

Directors UK's response to Ofcom's consultation on proposals to update the PSB quotas

About us

1. [Directors UK](#) is the professional association of UK TV and film directors representing over 8,500 members.
2. Film and TV are a great British success story, and directors are key to the creation of what is seen on our screens. The directors' role is to bring a script or story to life, their creative vision draws together all the different creative elements – scripts, actors/contributors, technical crew, designers – to create compelling films and TV.
3. Directors UK is both a membership organisation and a Collective Management Organisation (CMO). We negotiate, collect and distribute residual and royalty payments to directors and provide a range of services including campaigning, legal advice, events, training, and career development opportunities.
4. We welcome the opportunity to respond to this consultation on proposals to update PSB Production quotas.

Consultation questions

Question 1: Do you have any comments on our proposals and proposed draft Guidance for Original Productions and updates to the Regional Production Guidance?

5. We welcome Ofcom's aim to maintain levels of production so that the change in how quotas are measured, from proportions of a linear channel's output to absolute numbers of hours and spend, does not result in a decrease in production spend or output.
6. We do have concerns that the 5-year period being used to benchmark the average includes the Covid pandemic year, 2020, when production was largely shut down for a significant period. This will have had an impact on the volume of production hours and production spend in that year, which could bring down the overall average. As the consultation data only gives the percentage shares for each year/broadcaster and does not provide details on the actual number of hours/spend, it is difficult to assess this. However, our members experience of the downturn in work, and our understanding from Pact of the impact on hours/spend suggests that this should be taken into consideration. We ask that Ofcom review this carefully and if it is found that it is adversely affecting the numbers of hours and spend that the methodology be revisited, and if necessary, the Covid year should be excluded from the calculation.
7. We welcome the clarification regarding what constitutes an origination and a repeat. We would be concerned if changes were made to the regulations that resulted in broadcasters seeking more international acquisitions and commissioning/broadcasting less UK-originated work.
8. We agree with retaining the quotas for peak time viewing on the main linear PSB channel.
9. We do believe it will be important that the quotas for the amount of hours and spend on original productions are regularly reviewed to ensure these are not being negatively impacted compared

to the previous proportional approach. The consultation proposal is to keep the quota amounts for the length of the licence (para 3.13). As these licences have just recently been renewed for 10-years, given the length of the timeframe, Ofcom should consider a review at an earlier point during the license period to check that the change to absolute numbers is not resulting in a reduction of output/spend.

10. In terms of regional productions, we support the commitment to ensure the number of hours and spend is not negatively impacted by the change from proportional quotas, and that an annual increase in spend has been factored in. Ensuring there is committed production spend across the UK is vital to the future success of building sustainable production hubs in the nations and regions. Again, we ask Ofcom to review the impact the Covid years may have had on the average number of hours and spend during the period that it is basing its quotas on, and to ensure that this does not negatively impact the numbers and review their methodology if it does. We also note that the range of spend in the nations in the consultation seem very broad, we would not want this to result in driving down the amount of spend in the nations towards the lower end of that range.
11. An additional point regarding regional production, our members working in the nations and regions are concerned that the Regional Production Guidance requiring productions to meet two out of the three criteria means it is too easy to make a regional programme without employing local production talent, particularly at a senior level.

(page 36, para 1.25)

the Act requires that the regional productions constitute what appears to Ofcom to be a suitable range of programmes, from a range of different production centres. This requirement remains unchanged by the Media Act. Ofcom's regional production guidance (last updated in 2019) sets out that, in order for a programme to count towards the quota, relevant productions must meet two out of the following three criteria:

- a) A substantive base outside the M25;*
- b) A minimum of 70% of total production spend outside the M25; and*
- c) A minimum of 50% of production talent, by cost, have their usual place of employment outside the M25.*

12. Although we acknowledge this is outside the scope of this consultation, we believe the criteria should be reviewed. It is only through genuine commitment to employing local talent and commissioning in the nations and regions that the Government can achieve its ambition to build sustainable production bases across the country.

Question 2: Do you have any comments on our impact assessments underpinning our proposals, as set out in Annex 3?

13. No comments.