ARE YOU ASKING PEOPLE* TO SOMETHING FOR NOTHING?

A guide to help arts organisations investigate their practices

*Unlimited is focused on ensuring disabled people aren't exploited, but we know it's an issue impacting all those in the cultural sector.







INTRODUCTION

Exploitation



noun
the action or fact of treating
someone unfairly in order
to benefit from their work.

Our cultural sector is built on privilege and unpaid labour. Usually those who have least to give, end up expected to give most.

In 2022, Unlimited created a survey to see just how many disabled artists and creatives were regularly expected to do something for nothing. From over 300 responses, we can report that 87% of disabled people have been asked to do something for nothing within the cultural sector and that only 2% never do – meaning most of us regularly contribute free labour to keep things moving.

We don't think it's up to individuals to stop doing things for free, we think it's up to organisations (and those who fund them) to examine their practices and change the way they work.

We have created a framework for organisations to work through. It has four sections, each looking at a different facet of an organisation with questions and prompts to consider.

We know one size doesn't fit all, and that not all the information or questions in this framework will be relevant to everyone.

To be really clear, none of those creating or piloting this are holding ourselves up as 'perfect organisations'. We don't expect all organisations to be able to change everything instantly.

We do hope this framework, and discussions around it, will help organisations understand better where exploitative practice may be hidden. This way, we hope it can be identified and therefore eradicated over time. Together we can make change.

We need to address the potential guilt we might create – where people become overwhelmed by the thought that they aren't doing enough. We don't want people to freeze and become inactive, we want people to reflect on what they do currently and pick perhaps three things that might help them get better and give it a go.

All quotes, unless referenced differently, came from our pilot group participants.

The sections are:

- 1. Why we do what we do and who guides us
- 2. What do we do?
- 3. Who do we do it with?
- 4. How do we do it?

1. WHY WE DO WHAT WE DO **AND WHO GUIDES US**



Vision, mission, values and statements of intent

- Is there anything in your vision, mission, values or statement of intent that talks about equity, inclusion or fairness?
 - If so, how does this manifest explicitly in relation to standing against exploitation/ reducing use of free labour?
 - If not, should there be?
- If you don't have a specific vision, mission or stated values - what do you have that says what you do and how you do it? Do you have any kind of rules or guidelines about what you do and how you work? And if so, does that include any mention of equity, inclusion or fairness?

Making public commitments is important; it's not about being 'right on' or virtue signalling. It's about taking ownership, inviting accountability, and building confidence in your practice throughout your whole team.

It's part of a shift from being passive to being proactive - which is needed to make change happen. By being more explicit, you can play a bigger part in supporting the whole of the sector to change and people can hold your organisation to account.

Given the turnover of people in all organisations, making something public can ensure that commitments are organisation wide and don't just sit in the practice of individuals.

- One of our rules is that we won't take part in events where there is an all-white line up, or where disabled people are underrepresented. We set the same rates for artists as curators and administrators - we all have the same day rate. We don't work for free anymore, or ask people to work for free - although sometimes we do stuff for exchange rather than cash - but we've not really been explicit about all of these things, they aren't yet mentioned on the website. To be honest we are a bit scared to put it out there up until now - maybe that's in case we don't always live up to it?
- When looking at costs of a proposal, rather than value for money, at Paul Hamlyn Foundation we consider what a budget tells us about the way an organisation approaches its work and where it places value. Accessible, equitable work needs to be properly resourced and we encourage applicants to apply for what they need, including appropriate payment for those individuals involved. Ushi Bagga, Head of Programme,

Individuals, Paul Hamlyn Foundation

Board/oversight group and constitution

- Has your board or oversight group discussed the importance of exploitation/reducing use of free labour? Does it do so regularly?
- Does your constitution or governance document allow you to pay board members?
 - If so, do you?
 - If not, is that something you want to change?
- If you don't pay board members, how do you ensure they are not out of pocket? For example, are all voluntary board members given options for:
 - Recovery of loss of earnings for activities and away days
 - Take aways/food vouchers to compensate for time spent on board meetings/papers
 - Tickets, travel expenses, accommodation, subsistence, childcare for meetings and for visits to see work by the organisation
 - Payment for involvement in deeper work on key policy areas in which they are an expert rather than being used as a 'consultant with no pay'
 - Opportunities (and payment for time) to attend training and development opportunities
- Are there disabled people on your board (remembering over 20% of the population are disabled people)?
 - If so, do they get asked about access/ alternative formats, meeting formats, access to physical meetings and events and are these all administrated, organised, provided and paid for by the organisation
 - If not, how can this be addressed?
 - Many people may have shame or fear around mentioning their access or other requirements or needs. How can you ensure that you reduce and remove this for people? <u>Access riders</u> are one solution to help with this.

We have captioners for board meetings and pay support workers where we need to. We have board papers in both 'essential' and 'deeper' formats, so people can read them at the level they have time and energy to do so and we run pre-meetings so people can ask clarifying questions on stuff they don't understand before the meeting starts. It costs us money, yes, but is worth it to ensure we have a wide range of people on our board rather than our board reflecting only a narrow range of experience.

Including a wide range of people on your board or oversight group may cost you something – but having a narrow range of viewpoints will ultimately cost you more.

If you don't have or need a board, what else do you have to help you develop and take stock of your work – critical friends? Advisory groups? Whatever you have, how can you ensure that people aren't exploited and don't have to pay to take part?

External sources of advice and guidance

- Do you have any advisory groups, such as an access advisory group?
 - If so, are those who attend paid or are they volunteers?
 - If they are volunteers, is there a clear exchange – are they getting something back in return (cheap tickets, rehearsal space, mentoring, introductions to specific networks etc). Is this explicit within something like a contract of volunteering?
 - And if so, do they get asked about access/alternative formats, meeting formats, access to physical meetings and events and are these all administrated, organised, provided and paid for by the organisation?
- What networks are you part of to continually refresh your thinking? Does your team have paid time to read up, attend, pass on their learnings?

- What events and training do you attend to keep up to date? Do you offer freelancers connected to your organisation paid time to attend events to glean advice and guidance and update their thinking?
- Where do you go for advice? If you go to individuals or people from small organisations, do you have a budget attached, even if it's 'take someone out for a coffee and a bun/buy them lunch' to reward them in some way for picking their brains? Are there local community groups who are literally set up to give advice and guidance? Can you set up a peer group where you all support each other?
- How many emails do you send that have 'could I just ask...' in the text? Do you check before asking that someone has the (paid) capacity to respond and that they are the right person to be asking?
- As a rule, if you need more than 5 or 10 minutes of someone's time, can you pay for it or exchange something for it?





Providing free advice and guidance is very much part of the cultural sector's way of doing things and it's not always negative – we are always going to want to help others. If you ask others often, maybe think about the power at play and consider who might feel able to say no to you.

One way to counter being constantly extractive is to ensure you give more than you get – that you give more advice and guidance to others than you ask for. And if you are giving too much, perhaps set aside an afternoon, a month, or fortnight and use that time to respond to any requests you receive so you can manage your own time.

Do you value some people's time more than others. Often 'experts' are paid and people with lived experience are not. Or people treat those who are salaried the same as those who are freelance. Neither is fair or equitable. Think about who is paid to give up their free time or time they could be earning money and who is salaried.

- Often, I'm expected to sort access ... You get invited to an event, you flag up access and you're expected to sort it out. Not long ago I was expected to set up a loop system (I don't use loop systems). Why weren't staff trained to use it? I've been asked to read Braille, set up textphone systems, and find BSL interpreter teams for entire conferences. Do people think I have some kind of interpreter Narnia at home, where I open my wardrobe door and a herd of interpreters rush into the room? Nothing for Nothing Case Study
- 🚺 I often ask people within my community for support - there is almost an unwritten rule that we are all here to support each other and so will respond, but only if we have capacity ourselves. That thing about 'put your own life jacket on first before you help others' is really true. You have to have capacity in order to be able to meet people's requests or you just become exhausted. Starting an ask with 'do you have capacity...' is a good way to give someone a get out if they really don't have time to help you.



2. WHAT DO WE DO?

In order to reduce unpaid labour, the key question we want organisations to consider is when are artists and freelancers paid and when they are expected to engage for free? Often this is about how much time they have to spend navigating our organisational systems and processes – be that applying for something, getting contracted for something or even getting paid.

Commissioning or contracting artists

If what we offer to artists or freelancers is open call/advertised/applied for:

- Is our entry level material easy to understand to avoid people having to spend a long time working out if it is relevant or applicable to them?
- Is there a named person they can chat to or info session they can attend before even starting to read deeply, to see if it's the right thing for them?
- Is there a clear 'eligibility checklist' right at the top so people can check if it's the right fit?
- It can go the other way, once we offered so much information on how to apply we overwhelmed people not everyone needs to know everything so it's important to structure the navigation of information clearly. Let people have the info they need, but make it easy to find and to process.

- Have we made it simple and easy? Do we offer forms that only take five mins max to complete? For larger opportunities, do we have Expression of Interest (EOI) stages to stop everyone from having to prepare full applications?
- Do we make it clear that we are interested in people's ideas and not their spelling, grammar or form filling abilities?
- Do we offer materials in alternative formats, accept applications in a range of formats and pay for access support for people applying to opportunities?
- We found just saying 'talk to us about access if you need it' wasn't enough and people still felt embarrassed and didn't come forward. We needed to spell out what we could offer, to give examples and to be really clear about it in order to make people feel we meant it. Also some people don't know what access support they need— and we accept it's our job to help them find out.



- Are our word counts short enough to reduce unnecessary labour but long enough so that the labour doesn't become endless editing, trying to cram in all the information that is asked for into a very tight frame?
- Are the criteria really clear so people know exactly what they need to tell you?
- Is there a completed example people can see to guide them, so they know what is expected?
- Do we offer upskilling in form filling or interview techniques so people can improve their techniques and reduce nerves?
- Could we pay shortlisted people for second stage applications or proposals, or offer other benefits? Or can we support unsuccessful applicants to take their application to other funders?
- Do we clearly protect the intellectual property rights of applicants?

There are many ways to commission or give out opportunities or awards – open calls, through recommendations, having a time limited pot (which runs out when enough awards are made) and through random selection. All have pros and cons and take different kinds of labour. With any, take the time to think through the ways in which some people might be advantaged and others disadvantaged, and to examine where the labour falls – paid and unpaid. There is a fascinating way to measure unpaid time on applying here in a **blog from Watershed**.

If a call out is first come, first served then I think that's discriminatory as its favouring people who can act quickly. If someone needs a support worker and that person is only with them one day a week, then they might respond more slowly and miss these kind of opportunities.

If what we do is direct approaches to artists' we know or know about:

Do we pay them for time to have scoping conversations (or at least limit those to a single chat)?

For all work with artists:

- Do we offer paid planning time? Do we offer paid time for completing contracts, risk assessments, other forms of our making? Do we include these within our fees or commission payments?
- Do we include paid time for training and networking for artists we engage?
- If there are meetings about access in addition to meetings about art are these additionally paid for (including fees for time spent planning for and attending such meetings, all access costs, and travel/expenses etc for in person meetings)?
- If artists are on benefits, we share the labour involved in finding out how much they can earn to avoid it impacting on their benefits and we alter our payment schedules to fit this. We have to do that work to be fair to them.

Co-creation/participation

- When we run co-creation/participative projects do we have a brief or a document for all involved that sets out expectations and any exchange?
- Are co-creators paid? If so, for what? If they are co-creating with paid artists, how do we ensure equity within the space?
- Are participants paid? Are they attending to gain something? Are they paying to participate?
- Does the duration of a project change this? How do we show value? Can people move from being a volunteer to being a paid part of the team if they wish over time?
- Are all the access and expenses of co-creators and participants met? If so, how easy is the claims process? Is it checked to ensure it doesn't penalise or endanger benefits?
- Does everyone know what they can be given or claim for and is this process as simple as it can be?
- Our starting point is to make sure no one is out of pocket through being involved we can't pay everyone, but we can pay all their expenses and we can feed them well. We can make sure that what they do is purposeful. If we can't pay for their time, the least we can do is not to waste their time.

If people don't have the right to work, we can't pay them. Some of the people we work with aren't even allowed to have a bank account. We can support their involvement by ensuring that all expenses are paid and that we support them in other ways – for example, we provide a creche, offer free sanitary products, have a range of food available. We have to be respectful and responsive. We have to be inventive to find ways that are safe, fair and flexible.

Events and activities

- Do people have to undertake additional labour just to buy a ticket or book a place? i.e. disabled people informing us about access/proving concession status/ booking tickets by phone or in person or can they book on the website like everyone else (or by phone or in person if they prefer)?
- Do people have to undertake additional labour to find out access information about any venue/how to get to a venue – or is it clear and easy to find on the website? Including drop off points and accessible parking?
- Is there a named contact they can just ask rather than doing the research themselves?
- Do we offer to book travel or accommodation for people or does that labour fall on the individual themselves?
- Do our staff know information that might be useful for example, accessible taxi numbers?

Books, guides and resources

- As mentioned previously, do people have to undertake additional labour just to access what we are offering? i.e. signing up to mailing lists to access or download a document
- Do people have to undertake additional labour to find access formats – or are all our offers available in multiple formats from the start? Do we offer info in the languages that are relevant to our audiences?
- Is there a named contact? Do our staff know information that might be useful?

It's all a compromise. As a small organisation there is always the feeling that we could be doing more, should be doing more, if there was more resource. I feel that deeply. We can and must improve but there will always be limits. The least we can do is get people to ask us. Ask us – and not every reply will be a yes – but we want people to feel they can ask.



3. WHO DO WE DO IT WITH?

We usually think of exploitation as being linked to the freelance sector – but some organisations can have practices or an organisational culture that exploits staff too.

Employees

- Do we regularly check that all our staff are taking all their holiday? And recovering all their time off in lieu (TOIL)
 and doing so quickly? Does this apply equally to both junior and senior staff?
- If as leaders we don't take our holidays or TOIL what kind of an example are we setting? Also, what are we setting up for when we leave if the job can only be done by overworking? It shouldn't be a 'badge of honour'.
 - Is our organisational culture explicit regarding the dangers of overworking and the negative impact/discrimination it can set as 'the norm'?
 - Is there a choice in the hours people work? For both full time and part time staff? What is our flexible work policy like?
 - Are any part time jobs genuinely part time – or are they full time jobs with part time pay?



- We have to be boundaried as one of us has a long-term health condition so can't over work. Every week we look at time sheets and every month we look at holiday taken so we avoid burn out. We do this as in the past, one colleague went the whole year taking no holiday and we only realised at the end of the year!
 - Are our employment policies up to date – and regularly reviewed? Do we have all the ones we should have around carers leave, compassionate leave etc?
 - In particular, are we up to speed with the different ways we can support those with caring responsibilities including children or older parents? Take a look at <u>PIPA</u> for great information.
 - Do we have a menopause policy? Age UK have good guidance.
 - Are we up to speed with the differences between disability related leave and sick leave? It should provide paid time off for disability-related treatment, rehabilitation and assessments.
 - Are we aware of, and using, the Access to Work scheme if relevant (this government scheme meets the needs of the majority of access for disabled people in work)? Does the organisation bear the administrative labour of arranging access or is it left to the individual? Where do people go for access support and guidance?

- We are a small organisation and don't always have all these things written down but we do notice overworking, talk openly about it, and look for solutions as a team. If we've been working flat out for a period of time, we'll try and take Fridays off, for a month or so, for example, in order to balance things out.
 - Do we provide training and support (and pay for the time it takes to attend)?
 - Do we understand and compensate for the emotional labour some employees incur through encountering our poor practices or situations they might meet through working with us?
 - Do we have a policy allowing additional mental health days?
 - Does everyone put in their expenses claims regularly?
- It's taken me a long, long time to claim my expenses properly and not to put the budget ahead of my own well-being.

Participants, volunteers or trustees

How do we ensure that people who take part in anything we do - a workshop, a course, an event - aren't out of pocket?

- Is the type of activity clearly stated so people can work out what access or support they would need to take part?
- Is any access provided clearly stated so people know if their needs will be met?
- Is there an access budget to cover any additional access people might need that is different to what you are providing?
- We added a 5% contingency just for access to all our budgets, in addition to our general 5% contingency as we found we were being asked to meet costs we hadn't planned for but which were really essential to enable people to take part.
 - If people do need additional access, do they have to source this, check availability and undertake the administration of this themselves or does the organisation take this on?
 - Are the staff involved in running this event trained and supported to meet the needs of participants, or is the attendee involved with the labour of training/ supporting/educating them?



Audiences

I am thinking about audiences as projects or events are developed, designed and sited. What are the power dynamics that already exist in a particular space and what is within our power to do to level those? How do we consider different audience needs and flows when we're making and when we're talking to partners and presenters?

How do we ensure that people who come to see anything we offer – a performance, an exhibition, a festival – have their needs met and aren't out of pocket beyond paying for a ticket (if it's a ticketed event):

- Is the type of activity clearly stated, so people can work out what access or support they would need to take part?
- Is any access provided clearly stated, so people know if their needs will be met?
- Is there an access budget to cover any additional access people might need that is different to what you are providing?
- Do we offer free tickets (or reduced priced tickets) for companions/personal assistants?
- We can't pay audiences but at least we can ensure we don't take them for granted.



4. HOW DO WE DO IT?



Policies, practices and procedures

- Do we have an anti-exploitation policy or any policy which makes our position clear? If not, is there anything specific mentioned within our Equality, Diversity and Inclusion policy?
- Do we have any other policies where this commitment could be made more explicit beyond our employment policies (discussed previously)? Where could this be mentioned and how could it be monitored and reported on?
- Do we have a volunteers policy, expenses policy, freelancer policy or Code of Conduct etc to spell out how people can benefit, claim and get things in exchange?
- Do we have a process of going through policies, practices or procedures one by one to look for possible points where we can strengthen our commitment to non-exploitative practices?

- We've just hired some new people

 they fed back that they find
 our policies daunting and hard to
 understand. How do we make sure
 our policies are comprehensive,
 legally valid and also accessible?
 The 'better' we try to be about
 policies the more words we end
 up with, and then the harder they
 become to access.
 - Is there an 'introduction to our policies' we could create giving an indication of how we work (and the fact we don't want to exploit people) and the headlines of which policies we have and what they cover? This could also include a 'please help us make these better by telling us anything else we could do to make them better' type statement.
- We want to publish all our policies on our website to help the sector, hold our policies up to further scrutiny, and hold ourselves to account. I don't get why there is a culture of secrecy around policies we all borrow them from other places.



Planning and payment

- When planning a project, do we know how much time we need for everyone working on that project – or are we guessing, especially when budgeting for specialists? Is there a way to be more accurate? Or to adjust budget allocations once funding is confirmed and we have paid planning time to discuss it?
- Do we have set, or at least minimum rates for work to stop people undercutting each other? Do we budget for quality and experience and not just 'value for money' as just this metric alone can lead to exploitation?
- Do our freelancer rates factor in that freelancers don't get sick pay, holiday pay, training time etc so these need to be covered within any day rate?
- If a freelancer can't or doesn't get support from Access to Work, do we cover access costs for them?
- Genuine question we really struggle with if someone's working day is 4 hours, due to access, should they get paid for a full day (as that is their full day) or do they get a half day rate as that's half what other people are working? Without a system offering part time benefits, those people are always disadvantaged.
 - If we have a rate card or set rates for freelancers, are these rates linked to any pay increases we might make for staff (so if staff pay goes up, then freelancer pay rates go up proportionally). If you offer a 4 day week for staff, have freelancer rates proportionately increased too?

- We aim for parity of pay where we can which can be hard as commercial rates can be very different from arts rates. We've started to rethink this a little as when everyone is paid the same, some people shoulder more responsibility and stress and therefore are open to exploit themselves more, working more hours than we pay them.
 - If we don't pay day rates but instead pay for output, many of the same questions apply – how do we know how much to budget, can the budget be adjusted, do we set the rate and is it a fair one, do our rates go up when our staff pay goes up?
 - How do we manage freelancers to ensure they don't work over the numbers of days/hours/fee allocated? Do we budget our own capacity well in order to manage freelancers, especially if they are new to working with us or have less experience and might overwork to 'show us' how good they are?
- If any process privileges those who can put in extra time because they aren't meeting additional barriers, then we are creating a biased system. It means if you can over deliver, you'll get more work. And that's not fair, that's not equitable. We have to work really hard to stop this and give more people more chances.



- Do we pay promptly, starting payments in advance of work being done? Do we pay for admin time so invoicing (and payment chasing) is included in the fee?
- At the end of a piece of work, do we check in with freelancers to see if the estimates of time etc were correct, perhaps as part of evaluation?
- Do our planning processes include a point where we look for possible exploitation? If we aren't paying people, do we have a point to make clear what the benefits or exchange options are to being involved in working with us in lieu of payment?
- Do we have a budget/contingency to provide additional access/support/ payment if we discover this might be needed after a project has started? Are we open about holding this so people we are working with know it's there?
- How do we address the power dynamic at play? However we pay people, if we hold the budget, we have the power. People are often desperate for the work so will exploit themselves working more days, accepting lower pay just to have the gig. If we say its five days work, who will tell us that it would actually take them more? How can we open this conversation and really talk about fairness when we hold the power?

Going public

- Are we public about our desire to reduce exploitative practice?
- Do we encourage people to come forward and help us spot times where we are unwittingly supporting exploitative practices? Do we have ways that people can easily contact us if they think our practises aren't aligning with what we say?

It's in our interest to get people to help us examine our practices and support people to call in on us, rather than calling us out in public by encouraging them to get in contact with us.

- We could put 'risk of exploitation' on our risk register – that would give us one tangible way of ensuring we keep this conversation live.
- We could be clear about how much we can do on a project-by-project basis as it varies. Basically stating "for this project we have this level of resources and we can operate in this particular way and pay or offer exchange stuff to this kind of level" but we can't offer the same level all the time due to restrictions on our own funding.
- Basically, it's about priorities.
 We can choose to put a higher priority on not exploiting people within our work. It's a choice. If we want things to improve across the sector for everyone, it's a priority we have to make. We will all as a sector get there faster if more of us make this choice.









weareunlimited.org.uk/nothing-for-nothing

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