



Cymru Greadigol Creative Wales

EXTERNAL GUIDANCE NOTES

Emergency TV Development Funding (ETVDF)

These guidance notes are intended to help you to complete the funding application for Creative Wales' Emergency TV Development Fund (ETVDF).

ETVDF – Deadline: 18 May 2020 (5.00pm)

Background

The Creative Industries have been one of the fastest-growing parts of the Welsh economy for nearly a decade, creating jobs and wealth, contributing to a strong national brand and promoting Wales in the world. Creative Wales is an internal agency within Welsh Government which has been set up specifically to further support the growth of the creative industries in Wales and to offer a streamlined, dynamic and innovative service to the sector.

Within the Welsh creative industries, high-end television drama has been responsible for the highest level of economic impact which has resulted in Wales being a significant competitor in the international market place and TV production has led to a significant increase in the spend in Wales on the Welsh supply chain and within the wider Welsh economy.

The impact of the Coronavirus on the indigenous Welsh TV industry, both scripted and non-scripted, is already taking effect with imminent productions being immediately suspended. It is imperative that Creative Wales offers assistance right now in order to support indigenous production companies through the uncertainty of the coming months. With this in mind, the launch of the ETVDF will be prioritised in order for companies to be able to utilise this time, during which production cannot take place, to work on developing a project on their slate with a view to them being in a stronger position to secure commissions once a normal mode of working can take place.

This emergency funding is aimed at production companies, both scripted and non-scripted, based in Wales and where IP will be retained in Wales by Welsh companies. It is not aimed at projects intended for theatrical release since support is already provided by Ffilm Cymru Wales for theatrical projects developed by Welsh talent (writers, directors and producers).

Purpose of the Fund

The aims of this fund are:

- To provide immediate financial support for indigenous independent production companies during the Coronavirus crisis.
- To support the retention of IP by indigenous companies which, in turn, will enable them to grow.
- To enable indigenous production companies to fully develop projects to give them a greater chance of getting the project commissioned, greenlit and into production.

Who can apply?

- Independent production companies based in Wales
- Applicant companies must have their head office address in Wales
- Applicant companies must have a track record (ie have produced a previous TV project which has been commercially distributed within the past three years)
- Applicant companies must be the majority rights holders of the project (in the case of co-productions, they must own at least 50% of the rights)
- Company can be any size but must be an independent production company with a SIC code which demonstrates that production is their main activity.

We cannot support applications from individuals unless they have an established company with a relevant SIC code. Only legal owners of the production company will be eligible to apply for this funding.

What kind of projects do we want to see?

Eligible projects include; factual/documentary, drama, animation and comedy intended for TV broadcast.

We will prioritise projects which can demonstrate the following;

- Initial interest from broadcasters and/or distributors (with supporting expressions of interest)
- Welsh talent development
- Projects with a cultural significance
- Potential for international distribution
- Projects with potential for further IP exploitation (multi-platform)

What kind of projects do we not want to see?

- Projects in the very late stages of development (there will be a need to see added value of funding)
- Film projects intended for theatrical release
- Short form content projects

Please be aware that Creative Wales will be consulting with other potential funders and broadcasters as to the viability of projects.

What can you apply for?

- Up to £25,000 of funding
- We intend to pay 100% of the funding upfront where possible, but will require evidence of the money being spent as detailed in the award letter as part of a monitoring process.
- Eligible costs;
 - All desk based development activities including;
 - Research
 - Preparation of a treatment/bible
 - Preparation of a full production budget
 - Preparation of a finance plan

- Preparation of a marketing strategy
- Ineligible costs;
 - Overheads
 - Debt and debt service charges
 - Interest payments
 - Costs incurred which are not specific to this project
- Costs will be eligible from the date of application. Development costs will only be covered for a maximum period of 12 months. It will not be possible to claim for any retrospective costs.

Companies may only submit one application per funding Call. There can be no re-applications from companies whilst a current development funding project is still running.

All applications will be considered on an individual basis and payment of this grant is at the absolute discretion of the Welsh Government.

Welsh Government has absolute discretion on the duration and terms of the fund.

How will the application process work?

Applications for the ETVDF will be made using the ETVDF Application Form that will need to be submitted upon completion to Creative Wales, along with a completed development budget.

Application forms can be obtained by emailing creativewales@gov.wales.

This Call for funding will end on 18 May 2020. Applications will be assessed following this date and we aim to provide a decision to applicants by 1 June 2020.

Successful applicants will be issued with a Grant Offer Letter that outlines in more detail the terms and conditions of your grant, and particulars that only apply for the ETVDF. Once received, applicants will need to ensure that they sign and return this to us as soon as possible, and after they have checked they are content with the terms and conditions.

Delivery against agreed outputs will be recorded for up to 12 months following completion of the project and will be a condition of the grant offer.

Legal Route

Covid-19 Temporary Framework for UK Authorities - SA.56841 until 30th September 2020 (with possible extension until 31st December 2020).

The Framework allows for temporary limited amounts of aid to undertakings that find themselves facing a sudden shortage or even unavailability of liquidity can be an appropriate, necessary and targeted solution during the current circumstances.

The Commission will consider such State aid compatible with the internal market on the basis of Article 107(3)(b) TFEU, provided that all the following conditions are met. Please note there are specific rules for the primary agricultural and the fishery and aquaculture sectors.

- a. the aid does not exceed EUR 800 000 per undertaking in the form of direct grants, repayable advances, tax or payments advantages; all figures used must be gross, that is, before any deduction of tax or other charge;
- b. the aid is granted on the basis of a scheme with an estimated budget;

c, Aid may be granted to undertakings that were not in difficulty (within the meaning of Article 2(18) of the General Block Exemption Regulation in Annex C) on 31 December 2019, but that faced difficulties or entered in difficulty thereafter as a result of the Covid-19 outbreak.

d, the aid is granted no later than 31 December 2020.

In addition:

- i. there needs to be a direct causal link between the aid and COVID-19;
- ii. the aid is to be strictly limited to compensating only for the damage caused; and
- iii. there is to be no cumulation with other aid for the same costs.

Applicants to this fund can only apply for a maximum of £25,000 total funding under the Covid-19 Temporary Framework for UK Authorities – SA.56841.

It is also a requirement for the applicant to inform us of any support they have already received under other Temporary Framework schemes

ETVDF is a discretionary fund with no set appeals process. Unsuccessful applications will be notified following our decision and provided with advice and feedback on their application.

Privacy Notice

The Welsh Government provides a wide range of grant schemes to help deliver our policies and create a fairer, more prosperous Wales.

The Welsh Government will be data controller for any personal data you provide in relation to your grant application or request for grant funding. The information will be processed as part of our public task (i.e. exercising our official authority to undertake the core role and functions of the Welsh Government) and will help us assess your eligibility for funding.

Before we provide grant funding to you, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you to third party fraud prevention agencies.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the grant funding you applied for, or we may stop providing existing grant funding to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you.

We will keep personal information contained in files in line with our retention policy. If successful in your application then your personal data will be kept for 7 years after the date when you, as grant recipient, are free from all conditions relating to the grant awarded and all payment have been made. However, if the funding is awarded under General Block Exemption or De Minimis, your personal data will be kept for 10 years from the conclusion of any aid award. If you are unsuccessful your details will be kept for one year after the date you provided them.

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you;

- require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is the independent regulator for data protection

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer

Welsh Government

Cathays Park

CARDIFF

CF10 3NQ

Email Address: Data.ProtectionOfficer@wales.gsi.gov.uk

The contact details for the Information Commissioner's Office are:

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

Website: www.ico.gov.uk

Publicity

All successful applications will need to:

- Agree to be included on all publicity, press releases and marketing material we produce.
- Agree to include a *Supported by Creative Wales* credit on their end roller, should the project be produced.

Successful applicants will be notified and informed prior to the general release of material.

Post Payment and monitoring

6 - 12 months after the date of payment we will ask for evidence of defrayal of the eligible costs agreed within the award letter (this could be by way of receipted invoices supported by bank statements).

Grant Repayment

Applicants should note that the Welsh Government may require repayment of the grant in full or part if the funds are not used for the purposes stated on the application form or if the business was not eligible in terms a reduction in turnover. The applicant is entering into an agreement and this will be enforced by requesting proof, post grant award.

Appendix 1

Eligibility Criteria

Applications will first be assessed against the following eligibility criteria. Application projects which do not meet the eligibility criteria will be automatically rejected and will not proceed to the appraisal stage;

Company Eligibility Criteria	<ul style="list-style-type: none">• Application must be made by an independent production company with a relevant SIC code• Applicant company must be based in Wales with their head office based in Wales• Applicant company must be a registered business• Applicant company must be able to demonstrate a previous track record (one project having been commercially distributed/broadcast within past three years)
Project Eligibility Criteria	<ul style="list-style-type: none">• Project must be intended for TV broadcast• Project cannot be a short

Evaluation Criteria

Projects will be assessed against the following criteria;

Proof of interest from a broadcaster/distributor
Track record of applicant company
Feasibility of the project
Cultural value of the project
Welsh talent in front/behind the camera attached to project
Project has multi-platform potential