

Written evidence submitted by Ian Anthony Williams

N.B. A version of the below letter has already been sent to various select committees and APPG with an interest in the subject matter. The content relates specifically to the Job Protection Scheme and Self-employment Income Support Scheme. I have provided a short summary linked to some of the reference points contained within the call for evidence:

Q. Where has Government support been too generous and where has it not been generous enough?

A. Many freelancers work for several different companies and are paid both gross and PAYE. How can it be fair that those who fall on one side of the 50% divide can claim BOTH forms of government support, being furloughed by one employer whilst also claiming SEISS, but those on the opposite side can claim neither?

Q. How successful has the Government been in plugging the gaps in the scheme?

A. It was encouraging to see the Government show flexibility by amending the cut-off date for the furlough scheme. Beyond that I have seen remarkably little high-profile movement aimed at closing the many gaps in the schemes. It cannot be because the Chancellor is not aware of these gaps because I and my colleagues have received a great deal of correspondence from parliamentarians of all parties and both houses saying that they have raised these issues at committee or via letter.

Q. What gaps in coverage still remain and are changes required to increase their effectiveness?

A. My views on this are clearly explained in the letter below.

5 May 2020

Dear Sir/Madam,

My name is Ian Williams, a broadcast journalist and one of many self-employed people “falling through the cracks” when it comes to government support during the coronavirus pandemic. With no fixed end to the current lockdown, and with a prolonged period of uncertainty to follow, I am facing the prospect of almost zero income for what could be many months.

The government has launched two separate schemes to support and protect both self-employed and employed workers: the Self-employed Income Support Scheme and the Job Retention Scheme. Even though I am to all intents and purposes self-employed (i.e. I work for various companies on a casual day-to-day basis with no guarantee of employment), I cannot claim via the Self-employed Income Support Scheme because more than 50% of my annual revenue comes from PAYE work with the BBC. If I am not classed as self-employed then you might reasonably intuit that I must therefore be “employed” and eligible for furlough. Indeed, I am on the BBC’s payroll with the relevant monthly deductions made for income tax and national insurance. The corporation prefers to pay its freelancers in this way and up until now

this has never proved to be a problem. However, I, along with hundreds of other BBC freelancers, am now set to be unfairly penalised because of this preference.

The BBC says it has been told by government that it is not allowed to use the furlough scheme to support its PAYE freelancers working in the publicly funded news and sport arm of the corporation – despite the fact that the government’s own online advice contains the following:

“In a small number of cases, for example where organisations are not primarily funded by the government and whose staff cannot be redeployed to assist with the coronavirus response, the scheme may be appropriate for some staff.”

I have already seen correspondence from parliamentarians suggesting that the BBC might be interpreting the advice incorrectly. This seems particularly egregious when you consider the BBC’s position that *is* allowed to furlough some PAYE freelancers working for its commercial subsidiaries that do not receive public funding.

Consequently, all of the above means I am not eligible for ANY kind of government support because:

1. Even though I am effectively self-employed the government will not classify me as such because my main employer chooses to tax its freelance staff at source rather than pay gross (as my other employers do)
2. To compound matters, that main employer IS entitled to furlough PAYE staff (essentially classifying them as “employed”) – but only those working in certain departments. This seems iniquitous for those caught on the wrong side of the divide

All BBC departments have reduced output, cut rotas, merged teams, and seen staff cancel holidays – correctly so as it bids to limit the number of people leaving home. Permanent staff are even being offered the chance to take unpaid leave for as long as they desire. The number of available freelance shifts has dropped to almost zero as a result.

At the start of this crisis the Chancellor vowed to do “whatever it takes” to support people and claimed “the self-employed have not been forgotten”, but many gaps still exist in the government schemes. It was pleasing to see a degree of flexibility with the decision to extend the cut-off date for the furlough scheme. I now call on the Chancellor to show similar flexibility to support PAYE freelancers, both at the BBC and elsewhere, by adopting the solutions put forward by the Federation of Entertainment Unions. This could be done by creating a new Freelance Worker Income Support Scheme using PAYE data collected by the Treasury or, perhaps more simply, by allowing those who fall below the 50% self-employed threshold to qualify for the Self-employed Income Support Scheme by assessing all income, both PAYE and turnover. The BBC, along with other broadcasters, has already written to the government to give its backing to this second solution. If evidence were required, it should be simple enough to check the veracity of a BBC freelancer’s claim by asking them to submit a copy of their 2018/19 BBC P60. Such a change would allow the many PAYE freelancers currently without an income to follow the government guidance to stay at home to help save lives rather than desperately hunting for work wherever they can find it.

The BBC has rightly received much praise during the crisis for the important role it plays in terms of public service broadcasting. It would seem grossly unfair that while certain sections of the freelance community have been offered generous support by

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the government others – those who have chosen to make a living working for the BBC, an institution of vital national importance at this time – are left with nothing.

I have set up a Facebook group for BBC PAYE freelancers that now has over 150 concerned members based across the UK. I am sure you will agree their situation is unjust and hope you will add your voice to those already calling for the suggested changes to be implemented.

Yours faithfully,

Ian Williams

May 2020