

LITERARY FESTIVALS

MINIMUM PRACTICE

GUIDELINES

March 2016



In 2015 the SoA wrote to a cross-section of the many literary festivals in the UK asking about rights and fees for authors at festivals. The response from festivals was overwhelmingly open and positive and these Minimum Practice Guidelines are the result.

We appreciate that festivals are wonderful public showcases for books and literature, and that many authors actively enjoy speaking at festivals and are very pleased to be invited. We are also aware that a number of festivals (especially in Scotland) have recently improved the fees paid to authors. However, we remain very concerned that too many festivals, including some which make a clear profit and have wealthy sponsors, do not pay at all or do not pay at reasonable rates.

We also occasionally receive complaints or concerns about authors' treatment by festivals and we believe that some of these concerns arise from a lack of understanding or clarity at the outset.

We attach our guidelines on appearances for festival organisers and strongly recommend that these are followed from the outset. In particular:

1. TRANSPARENCY

From the outset the author should be informed of:

a. When

- the date of the event
- the time of the event
- the parallel events/sessions taking place

b. What

- the purpose and title of the event
- the length of the event
- the nature of the event (reading, talk, panel discussion) and how much should be the author's presentation or a Q&A session
- any rights to be granted (e.g. recording and podcasts)

c. Who

- whether there will be a chairperson and, if so, who they are
- who else is taking part
- the expected profile of the audience
- the event organiser and the sponsor
- a named contact person who is authorised to speak on behalf of the organiser

d. How Much

- what fee is being offered (see payments and expenses below)

e. Other Requirements

- if you require the author to have public liability insurance

2. PAYMENT & EXPENSES

a. Fees

- The negotiation of fees is a matter for individuals. However, all festivals – especially those with commercial sponsors, and any festival where the public pays for tickets – should offer reasonable fees as a matter of course. Fees should take into account travel and preparation time as well as actual performance time. They should also take into account the annual salary an author would expect to earn as a freelance. We recommend Andrew Bibby's reckoner, www.andrewbibby.com/reckoner.html which shows daily rates to equate with different salaries. Using that reckoner a fee of £100 equates to an annual salary of just £9000 or £150 to an annual salary of £13,500 (The NASUWT 2013 salaries for Leading Practitioners (excluding London and the Fringe) are from £37,836 - £57,520, which would equate to a fee of around £400 to £600).
- Variable rates, e.g. discriminating between authors writing for children or adults, or between novelists and poets, are unacceptable.
- It should be clear that the offer of payment is unconditional. Festivals should not accompany an offer of payment with the suggestion that the author might want to waive the fee for the benefit of the festival.
- The author should be paid within 30 days of the event.

b. Expenses

The author's travel and subsistence expenses must be paid, preferably in advance. The festival should have a clear expenses policy and should provide overnight accommodation where necessary.

c. Tax and National Insurance

When paying freelance authors, neither tax nor NI should be deducted. Most authors are self-employed (even where they invoice as a limited company) and a one-off engagement does not create a contract of employment.

d. VAT

Authors who are VAT-registered are legally obliged to charge VAT on top of both the fee and expenses. Festivals should pay VAT on fees and expenses on production of a VAT invoice.

e. Invoice

The festival must clarify:

- Does the author need to supply an invoice?
- If so, does it need a reference number or other identifier?
- To whom, at what address, should the invoice be sent?
- Does the author need to supply receipts?

f. Cancellation

If the event is cancelled, the author should be paid in full. If the booking is conditional, this must be clarified at the outset and any cancellation fees and timings must be made clear. We suggest:

- The author must be paid in full if the event is cancelled within six weeks of the event date;
- The author must be paid 50% if the event is cancelled earlier;
- Any out of pocket expenses already incurred must be reimbursed whenever the event is cancelled.

3. RIGHTS

Recording Events

If you wish to make a recording (or printed or podcast version) of the event, the author's permission must be obtained from the outset.

Generally a recording should attract a fee and be given under limited licence terms, e.g. a non-exclusive licence for two years for promotional purposes only.

Exclusion Areas

We have seen a worrying trend for festivals to demand that an author does not appear at another festival or event within a specified distance and time period – sometimes as much as three months. Such clauses should be avoided as they are unnecessary and unfair; there is no reason to believe other events have an impact on ticket sales and such restrictions may prevent an author from undertaking a tour. If you do wish to impose an exclusion clause then your fee should compensate the author in full for the lost opportunities.

4. ARRANGEMENTS

Authors should be treated with consideration and courtesy. Well before the event the author needs to know:

- how the author will be introduced/described (in both the event itself and any promotion)
- the programme's description of the event
- the event sponsor
- the nature of the venue (staging, lighting, etc.)
- the availability of technical equipment and assistance in its use – and how long beforehand any presentation is required
- what they will be required to bring – can they photocopy materials if necessary?
- where they are going and when, how they will get there and (extremely important) who they are meeting
- their designated contact person for the day of the event – contact details (emails and mobile numbers) should be exchanged and maps provided
- what refreshments will be provided and where they can relax or prepare before and after the event
- what information you will require from them in advance. Website address and social media handles, details of latest and forthcoming books?

5. BOOK SALES

The author's books should be on sale at the event. The author should be informed whether their books will be on sale and, if so:

- who will be in control of the bookselling arrangements and supplying books
- if they can bring their own books to sell
- what arrangements are made for book signings

Authors should not be asked to donate free books to festivals

These are minimum practice guidelines. Festivals should bear in mind that the author *is* your event and it is in your best interests to ensure they have the most pleasant experience possible – we are sure you will try always to consider their needs and point of view. Making sure the author has a positive experience throughout the process will go a long way to creating the best possible conditions for a successful event.

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