

Film and TV Charity response

Opening Remarks

This is a timely review, and we support Ofcom in its proposals to update and extend its diversity monitoring. We are a user of statistics about the film and TV (FTV) industry, such as those produced by Ofcom, Diamond, ScreenSkills, ONS and the BFI and we are a producer of primary research on the industry, including some diversity statistics, via our Looking Glass surveys of the mental health of FTV workers (see below).

The Charity exists to serve the needs of all those working behind the scenes in the UK film and television industry, including providing in-person information and counselling. We also promote better working practices in the film and TV industry that support wellbeing and inclusion. More information about the Charity can be found here:

<https://filmtvcharity.org.uk/>

As Ofcom is aware, despite numerous surveys by many different organisations diversity statistics on the FTV industry are patchy. At the same time, diversity and related issues of inclusion and equity are focuses of intense and increasing concern, and scrutiny is becoming both broader and more searching. For example, there is increasing interest in characteristics that fall outside the terms of the Equality Act, such as caring responsibilities, neurodiversity, socio-economic background and identity, and a detailed understanding of the association between geographical location and distributions of advantage and disadvantage. It is also increasingly common for questions about professional and psychological wellbeing - such as patterns of promotion, and the quality of people's experience (i.e. whether or not they feel included) - to be addressed in terms of correlations with identity characteristics. It is no longer sufficient, if it ever was, to quote a UK percentage of something and leave it at that. We applaud the way Ofcom is beginning to address some of these more complex questions.

We urge Ofcom to consider two key coverage issues. Without attending to these, we think it will be impossible to produce an adequate representation of the diversity of the industry. These are:

1. Coverage of freelancers

Approximately half of the industry's workforce are freelancers¹, falling into two main categories, PAYE freelancers and self-employed freelancers (whether acting as Sole Traders or trading via a limited company). We have found that, while broadcasters have a reasonable view of what is going on with their own directly employed staff, their understanding of what happens in the commissioning, sub-contracting and freelance chain is weak. For example, broadcasters may be unaware of problems of bullying or sexual harassment until the issue blows up in the public domain. This weakness, in our view, needs to be addressed systematically, with supply chain behaviour and supply chain diversity brought fully into view. Even if Ofcom does not have formal powers to require reporting on

¹ Based on ONS, BFI and ScreenSkills data.

supplier diversity we think it could nonetheless propose this to its regulated businesses, who themselves are – we believe – keen to ensure they are doing the right thing for the industry’s freelancer workforce.

2. Coverage of streamers

Streaming services such as Netflix, Apple, Disney+ and Amazon Prime now form a central part of the UK television industry. As well as serving UK consumers, these companies have UK subsidiary operations and source some of their original content from the UK. They are therefore full participants in the UK television industry, employing or indirectly engaging the services of large numbers of UK film and television workers. The opportunities or barriers workers experience with these companies interact with those in the domestic UK television sector, so a full understanding of diversity in UK television cannot be gained without including the streamers as well. Again, even if Ofcom does not have formal powers to require diversity reporting by the streamers, we think it could nonetheless propose this to them, as they are – we believe – keen to ensure they are doing the right thing for the industry’s freelancer workforce.

The Film and TV Charity Looking Glass survey

As part of the Charity’s work, we run a biennial mental health survey of Film and TV workers known as Looking Glass. In the survey, we collect diversity data from our respondents, so our answers to Ofcom’s consultation questions are partly informed by the way we ask those diversity questions. The link to the latest edition of the Looking Glass survey is:

<https://filmtvcharity.org.uk/wp-content/uploads/2020/02/The-Looking-Glass-Final-Report-Final.pdf>

We invite all people working in the UK’s film and TV industries to respond to our Looking Glass survey. This includes freelancers (all definitions) and people working for streamers or making content for streamers. The majority of our respondents are in fact freelance and we feel that without these respondents we would not be looking at a fair representation of those working in film and TV.

Question	Your response
<p>1a) Do you think Ofcom should change the way it asks about sex and gender?</p>	<p>Yes, we think the current question asked by Ofcom feels inappropriate to the complexity of contemporary discourse around sex and gender. This is a fluid space with many descriptions emerging, and in which people’s lived experience and capacity to self-describe is increasingly foregrounded. There is a useful discussion at the following link: https://www.gires.org.uk/resources/terminology/</p>
<p>1b) If yes, how do you think we should change the questionnaire in relation to sex and gender to better identify</p>	<p>We suggest that, beyond the binary categories of male and female (which still suit many people), Ofcom guides the broadcasters to invite people to self-identify their sex and/or gender, then report the responses</p>

underrepresentation in broadcasting and highlight any barriers to progression in the industry?

according to the natural groups which emerge. The category “other” should be kept as small as possible, and should be a tidying up category statistically, not an identity category.

To track progression, sex and gender identities should be cross tabulated with age, job title and seniority description, so that it is possible to see whether women and non-binary people have a fair share of senior and influential positions.

1c) If you are a broadcaster or other data-collecting body, please provide information on the way you currently ask questions on sex and gender.

We collect data in our Looking Glass survey and have classified sex and gender as: male, female, non-binary, prefer not to say, invitation to self-identify. Some who identify as male or female give a protest answer to the gender identity question. Of the serious answers from non-binary people, “trans male” or “trans female” seem currently to be the most popular answers.

2a) Do you think Ofcom should change the way it asks about sexuality?

The way Ofcom asks about sexuality is close to the question we ask in our Looking Glass survey, but, as with gender, we suggest that more opportunity be given for people to self-identify, with the broadcasters reporting the natural groups that emerge, and keeping the “other” category as small as possible.

2b) If yes, how do you think we should change the questionnaire in relation to sexual orientation to better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?

To track progression, sexuality should be cross tabulated with age, job title and seniority description, so that it is possible to see whether people of all sexualities have a fair share of senior and influential positions.

2c) If you are a broadcaster or other data-collecting body, please provide information on the way you currently ask questions on sexual orientation.

We currently classify as: Heterosexual or straight, Gay woman/Lesbian, Gay man, Bisexual, Other, Prefer not to say.

In the responses we receive, women indicate more fluid sexuality than men, with significantly more

	<p>women proportionally indicating bisexual, other or prefer not to say.</p>
<p>3a) Do you think Ofcom should change the way it asks about race and ethnicity?</p>	<p>We agree with the long version of the race and ethnicity question shown on pages 9-10 of the consultation paper. However, we note that there is no current option for self-identification. As the process of data-gathering is exploratory, we think it would be appropriate to offer self-identification then see what additional categories emerge. The numbers, in fact, may be small, but this approach would be in the spirit of not imposing categories, but allowing people to self-identify in ways appropriate for them.</p> <p>We agree with the consultation paper that the reporting of these statistics is problematic. Terminology is apt to evolve constantly. BAME or B.A.M.E. appear to be the terms used most frequently but have become less popular than they were quite recently. The term “MEG” does not appeal to us, as we do not think it has significant currency among people from Black, Asian and minority ethnic backgrounds. Terms chosen by the communities themselves include People of Colour (PoC) and Black and Global Majority (BGM).</p>
<p>3b) If yes, how do you think we should change the questionnaire in relation to race and ethnicity to better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?</p>	<p>Characterisation of racial or ethnic groups in the UK as “minorities” is problematic because whether you are in a majority or minority is not really a description of ethnicity. In the UK, People of Colour are currently in a minority, however in global terms, PoC are the majority. So, terminology that does not “minoritise” people but straightforwardly describes ethnicity would be preferable, in our view, if consensus can be found.</p> <p>We would tend to agree with the Malik & Ryder report² that where B.A.M.E. is used as a descriptor, it should as far as possible be used in its long form - Black, Asian and minority ethnic group - and not be used as an adjective to describe an individual person. Where possible, statistics for different ethnicities (Black, Asian, East Asian, White etc) should be reported separately, recognising the different experiences of</p>

² Sarita Malik and Marcus Ryder, with Stevie Marsden, Robert Lawson and Matt Gee, *BAME: A report on the use of the term and responses to it Terminology Review for the BBC and Creative Industries*, Sir Lenny Henry Centre, 2021.

3c) If you are a broadcaster or other data-collecting body, please provide information on the way you currently ask questions on race and ethnicity.

each group. How to report depends on the circumstances. For example, a broadcaster that has a significant number of employees from one Asian background but not from another, might have a diversity problem, whereas in other circumstances it might be fine to report “Asian” as a single group. Similarly with Black communities. Two groups that are often invisible in current diversity reporting are East Asian and South East Asian and it would be beneficial to give these groups more profile.

We use a shortened version of the question Ofcom uses. (Bearing in mind that our survey is primarily a mental health survey, not a diversity survey)

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4a) Do you think that Ofcom should change way it asks about disability?

We agree that the current Ofcom question has a medical orientation and that adopting aspects of the social model would be preferable. We agree that the GSS harmonised standard is a useful model to consider. We assume that Ofcom is consulting with charities and other groups specialising in representing people with disabilities and listening closely to their views. There is also a place here for self-identification, as some definitions are controversial.

4b) If yes, how do you think we should change the questionnaire in relation to disability to better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?

One challenge is where the “condition” is not necessarily seen as a disability by those who experience it. We think the approach taken by Ofcom should allow for such differences of interpretation. For example, neurodivergence is seen as a positive attribute by many neuro-atypical people.

To track progression, disability/different ability should be cross tabulated with age, job title and seniority description, so that it is possible to see whether people of all abilities have a fair share of senior and influential positions.

4c) If you are a broadcaster or other data-collecting body, please provide information on the way you currently ask questions on disability.

We ask simply “do you have a disability or long-term health condition”, with the answers being, yes, no or “prefer not to say”.

5a) Do you think Ofcom should change the way it asks for information about socio-economic background?

We broadly support the way Ofcom is asking these questions but have some suggestions for amendments. We are pleased to see the questions on parental occupation, parental qualifications and schooling, as these questions provide essential statistics for diversity initiatives relating to recruitment and progression and are increasingly becoming standard. Informal recruitment (friends, family and

5b) If yes, how do you think we should change the questionnaire in relation to socio-economic background to better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?

affinity) is common in the film and TV industries and progress needs to be made toward equitable access.

Two amendments:

1) Occupational descriptions are sometimes biased by the socio-economic position of the person writing the description, with a tendency to use A, B, C, D classifications or the terms “upper” and “lower”. In our view, most of the Ofcom question (page 13 of the consultation paper) is expressed objectively, however we question the separation of categories “e” and “f”, the so-called semi-routine and routine manual and service occupations. The word “routine” seems inappropriate to us, and the rationale for distinguishing the example occupations seems obscure. (For example, an HGV driver - described here as a “routine” occupation - trains to operate an expensive piece of kit, travels around the UK and potentially across Europe and deals with border crossings and customs paperwork.) If Ofcom wishes to distinguish among manual and service jobs, it may be better to do so based on the amount of training required, not forgetting that training takes place in the workplace as well as formally. Indeed, some economists have argued that “learning by doing”³ is one of the chief ways societies acquire skill.

2) In Ofcom’s reporting of schooling, the categories “state”, “private” and “overseas” are used. In our view, the category “overseas” should be split into “state-overseas” and “private-overseas” or these numbers should simply be absorbed into the main categories, state and private, to achieve the purpose of the question. It may be that the proportion of privately educated people in television is being

³ [https://en.wikipedia.org/wiki/Learning-by-doing_\(economics\)](https://en.wikipedia.org/wiki/Learning-by-doing_(economics))

5c) If you are a broadcaster or other data-collecting body, please provide information on the way you currently ask questions on socio-economic background.

understated by using the category “overseas”.

We do not currently ask this question in our Looking Glass survey, however we do ask it in relation to some of our grant-giving activity. We have a strong interest in diversity and inclusion and look to bodies such as ONS, ScreenSkills and Ofcom to provide the reliable statistics needed.

6a) Do you think that Ofcom should change the way it asks about management experience and promotions?

We agree with the consultation paper that the categories currently used do not sufficiently identify the actual power-holding positions in UK broadcasting, for example those with creative control and Heads of Departments. They are rather a blend of occupational and hierarchical descriptions, with the emphasis on occupational (consultation paper, page 16). Amendment is needed to reflect the need to report on diversity in power-holding positions, and upward progression within broadcasting.

6b) If yes how do you think we should change the questionnaire in relation to management experience and promotions to better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?

When our survey respondents report to us about the behaviour of people in positions of power, they use specific post descriptions such as: sound supervisors, post supervisors, picture editors, producers and studios/production executives, commissioners, etc. Some of the key decision-makers are in full-time positions within the major broadcasters, but in the sub-contracting/freelance model used by the industry, many people in positions of power run their own companies or are self-employed. It is essential that diversity monitoring is extended to these positions as well, or the Ofcom picture will be a very partial one.

6c) Do you think that Ofcom should change the job function groupings in the workforce questionnaire?

Yes.

6d) If yes, how do you think we should change our questionnaire in relation to job function groupings to help us better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?

Ofcom should identify the key job roles that concentrate the decision-making power in broadcasting, then look at the diversity of the job holders in these positions and the methods of access to these positions.

6e) If you are a broadcaster or other data-collecting body, please provide information on the way you currently classify job types / seniority / promotions.

We currently classify by sector and department but not by position in hierarchy. In the next iteration of our Looking Glass survey, we will be using the ScreenSkills job descriptions (in drop down menus)⁴ which will give us some ability to analyse our results by the position people hold in the hierarchy.

7a) Should Ofcom collect diversity data by nation and region?

Yes. We find that we are increasingly being asked questions about diversity at the National and Regional level and there is currently a shortage of such data. The usual datasets (eg the ONS Annual Population Survey) have insufficient sample sizes for looking at diversity and geography simultaneously.

7b) If yes, how do you think we should ask this question to help us better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?

We are attracted to the idea of Ofcom using employee and freelancer home postcode data. This is because many film and TV workers travel from their home base to work, a practice encouraged further by post-pandemic hybrid working. As an example, our relatively small organisation has colleagues based outside London (in Edinburgh and Bath) whose locality would be picked up by a postcode approach, but not by reference to our London head office. A further advantage of postcode data is that it can be machine-processed into various geographic formats, including heat

⁴ <https://www.screenskills.com/job-profiles/>

<p>7c) If you are a broadcaster, please provide information on the data you current collect on the geographic location of your workforce.</p>	<p>maps. Given that data collection and processing is resource-intensive, the possibility of automating the production of such statistics should be greeted enthusiastically.</p> <p>We list Scotland, Wales, Northern Ireland and the nine English Regions and ask people to indicate where they live.</p>
<p>8a) Do you think Ofcom should collect cross-sectional data?</p> <p>8b) If yes, how should we ask this question to help us better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?</p>	<p>It's not quite clear from the question or the consultation paper whether the question means "data" or "statistics". We agree that the capacity to produce intersectional reports needs to be developed, but how this task should be approached depends on whether Ofcom receives data or statistics from the broadcasters.</p> <p>Data = complete individual records, unprocessed, either anonymised or pseudonymised.</p> <p>Statistics = summary numbers generated from data.</p> <p>If the latter, then intersectional reports must be specified in advance so that the broadcasters can ensure that their data and software are organised in such a way that they can produce the required statistics. There are so many potential reports, that this is potentially a prohibitive exercise. For example, if you have ten questions with ten categories in each question, that is 10^{10} potential intersectional reports.⁵ A more tractable approach might be for Ofcom to receive a data stream in pre-agreed standard format from the broadcasters and then run reports as required. For example, one month the need might be for a report on Black women in Lancashire holding senior commissioning positions in UK non-scripted broadcasting.</p>

⁵ Our own Looking Glass survey dataset contains approximately 59⁶ different data combinations, far too great for any human organisation to comprehensively report on, or any human being to read between now and the death of the sun (the star, not the newspaper). Therefore, we have engaged a statistical consultancy to model the data in a multi-variable framework, to extract as much information as we can from the dataset.

<p>8c) If you are a broadcaster or other data collecting organisation, please provide information on what cross-sectional data you currently use within your organisation.</p>	<p>The next month, the need might be for a report on neurodiverse male writers who have achieved repeat commissions in scripted drama. There are far too many such reports to specify them all in advance.</p> <p>For sample size reasons, we are limited in the number of intersectional reports we can run, but we try to look at our findings by major categories such as gender/sexuality, gender/ethnicity, gender/age etc. Where Ofcom can access census data⁶ from the broadcasters it will not be constrained by sample size but will be faced by a huge number of potential reports. If Ofcom is relying on sample data, it will need to look carefully at the confidence intervals applying to intersectional reports. These can quickly become very large, making the reports unusable.</p>
<p>9a) Do you think Ofcom should change and expand the benchmarks it uses?</p> <p>9b) If yes, how do you think we should change our benchmarks to help us better identify underrepresentation in broadcasting and highlight any barriers to progression in the industry?</p> <p>9c) If you are a broadcaster or other data-collecting body, please provide information on the way you currently</p>	<p>Yes.</p> <p>The UK film and television industries are London-centric, with certain clusters elsewhere in the UK, so a geographic benchmarking approach is appropriate. For example, with the Black, Asian and minority ethnic share of the London workforce being high (over 40%) this is the appropriate metric for London-based film and TV activities. Diamond (CDN) distinguishes between on-screen portrayal (for which the UK population numbers are used) and off-screen employment (for which the production locality is the appropriate comparator).</p> <p>When we are looking at the film and TV industry, or our own employee diversity numbers, we benchmark against the</p>

⁶ Survey or in-house data covering all employees and freelancers.

benchmark data (particularly in relation to socio-economic background and diversity in different geographical regions).	London workforce. For on-screen portrayal, we look at the UK population numbers.
Do you have any views on other aspects of data collection practices that we have not considered in this Call for Inputs?	No comment

Please complete this form in full and return to diversityinbroadcast@ofcom.org.uk.