

## **Indie Club's Response to Ofcom's Small Screen Big Debate – 16<sup>th</sup> March 2021**

Indie Club is a group of independent production companies and programme makers based outside London. We campaign to ensure legislation and regulation ensures genuine investment and job creation in the nations and regions by the Public Service Broadcasters.

The PSBs are at the heart of the UK's creative industries and their investment through commissioning programmes is key to ensuring a thriving network of both small and large independent production companies are able to survive and thrive across the country. The work of this network of production companies guarantees the whole of the UK is authentically represented on screen and that people from a wide range of different backgrounds and geographical areas, have the opportunity to work in television.

Indie Club believes that because of technological changes and global competition, it is important for Ofcom to propose ways to protect the prominence of Public Service Media in the UK and also to suggest a new regulatory framework.

### **Ofcom Guides Creation of Returning Series in the Nations & Regions by PSMs**

The Communications Act 2003 requires PSBs to invest in production bases around the UK and it is presumed Ofcom will suggest a similar rule going forward, especially as this is in line with the Government's 'levelling up' policy, but there is no guidance as to how to build and sustain thriving content creation centres.

Everyone in the TV industry who has worked extensively on how to create and maintain production bases in the UK's nations and regions knows that what is needed are returning series. Returning series result in long terms jobs which supports a local talent base of programme makers and allows those new to the industry to be trained. However, the vast majority of returning series are based in London and most new series are commissioned from London based companies, so how can this status quo be challenged and changed?

Although the PSMs benefit from either public money, public ownership or special status, the way they do business is usually purely commercial and relies on relationships, which can put those companies based outside London at a disadvantage.

Going forward, Ofcom should task the PSMs to play an important and strategic role in maintain TV production across the whole country by doing all they can to create returning series in the nations and regions. Ofcom should encourage the PSMs to put opportunities to create returning series out to tender, so the best new format wins.

Those running smaller independent production companies find tender opportunities level the playing field and allow them to compete directly with larger competitors. Tenders, whether formal or informal, result in clear communication from broadcasters to independent companies about very real commissioning opportunities. This allows indies to focus their development resources and energy towards these very real opportunities.

In terms of developing the independent sector, it is best when these opportunities are ones which allow production companies to own IP as oppose to programmes being farmed out as 'work for hire', when the PSM owns the format.

### **Ofcom Creates a New Definition for Indies in the Nations & Regions**

The nations and regions need PSMs and large independent production companies to sit at the heart of production centres around the UK, to build local talent bases of programme makers, create training opportunities and encourage other companies to invest. This all generates the right economic environment to allow smaller independents to start which in turn builds towards the success of the production centre.

With this in mind, Ofcom could consider a new definition of an independent production company, which although owned either by a broadcaster or an international media company, is serving an important purpose by creating jobs in the nations and regions. The company's programmes should meet all three of Ofcom's new criteria as to what defines an Out of London production.