

Briefing - Establishing a Creative Freelance Commissioner

1. Background

The Visual Arts organisations a-n, CVAN and DACS are collectively calling for a Creative Freelance Commissioner to help the Government understand the challenges faced by UK's freelance workforce. The All-Party Parliamentary Group for Visual Arts has also discussed the need for a Creative Freelance Commissioner and the benefits this would bring to artists and the wider workforce.

- **The UK creative industries contributed £109bn to UK GVA in 2021.**
- **49% of workers across the creative industries are freelance – and 70% of workers in the visual arts. This includes artists, producers, curators, writers and technicians.**
- **The freelance workforce is poorly served by policy infrastructure, leading to low pay, lack of access to funding and financial support, and precarity of labour.**
- **Artists report earning an average of £2.60 an hour when working for public institutions on a freelance basis.**
- **A freelancer commissioner would champion the vital role of freelance, self-employed and atypical workers across the creative and cultural sectors and work with Government to identify solutions to unintentional systemic challenges that they face**

2. The value of freelancers in the Visual Arts

The UK Creative Industries is estimated to have contributed **£109bn** to UK GVA in 2021. Between 2010 and 2019 DCMS estimates that the sector grew by **44% in real terms** compared to 18% growth in the UK economy.¹

Freelancers make up a huge proportion of the jobs in the Creative Industries, with DCMS estimating that the sector was responsible for **2.3 million jobs** in the UK as of September. **49% of the cultural sector workforce are freelance workers** whilst **70% of visual arts workers are freelancers**, vastly exceeding the national average of 16%.

This figure encompasses the majority of artists and creators, as well as producers, curators, writers and technicians, with many freelancers having mixed roles, such as artists and curators who are teachers, lecturers and freelance writers, or who have contracted part-time employment.²

In the year leading up to March 2020, 76% of creative industries companies had worked with a freelancer in the past year and 41% had worked with as many or more freelancers than they had employees.³

Freelancers are critical within the industry and are highly economically valuable to UK growth. Self-employed creatives contribute culturally important work which cements our reputation as a cultural powerhouse internationally. The UK's creative economy relies on its freelance workforce, and there is an urgent need to move towards parity for freelance workers in the sector.

3. What is the problem?

“The only people not paid were the artists. This isn't a unique experience, it is often the case — you as the exhibiting artist [are] the only one not getting paid in the room.”⁴

Despite their value to the sector and their contributions – both economic and cultural – to the UK, freelance workers have been poorly served by many parts of the policy infrastructure. In addition, the precarity of

¹ Using annual estimates from summed monthly GVA data - GOV.UK (www.gov.uk). Accessed 6th June 2023

² Written Evidence submitted by a-n to 'A creative Future' DCMS inquiry: <https://committees.parliament.uk/writtenevidence/111128/html/>

³ Nesta Creative Industries Policy and Evidence Centre, Insights for Policy Makers: Freelancers in the Creative Industries. <https://cdn2.assets-servd.host/creative-pec/production/assets/publications/Freelancer-policy-briefing.pdf>

⁴ Industria, 'Structurally F-cked', https://www.we-industria.org/files/ugd/2d0dc3_a590eee01e234c7aa8ddd4ae832b2639.pdf

freelance labour within the visual arts reinforces inequality in the sector, positioning creative careers as only for those with the means to take on precarious and short-term projects for low pay.

- In the year leading up to March 2020, **76%** of creative industries companies had worked with a freelancer in the past year and **41%** had worked with as many or more freelancers than they had employees.
- During the pandemic, **47% of artists missed out** on government support schemes, with **40%** reporting the **cancellation or postponement of commissioned projects**, and **54%** reporting a fall in sales of work.⁵
- The total median income for visual artists – who are almost all freelance workers - is just **£12,500** with only **£2,000** coming from art practice.⁶
- A recent survey by Industria showed that artists who worked on a freelance basis on projects in publicly funded galleries earned, on average, **£2.60 per hour** for their work.⁷

The pandemic also highlighted existing inequalities facing creative freelancers – including a lack of security at work, unequal access to freelance opportunities, and a lack of basic safety nets. While the pandemic exposed the significant challenges faced by freelancers, there are **long term challenges** that freelancers need support to make the most of their work and contribution to an industry that is booming in the UK and rapidly changing shape.

There is also need to address funding support on offer and how freelance workers can be better served by this, including through ACE National Lottery Project Grants. Whilst individuals can apply, the majority of this funding goes to organisations. The APPG for Visual Arts has discussed the need for clearer data collection on how freelancers and individuals are served by existing funding streams.

4. Why does the UK need a dedicated Creative Freelance Commissioner?

Freelance workers have faced systemic challenges relating to their work that have been exacerbated by an unstable economic environment; there are multiple areas where focused government engagement could improve the situation of UK freelancers and recognise their contributions to the UK economy, which are detailed below.

Support: While freelancers struggled to access support during the pandemic, the impact looms large for the industry. Moving forward to ensure that future governments understand the diverse nature of the freelancer workforce, and the specific needs of creative freelancers, a dedicated Commissioner would help to improve the level of information about freelance workforce, and feed into Government policies that will impact this them. Freelancers are essential to the UK's creative success but also are the most vulnerable part of the sector's workforces – they are often the canary in the coalmine for the economy.⁸

Tax and benefits: Current tax and benefit rules do not work well for many freelancers, including artists and creators. Many hold a number of jobs to sustain a creative career, and need to navigate a complex, bureaucratic tax and benefits system. This can be made particularly difficult when freelancer earnings in the creative industries typically fluctuate from month to month. The Commissioner would conduct an inquiry into how the tax and benefits system could better serve the freelance workforce.

Diversity: Research has shown that negative impacts on the creative industries sector can have a disproportionate impact on diversity. The Centre for Cultural Value found that by using data on pandemic job losses in the screen industry there was a **staggering 51% fall in the number of female freelancers in 2020, compared with a 5% decline for men.**⁹

Skills: Policymakers have acknowledged the need for varied education pathways into careers and lifelong learning for career development, but skills policies have not been aimed at the self-employed workforce. Nationwide programmes like the apprenticeship levy have seen difficulty in application as the creative industries are built around more freelance work. There have been recent developments with the introduction of Flexi-Job

⁵ DACS, 'Manifesto for Artists', <https://www.dacs.org.uk/getattachment/Latest-News/DACS-launches-Manifesto-for-Artists-%E2%80%93-a-roadmap-to-Manifesto-for-Artists-2021.pdf.aspx>

⁶ *Livelihoods of Visual Artists: Data Report*, 2019

⁷ Industria, 'Structurally F-cked', https://www.we-industria.org/files/ugd/2d0dc3_a590eee01e234c7aa8ddd4ae832b2639.pdf

⁸ Nesta Creative Industries Policy and Evidence Centre, *Insights for Policy Makers: Freelancers in the Creative Industries*. <https://cdn2.assets-servd.host/creative-pec/production/assets/publications/Freelancer-policy-briefing.pdf>

⁹ Ibid

Apprenticeships to open it up to other sectors but more needs to be done to support the Creative Sector to develop apprenticeship routes for careers.

5. What would a Creative Freelance Commissioner do?

We are calling for a dedicated Commissioner to help Government understand and work with the UK's freelancer workforce as we recognise that this need extends beyond just the creative sector. We recommend that a Creative Freelancer Commissioner should sit between the Department for Business, Energy and Industrial Strategy and the Department for Work and Pensions, encouraging a clearer understanding of the unique challenges faced by freelance workers across departments. As part of the role the Commissioner would be required to hold regular roundtables with different sectors, including the Creative Industries, with representatives from membership organisations and freelancers themselves.

A Creative Freelance Commissioner would successfully plug the gap in knowledge currently held around self-employed work in the UK. This position would champion the vital role freelance, self-employed and atypical workers play across the creative and cultural sectors while identifying and finding solutions to unintentional systemic challenges that they face.

6. Who are the APPG Visual Arts?

The All Party Parliamentary Group for the Visual Arts has been established to provide a forum for parliamentarians to foster a deeper understanding of the issues and challenges faced by UK visual artists.

The APPG's statement of purpose is to:

- Advance the understanding of how visual artists carry out their practice and develop their careers;
- Ensure fair pay for visual artists and safeguard their intellectual property rights;
- Recognise the value artists bring to society and the UK economy, and ensure their artistic contributions are rewarded;
- Foster an environment in the UK in which visual artists can flourish.

a-n

a-n is the largest artists' membership organisation in the UK with over 29,000 members. We support artists and those who work with them in many practical ways, acting on behalf of our membership and the visual arts sector to improve artists' livelihoods. We have a reputation for providing compelling insights and playing a catalytic role in influencing and informing cultural policy.

CVAN

Contemporary Visual Arts Network is an organisation where the visual arts meet policy change. We work in partnership with our nine regional networks across England to campaign and advocate for the visual arts sector at a national level. We create programmes of support for artists and art workers, and develop organisational support that promotes learning and knowledge. We campaign for the sector to be heard, valued and recognised so that the visual arts can thrive now and in the future.

DACS

Established by artists for artists, DACS is the flagship rights management organisation for visual artists in the UK. Passionate about transforming the financial landscape for visual artists, we act as a trusted broker for over 180,000 artists worldwide, and have almost 40 years' experience of managing copyright and licensing requests on behalf of members, through our Artimage and copyright licensing service. Campaigning for artists' rights and championing their sustained and vital contribution to the creative economy, DACS has paid out over £120million in Artist's Resale Right royalties to artists and their estates to date and over £70 million in collective licensing royalties since its founding in 1999.

Our members include Turner Prize nominee Ingrid Pollard, Venice Biennale 2022 top Golden Lion prize winner Sonia Boyce, Tracey Emin, Sir Peter Blake, Damien Hirst, Yinka Shonibare, the Andy Warhol Foundation and many more.

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