

FREELANCE AND FORGOTTEN:

**A REPORT ON WORKER EXPLOITATION
IN SCOTLAND'S CREATIVE INDUSTRIES**



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Summary

805 people responded to the STUC's survey of creative industries workers between 23 March and 22 April 2025.

69% of respondents were freelance, 15% were freelance and employed, and 14% were solely employed. 2% were retired or not currently working. The survey highlights the lack of Fair Work in Scotland's creative industries.

69% have experienced issues relating to late payment for work.

"The longest I ever had to wait was 10 months from a prestigious university".

33% have not been paid for freelance work undertaken.

"I invoiced for half my work, and said I'd change for the other half when they asked me for the last 4 colours/ names they wanted on the template. They stole the artwork and did their own."

59% have experienced unclear or unreasonable expectations when undertaking freelance work.

"Have no contract for teaching at a college/university where I have asked for one several times. Turns out they didn't know freelance contracts exist and they've been operating for 30 years."

73% rarely or never have access to a clear and accessible complaints and appeal process when undertaking freelance work

"Nobody wants to be the one who complains or says something isn't acceptable, because we are all so desperate for work or repeat work."

57% have rarely or never undertaken freelance work that presented fair royalties and/or intellectual property allocations.

"[I did] lyrics from a Creative Scotland -funded song commission used in a concert tour, no credit, no royalties or notification to PRS."

46% have lost work or pay after getting ill or having to take maternity or bereavement leave.

"I unexpectedly gave birth to my son early during stage rehearsals. That meant I then wasn't able to do the last few rehearsals and no performances. My fee was capped at half [for] the week of my labour, and after that week they didn't pay me anything at all"

32% have signed a Non-Disclosure Agreement or similar contractual clause asking them not to talk about work.

"My last payment was going to be held unless I signed the contract. The head of production refused to make amendments to the NDA. I had only asked permission to take photos of my work and put it in a portfolio which the contract had absolutely ruled out."

53% have experienced, or seen, bullying, harassment or sexual harassment.

“I was grabbed by an actor and made forcefully to sit on their lap while the entire crew watched.”

83% have seen a real term fall in earnings in recent years.

“I have been working in the creative industries for over 13 years and I have never earned more than £10,000 a year.”

34% think there are Equal Pay issues at their work.

“There is a culture of not discussing payment. I once found out that in a team of 3 freelancers, we were all paid differently for the same role.”

Only 6% describe working conditions as good. 44% describe them as bad and 50% describe them as okay.

“10-12 hour working days, contracts offered well after the first day of employment, rates offered inclusive of holiday pay, no sick pay, nature of industry with very little notice to start and finish dates and job cancellations.”

52% said there was a ‘rate for the job’ that they do. 20% said the rate was negotiated between a union and their employer and 32% said it was advised by their union.

“If I were to calculate the amount of unpaid work I do to support/gain my freelance contracts, my hourly rate would be well below the national minimum.”

Only 31% said they are always paid the ‘rate for the job’. 11% said they are always paid less while 58% said they sometimes get paid the rate, but not always.

“I am never able to get a production to pay me what it says on the BECTU camera branch rate card.”

Only 13% of respondents said their employer had a staff forum. Of these workers, 57% did not think it was independent of management.

“They... actively suppress issues brought to their attention.”

To address these serious issues, the report calls on:

- The Scottish Government, National Performing Companies, Creative Scotland, and unions to agree minimum standards that those on freelance contracts should be entitled to expect.
- Creative Scotland to be given a specific remit to support artists and workers, and to monitor and enforce fair working practices within the sector.
- The Scottish Government to update its Fair Work First Guidance, and funders to update their funding criteria, to recognise that Unions – not staff forums – are the legitimate voice of workers.
- Employers and Regularly Funded Organisations (RFOs) to adopt use of the STUC Fair Work for Freelancers Checklist.
- Employers and RFOs to work with unions to create Fair Work Agreements.

Introduction

The Scottish Trades Union Congress (STUC) is Scotland's Trade Union Centre. We represent over 550,000 workers through our 40 affiliated trade unions and trades union councils. Our purpose is to co-ordinate, develop and articulate the views and policies of the Trade Union Movement in Scotland.

As part of our core work, we have been working closely with the eight affiliated trade unions in the creative industries to support long-term funding and improve Fair Work practices among key stakeholders within the sector.

In early 2025 we surveyed Trade Union members who work within the sector with a view of ensuring that workers voices are front and centre of any discussion around Fair Work. This report gives voice to their experience – and highlights some shocking working practices.

While the creative industries are crucially important to Scotland's economy and wellbeing, this report makes clear that Scotland's creative industries must change if we are to protect and enhance the lives and livelihoods of the workers within them.

With additional public investment in the creative industries in the coming years, the Scottish Government's commitment to becoming a leading "Fair Work Nation" in 2025, and the Scottish Government's Culture Fair Work Taskforce due to publish recommendations shortly, now is the time for Scottish Government and Creative Scotland to put conditions on their funding to ensure that Fair Work becomes a reality for Scotland's creative workers.

Late Payments

69% have experienced issues relating to late payment for work, with respondents stating that late payments happen "frequently," "often," "regularly," or "all the time."

Significant Delays: Delays ranged from a few weeks to several months, with some extreme cases. Responders told us they often have to wait 6 months, 9 months, 10 months, and even 15 months for payment for work carried out.

"It took an Edinburgh based employer 7 months to fully pay me for work I did for them."

Extended Payment Terms: Some clients, especially larger organisations, impose payment terms of 30, 45, or even 60 days *after* the invoice date, which is already a long wait for freelancers.

"More and more companies are paying later and later and changing their terms to 40-60-day pay runs after invoice instead of the requested 30 days".

Beyond Payment Terms: Even with agreed payment terms (often 30 days, sometimes shorter like 14 days), clients frequently fail to adhere to them.

"Frequently wait 3 months for payment for ADR work which is booked via my voice agent (answer given that this client tends towards 90 days before paying). Regularly have to chase clients to pay invoices for my voiceover work

where my terms are 30 working days."

Universities and Educational Institutions were repeatedly highlighted as particularly bad offenders, with mentions of slow systems, administrative delays, and a lack of understanding of freelance needs.

"Universities are awful for paying creative freelancers on time; almost every time I've done a performance, talk, or workshop for a university, payment has been very late."

Larger Organisations and Institutions: Big companies, councils, arts organisations, and national performing companies were cited for late payments due to bureaucratic processes, slow finance departments, or simply dragging their feet.

"With National Performing companies I regularly have to wait over 4 weeks for payment. It has been as late as 7 weeks before."

Production Companies (Film, TV, Theatre) were common in these sectors, sometimes linked to the production company's own cash flow issues or delays in receiving funds.

"Yes, for extra work and student films - most recently Scottish indie film production. Took months to pay majority of cast and crew well past the date agreed, some not getting paid until almost a year later."

Publishers: Delays in paying advances and royalties were frequently mentioned.

“Well respected magazine took over a year to pay an invoice”.

Galleries: Slow payment for sold artwork was a recurring issue.

“A gallery I supplied in North East of Scotland on a sale or return basis closed down and didn't tell me. They also told me after I'd found out that they closed down and gotten in touch with them, that they had been broken into and my jewellery was stolen, so I had to contact the local police to confirm if that was true.”

Smaller Companies and Individuals: While less frequent, late payments also occurred with smaller clients.

“I had many issues surrounding pay for an acting job that I took in 2021, in a project. The person running the project, refused pay for work completed after contracts had been signed and pay agreed. I had to fight to prove attendance on all days of work, down to providing photographs taken of me at work with time stamps...The majority of other cast members had the same issue as me. They went on to run other projects and colleagues that chose to participate inform me the same issues continued again. I was lucky to have kept thorough logs of my working hours. I believe one cast member was unsuccessful retrieving her wages and sought legal action.”

Impact on Freelancers

Financial Strain: Late payments cause significant cash flow problems, making it difficult to pay bills, rent, and cover living expenses. Some freelancers had to take out loans or carry credit card debt.

“It has a significant impact on my finances when I get paid late. If I have had to pay for materials or travel or accommodation up front then it can be really tricky to keep enough money in the bank for daily living. I have sometimes had to carry a large balance on my credit card, or get a loan, to be able to continue doing business.”

Time and Effort Chasing Payments: Freelancers spend considerable time and effort chasing invoices, sending reminders, and dealing with unresponsive clients.

Frustration and Stress: The uncertainty and hassle of late payments cause significant stress and can feel disrespectful.

“I'm routinely chasing payments over a month after they're due (my payment terms are 14 days for private clients and smaller companies, 28 days for larger companies). It's absolutely exhausting!”

Lost Income (Indirectly): Some freelancers reported having to refuse future work from consistently late-paying clients.

"I have had issues over the years regarding this, but to be honest I no longer work for these people. If it happens more than once, I tend to say no to them the next time."

Strategies and Observations:

Updating Invoice Terms and Charging Late Fees: Some freelancers have started including late payment clauses and charging fees, with varying degrees of success.

Requiring Upfront Payment/Deposits: Some now request partial payment upfront to mitigate the risk of non-payment or late payment.

"The bigger the organisation the harder it is to get paid on time. I have changed my invoices to say please pay within 14 days or a 10% surcharge will be added, and this has made a HUGE difference."

Agent Intervention: Having an agent can sometimes ensure more timely payments.

"I am lucky since having an agent, my fees are typically paid on time. However, reimbursement expenses paid directly to me instead are often late."

Awareness of Legal Rights: Some freelancers are aware of and have used the Late Payments Act.

"I've been paid late dozens of times, sometimes months late. I've used the 1998 Late Payments Act twice (with good results)."

Systemic Issues: Many responses point to systemic problems within organisations, particularly large ones, with inefficient payment processes and a lack of prioritisation for timely freelance payments.

"Rigid organisational finance payment systems where deadlines are not made clear - until you're told you (or the person you sent your invoice to) have missed the date for sign-off that month and will have to wait an additional 6 weeks to receive your payment! Universities have been the worst for this across my career. In my experience, individual staff members have been hugely apologetic about the system but see themselves as powerless to change it. I've also had invoices paid late when I've been given the wrong contact details to send my invoice in to, due to internal organisational confusion."

Lack of Communication: Clients often fail to communicate the reasons for delays or respond to inquiries.

"Some organisations are very late to pay invoices, or don't inform you if there's any issue with the form. of the invoice (so won't pay and you need to chase it up). Universities are especially bad at this."

These responses paint a picture of a freelance creative sector where financial insecurity due to payment practices is a widespread and ongoing challenge.

Non-Payment

32% have experienced issues relating to late payment for work, highlighting that non-payment for completed work is a significant and recurring problem for creative industry workers. Key takeaways from the responses include:

Non-payment is not an isolated incident but a **regular occurrence**.

"In my ten+ years working as an artist I've been significantly underpaid consistently and at times lied to about the budgets available. For example, an institution refusing to pay me fully for my hours because they said there was no budget and then later taking artists out for lunch on that budget. Following a complaint, I made to a commissioning organisation regarding lack of access provision, discrimination and unfair treatment for freelancers... my contract was annulled, and all present and future work was halted. This included a screening programme for which all preparatory work had been undertaken which was all the work on my side of the contract. The event was cancelled; I was not paid for work completed."

Abandoning Pursuit: Some workers give up chasing unpaid invoices due to the perceived effort and potential conflict outweighing the likelihood of receiving payment.

"I gave up contacting them."

"Ghosting": companies, contractors, and agents disappearing or ceasing communication ("ghosting") workers without paying them.

"I've had clients ghost me after receiving images and go as far as to block me from contacting them for payment"

Company Insolvency: Businesses going bankrupt leave freelancers without the money owed to them.

"Bollywood movie years back that bumped everyone and a production company that went bankrupt 12 years ago."

"Deferred Fees" Never Materialising: Especially in documentary work.

"In various ways, but most commonly in feature documentary work for "deferred fees" that never come back... The money owed is between £15-20K spread over various productions."

Unfulfilled Promises: Development work done on spec without future compensation.

"Huge amounts of development work done for medium to big name indies done for no pay on the promise of it being worth it when the project gets to the next stage (which it never does)."

Breached Agreements: Clients failing to pay after work completion.

“On the occasions when I have not had a contract (and only a verbal agreement) the client has sometimes not paid my invoice.”

Venue Closures: Performers not paid when venues shut down.

“When the Arches was closed down, I was left without payment for work completed.”

Disputes over Quality/Expectations: Clients refusing payment based on subjective dissatisfaction.

“A group refused to pay as it apparently was not “the performance they were expecting.”

Theft of Intellectual Property: Artwork being used without payment.

“I invoiced for half my work, and said I'd change for the other half when they asked me for the last 4 colours/ names they wanted on the template. They stole the artwork and did their own.”

Refusal to Pay Late Fees: Clients ignoring legally obligated charges.

“I have had clients refuse to pay the legally obligated late payment fees.”

Uncompensated Extra Work: Being expected to do additional tasks or incur expenses without pay.

“I have been expected to do extra work for free, extended timelines, meetings expected to buy equipment needed for a specific job without no recompense.”

Exploitation of Students: University and college projects where students' work is used by clients without fair compensation, often framed as "experience." There are even concerns raised about the handling of potential earnings from student work by educational institutions.

“One project was supposed to be paid £500 if the client selected your design and I was chosen. I did a very large design across 8 windows over months of work, client really liked it, had meetings with them to tweak things before sending it to print, but client then said they were doing a colour rebrand and stopped replying, no word if they ever used my design and I was never paid any amount for the months I put into it.”

Stalled Projects: Not receiving pay when projects stall.

“I had a contract for a small book. I delivered the book. I wasn't paid the last instalment as the project stalled.”

Publisher Bankruptcy: Writers not paid after publication.

“Article submitted, accepted, published, publisher goes bust before payment.”

Unclear and unreasonable expectations

59% have experienced unclear or unreasonable expectations when undertaking freelance work. Core issues identified in the survey include:

Lack of Contracts: The absence of formal contracts is a frequent problem, leaving freelancers vulnerable and without clearly defined terms of work. Some organisations even appear unaware of the necessity or existence of freelance contracts.

“I have no contract for teaching at a college/university where I have asked for one several times. Turns out they didn't know freelance contracts exist and they've been operating for 30 years.”

Scope Creep and Changing Requirements: Clients often change their minds or add tasks ("scope creep") during a project without adjusting fees or timelines, implying these additions were part of the original agreement.

“The lack of contract has been an issue, certain organisations do not seem to think this is a priority and then keep asking for a bit more input, and it is implied that this was all part of the agreement.”

Unfair Contracts: When contracts are offered, they are often perceived as unfair to the artist.

“Happens all the time. If we get a contract at all. Often turning up to site with only a WhatsApp message as confirmation that we have been booked despite asking for a contract.”

Implied Responsibilities and Unaligned Budgets: Freelancers face constant additions to their responsibilities and implied tasks, while budgets often don't reflect these increasing demands.

“Freelance artists rarely get offered fair contracts, or often no contracts at all! If there is no contract and no clear expectations, then the client/arts organisation can make the rules up as they go along. This then opens up situations when the artist can be manipulated or bullied into being exploited.”

Excessive Bureaucracy: Working with some institutions, like universities, involves lengthy and fragmented paperwork processes that delay payment.

“Freelance work for universities requires months of paperwork, often released and required in drips and drabs, before pay is remotely possible.”

Uncompensated Time: Essential work like preparation time is often not included in the agreed fee.

“No prep time, which can be considerable, allowed for in the fee.”

Expectation of Free Labour:

There's a prevalent expectation that artists should work for free, with clients readily paying for other aspects of a project but undervaluing the artist's labour.

“There is often an expectation that artists will work for free. Sometimes when I've gently pushed back against this, clients are surprised that an artist would expect fair payment for their labour. This is particularly galling given that they're happy to pay for the venue, the catering, the production labour - just not the artist. Our labour isn't seen as valuable.”

Lack of Worker Rights: Being engaged on short-term freelance contracts can mean a lack of access to benefits like training or

proper support in cases of workplace issues, such as the reported racist incident.

“I was employed by a council led organisation continuously as a freelancer for 3 years on short term contracts and wasn't eligible for training and when I left received no exit interview. I was told a PAYE contract wasn't possible through the council for my work 'red tape' etc. This meant that when a racist incident happened, I felt I had no rights.”

Unrealistic Availability Demands:

Hiring parties sometimes expect freelancers to be available around the clock, blurring the lines between work and personal time. These issues contribute to a sense of exploitation and highlight a lack of respect for the professional boundaries and value of freelance creative work.

“Communication from the hiring party is expected to be on call 24/7 including nights and weekends after rehearsals.”

Unclear and inaccessible complaints process

73% rarely or never have access to a clear and accessible complaints and appeal process when undertaking freelance work. This is compounded by a significant fear of reprisal for raising concerns. Key points raised by respondents include:

Fear of Jeopardising Future Work:

The overwhelming sentiment is that complaining about poor treatment or unfair practices will lead to being blacklisted and losing future work opportunities in the relatively small Scottish creative scene.

“The truth is that nobody wants to be the one who complains or says something isn't acceptable, because we are all so desperate for work or repeat work, and Scotland is small and word spreads fast that e.g. So-and-so is a nightmare to work with when people have stood up for reasonable conditions.”

Absence of Clear Procedures:

Many freelancers report that clear complaints and appeal processes simply don't exist within the organisations they work for.

“I have never encountered any such 'process' while working as actor or writer - it is 'assumed' that a freelance person has no way to appeal. Even agents aren't talking about it.”

Ineffective or Biased Existing Procedures:

Even when procedures exist, they are often perceived as ineffective, slow, or biased in favour of the organisation. Freelancers feel their concerns are not taken seriously, and they may even be blamed for raising issues.

“This is rarely made clear and, in many cases, you're made to feel bad or pressured out of complaining by senior levels of crew.”

Lack of Independent Oversight:

There's a perceived lack of independent oversight, particularly for publicly funded arts organisations. Directors and CEOs are seen as all-powerful, and boards of directors may be too distant or influenced by the leadership.

“Arts organisations, many of which are public charities and are funded by Creative Scotland are almost impossible to deal with when a complaint arises.”

Directors/CEOs of these organisations seem to operate with impunity as they are only responsible to a distant (and often opaque) Board of Directors. In the situation where a Board of Directors is contacted, the director can shape the narrative to suit themselves. There should be more independent oversight on public arts charities.”

Power Imbalances: Freelancers, especially students in educational settings, often feel powerless to challenge clients or institutions due to fear of damaging their reputation or the institution's image. Lecturers and department heads may filter communication, prioritising the institution's interests over the students.

“Through college/uni related work, the student has little to no power to ask for more payment (or payment at all) for client projects or set firm boundaries with clients as it’s seen as damaging to the reputation of the college/uni who don’t want to ruffle any feathers.”

Lack of Accountability from Funders: Creative Scotland, the main public arts funder, is highlighted for lacking its own complaints procedure and stating it has no responsibility or capacity to investigate complaints against its funded organisations, leaving freelancers with nowhere to escalate issues.

“I raised a complaint when addressing persistent ignoring of access needs, ableism and unacceptable working conditions

for freelancers within a registered charity and its Scottish subsidiary organisation (Creative Scotland funded). There was no complaints procedure in the organisation. The procedure that they haphazardly put me through was further exhausting, extractive of my time, and exacerbated my ill health conditions; they requested my access needs which were then ignored, continuing the issues that I had raised in the complaint. I was made to attend the complaints interview on the day of a family member's funeral...During the complaints procedure I was treated as a nuisance, and at one point received an email from a board member unintentionally forwarded to me, addressed to an unknown third party, sharing part of the contents of my complaint and expressing annoyance about me.

The complaints procedure was delayed by six months, and the results took three months to disclose. I raised concerns about the complaints procedure and the unfair results and was ignored for three months. This delay on their part resulted in the matter extending beyond the window in which I could file an official discrimination report. In the complaints procedure I was not treated as a worker because I had a freelance contract with them despite having worked regularly on a freelance basis with the organisation for over six years.

I then raised concern with the funder – Creative Scotland – who told me they had no complaints procedure and that they were not responsible for any actions of their funded organisations. I was told I could submit my story but that I should manage any expectations and not to expect any result or resolution because “we do not have the capacity or authority to investigate complaints.”

Negative Consequences for Complainants:

Several respondents shared experiences of facing negative repercussions for complaining, including being removed from work lists or having contracts cancelled.

“Only have complained once, resulting on being taken off the extra list for recording session with a National Performing Company.”

NDA's Used to Silence

Complainants: In at least one instance, an NDA was used as a condition for receiving the results of a complaint investigation, potentially hindering the complainant from speaking out about their experience.

“I was made to sign an NDA agreement to receive the results of the investigation. I did not realise at the time that this cancellation was potentially retaliatory under the Equalities Act and potentially constituted discrimination. I sought advice from a lawyer who said it would be too costly to be worth my time to take this further. It has resulted in significant loss of income and enormous undue

stress and worsening my ill health. It has caused me to lose work within my creative networks and face ongoing exclusion from activities related to this organisation.”

Small Teams and Limited Options:

The prevalence of small organisations in the Scottish creative sector means there are often limited avenues for appeal beyond a single person in charge. *“99% of the time, there is one person in charge of a project and if they refuse your appeals, there isn't anywhere else to go.”*

Protracted and Unfair Processes:

One respondent described a 15-month-long, unfair, and non-transparent complaint process against a university.

“I am 15 months into a serious complaint process trying to protect my highly sensitive work from unethical exploitation by a university. The process is not fair, not transparent and institutionally corrupt.”

These responses paint a picture of a system where freelancers often feel they have no safe or effective way to address grievances, leaving them vulnerable to exploitation and poor working conditions due to the inherent power imbalance and fear of professional repercussions. The lack of clear processes and accountability mechanisms, even within publicly funded organisations, further exacerbates this issue.

Unfair royalties and intellectual property allocations

57% have rarely or never undertaken freelance work that presented fair royalties and/or intellectual property allocations. Significant issues highlighted by creative workers include:

Shift from Royalties to Buyouts:

There's a perceived trend away from royalty-based compensation towards flat "buyout" fees, potentially limiting long-term earning potential for creators.

"In the past [I received royalties] ... Now, it's all buyouts and there are very rarely royalties."

Inadequate Compensation: Even when royalties are involved, the overall compensation (fee + potential royalties) can fall below minimum wage when considering the time invested.

"In my own experience the amount of work hours completed in comparison to the fee/royalties paid for work submitted for publication puts writers below the minimum wage threshold."

Lack of Credit and Recognition:

Creators, particularly writers and lyricists, sometimes don't receive proper credit for their work, leading to their contributions being overlooked or even attributed to the commissioning entity.

"[I did] lyrics from a Creative Scotland -funded song commission used in a concert tour, no credit, no royalties or notification to PRS. Had to insert my name in the programme, hassle the venues to send it to PRS - they were unaware. This again was an arts organisation not crediting/paying freelance income or including freelance IP in their grant application. Then the freelance uncomfortably needs to hassle about it and putting future work at risk."

IP Exploitation in Spin-off

Projects: Contracts often fail to cover how IP is used in subsequent or related projects, making it difficult for freelancers to benefit from their creations' success. Enforcement of these clauses is also challenging.

"Sometimes IP can lead to spin-off projects which aren't covered. But even if this is covered in the contract, it's impossible for a freelancer to enforce the terms - sometimes I only find out about the use in social media."

Assumption of Ownership by

Commissioners: Companies frequently act as though they own all IP created by freelancers, diminishing the creator's rights and recognition.

“As [a] writer I’ve often been erased by companies imagining they own all the IP. After a while, the commissioning company starts to believe the words appeared by magic, or they wrote them themselves. They forget or overlook your contribution, so the author is invisible. I’ve seen this reflected in press, social media and even an academic book.”

Lack of Awareness and

Oversight: In publicly funded projects, there’s concern that funding bodies like Creative Scotland don’t adequately ensure fair royalty arrangements are in place for contributing freelancers.

“Worked on a (publicly funded) dance film project, didn’t realise until afterwards how widely it was going to be toured where the musicians would get paid for every performance (which they were performing live) but no royalties incorporated into the contract and feel like this should have been picked up on by Creative Scotland in their funding application/conditions.”

Breaches of Contract and Lack of Notification: Freelancers sometimes find their work being used in ways that violate their contracts without their knowledge or consent.

“Currently in a dispute for a small fringe show, which then upscaled and toured internationally without notifying me in a clear breach of contract.”

Low Initial Fees Limiting Future Royalties: Even when royalties are contractually agreed upon, low initial fees can result in minimal returns even if a project becomes highly successful.

“Because the initial fee on my contract was so low, I would only be entitled to a third of my original fee (less than £1000) although the show is now on main stages.”

Erosion of Existing Royalty

Models: There are concerning developments, such as theatres asking visiting companies to pay writer royalties directly, potentially shifting the financial burden.

“I am usually paid fair royalties of 10% through the SSP contract. However, there are some creeping erosions of this. I know that one theatre in Scotland has asked visiting companies to pay the royalty to the writer rather than taking it from the box office takings, which is an alarming development.”

Copyright Retention Battles:

Clients often seek full copyright ownership, requiring freelancers to actively resist these demands to protect their rights.

“Clients often want full copyright, but I never agree to this. I always make it clear I own the copyright on my work. It can be a battle getting clients to understand this though.”

Misinformation and Resistance to Royalties: Managers sometimes dismiss royalties as impractical or too costly, revealing a potential lack of understanding or willingness to fairly compensate creators.

“Royalties are usually explained away by managers as if it were some diseases. The bigger the venue the issue of royalties is usually the reason for not producing the commission. Very few managers know what the truth is. As far as they are concerned a writer is a figure on a budget.”

Disparity Between Sectors: Royalty practices can vary significantly between different creative fields, with theatre sometimes offering better royalty deals than screen work.

“My work for theatre usually pays good royalties. But screen work can be a lot less.”

Prioritising "Experience" Employers sometimes emphasise the benefits of gaining "experience" over fair financial compensation, particularly for performers.

“The sector seems to thrive on providing "experience" for actors without payment.”

Uncredited Contributions and Lack of Royalties for Ideas: Freelancers' creative input, such as ideas and improvisations, may be used in developing new works without proper credit or royalty sharing.

“I have worked for numerous long-established regularly funded organisations in Scotland that use my ideas and improvisations and contributions to creating a brand-new show, but I am only ever credited as a performer in show material and receive no royalties.”

Challenges in Enforcing Copyright: When copyright infringement occurs and royalties are unpaid, pursuing legal action as a civil matter can be inaccessible for many freelancers.

“Client appropriated copyrighted material and never paid any royalties on sales earned-nothing to do about it as breach of copyright is a civil offence = no access to justice.”

Overall, these responses highlight a power imbalance where freelancers often struggle to secure fair compensation for the use and ongoing value of their intellectual property. There is a need for clearer contracts, better understanding of creator rights, and more oversight from funding bodies to ensure equitable treatment.

Lost work or pay after getting ill

46% have lost work or pay after getting ill or having to take maternity or bereavement leave. Respondents highlighted the severe financial vulnerability of when faced with illness, bereavement, or maternity, including:

Regular Income Loss Due to Illness: Freelancers frequently lose income when they are unable to work due to illness, with no safety net like sick pay.

"I work weekly for an artistic charity organisation and if I am ill, I do not get paid."

"Had cancer, had to refuse some opportunities, lost others."

Working Through Illness: Many feel compelled to work even when unwell or injured to avoid losing income, demonstrating the precarious nature of their employment.

"I mean, you keep working right?!"

"I have always worked even with major facial bruising after a significant car accident, with flu, with tick bite fever."

Loss of Earnings Due to Workplace Injury/Illness: Some workers became ill or injured at their place of work and still suffered financial losses, including contract termination and expenses.

"I fell through a stage and impaled my arm on a set of treads... Ended up losing the rest of the week because try as you might pulling power lock with one hand is not really practical."

"I had an asthma attack mid run of an opera (caused by smoke machines on stage). My contract was terminated, and I had to make repayment of subs and travel expenses despite me not getting either refunded from my hotels or flight companies."

Lack of Maternity Leave/Pay:

Freelancers often do not receive any form of maternity leave with pay, leading to significant financial hardship during critical life events. This can also have long-term career consequences.

"I did not receive maternity leave or pay for either child. I worked and parented until I could get a space in a private nursery for both children to the detriment of my mental health and the bonding time with the children."

Lack of Bereavement Leave/Pay:

Freelancers often do not receive any form of bereavement leave with pay, leading to significant financial hardship during critical life events.

"I had to take bereavement leave after the sudden death of my father and lost £2000 in freelance income as the project timeline was too tight and there was no backup."

Discretionary and Partial Sick Pay (Employed): Even when working on fixed-term contracts, sick pay is often discretionary, partial, or can lead to contract termination and future work restrictions.

“While I was on a fixed term contract with [national performing company name redacted], I had to be on sick leave due to being too unwell to work for few months. This resulted on with [national performing company name redacted] terminating my contract and restricting my freelance work afterwards.”

“Following a knee fracture and torn ligaments last year, I lost thousands of pounds of work as leader of singing/music workshops with neurodiverse children and young people. It was written into the contract that if I was unable to undertake the work for any reason including illness, the contract would be cancelled, and they would not owe me anything.”

Contract Cancellation Without Compensation: Contracts can be cancelled entirely due to illness, with no obligation for the client to provide any payment, even if the illness was arguably work-related.

“Developed Pneumonia as a direct result of working hours and conditions. Then had to cancel contracts in recovery.”

“Have had contracts cancelled due to illness - in one case by a company that had caused the illness.”

Fear of Disclosure: Disclosing illness, even a contagious one like COVID, can lead to loss of future work.

“Contracted covid on a job and as a result of disclosing it I lost work and pay on the next job with the same company a week later.”

Postponing Healthcare: The fear of losing income leads some freelancers to postpone necessary healthcare appointments.

“I have postponed health care appointments in order to not miss out on pay.”

Long-Term Career Impact: Taking time off for significant life events like partner's hospitalisation or having young children can result in being dropped from regular work opportunities.

“I let down one major UK publisher when I had young children and my partner was hospitalised in an emergency, and despite being one of their regular freelance editors I never worked for them again.”

These quotes starkly illustrate the lack of financial security and support for freelance creative workers when their ability to work is compromised due to health or personal circumstances. They highlight the pressure to prioritise work over well-being and the potential for significant financial and professional repercussions for taking necessary time off.

Non-Disclosure Agreements

32% have signed a Non-Disclosure Agreement or similar contractual clause asking them not to talk about work. While NDAs can be valid for protecting commercially sensitive information or pre-release details, the responses indicate the increasing and inappropriate use of Non-Disclosure Agreements (NDAs) within the creative industries, including:

Misunderstanding and Unfair

Application: Some workers didn't fully understand the terms of NDAs they signed, and these agreements are now being used against them when reporting ethical issues.

"I did not realise one was in there and misunderstood its terms. It is used against me now as I am reporting ethical breaches. Other times I have signed them when commercially sensitive material and that's fine and all above board."

Overly Restrictive Terms: NDAs can be overly broad, even preventing freelancers from using their own work in their portfolios.

"My last payment was going to be held unless I signed the contract. The head of production refused to make amendments to the NDA. I had only asked permission to take photos of my work and put it in a portfolio which the contract had absolutely ruled out."

Use by Publicly Funded

Organisations: The use of NDAs by publicly funded arts charities to potentially "cover up bad behaviour" is seen as particularly problematic and lacking scrutiny.

"I have signed an NDA while working at a publicly funded arts charity and I know many others have as well. I am continually astounded that public funds are allowed to be used to cover up bad behaviour, seemingly without any scrutiny."

Unnecessary Use: NDAs are sometimes perceived as standard practice even when they don't seem necessary for the nature of the work.

"Yes, these are standard with many events companies and often unnecessary."

Impact on Whistleblowing:

There's a clear indication that NDAs are being used to discourage or prevent individuals from reporting unethical or inappropriate conduct.

In summary, while some NDAs serve legitimate purposes, there's a worrying trend towards their misuse to silence workers, restrict their rights, and potentially conceal wrongdoing, even within publicly funded organisations.

Bullying, harassment and sexual harassment

53% have experienced, or seen, bullying, harassment or sexual harassment. Workers highlighted that this included:

Overt Examples: Respondents described direct instances of sexual harassment, including unwanted sexual advances, being offered work in exchange for sexual favours, sexual and derogatory remarks on set, and physical assault.

“Yes, I have worked for many years and several times I have either been offered work in exchange for sexual favours or witnessed similar situations with other people.”

“I have regularly experienced sexual or derogatory remarks from SA's and actors whilst on set. My job involves putting 'breakdown' onto costumes, so it is necessary to be touching the actors/SAs directly or kneeling down to put mud on shoes, it seems almost impossible to do this without some remark being made.”

Bullying and Intimidation: Bullying behaviour was also prevalent, ranging from yelling and swearing at staff, mistreatment of freelance artists to the point of tears, threats of disclosing confidential information, manipulation of governance procedures, and intimidation.

“Sexism / racism/ bullying is standard.”

Abuse of Power: Some instances highlighted the abuse of power by individuals in leadership positions, such as heads of organisations and directors.

“I have personally witnessed employees being yelled and sworn at by the director of a publicly funded arts organisation where I worked as an employee. I have also personally witnessed visiting freelance artists being mistreated to the point of tears in the same organisation. I have also heard of staff being throttled and yelled at by a director at another publicly funded arts organisation.”

Lack of Support and Accountability: When these issues were raised, organisations were sometimes slow to act, offered no support to victims, or even rewarded perpetrators. There were accounts of organisations prioritising their own reputation or fear of legal action over supporting those who experienced harassment or bullying.

“Serious bullying in workplace: e.g. of threat of disclosure of confidential information, manipulation of governance procedures; intimidation of staff.”

“Bullying and intimidating behaviour, which was slow to be tackled, then when I took action, the organisation paid off the employee who was the perpetrator as they were afraid to be sued for constructive dismissal. £3000 bonus for the bully, zero support for the victims.”

Impact on Freelancers and Employees: Both freelance contractors and employees reported experiencing or witnessing harassment and bullying. Freelancers sometimes lacked clear grievance procedures.

“Last year I had an awful situation with a charitable organisation that I was working for as a freelance contractor. I experienced extreme harassment from the head of the charity which went on for months. There was no clear guidance or grievance procedure as to how to deal with the situation as I wasn't employed. Eventually I sent a grievance to the voluntary board of the charity, who intervened, and the person was subsequently removed from his position. The whole ordeal went on for over a year and was extremely difficult for me to have to deal with as a freelancer.”

Fear of Reporting: Despite experiencing or witnessing such behaviour, staff often feared reporting it due to power dynamics and concerns about retaliation, such as being made redundant or not being believed.

“Racial discrimination. It's really awful but leadership ignores it. And bullying happens but staff are too

afraid to report it because of power dynamics, and they fear being made redundant or that it won't be upheld since SMT and Leadership are all friends who would never go against each other.”

Management Inaction: In some cases, management failed to address or appropriately handle instances of harassment and intimidation, even when it involved patrons mistreating staff.

“I have seen patrons in our theatre use sexist language at female staff and try and intimidate members of front of house team and in these instances management failed to deal with the situation appropriately, or deal with it at all, often opting to apologise that staff had that happen to them but letting the customer get off the hook.”

Toxic Environments: The reported behaviours created toxic working environments, leading to stress, resignations, and limited work opportunities for those targeted.

“I've seen directors bullying crew. And producers putting unreasonable pressure on writers.”

“Senior managers loudly berating junior colleagues in a busy office. Inappropriate comments & behaviours by on-screen talent.”

Recurring Issues: For some respondents, these experiences were not isolated incidents but had occurred multiple times over their careers.

“It occurs on practically every job I’ve been involved in over the past two years.”

“Too many instances over four decades to list. I’m an older woman ... working since the 80’s.”

“Unfortunately, in the performance art scene sexual predatory behaviour is a recurring issue. It’s devastating, and very difficult to tackle due to the grassroots nature of the scene.”

The detailed accounts underscore a significant problem of harassment and bullying within the creative industries, often exacerbated by precarious employment conditions and a lack of effective mechanisms for reporting and addressing such behaviour. The decision to withhold the names of specific organisations suggests the pervasiveness of the issue across various parts of the sector.

Real terms fall in earnings

83% have seen a real term fall in earnings in recent years. Respondents highlighted:

Falling Rates and Stagnant Wages:

Both freelancers and employees are experiencing a decline in real earnings. Daily rates for freelancers are often outdated compared to inflation, and while some newer organisations are increasing pay, longer-established ones are maintaining pre-COVID rates. Even within organisations claiming to be living wage employers, only the lowest wages have risen, leaving experienced staff with stagnant pay.

“I have been working in the creative industries for over 13 years, and I have never earned more than £10,000 a year.”

“Daily rates are way out of date with rises in inflation. Younger regularly funded organisations are increasing their pay rates but longer established ones are staying with rates that are pre-Covid, in my experience.”

Difficulty Negotiating Fair Pay:

Freelancers, particularly women, often have to actively fight to be paid equitable rates compared to their male counterparts. Even then, achieving recommended industry rates (like BECTU) is challenging.

“I have actually had a very busy year, but I am never able to get a production to pay me what it says on the BECTU camera branch rate card. I usually up my rate but insisting I am paid the same as the other people who are the same grade, who are usually men, and therefore it would be sexist not to pay me the same rate, and I get in touch with these people if I have a unit list and we try to negotiate together”

Lack of Inflationary Increases:

Some major organisations, have failed to increase freelance session pay in line with inflation, leading to a real term decrease in earnings over time.

“I have worked there over ten years and only had one increase in session rates in that time. In real terms, I earn less there than when I first started.”

Post-COVID Struggles for Self-Employed:

The pandemic has had a lasting negative impact on some self-employed workers, leading to a downturn in sales and increased difficulty in making a living, particularly in sectors like touring music where guaranteed fees are less common.

“In the current climate we are finding that when touring with our folk band, venues are much more reluctant to offer guaranteed fees than they were before the pandemic. It's getting much harder to make a living from touring.”

Reliance on Funding and Market

Uncertainty: Artists relying on funding bodies like Creative Scotland face uncertainty, as this support is often contingent on securing publishing contracts or demonstrating commercial interest in their work, which can be difficult in a challenging market.

“My income is predicated on selling my work to publishers in an increasingly difficult market. Nothing is certain--things look quite bleak. I receive funding from Creative Scotland--a lifeline, but that is also dependent on having a publishing contract--or proven commercial interest in the work.”

Impact of Cost-of-Living Crisis:

The rising cost of living has forced some creative professionals to take on full-time jobs outside the industry to make ends meet, reducing their time and motivation for creative work. It has also contributed to decreased sales of personal work.

“I had to take up a full-time job in 2022 due to the cost of living. I was only earning about £11,000 a year from my business and so lost all motivation and time to work creatively.”

Pressure to Accept Lower Rates:

Despite increasing their fees, freelancers are frequently offered rates below their preferred or recommended levels, creating a difficult negotiation landscape.

“I have increased my fee and do have ITC/SAU, but I'm regularly offered a rate lower than my preferred or feel I have to raise this which can be tricky.”

Unpaid Work Eroding Hourly

Rates: When considering the significant amount of unpaid work required to secure and support freelance contracts, the actual hourly rate for many falls well below the national minimum wage.

“If I were to calculate the amount of unpaid work I do to support/gain my freelance contracts, my hourly rate would be well below the national minimum.”

In summary, the responses paint a concerning picture of financial precarity within the creative industries, with falling real earnings, post-pandemic difficulties, and the constant pressure to accept inadequate compensation. The reliance on unpredictable funding and the impact of the broader economic climate further exacerbates these challenges.

Equal Pay

34% think there are Equal Pay issues at their work. Respondents highlighted a number of interconnected issues:

Lack of Pay Transparency: There is a widespread lack of transparency regarding how much individuals are paid, making it difficult to identify and address pay disparities.

“As a DP that's very difficult to answer, our rate is a guessing game and depends on many factors and without agent in Scotland means carefully pushing the ceiling over time to not price ourselves out of the market.”

“There is a culture of not discussing payment. I once found out that in a team of 3 freelancers, we were all paid differently for the same role.”

Direct Discrimination: Some respondents reported instances of men being paid more than women for the same freelance work.

“One freelance job I do seasonally still pays men more than women.”

Confidence in Negotiation: Men are perceived to have more confidence in negotiating higher rates and are less likely to accept initial offers, leading to pay gaps compared to female colleagues in similar roles.

“Starting salaries at a company I recently worked for varied depending on who would fight more for a higher starting point. Men were much less likely to accept the first offer, and this created a disparity with their female colleagues, who were doing same-level of job.”

Gendered Roles and Indirect Discrimination: Traditionally male-dominated roles, such as technical crew (e.g., camera, grip, DIT), often attract higher rates of pay than female-dominated roles with similar skill requirements and responsibilities, such as production, costume, and make-up design.

“Main props department - male heavy - earn much more than us even though we have and are expected to be extremely skilled.”

“I am often offered a lower rate than the focus pullers, the grip, and the Dit even though we are supposed to be the same grade, because they are often more forceful in their negotiation and have bigger muscles!”

Lower Pay in "Caring" Roles: Arts jobs perceived as "caring" (e.g., community arts, arts healthcare), which are often more populated by women, tend to be lower paid than leadership roles, even when the scale of work is similar.

“the 'caring' arts jobs, or arts healthcare for example, or community arts jobs reward a lower wage versus artistic directors of a theatre for example, even though the job is a similar scale. These caring role jobs, I understand, are more populated by women than men.”

"Blagging" and Belief in Male

Skills: There's a suggestion that male technical staff may be believed more easily about their skills or can "blag" their way to higher rates compared to female colleagues with equivalent or greater experience.

“Female technical staff day rates tend to be lower than men. Or you have to do more and have more experience before you can access the higher rates. Men can just “blag” it or are believed more easily when they say they have certain skills.”

Workload Disparity for Female

Directors: Female directors report not only a pay disparity but also a disparity in the amount of work and access to higher-profile, higher-budget projects compared to their male counterparts.

“100%, I'm a female director. There is definitely a pay disparity, and there is absolutely a work-load disparity. There are way more male directors in the bigger, higher paying jobs as freelancers in Scotland than women - so the fees can be larger, but the main issue is that men get more work than women and more high-profile, high budget work.”

Unequal Pay for Equivalent

Roles: Even within the same job titles and levels (e.g., Managers, Heads of), men and women are sometimes paid differently, with justifications often based on subjective valuations of "skills" that can disadvantage roles typically held by women (e.g., engagement, marketing).

“Men and women with the same title/level of role (i.e. Managers or Head of) are paid differently, when this was pointed out it was explained this is due to different skills where the role held by the male employee was portrayed as having more distinct and practical skills (so requiring a higher salary) and the role held by the female employee had 'less specific skills' mainly soft skills (e.g. engagement or marketing roles).”

““From experience, departments such as production, costume and make up tend to have a higher number of women in these roles, yet are paid less compared to technical departments such as camera, sound and grip, who are usually paid a much higher rate to reflect the "skill", despite the female-heavy departments also requiring a lot of skill.”

Underpayment in Female-Dominated Departments:

Departments with a higher proportion of women (e.g., production management, costume, make-up, wardrobe, ASM) are frequently paid less than male-dominated technical or editorial departments, despite similar levels of responsibility and training.

"I know for a fact there was a case of pay discrimination that was resolved at work a few years ago. There are issues of male dominated fields (editing, creative development) being paid higher than equivalent responsibility in female majority fields (production, HR)."

"Production management, which skews very female, is very underpaid compared to editorial teams which are more male. I am paid half what a male colleague of apparently similar seniority is paid, because he is editorial, I am not."

Unequal Opportunities:
Fewer Job Opportunities for Women: Some women report simply getting fewer job opportunities than men, regardless of pay rates.

"Men in my industry are in steady regular roles with clear hours often too many - like tech and production - whilst producers often women and non-binary people are in un-steady lower paid role - no set breaks etc - in a care type role seen as less skilled."

Lack of Women in Leadership:
Despite a majority of women working in the arts overall, men dominate senior leadership positions.

"While there is a majority of women working in The Arts, there is a majority of men in senior leadership positions."

Sticky Ceiling" and Caring Responsibilities: Women can experience a "sticky ceiling," facing a lack of promotional opportunities due to needing part-time or flexible hours for childcare.

"a 'sticky' ceiling - lack of promotional opportunities for women requiring part-time or flexible hours around childcare."

Unequal Access to Additional Work: Men in some roles (e.g., technical) may be given more opportunities for additional paid work (e.g., extra rig days).

"Men will get extra rig days."

Discrimination Beyond Gender:
The issue of unequal pay extends beyond gender, with reports of disparities based on race, immigration status, disability, class, and sexuality. One specific example mentioned drag queens being paid more than drag kings.

"I have repeatedly seen that there are also Equal Pay issues in relation to pay with race, immigration status, disability, class, and sexuality, as well as gender."

In essence, the responses reveal a complex web of factors contributing to unequal pay and opportunities in the creative industries, with gender bias being a significant driver, both in direct pay discrimination and in the systemic undervaluing of roles and the creation of barriers to advancement for women. The lack of transparency further hinders efforts to address these inequalities.

Working Conditions

Only 6% describe working conditions as good. 44% describe them as bad and 50% describe them as okay. Respondents revealed deeply concerning issues regarding basic working conditions for creative industry workers:

Long Hours and Poor Work-Life Balance: Long and unsociable working hours are common, often without overtime pay, leading to poor hourly rates and a severe lack of work-life balance.

“Hours are bad, work life balance is bad, sickness provision is bad, holiday pay is paid, and wage is alright.”

“The nature of the work often means there is no set working pattern. I often find I’m on emails late at night or early morning to keep up with work. It often feels like this is the expectation as well since everyone is doing it.”

“After we have given years of extensive hours (without overtime payments, as PDs in Unscripted) of our time and our lives, we are now dumped like hot potatoes simply because the industry is on the downturn. With a bit of imagination and more intelligent commissioning, more of us would still be in work and fewer of us would have to be dealing with poor mental health, disastrous financial situations, and the resulting impact on friendships and relationships.”

Lack of Sick Pay: A significant number of respondents highlighted the absence of sick pay, forcing them to work while ill or face complete loss of income.

“Holiday pay very rarely taken into account, contracts are poor towards sick pay/cancellation etc, long hours, no real choice with when you take time off.”

Threat of Replacement: Workers are often made aware that they are easily replaceable, creating a culture of fear where speaking out against poor conditions can lead to job loss. This undermines any stated commitment to respectful workplace conduct.

“You’re made very aware that you are easily replaced so toe the line.”

Inadequate Facilities and Disregard for Health and Safety: Many workplaces, including venues and rehearsal spaces, suffer from inadequate facilities such as poor sanitation, lack of heating or ventilation, and insufficient rest areas. Health and safety are sometimes disregarded, with examples of actors working in extreme conditions and freelancers using hazardous materials in poorly ventilated spaces.

“Everything from toilets to venue conditions, changing rooms, lunch space in venues and rehearsal spaces are poor compared to other industries. Hours of work are not in line with efficacy of energy levels, days are too long and over stretch people physically, leading to an exhausting tech period that is not right. Tech weeks need to change. They are not fair working conditions and hours. They do not need to be that long. Proper planning and creative integrity would make them a normal working week. Alongside support from venues and a slight reduction in output but a better industry and better shows.”

“Sometimes actors performing in Ads work in harsh circumstances, e.g. inadequately clad in extremely cold conditions 2 degrees above freezing.”

“Long unsociable hours, locations are often abandoned buildings, poorly heated/insulated, welfare is often temporary and not necessarily hygienic.”

Poor Contractual Terms:

Contracts often fail to adequately address sick pay, holiday pay (sometimes including it within the daily rate), and cancellation policies, leaving workers vulnerable.

“Really bad. Contracted to a publisher, there is no sick pay, holiday pay, no protection of time undergoing medical treatment, intense pressure to work for free during publicity.”

“10-12 hour working days, contracts offered well after the first day of employment, rates offered inclusive of holiday pay, no sick pay, nature of industry with very little notice to start and finish dates and job cancellations.”

Job Insecurity: Zero-hour contracts and the nature of project-based work contribute to significant job insecurity, with short notice for start and finish dates and frequent cancellations.

“Zero hours contracts mean job insecurity.”

Disposable Workforce Mentality:

Many respondents feel their skills and knowledge are undervalued, and there's a sense of being disposable, especially after periods of intense work.

“We are disposable, I get late cancellations and clients trying to pile on more work than agreed. can you take some photos whilst you are here? Can we get a few edits for social media? but not always keen to pay.”

Exploitation of Freelancers:

Freelancers often have limited rights and feel pressured to accept poor treatment and additional unpaid work for fear of losing future opportunities.

“Things like sick pay and maternity leave are not well looked after. Also, PAYE freelancers can be heavily taxed when they move from job to job and often have to wait for the tax reimbursement for a long time. This particular issue mainly affects junior levels of crew who can't work as Sched D or Loan Out, and who are earning the least.”

Barriers for Marginalised Groups: Disabled people face significant challenges in accessing and staying in the industry due to a lack of reasonable adjustments and accessible hiring infrastructure.

“As a disabled person I have struggled hugely to stay in the industry and find the onset environment very difficult to have reasonable adjustments made. Instead making me seem like a worse hire for a production. Scotland doesn't have a strong infrastructure for hiring accessibility, leading to a very closed off community which is particularly hard for any marginalised people to get in and stay in.”

Impact on Mental and Physical Health: The combination of long hours, poor conditions, job insecurity, and lack of support takes a significant toll on workers' mental and physical health.

“Mental health issues away from home. Sexism, ageism, junior roles suffer bullying still. Older women are invisible, and returners not hired by younger LPS or PMS.”

Lack of Enforcement: There's a perceived lack of enforcement of minimum pay standards and basic working condition regulations within the sector.

“It's very poor, there is no sick pay. It's hyper competitive. There's no enforcement of minimum pay standards.”

In summary, the responses paint a stark picture of an industry where fundamental worker rights and well-being are often overlooked in the pursuit of creative output. The lack of sick pay, excessive hours, threat of replacement, inadequate facilities, and disregard for health and safety create a precarious and potentially harmful working environment for many creative professionals.

Pay and the 'rate for the job'

Only 52% said there was a 'rate for the job' that they do that was either negotiated between a union and their employer (20%) or advised by their union (32%)

"Yes, there is but often have to settle for what is being offered."

"There are BECTU rate cards with my role and that of my team - but these are always dismissed by my usual employers as "not relevant" which is very frustrating!"

"There is a rate suggested by SAU for artists. Getting people to pay that rate is another story!"

Only 31% said they are always paid the 'rate for the job'. 11% said they are always paid less while 58% said they sometimes get paid the rate, but not always.

"I will no longer work for less than Equity minimum wage, but have had to turn down many jobs that expect to pay me less and often not at all."

"Employers are frequently paying less than the minimum rate."

"I don't know but judging from the BECTU rate card, always less."

Staff Forums

Only 13% of respondents said their employer had a staff forum. Of these workers, 57% did not think it was independent of management.

"Yes, [we have a staff forum] but they talk down to the department representatives and have worked hard to actively suppress issues brought to their attention."

"[There is] Not [any staff forum] for freelancers."

"No but I am aware of some employers who use this to try and get around union recognition and this option needs to be closed off so it is not a suitable alternative for publicly funded organisations who should be adhering to fair work principles including effective voice. My employer has no recognition agreement for staff, and no staff forum yet still receives significant public funding directly from the Scottish government as a national performing company."

Conclusion

We asked those who took the survey to share what they would like politicians and funders to understand about their role as a worker in the creative industries. The following is a selection of the main theme's provided in response:

Poor working conditions and lack of benefits: lack of access to basic employee benefits like sick pay, maternity pay, and holiday pay. Long, unsociable hours are common, leading to burnout and significant mental health issues.

"As a freelancer, I cannot benefit from sick pay, maternity pay or other benefits available to regular employees."

Lack of Support for Freelancers: Despite the creative sector's reliance on freelancers, there's a perceived lack of responsibility from organisations for their well-being and fair treatment.

"...organisations funded by government, including those in the creative sector, are funded under the condition that they meet the Fair Work principles. How can they ensure that Fair Work principles apply when there is no clear expectation that this covers freelancers?"

Accessibility and inequality: The industry is perceived as relying heavily on personal connections, making it difficult for disabled individuals and those from working-class or diverse backgrounds to enter and progress.

"The strong tendency for secrecy, and often active enforcement of secrecy, regarding rates of pay in my industry allows exploitation and discrimination to thrive. It greatly disempowers the artist and particularly discourages and disadvantages people from diverse and working-class backgrounds."

Need for Fair Work to be properly embedded: Workers advocated for fair pay, better working conditions, increased union power, stricter regulations on hiring practices and agent conduct, and a more equitable distribution of resources within the industry. Some suggested a Basic Income for creatives and a levy on streaming services to fund productions.

"It would be really great if there could be some kind of recognised industry standards as with any other field."

"Place a Levy/ Tax on Streaming services and Cinema tickets to fund productions."

"It would be really helpful if it was normal practice in Scotland for freelancers to be offered fair contracts, with fair licensing agreements and fair pay for the work that is to be done. Since it is often the case that there are no contracts offered at all, it is like you start from scratch every time, and it is common for the client organisation to try to bargain your fee/wage down while expecting you to do more work without more pay."

Recommendations

With additional public investment in the creative industries, the Scottish Government's commitment to becoming a leading "Fair Work Nation" in 2025, and the Scottish Government's Culture Fair Work Taskforce all due to publish recommendations, now is the time for Scottish Government and Creative Scotland to put conditions on their funding to ensure that Fair Work becomes a reality for Scotland's creative workers.

The STUC are calling on:

- The Scottish Government, National Performing Companies, Creative Scotland, and unions to agree minimum standards that those on freelance contracts should be entitled to expect.
- Creative Scotland to be given a specific remit to support artists and workers, and to monitor and enforce fair working practices within the sector.
- The Scottish Government to update its Fair Work First Guidance, and funders to update their funding criteria, to recognise that Unions – not staff forums – are the legitimate voice of workers.
- Employers and Regularly Funded Organisations (RFOs) to adopt use of the STUC Fair Work for Freelancers Checklist.
- Employers and RFOs to work with unions to create Fair Work Agreements.

Call to Action – Fair Work for Freelancers

We are calling on employers and funding organisations to agree to adopt our Fair Work for Freelancers checklist and work with our affiliated unions in the sector to co-create Fair Work agreements to combat the issues within this document.

Employers and funders can register their interest in this project by completing the online form here:

<https://forms.office.com/e/qw8dWrwBmn>

Further information

This report was published in May 2025.

Artwork Credit: *Desperate Dan, Dwang and Minnie the Minx* (2001), Anthony Morrow and Susie Paterson.

Photo Credit: Sean Baillie.

For further information about the report please contact:

Francis Stuart
Senior Policy Officer
fstuart@stuc.org.uk

Sean Baillie
Fair Work Officer
sbaillie@stuc.org.uk

Fair Work for Freelancers Checklist

Below is an example of the minimum clauses that we recommend are included in a Fair Work for Freelancers checklist.

Security	
Does your contract have clearly defined provisions for the cancellation of calls?	
Does your contract have a clearly defined pay rate that is at least the Trade Union agreed rate?	
Does your contract have a clearly defined pay schedule and payment method?	
Does your contract clearly state the penalties for late payment?	
Does your contract clearly state any processes around expenses and additional costs?	
Does your contract have clearly defined conditions and agreed notice periods for contract termination?	
Effective Voice	
Have you been provided with details of how Fair Work conditionality has been met within the organisation?	
Does your contract provide you details of the appropriate trade unions for your role and allow access to trade unions?	
Does your contract have a clear commitment to encouraging open and respectful communication?	
Does your contract have clear channels for discussing feedback?	
Does your contract have a clear process for resolving areas of concern and disagreement?	
Does your contract ensure that the use of NDA's where applicable is not prohibitive to effective voice?	
Opportunity	
Does your contract clearly state who owns the IP and how it can be used?	
Does your contract clearly state the process for fair use and royalties?	
Fulfilment	
Does your contract have clear descriptions of key deliverables and deadlines?	
From reading your contract do you have a clear understanding of what is expected from all parties?	
Respect	
Does your contract have a clear agreement to conduct all communication and interactions in a professional and respectful manner, free from harassment, discrimination and abuse?	
Does your contract ensure access to the organisation's bullying/harassment/equality processes on parity with employed workers?	
Does your contract include explicit undertaking to consider equality and access riders?	