

## BBC and DIRECTORS UK

### JOINT STATEMENT ON CREATIVE RIGHTS AND RESPONSIBILITIES (IN-HOUSE DRAMA)

The principal director of every television film or programme under UK law is a joint author and copyright holder of the work with the production company. The director's function is to contribute to all of the creative elements of a film or programme and mould and integrate them into a cohesive and dramatic whole.

*Queries and issues arising from the operation of this document should, in the first instance, be dealt with directly between the director (and/or their agent) and the [correct BBC person].*

*Any issues or queries that cannot be resolved in this way can be referred by a director (and/or their agent) to Andrew Chowns at Directors UK, who will attempt to resolve the issue with [the appropriate Head of Talent] at the BBC.*

#### 1. PRE-PRODUCTION

The early appointment of the director is in the best interests of the creative and economic demands of production.

The timely arrival of the script is crucial to a well managed production.

The more information the producer gives the director about the details of the budget the easier it is for the director to effectively use resources and save unnecessary costs.

Therefore it is agreed that:

- i) The involvement of the director prior to pre-production will be effected under the terms of the Standard Development Contract or, in the case of continuing drama by the use of a 'Reading Days'

engagement.

ii) On single films, specials and serials, the minimum duration of the Sole or Establishing Director's pre-production should be the shooting period plus two weeks.

iii) In continuing and returning single camera drama series the minimum duration of the director's pre-production should be no less than the scheduled shooting period.

iv) In continuing and returning multi camera drama series the minimum duration of the director's pre-production should be no less than twice the scheduled shooting period.

v) In extraordinary circumstances where a director is hired with a shorter preparation time, an additional payment will be negotiated in good faith to compensate for the extra work involved.

vi) The director, in consultation with the producers, selects and briefs the production Heads of Department. These would include: Production Designer, Casting Director, Location Manager, First AD, DoP, Composer, Costume Designer, Hair & Makeup Designer, Script Supervisor, Sound Mixer and Editor.

vii) In the case of continuing and returning series, where Heads of Department are already in place, the incoming director will be advised at the point of engagement and shall be consulted in the event that any new HOD needs to be selected on their block.

viii) The director should receive a production script no later than one week before the commencement of director's pre-production.

ix) In the case of continuing and returning series the director

should receive a production script no later than the first day of pre-production.

x) The director will have reasonable access to the writer, to discuss changes to the production script and to agree the shooting script.

xi) On continuing drama if access to the writer is impractical, there will be access to a script editor.

xii) After delivery of this production script, any further changes will be made in consultation with the director.

xiii) Where the production script is late, an additional payment may be negotiated in good faith to compensate for extra work involved.

xiv) The director casts the production in consultation with the producers.

xv) On continuing drama series the director casts the specific episode roles in consultation with the producers.

xvi) Where the director's first choice of actor(s) is not approved, the director will cast any replacements, in consultation with the producers.

xvii) The below-the-line budget will be available to the director upon commencement of the engagement.

xviii) In continuing drama and returning series, where the overall budget is already established, the budget lines relevant to their particular episodes will be made available to the director if requested.

xix) The director shall work within the limits set by the agreed budget.

xx) Material changes to the budget for a programme with a single director shall only be made in consultation with the director.

xxi) In the case of multiple directors, material changes to their episode or block budgets shall be made in consultation with them.

xxii) The director will be fully consulted on and agree the shooting and post-production schedules.

xxiii) In continuing and returning drama the director will be given notice of and agree the shooting and post-production schedules.

xxiv) The director shall then work within the limits set by the agreed schedules.

## 2. PRODUCTION

The director is engaged to be the key creative force during the shoot.

The director controls the set during the shooting period.

Therefore it is agreed that:

i) All on set creative notes to actors and crew will be given by the director.

ii) The director undertakes to share responsibility with the producers for delivery of the shoot on schedule.

iii) The director will not be placed under undue or unfair pressure to shoot scenes additional to the agreed schedule.

- iv) The director has the first right of refusal to direct 2nd units, pick-ups and or to supervise those shoots whenever possible.
- v) The director will be the sole voice briefing the editor during the shooting period.

### 3. POST-PRODUCTION

The director should attend and/or supervise all stages of post-production.

Therefore it is agreed that:

- i) The director will be paid in full until the scheduled picture lock.
- ii) Additional days should be negotiated in good faith to ensure the director's continued creative involvement.
- iii) The director will be allowed an exclusive period to edit the film or episode, and create a 'Directors' Cut'.
- iv) The 'Director's Cut' will be shown to the producer on a date agreed at the beginning of post-production and noted in the post-production schedule. The time allotted for the 'Director's Cut' will not be less than 50% of the scheduled edit period, from the end of shooting to picture lock.
- v) Notes to the director on a cut should be compiled as one set of notes.
- vi) The director will take the lead role in briefing the composer and will attend the recording sessions, except in series or continuing drama where this role may be shared with the

producers.

vii) The director should brief the sound editing team and supervise any ADR sessions with actors when available.

viii) The director should attend and supervise the dub and final mix.

ix) In continuing drama the director should attend the dub review day if available and applicable.

x) The director will attend the picture grade, oversee the commissioning and insertion of the CGI and of any digital effects and the finishing of the work.

xi) On continuing drama series where an establishing director has already set a 'master grade', the episode director's attendance is not mandatory.

xii) Where the director is required to attend the picture grade or the grade review, or any of the post production processes, they will be paid to do so.

xiii) The director shall be entitled to at least 1 DVD of the completed programme as a deliverable.

#### 4. RE-EDITING\_

Where possible the director should supervise any re-editing or reversioning.

Therefore it is agreed that:

i) On single, special productions and serials involving a single director, the director will supervise re-editing and re-versioning for

key territories and key uses, subject to the director's reasonable availability.

ii) Key uses and territories include but shall not without prior agreement be limited to UK broadcast, UK DVD and other commercial re-use, US theatrical, broadcast, DVD and other commercial re-use.

iii) On continuing series or multi director productions the director will be consulted on any post transmission changes where possible.

## 5. NEW SERIES, PILOTS AND SEQUELS

The status of a director who successfully establishes a new first-run series or who successfully directs the pilot of a series later commissioned is recognised.

It is therefore agreed that:

i) The establishing director of a new series or serial or a successful pilot is entitled to benefit from that programme's success.

ii) At the point of second series commission or, in the case of a pilot episode, a first series commission, the establishing director of an original programme will have first refusal to direct any sequel to or spin-off from the original programme, subject to that director's reasonable availability, or may choose instead an agreed

on-screen credit and a fee to be negotiated in good faith.

*Note: This will apply except in cases where the Producer can reasonably demonstrate that the establishing director has not contributed significantly to the success of the pilot or series. Any dispute will be subject to an agreed arbitration procedure.*

## 6. PUBLICITY & CREDITS

The director should be involved in the publicity of the programme, on a second call basis subject to their availability.

Therefore it is agreed that:

- i) The principal director of the programme will be the only person entitled to be credited as director on that programme, normally in last position in the front credits, the precise form of such credit to be in accordance with the BBC Credit Guidelines.
- ii) A sole or establishing director will be expected to provide any biographical details required by the broadcaster or producer to be used for publicity purposes.
- iii) The producer will ensure that press and publicity representatives are provided with information about the director for use in press packs, press releases and screenings and will use best endeavours to ensure that the director is credited on all publicity material relating to the production.
- iv) The director has the right to remove his or her credit in the event of artistic differences.