

# Creative Scotland

## Targeted Funding: Screen

### Screen Funding Guidance 2016 - 17

#### What is the purpose of Screen Funding?

'We want Scotland to be a place where the arts, screen and creative industries are valued and recognised, where artists and creative people are flourishing and thriving, and where everyone, everywhere, is interested and curious about creativity.'

Taken from [Unlocking Potential, Embracing Ambition](#), our ten-year Strategic Plan for the arts, screen, and creative industries. In that document, we set out our ambition for Scotland to be a place where:

- Excellence and Experimentation across the arts, screen and creative industries is recognised and valued
- Everyone can Access and enjoy artistic and creative experiences
- Places and quality of life are transformed through imagination, ambition and an understanding of the potential of creativity
- Ideas are brought to life by a diverse, skilled and connected Leadership and Workforce
- Scotland is a distinctive creative nation connected to the world.

In October 2014 we published Creative Scotland's Film Strategy 2014-17, Creative Scotland On Screen, which identifies our priorities for film over the next three years. Working with industry and public partners, the ambition envisaged by this Strategy is to generate the conditions necessary to position the film sector at the heart of Scotland's economic and cultural life and to achieve the ambitions set out in Creative Scotland's ten-year Strategic Plan in the context of film. Whilst the focus of the Strategy is film, it is framed in the context of the screen sector as a whole. It reflects a dynamic and changing sector and, as such, we are committed to being responsive to changing sector needs and priorities in the implementation of the strategy.

With our screen funding, we want to strike the right balance between projects that have a strong cultural impact and those that have strong economic impact. We will prioritise funding for the development and production of projects from Scottish-based filmmakers as well as those projects that reflect or promote Scottish culture, creativity and diversity and that offer significant opportunities to people currently under-represented in the film sector. We will also fund the production of projects in Scotland from international filmmakers that promote Scotland and Scottish talent, crews, locations and tourism, as well as benefitting the Scottish economy.

## What will we fund?

There are five routes for funding within Screen Funding:

1. Market and Festival Attendance
2. Single Project Development Funding
3. Slate Development Funding
4. Production Funding
5. Distribution and Exhibition Funding

## How will we make our decisions to fund a project?

Decisions to fund will be taken on an assessment of how far a project meets the following key criteria that:

- The project demonstrates the ability to be a high-quality work that promotes Scotland's creativity and can attract a national and international audience
- The project provides significant opportunities for the creative and professional development of established and emerging Scottish-based writers, directors, producers and craft and technical talent
- The project demonstrates the ability to be successful, whether creatively and/or commercially, and will make a positive contribution to the Scottish economy.

## Equality, Diversity & Inclusion

Creative Scotland puts equality at the heart of its activity, and we aim to acknowledge and reflect the diversity in Scotland today in all our work. Creative Scotland was created with the mandate to bring about inclusivity and democratic cultural potential to artists and audiences alike. There are a number of further drivers to this activity:

- The duty to mainstream equality and meet the legal responsibilities under the Equality Act 2010
- Fulfilling our functions within the Public Services (Scotland) Act 2010
- Meeting our ten year aims and objectives as described in Unlocking Potential, Embracing Ambition 2014-2024 and in the current Annual Plan 2015-16.

As stated within Creative Scotland's Film Strategy 2014-17, we are committed to developing a skilled and diverse workforce.

We work to promote a more diverse workforce and create opportunities for under-represented groups in the workforce by challenging existing approaches to working practices in the screen sector and by supporting inclusive working practices. We encourage the sector to address barriers to access and progression and encourage increased diversity within the sector.

We monitor:

- the uptake of film and moving image learning opportunities
- career progression of creative, craft and technical talent
- the diversity of audiences and the film workforce in terms of ethnicity, gender, geography and disability

In 2016 we are undertaking research on Screen Equalities across the sectors workforce which will inform positive action measures moving forward.

### **Terms and Conditions of Screen Funding EDI (Equalities, Diversity and Inclusion)**

'Equalities' or 'equalities and diversity' are the terms that have been used by Creative Scotland, and widely adopted in the arts, screen and creative industries sectors in Scotland, to cover EDI (Equality, Diversity and Inclusion). 'Equalities' is not constrained by the legal definitions of the Equality Act 2010, and includes arts and health & wellbeing as well as wider socio-economic issues. We now use the term 'EDI' or 'Equalities, Diversity and Inclusion' to indicate this broader definition, and to emphasise our commitment to developing and supporting arts, screen and creative industries that are more representative of the diversity in Scotland today.

### **Access costs**

Creative Scotland is committed to ensuring that as many people as possible can access the work we fund. We encourage you to think about improved access provision and to check you are doing all you can reasonably do to develop and sustain inclusive practice. Access costs are non-artistic costs that specifically relate to enabling participation and inclusion and you can include costs to make your activity accessible to a wide range of people.

### **Personal Access costs**

If you are applying as an individual, you are deaf or disabled, and you have personal access costs (that you require to support you to carry out your activity e.g. Sign Language Interpretation) please provide details in your application. Your access costs (which can be up to an additional 10% on top of your total budget) will not be taken into account when deciding the level of grant – i.e. under £15K or over £15K. For example, if your total project budget totals £16,500 but £1,500 of this relates to personal access costs, you can apply to us for £16,500, but it will be considered as an application for up to £15k and you will receive a decision within 8 weeks. In some circumstances it is possible to include childcare costs - particularly where participants are unlikely to be able to afford attendance without this support – or for activity where women are under-represented. Please explain why this support is required. Please tell us if you are likely to receive support from Access to Work (<https://www.gov.uk/access-to-work/eligibility>)

## **Monitoring & reporting**

Creative Scotland encourages you to collect your own equalities data, and to analyse this and use it for your own purposes, as well as reporting to us. This reporting of data is important to allow for sector wide benchmarking activities.

To monitor the type of applications we receive and the grants we award, we need to collect information that does not directly relate to our assessment of your application. We include questions on age; gender; ethnicity; disability; and sexual orientation - all defined 'protected characteristics' in The Equality Act 2010. We also include a question on Gaelic language.

It is important that you provide this information, which is confidential and not personally attributable. It will be used for monitoring and reporting purposes only, and stored anonymously in accordance with the Data Protection Act.

<http://www.creativescotland.com/resources/our-publications/funding-documents/equalities-monitoring>

## **Disability Access Materials**

The creation of Disability Access Materials are condition of Creative Scotland's production and funding to ensure that the Film is accessible to potential audiences who are either visually or hearing impaired. Where possible we will also require these materials to be created for Distribution and Exhibitions Awards, please contact us through [film@creativescotland.com](mailto:film@creativescotland.com) to discuss in advance of an application.

## **What can I apply for?**

### **1. Market and Festival Attendance**

The aim of this funding is to support the continued development of a skilled and diverse workforce, fostering real professional opportunities and sustainable careers by supporting both emerging and established filmmaking talent in their professional and creative development and promoting their work and Scottish filmmaking internationally.

- We will fund attendance at international festivals and markets for Scottish-based screenwriters, directors and producers in order to meet potential partners, access global markets and promote their completed projects.
- We will consider funding attendance by other key creative talent involved with completed films, where they are nominated for awards at international festivals or their attendance presents a significant opportunity for their professional and creative development.
- We will support attendance at key UK markets and festivals where attendance presents a significant opportunity for the filmmaker or advances the realisation of projects in development.
- We will prioritise opportunities where a film is receiving its international premiere or is screening in competition.

### Who can apply?

You must be a writer, director, producer or other key talent and be based in Scotland.

### How much can I apply for?

Awards of funding will vary depending on the location of festival or market and estimated cost of accreditation and attendance. Award levels have been determined as follows; we will only consider awarding above the maximum in exceptional circumstances:

- £500
- £750
- £1000
- £1500 (maximum)

### When can I apply?

Applications are accepted on a rolling basis. There are no deadlines, however, you should apply no later than four weeks before the festival or market. If you apply later than four weeks before the festival or market your application may be deemed ineligible.

### How long will it take to get a decision on my application?

Decisions will take up to four weeks from the date we receive your application form.

### Further guidance

For market attendance, you should be able to demonstrate that your project is at the appropriate stage of development and is ready to be presented to potential financiers, sales agents and distributors, and you have a schedule of meetings in place. We will require you to submit a report detailing the outcomes of these meetings upon your return. We will support attendance at international festivals where your film is premiering and/or screening in competition and you can clearly demonstrate the benefits of your attendance. We recognise BAFTA qualifying film festivals. In exceptional circumstances, we will consider supporting attendance at UK festivals and international festivals not identified by BAFTA if you can clearly demonstrate the benefits of your attendance.

A budget for attendance will be required as part of your application and expenditure should only cover the following:

- Registration at the Market or Festival
- Economy travel
- Accommodation
- Subsistence of up to a maximum of £30 per day
- Reasonable ground transportation costs
- Reasonable promotional materials, specific to the project, activity and market or festival up to a maximum of £250

We will only consider awarding above the maximum of £1,500 in exceptional circumstances, for example, where the cost of attendance is exceptional high due to the location of the festival or market.

## 2. Single Project Development Funding

The aim of this funding is to support filmmakers based in Scotland to develop a range of projects across all genres that reflect Scotland's culture, creativity and diversity. We will support projects with international appeal that have the potential to be distinctive, high-quality and commercially and/or culturally-driven. We will also support projects that enable artists and filmmakers to take risks creatively.

We will provide funding for the development of live-action and animated feature films, feature documentaries, animated and live action drama television series. In exceptional circumstance we will consider funding other genres of television series, where there is a demonstrable and significant strategic and/or economic benefit to Scotland.

We will prioritise projects from Scottish-based screenwriters, directors and producers. We will also support projects where producers from outwith Scotland are developing projects with Scottish-based writing and/or directing talent.

### Who can apply?

You must be a producer based in Scotland or be a producer working with Scottish-based writing and/or directing talent. We will also consider applications from individual screenwriters on an exceptional basis and further guidance on this can be found below.

### How much can I apply for?

Awards are likely to be in the range of: £3,000 - £50,000.

### When can I apply?

Applications are accepted on a rolling basis and there are no deadlines.

### How long will it take to get a decision on my application?

Decisions will take up to six weeks from the date we receive your application form.

### Further guidance

- You should be an experienced creative producer, having produced at least 1 feature film that has been distributed theatrically, received critical acclaim at international festivals, or have an experienced creative executive producer attached.
- If you are a filmmaker that has yet to make your first live-action fiction feature film then you should apply to the Scottish Film Talent Network (SFTN), part of the UK-wide BFI NET.WORK. We will also consider applications for first-time features where circumstance mean that the SFTN route is not suitable, for example where a producer outwith Scotland is working with Scottish-based emerging writing and directing talent.
- If you are a documentary filmmaker that has yet to make your first documentary feature then the programmes of support offered by the Scottish Documentary Institute [[hyperlink](#)] may be the most

appropriate route. They run a number of programmes aimed at developing new and emerging documentary talent.

- You should be based in Scotland or working with writing and directing talent based in Scotland. We will not fund the development of a project where all of the key creative talent are based outside Scotland, even if the project is set in Scotland or based on Scottish underlying material.
- You must have a screenwriter attached to your project to make an application because the screenwriter's ability to execute the idea of the film will be considered as part of the assessment process.
- We strongly encourage applications from writer, director and producer teams and the application should be made by the producer.
- We will accept applications from experienced Scottish-based individual screenwriters. By experienced we mean screenwriters who have had a least one full-length feature screenplay produced and the completed film has been distributed theatrically or received critical acclaim and/or been screened at international festivals. In these circumstances, we will consider funding the very early stages of a project's development.
- You should aim to secure other development funding for your project as it will help strengthen your application.
- We will prioritise the funding of live-action and animated feature films and feature documentaries, however, we will also provide funding for the development of animated and live-action drama television series. To access funding for television projects you must be able to demonstrate a strong understanding of the market for UK and international television and have commitment in place from a UK or international broadcaster.
- We will fund the following non-exhaustive list of development activities:
  - Option/Purchase
  - Treatment/Outline/Screenplay Writing
  - Script Editing/Story Development
  - Research
  - Mood Boards/Concept Art Work/Storyboards
  - Taster/Sizzle Reels
  - Travel/Accommodation/Subsistence
  - Budgeting/Scheduling
  - Casting
  - Legal Costs
- You should include a fully detailed development budget with your application.
- You should include reasonable producer fees and overhead in your budget. We will only make a contribution towards these fees and overhead, i.e. we will not cover 100% of the costs associated with the general running of your business. Producer fees and overhead should be commensurate with the level of work undertaken and the scale and nature of the proposed project.
- We will not fund the entire development of a project from initial idea to production in one award, so you should carefully consider what is needed at each stage of development in order to move the project forward and to attract interest or co-funding for further development. As a project advances through the various stages of development we would expect to see co-funding being secured from other private and

public sources.

- We will fund the late stages of development of a project as it moves towards production. We will only consider this if the project has attracted significant interest or confirmed production funding from other private or public sources.
- You will need to demonstrate you have or can acquire all the rights necessary to produce and exploit your project and we will require certain approvals over the project including chain of title and clearance documents. You will be asked to disclose all chain of title documentation before any award is confirmed.
- We will require repayment of our development funding (no later than the first day of principal photography of the film) from any films which have been developed with Creative Scotland funding that go into production. If you do repay the development funding, then provided that you are an independent Scottish-based producer, we will ringfence that money for you at Creative Scotland and you will be able to draw it down and spend it on the development or production of your next project as if it was your own funding in that project (i.e. you will not then have to repay it) or on staff training.

### 3. Slate Development Funding

The aim of this funding is to support production companies based in Scotland to

develop a range of films across all genres that reflect Scotland's culture, creativity and diversity.

We will provide funding for the development of a slate of live-action and animated feature films, feature documentaries, animated and live action drama television series.

We will prioritise the funding of slates of projects from Scottish-based production companies of significant scale that can deliver high-quality productions and have the vision and skills to increase the capacity and output of their businesses.

#### Who can apply?

You must be an experienced producer based in Scotland.

#### How much can I apply for?

Awards are likely to be in the range of £50,000 - £150,000

#### When can I apply?

Applications will be accepted at any time before the deadline:

Deadline - 5pm on Monday 23rd May 2016.

#### How long will it take to get a decision on my application?

Decisions will take up to eight weeks from the date of the deadline for applications.

#### Further guidance

- Applicants should be experienced producers based in Scotland who can provide examples of the delivery of high-quality feature film, feature documentary or animated or live-action drama television series.
- Priority will be given to applicants that can provide evidence of

significant market interest in projects by way of committed co-funding and/or expressions of interest from other private or public funders or sales and distribution companies.

- Priority will be given to applicants who have experienced Scottish talent attached to the project. This includes a diversity of writing and directing talent.
- We will support projects at early and late stages of development. Projects seeking late stage development should demonstrate significant co-funding and significant interest or confirmed production funding with a clear route to market.
- All projects you intend to develop with slate funding must be identified at the point of application. Successful applicants will be able to move projects on and off the slate and re-allocate funding to each project on the slate, subject to the approval of Creative Scotland, during the funding period.
- You should include a fully detailed development budget with your application that covers all of the projects on your slate.
- You should include reasonable producer fees and overhead in your budget. We will only make a contribution towards these fees and overhead, i.e. we will not cover 100% of the costs associated with general running of your business. Producer fees and overhead should be commensurate with the level of work undertaken and the scale and nature of the proposed slate of projects.
- You do not need to submit treatments/screenplays with your application, but these should be made available if requested.
- You may be asked to attend a meeting with members of the Film and Media Team to discuss your proposed slate as part of the assessment process.

#### 4. Production Funding

The aim of this funding is to support the production of distinctive and high-quality projects that promote Scotland's culture, creativity and diversity and that have the potential to engage and entertain audiences in Scotland, the UK and internationally.

We will fund the production of live-action and animated feature films and feature documentaries intended for theatrical distribution. We will also fund the production of animated and live-action drama television series.

In exceptional circumstance we will consider funding other genres of television series, where there is a demonstrable and significant strategic and/or economic benefit to Scotland.

#### Who can apply?

You must be a producer based in Scotland or be a producer working with Scottish-based writing and/or directing talent.

#### How much can I apply for?

Awards are likely to be in the range of £50,000 - £500,000.

### When can I apply?

We will accept applications from 1st April 2016. Applications will be accepted on a rolling basis, however, you should apply no later than 12 weeks before you intend to begin pre-production.

### How long will it take to get a decision on my application?

Decisions could take up to 10 weeks from the date we receive your application form.

### Further Guidance

- We cannot fully fund the production of any feature or television project, regardless of the budget. Any application seeking to be fully financed, or fully financed with the exception of the UK Film Tax Credit, will be automatically deemed ineligible. Our funding must be a contribution towards the total budgeted cost of the project.
- All the films that we support should be relevant to Scotland and have strong audience potential for UK and international distribution.
- You must have a director attached and have a fully developed financing package in place, including a fully developed screenplay and casting plan, before applying for production funding. If you are seeking late stage development funding in order to create a financing package then you should consider applying for Single Project Development funding.
- We expect you to have secured strong interest or confirmed co-funding from other private or public sources before making an application for production funding.
- We expect you to have secured strong interest or the confirmed attachment of a sales agent and/or a distributor for your project before making an application.
- If you do not intend to attach a sales agent prior to completion of the film then you should be able to demonstrate why this is a strategic choice and also provide a sales and distribution strategy with your application.
- You should include the latest version of the budget and matching finance plan indicating which finance is confirmed and provide outline terms, sales estimates if you have them, a proposed recoupment schedule and proposed production schedule.
- You may be asked to meet with us to discuss your project in more detail before we make a decision.
- If we decide to provide production funding we will issue you with an Offer Letter setting out the amount we are prepared to offer the production and any specific terms and conditions of our offer that will need to be met before we can formalise the award.
- Depending on what stage you have reached in financing your project, and based on our assessment, we may issue you with a formal but conditional expression of interest in funding your film (a 'Letter of Interest'). This may be useful in helping you to secure other co-funding. The Letter of Interest will be for a specified period of time, after which the expression of interest will lapse. We will not keep the expression of interest 'open' beyond this time period as we want to ensure that our funds are not tied up on projects that are not moving forward. However, we may also consider extending the period of time for which the Letter of Interest remains valid.

- Until you have received either a Letter of Interest or an Offer Letter then you should not assume that we will fund your project.
- A contribution towards Creative Scotland's legal costs must be budgeted for films with budgets over £1m. For films with budgets between £1m-£1.5m you will be required to contribute £5,000 and for budgets above £1.5m you will be required to contribute £7,500
- If you are seeking funding for the production of a short film then you should apply to the Scottish Film Talent Network (SFTN), part of the UK-wide BFI NET.WORK.

## 5. Distribution and Exhibition Funding

The aim of this funding is to broaden cinema access and programming in Scotland for as wide and diverse an audience as possible and encourage and deepen audience engagement with Scottish films. We also aim to support the international distribution of Scottish films. We will provide funding to distributors or film production companies to extend and support the theatrical release of Scottish films across Scotland.

### Who can apply?

You must be a distribution company with a track record of releasing films theatrically within the UK. We will also support Scottish-based film production companies aiming to self-distribute a film produced by the company.

### How much can I apply for?

Awards are likely to be in the range of £5,000 - £15,000. In exceptional circumstances we will consider awards in excess of £15,000 this should be discussed with CS prior to making an application.

### When can I apply?

Applications are accepted on a rolling basis. There are no deadlines, however applicants are strongly advised to contact us at [film@creativescotland.com](mailto:film@creativescotland.com) as early as possible when developing a film's distribution strategy. Applications will be accepted up to eight weeks before a film's intended release date.

- We will only fund the distribution and exhibition of Scottish films.
- By Scottish films we mean those films from Scottish-based writing, directing and producing talent, or films from producers outwith Scotland that involve Scottish-based writing and/or directing talent.
- Applicants should be able to demonstrate the film's market potential by providing a detailed sales and marketing strategy for the film that clearly demonstrates how additional funding will build the film's theatrical potential for Scotland's audiences in the context of our aim to broaden cinema access and programming in Scotland for as wide and diverse an audience as possible and encourage and deepen audience engagement with Scottish films. This could be evidenced by the film having already secured a strong festival run and/or having received critical acclaim.

- You should identify the target audience, comparative releases, release date & proposed schedule, cinema list and, budget (to cover expenditure and income including the amount requested from CS).
- Within your P & A budget, allowed costs might be toward digital & certification costs; media/advertising; publicity; production of materials including disability access materials
- We will prioritise projects that have a UK distributor in place and where funding is being sought to augment the distribution strategy in Scotland. We will require approval of the distribution agreement as a condition of any award to a distributor.
- We will not fund all or part of a distribution strategy or costs that would normally be covered by a UK distributor.
- We will also support the creation of delivery materials for Scottish films that do not have a sales agent but where there is significant interest from an international distributor.
- Key partnerships should be identified in advance of making an application. This might include exhibitors, public relations, advertisers (print and online) etc
- Recoupment: once the distributor has received an amount of money equal to its own spend on the relevant distribution costs (and an agreed allowable sum) then, without any deduction, all receipts in excess of this (due during the first four month period) will be paid to Creative Scotland in recoupment of the award. In the event that insufficient receipts are raised to cover the award, then no further payment to Creative Scotland will be due from subsequent exploitation of the film.
- For CS purposes we will request the following reporting on completion: narrative report including a qualitative and quantitative analysis of the release strategy; admissions & sales reporting across all platforms; outline of strengths & challenges of the release strategy.

## Other Programmes of Support

We also fund a number of programmes and initiatives as follows:

Scottish Documentary Institute which offers a number of opportunities for Scottish and international documentary filmmakers to become involved in a range of programmes, including the annual Bridging the Gap initiative for short documentary ideas; This is Scotland; the Interdoc programme for ambitious producers to access the international market; the annual Edinburgh Pitch during Edinburgh International Film Festival (June) and individual bespoke consultancies for all stages of a documentary project's development, production and distribution.

Scottish Film Talent Network which offers new and emerging feature filmmakers significant support for the development and production of individual short film projects, development of feature films and professional development.

Market Leaders which offers established film producers in Scotland opportunities to find international partners (finance, creative, talent, sales) for their projects.

Please refer directly to the programmes mentioned above to find out how to access the support available.

## General Guidance, Application and Decision-Making Process and Terms and Conditions of Funding

All films that we support must be:

- capable of obtaining theatrical and video release certificates no more restrictive than BBFC '18';
- capable of qualifying for certification as a British film under:
  - i. Schedule 1 of the Films Act 1985 (The Cultural Test);
  - ii. one of the UK's official co-production treaties; or
  - iii. the European Convention on Co-Production.

For further information on how your film can qualify as British, please see the following link to the [BFI's Certification Unit](#).

We do not offer funding for the development, production or distribution of filmed productions such as theatre productions or filmed sporting or music events intended for cinema broadcast.

When applying to any of the available routes for Film Funding you will be asked to provide 2 written statements about your project's potential; one should set out the project's creative potential and the other how you anticipate the project will be developed and managed strategically, along with its potential to engage audiences in Scotland, the wider-UK and internationally.

Your creative statement should include answers to the following questions:

- What is the film about (synopsis, story, themes)? The clarity of your story and ideas is key.
- What stage is it at?
- What direction will your film take?
- What is the track record and previous work of the writer/director?
- Why do you want to make (write/direct) this film? Ideally, these comments would be written by the screenwriter or director.
- What audience are you aiming to appeal to?
- How would you go about achieving your ideas on film?
- Have you any casting ideas at this stage and how are you planning to approach that cast?
- Where and when are you hoping to shoot the film?

Your strategic statement should answer to the following questions:

- What budget do you anticipate needing to develop the film and then get it made?
- At this stage can you foresee any unusual or challenging technical or budgetary requirements?
- What is the finance plan for the film and how do you envisage raising that finance?
- How will you go about managing production resources and the budget?
- How will you ensure the film finds its audience and gets distributed?
- Do you see it as a festival-driven film or a film driven by distribution and its performance on opening weekend? We welcome both, but we need you to be clear about what you are trying to achieve and that you can deliver accordingly.
- How might your film be marketed to audiences?
- Is your project intended to be a minority co-production?

You should complete an application form for Film Funding, there is one application form that covers all available funding. You should send your application form, along with a budget and any other supporting material listed above to: [film@creativescotland.com](mailto:film@creativescotland.com). Please note that, with the exception of applications for production funding, you do not need to supply a treatment or script for your project at the point of application, but please have them ready to send immediately if requested.

## Terms and Conditions of Film Funding

### Market and Festivals

Awards made to fund Markets and Festivals attendance are by way of a non-recoupable grant.

### Single Project Development

We require repayment of our Single Project and Slate Development Funding (no later than the first day of principal photography of the film) from any films that go into production that received Creative Scotland development funding. For Slate Funding, it is only that part of the Creative Scotland award actually spent on an individual project that is repayable.

If you do repay the development funding then provided that you are an independent Scottish-based producer, we will ring-fence that money for you at Creative Scotland (in a 'locked box') and you will be able to draw it down and spend it on the development or production funding of your next project as if it was your own funding in that project (i.e. you will not then have to repay it) or on staff training. There are some conditions that apply to funds in your locked box:

- You must apply to draw down these funds within 5 years of repayment to Creative Scotland
- Development Funding which was awarded by Creative Scotland for late stage or pre-production activity will not be treated in this way and will not be paid into a locked box

- There is a cap of £50,000 on the amount that can be ring-fenced in a locked box for a project.

You will be required to assign a share of all rights in the project including copyright to Creative Scotland. These rights will be reassigned to you on repayment of the development funding to Creative Scotland.

You will be required to provide a development credit to Creative Scotland in a form to be advised in your funding agreement. This will include our animated logo and our static lottery funding logos

You will need to complete the development work by specified dates which will be agreed or the funding will have to be repaid.

#### Production Funding

Creative Scotland Production Funding is an equity investment in the project and is recoupable behind debt and mezzanine funding. Creative Scotland operates a locked box scheme under which we will pay you 25% of all Creative Scotland's recouped funding, rising to 50% once Creative Scotland has recouped 50% of its funding, (the 'Producer's Supplemental Corridor'). We will ring-fence this money for you at Creative Scotland in a locked box and you will be able to draw it down and spend it as if it was your own funding (i.e. you will not have to repay it). There are some conditions that apply to funds in your locked box:

- It must be spent on the development or production of your next project or on staff training
- You must apply to draw down funds within 5 years of payment into the locked box
- If a producer locked box has £20,000 in it then we will not accept any further applications for development funding until the locked box has been used.
- Funds can only be drawn down from a locked box in instalments of £5,000 or above.

Creative Scotland supports the recoupment by the producer of an amount equal to the UK Film Tax Credit as 'Producer's Equity', subject to the approval of the other financiers of the film. The entitlement to 'Producer's Equity' does not give rise to a share of financier's net profits. Creative Scotland expects to receive a share of net profits generated from the project proportionate to our equity investment.

You will be required to provide Creative Scotland with a presentation credit and a closing credit in a form to be advised in your funding agreement. This will include our animated logo and our static lottery funding logos. Where a member of the Film and Media Team has engaged with your project in a meaningful and creative manner through both development and production, you may choose to accord them an Executive Producer credit, which will be granted at the discretion of the Director of Film and Media.

You will be required to assign a share of copyright in the film to Creative Scotland.

We will generally take a security interest over the company producing the film and may take a security interest over any co-producer.

You will need to establish a clear chain of title to your project i.e. demonstrate you have or can acquire all the rights necessary to produce and exploit the film throughout the world by any means and in all media. If other production finance in your film is being advanced by a party who anticipates some form of UK tax benefit from their involvement in the production through any tax structure(s) or scheme(s), that party will be required to provide industry standard undertakings and warranties directly in favour of Creative Scotland, and Creative Scotland may disclose to Her Majesty's Revenue and Customs any information which it receives in relation to any tax structure(s) or scheme(s) which are utilised in connection with your film. Creative Scotland may withdraw any offer of funding if it has reasonable concerns relating to the terms of any third party finance.

You will be required to provide a contribution to the Skills Investment Fund of 0.5% of the film's production budget (subject to a cap of £39,500).

You will be expected to put in place all customary production insurances (including errors and omissions insurance) on which Creative Scotland must be named as an additional insured.

You will usually be expected to have a completion guarantee in place for your film.

All revenues for the film must be collected by an independent collection agent and any irrevocable payment instructions issued by the sales agent on your film to sub-distributors must cite and direct payment of all minimum guarantee and overages to the collection account.

We will require certain approvals over your film including in relation to the terms of other finance, the identity and terms of appointment of the sales agent and all distributors, and all contractual documentation prepared in relation to the film.

We will not normally agree to contribute to a production budget which includes interest, premium or overhead fees charged by other financiers or investors other than bank interest where gap financing is in place or where sales are being discounted.

We are keen to ensure that you receive your full entitlement to a reasonable producer fee and production company overhead from within the production budget and we do not encourage deferral of any such amounts.

If your film is completed and delivered within budget Creative Scotland will support your participation in underspend of up to 50%.

Your film's budget should include sufficient funds to clear worldwide rights in all media from all individuals or organisations who are contributing to, or whose material is to be featured in, the film.

You will be required to ensure that your film is produced in accordance with the requirements of all unions and guilds having jurisdiction and with all applicable laws and statutes.

You will be required to ensure that any agreement for the distribution of your film in the UK provides for distribution of soft-subtitling and audio description materials in cinemas and on any DVD release of the film.

You will be required to provide certain delivery materials to Creative Scotland, the costs of which must be included in the budget of the film. We will not commence funding until we are satisfied that you have complied with certain conditions as set out in the funding agreement. At our discretion, we may provide an advance in the form of 'pre-closing' funding, but there will be no automatic entitlement to this. Creative Scotland will holdback 10% of its funding until delivery to us of specified materials and a final audited cost report certified by an independent auditor.

Creative Scotland's funding must be paid into a separate dedicated trust account.

During production of your film, Creative Scotland will require access to information about the film and to be able to attend all stages of production.

Creative Scotland will have consultation rights over assembly and all cuts of the film and a shared approval over the final cut (alongside other financiers as is customary).

In line with our Environment Policy and Environment Connecting Theme, Creative Scotland supports organisations and projects to reduce their environmental impacts, especially carbon emissions. Carbon measurement and reporting is an established first step to carbon reduction, and is becoming standard practice in screen production. Increased environmental awareness usually results in lower costs too, through better planning, reduced energy use and waste. Environmental sustainability also has brand and market benefits with audiences.

Applicants are strongly encouraged to minimise environmental impacts in their production, and to account for this in the budget. Guidance on this can be found in the BBC-developed Albert carbon calculator (now promoted by BAFTA), in BS8909, the sustainability management system for film promoted by BFI, and the Green Production Guide of some US studios. Applicants should be able to demonstrate how they will contribute to the Environment Connecting Theme, how they will measure and report carbon emissions, and, where appropriate, how they will spread good practice and influence the wider public.

## Our Decision-Making Process

### Assessment process:

Once you have submitted your application we will review it for completeness and eligibility. If you have not provided all of the information specified in the appropriate Application Form, or if you do not meet the eligibility criteria for Film Funding, your application will not be assessed. You will be notified of this, and of the reasons why, by email. Complete and eligible applications will be assessed by Creative Scotland officers in the Film and Media Team, using the criteria set out in the "How we will make our decisions to fund a project" section of this Guide. Assessments will be made on the basis of the information you provide in your Application Form and any supporting materials submitted. We may contact you during the assessment process to seek further information about your project or to seek clarification on aspects of the information you provide.

### How we will make our decisions:

Following initial assessment, and officer recommendations, decisions on final awards (up to £100,000) will be taken by the Film and Media Team, chaired by the Director of Film and Media. For applications over £100,000, the Film and Media Team and the Director of Film and Media will make recommendations, with decisions being taken by the Creative Scotland's Senior Leadership Team.

As with most funders, we can only fund a proportion of the applications we receive, however we will offer feedback to unsuccessful applicants to strengthen their applications in order for them to re-apply should they wish to do so. We will only accept an application for the same project if the reasons for it previously being unsuccessful have been addressed.

### Once a decision is made:

Once we have reached a decision, we will write to you to let you know the outcome of your application. If you are successful, we will send you information that tells you if there are any specific conditions of the award that have to be met before we can confirm the award. Once specific conditions, if any, have been met we will issue you with a Funding Agreement. You must note and adhere to all the terms and conditions of the Funding Agreement. At this point we will also ask you for your banking details, and agree a payment schedule and cash-flow with you, which will normally be against agreed milestones. You will need to return a signed copy of our Funding Agreement, and once all conditions are met, we will release the first installment of your award.

If your application is unsuccessful, we will write to let you know why, and advise you of your next steps.

### Complaints Procedure:

If you are not happy with the way we dealt with your application, you can access a copy of our complaints procedure on our website [here](#). Please note that you can only complain if you believe we have not followed our published process when dealing with your application. You cannot use the complaints procedure to appeal against the decision.

### Help, further advice or feedback:

If you require support, further information or have any general enquiries about the application process please contact our Enquiries Service. Our Enquiries Service will be able to advise you or will put you in contact with one of our officers.

We are committed to delivering the most efficient and effective service that we can, and will regularly review our systems and processes in operation.

You can contact our Enquiries Service by phone, email or through our website.

Call 0845 603 6000

email [enquiries@creativescotland.com](mailto:enquiries@creativescotland.com)

Or send us a message through the website:

<http://www.creativescotland.com/contact-us>.

(Please note that our Enquiries Line is open from 10am - 12 noon and 2-4 pm, Monday-Friday, with voicemail outwith these hours).