

## **THE BFI DOCUMENTARY FUND: CALL FOR A MANAGING ORGANISATION**

### **1. Introduction**

The BFI uses funds from the National Lottery to support excellence in filmmaking – through talent development, feature film development and production, audience development and international promotion.

In our new five-year strategy, BFI2022, we aim to focus our work in the following areas:

- Support during the early careers of ambitious filmmakers
- Support for films with a strong cultural or progressive impact
- Projects that take risks in form and content, where the more commercial sector cannot
- Projects that recognise the quality of difference in perspective, talent and recruitment
- An increase in the number of active projects and filmmakers outside London and the South East

### **Our support for documentaries**

We are passionate about the value and power of documentary filmmaking, and have made a significant investment in documentary filmmaking and producers in the past five years.

Recent films supported by the BFI include Jane Pollard & Iain Forsyth's *20,000 Days on Earth*, Randall Wright's *Hockney*, the Heymann Brothers' *Who's Gonna Love Me Now?*, Louise Osmond's *Dark Horse*, Sean McAllister's *A Syrian Love Story*, George Amponsah & Dionne Walker's *The Hard Stop* and Usayd Younis & Cassie Quarless' *Generation Revolution*.

We have also supported documentaries that are rooted in the exploration of archive, interrogating history through archival film such as André Singer's *Night Will Fall*, Mark Cousins' *A Story of Children and Film* and Jarvis Cocker & Martin Wallace's *The Big Melt*, as well as experimental or hybrid works including Grant Gee's *Museum of Innocence* and, most recently, Peter Middleton & James Spinney's BAFTA-nominated *Notes on Blindness*.

Upcoming films include Sophie Fiennes' *Grace Jones: Bloodlight & Bami*, and Tim Travers Hawkins' *XY Chelsea*.

### **Why we are changing our approach to funding**

In BFI2022 we make a commitment to greater flexibility in our approach to funding around form and platform. This means from 2017/18 onwards we will be able to support filmmaking not specifically intended for theatrical distribution; multi-part and other non-feature-length projects; a greater variety of animation and digital work; and new work on other platforms including immersive and interactive storytelling. It will remain the case that we cannot contribute to or underwrite commissions for broadcast television.

In recognition of the varied approaches towards documentary filmmaking; the differences in discipline between documentary and fictional filmmaking; and our commitment to creating greater plurality in decision-making for our Lottery funds, we are seeking a partner to provide specialised

support across a programme of distinctive documentary funding and talent development activity.

Through this partner, the BFI will provide dedicated support for a range of documentary and non-fiction work: creative non-fiction storytelling that pushes formal boundaries and challenges the formal conventions of documentary; ambitious, world-class work that witnesses key cultural moments, whether through contemporary or archive footage; experimental or hybrid works; films with bold narrative that collectively explore myriad experiences and bring new voices to the screen. We are seeking a partner that will support films that herald unique collaborations, that will have a legacy and that could create a pivot point in the history of the form.

We intend to delegate National Lottery funds and decision making to a single organisation or consortium who will undertake this role and provide funding for British documentaries until March 2022. The following guidance gives you information on how to apply. If you have any questions after reading this guidance, please contact [louise.malin@bfi.org.uk](mailto:louise.malin@bfi.org.uk).

## 2. The BFI Documentary Fund

The BFI has allocated £1 million of National Lottery funding each year until March 2022 for the **BFI Documentary Fund**.

We are seeking applications to deliver this Fund, including the following components:

- A documentary development, production and completion **Awards Programme** offered through an open bespoke application process run on the BFI's behalf by our delivery partner;
- A contribution towards the delivery partner's **Administration Costs** in managing the **Awards Programme**;
- A tailored **Support Programme** of activity delivered in conjunction with BFI NETWORK aimed at supporting emerging documentary filmmakers throughout the development and production process. This could include masterclasses, short film production, pilot work etc.

We are looking for a delivery partner to design, deliver and administer the above, that has the requisite skills, knowledge and experience to provide documentary filmmakers with an enhanced experience and support system which is at least comparable to that currently available through the BFI Film Fund.

Under these guidelines we are inviting potential partners (either on their own or in partnership with other organisations) to apply to manage the **BFI Documentary Fund**. Any organisation or partnership making an application must be capable of delivering the open and transparent funding application process described in these Guidelines, and be able to demonstrate that this is not in conflict with any existing activity or purpose.

**If you are a documentary filmmaker needing funding for your film or films you should not submit an application under these Guidelines.**

In the attached appendices we set out:

- (i) The BFI's vision for the style of documentaries that can be supported through National Lottery funding to help inform your development of the scheme (Appendix A);

- (ii) A summary of the procedures that we will need to be put in place with the selected delivery partner in order to conform with legislation around National Lottery funding in relation to the awards made through the **BFI Documentary Fund**, together with a list of the core functions that we believe would need to be undertaken by the delivery partner across both the **Awards** and **Support Programmes** (Appendix B);
- (iii) A summary of the minimum terms and conditions that would need to attach to any National Lottery awards made by the delivery partner to filmmakers (Appendix C);
- (iv) Information about the breakdown of the National Lottery funding and guidance on preparation of a budget (Appendix D).

### **Partnership funding**

Delivery partners will be able to supplement the National Lottery funding with other funding and we will welcome submissions that demonstrate that the delivery partner has other sources of funding available to it to deliver this programme of activity, either by way of co-funding of documentary projects or through a contribution towards the **Support Programme** or **Administration Costs**. It will benefit applications during assessment if they can show additional funding leveraged for robust scheme administration, including the provision of legal and business affairs support as described in Appendices B and C.

Please note that we do not expect the delivery partner to fully fund individual films using just BFI and the partnership funding described above (see Appendix C for further details).

### **Duration of scheme**

We intend to delegate funding for the duration of the BFI's current strategy to end in March 2022. We will therefore seek to appoint a partner that can deliver the activity for this duration, but progression from one year of funding to another will be subject to annual performance review by the BFI. Progression to each new year will be subject to:

- satisfactory delivery of the **BFI Documentary Fund** by the partner during the preceding period;
- continued satisfactory operation of the delivery partner as a National Lottery delegate; and
- the continued availability to BFI of National Lottery funding at current levels.

The BFI may choose to seek an alternative partner if necessary.

Up to £1million of National Lottery funding will be made available to the delivery partner for each full year of delivery. We will ensure an element of flexibility as to the amounts that have to be spent during each financial year to sensibly take into account the cashflow needs of individual documentary projects.

### **Timeline for scheme delivery**

We hope to select the delivery partner by 25<sup>th</sup> September 2017 allowing them time to design the scheme and set up the delegated functions in order to be able to launch the new **BFI Documentary Fund** by the end of 2017.

## Relationship with the BFI

We are looking for a collegiate partner who will deliver the funding scheme independently while maintaining close communication with the BFI. This will include sharing information on applications to, and awards made by, the scheme, and liaison between the BFI and the partner to confirm whether applicants have other projects already in development with either party that could impact on the ability to deliver an additional project for which funds are sought.

The BFI will monitor the scheme through regular meetings, assessment of reports and review of the funded films. We will have a BFI Senior Executive sign-off on each project to be supported through a permanent position on the **BFI Documentary Fund** assessment panel.

## Outcomes

Each year the delivery partner will be expected to:

- Provide funding awards to a minimum of 12 documentary projects (unless otherwise agreed by the BFI) by way of development, production or completion;
- Provide pitch training to a minimum of 24 teams of filmmakers, with strong pitches developed so that filmmakers (whether selected to receive awards from the **BFI Documentary Fund** or not) will have increased chances of securing funding for their films;
- Support a mix of new and established filmmakers, including identifying and developing unfamiliar and diverse cinematic voices;
- Provide short film funding and a development programme specifically for new and emerging filmmakers, to enable them to push forward their projects, gain skills and increase their likelihood of receiving production support from the BFI Documentary Fund and / or other funding sources. This will form part of the UK-wide BFI NETWORK and the partner will therefore be required to collaborate, during final scheme design and delivery, with the BFI NETWORK team and other NETWORK partners across the UK; and
- Support films that are able to achieve release via theatrical or related platforms; popularity with audiences evident through box office and viewing figures; and positive reviews, festival nominations and awards.

## BFI Diversity Standards

Launched in 2015, the [BFI Diversity Standards](#) provide a framework to assess the contribution a project is likely to make to industry diversity. The Standards apply across the BFI's feature development and production funding. The organisation chosen to deliver the **BFI Documentary Fund** will be required to integrate the BFI Diversity Standards into their application and assessment process, and conduct related monitoring on applications received and projects funded.

The BFI will provide the successful partner with the BFI Diversity Standards to incorporate into their application process and an online Equality Monitoring Report template that should be completed by all **BFI Documentary Fund** projects, to track their achievements in relation to the BFI Diversity Standards and gather data on the diversity of their project staff. Following the submission of these reports, it will be the delivery partner's responsibility to follow up where necessary with the filmmakers regarding the outcomes of the project in relation to diversity.

## Recognition of the National Lottery

The BFI distributes 'good cause' National Lottery funding. We ask all our partners and award recipients to increase visibility of the National Lottery by:

- Promoting and proudly displaying the National Lottery logo; and
- Warmly and energetically finding ways to get all beneficiaries to spread the word.

It is therefore an important condition of BFI funding that the source of the funding (being the National Lottery) is prominently acknowledged throughout all aspects of the scheme including through prominent credits on the films being supported, display of the BFI/National Lottery lock-up logo (e.g. on marketing materials, website) and through agreed verbal and written acknowledgment (e.g. on press releases, social media) and that award recipients take frequent opportunities to highlight not just the fact of the funding, but why it is funded, and therefore the good work that's possible through the National Lottery.

The selected delivery partner will be required to comply with all branding guidance issued by BFI (which may be updated from time to time).

### 3. Who are we looking for?

We are looking to select a delivery partner that has the following **attributes** either on its own or in partnership with another organisation:

- Significant knowledge of the history of the documentary form;
- Significant knowledge and experience of the British documentary field and the international documentary landscape;
- High level expertise in the development, production, legal, compliance and creative aspects of film;
- Significant experience in financing documentary films and of rights and clearance issues associated with documentary filmmaking;
- Strong understanding of the needs of new and emerging talent;
- Understanding of current film industry demographics and routes to diversifying the industry;
- Track record of identifying new and emerging talent;
- History of facilitating creative excellence and of nurturing talent;
- The staff infrastructure to administer a major funding scheme<sup>1</sup>, including to support the employment of scheme staff, finance administration including payments to awardees, the provision of legal and business affairs, etc.;
- Demonstrable existing partnerships or relationships within the documentary and wider film industry;
- A strong online presence in the documentary world (a physical presence as a 'creative hub' would also be desirable);
- Experience or knowledge of grant-making and grant management; and
- Demonstrable outreach experience.

Some of the above requirements may be met through the employment of specific individuals you have secured in principle to work on the project, rather than someone already employed by your organisation, but your organisation must be able to demonstrate a significant track record in relation to documentary film culture.

Please note that in order to avoid any potential conflicts of interest we will not be able to select an existing documentary film production company (that makes films on its own behalf) as the delivery partner for the **BFI Documentary Fund**. Such submissions will be considered ineligible. The delivery

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<sup>1</sup> As a guide, in 2016 the BFI received 135 applications for documentary feature funding and awarded eight projects.

partner must be based in the UK and must be a legally constituted and not-for profit organisation. Individuals should not apply on their own behalf.

#### 4. How do I apply to manage the BFI Documentary Fund?

##### Contents of the application

Applicants should make an initial **Expression of Interest** (EOI), using the EOI form that can be found alongside these guidelines on the BFI website. The form asks you to provide a broad outline of your plans, a top-line budget and your organisation and contact details. The information you provide here will be used to determine your eligibility to make the application. It should be submitted by the EOI deadline stated in the table below.

Following assessment of these EOIs we will then invite a shortlist of applicants to submit a full Stage Two application. This should include:

**Your vision for documentaries** – what are your parameters and references for the type of work you envisage supporting? How will you navigate current developments in form and platform? How would you seek to improve on the existing documentary funding scheme operated by the BFI?

**Activity overview** – a narrative description of your plans for delivering the scheme up to March 2022 including:

- what the **Support Programme** you provide will consist of;
- an outline of how you would address the requirements set out in Appendices B & C, including decision-making and editorial approach; and
- an exit strategy so that the **BFI Documentary Fund** is able to end by March 2022 without disruption to films that are in progress.

**Management structure** – please state who will deliver each element of the **Fund** (including scheme manager, legal and business affairs, scheme administration), how you will do this and whether these resources are already in place or to be established. Will you work with any other organisations to deliver the scheme, whether through a formal or informal partnership, or a contract for services? If so, please describe the rationale for each relationship; what the arrangement between the parties will be; and how you will divide responsibilities.

Where available please include the track records of the key personnel within your organisation who will work on the scheme or the person specifications for any roles you would recruit to work on the scheme, for both salaried and freelance staff as appropriate.

Please provide an organogram showing the staff structure you envisage for the **Fund**, specifying which roles will be paid for (pro-rated if necessary) by the **Administration Costs** and the projected amounts allocated to each annually.

**Activity plan and timeline** (using the template provided) – a tabulated summary of activities for each year, reflecting the first call for applications being scheduled for late summer 2017.

**Targets** – please propose measurable, annual targets for achievements against the following five aims articulated in the BFI2022 Strategy:

- Support during the early careers of ambitious filmmakers

- Support for films with a strong cultural or progressive impact
- Projects that take risks in form and content, where the more commercial sector cannot
- Projects that recognise the quality of difference in perspective, talent and recruitment
- An increase in the number of active projects and filmmakers outside London and the South East.

**Budget** (using the template provided) – a detailed budget for all years of the scheme, in Excel format (see Appendix D for further details).

**Risk Management** (using the template provided) – a tabulated summary of the risks you perceive in relation to delivering the scheme, how these will be mitigated and who is responsible for mitigation.

**Supporting documents** – please provide an appendix to your application including:

- the lead applicant’s latest annual accounts;
- the lead applicant’s latest management accounts;
- a signed in-principle partnership agreement for any partnerships you propose.

### Timeline for applications

The following table provides general timings for each stage in the application process. Please note, these timings are indicative only and, where possible, we hope to reduce the length of time taken to assess and respond to applications.

**Timetable for Documentary Partner Applications**

Call for expressions of interest	1 June 2017
Closing dates for expressions of interest	6 July 2017
Notification for applicants progressing to Stage Two application	17 July 2017
Closing dates for Stage Two applications	21 August 2017
Notification of interviews	4 September 2017
Interview date (week commencing)	18 September 2017
Notification of successful applicant	25 September 2017

Both EOIs and final applications should be submitted by email to [louise.malin@bfi.org.uk](mailto:louise.malin@bfi.org.uk) by the relevant deadline above. Late submissions will not be accepted.

The application should be made in the name of the organisation (or lead organisation if applying on behalf of a partnership or consortium) and should designate a lead contact person.

## **5. What happens next?**

Once you have submitted your EOI, the BFI will confirm by email that it has been received, it will be logged within our grant management system and a unique ID number will be assigned to the application. You should receive this acknowledgment within a week of submission.

### **a. Eligibility**

We will check that your application as outlined in the EOI is eligible for assessment taking into account the parameters we have set out in **Who are we looking for?** above. If it is ineligible, we will send you an email to inform you that your submission will not be progressing further. We do not normally allow applicants to resubmit, but we may at this stage allow you to rectify an error on your application, if this is the sole reason that it is ineligible.

We will then assess eligible EOIs guided by the criteria outlined at section b below. A shortlist of the strongest proposals will then be invited to submit a Stage Two application.

### **b. Assessment**

Assessment of applications at both EOI and full application stage will take the following criteria into account (recognising that the information provided at EOI stage will necessarily be in summary form):

- Degree of discernment displayed about the type of films that would meet the BFI's remit for documentary funding;
- Knowledge, skill and prior experience in the documentary film field;
- Experience in relation to identifying, developing and nurturing talent;
- Extent to which the aims of the BFI Diversity Standards are reflected within plans for delivery;
- Responsiveness to current developments within the documentary sector;
- Demonstration of an achievable timeline that maximises funding opportunities to be provided to filmmakers;
- Value for money demonstrated by the ratio of direct awards for filmmakers to overhead costs;
- Ability to provide partnership funding, whether cash or in-kind, to support scheme delivery;
- Demonstration of the ability to provide sufficient legal and business affairs support to the process as a whole and to the individual film productions;
- Capacity and experience detailed in financial management of the scheme;
- Demonstration of a positive approach to partnerships and relationship with BFI.

### **c. Interview stage**

We will invite a shortlist of applicants to interview, to discuss the proposals further. We will provide further information on the format of the interview to shortlisted applicants. A preferred delivery partner will then be selected by the interview panel.

Following this decision, the BFI Business Affairs, Operations and Production Finance teams are likely to hold further discussions with the preferred applicant in order to finalise the framework agreement for funding and to approve the preferred delivery partner as a formal National Lottery delegate.

#### **d. Lottery Finance Committee Consideration**

A recommendation will then be made to the BFI Lottery Finance Committee for approval.

Successful and unsuccessful applicants will be informed in writing of our decisions as soon as possible. Our decision on whether we wish to support the project is final.

Please note that we may not select any delivery partner if we feel that no proposal was sufficiently viable or we may enter into post-assessment discussions with one or more preferred delivery partners to encourage a particular approach prior to our making a decision.

#### **6. Feedback**

We will aim to provide feedback to all applicants we meet for an interview, where this is requested.

We welcome constructive feedback from you on our application process, so we can continue to improve.

#### **7. Formal Delegation and Framework Agreement**

If you are successful, we will make an allocation of funding and enter into a Framework Agreement with you, formally appointing you as a delegate of the BFI and setting out the terms of that delegation and of the award of funding made towards your **Support Programme and Administration Costs** (see Appendices B & C).

## 8. BFI Lottery Funding General Conditions

1. The information in these guidelines can change. The law and Government regulations on distributing National Lottery funds may also change. The BFI therefore reserves the right to review this funding scheme and/or change its policies, procedures and assessment criteria.
2. The application form does not necessarily cover all the information the BFI uses to decide which applications to fund. The BFI can ask applicants for extra information.
3. All applications are made at the applicant's own risk. The BFI will not be liable for loss, damage or costs arising directly or indirectly from:
  - the application process;
  - the BFI's decision not to provide an award to an applicant; or
  - dealing with the application.
4. Please check your application form carefully. The BFI will not process applications which are incomplete or which do not comply with these guidelines.
5. The BFI's decisions on applications are final.
6. The BFI will not pay any funding until it has received a fully executed copy of the offer of funding and any conditions precedent to that offer have been satisfied or waived by the BFI.
7. The BFI will publicise information on the number of applications it receives and the awards made. This information will include the name of the successful applicant, award amount, project name and project details.
8. The Freedom of Information Act 2000 gives members of the public the right to request certain information held by the BFI. This includes information held in relation to applications to the BFI's Lottery funding programmes or schemes. Therefore if you choose to apply to the BFI you should be aware that the information you supply, either in whole or in part, may be disclosed under the Freedom of Information Act 2000.
9. Sometimes the BFI's Governors or members of staff may be involved in some way with applicants. This interest has to be declared in applications from such applicants. The relevant Governor or staff member will not be involved in assessing the application or the decision to make an award. Applicants are advised not to try to influence the success of their application by approaching a Governor or staff member.
10. It is important that applicants carefully check the information given in the application form. The BFI standard terms and conditions entitle it to withhold or reclaim an award in the following circumstances:
  - if the application was filled in dishonestly or with incorrect or misleading information about the organisation or the project whether deliberately or accidentally; and
  - if the award recipient acts dishonestly or negligently to the disadvantage of the project.

The BFI will follow up cases of suspected fraud and will pass information to the police.

11. The BFI requires that any measures taken by applicants to address underrepresentation are fully in compliance with the Equality Act 2010 – see more at [www.equalityhumanrights.com](http://www.equalityhumanrights.com).

12. **Complaints and Appeals:** The BFI's decision is final. Inevitably applications will be turned down and applicants may be disappointed by this result. Formal appeals against the final decision will not be considered unless the applicant has good cause to believe that the procedures for processing the applications were not adhered to, or applied in such a way as to prejudice the outcome of the application. A copy of the BFI's Complaints and Appeals procedure can be obtained on request from the BFI's Communications Office.

## **Appendix A – The BFI’s Vision for Documentary Films: Further Information**

Our documentary funding values innovation and difference. We will expect the delivery partner to work towards achieving a varied slate of projects receiving support, pursuing variety in subject matter, approach, form etc. The partner must be open to, and equipped to support, narrative projects across a range of platforms, including areas such as non-fiction VR. While we recognise the importance of journalistic and campaign films, they will not be eligible for support through our funding.

We consider the BFI’s existing model of delivering documentary funding to be successful in enabling shortlisted applicants to develop their pitches prior to the final decision, and in identifying and supporting high quality work in the documentary form. Shortlisted applicants are provided with a specialist workshop day, prior to making a final presentation to the assessment panel. Feedback from applicants suggests this is a successful method of supporting people to deliver the strongest possible pitch. However, we are open to suggestions for refinements and improvements to current practice or for other models to be proposed.

We also believe that our current format of providing staged funding to documentary projects is effective, with support for development through to production staggered into separate phases where appropriate. The partner should still provide pure completion funding for documentaries where appropriate, whereby films meeting specific criteria are eligible to seek funding to complete technical elements such as the mix, grade or deliverables. Applications for completion funding should be considered on an ongoing basis, rather than via set funding rounds.

The main parameters for completion funding as provided by the BFI – the types of cost that can be funded, the festivals that the film must have been accepted into, etc. – should be replicated by the delivery partner for documentaries (unless otherwise agreed with us), in order to maintain a consistent approach to this type of support across the sector.

Once the selected partner begins delivery, the BFI will no longer provide development, production or completion funding for documentaries and will refer potential applicants to the partner.

## Appendix B – Core functions of the Delivery Partner and Lottery Delegation Process

In order to deliver the **BFI Documentary Fund** we would expect the partner to:

### Awards Programme Administration Costs

- Appoint a dedicated Executive to provide creative oversight throughout the development and production of supported films, supplying editorial input and requiring editorial approval in relation to each funded project;
- Manage the application process including shortlisting in a fair, open and transparent manner;
- Assemble and routinely convene a decision-making board or assessment panel, including a representative of the BFI Film Fund and encompassing a range of independent and industry perspectives, to take final funding decisions on shortlisted projects (unless a different decision-making process is agreed with BFI);
- Deliver a minimum of three funding rounds each year for 2018, 2019, 2020, 2021 (funding rounds for the first year (2017) and last year (2022) to be agreed) or hold an open, rolling call for applications if that is the preferred route;
- Undertake due diligence in relation to applicants, including to confirm their eligibility for Lottery funding and agree budgets and finance plans including assisting filmmakers in finding funding where appropriate;
- Provide production oversight of each film that is awarded funding, to include reviewing and approving individual film budgets, schedules, and cost reports through pre-production to delivery;
- Provide or obtain good quality, experienced Legal and Financial services to analyse finance plans, draft and issue funding agreements, review and approve associated documentation in relation to each film awarded funding (including but not limited to the production-related agreements including contributor releases and clearance agreements, other funding and co-funding agreements, sales and distribution agreements (as applicable), and the collection agreement) and to supervise the filmmakers' handling of sensitive content issues including anything possibly defamatory and to manage reputational risk on behalf of the **BFI Documentary Fund** and the BFI;
- Handle general enquiries in relation to the **BFI Documentary Fund**;
- Promote funding opportunities and ensure compliance with all contractual terms;
- Make payments of awards to filmmakers according to pre-agreed cashflow schedules;
- Provide initial information to applicants regarding British certification and tax relief, directing them to the BFI Certification Unit where required;
- Reflect the cultural diversity of the UK today through the range of projects supported;
- Ensure that the delivery materials produced by film makers comprise all required resources, including for disability access;
- Comply with BFI reporting requirements;
- Liaise with other BFI schemes where beneficial, including BFI NETWORK, the BFI Film Academy and the BFI Film Audience Network;
- Adhere to Lottery procedures as set out in the Framework Agreement;
- Retain details of all applications received, including those declined, remaining compliant with the Data Protection Act 1998; and
- Execute a reasonable exit strategy for closing the scheme by March 2022 that ensures continued support to active projects.

### Support Programme

- Provide an inspiring programme of pitch training workshops (or an equivalent alternative approach) for all shortlisted applicants;

- Provide a tailored programme of support for new and emerging documentary filmmakers throughout the development and production process;
- Ensure reach across the UK, including through delivering activities regionally; and
- Support applicants to address, and deliver against, the BFI Diversity Standards.

### **National Lottery Delegate Requirements**

It is our intention to provide the funding for the **Awards Programme** and its **Administration Costs** as a National Lottery delegation, and to provide funding for the **Support Programme** by way of a National Lottery award in order to provide tailored activity to benefit the documentary filmmakers.

Delegation means that we are appointing the delivery partner to deliver specified services including our decision-making in relation to awards made to documentary films. Under this arrangement the delivery partner will carry out the administration of awards, choose which projects to support, issue funding agreements in relation to those awards, be responsible for payments and monitoring of awards, and the successful completion and delivery of the film to the BFI Documentary Fund and onwards to the BFI. The BFI is permitted to do this under the National Lottery Acts but there are a number of steps that we need to go through to be satisfied that the delegate and its systems are suitable to undertake the delegated functions.

If you are successful you will need to design the **Awards Programme** in a way that ensures:

- There are satisfactory procedures in place for dealing with conflicts of interest;
- There are clear and relevant assessment criteria and other guidance and processes for how to apply for documentary funding and satisfactory systems in place to ensure that these are being followed;
- You have externally audited accounts;
- You have the necessary resources and expertise to undertake the functions that are being delegated;
- There are adequate systems in place to deal with the prevention of fraud;
- There are adequate systems in place to deal with the contracting for and payment and monitoring of awards.

There is also a specified amount of data that must be collected in relation to each application for National Lottery funding and additional data for each award made to filmmakers.

The delegated funding provided to you by the BFI must be paid into a separate dedicated Lottery bank account.

During the design of the scheme we will work closely with the preferred delivery partner to ensure that the above systems are put in place and to ensure that relevant staff working on the **BFI Documentary Fund** are aware of their respective roles and responsibilities in relation to being a Lottery delegate.

### **Reporting to the BFI**

The chosen partner will be required to submit regular reports on scheme delivery to the BFI. These should cover general progress, highlight specific achievements and issues, and update specifically against the focus areas of the BFI 2022 Strategy identified in the Introduction to these guidelines.

The partner will also be required to submit specific Lottery delegate reporting (covering agreed awards, funds committed etc.), for which the BFI will supply templates and guidance.

## **Appendix C – Minimum terms and conditions relating to awards of documentary funding**

The selected delivery partner will be required to select projects for documentary funding. It will need to prepare and issue guidance on how to apply for this funding and set out the terms and conditions of funding. The minimum terms that must apply to all awards for documentary funding are as follows:

### **Eligibility of project**

The project must be capable of qualifying as a British Film.

The project cannot be a filmed production such as a theatre production or a filmed sporting or music event intended for cinematic broadcast.

BFI awards cannot contribute to, or underwrite, commissions for broadcast television only.

### **Amount of funding and budget**

The Lottery funding should only be a contribution towards the production cost of a documentary film. This is not intended to be a commissioning structure and the filmmakers should be expected to find other finance towards the costs of the project. This means that requests for 100% of the total costs of the production budget (or 100% finance less any UK tax credit advance) should be rejected. A UK tax credit advance must be included in the finance plan where there is sufficient UK spend to generate the UK tax credit.

Funding for a single project should be awarded in separate stages in order to accommodate the specific nature of producing a documentary film.

The final cumulative production or completion budget of the film should include provision for:

- Production legal advice regarding financing, production, clearance and sales and distribution;
- Clearance of all rights throughout the world in all media in perpetuity;
- A contribution to the Skills Investment Fund;
- Customary production insurances including errors and omissions insurance;
- Provision for audio-description and soft-subtitling of materials;
- Provision of delivery materials to the BFI's National Archive;
- Provision for an audit by a registered auditor of the film's expenditure to be provided to the BFI Documentary Fund and delivered to the BFI.

### **Terms of finance**

All funding awarded to film projects at every stage will be recoupable by the BFI from any exploitation of the documentary film (please note that we are required to treat all recoupment as National Lottery proceeds, which are then made available for investment in new Lottery projects). As such the production funding agreement entered into between the delivery partner and the filmmaker will need to provide for recoupment by BFI (in a recoupment position to be agreed by BFI); for a collection account management agreement (CAMA) to be put in place prior to ANY commercial exploitation of the film or disposition of rights/licences to a third party financier; and for BFI to agree and be added as a party to that CAMA.

The BFI's [Locked Box scheme](#) may apply to production funding advanced to films supported by the **BFI Documentary Fund**.

**Other conditions**

All documentary films must be fully cleared in any and all media worldwide in perpetuity and the delivery partner will be required to review all chain of title, production agreements, contributor releases, sources and amounts of, and documentation regarding, co-funding (including conditions attaching thereto) in order to establish that the films are fully funded and fully cleared and will be completed and delivered to all parties requiring delivery to them.

The delivery partner will not be required to obtain an assignment of copyright in the films for its or the BFI's benefit.

The BFI National Lottery funding will need to be recognised by display of a credit on the finished film (the wording and placement of which will be pre-agreed with the delivery partner ahead of launch of the scheme).

All revenues for the film must be collected and administered by an independent collection agent and irrevocable payment instructions must be issued to all distribution partners in relation to the film which cite and direct all payments including any minimum guarantees to the collection account.

The delivery partner should obtain approval rights over the identity and terms of any sales agent or distributor, particularly the UK distributor, in order to ensure maximum exposure for the film and protect the BFI's recoupment of its investment.

The documentary film must be produced in accordance with the requirements of all unions and guilds having jurisdiction and with all applicable laws and statutes.

Filmmakers should ensure that any agreement for the distribution of the film in the UK provides for distribution of soft-subtitling and audio-description materials through all media.

The BFI promotes the BS8909 Standard, a specification for a sustainability management system for film, which has been designed to help the film industry run its business in a more sustainable way. The BFI may require you to make compliance with BS8909 a requirement for the films supported with documentary funding; to ask applicants what sustainability initiatives they already employ; or how they might make your production more sustainable or 'green'. We will discuss this with the chosen delivery partner during the scheme set-up period to confirm the sustainability provision that should be put in place.

You will be required to comply with certain BFI requests in relation to interns or trainees and you may be expected to require, if asked and where feasible and within reason, that projects receiving documentary funding participate in any apprenticeship schemes run by the BFI Film Fund or third party delivery partner(s), during the project's production or at some point in the future.

## Appendix D – Budget Guidance

You should submit a detailed income and expenditure budget for the **BFI Documentary Fund**. As stated above, the BFI's National Lottery funding will be provided by way of:

- **Awards Programme** – a delegation for awards to film-makers for documentary development, production and completion through an open bespoke application process run on BFI's behalf by the delivery partner;
- **Administration Costs** – an allocation of funding towards the delivery partner's administrative costs in managing the Awards Programme (i.e. overheads associated with managing the application and funding process); and
- **Support Programme** – funding provided to the delivery partner by way of a direct Lottery award from BFI to the partner in order for it to be able to deliver a tailored programme of activity aimed at supporting documentary filmmakers throughout the development and production process, including support for new and emerging filmmakers in conjunction with BFI NETWORK.

The total request for a full year across all parts of the Fund should not exceed £1,000,000.

Budgets for 17/18 should make a pro-rata request for funds, taking into account the commencement of the scheme being late in the 2017 calendar year.

### Income

The ability of an organisation to provide additional funding towards project delivery costs will be an element considered during the assessment process. You should seek to contribute a minimum of 10% partnership funding as either cash or in-kind contributions.

Partnership funding can be provided by way of direct investment by you or your third party partner into individual films alongside the National Lottery funding provided via the Awards Programme or can be a contribution (whether in cash or kind) towards the Administration Costs or Support Programme.

Whilst filmmakers will also be expected to provide some element of third party investment into the individual documentaries, this funding should not appear as income or expenditure in the budget.

### Expenditure

**Awards Programme** – funds for awarding directly to filmmakers.

**Awards Programme Administration Costs** – this should include:

- Specific marketing and promotional activity for the scheme, including any costs for web provision and targeted promotion to under-represented groups;
- Salaries and on-costs (i.e. National Insurance and pension contributions), in part or in whole, of administrative and management staff employed only to deliver the **awards programme**. This may include (if applicable) staff receiving and processing funding applications;
- Costs associated with the production and publication of information, including digital provision specific to the project, outreach (identifying and encouraging participation among potential beneficiaries) and, if applicable, templates or guidance for application materials;
- Costs associated with capturing, recording, processing and reporting data;
- If applicable to the project, the IT resources required to receive and respond to enquiries and applications, and to monitor successful applicants.

- Access costs to ensure scheme materials and opportunities are available to all.

**Support Programme** – this should cover costs directly associated with benefiting documentary filmmakers including through providing events, training or bespoke support. These could include:

- Direct costs for delivering a programme of activities to new and emerging filmmakers;
- Staff who provide specialist business affairs resource and / or other specific professional or technical service to documentary filmmakers (e.g. advice on physical production, legal advice on clearing films). This may include staff training, training for participants or beneficiaries, legal services contracted for the execution of the project only, consultants and staff who provide development services for projects, applications etc.;
- Event provision, e.g. for pitch trainer and other delivery staff;
- Staff travel.