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Commercials Production Diversity Action Plan



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Bectu and the APA would like to thank the members of the joint union/employer working group whose deliberations produced this action plan:

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Commercials Production Diversity Action Plan

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Philippa Childs

Head of Bectu

Foreword – Bectu

I am delighted that the union's constructive partnerships with employers has resulted in this new action plan for the commercials industry, produced through the joint Bectu/APA working group.

It follows on from the initiative launched by the union in the theatre industry in 2018, which aimed to assist employers to recruit a more diverse staff. More than 130 theatres signed up to the Theatre Diversity Action Plan across England, Scotland and Wales including most of London's West End.

The action plan for commercials takes this further. It was clear following Black Lives Matter that addressing minority ethnic under-representation has to recognise that recruitment must go hand in hand with retention. All the effort of recruiting a diverse crew is for nothing if people feel unwelcome or 'othered' in their workplace, as they will simply leave.

Bectu has devoted much effort to responding to the waves of revelations about bullying, harassment, racism and sexism that have swept the creative industries and we are working with a range of industry partners to make the workplace a better and safer place to work. So we are delighted that the joint working group has included a range of

measures that aims to ensure that all new entrants – whether taking up their first job or transferring in after 20 years in another part of the industry – feel they are part of the team, and that all members of the crew can feel supported and valued. We hope that the new code of conduct will lead to the new complaints procedure not being needed.

This action plan could not have come about without the enthusiastic and principled support from the APA and I would like to thank Steve Davies, the APA chief executive, and head of communications Becca Gribbin and the APA working group members for devoting their time and commitment to bringing this plan into effect. I would also like to thank my colleagues Diversity Officer Janice Turner and National Secretary Spencer MacDonald and the Bectu working group members: Faisal Qureshi (chair, Black Members' Committee), Courtney Pryce (VFX branch), Sol Saihati and Mark Thornton (lighting technicians) and Tim Potter (camera).

Bectu is determined to continue to work in partnership with our colleagues in the APA to make this action plan the basis for a more diverse industry and make working life better for all.



Steve Davies

Chief Executive,
Advertising Producers
Association

Foreword – APA

This first commercials production crew diversity action plan, published jointly by the APA and Bectu is an important step towards improving diversity and inclusivity in our sector.

For the APA, it is part of a range of initiatives across commercials production, but we are particularly excited about this one with its focus on crew and in being a partnership between the employer and crew organisations.

APA members are committed to change and our job is to provide them with the means to bring that about - the practical steps they can take to turn good intentions into actions - and this diversity plan aims to do that.

It's a package of measures because to achieve our diversity and inclusivity objectives we need to tackle a range of issues: how and where to recruit, how to help crew from underrepresented backgrounds develop their experience and careers, ensuring sets are inclusive environments where everyone feels comfortable regardless of gender, race, religion, sexual orientation or disability and having a process in which people can raise concerns around these issues.

I want to thank Janice Turner and Spencer MacDonald at

Bectu for their excellent work on this - along with my colleague Becca Gribbin and the APA group that contributed their time and thoughts toward creating a document that is ambitious and practical to implement: Antionette de Lisser from Progress Films, Morgan Whitlock from The Sweetshop, Seth Wilson from Somesuch and Spencer Dodd from Merman.

As with our other diversity and inclusion initiatives we will be constantly assessing how this diversity and inclusion action plan is working in practice, to ensure it meets the objectives of the APA, Bectu and our respective members.

Like any plan, it is only as good as the efforts put into making it work, so we encourage all production companies and especially APA members to commit to making it work in your business, in the way that so many of you have with other diversity and inclusion initiatives.

My hope is that we all continue to work at this, so that the commercials production industry can become a model of how to achieve authentic diversity and inclusion in the creative sector and change the make-up of our workforce for the better.

Supporting Statements

Advertising Association

Stephen Woodford, CEO

“The advertising industry is determined to be more inclusive, both in the advertising that is created and in the talent that creates that work. The APA/Bectu programme is an ambitious and vital step forward in making the production sector more inclusive and as research shows, better creativity and business results align strongly with great diversity, so the sector will be the stronger for it.”

IBSA

Bobi Carley, Head of Media: TV & Video and Diversity & Inclusion Lead

“Diversity and inclusion in the marketing and advertising industry is a key priority for ISBA and we are working with industry partners on a variety of initiatives to bring about positive change in this area. The work that the APA and Bectu are doing to tackle diversity within the production environment is vitally important and ensures the whole industry is involved in making everyone feel included and welcome regardless of identity or background.”

IPA

Kim Knowlton, Production Consultant

“IPA and its members share the broader sector’s mission to make advertising a more representative and inclusive space to work in. We support APA and Bectu’s action plan, and hope that the processes and sign-posts set out will help the production sector increase their employment of under-represented groups and just as importantly ensure that the diverse talent that is already a part of the industry want to stay.”

TUC

Frances O’Grady, General Secretary, Trades Union Congress

“Whatever our race, religion or background, everyone deserves a decent job and dignity at work. That’s why the TUC commends this breakthrough joint APA and BECTU Commercial Diversity Action Plan. This is a practical plan to make crews more diverse and to prevent race discrimination. Reporting and tackling racism at work is everybody’s responsibility and the Plan sets out a new procedure that will help deliver fairness for all. We urge production companies and trade unionists to sign up and take action for race equality now.”



Janice Turner

Diversity Officer,
Bectu sector of
Prospect

Introduction

In summer 2020, as the Black Lives Matter protests erupted across the world, there were calls upon and within UK film and TV production to address the longstanding issue of under-representation of minority ethnic workers in the workforce.

There is a significant overlap of employment with film, television and commercials production where survey after survey has indicated that minority ethnic workers are poorly represented.

Half of the employer respondents to the [ScreenSkills 2019 workforce assessment](#)¹ felt that their workforce is not representative of the UK population.

Last July an [LSE study of 235 feature films](#)² made between 2016 and 2019 concluded: "Black and ethnic minority groups face tremendous levels of exclusion from the film industry." The [Creative Diversity Network](#)³ reported earlier this year that ethnic minority representation among those working off-screen on productions made by or for the main broadcasters had declined in all but two genres.

Widespread anecdotal evidence from those working in commercials production confirms a similar picture of under-representation.

The fact that most of this sector is based in London, where more than 40% of the population is minority ethnic, makes the issue even more acute.

So Bectu and the APA have come together to work on bringing about lasting change in commercials and we believe we have delivered a practical and easy to follow plan that commercials companies can follow.

Our action plan focusses on BAME under-representation because we believe that it is only by doing so that real progress will be made towards achieving a workforce that reflects the communities that view our product.

However, we are confident that implementation of this plan will have a much wider impact among other groups with protected characteristics, because central to this plan is the implementation of long-established best practice in recruitment. This will help to create a level playing field for all.

The APA recently produced a diversity template to assist commercials companies in improving diversity within their own staff, and we urge companies to adopt that ([see Appendix One](#)). The APA's diversity policies are directed at improving opportunities for

1 <https://www.screenskills.com/media/2853/2019-08-16-annual-screenskills-assessment.pdf>

2 http://eprints.lse.ac.uk/105675/1/Race_and_Ethnicity_in_the_UK_Film_Industry_An_Analysis_of_the_BFI_Diversity_Standards_Report_SPREAD_PRINT_VERSION.pdf

3 <https://creativediversitynetwork.com/>

all groups underrepresented in commercials production and creating an equal and inclusive working environment for everyone regardless of race, religion, social class or sexual orientation. This action plan focusses on increasing representation of minority ethnic freelance workers and in addition, aims to ensure that racist and other abusive behaviour on productions is prevented and addressed.

The plan's four elements

First, it sets out a pathway to recruitment of more diverse crews.

Second, it urges the adoption of a code of conduct and calls on production companies and their heads of department to make these expectations clear to their crews.

Third, it calls on all those working on productions to accept that it is everyone's responsibility to report

instances of racism and other abuse rather than leaving it to the target of the abuse to deal with alone.

And fourth, it introduces a new discrimination complaints procedure ([see Appendix Two](#)).

As commercials may take just a day to shoot, by the time a complaint is made the production may have finished. This new procedure, developed in consultation with [ACAS](#)⁴, has addressed this and clearly sets out the process.

The APA and Bectu also recognise that there is a major role to be played by crewing agents and diary services to ensure that they have a diverse database of talent, and the plan sets out expectations for them.

We hope that not only will the commercials production companies sign up to this new plan, but also that the clients who hire APA members will welcome and support this joint initiative.

“We hope that not only will the commercials production companies sign up to this new plan, but also that the clients who hire APA members will welcome and support this joint initiative.”

4 <https://www.acas.org.uk/>

The Action Plan

The diversity action plan is a step-by-step practical guide to addressing diversity across the commercials industry. It sets out action for companies operating in the commercials industry with regard to both their in-house workforce and when hiring crews to shoot commercials. It also sets out a plan for the crewing agencies and diary services that the industry often relies on when hiring self-employed workers. The plan draws on existing good practice and shows you where you can find additional assistance if you need it.

Diversity within APA member companies' staff

We recommend that your company adopts and works through the APA's Template Diversity and Inclusion policy template.

The APA's template is provided as a framework for APA members to create their own Diversity and Inclusion policy. The policy you create using it should articulate your company's specific beliefs and commitments in respect of diversity and inclusion, with redactions and additions to the policy as necessary. Find the template in [Appendix One](#).

Diversity of Freelance Crew

The Bectu-APA working group has learned from best practice in the commercials industry and elsewhere in drawing up these steps.

1. One of the first things you can do is familiarise yourself with the Equality and Human Rights Commission's guidance in this area, titled [Good Equality Practice for Employers: Equality policies, equality training and monitoring](#)¹.
This very useful guidance explains how the law applies to your organisation and what good equality practice looks like. It focusses on three key areas: equality policies, equality training and monitoring, giving examples and making suggestions.
2. **Allocate responsibility** to a permanent member of staff for diversity of your production crews. This should normally be an executive producer or production manager who has an overview of the whole process.

¹ <https://www.equalityhumanrights.com/en/publication-download/good-equality-practice-employers-equality-policies-equality-training-and>

3. Check your equality policy – It is good practice to have a written document that you can use to set out your company's commitment to tackle discrimination and promote equality and diversity (see *the APA template*, [Appendix One](#)), known as an equality policy. Having one shows your company's commitment to equality for all its workers, not only those permanently employed at the company but freelancers engaged to work on commercials productions. The policy should not only set out what you would like to achieve, but also how you are going about achieving it – your action plan.

4. Achieve an accurate assessment of your freelance crew – If your company does not carry out equality monitoring then it should start. The purpose of equality monitoring is to establish the real picture, which helps you to work out whether there is an issue to be addressed. It will help you assess whether your company is recruiting its crew from the whole community in the area in which your company is based or whether some appear to have been excluded. It also reveals whether progress is being made towards the aims set out in your equality policy. As the EHRC says, it helps identify where taking positive action can be appropriate (see *box, right*), by highlighting parts of your crew where people with 'protected characteristics' (e.g. minority ethnic groups, women, people with disabilities) are disproportionately underrepresented.

There are several aspects of employment in which monitoring can be carried out but here we focus on recruitment.

5. Set up an equality monitoring process with a form that can be sent out with the contract when hiring for a production. Your company will need to tell your crew why they are being asked for monitoring information and to give details of the process you have in place for collecting, storing and using the information.

6. Study the results regarding the freelance production crew and compare the data with the ethnic demographic of your area, which in London is over 40%, and with the national figure of 14%. Does your freelance crew reflect these demographics? If not, there is under-representation on the production.

7. Set a realistic target to achieve and a timeframe in which to achieve it. The idea that every workplace in the UK should reflect the national demographic is not realistic because there are wide variations in diversity across the country. It is more appropriate to take into account the local population demographic as well, meaning that your target could be higher or lower than 14%.

Most commercials companies are based in London. As more than 40% of Londoners are from minority ethnic communities (including 18.4% Asian/British Asian and 13.3% Black/African/Caribbean/Black British) Bectu and the APA recommend that ultimate goals should be set with this data in mind. Interim goals should be set annually at stages on the journey.

If you don't know the ethnic breakdown of your area you can find out by searching Google with the term 2011 [Census: KS201EW Ethnic group, local authorities in England and Wales](#)¹ (Excel sheet 335Kb). This is published by the Office for National Statistics and gives you the information in numbers and as percentages.

1 <http://bit.ly/censusKS201EW>

8. **Make clear your expectations and targets to HoDs** and those involved in hiring your crews.
9. **Make clear your expectations and targets to the crewing agencies and diary services** that you deal with and who help you to find crew members. Signpost them to their section of this action plan (see page 13) and let them know that Bectu is ready to help them.
10. **If there is under-representation** utilise the Bectu-APA's induction opportunity scheme or the Bectu-APA new entrants' programme, both set out below, along with the other providers of diverse talent as per the APA directories. See [Appendix Three](#).

Photo: Tomaz Kos

Camera trainee Yssis McKen on location in Slovenia, for Prettybird UK's Amazon spot *The Show Must Go On*

Case Study: Prettybird UK

Prettybird's UK MD, Juliette Larthe recognised that the usual structure of producers asking their Heads of Department to crew-up through their own contacts was often leading to an extreme lack of diversity on set, which only became fully apparent on the day of the shoot.

In 2017 to proactively correct this they devised a Representation, Collaboration and Sustainability Pledge, with a commitment to increasing diversity across their workforce. The strategy focused on gender, race, sexual orientation and disability, whilst also ensuring that fair access to the industry was being offered to people from diverse socio-economic backgrounds.

Working off the basis that true change would come from ambitious but achievable targets, Prettybird committed to aiming for 50% of their crew on every job to come from under-represented groups – a target they achieved in 2020 despite the added challenges that COVID brought with it.

It's worth noting that Prettybird did initially experience some resistance to their pledge, with the established method of crewing-up from an individual's own networks seen by many as effective and unproblematic – especially before the production company had



established connections with diverse talent across all levels of seniority.

From the inception of their pledge, if Heads of Departments were struggling to find diverse crew that would help meet the 50% target, Prettybird would provide a list of resources for finding more representative crew, apprentices and interns in the UK, working especially with Just Runners, Iconic Steps and ELAM ([featured in Appendix Three](#)).

Beyond the entry-level positions, Prettybird have historically paid for under-represented HoD's and talent to shadow their HoD's, investing their own money to make active change and slowly encouraging their clients to do the same where possible.

Prettybird UK are one of the APA's most proactive and uncompromising members when it comes to discussions around diversity and the need for change, steered by MD Juliette Larthe who states, "while the process may have at times felt long, recent feedback from a trans crew member thanking us for creating a safe space that meant it was "the first time they'd felt safe on set in their entire career", encourages us that the time spent is worth it and ensures we continue to be actively, consistently and relentlessly committed.

Induction Opportunity Scheme

The Bectu-APA working group is assisting the industry to find talented, experienced minority ethnic professionals with the right skills but who are currently not working in commercials. They may be working in other sectors of film or television, or (depending on grade) they may be working in theatre, live entertainment, or elsewhere.

The aim of the induction opportunity is to enable professionals with a minimum of five years' experience to join a shoot. They will be able to familiarise themselves with commercials production processes and any differences in how their job is done, while building new relationships in commercials. It would also enable those hiring for commercials to get to know a more diverse range of contacts.

The working group emphasises that the induction opportunity is supernumerary, it does not replace any role on the crew. Those selected will already have the skills and are wanting to convert them to a commercials environment. Production companies should seek to provide paid shadowing of not less than £250 per day.

The Bectu-APA partnership will host networking events titled "Move on Up" which will give production companies the chance to meet face-to-face with skilled talents from ethnic minority groups, helping those who hire for commercials to broaden their contact base.

What the law says

The Equalities and Human Rights Commission says that the underlying principle of the Equality Act 2010 ('the Act') is that everyone should be treated fairly and have equal opportunities to fulfil their potential. This means that selecting people for jobs and roles must be on merit, demonstrated through fair and transparent criteria and procedures. The Act prohibits discrimination based on nine 'protected characteristics': age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

People sharing particular protected characteristics, such as women, ethnic minorities or disabled people, who are under-represented within workforces are often referred to as 'under-represented groups'.

If you can demonstrate that there is under-representation in the workforce then you may take positive action. Positive action can mean working hard to ensure that the vacancy is seen by the under-represented groups and that they are encouraged to

apply. It can mean holding an event to encourage minority ethnic talent to consider working in commercials. The positive action is designed to encourage a diverse range of candidates to apply for a job who can be considered on their merits.

The appointment process must not treat one candidate less favourably than another, or unjustifiably put candidates who share a protected characteristic at a disadvantage as this would be unlawful.

You may decide to use the positive action 'tie-break provision' contained in the Equality Act 2010. This allows you to treat a candidate from an under-represented group more favourably at any stage of the recruitment or promotion process, from longlisting to selection. However, it can only be used if two or more candidates are equally qualified. It will be more difficult to satisfy yourself of this at the earlier stages of the recruitment process.

For further guidance see the EHRC's Code of Practice on Employment, www.equalityhumanrights.com/en/publication-download/employment-statutory-code-practice

Diverse New Entrants Programme

The APA New Entrant's Programme gives new entrants the opportunity to join a production, learn how commercials are run and make contacts in commercial production.

The programme sees new entrants with some practical experience and / or a relevant educational qualification brought onto set for the duration of a project. It is of most benefit to "set ready" entrants with some understanding of the working of a film crew and potentially experience of filmmaking either on personal projects or within an educational environment.

The entrant will work within a department, supporting that department in delivering an efficient production. That department, and the wider production, will ensure that they are engaged and supported as far as possible during the production. They will not be used as an additional set runner and will preferably remain within a single department for the duration of the project.

They should be paid the current rate of a Runner, to encourage those from under-privileged groups to apply and take part. The production should also cover travel costs and support them with travel arrangements if necessary.

See [Appendix Three](#) for sources to approach to find suitable new entrants.

- 11. Ensure every production is a welcoming place to work** – Bectu and the APA recognise that unconscious bias is an issue across UK industry and the commercials industry is no exception.

Production companies and heads of department on productions have

Discrimination in employment

Many studies have shown that discrimination in employment is real. The Department for Work and Pensions commissioned *A test of racial discrimination in recruitment practice in seven British cities* to collect factual evidence about whether discrimination is a significant factor affecting labour market outcomes for ethnic minorities.

Matched pairs of job applications were sent in response to job advertisements in the public sector and private sector in seven British cities. Ethnic identity was conveyed using names widely associated with the ethnic groups included in the survey, randomly assigned to each application.

The survey found that, looking at the pairs of applications in which either or both were called to interview, 39% of minority ethnic applicants got through compared with 68% of white applicants. It also found that 4% of public sector employers were likely to have discriminated on the grounds of race – but 35% of private sector employers were likely to have done so.

Another study carried out 10 years later adopted the same methodology and it found that little had changed.

The authoritative McGregor-Smith report into race equality in the workplace, commissioned by Secretary of State for

Business Sajid Javid, pointed out that an integrated workforce has far wider benefits than companies and their shareholders: they substantially impact the economy as a whole.

It states: "As McKinsey identified in 2015, companies in the top quartile for racial and ethnic diversity are 35% more likely to have financial returns above their respective national industry medians ... The potential benefit to the UK economy from full representation of BME individuals across the labour market through improved participation and progression is estimated to be £24-billion a year, which represents 1.3% of GDP."

a responsibility to ensure that every workplace is a good place to work for everyone, and so ground rules of behaviour on productions need to be set and upheld by both companies and heads of department.

We recommend that every HoD and ultimately every crew member participates in unconscious bias training and understands that it is *everyone's* responsibility on a production to call out any instances of bad behaviour and abuse. It should not be left to an individual who has been the target of abuse to try to stop it on their own.

- 12. Adopt a Code of Conduct on productions** – Every production, and every HoD on a production, should expect everyone to:
- treat all colleagues fairly, equally and with respect;
 - respect other people's cultures, beliefs and identities;
 - understand what is and is not appropriate;
 - not do anything that could be considered offensive, intimidating, malicious or insulting by anyone else;
 - never humiliate or hurt people, or spread gossip about them;
 - report bullying, harassment, physical or verbal abuse, or violence that they experience or witness.

This code of conduct should be circulated with the callsheet.

- 13. Adopt the Bectu-APA discrimination complaints procedure** – The Bectu-APA working group has developed a new procedure for workers and APA member companies to follow if someone has experienced or witnessed racist abuse, or any other kind of abuse, on a production. This clear new procedure is set out in [Appendix Two](#).

It includes adoption of the ACAS recommendation that every production has a 'designated person' in place who can be contacted if an issue of discrimination, bullying or harassment arises. Their contact details should be included on the callsheet.

- 14. Induction and support** – Bectu and the APA also recognise that every industry has its own culture and processes and so we recommend that companies and HoDs ensure they make all those new to the industry feel welcome by planning how they will actively support them in their new working environment, including an introduction to 'commercial etiquette', along with checking in with them and dealing with any problems, questions or concerns.

- 15. Review your progress** – Once you have put your plan into action, continue reviewing the progress you're making (the working group recommends every six months) to see whether you need to make changes or adopt a different approach.

- 16. Communicate** – Communicate with fellow members in Bectu and in the APA: it is important to discuss the diversity strategy and especially the case for doing it, so that everyone understands why this is happening.

Communicate with the union and the APA: if you are encountering problems please get in touch. But also if you are achieving success in securing more diverse job applications and achieving a more diverse workforce, please let us know so that we can celebrate your achievements and pass on to others your examples of how you achieved your success.

If you are achieving success, please let us know so that we can celebrate your achievements and pass on to others your examples of how you achieved it...

Action for Crewing Agencies and Diary Services

When crews are being put together, crewing agencies and diary services are often integral to this process. They can recommend individuals on their books and if someone requested by the production is unavailable for the job the agency or service can suggest alternatives.

So these companies have a very important strategic role to play in helping the commercials industry to achieve diverse representation on its productions. If a crewing agency has no or very few minority ethnic professionals on their books then that agency is unable to support the industry's mission to improve representation and inclusivity.

The Bectu-APA working group recommends that crewing agencies and diary services:

- 1. Carry out equality monitoring of your talent list**
- 2. Analyse the data** to establish whether minority ethnic professionals are under-represented in your client base.
- 3. If there is under-representation** ask why and set targets to rectify this.
- 4. Work with Bectu** to help you to reach out to potential new minority ethnic talent.

Appendix One – Template Diversity and Inclusion Policy for APA members

This template is provided as a framework for APA members to create their own Diversity and Inclusion policy. The policy you create using it should articulate your beliefs and commitments as a company in respect of diversity and inclusion.

Include items from this only if they represent your beliefs and to the extent that the commitments in it are ones you wish to make. You can add and remove commitments, what is crucial is that the commitments in your policy are ones you are actually going to do.

Our commitment to diversity and inclusion

[INSERT THE COMPANY'S NAME] is committed to encouraging equality and diversity amongst our workforce and the crew we engage. We are committed to change and to giving opportunities to underrepresented and disadvantaged groups:

- People from minority ethnic groups,
- Women in respect of roles in which they are currently underrepresented and disadvantaged;
- LGBTQ+ people;
- People with physical and/or cognitive disabilities;
- Other people in underrepresented and disadvantaged socio-economic groups.

We are also committed to combatting unlawful discrimination.

To attract and retain employees we are committed to providing a collaborative, accepting and supportive environment for all employees.

Why we are making that commitment

The aim is for our workforce, the crew and others we work with to be truly representative of all sections of our society. We make that commitment because:

1. It is fair and just.
2. Diverse talents and opinions provide new and more varied solutions to clients of our business.
3. As an industry that is reactive to and informs cultural trends, our workforce should reflect the population we are advertising to.

Targets and measurement

We will create both short and long term targets to improve diversity amongst our permanent workforce and crew. Measurement and data are critical in judging the success of our diversity and inclusivity actions and those of the industry as a whole. So we will collect data recording the make-up of our staff and crews and use it in two ways:

1. We will analyse the data we collect and assess the effectiveness of the measures that we employ to increase diversity and inclusion. We will reconsider those measures and change or supplement them with new ones if the existing ones have been ineffective against the targets we have set.
2. We will share our data with the APA so that they can use that data in their annual survey of diversity and inclusion (for which purpose the APA will anonymise our answers by using them as part of the total aggregate responses from APA members only).

Our plan to achieve our targets

1. When we recruit we will focus on reaching underrepresented and disadvantaged groups and making them aware of every opportunity. We will do that in two ways:
 - 1.1 When recruiting for jobs we will ensure that the language used is neutral in terms of whom it might appeal to and is inclusive of people in underrepresented and disadvantaged groups.
 - 1.2 We will do our best to reach underrepresented and disadvantaged groups with each job advert/notice, seeking out partnership organisations who are educating or seeking opportunities for such talent and building relationships with those organisations. The APA has a directory of such organisations, so that will be one of the resources we will use.
2. We will undertake training and provide it to our staff to better understand unconscious bias and promote among staff our objectives in respect of recruitment of staff and hiring of crew as per 1 above and our diversity and inclusion objectives generally as set out in this agreement.

3. We will provide paid internships and work experience (with travel expenses covered) for people from underrepresented and disadvantaged groups. We may offer:
 - 3.1 One week's experience of our working environment to someone who approaches us seeking experience of our business, comprising shadowing one or more of our employees and learning about our business but not undertaking any work. That could be paid or unpaid or be expenses only and we will make that decision based upon the needs of the applicant, in terms of enabling them to access the opportunity.
 - 3.2 A longer period of work experience or an internship for which they will be paid at least the minimum wage but ideally the living wage. This is important because people from underrepresented and disadvantaged groups are less likely to be able to afford to undertake unpaid work experience for any significant period of time and thus are less likely to be able to enter the industry if that is all that is on offer.
4. We will encourage our staff to become part of a mentorship programme and help them support their mentees.
5. We will create a safe and inclusive working environment:
 - 5.1 We will continue to provide a working environment free from bullying, harassment, victimisation and unlawful discrimination, whilst promoting dignity and respect for all. We strive to be a space where individual differences and the contribution of all employees are recognised and valued.
 - 5.2 We will ensure there are clear, well-communicated procedures in place explaining how to raise concerns or complaints. All relevant issues will be taken seriously and investigated. They will be considered and acted upon with a focus on independence, timeliness and impartiality. We will ensure that appropriate support is in place for those who raise complaints. As an organisation, we will learn lessons from complaints, and encourage the individuals involved to do so too.
6. We will raise awareness of our equality duties specifically around protected characteristics and our wider commitment to equality and inclusion; ensuring that all employees are aware of their responsibilities and the behaviours we expect.

Non-APA members are encouraged to use this template as a framework to create your own D&I policy, but with all references to the APA removed. Please be aware that as a member organisation the APA has no obligations to non-members, nor the jurisdiction to intervene in any capacity in issues raised by non-members or pertinent to non-member productions.

Our ongoing commitment

Our ongoing commitment is to ensure the implementation of the plan and to review its success at regular intervals.

Appendix Two – Procedure for dealing with complaints of racism and other abuse on commercials productions

The Commercials Diversity Action Plan focusses on race, but the procedure below can be used to address all forms of discrimination under the Equality Act. Bectu and the APA recognise that discrimination because of a protected characteristic within an organisation is unacceptable and unlawful. Forms of discrimination can range from unintentional misunderstandings and lack of awareness through to deliberate and/or malicious acts.

The Equality Act 2010 defines the nine “protected characteristics” as: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Those who believe they have been subjected to discrimination, or who believe they have witnessed discrimination in the workplace, should be confident in raising the matter and be assured that it will be taken seriously. In an industry where most engagements are between one day and a week, it is possible that no one will still be employed on a production by the time a grievance is processed. This procedure has been developed in recognition of that. If a production company does not have its own in-house procedures then they can adapt this policy.

- 1.** In order to drive racism out of the industry, it is everyone’s responsibility to report instances of abuse if they witness it, rather than leave it to the complainant. Bectu and the APA encourage every member of a production to become an ‘active bystander’, prepared to challenge inappropriate behaviour when it happens even when it is not directed at them.
- 2.** Commercials productions are of very short duration so it is imperative that issues are raised as soon as possible. However the completion of the production does not mean the end of any complaint: with effect from 1 November 2021 complaints made during or after productions will be investigated.
- 3.** This procedure is available to anyone working on a production whether or not they are a member of Bectu. If the complainant (whether a victim or witness) is a member of Bectu they should contact the union which will:
 - Explain this procedure to them and discuss how they would like the issue to be progressed, such as informally or formally
 - Offer to support them in raising the grievance
 - Offer to help them to prepare any statements they need to write
 - Offer to accompany them to any meeting
- 4.** If the subject of the complaint is a member of Bectu they should contact the union which will:
 - Explain this procedure to them and discuss how the issue would be progressed, whether informally or formally
 - Offer to help them to prepare any statements they need to write
 - Offer to accompany them to any meetingIf both parties are members of Bectu, the union shall ensure that different officials will be assigned and respective confidentiality will be maintained.

5. If the subject of the complaint is the production company raise the issue with the production company MD or EP.
If you are a Bectu member enlist the support of Bectu either at the outset or in the event that you do not consider the response you get from the production company satisfactory.
6. The complainant may in the first instance wish to raise the matter directly with the person who caused the offence if they feel this is appropriate.
7. If the complainant does not feel that is appropriate, complaints should be raised either during or after the production with the designated representative of the production company (see point 13 on the action plan) as named on the call sheet (who for brevity is referred to below as the manager).
8. All parties involved in a complaint are required to maintain strict confidentiality.
9. When handling a grievance about discrimination a manager should:
 - Keep an open mind – discrimination situations are often very individual and what may, or may not, be felt to be discriminatory can change over time, and from person to person,
 - Be respectful and empathetic to the worker who raised the complaint – it can be particularly upsetting and/or stressful to experience or witness discrimination,
 - Ensure that the matter is investigated thoroughly and be tactful when looking for evidence that supports or undermines the grievance
 - Conclude and/or resolve the matter.
10. The manager must keep a record of how they dealt with the problem, even if it is informal. The record should include:
 - What the problem was about
 - What the manager did (such as have an informal meeting)
 - What was discussed in any informal chat or meeting
 - Any next steps agreed

- The reasons for any next steps, ensuring that all records conform with GDPR requirements
- The next steps should be clear, specific and measurable. For example, 'person A will do action B by date C, because of reason D'. The complainant will be given a copy of the record.

11. If the complaint is about actions that could constitute a criminal offence then it should be reported to the police for investigation.

The informal procedure

12. A person might wish for their complaint to be handled informally, for example where they are confident the matter may simply need bringing to the manager's attention to be resolved. While the manager should consider this it may not always be appropriate to follow it, for example the matter is extremely serious, or has been experienced by other workers too. Ultimately it is for the manager to decide whether to take any action and/or what process to follow.
13. When someone raises a complaint informally, the manager will arrange a private meeting as soon as possible to discuss it. The complainant can be accompanied by a person of their choice who could be a colleague, a union rep or union official. The complainant will tell the manager about the matter and the manager will listen and will ask them how they would like it to be resolved.
14. If the manager accepts that there is an issue to be resolved (ie contrary to the Code of conduct, page xx) the manager will have an informal discussion with the person alleged to have caused the offence, who can be accompanied by a fellow worker, union rep or union official. The manager will seek to resolve the matter informally as requested by the complainant. The focus is on repairing working relationships and agreeing acceptable standards of behaviour.

15. The manager could propose some form of support to help the person to understand the expectations of appropriate behaviour, such as training, mentoring, or mediation.
16. The manager will inform the complainant of the outcome and action taken and ask whether the problem is now resolved for them. If it is not, to move things forward the manager could:
 - Check any next steps have been completed
 - Set up more informal discussions
 - Find out if anything else can be done.
 The manager should remind the complainant that they can also raise the grievance formally.
21. The investigator will present the evidence to the manager who will determine whether there is a case to answer. The manager will then inform the subject or subjects of the complaint and give them the opportunity to put their case in response before any decisions are made. They have the right to be accompanied by a fellow worker, union rep or union official.
22. The manager will then decide whether to uphold the grievance and if so what action they will take. They will inform both parties of this.
23. If the grievance is upheld and the party whose behaviour led to the grievance is employed on staff, the employer's disciplinary procedure should be used. If the party is freelance/self-employed/no longer employed on the production, remedies could include requiring them to do any of the following:
 - Apologise to the complainant;
 - Meet with the manager who will discuss with them how to avoid a repeat of this in future;
 - Undertake training;
 - Undertake mediation (if the complainant is willing to do so)
 - Understand that such behaviour, particularly if repeated, would make it less likely that the production company would wish to hire them for future engagements.

The formal procedure

17. If it is not possible or advisable to resolve a grievance informally the complainant should raise the matter formally and without unreasonable delay with the manager.
18. The complainant should put it in writing and should explain the basis of the complaint and focus on facts.
19. Having received the complaint, the manager will write to the complainant arranging a meeting to discuss it. A colleague or trade union representative can accompany the complainant.
20. Following the meeting the manager will ensure an independent investigation of the complaint. This can be done in-house, but if this is not possible the manager can contact the APA for information about alternatives. The investigator will collect evidence relevant to the matter. The investigation can include meeting the person(s) raising the concerns and those who are the subject of the concerns, and any witnesses, and obtain any documents if relevant. A colleague, union rep or union official may accompany those involved. The investigation should aim to be complete within two weeks.
24. The manager will keep a written record of the outcome, the reasons for the decision, and whether the required actions have been carried out. The complainant will be given a copy of the record.

Appeals procedure

- 25. If a complainant feels that their grievance has not been satisfactorily resolved they are entitled to appeal in writing to the company CEO within seven working days giving the grounds for their appeal. If there is no appeal within this timeframe the case is closed.
- 26. Appeals will be heard by the company's CEO.
- 27. Complainants can be accompanied at any such appeal hearing as above.

The outcome of the appeal should be communicated to the complainant in writing without unreasonable delay.

Based on Acas policies and guidance and developed in consultation with Acas.

This procedure applies where the production company organising the production is a member of the APA. You can check this by looking at the Members Directory on the APA website. As with [Appendix One](#), non-members are encouraged to adopt the procedure but the APA will not be able to act or respond in any capacity for non-member companies.

If the person wishing to raise a complaint is not a Bectu member they can still use this process in respect of an APA member company or any non-member company that has chosen to adopt a complaints process based on this template, but they are not entitled to the support of Bectu - also a membership organisation - in making that complaint. Fellow trade unions such as Equity and the Musicians Union are ready to assist their members in the same way set out above for Bectu.

Appendix Three – Resources to assist employers

Diverse professionals

The Hue-List

A new database of ethnic minority crew.

<https://bit.ly/thehuelist>

The British Blacklist

Celebrates African and Caribbean creative professionals, showcasing the industry's elite as well as up and coming talent, onscreen and offscreen.

thebritishblacklist.co.uk/

Free the Work

A curated talent-discovery platform for under-represented creators.

freethework.com/

The Kusp

Provides a gateway for diverse creatives to excel within the fashion, film and television industries.

thekusp.co.uk/

Project Noir

A network for creative professionals of African, Caribbean and Asian descent, working in TV, film and the visual arts.

projectnoirhub.com/

POCC

A community of top ethnically diverse talent, covering all roles within the industry.

wearepocc.com/

Sawubona!

Network on LinkedIn connecting Black animation, VFX and digital media professionals.

www.yebosawubona.com/

Diverse new entrants

Brixton Finishing School

Focus on finding and developing untapped talent and then placing in roles with their sponsors.

brixtonfinishingschool.org/

Create Jobs

Employability programme for young Londoners, supporting and developing individuals who are underrepresented in the creative and digital industries. Collaborate with them on training programmes.

createjobslondon.org/

Creative access

Finds work for minority ethnic talent and those from lower socioeconomic backgrounds in the creative industries. Working with UK creative companies, it provides a range of services to help bring diverse talent to organisations, provides employer training and hosts an opportunities board for organisations to list their roles. London-based.

creativeaccess.org.uk/

Creative Sparkworks

Offers free inclusive courses, source paid work for trainees, based in Lambeth.

creative-sparkworks.org/

Equal Access Network

Offers training, events, masterclasses, mentoring, funded placements,

filmlondon.org.uk/the-equal-access-network

Film Fixer

Works with the industry to assist employers to offer training and job opportunities to local London talent.

filmfixer.co.uk/training/

Iconic Steps

Supports young people from diverse backgrounds, aged 16-25 to enter the media industry. Offer short courses and job placements (London).

iconicsteps.co.uk/

Just Runners

Just Runner is an organisation that secures opportunities for people from diverse groups (ethnicity, sexuality, disability) who have undertaken Government courses and places them as runners on productions. The only pre-requisite is that they do not know anyone in the industry already.

justrunners.uk/

Mama Youth Project

Trains young people from under-represented groups or with limited educational or employment opportunities to work in the TV and media industry.

mamayouth.org.uk/

Prince's Trust

Offer mentorship, grants, training programmes, workshops and employment opportunities to young people, especially those from disadvantaged background. Cross-industry coverage, but work with many film & TV delivery partners.

princes-trust.org.uk/

Skillstruct

Works to bring in minority ethnic talent into the tech industry at entry level

skillstruct.com/

UK Post Sound Collective

Offers practical industry advice to people from under-represented groups interested in a career in sound editing or sound mixing for TV and features.

ukpsc.co.uk/

HR assistance for employers

ACAS, which exists to provide help and advice for employers and employees, has a wealth of resources including guidance on many employment matters and sample templates of documents that can be downloaded from acas.org.uk/index.aspx?articleid=1392

Acas can provide training on avoiding discriminatory practices in recruitment, how to investigate and deal with complaints of discrimination, interview skills and other matters.

ACAS has an equality and diversity advisory service which can look at your current policies and practices with you, recommend improvements, help put them in place and provide training if you need it.

To find and contact your local Acas office go to acas.org.uk/index.aspx?articleid=2030



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