FILM FUND GUIDELINES

Making an application to the

BFI DEVELOPMENT FUND

July 2019

THE NATIONAL LOTTERY®

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INTRODUCTION

Thank you for your interest in the BFI Development Fund and welcome to our guidelines. Please read them carefully before applying as they include important information as well as useful links to other programmes that may be of interest to you.

We invest National Lottery funds in original filmmaking from adventurous storytellers, with a focus on projects which respond to our core objectives which are to support:

- The early careers of ambitious filmmakers.
- Work with cultural relevance or progressive ideas.
- Filmmaking that takes risks on talent, form and content, where the more commercial sector cannot.
- Work that recognises the quality of difference – in perspective, in talent, in recruitment.
- An increase in the number of active projects originated by filmmakers outside London & the South East of England.

We believe that, in order to have a healthy, resilient and world-class film industry, we need to invest in, develop and promote the best talent we have in the UK. This means that diversity sits at the heart of our decision-making. We recognise the ability of diversity to raise the bar and set the standard, and one of our funding priorities is to support projects that seek to increase the diversity of the UK's screen industries.

We have developed the BFI Diversity Standards to gauge the ability of projects to contribute to these aims. We ask applicants to embrace these Standards and explore the implications and opportunities of working with a more diverse workforce, not just for productions but for audiences and the industry as a whole.

The BFI's Development Fund, covered by these guidelines, is intended for projects that are unlikely to be commercially financed at an early stage and would therefore benefit from National Lottery support. We aim to award funding to distinctive fiction projects across a range of genres, approaches and perspectives, which reflect and represent a wide range of voices and backgrounds.

The BFI Development Fund can support the formal development of projects - from treatments to production-ready screenplays - from teams across the UK who can demonstrate previous experience in writing, directing and producing. We aim to help these filmmakers develop compelling and viable projects to a point where they are ready to seek production funding from the BFI or other sources.

For filmmakers with less experience, those at the start of their careers, and for writers and directors without a producer, BFI NETWORK supports new filmmaker voices with networking, professional development opportunities and funding. Our BFI NETWORK partners can offer support for short films and different types of project development. Although they do not offer formal development finance, they will be able to support the creation of strong project pitches that can then be used to seek further finance from the BFI Development Fund or elsewhere, or to secure a producer or other talent for the project.

Please visit the dedicated website to see how we and our partners across the UK might be able to support you and your ideas.

CAN I APPLY?

The BFI Development Fund is intended for live action and animated fiction projects.

If your project is a documentary, please visit the BFI website's Funding for Documentaries page.

We are unable to provide funding for a filmed production such as a theatre show, filmed sporting or music event; artist installation work; or material intended primarily for broadcast television.

You can apply for development funding without a director, but your team needs to include a writer and at least one dedicated producer, who is neither the director nor the writer. Applications must be made by the lead producer on the project. We ask that the producer be a different person to the director/writer so that there is a dedicated person to drive the project forward, ensuring that its overall creative vision is realised and a valuable additional perspective is provided.

If you are developing a feature film and your team includes a screenwriter or director residing in Scotland, Wales or Northern Ireland who has not yet had a feature produced, you must first approach your national agency for development support through BFI NETWORK. You can subsequently apply to the BFI Development Fund for development support.

Projects with key team members (writer, director or producer) residing in Scotland, Wales or Northern Ireland, who have had a feature produced previously, may be eligible to apply for support from both their national agency (Creative Scotland, Ffilm Cymru Wales and Northern Ireland Screen) and the BFI Development Fund.

Development Awards are recoupable by the BFI and subject to some conditions may be held in a Locked Box for the producer to draw down against their future filmmaking activities including development of new film projects, staff training, or to make production investments in future work.

We will allow you to hold a reserve of up to £20,000 in a Locked Box, but expect you to allocate any of your Locked Box funds over £20,000 to your new development project ahead of additional funding from the BFI. We will ask you in your application if you have previously received development or production funds from the BFI and whether you have a Locked Box Entitlement Agreement with the BFI.

To be eligible to apply to the BFI Development Fund, you must be able to tick all of the following statements before submitting an application for funding.

MY PROJECT IS A 'SINGLE PROJECT' WORK OF FICTION IN LIVE ACTION OR ANIMATION WHICH WILL BE AT LEAST 60 MINUTES IN LENGTH. (IF YOUR PROJECT IS BELOW 60 MINUTES YOU SHOULD VISIT THE BFI NETWORK WEBSITE)	☐
I AM THE PRODUCER OF THE PROJECT (ACTING ONLY AS THE PRODUCER, NOT WRITER OR DIRECTOR) AND HAVE A DEMONSTRABLE ABILITY TO DRIVE A PROJECT THROUGH TO PRODUCTION.	☐
THERE IS A SEPARATE WRITER ATTACHED TO THE PROJECT.	☐
MY TEAM (PRODUCER, WRITER AND, WHERE APPLICABLE, DIRECTOR) ARE ALL 18 YEARS OF AGE OR OVER.	☐
MY APPLICATION IS BEING MADE BY OR THROUGH A COMPANY[1] REGISTERED AND CENTRALLY MANAGED IN THE UK OR ANOTHER STATE OF THE EUROPEAN UNION OR EUROPEAN ECONOMIC AREA.	☐
MY PROJECT IS CAPABLE OF OBTAINING A BBFC CERTIFICATE WHICH IS NO MORE RESTRICTIVE THAN BBFC '18'.	☐
MY PROJECT IS CAPABLE OF BEING CERTIFIED AS BRITISH THROUGH: **I. THE CULTURAL TEST[2];** **II. ONE OF THE UK'S OFFICIAL BILATERAL CO-PRODUCTION TREATIES; OR** **III. THE EUROPEAN CONVENTION ON CO-PRODUCTION.**	☐

1 The BFI isn't able to offer advice on setting up a company, but advice can be found at Companies House.

2 A summary of how points for the Cultural Test(s) are allocated and full guidance on British certification can be found on the BFI website at: bfi.org.uk/film-industry/british-certification-tax-relief. Please note that your own assessment of your project as being capable of qualifying for certification does not mean that it will necessarily pass.

I HAVE SECURED, OR CAN SECURE, THE RIGHTS (INCLUDING ANY UNDERLYING RIGHTS) IN THE IDEA PROPOSED AND WILL BE ABLE TO PROVIDE PROOF OF THIS AT A LATER STAGE.	☐
MY BUDGET DOES NOT SEEK 100% FINANCE FROM THE BFI FILM FUND FOR ALL STAGES OF THE PROJECT'S DEVELOPMENT.	☐
I HAVE CONSIDERED HOW MY PROJECT WILL MEET THE BFI DIVERSITY STANDARDS.	☐
EITHER:	
I DO NOT HAVE A BFI LOCKED BOX ENTITLEMENT AGREEMENT; OR	
I HAVE LESS THAN £20,000 IN MY BFI LOCKED BOX; OR	☐
I HAVE MORE THAN £20,000 IN MY BFI LOCKED BOX AND INTEND TO USE THE AMOUNT OVER £20,000 BUT NEED ADDITIONAL FINANCE FROM THE BFI FILM FUND TO COVER THIS STAGE OF MY DEVELOPMENT BUDGET.	

If you have read these guidelines thoroughly and are still unsure if you are eligible to apply, please email us at developmentcoordinator@bfi.org.uk or call the Film Fund on 020 7173 3232.

WHAT CAN I APPLY FOR?

In your application you will be asked to give us an indication of your development budget. You can request the full amount of costs needed at your current stage of development, but please note we are usually only able to support one or two stages initially (i.e. a draft and a set of revisions, or late stage costs). Our funding is only a contribution towards the costs of developing your project. The BFI is keen to ensure that you receive your full entitlement to a reasonable producer fee and production company overhead from within the production budget and does not encourage deferral of any such amounts.

The development costs you apply for may include some or all of the following:

- Writer fees.
- Payments to option the rights to adapt pre-existing (published) works for the screen.
- Research costs associated with the project.
- The director's services during the development (but not pure director retainers).
- A contribution towards the producer's overhead and up to £2,000 per full stage for fees and £3,000 per full stage for overheads (a stage is normally a draft and a set of revisions). In the case of small budget productions where writer fees are also under £5,000 per stage, we would offer a commenruately lower contribution to producer fees and overheads in order to ensure that repayable development costs remain proportionate to the overall production budget. Overheads can be used towards any additional expenditure necessary for the project.
- A contribution towards the external legal costs associated with obtaining rights during development (e.g. writer agreement, option/assignment) but we do not include an allowance to

negotiate our development agreement.

- Script editor fees.
- If the script has gone through several drafts and is near being ready to share with potential financiers:
  - contribution towards initial casting;
  - preparation of a production budget and schedule;
  - script reading with cast;
  - location recces; or
  - at our discretion, a “pilot” film or teaser.

NUMBER OF PROJECTS IN DEVELOPMENT

Producers can make multiple simultaneous applications and also have multiple projects in development with us, provided they have different creative teams attached.

Please note that if we have another project already in active development with the same writer or director attached, this may have a bearing on our decision. If we do decide to award funding, it may be held back or staggered until the other project is nearing the end of its award or development.

SPECULATIVE SUBMISSIONS

As a National Lottery Fund we can only consider supporting projects that have been submitted to us through the formal National Lottery application process. This means that we cannot accept, or read, informal submissions such as scripts or application materials submitted by any means other than the online application portal.

HOW DO I MAKE AN APPLICATION?

Applications can be made at any time and further details on the timeline of assessment can be found later in these guidelines. To apply for funding you will need to complete an application online.

When first using the online application tool you will need to create an account: this allows your applications to be saved and reviewed before submission. Once the account is set up, future applications will be pre-populated with your contact details. You will be able to access all your past online applications and in-progress applications at any point by logging into your account.

If you need additional support using the application form please contact us on developmentcoordinator@bfi.org.uk

CONTENTS OF THE APPLICATION

The application form consists of a series of questions regarding your company, team and project. You will be required to include a link to your previous work as well as that of the director and writer along with any other visual materials you think might be relevant, e.g. artwork, images etc.

Please remember that we will be reviewing a considerable number of applications and have to turn down many more projects than we are able to support, so it is important to make an impact with your application.

Your application should cover both your creative and strategic ideas for the project.

You will be asked to detail:

- The synopsis, story and themes.
- The track record and previous work of the writer, producer and, if applicable, the director.
- Your motivations behind the project. Ideally, these comments should be provided by the writer or director.
- The audience you are aiming to appeal to.
- Casting ideas at this stage and how you are planning to approach that cast.
- Where and when you are hoping to film.
- Your potential or actual financial partners and any expenditure to date.
- The budget you anticipate needing in order to develop the project and get it made and the amount you are requesting from the BFI.
- An estimate of the total production budget.
- Any unusual or challenging technical or budgetary requirements that you foresee.

At an early stage of development we do not expect you to be able to fully answer all of these questions, but require you to show us that you are thinking ahead and can envision your route to production and distribution.

BUDGET DETAILS

As part of the application you will be asked to provide a separate outline of your indicative development budget, stating the stage of development you are currently at (e.g. drafting a treatment, first draft, second draft, finance packaging, pre-production) and including proposed writer fees, any option payment (if applicable) and any other costs you anticipate.

When preparing your budget request please bear in mind the following principles:

- we are not allowed to give ‘retrospective funding’: this means that we cannot pay for work already completed before we make our offer of funding. The only exception that we can make to this is to reimburse the initial and reasonable cost of an option if you entered into the

agreement within one month of making an application for funding to us;

- all line items in the budget must be reasonable. As you are applying for public funding we will not cover costs of first class travel or accommodation, hospitality or general subsistence;
- we will talk to you about what we think is reasonable in terms of writer or director fees depending on experience. If you have overestimated these costs we will ask you to reduce them as a condition to offering our funding, so where possible you should not enter into any deal negotiations or contracts prior to discussion with the BFI;
- all development funding is repayable from the production budget. If you intend to make a very low budget feature film you need to ensure that the overall development costs are not disproportionate to the budget of the film;
- we will normally contribute towards the costs of obtaining an option if it is in relation to an existing, separately exploitable work i.e. an underlying "pre-existing" work such as a novel, stageplay or poem. The option period should be a minimum of 18 months and should cover all audiovisual rights to the project;
- the producer is expected to obtain an immediate assignment of all rights in all drafts of the screenplay as a pre-condition to our funding (except for radio, stage and novelisation rights which may be reserved to the writer). We will allow an exception to this if a writer has written the screenplay without any fees and the funding requested from the BFI also does not include writer fees (e.g. if the application relates solely to late stage development or – at our invitation – the creation of a pilot film) in which case an option may be sufficient but please discuss with us first;
- sometimes we are asked to co-develop alongside other funders. This does not mean that costs can be increased or doubled, particularly in relation to capped line items as we are only likely to fund a proportion of the capped costs where there is co-finance;
- you should let us know if you have applied or are applying for other development funding (e.g. co-finance from other territories, MEDIA funding, co-development from UK broadcasters).

If we decide to progress your application, we will discuss your budget with you in more detail at this point.

NUMBER OF PROJECTS IN DEVELOPMENT

Producers can make multiple simultaneous applications and also have multiple projects in development with us, provided they have different creative teams attached.

Please note that if we have another project already in active development with the same writer or director attached, this may have a bearing on our decision. If we do decide to award funding, it may be held back or staggered until the other project is nearing the end of its award or development.

SPECULATIVE SUBMISSIONS

As a Lottery Fund we can only consider funding projects that have been submitted to us through the formal Lottery application process. This means that we cannot accept, or read, informal submissions such as scripts or application materials submitted by any means other than the online application portal.

BFI DIVERSITY STANDARDS FORM

As part of your application, we ask you to complete a BFI Diversity Standards form. You should use this form to describe your plans and intentions for diversity in your project, responding to the BFI Diversity Standards. This means detailing how you will address industry under-representation in relation to disability, gender, race, age, sexual orientation and socio-economic status.

If your plans are not fully developed at the point of application, then please state the stage you are currently at and explain how you will turn your aims into actions. If we are interested in supporting your project we may ask you to further develop your ideas before we can make a funding decision.

If your team or organisation has a long-standing commitment to diversity, enabling you to meet the BFI Diversity Standards by continuing your current practice, your application should outline how you will build on past achievements and show leadership to the wider industry.

We recognise that, particularly in the earlier phases of development, many elements of your project will remain to be decided, or be subject to revision. Your Diversity Standards form should outline your current plans, indicating where you have a definite strategy to develop an area further.

If you are awarded funding, you will be expected to build on your initial plans as your project progresses, and you should articulate the advancements you make in any future applications to the BFI Film Fund for the project.

Please note that the information provided by applicants within their Diversity Standards forms will be anonymised and used to help inform future funding decisions, research and strategy.

SUPPORTING MATERIALS

We ask you to submit relevant supporting materials (e.g. treatment, script, samples of previous work) at application stage. We may decide not to review all of these before making a decision. If we decline your application, all supporting materials will be deleted from your submitted application in line with our record retention policy.

WHAT HAPPENS TO MY APPLICATION?

Once you have submitted your application the BFI will confirm by email that it has been received and a unique ID number will be assigned to the application. You should receive this acknowledgment within two weeks of submission.

A. ELIGIBILITY

We will check that your application is eligible for funding using the criteria identified in the Can I Apply section. Incomplete applications will be considered ineligible so please ensure that you complete all sections of the application form with the information requested.

If your application is ineligible, we will send you an email to inform you that your application 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.

If your application is eligible, it will progress to the assessment stage.

Incomplete applications will be considered ineligible and automatically declined.

B. ASSESSMENT

If your project is eligible, we will look at how your project responds to our core objectives and also assess your application against some or all of the following criteria:

- the creative merits of the proposal;
- the feasibility of your strategy – are your financial ideas reasonable and appropriate for your project?;
- your ambition in addressing the BFI Diversity Standards;
- the track record of the filmmaking team;
- the audience potential for the project;
- the project's cultural value.

The assessment process will also take into account how you have managed any previous BFI funding you have received. In assessing applications to the BFI we may be assisted by external readers.

Please note that we are unlikely to prioritise filmmakers whose country of residence does not currently have a co-production agreement in place with the UK (including those countries covered by the European Convention on Cinematographic Co-production).

We may request further information or materials from you for consideration or ask you to meet with us to discuss the project. Applicants who are invited to a meeting with the BFI Film Fund, but may need assistance with the financial costs of travel or childcare in order to attend the meeting, can apply for a bursary. More details can be found here.

If you are invited to a meeting, all members of the team involved in the application should attend. It is important to understand that having a meeting does not mean we have made a commitment to funding your project. The meeting is an opportunity for us to discuss your application and for you to ask any questions you may have. You will have the chance to explain in person why you want to develop the project and to outline your ideas in more detail. We will have questions about the application and may ask you to develop some of your ideas further or address specific aspects of the project.

You may need to supply further information after the meeting, so we do not have a set deadline for letting you know whether we are taking your application forward. If you think you have supplied all the information we have requested and you do not hear from us within eight weeks, please do get in touch.

Once assessment is complete, the Film Fund will select projects that are being recommended for funding. Internal discussion with our Development, Business Affairs and Production Finance departments will take place before we are able to formally commit to the project.

LOTTERY FINANCE COMMITTEE CONSIDERATION

Funding recommendations are then 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 your project is final.

C. TIMELINE SUMMARY

STAGE	TIMELINE
Email acknowledgement of your application	Within 2 weeks of submission
Decision to progress or decline your application	Within 6 weeks of acknowledgment
If your application progresses: further contact following the submission of additional materials (if applicable)	Within 8 weeks of submitting all information requested

FEEDBACK

We aim to make the application process as fair and transparent as possible, but as a result of the volume of applications we receive, we do not have the resources to provide feedback on projects where we are not requesting further material or a meeting.

In these circumstances, we will send you a standard rejection email and the documentation held on file for the assessment of these projects will simply state “pass”.

If we have met with you to discuss your project and then declined it we will try to provide some feedback- if requested, and if we have some constructive advice to offer beyond the meeting.

We are only able to support a very small percentage of the applications we receive so have to say ‘no’ far more often than we are able to say ‘yes’. Applications may be declined for a number of reasons. For example:

- The project was not eligible for funding.
- We felt it did not align with our core objectives for this funding.
- We felt the material was too ambitious for the budget.
- We felt the material was too familiar or derivative.
- We didn’t feel the filmmakers were experienced enough to make a feature.
- We didn’t feel that the project ‘needed’ National Lottery support, i.e. it should be financeable by other means.
- There was insufficient engagement with the BFI Diversity Standards.

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

RESUBMISSION

No resubmissions can be made to the Film Fund for development applications that it declines unless there is a substantial and significant change in elements. This is usually a change of director, or a significant rewrite of the material with a different writer.

If you meet this criteria and submit a new application for the same project, please ensure that you clearly identify the revised elements of the project in the new application.

SUCCESSFUL APPLICATIONS

If your application is successful, you will be made a **conditional offer of funding** as set out below. Our involvement with your project is more active than simply providing financial support, so while we are funding the project you will need to provide us with deliverables such as the drafts and/or revisions and we will often provide editorial notes or advice to help the project progress. You should allow approximately four weeks from delivery for us to provide any notes before commencing the next part of the work.

DELIVERY DATES

The offer of funding will include delivery dates for the stage of development being funded. It is your responsibility to ensure these dates are met. This is particularly important where you have been granted an option over underlying work as you need to ensure that the development work is completed within the option period.

You should not assume that the BFI will provide additional funding to cover the costs of option renewals, particularly where there has been late delivery. Ensuring that the project remains 'within option' is your responsibility (failure to do so will place you in breach of contract with the BFI) and your commitment to fund any option renewals is evidence of your continuing faith in the project.

When the award is paid out (except for any underspend retained by us) you should have a discussion with the Film Fund regarding the next steps for the project. This could include identifying:

i) That the project is ready for production funding. You may be able to raise finance independently or may want to submit an application for production funding to us. If, following your application, we decide not to provide production funding the BFI will not be able to make further awards of development funding unless and until there is a material change to the project allowing you to meet the conditions for resubmission as set out above.

ii) The need for further development. In this case you will be invited to submit an application for additional funding: please then bear in mind the principles set out above and ensure that you do not incur expenditure in relation to a new stage of development without first having received an additional offer of funding from us.

iii) That the BFI no longer wishes to provide development funding towards the project, in which case the project will effectively be in turnaround from us. At this point you can request formal confirmation of turnaround from our Business Affairs department. You will be entitled to further develop any of the materials developed for the project and the BFI's approval rights in relation thereto will lapse. The BFI will continue to own a percentage of all rights, title and interest in and to the development work (until repayment of the development funding).

If you receive a National Lottery development award from the BFI, we expect you to invclude payment of the Skills Investment Fund (SIF) levy in your production budget when the film converts.

AGREEMENT WITH THE BFI

You will be required to enter into an agreement with the BFI that sets out the Terms and Conditions of our development funding. These conditions will include the following:

1. The BFI will only pay the award to a limited company registered by you in the UK or incorporated in the European Union or European Economic Area.

2. You will need to establish rights ownership of your project including obtaining an assigment of all rights in the screenplay or other development work (excluding stage, radio and novelisation rights which may be reserved to the writer). You can provide a right of turnaround to the writer provided that it is conditional upon writer assuming your contractual obligations to BFI in relation to repayment of funding, net profit participation and a credit.

3. The BFI will require certain approvals over the project including all chain of title or clearance documents, and sources and amounts of other funding. You must disclose all documentation already in place in relation to the project and all expenditure incurred to date.

4. The award takes the form of a recoupable investment. You will be required to assign a share of all rights including copyright to the BFI (normally the share is 50% of all rights). These rights will be reassigned to you on, and subjet to, repayment of the development funding and ahead of production of the project.

5. You will be required to repay development funding to the BFI (no later than the first day of principal photography of the production) and provide us with a net profit participation from any projects that go into production. When you repay the development funding, and provided that you are an independent UK film producer, we will ring-fence that money in a Locked Box account (assuming that the Locked Box initiative is still continuing by the time your project goes into production). You can then access this money to spend on the development or production funding of your next film project as if it were your own investment in that project (i.e. you will not then have to repay it) or on staff skills training. Some conditions apply to this recycling of development monies including:

a. you must apply to draw-down these recycled monies within 10 years of the date of the Locked Box Entitlement Agreement unless your entitlement to the recycled monies is terminated earlier by the BFI;

b. this offer is not available when our funding is for pre-production activity or where we are providing funding for a pilot or test scenes;

c. there is a cap of £100,000 on the amount that can be ring-fenced per project against any repayment sum.

6 You will be required to provide a credit to the BFI including the BFI National Lottery logo.

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

8 Development funding will be paid in stages (cashflowed), with payments subject to delivery of specified items (such as drafts, revisions, budget and schedule). Any underspend on the award will be retained by, or reimbursed to the BFI.

9 Additional funding: all awards will be offered to cover specified stages. We may fund several stages of a development project, making a new award each time. All such further awards will be provided on the same terms and conditions as the initial funding and will also be repayable as per paragraph 4 above.

10 You will be required to deliver against the undertakings made by you in relation to the BFI Diversity Standards. Failure to deliver against those undertakings without good cause may affect your ability to receive future project funding from the BFI.

11 The agreement will include standard termination provisions.

EQUALITY MONITORING REPORT

Successful applicants will be required to submit an Equality Monitoring Report at the end of the project. This will request information on the contributors to your project and will be used to measure success against the BFI Diversity Standards.

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 funding agreement and any conditions precedent to that agreement 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 National 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.

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.

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.

13 **Recognition of the National Lottery:** The BFI distributes 'good cause' National Lottery Funding. We ask all of our partners and award recipients to increase the 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 through conspicuous use of the BFI/National Lottery lock up logo and through agreed verbal and written acknowledgement. Also that partners and beneficiaries take frequent opportunities to highlight not just the fact of the funding but why it is funded and therefore the good work that is possible through the National Lottery.