

Workplace Relations Commission Audit of the Independent Film and Television Drama Production Sector in the Republic of Ireland.

Introduction

Following a joint request submitted by Screen Producers Ireland (SPI) together with the Irish Congress of Trade Unions and the Services, Industrial, Professional and Technical Union (SIPTU), the Workplace Relations Commission (WRC) undertook to carry out an audit of industrial relations in the independent film and television drama production sector in the Republic of Ireland.

The Terms of Reference set out for this audit, set out below, were published and a call for submissions was advertised across the sector.

The Workplace Relations Commission will:

- *examine industrial relations generally, employment practices and procedure;*
- *assess issues arising (if any), and*
- *will make recommendations for their improvement where appropriate.*

The closing date for receipt of submissions was 31 October 2019. As part of the process it was indicated that the WRC may consult with key stakeholders/parties to clarify submissions received.

On foot of the call for submissions, responses were received from thirty-four groups and individuals from across the sector. The WRC reviewed the submissions received and while many of the themes emerging are outside of the scope of the review, for completeness they are referenced in this report. The themes which emerged from the submissions are set out below and have been collated exclusively from the submissions received by the WRC.

Overview of the Sector

Ireland has a vibrant indigenous audio-visual production sector having hosted many international features films and TV series. The audio-visual industry is one that is witnessing growth globally and Ireland with its expertise, skilled workforce, diverse scenery and locations and a competitive tax credit, well-placed to capitalise on the growth in worldwide demand for screen content. Government policy supports the audio-visual sector through *inter alia* the section 481 tax relief, international film co-production treaties and through funding provided to Screen Ireland, which is the development agency for the Irish Film industry and to the Broadcasting Authority of Ireland. See Appendix 1.

In 2016, international audio-visual Consultants *Oslberg SPI with Nordicity* were commissioned by the Irish Government to measure the economic value of the Irish audio-visual industry. The findings of this study, published in June 2018¹, showed that in 2016:

¹ Economic Analysis of the Audio-visual Sector in the Republic of Ireland - Oslberg SPI with Nordicity:
<https://www.chg.gov.ie/app/uploads/2018/06/economic-analysis-of-the-audio-visual-sector-in-the-republic-of-ireland.pdf>

- the Irish audio-visual industry generated €857 million in gross value added; and
- supported employment of 14,370 full-time equivalents of which 8,790 was direct employment.

Recent Developments in the Sector

On 28 June 2018 the Government launched an action plan which set out to enable Ireland to become a global hub for the production of Film, TV drama and animation.

The Action Plan was generated from 3 key inputs: (1) the Olsberg SPI with Nordicity (OSN Report) of December 2017 which set out an economic analysis of the Irish audio-visual industry with policy recommendations; (2) a Media Production Workshop held at the Royal Hospital Kilmainham which was attended by over 150 representatives of the industry; and (3) the Strategy for the Development of Skills for the Audio-visual Industry in Ireland prepared by Crowe Howarth and jointly commissioned by Screen Ireland and the Broadcasting Authority of Ireland.

The first progress report on the implementation of the action plan was published on the 2nd December 2019. According to the published report, progress has been made on all eight policy areas set out in the Plan with specific focus being directed towards improvements in the Section 481 tax credit and the necessary various legislative changes during the first year of the implementation period.

Themes emerging from WRC consultation process:

1. Employment
2. Employment Rights
3. Training/Skills/Apprenticeships
4. Guilds
5. Industrial Relations Issues
6. Hiring Practices
7. Employment Contract
8. Factors influencing future of Sector
9. Sub-optimal Practices

1. Employment

The issue of permanent work versus freelance/self-employment was a recurring theme throughout many of the submissions received. It is noteworthy that almost half of the submissions identified the freelance/self-employed nature of the work as a positive factor which attracted them to the sector in the first place. Typically, the sector operates on the basis of short-term contracts for a particular production followed by break periods before the next production started. The following views represent what was characterised very strongly in the submissions received in the main from workers:

Summary of comments received:

These respondents were of the view that in operating as it does on a project by project basis, Ireland is in line with international norms. It was pointed out that continuous employment for the sector is not a new concept and had been introduced when Ardmore Studio first opened. Fulltime staff were 'loaned' to incoming productions. However, it was stated that the model, at that time became unsustainable during non-production time and was a factor in the decision to close the facility.

The majority of submissions which commented on this issue were of the view that the nature of the work required employment to be freelance as the sector could not sustain permanent employment. The view was expressed by some that the reintroduction of permanent employment could reduce competitiveness and damage Ireland as a location for foreign productions and that the best way to ensure that there was steady employment was to maintain a strong pipeline of projects into Ireland and to continue to grow as an attractive location for production companies.

Some respondents indicated that typically, the industry works hard with long hours but with good rates of pay.

These positive factors notwithstanding, some highlighted a concern around the lack of continuous employment, and it was suggested that a pension scheme, transferable between productions, would be a welcome move. The lack of continuous employment when applying for loans or a mortgage was a challenge that was also highlighted.

Another theme which emerged in this area was how employment status was determined.

There were conflicting views as to the prevalence of what was sometimes referred to as 'bogus self-employment' in the sector with some respondents indicating that it was a feature, while others were of the view that it was not an issue and that in fact people who should be classified as self-employed are incorrectly classified as PAYE workers – see below.

Overall, the view was that PAYE and Schedule D PRSI workers work side by side on productions with no issues and that PRSI category has no bearing on employment prospects.

Issues in relation to employment status in terms of PRSI are dealt with by the **Scope Section** within the Department of DEASP which has responsibility for making decisions on the insurability of employment. The functions of which are to give directions and information on the insurability of employment in accordance with the law. Any person, business or their representatives may apply to have an employment investigated to make sure that the correct PRSI Class is applied.

2. Employment Rights

Employees in Ireland benefit from a broad suite of statutory employment protections. Responsibility for employment rights policy rest with the Minister for Employment and Social Protection at the time of writing this report but has, in recent times transferred to the Department of Enterprise, Trade and Employment. An employee is a person engaged under *a contract of service* and such persons are protected by the full range of employment legislation.

The term, *contract for services*, is generally used when an employer is engaging an independent contractor or self-employed person for a job.

Responsibility for ensuring that all workers, regardless of status, are in receipt of their statutory rights, rests with the employer.

As indicated above responsibility for decisions in relation to employment status rests with Scope Section in DEASP.

Summary of Comments Received:

In submissions where the issue of employment rights was raised the common theme appeared to be in relation to standards and regulation in relation to those standards. In particular, some respondents stated that in many new productions, freelancers may have difficulty establishing their employment rights.

Issues were highlighted in relation to hours of work, holiday pay, sick pay, terms and conditions (including gender-related), travel time, split days, signing-on, health and safety, the honoring of existing agreements, being dropped from work at short notice and the taxation of living away allowance and accommodation.

The WRC notes that the Film Regulations 2019 were introduced to give effect to changes made to the Section 481 procedures in the Finance Act 2018. The new Regulations include a requirement that a signed undertaking in respect of quality employment be submitted with each application for a certificate under Section 481. This undertaking requires both the producer company and the qualifying company to comply with all obligations in the field of environmental, social and employment law. Both the producer company and the qualifying company must be responsible for compliance with all statutory requirements of an employer, have in place written policies and procedures on Grievances, Discipline and Dignity at Work (including harassment, bullying and equal opportunity). This undertaking must be submitted

as part of every application for a Section 481 Certificate. (A copy of this undertaking is attached as Appendix 2).

3. Training/Skills/Apprenticeships

Training and skills also came through as a strong theme in the submissions received.

The issue of internships was raised and some suggested that these programmes do not always provide workers with the experience they would have hoped for.

A strong view was expressed that a formal trainee system with accreditation was desirable with a clear pathway for workers in the sector. There was a clear desire that skills would be recognised within the sector and that hiring qualified crew would be the industry standard. It was clear from submissions that a framework for training and registering of skills would be seen as a positive development. Some dissatisfaction was expressed with qualified workers being employed as trainees.

The linking of skills to the Section 481 relief was welcomed and there was acknowledgement that matters had improved in recent years in relation to training but many felt that there was still room for further improvement with health and safety training getting particular mention.

Screen Skills Ireland (SSI) – see below - was widely praised across most of the submissions. The general view was the offering from SSI had greatly improved in recent years and was deemed to be very valuable and targeted. There was a strong sense that the momentum should be maintained in this area with an expanded offering such as weekend or online courses. It was further suggested that the sector would benefit from further improvement in this area as highlighted in some of the specific comments as detailed below.

Screen Skills Ireland is the agency with responsibility for investing in people and skills development for the screen sectors in Ireland. Now part of Screen Ireland, Screen Skills Ireland was established in 1995 to provide continuing training and career development opportunities for professionals working in the screen sectors.

Screen Skills Ireland designs, develops and delivers industry-focused skills development initiatives for the screen sector in Ireland, encompassing film, TV, animation, games and VFX, for all roles from new entrants to company leaders. Screen Ireland receives annual government funding and Screen Skills Ireland is a division of Screen Ireland.

The WRC understands that under the Audio-visual Action Plan, significant changes and improvements have been instigated in training arrangements over the past 12 months. These were set out in detail in the First Progress Report on Implementation of the Audio-visual Action Plan.

Furthermore, Section 481 certification requires the producer company and qualifying company to continue to comply with the “Undertaking in Respect of Quality Employment” while producing the film. The Certificate also sets out other conditions including skills development requirements. Non-compliance with the employment and skills development

requirements set out by the Minister may result in the recovery by the Revenue Commissioners of tax-relief claimed. These developments are to be welcomed.

In relation to internships the position is very clear: the National Minimum Wage Act applies to all individuals engaged under a contract of employment.

Apart from the employment of close family relatives and the engagement of registered industrial apprentices, there is no exemption in law from the obligation to pay the national minimum hourly rate of pay. Therefore, national minimum wage rates apply to work experience placements, work trials, internships and any other employment practice involving unpaid work or working for room and board, regardless of the duration of the engagement.

The right to receive the minimum wage cannot be waived in a contract as any provision in an agreement to do so is void as a matter of law. Failure to pay the national minimum hourly rate of pay is a criminal offence, punishable upon summary conviction, by a fine not exceeding €2,500 or imprisonment not exceeding 6 months or both.

Any party with questions or concerns in this regard should contact the Workplace Relations Commission *Infoline* at 1890808090 or obtain further information at www.workplacerelations.ie.

4. Guilds

There were a significant number of submissions from guilds from across the sector and it appears that the guild structure has become more active in playing a significant positive role in the sector.

Guilds operate under the umbrella of Screen Guilds of Ireland (SGI) which represents Irish Film and Television Workers across the various Departments within the Irish Film and Television Industry.

Currently the Guilds represent crew in Accounts, Art, Assistant Directors, Camera, Construction, Continuity, Costume, Facilities, Editing, Grips, Hair, Locations, Make Up, Modelmaking, Production, Props, Prosthetics, Set Decoration, Sound, Special Effects, Stunts and Transport Departments. They are continuing to grow, aiming in time to be fully inclusive of the industry as a whole.

The expressed aim of SGI is to promote excellence in all fields of Film and Television Production in Ireland, through the representation of its member Guilds. Each Department or Guild nominates a crew member to represent it in discussion and negotiation of all business relating to their professions within the Irish Film and TV Industry.

The overall sense in submissions was that the introduction of guilds has been very positive and that collaboration between guilds and a more joined-up approach between guilds, unions and production representatives would be beneficial to all parties. In this regard some comments suggested that training in the setting up and proper functioning of guilds

would be beneficial. The WRC is of the view that the guilds structures could be utilised to assist in furthering development of such collaboration.

5. Industrial Relations Issues

Many of the submissions called for a comprehensive sector agreement which would include standard terms and conditions for the sector.

The view was expressed that an opportunity exists to move the industry forward and establish Ireland as an ideal film location. It was felt that this could best be achieved if employment practices across the sector supported the hiring of the best crews available for the given project.

These submissions argued that a national agreement could transform the industry, create a level playing field for all with opportunity for more people to be employed.

In support of this, these submissions felt that in many productions, workers struggle to get paid for mileage, travel time, 8% holiday pay, accommodation.

Currently, the independent film and television sector is characterised by agreements on terms and conditions between the ICTU affiliated trade unions, SIPTU, BATU, INPDU, OPATSI, CONNECT and Irish Equity (for actors) and the Producers Organisation, Screen Producers Ireland (SPI) – see below. The WRC understands that there are a number of agreements in place between these parties.

While it was expressed in some submissions that the industrial relations situation was currently stable, some called for a structure to resolve IR differences, as, in some cases the production companies were slow or unwilling to address matters.

Screen Producers Ireland (SPI) is a member's organisation which has long been established as a key stakeholder in the audio-visual landscape in Ireland. SPI's primary objective is to promote and advance the development of independent audio-visual production in Ireland. It provides assistance to and representation for independent production company members in the areas of development, production and distribution of audio-visual production and culture in Ireland. SPI also communicates and negotiates with other industry stakeholders e.g. Broadcasters, Screen Ireland, The Broadcasting Authority of Ireland, Enterprise Ireland, Government Departments and other relevant Irish and international organisations. It encourages State organisations/agencies charged with developing the industry to put in place development plans and policies for the sector to maximise potential and support the continuance of the Irish Film and Television production tax incentive, Section 481. SPI works to ensure that independent producers are provided with fair regulation across all broadcasting platforms. SPI receives government funding through Screen Ireland - €30,000 in 2018. It has also engaged with ICTU affiliated Unions for many years and that engagement has led to many agreements. Its engagement with a variety of production companies and unions is based on a voluntary principal with the aim of achieving stable industrial relations environment in order to ensure the sustainability of the independent production sector for all working in the industry.

6. Hiring practices

Recruitment practices in the industry came in for particular comment across several submissions.

Summary of comments received

The overall view was that crew should be hired based on their skills as opposed to their seniority and, depending on the genre of production that each production should be crewed based on its particular requirements which may necessitate different skills.

The WRC understands that Screen Producers Ireland which acts as the representative body for producers and production companies in Ireland has delivered numerous workshops to its members which focus on best HR practice. These workshops have been delivered in conjunction with HR consultants and other stakeholders.

The overarching view in submissions where hiring practices was raised, was that it is important that proper HR and transparent recruitment practices become the norm in the industry.

7. Employment Contract

In some submissions, views were expressed around the necessity of using special purpose production companies or “qualifying company” for the purposes of Section 481. Such a company is also known as a Designated Activity Company (DAC). Some submissions suggested that a qualifying company may create difficulties in terms of employment obligations and that the employer may not best be a DAC created solely for the purposes of producing a film.

The WRC understands that under the Taxes Consolidation Act 1997 (as amended) it is a requirement for receipt of section 481 tax relief, that a special purpose production company, referred to as the “qualifying company” be set up for each film and that costs be incurred by the qualifying company.

To be a qualifying company, a company must meet certain requirements:

- a) it is incorporated and resident in the State or is carrying on a trade in the State through a branch or agency;
- b) it exists solely for the purposes of the production of only one qualifying film; and
- c) it does not contain in its name the words “Ireland”, “Irish”, “Éireann”, “Éire” or “National”, where the company name in question is either registered under either or both the Companies Act 2014, and the Registration of Business Names Act, 1963, or registered under the law of the territory in which it is incorporated.

It is a legislative imperative that the qualifying company be incorporated and resident in the State (or carry on a trade in the State through a branch or agency) and that the company exist solely for the purposes of the production of only one qualifying film. In practice, the companies are set up as Designated Activity Companies (DACs). As part of the revised certification process, introduced in 2019, in relation to section 481, an undertaking of compliance with all relevant employment legislation is required to be signed and furnished

with every section 481 application. These conditions shall be met not just by a producer company but also by the qualifying company.

The WRC is not in a position to comment on the appropriateness or otherwise of the requirement that a qualifying company be set up for each production. The WRC would urge that clarity in relation to this matter be provided by employers where issues arise.

8. Factors influencing future of sector

Across all submissions issues which impact on the future of the sector were raised.

Respondents were of the view that employment had improved due to overseas investment, government tax incentives and development of technical skills. The continuation of S481 relief was highlighted as critical.

Some suggestions were made of the need for an indigenous studio system or that grants be provided for setting up premises or buying equipment e.g. such as for model makers who work on their own premises.

Recent policy advances in the form of industry reports, recommendations etc have facilitated stakeholder engagement and created a plan for the further necessary growth of the sector were welcomed e.g. Crowe Horwath report 2017 re skills; Economic Analysis of the Audio-visual Sector in the Republic of Ireland 2017 – Olsberg/SPI; Audio-visual Action Plan – Creative Ireland Programme. See summary of relevant reports at Appendix 3.

There was broad consensus in the submissions that more employment will follow if Ireland can host more/bigger productions and that indigenous projects alone cannot sustain the industry. The fact that Brexit would see the UK move away from State aid rules was highlighted as a concern.

One submission raised some criticisms of the S481 funding in that EU producers are unable to avail of it in Ireland and called for the stipulation that producers must be resident for a year to be abolished.

The matters raised above are outside the scope of the WRC review but should be considered by relevant parties in the future.

9. Sub-optimal Practices

Several submissions indicated issues arising from time-to-time with regard to less than optimal practices by parties relating to terms and conditions etc., during productions that have been identified as having a negative impact on Ireland's reputation as a location for filming.

Clearly, if this is the case, then such practices should cease in the context of developing the industry further.

Conclusion

In the context of the terms of reference, the WRC would make the following recommendations:

1. The maintenance of good industrial relations within the sector will be crucial going forward to maintain and build the reputation of Ireland as a production location. A strong international reputation will create the project pipeline with consistent employment for workers in the sector. It was clear from submissions received that the majority of workers and employers in the sector felt that an agreement addressing pay terms and conditions would have a beneficial impact on the sector.

In this regard, an agreement negotiated by the principal parties for their members, addressing pay, terms and conditions such as hours of work, per diems, travel time, overtime, sick leave and pensions, could be adopted as the industry norm. If required, such negotiations can be developed further with the assistance of the Workplace Relations Commission.

In addition, other wage setting structures available within the industrial relations structures of the State could also be considered where there is merit in doing so, e.g. an application to the Labour Court to have a Joint Labour Committee (JLC) established for the sector.

Furthermore, the WRC is of the view that strong consideration should be given of the possible establishment of a formal structure for the resolution of industrial relations issues. Again, the WRC is available to assist if required.

2. Skills and training will be critical to building a strong film sector and attracting investment and productions. Notwithstanding that these matters are outside the scope of this review, it is considered that they are well covered by the Crowe Horwath Report which has been taken account of in the Action Plan for the Audio-visual Sector. The WRC sees the benefit to the sector building on the foundations laid by this Report and continue to put in place structures for ongoing crew training in conjunction with SSI so that their offering meets the needs of the sector into the future.
3. The positive impact of the guilds structure was evident from the submission received. It is recommended that this structure is supported and expanded on to incorporate all categories of crew. This structure will give workers and opportunity to work together, build consensus and exert influence in the sector in relation to terms and conditions. SSI should develop a training module on the establishment and operation of guilds.
4. It is important that a continued focus is placed on improving HR management in the sector and that that recruitment practices support the hiring of the most suitable person for the job taking into account skills and experience. SPI should continue to upskill its members in this area. In addition, any issues arising in relation to hiring practices should be addressed in the industrial relations structure referenced in Recommendation 1 above.

**Advisory Service
Workplace Relations Commission
August 2020**

Appendix 1

1. Through funding provided to Screen Ireland:

Screen Ireland Funding 2015 - 2020	
Year	Amount €m
2015	14.5m
2016	15.6m
2017	16.7m
2018	18.0m
2019	20.0m
2020	21.1m

2. Through funding provided to the Broadcasting Authority of Ireland. Under the Broadcasting Act 2009, the Authority is required to prepare a scheme or schemes for the payment of grants to support, inter alia, certain television and radio programmes and the development of archiving of programme material produced in the State. These grants are funded out of an amount of 7% of net receipts of television licence fees and is used for the Sound & Vision fund.

Broadcasting Authority of Ireland Funding 2015 – 2019	
Sound & Vision Fund	
Year	Oireachtas Grant €
2015	14.7m
2016	13.7m
2017	14.1m
2018	14.5m
2019	15.4m

Appendix 2

Undertaking in respect of quality employment

In producing [*insert film name*] ("the film"), [*insert name of producer company*] and [*insert name of qualifying company*] ("the companies") shall provide quality employment, and training and skills development opportunities. In providing those opportunities the companies hereby undertake that in the event that the application for certification of the film is successful, the companies shall as a condition of certification:

1. comply in all material aspects with all applicable laws including but not limited to all obligations in the field of environmental, social and employment law that apply at the place where the Services are provided, that have been established by EU law, national law, and collective agreements in particular the provisions of the following as may be amended from time to time
 - (i) the Terms of Employment (Information) Acts 1994 to 2014
 - (ii) the Safety, Health and Welfare at Work Act 2005
 - (iii) the Protection of Employees (Fixed-Term Work) Act 2003 and in particular section 9(2) thereof
 - (iv) the Organisation of Working Time Act 1997
 - (v) The Employment Equality Acts 1998 to 2011
 - (vi) The Equal Status Acts 2000-2015
 - (vii) The Payment of Wages Act 1991
 - (viii) The Protection of Young Persons (Employment) Act 1996
2. be responsible for compliance with all statutory requirements of an employer and without prejudice to the generality of the foregoing shall be solely responsible in law for the employment, remuneration, taxes, immigration and work permits of all personnel retained for the purposes of the production of the film (*insert film name*)
3. have in place written policies and procedures in relation to:
 - (I) Grievances
 - (II) Discipline
 - (III) Dignity at work (including harassment, bullying and equal opportunity)
4. provide details of any Work Place Commission decisions in relation to the companies or other companies in the film group, and where those decisions are a finding against such a company, confirmation that the finding has been followed or an explanation where the finding has not been followed.

For and on behalf of [producer company]

Signature: _____

Name: _____

Date: ____/____/____

For and on behalf of [qualifying company]

Signature: _____

Name: _____

Date: ____/____/____

Appendix 3

Film Industry Review – Reports

The following are relevant reports on the audio-visual sector in Ireland published in recent years. The reports are listed chronologically and with a brief summary of the objective, findings, and recommendations of each report.

- I. Crowe Horwath, [*Final Report in respect of a Strategy for the Development of Skills for the Audio-visual Industry in Ireland*](#) (May 2017).

The *Final Report in respect of a Strategy for the Development of Skills for the Audio-visual Industry in Ireland* (2017) produced by Crowe Horwath® was commissioned by the Irish Film Board (IFB) and the Broadcasting Authority of Ireland (BAI). The strategy was developed to cover a 5-year period (2016-2020). The report prepared a national strategy for the development of skills for the audio-visual sector in Ireland by examining (p.5), *inter alia*, the demands for education and training for the sector, and the “linkages between education/training and the industry”.

The report examines the current policy context in relation to the audio-visual industry and skills development within and for the sector, the demand for education and training related to the audio-visual sector; the forces of change for the Irish AV industry; the provision of relevant education and training in Ireland; the linkages between education/training and the industry; some highlighted international experiences; and the current funding arrangements. Findings and recommendations are set out in respect of these sections, and then the overall strategic policy analysis and recommendations are set out.

This report found, *inter alia*, that there was “significant fragmentation of education and training provision”; and its recommendations included raising a levy on the industry to establish and maintain a training fund.

- II. Olsberg SPI with Nordcity (OSN), [*Economic Analysis of the Audio-visual Sector in the Republic of Ireland*](#) (December 2017).

This report was commissioned in 2016 “to measure the economic value of the Irish audio-visual industry, and to propose policy changes to support its future growth” (p.4). The report found that the full-time equivalents employed in the sector in 2016 (16,930) was over 3 times that in 2008 (5,440). Likewise, it found significant growth in gross value added by the sector – having reached €1.05 billion in 2016. The report projected (p.5) that the sector had significant growth potential subject to the implementation of its recommendations. It was suggested that there was potential to “double employment in film, television and animation to over 24,000 full time equivalents (FTEs) and a gross value added of nearly €1.4 billion.”

The report provides 30 recommendations across a range of 8 topics to support the growth of the audio-visual sector. These topics included greater alignment of third level education with the sector (pp.57-8) and reviewing factors that inhibit support for FTE jobs (p.63).

III. Department of Heritage, Culture and the Gaeltacht, [*Audio-visual Action Plan: Creative Ireland Programme Pillar 4*](#) (June 2018).

The *Audio-visual Action Plan* build upon OSN's *Economic Analysis of the Audio-visual Sector in the Republic of Ireland*. The action plan sought to implement the recommendations of the OSN report over a period of five years. The action plan set out actions to deliver the 8 recommendations of the OSN report, and in some cases recommendations from Crowe Horwath's *Final Report in respect of a Strategy for the Development of Skills for the Audio-visual Industry in Ireland*.

In the area of skills development the report set out (p.28) that Screen Ireland/Screen Training Ireland would "undertake a skills-gap audit across live-action, animation and television productions sectors, and also consider accreditation models."

The report also set out a plan to "[r]eview factors that may inhibit the audio-visual sectors from accessing some public supports, and identify any required changes, to ensure that a suite of supports remain fit for purpose for both the cultural sector and for newer forms of work not necessarily based on permanent employment."

IV. Oireachtas Joint Committee on Culture, Heritage and the Gaeltacht, [*Development and Working Conditions in the Irish Film Industry*](#) (July 2018).

The Oireachtas Joint Committee on Culture, Heritage and the Gaeltacht met with two groups of stakeholders and received several written submissions from other organisations. The report generated 8 recommendations, two of which related to Section 481 tax relief; whereas the rest related to various aspects of employment in the sector; including, *inter alia*, support for representation of craft workers in the Irish Film Board; and reform of training processes in the sector.

The report noted concerns regarding the unstable nature of work in the sector and found that this may "affect workers' ability to communicate real workplace difficulties as workers without permanent contract must be constantly rehired" (p.3). The Committee, recognising the project-based nature of employment in the sector, sought policy responses to enhance the position of workers in recognition of periods of unemployment.

The Committee also called upon the Irish Film Board to constitute the Board's Film Forum to "allow all stakeholders within the sector to meet and work together to develop mutually beneficial solutions for the industry."

V. Department of Heritage, [*Culture and the Gaeltacht, First Progress Report on Implementation of the Audio-visual Action Plan*](#) (December 2019).

This is the report of a steering group comprising representatives from the Department of Culture, Heritage and the Gaeltacht, the Department of Communications, Climate Action and Environment, the Department of Business, Enterprise and Innovation, the Broadcasting Authority of Ireland, Screen Ireland, the Department of Finance, the Department of Education and Skills, the Revenue Commissioners, Enterprise Ireland, and IDA Ireland.

The report shows progress and achievements under the Action Plan. The steering group also noted (p.4) that the report, and recommendations therein, of the Oireachtas Joint Committee on Culture, Heritage and the Gaeltacht Development and Working Conditions in the Irish Film Industry formed part of its considerations.

Among the achievements outlined in the report (p.5) is an increase in funding to Screen Ireland “which has led to increased investment in TV drama, skills development, support to visit markets and establishing ways to provide a stronger presence in key markets”. The steering group also noted (p.5) the “[d]evelopment of new skills development courses and enhanced training and skills development opportunities as part of Section 481 revisions.”

Overall, the report noted significant progress on had been made in implementation of actions from the action plan (p.25) but noted that an attempt to reconstitute Screen Ireland’s Film Forum (p.24), as recommended by the Oireachtas Joint Committee on Culture, Heritage and the Gaeltacht, had failed due to “divisions between various bodies representing workers in the audio-visual industry.”