

**A guide to  
research into  
fees and  
payments to  
artists**

**a-n The Artists**

**Information Company**

**a·n**

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## **Introduction**

The heightened debate in 2013 – in part precipitated by the a-n/AIR Paying artists research – that is addressing the value placed on artists' contributions, levels of fees to visual artists for exhibiting, commissions and residencies and how build confidence in professional attitudes to working with artists – echoes similar concerns that have been raised over many years in a variety of funding and political contexts.

As part of the company's mission that is "through information and advocacy to stimulate and support contemporary visual arts practice and affirm the value of artists in society", a-n has attempted to be consistent in providing evidence and professional insights, disseminating them for use by artists as well as by employers, trainers and arts funders.

As new strategies are under development for 2014 and beyond, it is perhaps useful to revisit what has been tried and achieved in the past, as part of identifying the best courses of action now and in future and to remind us all of the inter-related roles of practitioner, employer and funder in the upholding of good practice within the publicly-funded arts.

This report aims to widen understanding of the history and prior good practice thinking and attitudes around payment to artists by collating key documents and evidence that informed the research that resulted in publication by a-n of the fees and payment guidance and good practice documents.

### **First research into artists' fees and payments**

In 1989/90, a-n instigated what was probably the first-ever published overview of fees and payments for artists in the UK. This was because there was said to be "no commonly-agreed minimum rates for pay for the majority of work which artists may take on".

This was achieved by systematically identifying through research data about the range of fees on offer to artists by arts employers, organisers and funders for specific types of activity including workshops, exhibitions, residencies, commissions, performances, talks and teaching and including fees for exhibiting (Exhibition Payment Right).

One gallery interviewed at the time wondered if it was "fair" to pay artists at different rates, but did come to realise that when an artist "brought more to a project", it was worthwhile acknowledging that financially.

An argument raised at the time of the research that was against raising fee levels for artists (in line with experience and annually against inflation) was that if fees were made higher, there would be fewer opportunities for artists as a whole. An alternative view however was that if artists continued to be undervalued, "their impact on society as a whole is weakened".

For the 1989/90 a-n research, comparisons were also drawn with design, graphics and illustration, with other art forms including dance, community music, theatre, and playwrights and also with salaries to employed arts organisers.

Evidence was published by a-n in the *Fact Pack 1 – Rates of Pay*<sup>1</sup> pamphlet and widely disseminated to artists, employers and arts funders. The survey stated: "Where possible, a range has been given of the lowest and highest figures offered, although we have deliberately not included examples of unusually low rates. A commitment was made to reviewing, updating and republishing this guidance.

### **Arts Council and minimum rates for artists**

As part of Year of the Artist 2000 that was developed by Arts Council England and the Regional Arts Boards, research was undertaken to set out a "minimum rate" for all Year of the Artist residencies.

"Because YOTA stated it was committed to raising the professional stakes for artists, agencies hosting or enabling residencies were urged to adopt a minimum pay rate of £150 a day (equivalent to £20,000 a year). Rates came from YOTA's detailed research of current and suitable rates – with visual arts data supplied by a-n's prior surveys and evidence base<sup>2</sup>." These rates and YOTA's sample residencies contract – also informed by a-n's Visual Arts Contract on the topic – were widely promoted. The aim was that they would be maintained subsequently, as part of Arts Council England's commitment to good practice strategies.

It was notable that YOTA evaluations and post-event research found:

- Many artists (and YOTA evaluators) confirmed that advised minimum day rates were not paid. Artists whose projects ran into financial difficulties 'subsidised' their residencies by taking a cut in fees.<sup>3</sup>

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<sup>1</sup> Fact Pack 1: Rates of Pay researched by Susan Jones within a-n's "series of information sheets on visual arts practices".

<sup>2</sup> *Artwork – jobs and opportunities for artists 1989-2003* [http://www.a-n.co.uk/knowledge\\_bank/article/200221/193936](http://www.a-n.co.uk/knowledge_bank/article/200221/193936)

<sup>3</sup> Year of the Artist – Evaluation of the programme in England Research report 26, Lucy Hutton and Clare Fenn, Arts Council England

- The framework ACE announced<sup>4</sup> as “New standard rates of pay and conditions” was also not maintained within Arts Council and Regional Arts Boards (that later merged). Funders in effect did not update or keep live the minimum day rates for the Year.

### **New mechanisms for calculating fees and payments**

In 2003/04, a-n was commissioned by Arts Council of England within the National Artists Development Strategy<sup>5</sup> to research and propose sustainable mechanisms and frameworks that would provide ongoing guidance and evidence for visual artists, employers and students on fees and payments within a professional practice.

The Arts Council’s brief was to “give guidance to visual artists, and those employing visual artists, on appropriate rates of fee and payment for work undertaken or presented to a public”.

This new research followed immediately on from a-n’s substantial research study the prior year that culminated in publication of *The Code of Practice for the Visual Arts*. That research had been commissioned from a-n by the National Artists Association (that however was at that point in the process of winding up<sup>6</sup>), and funded by ACE, also within delivery of the National Artists Development Strategy<sup>7</sup>.

a-n has consistently asserted that the path to artists’ professionalism is best supported when artists themselves are empowered to assess and negotiate their payment and working conditions, this supported by access to good quality guidance and information that enables them to “know their worth” and make their own case for and expect suitable levels of remuneration/value exchange within the specific context of their own practice, experience level and expectations.

However well-intentioned the messenger, a-n believes that good practice is *less likely* to prevail if artists wait for others to *tell them* how to behave, believing this to be inadvertently paternalistic and of limited long-term value in terms of overall acknowledgment of, and support for, the professional status of artists.

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<sup>4</sup> *Breaking barriers* Year of the Artist June 2000-May 2001, (no publisher given)

<sup>5</sup> See Appendix 1 for the Arts Council’s research brief

<sup>6</sup> NAA was inaugurated in 1985 and revenue funded by ACE, ceased operating in 2001. Whilst in existence, NAA and a-n had worked collaboratively to deliver ACE’s Artists Development Strategy.

<sup>7</sup> a-n’s *Code of Practice for the Visual Arts* research was informed by a prior *Code of Practice for the Visual Arts* published by National Artists Association that consistently referred to a-n’s resources and data as authoritative contextualising material.

As Rod McIntosh comments in the a-n Practical guide *Negotiating a better rate of pay*: "Although in other professions unions tend to advise members on rates of pay, UK artists must take on this responsibility for themselves. However with a-n's research into artists' fees and payments you are provided with the resources to champion your rights. You are worth every penny. It is [employers'] responsibility to find the money to pay you if they want you. Not yours to subsidise them from a loss of earnings."<sup>8</sup>

Putting the responsibility for, and the guidance materials into, the hands of artists increases the likelihood for rates of pay to be negotiated that are specific to the work in hand and commensurate with the contexts that surround it.

However, there is an exception to this 'self-determined' approach. Because higher education fine arts courses (still) rarely give detailed guidance either on rates of pay or the 'good practice' expectations that employers and commissioners may have of artists, new graduates can in the absence of guidance when undertaking their first projects inadvertently undercut or undermine the fees and status of artists already practising and attempting to make a living. Thus within its role as provider of professional resources<sup>9</sup> to the HE sector, a-n provides students and tutors with access to designated materials that can be used in visual arts courses.

Similarly, because arts employers and funders need easy access to up-to-date artists' fees information for budgeting and fundraising purposes, since 2004 a-n has issued and kept up-to-date a set of *Sample day rates* for employers and grant givers, to inform officers' and employers' budgetary and good practice policies.

In 2004, Arts Council of England National Office warmly accepted the outcomes of a-n's fees and payments research and the calculations framework<sup>10</sup>, and a press release was circulated. The (then) a-n Chair Esther Salamon commented: "a-n is in the unique position representing the practices and interests of literally thousands of UK artists, ranging from well-established art stars to new graduates. This important research underpins our ongoing strategies to professionalise artists whilst providing guidance on good practice, to arts employers and HE tutors alike."

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<sup>8</sup> Artist and mentor Rod McIntosh wrote two guides in the fees and payments research portfolio.

<sup>9</sup> This is enabled because since 2005, a-n has licence agreements with major UK HEIs, enabling students and staff to access the majority of subscriber-only resources, including specially-written guides, teaching materials and career profiles.

<sup>10</sup> A joint a-n/ACE Press Release was issued in December 2004.

<sup>10</sup> See Appendix 2

The Arts Council's own guidance sheet for 2004<sup>11</sup> said: "Arts Council England is committed to ensuring proper and fair payment to artists in recognition of their professional status, skills and experience. We require that artists' fees for projects funded by us should be in line with recognised codes of practice set by the relevant lead body". It subsequently listed a-n The Artists Information as the lead source of information on artists' fees.

In short, ACE had accepted that the new guidance in a-n's Fees and payments strategies that included reference to artists' overhead costs and career stage had superseded the YOTA-developed 'minimum day rate'.

### **Artists' fees and the Competition Act**

Significantly however, in 2005 - in response to a complaint that British Academy of Composers and Songwriters (BACS) by stating specific figures for payment for its members was contravening the Competitions Act - ACE withdrew mention of 'minimum rates' from its website<sup>12</sup> and from officer guidance and encouraged Regularly-funded Organisations (RFOs) who may be issuing guidance (including a-n), to follow suit.

a-n subsequently sought legal advice on whether its own resources around artists' fees and payments (for artists and employers) could continue to be published and promoted or whether these too might contravene the Competition Act.

Based on evidence collated by a-n of the nature and types of work on offer to artists, Dr Ami Barav, Barrister (also the legal adviser to ACE on the same matter) concluded that a-n was entitled to continue to publish its resources, including the sample rates, as guidance.<sup>13</sup>

Notwithstanding ACE's decision to remove its own sample rates from its guidance materials, the a-n sample day rates methodology and figures could have still been referred to by arts officers advising on or assessing (for example) funding and GFTA applications, whether made by organisations planning to include artists' fees or by artists costing out their own fees.

ACE could now – as part of its stated aim to see artists "fairly and properly paid" offer the a-n calculated as 'sample rates' as guidance

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<sup>11</sup> See Appendix 4 for ACE Guidance sheet *Paying artists*, 2004

<sup>12</sup> *ibid*

<sup>13</sup> See Appendix 5 extract from the original legal guidance.

materials to officers and also when indicating good practice expectations of National Portfolio Organisations and arts clients and consortia. There are similar rates guidelines (and Code of practice/National Occupational Standards)<sup>14</sup> within other art forms that funding bodies could also draw on as regards assessing fees to practitioners within arts funding applications.

### **Maintaining knowledge**

Feedback at the time of the research and since confirms that providing good practice evidence and sample rates is welcomed – by artists, employers and funders. It has also confirmed the pivotal role a body such as a-n plays within the visual arts profession.

Whilst arts and political landscapes may change and important planks of good practice be forgotten or foregone, a-n through its mission maintains a commitment to ensuring that such knowledge and evidence remains updated and available to all concerned.

Keeping artists and the visual arts sector well-informed about and engaged with what constitutes good practice in the visual arts is core to supporting artists in sustaining their practice and in turn, in creating 'Great art for everyone'. Because: "Without artists there is no art."<sup>15</sup>

a-n with AIR: Artists Interaction and Representation and through the partnerships including with Artquest, Axis, DACS, Contemporary Visual Arts Network, Arts Development UK, Engage, Visual Arts UK and Navigator Artworks is well-placed able to ensure not only that artists always have the evidence to "know their worth" – and how to quantify this financially and materially – but also that this value and "worth" can be fully recognised within artists' engagement with funders, employers and commissioners of the arts.

### **Susan Jones**

Director, a-n The Artists Information Company  
September 2013

The following sections of this report collate the key evidence from the 2003/04 Fees and payments research and related Code of Practice for the Visual Arts and how to access the studies and resources.

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<sup>14</sup> The Navigator Artworks partnership comprises Sound Sense, National Association of Writers in Education, Foundation for Community Dance, Engage and A+ (a-n and Artquest), collectively seek to enshrine good practice and quality standards within participatory arts practices.

<sup>15</sup> See [www.a-n.co.uk/place\\_for\\_art](http://www.a-n.co.uk/place_for_art), Susan Jones a-n The Artists Information Company



**Key documents  
from a-n's  
Fees and  
Payments  
research  
2003/04**

# The code of practice for the visual arts

Research by Lee Corner in 2002/03 for a-n's *Code of Practice* for the Visual Arts and the resulting document was funded by Arts Council England and informed through consultation with and advice from an advisory group of artists, employers and commissioners – all of whom are all party to delivering the professional process of the visual arts.

A *Code of Practice* takes commonly-agreed principles of good practice and demonstrates why and how they should be applied.

The *Code of Practice* for the Visual Arts draws from the experiences of practising artists along with those of commissioners, curators and others with whom artists work. It looks at the principles that underpin good practice, and makes connections with examples to show how they work in practice.

The elements *in italic* following highlight how the Code and all sister publications (on rates of pay, contracts and exhibition practice) were premised on supporting artists' self-determination and professionalism, *by providing them with the tools and incentives to "know their worth", negotiate the exchange (including financial and non-financial aspects) and make the case for their professional needs.*

## Principles of the Code of practice

- contribute confidently  
by engaging with the development of ideas, and solution of problems; by refusing to pigeonhole and to be pigeonholed; by challenging stereotypes and assumptions about who knows what; by being generous with their knowledge and their skills; *by knowing their worth.*

Contributing confidently is demonstrated by recognising that each individual has a combination of skills and knowledge that come from training and experience. It depends on not assuming that someone with a specialist role or area of responsibility has a monopoly on knowledge, skills or experience in that area. *It requires considering the value of all the resources that are brought to the project, independent of their genesis.*

- prepare thoroughly  
by finding out about where, with whom and how they will be working; by researching context, legislative implications, location, environmental concerns, potential impact, and interests of partners and colleagues.

Research underpins the effectiveness of a project's every aspect. It strengthens relationships, clarifies ideas, and informs planning, *providing a platform for winning respect and earning trust*. It protects against ignorance and bullying. Above all, it demonstrates professionalism and instils confidence among partners.

- collaborate creatively  
by establishing mutual respect and recognition: through identifying shared goals, encouraging the views of others, welcoming open and informed discussion, valuing complementary skills, cooperating and collaborating in achieving a vision without losing sight of their own identity and integrity.

Genuine partnership working is often difficult, always rewarding. It demands commitment. It involves knowledge, trust and respect. *It challenges partners to acknowledge and to value the contribution that each can make*. At best, it strengthens creativity and supports risk.

- aim high  
...by aspiring to bring quality to everything they do, whether presenting ideas, *managing professional relationships, negotiating*, or producing the work.

Quality relates to everything. It is found in the clarity of the brief, precision of the design, standard of the construction, calibre of the materials, sensitivity to context, attention to detail and overall fitness for purpose. *It is as crucial in the relationships between partners as it is in the handling of concepts and inanimate materials*.

The fees and payments framework adheres to and supports the guiding principles of the Code of Practice

## **Fees and payments for artists, study by Newcastle University, 2004**

Data analysed and published<sup>16</sup> by a-n (including the Fact Pack 1: Rates of Pay) formed part of the portfolio of documents provided to University of Newcastle researchers Susan Baines and Jane Wheelock who in 2004 undertook in an independent study, as set out below, of artists' fees and payments. Note that figures within the document specifically relate to 2004, as published.

Evaluation of the Year of the Artist (2000 to 2001) highlighted as one of its successes the establishment of a new "important principle" for artists: a rate of £150 a day for artists' residencies and projects. Arts Council England (ACE) continued to recommend this figure as a minimum.

However, in February 2004, there was a discussion around fees and payments for artists at a-n's annual Future forecast event<sup>17</sup>, where an arts officer cited the editorial in a-n Magazine October 2002 that advised artists "The £150 a day set out for Year of the Artist is now two years old. If you were practising then, you're two years wiser now. Factor that in, plus two years of inflation, and the minimum rate moves to around £173". This discussion was reported back to senior ACE staff. Subsequently, the minimum rate was increased to £175, without publicity.

Minimum payments up to £214 per day (dependent upon on experience) were recommended by the Scottish Artists Union. Very little, however, is known about the use that organisations funding artistic work actually make of such information. At the heart of this report, therefore, is material drawn from a series of interviews with individuals responsible for setting up, managing and funding artists' residencies, commissions and projects, who talked about their practices, experiences and opinions, and their interpretation of Arts Council England recommendations and other criteria. One of them, a public arts officer of a large city council, commented:

"Frankly the Arts Council is clueless when it comes to the financial situation of artists – hopefully your research will open the debate here."

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<sup>16</sup> *Artists' rates of pay 1989-2004*

<sup>17</sup> Future forecast 2004 comprised an invited audience of UK artists, arts officers, cultural planners and other partners, and a-n Board, consultants, advisers and staff, and included a workshop run by the Newcastle University Fees and Payments researchers.

It is well documented and often repeated that earnings of visual artists are, overall, low in comparison with other professional workers with high levels of education, expertise and commitment. Visual artists are around three times as likely as the working population in general to be self-employed; as self-employed people they negotiate remuneration and other conditions (eg payment for materials, timing of payments, deadlines) on an individual basis with client organisations. Although since 2002 there has not been a national professional organisation for visual artists in England, a-n The Artists Information Company has over many years<sup>18</sup> taken on this representative role, by informing artists of their professional responsibilities, a trusted adviser to both artists and employers on good working practice. In particular a-n advocates that:

“Most artists in the UK must take responsibility themselves for establishing a rate that meets their specific needs and acknowledges their professional status.”<sup>19</sup>

a-n offers advice and practical toolkits to help artists to calculate their costs, price their work and negotiate with confidence<sup>20</sup>. The research upon which this report is based was designed to add new value by asking questions of organisations that fund art and artists about how they determine fees and payments and what, if any, guidelines they follow. The aim is to shed new light on processes that lie behind levels of remuneration for artists in the form of fees and payments, and to suggest some routes towards improvement.

First, the context in which artists' fees and payments can be examined is foregrounded. This context includes remuneration for other groups and ways in which low pay is combated by forms of collective activity for other non-standard workers. Turning to fees and payments for artists, we document and examine new evidence from interviews with individuals responsible for commissioning and paying for art. Finally the material is drawn together to highlight a few instances of current good practice, to formulate lessons for the future.

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<sup>18</sup> Information on 'going rates' for artists undertaking residencies and similar work first published as Fact Pack 1 Rates of Pay Fact Pack by a-n. The Practical guide: Pricing and Fees updated February 2004 is freely available on [www.a-n.co.uk](http://www.a-n.co.uk)

<sup>19</sup> The Practical guide: Pricing and Fees, [www.a-n.co.uk](http://www.a-n.co.uk) <http://www.a-n.co.uk> [accessed July 2004]

<sup>20</sup> Ibid

## **Setting the scene: the broader context for artists' remuneration**

### **Examples of pay in Great Britain (2004)**

#### ***Minimum wage***

- The Minimum wage is currently £4.50 per hour (£157.5 a week for 35-hour week) and is due to rise (October 2004) to £4.85 (£169.75 a week for 35-hour week).

#### ***All employees and professional employees (2002-3)***

- Average gross weekly pay of full-time employees in Great Britain - £484 (£25,168 pa)
- Average gross weekly pay of for full time employees in *professional* occupations - £651 (£33,852 pa).<sup>21</sup>

These figures hide wide variations by gender and by region. It should also be noted that they are "mean" values, calculated by dividing the total earnings of a group of employees by the number of people in the group. The mean is boosted by a relatively small number of employees with extremely high earnings. Half of all full-time employees earned less than £394 in 2003<sup>22</sup>. Despite these caveats, the national figures suggest that overall, pay for full-time employees in professional occupations is around a third higher than the national average for all full-time employees.

#### ***Graduates and non graduates by age (2001-2)***

- Average gross weekly pay for employed graduates in Great Britain aged 21 – 25 £351 (£18,252 pa).
- Average gross weekly pay for employed graduates in Great Britain aged 31 to 40 - £688 (£35,776 pa).
- Average gross weekly pay for employed non graduates in Great Britain aged 21 – 25 - £270 (£14,040 pa)
- Average gross weekly pay for employed non graduates in Great Britain aged 31 to 40 - £420 – (£21840 pa) <sup>23</sup>

Average earnings - broken down by age - for graduate and non-graduate employees indicate progression over time. Higher earnings apply to older graduates and to older non-graduates. However,

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<sup>21</sup> New earnings Survey, 2002-2003 <http://www.statistics.gov.uk/cci/nugget.asp?id=285> [accessed July 2004]

<sup>22</sup> Bulman, J. 2003 'Patterns of Pay: Results of the 2003 New Earnings Survey', Labour Market Trends, December, pp 601 – 612.

<sup>23</sup> Labour Force Survey 2001 to 2002

[http://www.prospects.ac.uk/cms/ShowPage/Home\\_page/Feature\\_articles/Graduate\\_and\\_non\\_graduate\\_earnings\\_from\\_the\\_LFS/p!eFicml](http://www.prospects.ac.uk/cms/ShowPage/Home_page/Feature_articles/Graduate_and_non_graduate_earnings_from_the_LFS/p!eFicml) [accessed July 2004]

graduates aged 31 to 40 earn nearly double (96 per cent above) the pay of their younger counterparts. For older non-graduates, the increase is markedly less steep at only 55 per cent.

The following salaries for occupations with a creative element were reported in 2004 in *Business Life*<sup>24</sup>.

Architect (partner in practice)	£105,000 pa
Architect (newly registered)	£25,000 pa
Reporter (national newspaper)	£30,000 pa
Trainee reporter (national newspaper)	£15,000 pa
Advertising copy writer	£35,000 pa

Salaries for other occupations that could be treated as possible comparators for visual artists are indicated below, selected on the grounds that some of their skills are required by artists who undertake public commissions and residencies or similar work in community settings.

Teacher (average salary)	£30,274 pa	
Teacher (starting salary outside London)	£18,558 pa	NUT <sup>25</sup>
Project Worker (youth work)	£25,818 pa	Reed
Project Manager (IT)	£52,374 pa	Reed <sup>26</sup>

We have used a variety of sources to provide figures for the range within which it might be argued that artists' incomes should fall. Of course, income is not the same as payment or fees for artistic work. Artists are usually self-employed and a variety of issues around the remuneration of the self-employed in general have resonance for them:

- No pension contributions from an employer
- Only self-imposed limits on hours of work
- No holiday entitlement
- Poor cover for sickness and unemployment
- Must take individual responsibility for training or professional development
- Only a proportion of a working week likely to be spent on productive activity

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<sup>24</sup> *Business Life* July/ August 2004

<sup>25</sup> <http://www.teachers.org.uk/story.php?id=1812><sup>25</sup> <http://www.teachers.org.uk/story.php?id=1812>  
[accessed July 2004]

<sup>26</sup> Reed <http://www.reed.co.uk/salaryCalculator.aspx><sup>26</sup> Reed  
<http://www.reed.co.uk/salaryCalculator.aspx> [assessed July 2004]

## **Fees for creative work and visual images**

We highlight some sets of payments and fees commanded by self-employed individuals and small businesses offering a variety of creative work and visual images. These figures are drawn from professional organisations and trade unions and are typically based on research into actual payments that their members receive or on agreements with commissioning organisations.

### ***Animation and broadcast drama: The writers Guild***

The Writers Guild has negotiated minimum rates with the major British broadcasters to guarantee payments at starter level and for more experienced writers. For animations the Guild carried out a survey of members and animation companies to ascertain acceptable minimum standards. The results have been incorporated into guidelines for animation writers.

Broadcast drama – negotiated agreements<sup>27</sup>

BBC and ITV – teleplays not less than 30 minutes (established writers)	£5,553
BBC and ITV – teleplays not less than 30 minutes (writers new to TV)	£3,775

Animation – ranges of fees<sup>28</sup>

Scripts up to 5 minutes 'seasoned' writers	£1000 - £1500+
Scripts up to 22 minutes 'seasoned' writers	£3000 - £6000+
Storylines (1 page)	5-10% of full script

### ***Photographs, design, cartoons: National Union of Journalists (NUJ)***

The NUJ is a trade union with one third of its members self-employed. It produces freelance fees guides for members including those who create visual images (designers, animators, cartoonists, and photographers). NUJ day rates are based on information collected from freelance members about what they receive<sup>29</sup>.

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<sup>27</sup> <http://cgi.writersguild.force9.co.uk/> [accessed August 2004]

<sup>28</sup> <http://www.melkshum.co.uk/graphics2/Animation-Guidelines-1-March-2002.pdf> [Accessed August 2004]

<sup>29</sup> All examples are from *Freelance Fees Guide 2003 -4* (14<sup>th</sup> edition) published NUJ, London, 2004



Recommendations for visual work from the *Freelance Fees Guide 2003-4* include:

Photography - day rates:

National newspapers	£300 – £400
Magazines	£240 – £800
PR photography - high budget organisations	£310 – £480
PR photography -low budget organisations	£200 – £270

Website design – minima by task

Setting up pages on existing website	£100
Complete website design per home page	£200
Complete website design for basic 3-page site	£250

Illustrations and cartoons- minima per image

Large circulation, glossy magazines	£110
Trade and specialist magazines	£70
National newspapers	£110
PR images (colour) / quarter page	£230 – £290
Book jackets	£310 – £575

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### **The rate for the job**

A photographer who works mainly for local authorities and trade unions explains how she literally brandished the NUJ freelance guide in the face of a client who wanted to pay less than the suggested rate:

“I have actually had the rate book out and said look at page such and such - here we are. This bloke I was talking to - he went very quiet [laugh] because I had called his bluff. I had said this is rate blah and this is rate blah, blah, blah. There it is - no argument. Look, I have been doing this for years.”<sup>30</sup>

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<sup>30</sup> Baines, S. 1999 *Attitudes of Freelancers to the National Union of Journalists: Results of a Qualitative Study* (Report to the NUJ Freelance Industrial Council)

The NUJ Freelance Fees Guide put to practical use

The NUJ acknowledges that some kinds of publication pay low rates. Provincial newspapers pay “peanuts” and freelance members are advised not to work for them unless they can recoup costs from resale of images. Members are advised: ‘try not to work for less than £150 a day’.

### ***Landscape: The Landscape Institute***

Fees for landscape work are usually based upon a percentage of the cost of the job. In the past there was a mandatory fee scale but now this is just advisory. For small jobs, the fees are proportionally higher (between 15 and 20 per cent depending on complexity for projects worth £10,000) while for large jobs they are proportionally lower (between 6 and 9 per cent for jobs of £2 million and above.)

The Landscape Institute offers a classification system at four levels for different kinds of job to help determine appropriate charges. It also provides some “worked examples” based on complexity and total budget. A landscape project with a total budget of £120,000 on a caravan site, for instance, should command a “guide fee” of £5,352<sup>31</sup>.

### ***Architecture: Royal Institute of British Architects***

Information for prospective clients from the Royal Institute of British Architects indicates that the architect’s fees should be expressed as a percentage of the cost of construction. A sliding scale of average fees is given (with the percentage declining as the total construction cost increases). For construction projects of £500K, average fees charged are reported to range from just under 6 per cent up to 8.5 per cent. This information is based on an annual survey of architects’ fees collected between July 2002 and July 2003.<sup>32</sup>

## **Fees and Payments for visual artists: evidence and guidelines**

### **Recommending pay rates for visual artists**

As indicated in the introduction, Arts Council England made recommendations on artists’ remuneration following the Year of the Artist. The Arts Council England information sheet “How to Pay Artists” recommended a daily rate (for residencies) of £150 per artist<sup>33</sup>. For a residency of two or more consecutive weeks of five days each, the suggested rate of pay should be based on a pro rata annual salary of

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<sup>31</sup> <http://www.l-i.org.uk/> [accessed August 2004]

<sup>32</sup> Royal Institute of British Architects 2004 *A Clients Guide to Engaging an Architect*, RIBA Enterprises, London.

<sup>33</sup> <http://www.artscouncil.org.uk/> [accessed January 2004]

£20,000. In February 2004, the information sheet was revised to £175 per day and the annual salary equivalent to £23,400<sup>34</sup>.

The Arts Council England publication *From Policy to Partnership: developing the arts in schools*<sup>35</sup> contains a checklist of items to be taken into account when considering employing an artist to work in a school: fees (including time spent on planning, preparation and evaluation), fees for any commissioned work, artists' travel and subsistence; teacher supply cover, materials and equipment, transport, presentation costs, insurance. It suggests applying to regional offices to advise on an appropriate daily rate for paying artists: "This will vary, according to the experience of artists and their popularity."

Some organisations that call on the services of artists make general statements about fair rewards in their codes of practice and policy without reference to specific figures.

Nexus (Tyne & Wear Passenger Transport Executive), for example, "recognises that the professional status of artists should be reflected in the remuneration they expect to receive".

The Public Art South West<sup>36</sup> website offers advice around commissioning artists and craftspeople, including researching and selecting artists and guidance on working out a budget, although nothing specific about artists' fees.

The Arts Council England recommendation, however, has been re-iterated by some regional and local bodies. For example, Hull City Council's City Arts Unit<sup>37</sup> has an advice document that mentions the £150 per day fee, but emphasises this is only a guide and open to negotiation, and also stresses that this is not a commission fee and is only to be used in situations such as workshops.

Advice from Artquest, providers of advice, information and support to visual and applied artists in London, draws upon the ACE recommendations. Under "Rates of pay and artists' fees" on its website, self-employed artists are advised that when taking on short-term contracts of between one and five days they should offer a daily rate around £175-£300 a day. This rate decreases when the contract stretches beyond a working week up to twenty-one days. Artists should work for no

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<sup>34</sup> <http://www.aliss.org.uk/making/howtopayartists.htm> [last accessed July 2004]

<sup>35</sup> <http://www.artscouncil.org.uk/documents/publications/318.pdf> [accessed July 2004]

<sup>36</sup> <http://www.publicartonline.org.uk/>

<sup>37</sup> [http://www.hullcc.gov.uk/cityarts/news/advice\\_03-06-18.php](http://www.hullcc.gov.uk/cityarts/news/advice_03-06-18.php) [accessed May 2004]

less than £20 hour; artists in London should charge around 7.5% on top of this<sup>38</sup>.

Specific advice on payment for artists working in schools was offered by Northern Artists into Schools <sup>39</sup> (Sheffield Hallam University). *Artists in Schools: some guidelines for artists* dated July 2000 recommended:

Hourly rate	£18-£40
Daily rate 1-6 days	£130-£280
Daily rate 7-30 days	£110-£240
Daily rate 3-6 months	£100-£210

Rates exclude travel expenses and materials. Advice is also given on reviewing the budget for a project and making sure it is feasible, taking into account the artist's fee (including preparation, planning, meetings, etc), travel and subsistence, materials, equipment and contingency.

Set up in 2002 as a "representative voice for the Visual arts in Scotland"<sup>40</sup>, the Scottish Artists' Union website [in 2004] gave membership criteria and information about Scottish artists' poor income and high unemployment. It argues that:

"There is an undeniable need for a set of National guidelines for rates of pay for short-term contract work for visual and applied artists in Scotland. The current situation is fragmented, uninformed, inconsistent and very poorly paid."

In the SAU brought out *Artists' rates of pay: recommended national rates of pay for visual and applied artists in Scotland* in October 2002, as the first phase of a series of research and advocacy documents. Rates were updated in July 2004, to cover the period 2004-06. The summary of this document – freely available from the SAU website – points out that all work, ranging from planning to clearing up, should be paid for, and that travel expenses should be paid on top of recommended fees.

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<sup>38</sup> <http://www.artquest.org.uk/funding/index.html> [accessed July 2004]

<sup>39</sup> <http://www.shu.ac.uk/schools/cs/nais/> [accessed March 2004] (Northern Artists into Schools has since closed down.)

<sup>40</sup> <http://www.sau.org.uk/> [assessed August 2004]

The following fees are specified:

£16.25 per hour minimum

£21.50 per hour minimum with 3 or more years' experience

£26.75 per hour minimum with 5 or more years' experience

£108 per day minimum (£54/half day)

£161 per day minimum (£81/half day) with 3 or more years' experience

£214 per day minimum (£107/half day) with 5 or more years' experience

£16,200 a year minimum (pro rata) for residencies

£27,000 a year minimum with 5 or more years experience

Public statements relating to actual figures paid to artists are much harder to find than general exhortations to good practice. Nevertheless a selection of recommended figures, have been uncovered some based upon the widely-quoted Arts Council of England sums and others more detailed and ambitious.

Figures in the public domain are typically offered by public sector bodies with experience of making payments to artists. Although since 2002 there has not been a national professional organisation for visual artists in England, a-n The Artists Information Company has over many years<sup>41</sup> taken on this representative role, by informing artists of their professional responsibilities, and advising artists and employers on good working practice. As noted above, the Scottish Artists Union has been pioneering recommended rates for artists against specific situations and experience levels.

Guidance on pricing and fees published by a-n since 2001 has focused on addressing the particular circumstances of self-employment and the associated professional costs. In February 2004, the *Practical guide: pricing and fees*<sup>42</sup> suggested that a self-employed artist may only anticipate a 'working year' of 136.2 days, once holidays and non-productive time were taken into account. This guide also listed various specific costs for the self-employed artist to take into account when calculating their overheads budget, such as pension, insurances, workspace rent, transport and professional development costs.

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<sup>41</sup> Information on 'going rates' for artists undertaking residencies and similar work was first published by a-n in 1989 and regularly updated in the Fact Pack: Rates of Pay until 1996. The *Practical guide: Pricing and Fees* updated February 2004 is freely available on [www.a-n.co.uk](http://www.a-n.co.uk)

<sup>42</sup> *ibid*

The following table indicates the rates per day workers in some of the occupations cited in section 2.1 would need to achieve - should they become self-employed - in order to earn the equivalent of their employee salaries.

**Table 1: Estimated day rate equivalents for selected salaries**

<b>Occupation</b>	<b>Day rate</b>
Teacher (starting salary outside London)	£173
Project Worker (youth work)	£226
Teacher (average salary)	£259
Advertising copy writer	£294
Project Manager (IT)	£421

A full-time employee earning the national average salary for a professional (£33,852 pa) would need to command a day rate of £285 in order to maintain his/her income in self-employment.

### **Evidence for payments currently being offered to artists**

Based on opportunities advertised for artists through its website and *a-n Magazine* in August 2004, a-n the Artist Information Company recently reported that "lead artists can command £250 a day, or more".<sup>43</sup> A more detailed analysis of those opportunities reveals that under 'commissions', the fees on offer ranged from £1000 to £54,000. Below are some examples of UK commissions and residencies offered in August 2004. Monetary rewards, anticipated time commitment, payment or non-payment of expenses, and extra benefits (for example accommodation) are indicated where stated in advertisements.

<b>Description</b>	<b>Region</b>	<b>Payment / time</b>	<b>Expenses / benefits</b>	<b>Person</b>
Arts Council Office – any medium	South West	30 days @ £250 /day	Fee includes expenses and materials	Lead artist
Regeneration /environment project	South West	£10,000 for 40 days	Generous materials budget	Emerging or established artist
Hospital – glass panel	North West	£4000 (August to Sept 04)	Fee includes materials and travel	

<sup>43</sup> <http://www.a-n.co.uk/>

Digital	South East	£7000 for 20 days		
Film / photography	Yorkshire	£3000 for 3 months	Plus £1600 for materials	Graduated in last 5 years
Residency in school	South East	£3150 for 6.5 weeks		

Although the £250 a day rate for a lead artist represent a salary equivalent above the national average for full-time workers, it is however below the national average for *professional* workers. The sum of £250 as a day rate would amount to the equivalent per year of the average salary in the teaching profession. A day rate of £175 is the equivalent of the salary of a newly-appointed teacher outside London.

### **What influences fees and payments?**

#### **Introduction: sources of information used**

Representatives of organisations known to commission artists' work and services were contacted. As there is no reliable or comprehensive list or database of such agencies, the main source used was the opportunities section of a-n Magazine<sup>44</sup>. Once contacted, staff were invariably busy and often away from the office so considerable persistence was required in order to achieve interviews. Most interviewed were positive and helpful although a handful remained cautious and occasionally hostile. In addition, officers in local authorities responsible for arts and cultural policy as indicated on council websites were approached. Thus twenty interviews were conducted with individuals whose roles included selecting and appointing artists and negotiating payments and other terms and conditions with them.

Most opportunities published by a-n originate from public sector agencies such as local authorities or hospital trusts. The voluntary sector is represented but the private sector rarely features. Many artistic opportunities are associated with publicly-funded initiatives to address social and environmental problems or promote community cohesion. These characteristics are reflected in the range of interviews.

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<sup>44</sup> a-n promotional material states that it promotes "over £6.6 million of work and opportunities annually to artists", with around 20% of opportunities being commissions or residencies, thus providing a practicable source for locating suitable public organisations to interview..

## **Hard figures**

The only guidelines cited by interviewees were Arts Council England day rates. Most mentioned the old (£150) rate and only one referred to the rate adopted later (£175), this despite the fact that interviews were conducted in April 2004 and the rates on the Arts Council England website had been amended in February. One interviewee accused the researcher of “joking” when she mentioned the new rate.

The Arts Council England rates tended to be treated as norms rather than minima but some higher rates were mentioned – in one case £250 was paid for an experienced artist and “worth it”. It was stated that there is a “code” that higher fees advertised means inexperienced need not apply – as these opportunities are for the more experienced. Note that even the £150 rate was not always deemed to be relevant in all cases, such as where commissioners would be appointing inexperienced / young artists.

Some respondents (for example those concerned with artists’ residencies) quoted a monthly rate, generally £1000 a month (and sometimes lower if accommodation costs are paid). Interviewees handling residencies stressed other opportunities available in association with them, such as extra teaching and exhibiting.

## **Variables determining pay and/or fee levels**

In this section the interviews were interrogated to discover the principles that people said underpinned the specific pay or fee levels offered to artists. The main factors are:

- How experienced the artist is, including reputation as an artist and any special artistic skill that may be required;
- The length of the period of contract;
- Non-artistic skills such as teaching, working with hard to reach groups, or project management;
- The personal qualities of the artist;
- The ability of the commissioning organisation to pay.

Views on the importance of having a set of principles behind levels of payment varied enormously across the interviews. One respondent expressed a positive desire for a more accountable and standardised way of paying artists. Another was adamant that standardising payment is impossible given that the experience, expertise and skills of artists are so varied:



“How do you quantify an artist’s work to a daily rate? It’s not tangible. You are paying for something more spiritual and special.”

Nevertheless, most interviewees gave indications of the variables that came into play when determining the levels of pay. Some felt that current guidance was unhelpful or vague. For example, with respect to payment of exhibition fees “I’ve had answers from the Arts Council that say definitely, yes, and definitely, no, - it’s utter confusion”. Almost all respondents mentioned the extent to which budgets constrained their space for action.

### **Experience, skill and reputation**

Although most respondents relied on the (old) Arts Council England daily rate as a standard, a few made it clear that payment was ultimately discretionary and a minority did not cite any standard at all for payment. There were generally strong views that experience and reputation should command higher rates than the standard and also that special provisions should be made for those without experience. For example, one Public Arts Officer of a large city council was very clear that a flat rate should not be paid to both experienced artists and to those just out of college.

There was a widespread view amongst the respondents that well-known artists can command “their own rate” but interviewees were not willing to quantify such rates. When a figure for higher rates for experience or reputation was quoted, it was at a relatively small margin above the current Arts Council England day rate. Rates of £200 “if someone is worth having”, £225, and £250 a day were mentioned. There was little spelling out of the basis for judging experience, but a proven track record or an artistic reputation was often seen as important. Length of time in artistic practice was also used as a measure: “you need to be professional to get a professional rate and that comes with experience.”

Assurance of quality is one thing that comes from using experienced artists. But whilst some suggested that there should be a sliding scale based on reputation, others were keen to stress the variability of fees or that experience opened up the possibilities of negotiation over levels of payment. Some were explicit that they had no clear guidelines on fees with respect to amount of experience: “I’m afraid not ...it’s all down to discretion really”. It should also be noted that special artistic skills could sometimes command a higher rate if they were required for a specific project. Indeed, in one newly developing area of the visual arts, it was skill rather than experience that was seen to count.

Strongly held views on the payment of inexperienced, younger artists came across from the interviews. Many expressed themselves keen to support young artists (see examples of good practice below) and three interviewees claimed that they were concerned to protect them against exploitation.

Some were clear that they used the (old) Arts Council England daily rate as a floor, so that they would not pay inexperienced artists less than £150 per day. Others, however, indicated that they expected to pay inexperienced artists lower rates. Indeed in some cases younger, less experienced artists might be paid considerably less than experienced ones. This was often justified on a number of possible grounds, for example that commissions give young artists the opportunity to get themselves known or that they are being mentored when working alongside experienced artists. "After all...it's a trade off...they are getting the benefits of mentoring".

Despite these statements, there do not seem to be any guidelines used to arrive at a rate for inexperienced artists. One respondent, however, mentioned paying as little as half the daily rate to artists who are receiving mentoring. Indeed, in a number of interviews, mention is made of newly-qualified artists working on a voluntary basis, perhaps with only travel expenses or a nominal fee being paid. There are clearly contradictions between declarations of support for artists starting out on their practice and the reality that some very low rates are being paid, albeit in a minority of cases.

### **Forms of payment**

Payment to artists may take the form of a daily rate, a fixed fee for undertaking a particular specified contract, or a monthly salary. Generally, a daily rate is paid for a short term contract, whilst a longer piece of work is paid as a fee. Indeed for some, it is only "very small" artwork projects or workshops which are paid at a daily rate. The nature of the project can also determine the form of payment.

A fixed fee is seen as more appropriate: "if you are looking for a product rather than a process". Thus the curator of a gallery pays fees for contributions to exhibitions, but a day rate to artists who run workshops. From the viewpoint of the commissioning body, fees have the advantage that costs do not rise if projects overrun and this limits expenses. On the other hand, a number of respondents mention that the number of days a project is expected to take is specified in the contract; this does provide some sort of basis for quantifying a rate of pay. Some respondents

express concern that artists who accept fee-based contracts may actually end up underpaying themselves.

A representative of an organisation that commissions high-profile, large-scale public art informed us that fees are usually agreed on a percentage basis. He estimated that the fees are usually in the 10-15 per cent range. "There is a relationship between the fee and time involved - but then it gets complicated..... their time spent is unseen - apart from meetings."

### **Non-artistic skills**

The section above examined the impact of artistic experience on fee levels. However, artists are often expected to have additional skills to undertake the work they are contracted for. Artists for example, are regularly expected to work as teachers. True, they may not be expected to have teaching qualifications, but they are expected to be able to demonstrate the skills. They are also often expected to work 'with the community' in ways which clearly require community work and development skills, though again, specific qualifications are not required.

Experienced artists may also be expected to mentor or lead and guide less experienced colleagues in an artistic team. Such expectations grade into requirements that artists employed on a fee basis should act as project managers, and in some cases, take overall responsibility for delivering to budget.

All these expectations of non-artistic skills appear to be taken as given: if they are required for a particular job, only the artist who possesses those additional skills will be considered for it, but there will not be a specific element of their remuneration linked to these skills. No respondents mentioned essential non-artistic skills as the basis for assessing payment levels.

### **Personal skills**

Artists are also frequently expected to demonstrate possession of 'soft' personal skills in addition to specific artistic and non-arts based skills. Time and again in the interviews, the importance of a proven track record of reliability was mentioned as the basis for giving a particular artist a piece of work.

Artists were also expected to be self-reliant/ require the minimum of supervision, to be able to work in a team (whether with other artists or other professionals, such as teachers or community workers) and to be able to communicate effectively. Again, these qualities were by and large

not something that these commissioners saw as commanding any specific premium. However, reliability was something that was often discussed in the same breath as experience: indeed it was sometimes the proven reliability arising from experience that provided the basis for it being “well worth” paying higher rates for experienced artists.

### **Ability to pay**

A final variable determining levels of payment to artists is what the organisation commissioning or funding the work is able to pay. Indeed, it is frequently apparent that the rate of pay or the fee are not negotiable on the basis of any other variable, because there is a given budget set aside for the project. “If we haven’t got the money, we can’t pay it” commented one forthright interviewee.

Similar sentiments were expressed time and again if in a less trenchant manner. There were nevertheless, an appreciable number of commissioners who raise extra funding on top of the set budget they are allocated, and one body indicated that they fundraise individually for every project. ‘Ability to pay’ is thus less constraining on levels of artistic reward than it might appear. Moreover, commissioners who are unable to raise additional funds clearly need to limit the number or length of projects to ensure fair levels of payment to the artists whom they recruit.

**Despite the lack of flexibility deriving from set budgets, there is nevertheless some room for negotiation when it comes to the cost of artistic materials, living expenses and travel expenses.**

### **Materials, living and travel expenses**

Materials seem generally to be paid on top of the negotiated rate for the job in any daily/monthly time based contract, though occasionally artists may be expected to provide their own materials, for example for a workshop. Where a fee is paid, this usually includes an element for materials.

Regardless of the form that payment for materials takes, it is the result of negotiation. Some commissioners emphasised that the provision of materials can prove expensive for particular media (eg a commission involving a water feature and working with interactive media). One commissioner reckoned to provide R & D (research and development) support for artists through arrangements with organisations supplying equipment. Some just accepted the artist’s estimate for materials – the amount paid is “on the advice of the artist”. Others clearly expected to

drive a harder bargain, and one commissioner expressed the view that some artists could “rip you off” in negotiations. Artists “push and push to get more money, especially on the materials budget”. In contracts where materials are included within a fee, there was an awareness that inexperienced artists in particular might actually underestimate material costs and find themselves out of pocket as a result.

While it was widely accepted that materials are an expense that should be paid on top of any rate for the job, the same cannot be said of travel or accommodation costs. This is despite the fact that many artists may have to travel long distances to fulfil contracts, even having to live away from home. Only two interviewees indicated that they would pay travel expenses for artists from outside the locality as a matter of course. Almost all commissioners indicated that travel (or accommodation) is not offered up front, but that if artists push for travel costs, they may “give in” as one expressed it. It is equally possible that requests for extra payments for travel can result in the contract going to an artist who does not ask for such extras.

According to the interviews, better known artists often ask for money on top of their fees. For example one local authority paid accommodation for a well known artist and his family, but would not do this for everyone: “No, not really, but if you are trying to attract a high calibre artist, then, well, you pull out all the stops”. Not merely is the payment of travel expenses highly discretionary of itself, but – if paid – the rates themselves are discretionary as well. There was an instance of ‘exceptional circumstances’ meriting payment to an artist travelling from Penzance to the north of England. However, all that was offered was “a nominal amount towards his travelling”. No respondent provided a fixed rate for travel – all who commented indicated the lack of a set rate.

### **Towards good practice**

The interviews revealed the following examples of good practice.

- **Involving contributing organisations in the commissioning process**

Punch is a creative arts organisation that works in partnerships with other organisations that contribute to the funding of arts projects. These funding organisations also contribute to the decision-making within the commissioning process. Punch does not work in terms of a fixed budget and are more likely to design a project, decide upon a feasible budget and then search for funding. The partnership arrangement means that Punch

want to know that the reputation of the company will be protected when they recruit artists to fulfil a commission.

- **Dos and don'ts of matching expectations / effective communication between commissioning body and artist**

A freelance worker, currently covering the maternity leave of an Arts Development Officer advises the importance of keeping a close eye on why you are commissioning, and being clear on what kind of artists will be needed. Be sure to sort out who the client for the project is and where the money is coming from before starting the process. It is essential to provide the artist(s) with a crystal clear briefing paper, which should include expectations in terms of the nature of the project and the time limits. Effective communication makes for an effective and successful project, so that information on deadlines and amount of money available are also essentials of a good briefing.

- **Project management**

Sound project management practices are seen as key to avoiding problems with commissions. Projects need to be closely managed with clearly defined milestones and targets to avoid time overruns.

- **Timing of payments to ensure cash flow for artists**

Policies of fixed stage payments throughout the project that are clearly agreed with artists before work commences appear to be best practice. However, there may be a need for some flexibility to alter such a policy to suit the needs of a particular artist, if for example state benefits/ tax credits are dependent upon the timing of payment.

- **Specific help to new artists**

A number of organisations had specific policies or programmes designed to meet the needs of new and/or younger artists. Some run mentoring schemes allowing less experienced artists to work alongside experienced ones. Another mentioned 'springboard residencies' targeted at recent graduates.

- **Fees for lead artists**

There is evidence from interviews and from recent advertisements that lead artists are being paid day rates of £250. This puts such artists on a par with experienced workers in some professions (for example school teaching) but below the average full-time professional salary.

- **Think about 'income packages'**

Payment and fees underpin income for artists, but are typically paid on the basis of a specific output, rather than time. Sometimes – as in the case of residencies – artists' services are contracted for a specified period. Both those commissioning art or artists and artists themselves should review any fee or payment as one element of the annual income package that an artist needs to live on and to thrive.

# **Establishing a charge rate for a working artist, Richard Murphy, 2004**

Guided by the findings of Newcastle University's research, a-n commissioned Richard Murphy Chartered Accountant to create a framework and thinking process that enabled the full implications of artists' offering paid for services, on a self-employed basis, with levels of experiences and cross relationship to similar occupations taken into account.

This was published in 2004 as *Establishing a charge rate for a working artist* and as the interactive online *The artist's fees toolkit*.

## **Introduction**

a-n's Code of Practice for the Visual Arts<sup>45</sup> encourages artists and arts organisers to "contribute confidently" when making professional arrangements. In particular, it requires recognising worth and "considering the value of all the resources that are brought to the project".

Research commissioned by a-n from the University of Newcastle<sup>46</sup> has highlighted that earnings of visual artists are, overall, low in comparison with other professional workers with similar levels of education, expertise and commitment: "Visual artists are around three times as likely as the working population in general to be self-employed. As self-employed people, they negotiate remuneration and other conditions such as payment for materials, timing of payments and deadlines on an individual basis with client organisations".

This research also reveals some confusion amongst those who benefit from artists skills and services – arts officers, galleries, commissioners, etc - about who should recommend and set artists' rates, and precisely how to place a monetary value on artists' creative contributions to public services. Amongst employers interviewed however, there were generally strong views that "experience and reputation should command higher rates".

And as Lucy Kimbell comments, the value of artists should not be underestimated: "Doing the work, whatever it is, requires the artist's skills,

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<sup>45</sup> The Code of Practice for the Visual Arts, published by a-n The Artists Information Company in 2003, with versions for artists and arts organisers see [www.a-n.co.uk](http://www.a-n.co.uk)

<sup>46</sup> Fees and payments for visual artists, report for a-n The Artists Information Company by University of Newcastle, 2004 in the prior section of this report.



knowledge and experience, the application of the artist's intelligence, his or her passion, commitment and integrity

Financial expert Richard Murphy has designed a practical framework that demonstrates how visual artists can take responsibility for their working arrangements and establish, and make the case for, their charges and fees.

The framework takes into account:

- The level of remuneration for comparator professionals
- The costs specific to freelance working
- The artist's particular circumstances and location
- How an artist's knowledge and experience level impacts on charges

Provided in printed format with explanations and sample figures based on an artist with three years experience, the guide is also freely available [www.a-n.co.uk](http://www.a-n.co.uk) as an interactive toolkit.<sup>47</sup>

Using this toolkit artists can insert their own income requirements and calculate their own day rate as a combination of fee and overheads, and produce accurate estimates and update their income and expenditure forecasts regularly to ensure that in future artists' rates don't 'fall behind' as the cost of living increases.

### **Background to the problem**

Artists face a wider range of problems when faced with the challenge of making a living than do most people. These include:

#### **1. Deciding what to do**

For example, the artist has to decide between:

- Making work for sale, with this in turn having a substantial range of alternatives available within it;
- Providing services such as residencies and workshop leadership, with, again, a whole range of alternatives available.

For most professions the range of options is narrower once a person has been trained, and the option of undertaking some or all of a diverse range of activities much less likely than it is for the artist.

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<sup>47</sup> [www.a-n.co.uk/toolkits](http://www.a-n.co.uk/toolkits)

## **2. Finding someone to buy it**

The artist has little choice but to market their own work, even if that only goes so far as engaging an agent for those in the position to do so. In general this task is easier for many other professions because what they provide is wanted as a matter of varying necessity. In contrast, there is a common feeling amongst those not engaged in the arts that they are an optional addition to life. Inevitably this increases the stress of this process for an artist.

## **3. Setting a price for it**

Some aspects of art are indisputably subjective. Any payment that will be made will depend upon the whim of the purchaser in ascribing value to whatever they are presented with. And most purchasers will consider themselves expert in this process, which is quite unlike the situation faced by most professionals who not only are expert in what they do, but are the main experts in the price of it as well, with that price rarely being subject to significant challenge unless some other aspect of the service has failed.

This resource does not try to solve all the problems an artist can face in pricing their work. Anyone seeking to do that might be a little too ambitious. Instead it concentrates on pricing the services that many artists choose to supply, as opposed to any tangible products they sell. There are two reasons for this:

1. this area appears, if anything, more subjective than pricing a product;
2. for many artists this is a core part of their work, and their ability to make a living depends upon it, but many people do not appreciate that fact and so tend to undervalue the services supplied.

It therefore covers the second part of section 1 above and part 3. It does not cover the tangible supply of products and it does not cover how to find work.

## **The artists as service supplier**

The artist who supplies services to a client is part of a substantial community within the UK whose existence is, however, little noticed and maybe even less understood. That broader community is made up of skilled people who choose to provide their services, often defined in terms of a definite time input, on a contractual and usually freelance basis.

That this community is misunderstood is obvious from the government's reaction to its existence. Despite all their talk about promoting small business and the enterprise culture the government's reaction to the provider of contract services is probably more accurately assessed by the challenges that the Inland Revenue have made to the tax status of independent contractors by seeking to subject them to PAYE or by imposing the notorious IR35 rules on their companies, so seeking to limit the expenses they can claim.

### **Freelance status**

This note assumes that the artist who is pricing for their work is a freelance contractor, and will be taxed on that basis. This means that PAYE will not be operated on the payments to be made to them. Do note however that this is only true if:

- a. the artist is seeking to undertake a trade by equipping themselves with the necessary resources to do so and is incurring costs in this process and is supplying services to a reasonable range of customers / clients;
- b. the artist is taking financial risk in supplying the services;
- c. the artist is probably supplying more than their labour and might, for example, also be supplying materials, equipment or ancillary tools and facilities to enable the supply of services to take place;
- d. the artist is not undertaking a key role, and particularly one of a management nature, inside the organisation that is paying them;
- e. in education the service supplied is not teaching, or if it is, it is only an occasional workshop;
- f. most importantly (and with some difficulty in many cases) the artist is either allowed to supply someone else to provide the service if they are unable to do so for any reason (even if in practice they never have) or they are allowed to engage people to assist them to do so without the permission of the person making payment to them.

The above list cannot describe all the conditions that are necessary to prove that an artist is a freelance provider of services, and in some cases, such as education, the rules are specific and tight and many artists who might be considered freelance contractors for any other service are considered employees in this case. If you are in doubt as to your status in

general or with regard to any specific contract tax advice should be sought.

### **Pricing**

What can be said is that whenever freelance status is agreed there remains a need to agree a rate for a job of work. The basic processes involved in setting that rate are:

1. deciding what you think you should earn;
2. working out over what period you need to earn this;
3. deciding what additional costs you suffer and which have to be paid before there's anything left over for you, such as:
  - costs an employer usually pays, such as national insurance and pension contributions
  - direct costs of doing the work
  - the ongoing costs you incur to work as an artist.

### **Deciding how much you want to earn**

A sense of realism is needed about how much you actually hope to earn.

That realism has to be based on three things:

1. what other people doing the same sort of work earn;
2. what similarly qualified people in different, but not entirely dissimilar, jobs earn;
3. your own experience and flair.

The first two of these measures are reasonably objective; the third can only be assessed individually. That, however, does not mean you should dismiss its importance. It is also important for you to consult others about it, especially if you doubt what experience and flair you have, as is common amongst very many talented people. But little more can be said about it here.

As a-n has discovered, comparison of the rates that artist's earn is a thankless task. This makes the first option difficult. As a result the second option might well be better as the basis for assessment of what to expect

to earn. There are in fact several strong and logical arguments to support this view:

1. artists have traditionally been undervalued, so to make comparison with historic payments to them might just be to continue a trend of underpayment;
2. most people who employ artists do not know an artist's worth and so will need to use other measures to help them form an opinion.

Perhaps the most obvious comparison to be made is with teachers. Again, there are strong logical reasons:

1. teachers are usually graduates, and many will have an additional qualification as well, making the training period 4 years, similar to that of many artists;
2. most teachers are employed by local authorities, and many artists will also be engaged by such authorities;
3. artists are sometimes engaged to undertake work similar to that of teachers e.g. leading workshops;
4. many of the management skills required by an artist are similar to those used by a teacher.

[a-n] has found that at present teachers are paid the following approximate sums:

- starting salary (outside London) £18,500;
- average salary for an established teacher (outside London) £30,250.

An average teacher has probably had at least ten years service, after which automatic annual promotions tend to cease. Until then they are worth approximately £1,000 a year. London weighting tends to be worth not much more than £1,000 a year.

Interpreted for an artist this might mean, having rounded things to the nearest thousand pounds that:

1. a newly qualified artist, straight out of college should aim to make £19,000 a year;

2. an artist ten years out of college should hope to make £30,000 a year;
3. you should add about £1,100 a year for extra experience in between these times;
4. after you have worked for about ten years increased earnings have to be justified by personal additional experience and flair, although this option is always available at any time earlier than that if it can be justified;
5. if you are working in an expensive, and probably urban area, it is justified to increase your target earnings to allow for this fact by more than £1,000 a year.

## **Other titles online related to the Fees and payments research**

This listing includes titles published since 2004

### **[The artist's fees toolkit](#)**

By: **Richard Murphy**

This toolkit takes artists step-by-step through a process to calculate an individual daily rate and prepare quotes for freelance work

Artist's toolkit, a-n.co.uk December 2004

### **[Sample artist's day rates](#)**

PDF download of Sample artist's day rates to guide your budgeting processes. Updated as required by a-n.

### **Art work**

By: **Susan Jones**

Artist's jobs and opportunities 1989-2003

Guide, a-n.co.uk 2004

### **Art work analysed**

By: **Susan Jones**

Artist's jobs and opportunities 2003 - 2005

Guide, a-n.co.uk 2006

### **Artists work in 2007**

By: **Susan Jones**

An analysis and commentary on artists' work and opportunities.

Research paper, a-n.co.uk 2008

### **Changing face of artists' employment**

By: **Susan Jones**

An analysis and commentary on artists' work and opportunities.

Research paper, a-n.co.uk 2011

### **Artists work in 2011**

By: **Susan Jones**

An analysis and commentary on artists' work and opportunities.

Research paper, a-n.co.uk 2012

### **Artists work in 2012**

By: **Susan Jones**

An analysis and commentary on artists' work and opportunities.

Research paper, a-n.co.uk 2013

### **Good exhibition practice**

By: **Susan Jones**

Guide, a-n.co.uk 2005

### **Intangible, inflatable, irreducible**

By: **Lucy Kimbell**

Lucy Kimbell explores the value of artists' work.

Guide, a-n.co.uk 2004

### **Negotiating a better rate of pay**

By: **Rod McIntosh**

Getting paid a fair fee is not suggestive of a revolution. So why does it sometimes incur resistance, both from those who pay and from ourselves?

Introduces ideas towards getting paid what you want and deserve.

Guide, a-n.co.uk 2005

### **Quality on a budget**

By: **Rod McIntosh**

In an ideal world you would only embark on projects where there is sufficient funds available. This guide outlines an approach to finding workable compromises whilst maintaining quality for times when money is tight.

Guide, a-n.co.uk 2005

### **Establishing a Charge Rate for a Working Artist**

Richard Murphy's practical framework to demonstrate how visual artists can take responsibility for their working arrangements and establish, and make a case for, their charges and fees. PDF file

Guide October 2006

### **Good practice in paying artists**

Aimed at public sector arts employers, commissioners, consultants and arts trainers, addresses the context for fees and payments for artists' residencies, workshops and community commissions. PDF file

Guide last updated 2007



# Appendixes

# **Appendix 1**

## **ACE Fees and payments to artists - research brief**

Brief: To give guidance to visual artists, and those employing visual artists, on appropriate rates of Fee and payment for work undertaken or presented to a public.

### **Background information**

Arts Council England is committed to ensuring proper and fair payment to visual artists in recognition of their professional status, skills and experience. Arts Council England would like to be in a position to recommend that artists' fees for projects funded by us should be in line with recognised codes of practice set by relevant lead bodies. We would also like to ensure that those guidelines that are in place for visual artists are current, and can be easily updated on an annual basis. Arts Council England also should ensure that salaries, fees and subsistence arrangements (for touring) are as good, or better than, those agreed with the relevant trade unions and employers' associations.

### **Objectives of the brief**

Arts Council England wishes to commission a piece of work on the following:

- 1) An examination of current rates of pay for visual artists in a variety of situations including commissioned work, exhibition presentation (solo, group and touring shows), residencies, fellowships, workshops, participatory work, distinguishing between freelance contracts and short-term contracts on PAYE. The work must take into account the broad range of visual artists' practice including painting, print-making, sculpture, installation, artists' moving image, media arts, live art, photography and crafts
- 2) A selection of the above to illustrate best practice
- 3) From the above deducing appropriate levels of fee in different contexts, taking into account the level of professional experience/seniority of the artist/s involved, the duration of the contract and geographical location (i.e. London weighting)

- 4) From the above deducing appropriate levels of payment to artists for rights to present their work to a public (i.e. the Exhibition Payment Right)
- 5) From the above deducing appropriate levels of payment for travel and subsistence
- 6) Devising simple and easily readable copy that can be understood and easily applied by visual artists and organisations wishing to work with visual artists, in accordance with the 'Plain English' guidance as used by the Arts Council, England
- 7) Ensuring that this guidance is easily available on-line and in printed form. (Arts Council England will signal the need to reference this guidance in its *Grants for the Arts* information pack)
- 8) Overseeing the design and print of the Guidance Document

### **Project size**

It is anticipated that this will involve initial desk research and information should be sought from a variety of sources including the a-n database and magazine information, Regional Offices of the Arts Council, a representative sampling of galleries funded by Arts Council England, a representative sampling of local authority museums and galleries, and the National Museums and Galleries, local authorities, education authorities, the health service, the prison service, property developers and any other institutions which regularly employ visual artists.

The consultant should also present information on nationally recognised minimum rates by other relevant lead bodies across the arts including Bectu, Equity and the Musicians Union and on other international exemplars including the Scottish Artists' Union and the Australia Council for the Arts.

The finished product will be a Guidance Document for Visual Artists on Fees and Payments in printed form and available on the internet, which must be freely available.

### **Timetable**

The project should be completed by 31 July 2003.

### **Management of the Study**

Day-to-day management will be undertaken by Tim Eastop, Team Leader, Artists Development, Visual Arts Department, Arts Council England.

## **Personnel**

The consultant appointed must have experience of:

- Report writing
- A knowledge of the visual arts sector
- Qualitative analysis
- An ability to grasp and present financial information
- An ability to organise complex information in a succinct form
- An ability to write in an easily accessible manner

## **Reporting Requirements**

A briefing session will take place at the beginning of the contract between Tim Eastop and the consultant appointed. A subsequent meeting will be necessary once the draft report arising from the desk research is completed. A third meeting will be held to discuss any changes to the final draft report. It is expected that Tim Eastop will also give final approval of the design of the Guidance Document before it is printed.

## **Expected Outputs**

- 1) A report giving a snapshot of current practice across the visual arts sector including 'best practice' case studies
- 2) A Guidance Document that can be used by visual artists and organisations to determine fair and appropriate levels of fees and payments to visual artists
- 3) A distribution system for the Guidance Document on-line and in printed form
- 4) Overseeing the actual design and print of the Guidance Document

June 2003

## Appendix 2

### Good practice in paying artists

a-n The Artists Information Company



March 2005

#### GOOD PRACTICE IN PAYING ARTISTS

##### Briefing for Arts Council England

In 2005, supported by Arts Council England, a-n The Artists Information Company published ***Good practice in paying artists*** for use by public sector arts employers, commissioners and advisers. At ACE's request the following sample rates for artists are reproduced here, ranging from new graduates through to artists with up to 10 years' experience.

Note: **Table 1** figures run to 31 Aug 05 and **Table 2** 1 Sept 05 – 31 Aug 06.

**Table 1**

Experience level	Annual £ excluding overheads	Day rate with overheads £10K p a	Day rate with overheads £15K p a
New graduate artist	21090	£176	£204
1 year's experience	22311	£183	£211
2 years' experience	24531	£195	£223
3 years' experience	25752	£201	£230
4 years'	26673	£209	£237

experience			
5 years' experience	28194	£216	£244
6 years' experience	29415	£223	£251
7 years' experience	30636	£230	£258
8 years' experience	31857	£236	£265
9 years' experience	33078	£243	£272
10 years' experience	34299	£250	£279

**Table 2**

<b>Experience level</b>	<b>Annual £ excluding overheads</b>	<b>Day rate with overheads £10K p a</b>	<b>Day rate with overheads £15K p a</b>
New graduate artist	21722	£179	£207
1 year's experience	22980	£186	£215
2 years' experience	25267	£199	£227
3 years' experience	26525	£206	£235
4 years' experience	27473	£212	£240
5 years' experience	29040	£220	£249
6 years' experience	30297	£228	£256

7 years' experience	31555	£235	£263
8 years' experience	32813	£242	£270
9 years' experience	34070	£249	£277
10 years' experience	35328	£256	£284

### **Notes**

Suggested rates exclude artist's expenses for a specific project and VAT.

Day rates are for 177 paid days work for the artist per annum. If artist is likely to gain fewer days work, the day rate reasonably increases accordingly.

10+ years experience rate depends on external factors including an artist's art world track-record and/or unique attributes and other market forces.

Rates assume suitable professional conduct by the artist. See Code of Practice for the Visual Arts with versions for artists and arts organisations on [www.a-n.co.uk](http://www.a-n.co.uk)

a-n The Artists Information Company will issue guidance across the visual arts sector on a suitable increase to be applied from 1 Sept 06.

### **Further resources**

***Good practice in paying artists*** – including customisable person specification and job description for residencies and community projects and commissions and some useful FAQs is available as a free pdf download on [www.a-n.co.uk](http://www.a-n.co.uk)

Artists can calculate their own individual rates by using ***The artist's fees toolkit*** [www.a-n.co.uk](http://www.a-n.co.uk)

Copies of the printed ***Establishing a charge rate for a working artist*** in pdf format on [www.a-n.co.uk](http://www.a-n.co.uk).

*The artists' fees and payments publishing programme is supported by Arts Council England through the Artists' development strategy.*





## Appendix 3

### FAQs around paying artists

*Examples of questions and responses from employers/commissioners as collated in 2004*

#### **Q What should I pay an artist for a 1.5 hour talk?**

A Is this an 'off-the-peg' talk – that is one the artist regularly gives, that needs no preparation or additional work to deliver? Do there need to be any preliminary telephone or face-to-face conversations with you to set up this arrangement? As a general rule, every talk an artists does is a 'one-off', as to do a good job they expect to tailor the slides and presentation to the specific audience and this includes being briefed by you. And then there's the post-event administration such as invoicing and possibly debt-collecting if you don't pay promptly.

So, assuming the artist lives within reasonable travelling distance to your venue, good practice in this respect would be to pay an artist three times the contact time, based on their usual daily charge out rate – see sample day rates elsewhere in this publication.

eg 5.5 hours x £25 (\*minimum rate) = £137.50 + VAT if the artist is VAT registered, plus travel at 40p per mile or public transport at actual cost. Self-employed artists will expect to supply an invoice including travel receipts.

By paying an artist in a way that acknowledges their practice, you can be assured of getting a professional job that you and they can be proud to be associated with.

**Q I'm a consultant for a public body offering an artist's residency for £5,000, do I have to put it out for tender?**

**A** As part of applying best practice guidelines public bodies usually have a ceiling beyond which projects have to be openly advertised. But there are other reasons to do this. Open submission usually attracts a wider application, and thus contributes to meeting cultural diversity and disability action plans – so you get to see more work by more artists, contributing to your overall knowledge of what's happening in the visual arts, for the benefit of your future projects. But do bear in mind that is not necessarily good use of public money to spend more on advertising than the overall value of the budget. Alternatives to advertising are to solicit applications more widely than the artists you already know by, for example, offering it through a selection of artists' networks – these are listed on [www.a-n.co.uk](http://www.a-n.co.uk) – or visiting open studio events and studio groups in your locality. Another way is to ask a gallery curator or established artist to nominate a number of suitable artists as a shortlist and to invite these artists make proposals.

*The suggested day rates for artists here are based on overhead costs of £10,000 and £15,000 per annum, and were informed by surveys between October 04 and January 05.*

**Q What overheads do artists have?**

**Insurance** – policy costs range from £250 for public liability to up to £1,200 for professional indemnity. Public sector employers generally require self-employed artists to have their own insurance when undertaking residencies and commissions. Many galleries and open submission exhibitions expect artists to have insurance cover for the art works.

**Studio space** – can cost from £480 to over £5,000 a year, with many artists paying business rates on top of rents. London-based studio provider Acme quotes space in their "low cost" studio buildings as "from £6 per square foot per year" (£3,780 for 530 sq ft p a) whilst this size in live/work space in North London from another provider is £7,200 pa. One-

year tenancies for studios offered by Wolverhampton Art Gallery cost £1,400 pa for 151 sq ft. Top-lit spaces in high-ceilinged 181sq ft studios in rural Oxford cost £2,400 p a. Light, power, heat and security in studios are usually extra. Rural studios let through Wasps, Scotland's largest studio provider, were advertised in 2004 at £3.35-£5.60 sq ft inclusive. London-based Cockpit Studios spaces for designer-makers in Deptford cost in the region of £1,820 pa for 100 sq ft.

Artists without permanent studio space may still need to rent one for a specific project. Weekly or monthly studio and residential lets of 179 sq ft in Glasgow were £91.35 pcm (equivalent £1,096 pa). Artists may choose to pay commercial rates to use specialist resources such as film and new media facilities that include technical support.

**Telephone and communication** – artists' costs range from £750-£2,500 a year depending on the artist's practice and location. Artists in individual studios in rural areas may thus need to spend more on communications than those in city-based group buildings. Broadband is an essential requirement, both for using the internet as a research resource and when sending digital submissions. No artist can afford to be without a mobile phone!

**Professional fees** – accountancy charges range from £250-£700 a year, artists may also need to use the services of a lawyer to review a specific contract or handle a dispute or to advise generally. Paying a mentor (a more experienced artist or an arts specialist) costs from £200-£500.

**Promotion** – costs range from £450 a year to keep an artist's website active – many commissioners research artists through such websites – to £3,000 for artists who produce printed material and distribute it by mail or for example at art fairs.

**Equipment** – annual costs range from a few hundred to £2-3,000 a year. Although a capital cost, because equipment such as computers and digital cameras depreciate over a three-year period, a third of these capital costs are justifiably included in an annual budget and thus their pricing structure, enabling artists to keep their equipment up-to-date.

**Research** – artists report spending anything from £500 to £5,000 year on essential research that refreshes their practice and thus the quality of their work. Costs may include conference, course or study fees, travel and associated expenses not specific to work in hand (preparing submissions, going to interviews, etc), publications, magazines and professional subscriptions, and materials for studio-based experimental practice, etc

*Figures based on 2004 research data.*

## **Appendix 4**

### **ACE Information sheet on**

**[www.artscouncil.org.uk](http://www.artscouncil.org.uk) (2004)**

#### **information**

##### **How to pay artists**

Arts Council England is committed to ensuring proper and fair payment to artists in recognition of their professional status, skills and experience. We require that artists' fees for projects funded by us should be in line with recognised codes of practice set by the relevant lead bodies (some contact numbers are given at the end of this sheet).

We require organisations receiving regular funding from Arts Council England to ensure that salaries, fees and subsistence arrangements are as good as or better than those agreed by any relevant trade unions and employers' associations.

This information sheet gives guidance on the payment of artists, and information about organisations that can provide more details.

#### **Contents**

1 Grants for the arts 1

2 Daily rates 1

3 Further information 2

4 Useful contacts 2

##### **1 Grants for the arts**

Applicants to Grants for the arts should make sure they can provide proper and fair payments to artists they will be working with when considering their budget. Applications for grants for national touring should ensure that, in addition to adequate fees, subsistence payments are in line with the relevant trade union agreements.

##### **2. Daily rates**

Nationally recognised minimum rates are set by the entertainment unions and the appropriate employers' bodies. Entertainment union members can access information about rates from their union. Where entertainment union rates exist, we expect at least the minimum rate to be applied. There are at present no national professional organisations for some sectors (including visual artists).

Where this is the case, we recommend that the following minimum rates are applied, for artists' residencies:

daily rate: £175 per artist  
for a residency of two or more consecutive weeks of five days each, the suggested rate of pay should be based on a pro rata annual salary of £23,400.

The National Minimum Wage Act (1998) and the National Minimum Wage regulations (1999) place obligations on employers to pay their workers at least the national minimum wage. For more details visit:  
[www.inlandrevenue.gov.uk/nmw/index.htm](http://www.inlandrevenue.gov.uk/nmw/index.htm)

## **2. Further information**

Arts Council England is currently in discussion with the relevant lead bodies with a view to making information about artists' fees more easily accessible to employers, project managers and applicants to our Grants for the arts.

## **2. Useful contacts**

**a-n The Artists Information Company** – for visual artists

First Floor

7-15 Pink Lane

Newcastle upon Tyne NE1 5DW

Phone: 0191 241 8000

Fax: 0191 241 8001

Email: [info@a-n.co.uk](mailto:info@a-n.co.uk)

[www.a-n.co.uk](http://www.a-n.co.uk)

**BECTU** – for technical staff

373–377 Clapham Road

London SW9 9BT

Phone: 020 7346 0900

Fax: 020 7346 0901

Email: [info@bectu.org.uk](mailto:info@bectu.org.uk)

[www.bectu.org.uk](http://www.bectu.org.uk)

**Equity** – for actors, singers and dancers

Guild House

Upper St Martins Lane

London WC2H 9EG

Phone: 020 7379 6000

Fax: 020 7379 7001

Email: [info@equity.org.uk](mailto:info@equity.org.uk)

[www.equity.org.uk](http://www.equity.org.uk)

**Musicians' Union** – for musicians

60–62 Clapham Road

London SW9 0JJ

Phone: 020 7582 5566

Fax: 020 7582 9805

Email: [info@musiciansunion.org.uk](mailto:info@musiciansunion.org.uk)

[www.musiciansunion.org.uk](http://www.musiciansunion.org.uk)

**The Performing Right Society** – for composers, arrangers, copyists etc

29–33 Berners Street

London W1T 3AB

Phone: 020 7580 5544

Fax: 020 7306 4455

Email: [info@mcps-prs-alliance.co.uk](mailto:info@mcps-prs-alliance.co.uk)

[www.prs.co.uk](http://www.prs.co.uk)

**Writers' Guild** – for writers

15 Britannia Street

London WC1X 9JN

Phone: 020 7723 8074

Fax: 020 7706 2413

Email: [admin@writersguild.org.uk](mailto:admin@writersguild.org.uk)

[www.writersguild.org.uk](http://www.writersguild.org.uk)

## **Appendix 5**

### **Artists' fees and the Competition Act**

Advice from Dr Ami Barav, Counsel, for a-n The Artists Information Company: Artists' Fees and Payments, May 2006

Counsel's considered advice was that the Board of a-n need not be concerned about the potential impact of Competition laws in this situation for the following reasons:

- (a) a-n (the company) does not pursue an anti-competitive object;
- (b) The subscribers/ members of a-n (the company) are in no way compelled to demand from potential commissioners the level of fees indicated and there is no way in which a-n monitors the actual application of its suggested fees;
- (c) The advice on what a-n regards as reasonable fees is only one element of the package to be agreed between the artist and the commissioner;
- (d) The Fees and Payment material issued by a-n only affects its subscribers who (in 2004) number some 11,500 out of the total number of UK visual artists, estimated at 40,000-50,000, i.e. approximately 25%;
- (e) The Competition laws only affect relationships between self-employed artists and decisions of associations of such artists. Self-employed visual artists who may become members of a-n, represent approximately 50% of the total number potentially impacted by the Fees and Payments material issued by a-n;



- (f) The Fees and Payments material essentially affects artists providing services in the public sector (e.g. residencies or commissions) and this only represents some 24% of the total number of artists;
- (g) To the extent that Fees and Payments material (eg 'Good Practice in Paying Artists') is intended to provide guidance for employers, this is not susceptible to challenge under Competition laws since a-n is not an association representing employers' interests;
- (h) The Fees and Payments material generally consists of historical comparative data recording actual fees charged by/paid to artists, which is permissible as long as individual artists may not be identified. There are instances where a-n has included tables which could be construed as suggested or recommended fees but in view of the analysis above, this practice could probably continue without risk. However if a-n wish to adopt a cautious approach, without lessening the impact of the guidance material, it should include the historical data and a commentary which makes it clear that it would be reasonable to adjust the historical data for (say) inflation and other stated intervening factors. In this way the material would be presented less as 'recommendations' and more as 'advice' as to what it would be reasonable for artists to charge;
- (i) The present case was clearly distinguishable from the BACS case, where BACS members were obliged to charge *minimum fees* in the standard Contract published by the trade association;
- (j) There would be no objection if a-n were to allow artists subscriber/members to reveal the amounts charged by them via its web site.

## **Appendix 6**

### **Artists' rates of pay 1989-2004**

Since 1989, a-n has tracked fees and payments offered to artists for art services in the form of residencies and educational workshops. This research was generated in response to artists' requests for key information that would support their desire to practice professionally and to create sound working relationships with arts organisations employing them. This review analyses particular aspects of the past and current situation for artists' fees and payments and introduces some issues for artists, employers and policy-makers to consider in the future.

Data was first collected and published in *a-n Magazine* (formerly Artists Newsletter) in 1989, and later updated in a-n's Rates of Pay Fact Packs in 1990, 1991, 1994 and 1999. A number of organisations were 'tracked' over the years, including the arts funding bodies (in their various incarnations) and galleries. Our research also revealed the application of Exhibition Payment Right (EPR), as this formed a key plank within moves by artists and arts funding bodies in the early 90s to create a wider understanding of the crucial professional relationship between artists and public galleries.

For 2004, as part of a portfolio of research and writing around artists' fees and payments supported by Arts Council England within delivery of the Artists' Development Strategy, we have updated the information. This is presented as a series of historical tables based on material published or provided between 1989-2004 with explanatory and associated notes.

#### **Artists' residencies table**

In 1989, introducing research by artist Sheila Hayward into Payments for Artists, we noted that: "Existing levels of payment to artists have risen piecemeal. They have been arrived at variously by employers of artists, by trades unions and by artists' groups". And in her article, she stated that figures demonstrated a "recommended minimum" rather than a flat rate

and “the more artists there are who demand a [particular] rate, the more quickly it will become recognised by employers and funding bodies”.

	1989	1990	1991	1994	1996	1999	2004
Regional arts associations / boards	£12,500 (£85 day)	£75-80 day	£100	£12,000 0 (£100-125 day)	£12,000 (£100-125 day)	£100-150	
Arts Council of Great Britain / Arts Council England	£15,750					£20,000 (£150 day)	£23,400 (£175 day)
Welsh Arts Council SE office/ Arts Council Wales		£11,000	£12,000	£13,000 0 (£75 day)	£15,000		£150 day
Cywaith Cymru /Artwork Wales							£28,500
Artists' Agency / Helix Arts	£10,000	£11,300	£13,333	£14,000	£15,000	£16,000	£9,500
Kettles Yard			£16,000		£16,000	£13,000	£15,000
Scottish Artists Union							£16,200-27,000 (£108-

Henry Moore Fellowship	£10,000	£10,000	£12,000			
	0	0	0		£15,000 tbc	
Momart / Tate Liverpool		£16,000			£13,000	suspended
		0				
Range of employers surveyed by a-n	£8,000-11,300 (£48-200 day)	£9,000-18,000 (£70-100)	£9,000-18,000 (£90-125)	£12,000-20,000 (£90-150)	not collected	not collected

### Notes:

All figures are assumed as quoted a 'minimum' except where stated as a range. In the case of the Scottish Artists Union, the range is based on up to three and over five years of experience, and rates are also cited 'minimum'.

We have only included cash value as advertised and excluded related or in-kind benefits such as studio space, accommodation, etc.

Figures for Cywaith Cymru / Artwork Wales are included in 2004 as this organisation took over the artists' residency programme previously organised by Welsh Arts Council's South East office).

Artists' Agency / Helix Arts figure for 2004 is for a residency of 72 days taking place over the period of a year whereas previous years' figures were quoted for a one-year residency. Helix Arts pays artists £175-£300 a day dependent on the nature and duration of the project.

In 2004, the Scottish Arts Council commissioned consultant Joanna Moore to make recommendations on its corporate approach to payments to artists although these were not publicly available as at December 2004.

a-n did not systematically collect data across a range of employers in 1999 and 2003.

### **Workshops/education table**

Back in 1990, one gallery surveyed for this research wondered if it was 'fair' to pay artists at different rates but realised that when an artist 'brought more to a project' it was worthwhile acknowledging that financially. We noted the general reticence about revealing the practice, in case it offended those artists who were paid less.

	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1994</b>	<b>1996</b>	<b>2004</b>
Shape / Artlink	£75				£75	£111
Whitechapel Art Gallery	£70	£75	£75	£80		£140
Cornerhouse	£80	£80	£100	£100		£150
SAC gallery education					£100- 120	awaiting review
Engage (England)						£175
Engage (Scotland)						see SAU
Scottish Artists Union						£108- 214
Range of employers surveyed by a-n	£50- 100	£50- 100	£50- 100	£90- 120		not collected

### **Cross artform**

Creative Partnerships (London East)						£200
Creative Partnerships (Sunderland)						£180
Creative Partnerships (Northern Ireland)						£125

### **Other artforms**

National Association of Writers in Education	£250
Society of Authors	£150
Apples and Snakes	£250
Community Artists Network	£120
Foundation for Community Dance	£160

**Notes:**

Each Shape / Artlink organisation is run independently, and figures given throughout the table are examples rather than uniform across these organisations. The 2004 figure is for contact sessions for self-employed artists, with lower rates for planning and review sessions.

Whitechapel Art Gallery 2004 rates are for contact sessions of 5 hours maximum, with lower rates paid for planning and evaluation sessions.

Scottish Arts Council – see previous table notes.

Cornerhouse rates due to rise to £175 in 2005.

Engage rates are based on information gathered from a range of galleries who are members of Engage, as Engage itself does not stipulate a rate.

Engage Scotland rates are informed by Scottish Artists Union guidelines.

Creative Partnerships offices operate independently whilst being under the umbrella of CP, and figures illustrate regional variations. Creative Partnerships London East says that if an artist wishes to charge more than their stated rate, they have to prove they have been paid this higher rate on three previous occasions.

Apples and Snakes recommends £250 a day or £150 a day for a workshop by a performance poet and up to £400 for a performance.

Community Artists Network comments that the minimum £120 musicians' day rate for those not covered [by specific unions or professional bodies] is based on the day rate for a standard classroom teacher, plus on costs, this recommended in the research report 'Towards a youth music makers network'.

Foundation for Community Dance has an established framework for dancers that recommends annual and daily rates for a freelance independent community dance artists, with specific figures and scales to denote level of experience and budget responsibility. The daily rate given is a minimum as this should reflect the type/level of work and range of roles being undertaken, the experience/qualification of the individual concerned, and the length of the contract in that usually, shorter contracts will attract a higher daily or hourly rate.

### **Comparator professionals table**

<b>Arts Officers</b>	<b>1990</b>	<b>1991</b>	<b>1994/5</b>	<b>1996</b>	<b>1999</b>	<b>2004</b>
Visual Arts						
Officer Regional		£16,014	£17,208- 18,231	£18,726- 23,238	£20,955- 26,661	
Arts Board						
Arts Council						
England artform						
officer /						£24,100
development						
officer						
Local authority						
arts / Exhibitions	£9,795	£10,392	£11,863			
Officer Scale 4						
Local authority						
arts / Exhibitions	£11,241	£12,747	£13,863		£14,766- 16,194	£17,340- 19,029
Officer Scale 5						
Local authority			£14,319- 16,962			£21,282- 22,698
Senior Visual	£12,747					

Arts Officer  
(Scale 6-SO1)

Local authority

arts £21,867-

development 23,313

officer SO1

### **Academic**

Lecturer / Senior £18,108- £16,655- £23,643-

Lecturer 23,106 29,048 36,428

### **Notes:**

NALGAO members' survey published 2004 identifies the average wage band for local authority arts officers as £20,000-£24,999 (SO and PO1&2) although most officers are on £16,000 (Scale 5). A study in 2000 showed that 40% were on £20,000-£25,000, indicating that salaries have fared poorly in line with inflation.

### **Exhibition Payment Right table**

A strategic campaign involving artists and Arts Council of Great Britain and the regional arts associations to secure the principle and widespread application of EPR was started way back in the 1980s, with £100 the magic figure, and when an arts officer could command the princely annual salary of £6,313, making the fee equivalent to 1.5% of this salary. Exhibition payment of £1,000 per solo show in 2004 represents 4% of an arts officer's salary of £24,100.

In 1991, we noted that the "Regional arts associations and arts councils have been moving towards the implementation of a national scheme of payments to artists for exhibiting". The suggestion was a minimum of £250 for a solo show. And back then, Cambridge Darkroom was paying £300-£650 for a show originated by the gallery or £250 for an incoming show.

a-n's *The Directory of Exhibition Spaces* 1993 edition identified that 14% of galleries "openly declared that they paid artists a fee for exhibiting".



In a-n's 1994 review of fees and payments to artists, Yorkshire and Humberside Arts 'insisted' that all clients in receipt of grant aid towards exhibition production paid £250 minimum and £60 for each venue in a touring show. By 1996, artists exhibiting in South West England could benefit from the Art Electric EPR scheme, worth £300 per solo show. However it was noted at that time that although regional arts boards and all arts councils generally endorse the principle, "how they apply it varies. And although in some regional arts boards budgets are set aside to EPR, whether eligible artists receive it is dependent on whether the fund is exhausted".

	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1994</b>	<b>1996</b>	<b>2004</b>
Arts Council of Great Britain	£250	£250				no current guidance
Regional Arts Associations (best rate)	£450	£250				see above
Yorkshire & Humberside Arts			£250	£250		
Scottish Arts Council					£250	£400/1000
Castlefield Gallery						£250
South West Arts Board					£300	
Ikon Gallery						£1000
Fruitmarket Gallery						£1000
Ormeau Baths						£2000

The growth of commissions for installation-based exhibitions has generated new ways of thinking around exhibition fees. Amongst alternatives to EPR is the Film and Video Umbrella approach that pays artists a combined commission and exhibition fee. Standard practice, followed over last 5 years, is that the artists' fee is 10% of the overall budget. Fees range from £2,000 to £7,000, which reflects the scale of project (£20,000 to £70,000). The 10% formula works because of nature of FVA activity: all stages from commissioning through to touring exhibitions. If works tour to more than three venues, artists are paid half the fee secured for the additional exhibition.

## **Afterwords**

Are current rates of pay for artists, as proposed by arts employers, appropriate and have they remained in line with comparator salaries over the years? We asked chartered accountant Richard Murphy to tell us what some of the 1989/90 stated rates would be now if they had been 'index linked' to the retail price index, the most common measure of inflation.

<b>Type</b>	<b>1989/ 90</b>	<b>2004 value</b>	<b>2004 actual</b>
Residency	£12,000	£19,496	£23,400 (£175 day)
Local authority arts officer Scale 5	£11,241	£16,686	£17,340
Arts officer ACE/RAA	£11,475	£17,028	£24,100
EPR	£250	£406	£1,000

In broad terms, this might be translated as indicating that the Arts Council England 2004 guideline for a minimum rate for artist's residencies is 2% better in financial terms when set against the 1998/90 rate. Whilst salaries for local authority arts officers have remained much in line, those for arts officers within the English arts funding system are 41% higher than the 1989/90 rate when index-linked. As most wages over this period

have run ahead of retail price inflation, this is what we would expect the table to show.

Note that *Establishing a charge rate for a working artist*, published by a-n The Artists Information Company in November 2004 sets the professional status a new graduate visual artist against that of a new graduate teacher. Using these guidelines would suggest an annual remuneration for artists of £21,090 and day rate before overheads of £119. Adding an annual overhead cost of £10,000 provides a base rate of £175.

Whilst the £1,000 rate currently paid by some 'national' galleries as a fee to artists for exhibiting is considerably bettering real terms than the 1989/90 rate, this figure is unlikely to be the norm across major galleries.

*Art work: a review of opportunities for artists 1989-2003* published within the Fees and Payments section on [www.a-n.co.uk](http://www.a-n.co.uk) has revealed that exhibitions make up 38% of all opportunities for artists but provide on average a mere £200 in monetary value. Significantly, it is also estimated in *Taste Buds: how to cultivate the art market* by Morris Hargreaves McIntyre that 41% of all artists would rather hold exhibitions that provide a critical framework for their work than sell work to non-influential purchasers, that is those who don't get to artists through commercial dealers.

What is clear, therefore is that new, strategic approaches are required by artists, galleries and public policy-makers if notions of *valuing artists' contribution to cultural well-being and thus making appropriate payment to artists for exhibiting their work in public galleries are to become part of twenty-first century thinking.*

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## Appendix 7

### Sample day rates 2013

#### Sample artist's day rates

These show how an artist's career stage, experience and overheads impact on a freelance daily rate and are useful for budgeting. Artists are strongly advised to make use of The artist's fees toolkit [www.artists.co.uk/toolkits](http://www.artists.co.uk/toolkits) that is free to use, where they can input their income expectations, overheads and professional costs to calculate a day rate specific to their circumstances.

<b>Experience level</b>	<b>Annual £ Excluding overheads</b>	<b>Day rates with overheads £10K p a</b>	<b>Day rates with overheads £15K p a</b>
New graduate artist	£23,762	£191	£219
1 year's experience	£25,137	£198	£227
2 years' experience	£27,191	£210	£238
3 years' experience	£29,014	£220	£249
4 years' experience	£30,052	£226	£255
5 years' experience	£31,766	£234	£264
6 years' experience	£33,141	£244	£272
7 years' experience	£34,517	£252	£280
8 years' experience	£35,893	£259	£288

9 years' experience	£37,268	£267	£295
10 years' experience	£38,644	£275	£303

**Please note**

1 Rates exclude artist's expenses for a specific project and VAT as relevant.

2 Day rates are based on 177 paid days work for the artist per annum. If artist is likely to gain fewer days work, the day rate can increase accordingly. For an explanation of why 177 is used, go to *Establishing a charge rate for a working artist* on [www.a-n.co.uk](http://www.a-n.co.uk)

3 10+ years experience rate depends on external factors including an artist's art world track-record and/or unique attributes, market forces. See 'The artist as a self-employed specialist' in *Good practice in paying artists* [www.a-n.co.uk](http://www.a-n.co.uk) for types of overhead and sample costs.

4 Rates assume suitable professional conduct by artist. See Code of Practice for the Visual Arts on [www.a-n.co.uk](http://www.a-n.co.uk)