

THE DIRECTORS JOINT INDUSTRY FORUM

2005  
**CODE OF PRACTICE**  
*Non-Fiction*

Concerning the professional and artistic status  
of Directors in television non-fiction, documentary,  
drama documentary and unscripted factual programmes

Recommended by the UK Joint Industry Forum  
for the use of Broadcasters, Production Companies,  
Executives, Producers, Directors and Production Managers

## PREFACE

Broadcasters, Producers and Directors agree that the relationship between them is key to the efficient making of high quality programmes. The purpose of this Code is to build on existing examples of good practice and define the professional status, treatment and working arrangements that will enable the director to do the best possible work within the parameters of any programme type.

**The Copyright Designs and Patent Act 1988 recognises the Principal Director as co-author and co-first owner of copyright in a work.** The essential importance of the Director's creative role should be reflected in the status and working arrangements of all Directors. The role of the Director is broadly similar on all types of production, although there are differences between programmes that may affect the exercise of that role.

This Code applies to all **Non-Fiction** programming, even though its day to day application will vary with different types of production. A separate, closely associated **Fiction** Code has also been agreed.

The principles of these Codes should be applied to all such productions. Courtesy, consideration, openness and transparency should underpin all professional relationships.

## THE ROLE OF THE DIRECTOR

1. Making a television programme is a team activity. The collaborative process is at the heart of all production.
  - 1.1 The key relationship between Director and Producer or Executive Producer should be based on the principles of transparency, honesty and courtesy. Effective collaboration between them, both creative and practical, is the backbone of every successful production.
  - 1.2 The Director collaborates with the Producer to ensure that the programme is delivered on time, within budget, and to the quality and style agreed at the point of commissioning. This remains the overall responsibility of the Producer.
  - 1.3 A representative of the production entity, normally the Producer, should be identified as the 'Nominated Producer', with whom primarily the Director will collaborate.
  - 1.4 The support given by a Production Manager to a Director is important to ensure the operation of an efficient production.
  - 1.5 The Director is responsible for the creative aspects of the production. The Director's role is to provide quality, style and creativity. There are specific activities for which the Director should have sole responsibility:

- 1.5.1 The Director on location or in a studio determines, controls or selects the action and sound that is to be filmed or recorded.
- 1.5.2 The Director determines how that action and sound is recorded.
- 1.5.3 The Director determines, controls or suggests how that material is to be assembled.
- 1.6 In Non-Fiction the Director is involved in the editing for several key reasons:
  - 1.6.1 Editing is part of the creative art of the directing process.
  - 1.6.2 The Director is the person who knows how the shots were intended to cut together. Shooting is the first part of the editing process.
  - 1.6.3 The less experienced Director can learn from the editing process how better to shoot material.
- 1.7 The Director may play several roles, for example as Producer, Camera Operator, Sound Recordist or even a combination of these. If multiple roles are necessary adequate extra time should be allowed in a schedule for these multiple roles to be performed.
- 1.8 The principles of this Code should apply to any persons who may take on the role and responsibilities of the Director.

### **Drama Documentaries**

- 1.9 Directors of productions that are wholly or partly dramatised or reconstructed are still covered by this Non-Fiction Code of Practice, particularly but not solely, in respect of the Ethics, Fairness and Accuracy section of this Code. Additional clauses concerning Scripts, Artistic Planning and Rehearsals will be found in the Fiction Code.

### **THE RIGHT TO KNOW**

- 2. A Director should only embark on a project knowing the nature and extent of the role to be undertaken. At the earliest possible opportunity and before the engagement commences, and with due regard to the obligation of confidentiality in relation to such discussions, the Director is entitled to expect thorough discussions with the Producer and/or Executive Producer on:
  - 2.1 The treatment, storyline or subject matter.
  - 2.2 The nature and status of any scripts or outlines already written.
  - 2.3 The broadcaster, the channel, the intended audience and the timeslot.
  - 2.4 Any pre-arranged style or format.

- 2.5 The parameters of the Director's role.
- 2.6 The Director's own vision and approach.
- 2.7 The level of office resources and support available.
- 2.8 The technical skills needed for any multiple role and any training available.
- 2.9 Access to contributors already engaged.
- 2.10 The identity of any prearranged presenters, contributors, narrators.
- 2.11 The selection of key production and crew members, except where already selected.
- 2.12 The parameters of the production budget.
- 2.13 The outline schedule.
- 2.14 The arrangements for the post-production process.
- 2.15 The identity of any co-producers or any agreements with co-producers which may affect the content of the production.
- 2.16 The rights clearances required for material within the programme.
- 2.17 Knowledge of relevant industry Codes of Practices and Guidelines

## **THE PRE-PRODUCTION PHASE**

### **Time and Support**

- 3. To achieve the best quality production the Director requires sufficient preparation and thinking time before shooting and throughout the production. Schedules should reflect this.
- 3.1 Where the Director is expected to execute a dual or multiple role, further preparation time than normal should be scheduled.
- 3.2 To operate efficiently the Director needs an adequate level of support from a production team and an office or space with phone, desk, chair and computer.

### **Research**

- 4. As the Director will be expected to undertake sufficient research to be well versed in the subject matter and the locations, adequate time and resources should be provided for the Director to visit locations and talk to contributors prior to shooting, except where the Director deems it unnecessary.

- 4.1 Where the Director has not been involved in the initial research, time should be allowed for the Director to review, understand and comment upon the research and the recce.
- 4.2 The Researcher(s) and/or Assistant Producer works to the Director, who will delegate responsibilities for the research and the recce.

### **On Camera Contributors**

5. The Director, in conjunction with the Producer and, when necessary, with the commissioning Broadcaster, chooses the contributors to the programme who are to be involved in front of the camera either as part of the action or as interviewees.
- 5.1 If a presenter is required and has not already been chosen, the Director should normally play a part in that choice.
- 5.2 The Director should, in consultation with the Producer, choose the narrators and voice-over artists.

### **Scripts and Narration**

6. The Director is best placed to decide how narration, voice-overs or any script will fit the visuals.
- 6.1 The Director is responsible for acquiring and capturing the sound track, and this can include writing any preproduction script and preparing any narration or commentary for recording. This can set the creative 'voice' and tone of the programme.
- 6.2 Where the Producer, Writer, Presenter or other production team member is also involved in writing the script or narration, the Director should be encouraged to supply the first draft.
- 6.3 The Producer maintains editorial control over the final choice of words but the Director should be allowed and be encouraged to place those words against picture and the rest of the soundtrack for the maximum creative effect.

### **Budgets**

7. Although Directors do not normally have responsibility for setting a budget, they must have the opportunity to become familiar with the elements of the budget that will affect their work.

- 7.1 The extent to which a Director is accountable for budgetary control should be a matter of specific discussion and agreement.
- 7.2 A Director should not be required to work within a budget with which the Director is not familiar.
- 7.3 Where the Director has sufficient information about the budget, they can often recommend the most effective way to spend the funds available and suggest ways in which cost savings might be achieved.
- 7.4 Due to the constantly changing nature of documentaries and non-fiction programmes during research and production, the Director needs to be able to make changes to the content and, therefore, may suggest corresponding changes to the budget if necessary. This includes recommending the allocation of money across budgetary lines from items that are not required to items that are required. However any changes are subject to the agreement of the Producer.
- 7.5 Where a Director is required to sign a warranty of working within the final production budget, the Director must have proper access to it and sufficient control over spending.

## **Schedules**

8. Budgets and schedules are linked together. The Director is responsible, with the Producer or Production Manager, for the day to day operation of the schedule and is in the prime position to prevent schedules over-running and should aim to do so. Therefore the Director should often design or have substantial input to the schedule and be involved in any changes.
- 8.1 It is important that Producers, Executive Producers and Production Managers recognise that Directors have work to do outside the shooting hours with production meetings, phone calls, paperwork and preparation for the next day, in addition to any travelling. They should attempt to alleviate any additional time pressure on Directors by ensuring that the appropriate number of days is allocated in the schedule and budget.
- 8.2 The schedule should aim to have adequate time built in between shooting and editing for the Director to assess the rushes and prepare materials for the edit. This tends to be the least expensive part of a production and will save time in the edit.

## **Hiring of personnel**

9. In discussion with the Producer, the Director should assist in the selection of Researchers, Assistant Producers and Production Managers if not already employed.

- 9.1 In co-operation with the Producer and the Production Manager, and subject to budget limitations and programme type, the Director should be able to choose key crew members such as Camera Operator (or DoP), Sound recordist, Editor, Composer and Dubbing Mixer. Usually both Director and Producer have the right of veto on any name.
- 9.2 In dramatised documentaries or where multiple technical teams are at work the same selection principles apply to key staff and technicians working to the Director.

## **THE PRODUCTION PHASE**

### **Shooting**

10. The Director (working with the support of the Production Manager) is responsible for managing all shooting, on location or in the studio.
- 10.1 The Director is in charge of time management and the daily schedule including start times, break times, finish times and overtime when needed.
- 10.2 The production team, presenters (if any) and crew work to the Director during shooting and lines of communication via the Director should be established accordingly.
- 10.3 The Director conducts shooting as efficiently as possible within the limits of the overall schedule and budget.
- 10.4 The Director is the senior creative person at the location.
- 10.5 Excessive supervision can impair a Director's ability to perform to the best of his or her creative ability.
- 10.6 Only in exceptional circumstances should a high level of supervision during shooting be required, and in such cases Directors should be given clear reasons beforehand.
- 10.7 The Director should see rushes, and if possible on a daily basis

### **Health and Safety**

11. Although the Producer has overall responsibility for Health & Safety aspects of the shooting and recording process, the Director should follow health and safety obligations contained in any health and safety policy at all times.
- 11.1 Where the Director performs two or more roles, such as shooting and directing, the crew should be a minimum of two people.
- 11.2 Where the nature of the shoot requires it, and where all Health and Safety and security considerations have been taken into account, it may be permissible for the Director to work alone.

- 11.3 The Director's working conditions affect safety and productivity at the location. Working excessively long hours, including doing the driving to and from locations, can jeopardise safety, adversely affect productivity and reduce creativity and therefore should be avoided.

## **Interviewing**

12. In the absence of a presenter, the Director will frequently be responsible for carrying out interviews, even if the Director's voice (or face) is not intended for use in the final version
- 12.1 Normally the Director is best placed to carry out interviews creatively and economically because of the Director's knowledge of the context of the interview and the relevance to the final programme.
- 12.2 The Director has to be particularly sensitive with interviewees and other contributors, even when the questioning is forceful.
- 12.3 The Director must explain to the contributor the purpose of the interview and the context in which it is intended to be used. The Director and Producer need to be mindful of any prior representations made to the contributor throughout the production process.
- 12.4 Where the Director is not able to be involved in the edit, it is the Director's responsibility formally to pass on to the Producer, ideally in writing, any information about agreements, verbal or otherwise, made with the interviewee or contributor.

In such cases, the responsibility for accuracy and fairness in the edit rests with the Producer.

## **THE POST-PRODUCTION PHASE**

13. Throughout the post production process the Director's artistic and creative contribution as co-author should continue to be respected. However the Producer or Broadcaster has final editorial control.
14. The Director will normally supervise the complete post production process, from first assembly to final delivery.
15. Although it is important for the Director to be involved in the editing (see section 1.6), in exceptional circumstances the Director may be unable or may have agreed at the start of production not to be present during editing. Unless this is the case, the following procedures apply.



## Editing procedures

16. The Director is person to whom the editor works in the cutting room or edit suite. Any suggestions or instructions from third parties about editing should be made in the presence of or via the Director.
17. Assembled material (the first assembly) is produced by the Director and the Editor alone. Sufficient time should be allowed for this process, in light of the schedule and the nature of the production.  

This assembly should be seen by the Producer and others, with the agreement of the Director.
18. The rough cut is shown by the Director to the Producer and/or Executive Producer as soon as possible. The Commissioning Broadcaster may also be involved at this stage.
19. The fine cut should be made by the Director (with the Editor) having regard to the views of the Producer and Commissioning Broadcaster. There may be more viewings between rough cut and fine cut.  

The fine cut is agreed between all parties and is part of the collaborative process. In the event of a dispute between the Director and the Nominated Producer, any differences will be discussed in good faith between all the parties. The Executive Producer or Commissioning Broadcaster will have control over the final cut.
20. After the final cut is agreed, the Director should be informed of any further changes to be made to the programme.
21. The Director is in the best position to make such required changes artistically, accurately and economically and should, in most cases, be given the opportunity to make them.
22. In controversial or sensitive programmes where the Director has not been involved in the edit, wholly or partially, the Director should see the final cut of the whole programme or, at a minimum, the parts directed by them and should be allowed to make constructive comments, particularly with reference to the representation of contributors.
23. The Director should, wherever possible and in collaboration with the Producer, be allowed to continue to exercise control over or supervise the final production processes (but subject to any requirements of the Commissioning Broadcaster) including:
  - 23.1 any further music selection (working with the composer, if any);
  - 23.2 effects selection & track positioning (working with the editor who does the track-laying);

- 23.3 narration recording (directing the narrator at the recording);
  - 23.4 sound mix or dub;
  - 23.5 visual effects & graphics;
  - 23.6 titles & credits (in conjunction with the producer);
  - 23.7 colour correction;
  - 23.8 final edit or print.
24. The Director is generally responsible for making sure production stills are available and on time.
25. The Director has the right to be identified as the Director on screen in accordance with the Broadcaster's rules relating to credits and also as the writer where the Director has also written the words used by a narrator.
26. The Director has the right to prevent his/her name from being included in the credits but only when seriously dissatisfied with the final version.

### **Publicity and Promotion**

27. The Producer should make every attempt to ensure that press and publicity representatives are provided with information about the Director for use in press packs, press releases and for screenings so that the Director's contribution is recognised at this stage. Where practical, relevant parts of the publicity process maybe discussed with the Director in advance by the Producer and press/publicity representatives.

### **Expenses and Travel**

28. Expenses should be fair and reasonable and payment should be made in accordance with the Directors Joint Industry Forum Contract Guidelines.

## **ETHICS, FAIRNESS AND ACCURACY**

### **Ethics**

29. Because a non-fiction programme or documentary is assumed by the audience to be real and true, any factual programme should be a genuine reflection and representation of reality and truth. It therefore has to be honest, fair and accurate.
30. It is the Director's responsibility to ensure fairness and accuracy. Although it is a responsibility shared with the Producer, the Researcher(s), the Production Company and the Broadcaster, it cannot be abrogated by the Director.

31. Broadcasters generally have published guidelines or a code of practice in this area. Directors should acquaint themselves with these and must follow them - in particular, the Ofcom (previously the ITC) Programme Code Section 2 (or such other code as may be issued by Ofcom from time to time) and the 'BBC Producer Guidelines Chapters 2 & 3 (Values, Standards and Principles) and Chapter 13 (Issues in Programmes).

### **Fairness to Contributors**

32. The Director and the research team are normally best placed to know whether a contributor or a point of view in an argument is being presented accurately and fairly. A Director's knowledge, and especially that of the research team, may be greater than that of a Producer in this area.
33. The Director and Producer must not permit a contributor to be misrepresented and/or unfairly treated, either in the shooting or the editing process. Editing 'must not distort or misrepresent the known views of the interviewee' (Ofcom). Contributors 'should be treated honestly and with respect. They should not feel misled, deceived or misrepresented, before during or after the programme, unless there is a clear public interest when dealing with criminal or antisocial activity' (BBC).
34. The Producer should always update the Director on transmission dates and ensure that contributors are informed: 'Directors should ensure that contributors know of the intended transmission date' (OFCOM).

### **Factual accuracy**

35. The Director, together with the Researcher(s) and the Producer, is responsible for the accuracy of the content, including any pieces to camera by a Presenter.
36. Broadcasters' guidelines call for 'respect for factual accuracy'. Even dramatic reconstructions 'should not be allowed to distort the known facts'. 'Research for all programmes must be researched thoroughly with facts checked and cross checked.'
37. Producers must give due weight to the opinions of Directors and researchers as they are usually best placed to know whether information in the programme is true.
38. In particular, when unavoidable late editing changes are made, the implications of such changes should be discussed with the Director or, if unavailable, with the Researcher.

39. Where the Director is not involved in editing it is important that every effort is made for factual accuracy to be checked with the Director.
40. The Director must not deliberately mislead the viewers either directly or by inference without correcting that inference within the programme.
41. Finally, Directors and Researchers have the right and duty to object to any perceived mistreatment of their contributors or any distortion of facts.

## **CONCLUSION**

42. This Code should be consulted in association with the Directors Joint Industry Forum DIRECTORS' CONTRACT GUIDELINES.
43. The Joint Industry Forum will be responsible for reviewing and monitoring the application of this Code and agreeing any developments or amendments.

## **THE DIRECTORS JOINT INDUSTRY FORUM**

This Code of Practice has been drawn up by the Status Working Group of the Directors Joint Industry Forum. It should be used to inform all relationships between the Director or Producer/Director and the Production Company or Broadcaster.

The following organisations are members of the Forum and have taken part in the discussions on this Code of Practice.

### **Directors' Representative Organisations**

The Directors Guild of Great Britain (DGGB)  
Broadcasting, Entertainment, Cinematograph and Theatre Union (BECTU)  
Directors' and Producers' Rights Society (1992) Limited (DPRS)  
The Personal Managers' Association (PMA)

### **Broadcasters/Producers**

The British Broadcasting Corporation (BBC)  
British Sky Broadcasting Limited (BSkyB)  
Channel Four Television Corporation (C4)  
Channel 5 Broadcasting Limited (C5)  
ITV Network Limited (ITV)  
Producers' Alliance for Cinema and Television (PACT)  
Sianel Pedwar Cymru (S4C)  
Teledwyr Annibynnol Cymru (TAC)