce tiredness.

- Filming night work at the end of a week or a block should take into consideration the 11 hours rest between filming days and the scheduled consecutive rest days.
- If the production requires a turn around to days on the following working day then a turnaround day will need to be introduced to the schedule.

## **TRAVEL**

### **Production and Unit Base**

- There will be one designated production base per programme, the location of the production base will remain constant for the whole shooting period, unless the production relocates to a resident location. The production base is usually where the production office is based, however if required a production base can be allocated per individual.
- A resident location is the place of work where it is deemed too far for crew to travel from the production base.
- The unit base is the location for catering, facility vehicles and crew parking when filming on location.

### **Travel Time**

- Travel time will be measured from the production base to the unit base and the production will allow up to 45 or 30 minutes (dependent on location of the production) in each direction which will not be part of the working day. Time will be taken off the working day for any travel time beyond this. The 45 or 30 minutes rule will apply to resident locations from the crew hotel.  
Note: This will not apply to EastEnders and Doctors on a standard day as they travel crews from base to location.
- Time shall be deducted from the shooting day to account for travel time in excess of 15 minutes between the Unit Base and filming location. If time is not deducted then this time should come off another day in that week or across the block.

## Mileage

- All mileage claims for use of personal cars need to be agreed in advance with the Line Producer. Mileage will be paid at £0.45 per mile and must be accompanied by a mileage log and VAT receipts. Claims unsupported by a mileage log will be refused. The mileage rate of £0.23 per mile should be used by anyone in receipt of a car allowance.
- All fuel claims must be supported by a mileage log and fuel receipt. The mileage log must clearly show that the claim is only for work mileage, so work and the crew member's personal miles must be split out.
- Production requires crew members to:
  - Complete a mileage log including all of your work and personal miles
  - Include the start and end mileage for the work week
  - PAYE workers put your fuel receipts, backed up by a mileage log, on a personal expenses form and hand these into Accounts
  - Sched D crew should invoice for fuel/mileage backed up with fuel receipts and a mileage log
  - Fuel expenses must be submitted the week following the fuel purchase and must be approved by the Line Producer
  - Mileage payments will be paid on the next payroll after the expenses have been approved

## Car Allowance and Hire Car

- If you are receiving a car allowance it is your responsibility to ensure that you are insured to use your vehicle for business purposes. The production is not able to take any responsibility for insurance claims or damaged caused to any private vehicle being used for work purposes. Furthermore, private cars are parked at the unit bases at your own risk.
- Where a hire car is required the class of vehicle booked should be the minimum size and specification necessary to allow duties to be performed. Bookings should be made through the BBC's preferred supplier(s). The only persons authorised to drive hire cars are BBC employees, or properly contracted freelancers, who have completed (and had authorised) a driver declaration form. The cost of fuel used on business can be reimbursed by



submitting an appropriate receipt accompanied by a mileage log. Alternatively a fuel card may be supplied and mileage log will need to be completed.

- In all cases you will be personally responsible for any charges relating to fines, such as parking, congestion charge and other driving penalties.

### **Drivers' Declaration**

All crew who are required to drive unit vehicles must complete an online BBC Drivers' Declaration form and provide a copy of their driving licence before taking charge of their vehicle. This is mandatory and must be completed for each BBC production the crew member is employed on.

### **Air Travel**

- If a production is travelling by air, it is the production's responsibility to make the bookings on a scheduled or charter flight that meets the standards set by the Civil Aviation Authority.
- Consideration will be given to scheduling work following a period of air travel, allowing for time change and flight duration.
- Class of seating will be advised at the point of engagement with the crew member if appropriate. Economy class is the standard.
- The crew member will be responsible for the cost of any personal excess baggage. Where such excess is caused by the carriage of pre-approved tools of the trade, or where agreed in advance between the crew member and the Line Producer, the cost of the excess baggage will be covered by production.

### **MEALS**

- All individuals working at a BBC base will have access to catering which they will be expected to pay for.
- If an individual is required to work on location as part of the shooting crew and take a meal break on location this will be supplied by or paid for by the

production. If the production reimburses the individual this will be at a pre-agreed rate on production of a valid receipt and in line with HMRC guidelines.

- The first meal break will be scheduled to start no later than 6 hours from the unit call time.
- Where continuous working days are employed, crew will be given double time back for curtailment of lunch break and a hot meal will be provided for the crew at an appropriate time for their schedule.
- Production is not required to pay expenses or cater meals for those working from home or at premises where food is readily available at the premises and/or nearby.
- Production doesn't pay meal allowances or catering during pre-production, between blocks or during post production.

## **HOLIDAY ENTITLEMENT**

- An individual's leave entitlement will be determined by the type of contract they are on and this will be discussed with the booker/line manager at the point of hiring.
- The production can nominate days on which the crew member is required to take paid leave. Where such days of paid leave are taken during the course of an engagement, the production shall be entitled to make an appropriate deduction from the crew member's holiday entitlement accruing in connection with that engagement.
- Any request for paid leave made by a crew member on a particular day will be taken into consideration but can't be guaranteed.
- If the individual has not taken their full holiday entitlement as paid leave by the end of their contract, the crew member will receive a holiday payment, equivalent to their basic daily contract rate for the number of days and fractions of days not taken.

- If at the end of their contract the employee has taken more than their allocated days, they will need to reimburse the production the number of days and fractions of days taken in excess.

## **SICK PAY**

- Sick Pay entitlement is based on contract type and further information can be found in the BBC's Health and Sickness Absence Policy, a link for which can be found at the end of this document.
- For freelancers, the production will pay SSP where a crew member's engagement meets statutory qualifying criteria and where the worker satisfies statutory requirements in connection with the payment of SSP.

## **FACILITIES**

All crew will have access to drinking water and toilet facilities to include running water and hand washing facilities at the place of work or within walking distance.

## **INSURANCE**

- The production will put in place Employer's Liability insurance as required by law.
- The production will put in place adequate overseas emergency medical expenses cover for workers required to work outside their country of residence.
- The BBC's insurance policy does not cover a worker's tools of the trade. However, the production may effect adequate insurance for equipment hired from the worker (excluding tools of the trade which the Producer's insurer will not insure, and expects the worker to insure themselves) but which is not operated or used by the worker themselves, subject to the worker providing an inventory with serial numbers and replacement values to the production office in advance of any damage or loss. The production office will check whether the items can be covered by the production's

insurance policy. Until such time that confirmation is received from the production office that cover is in place, the responsibility for insuring their equipment will remain with the worker.

- All instances of loss and damage must be reported to the production office no later than 36 hours after the incident in order to comply with claims reporting conditions. An insurance incident report must be completed in the same time frame.
- In the event of the death of a worker engaged while on location in the United Kingdom or overseas, it will be responsibility of the production to return the remains and the worker's personal effects to the last known residence of the deceased.
- Everyone is responsible for insuring their own personal belongings. This includes clothes, mobile phones, laptops or any other personal items even if they are stolen from technical vehicles at a unit base or a location. Any loss of personal belongings will not be indemnified by the production and should be claimed through your own personal insurance.
- For the purposes of clarity, the above insurance guidance does not extend to service companies that trade in the services of more than one person.

## **RESPECT AT WORK**

- BBC Studios is committed to ensuring a working environment in which everyone is treated with dignity and respect. The BBC does not tolerate bullying, harassment and/or victimisation and expects everyone working at or with the BBC (including freelancers, sub-contractors and agency workers) to behave respectfully towards others and never act in a way that could be regarded as bullying, harassment and/or victimisation.
- Freelancers are encouraged to raise their concerns informally in the first instance with their HOD, Line Producer, Producer, Production Executive or Head of Production, Nikki Saunders, so that steps can be made to respond to the concerns as soon as possible.

- Any concerns expressed will be treated fairly and objectively without victimisation or detriment.
- A link to the BBC’s full Anti Bullying and Harassment Policy can be found at the end of this document. The policy goes into detail on the formal complaint procedure and outlines unacceptable behaviour, including, but not limited to;
  - Ridiculing or demeaning someone
  - Unjustified exclusion from work activities or victimisation
  - Misuse of power or position
  - Making threats about job security and unwelcome sexual advances

## **SAFETY AND MANDATORY TRAINING**

- BBC Studios as employers have a duty of care to all workers and must ensure they have in place a robust health and safety policy that takes into account all stages of production, including prep, filming and post-production that is compliant with all relevant health and safety legislation and satisfies any commissioning broadcaster requirements. Producers agree to ensure their health and safety policies are made available to workers.
- Every crew member has an individual responsibility to ensure that their work is carried out in accordance with BBC Health and Safety Guidelines. Please note the Heads of Department must ensure all necessary mandatory training is completed by their teams.
- All crew members working on a BBC Studios production are required to complete the online mandatory training courses assigned to them.

## **CONCLUSION**

BBC Studios is committed to making bold and engaging content. It is BBC Studios’ mission to act in the public interest, serving all audiences by providing impartial, high-quality and distinctive output and services which inform, educate and entertain.

The BBC has a set of values which people across the organisation share:

- **Trust** is the foundation of the BBC; we are independent, impartial and honest
- **Audiences** are at the heart of everything we do
- **Respect** each other and celebrate our diversity
- We take pride in delivery **quality** and value for money
- **Creativity** is the lifeblood of our organisation
- Great things happen when we **work together**

We appreciate and value the contribution of all workers, both staff and freelance, to this goal.

## **BBC POLICIES**

Please acquaint yourself with all the relevant BBC policies, the links for which can be found below.

### **BBC Health & Safety Policy Statement**

<http://downloads.bbc.co.uk/safety/documents/general-safety/Safety-Policy-Statement-HealthandSafety30Sep14.pdf>

### **BBC Anti Bullying & Harassment Policy**

[http://downloads.bbc.co.uk/foi/classes/policies\\_procedures/bullying\\_harassment\\_policy.pdf](http://downloads.bbc.co.uk/foi/classes/policies_procedures/bullying_harassment_policy.pdf)

### **BBC Protected Disclosure Policy – ‘Whistle Blowing’**

[http://downloads.bbc.co.uk/foi/classes/policies\\_procedures/protected\\_disclosure\\_policy\\_whistleblowing.pdf](http://downloads.bbc.co.uk/foi/classes/policies_procedures/protected_disclosure_policy_whistleblowing.pdf)

### **Statutory Sick Pay and BBC Sick Pay Entitlement and Policy**

[http://downloads.bbc.co.uk/foi/classes/policies\\_procedures/health\\_sickness\\_absence\\_policy.pdf](http://downloads.bbc.co.uk/foi/classes/policies_procedures/health_sickness_absence_policy.pdf)

## **Statutory Maternity & Paternity Leave and BBC Maternity & Paternity Leave Policy**

[https://downloads.bbc.co.uk/foi/classes/policies\\_procedures/parental\\_and\\_care\\_rs\\_support\\_policy.pdf](https://downloads.bbc.co.uk/foi/classes/policies_procedures/parental_and_care_rs_support_policy.pdf)

## **Working with Children**

<https://www.bbc.co.uk/editorialguidelines/guidance/children-young-people-working/guidance-full>

<https://www.bbc.co.uk/commissioning/tv/production/articles/working-with-children>

## **Sustainability Policy Statement**

[http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/pdf/environmental\\_sustainability\\_policy\\_statement\\_2018.pdf](http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/pdf/environmental_sustainability_policy_statement_2018.pdf)

<https://www.bbc.co.uk/responsibility/environment>

## **Data Protection Guide**



Scripted Data  
Protection Check-List

## **Expenses Policy**

[http://downloads.bbc.co.uk/foi/classes/policies\\_procedures/bbc\\_expenses\\_policy.pdf](http://downloads.bbc.co.uk/foi/classes/policies_procedures/bbc_expenses_policy.pdf)