

UK - a response to Artist Exhibition Payment Rights

In the UK the majority of contemporary artists are just surviving financially, with no or low pay the norm. In real terms, nearly three-quarters of artists are getting just 37% of the average UK salary from their practice. Through surveys carried out by a-n (The Artist Information Company) and AIR (Artists Interaction & Representation) statistics show 71% of artists exhibiting in publicly-funded galleries received no fee for their work. In fact, 59% do not even receive payment for their expenses, leaving them not only unpaid but out-of-pocket when presenting exhibitions for the public to enjoy. In turn, 63% of artists have had to turn down requests from galleries to exhibit their work because they cannot afford to do so without pay.

The public discussion regarding artist payment in the UK dates back to the late 1970s - in 1979 the (then) Arts Council of Great Britain (ACGB) implemented the Payment to Artists for Exhibition of Work scheme - a lobby in the prior year from the Artists Union had played a significant part in this policy breakthrough. ACGB devolved the scheme to the Regional Arts Associations in 1983 as a three-year trial. A review was undertaken by the Council of Regional Arts Associations at the end of the period - however an 'inconclusive' review resulted in varying approaches, rates and eligibility criteria applied by the associations and arts councils.

Currently the work to secure National Exhibition Payments Rights continues directly through the Paying Artist Campaign initiated through AIR in 2013. It was 10 years previous to this that a-n first developed a fees framework for the visual arts.

In the recent Regular Funded Organisation application briefing Arts Council England stated - "Arts Council England is committed to ensuring proper and fair payment to those who work in the creative industries. Artists' fees for projects funded by us should be in line with recognised codes of practice set by the relevant lead bodies. We recognise that there is a great value in people having access to work experience where it is offered and arranged properly and is a mutually beneficial arrangement, but this should not be used as a means of attempting to circumvent the minimum wage regulations. We require organisations receiving funding from Arts Council England to ensure that salaries, fees and subsistence arrangements are as good as or better than those agreed by any relevant trade unions and employers' associations. Applicants for National Portfolio Funding should make sure they can provide proper and fair payments to artists they will be working with when considering their budget. Applications, which include touring, should ensure that, in addition to adequate fees, subsistence payments are in line with the relevant trade union agreements. We will not support applications from organisations that use artists' time donated as in-kind support. Where daily rates apply, nationally recognised minimum rates are set by the entertainment unions and the appropriate employers' bodies. Entertainment union members can access information about rates from their union. Where entertainment union rates exist, we expect at least the minimum rate to be applied. Following a ruling by the Office of Fair Trading on competition law, we regret that we are not able to offer specific guidelines on rates of pay for artists from non-unionised areas of the sector."

In leading the Paying Artists campaign AIR is advising Arts Council England by:

- a. Providing guidance to assessing officers (National Portfolio Organisations and Grants for the Arts) including a framework and sample rates, that relate to a range of work including residencies, commissions, community projects, workshops and exhibitions based on good practice and industry standards.
- b. Case studies of good practice within the visual arts industry - ranging from small-scale to major funded institutions.
- c. Consulting on a framework and advocating for adoption and publishing transparent curatorial policies that include areas such as fair pay and good practice conditions and contracts as well as terms of submission and treatment of artists' applications.

The above is being done alongside artists' activism through awareness, training and toolkits (artists making the case for pay and conditions)

In the wider cultural agenda the campaign is:

- a. Working towards the UK May 2015 General Election to influence party arts policy and through local and regional constituencies
- b. Seeking to create a Cross Party Parliamentary Group on artists' value to the publicly-funded arts
- c. Conducting new research and evidence gathering through a-n and partners
- d. Creating an input to modules for arts management and curatorial courses to ensure newcomers are always aware of how to treat artists and properly value their contribution to their work

In January 2015 a House of Lords debate on government support for individual artists, led by the Earl of Clancarty, attracted contributions from the three main UK political parties and cross-bench peers.

Updated in January 2015