

# Unit 75: Legal Aspects in Performing and Production Arts

<b>Unit code:</b>	<b>M/502/5656</b>
<b>QCF Level 3:</b>	<b>BTEC National</b>
<b>Credit value:</b>	<b>10</b>
<b>Guided learning hours:</b>	<b>60</b>

## ● Aim and purpose

The purpose of this unit is to give learners an awareness of the current legal aspects that affect the performing and production arts. Learners will also find out about using legal skills in a professional role.

## ● Unit introduction

This unit introduces learners to a variety of legal information and provides them with the opportunity to implement legal skills a professional role. By participating in this unit learners will widen their knowledge of current legislation affecting the creative industry and explore how it will affect them in a professional role as well as giving them with a range of demonstrate able skills. The unit culminates in an evaluation which will allow learners to reflect on their legal knowledge and skills enable them to plan professional development in the area of legal awareness.

Drawing from current information on legislation, learners can track their own progress, implement appropriate legal steps and reflect on future steps. Learners will give consideration to the skills they need to operate legally within a professional role, and draw information and skills from regional and national information and support networks. Learners will use their research and knowledge to produce an action plan.

Learners should be offered the opportunity to demonstrate the skills obtained in this unit by undertaking a professional role within a performance or production process, eg obtaining appropriate licences or book keeping.

## ● Learning outcomes

**On completion of this unit a learner should:**

- 1 Know about legal aspects in a professional role
- 2 Know about legal aspects, requirements and skills
- 3 Understand appropriate standards of professional working practice.

# Unit content

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## 1 Know about legal aspects in a professional role

*Legislation:* culture; employment; equality and diversity; health and safety; copyright; citizenship; finance; business practice eg registering self-employed; environment; licensing; accountancy eg tax, technology, pensions, education

*Policies:* eg child protection, sustainability, artistic, fire safety; financial eg royalties; training, data protection, equality and diversity, health and safety

*Legal information networks:* unions eg Equity; creative industry agencies eg Pact; agents eg literary, business support agencies, regional advice agencies; creative enterprise specialists, regional arts resources, national arts resources, government agencies eg DCMS; ethnic diversity and racial equality networks

## 2 Know about legal aspects, requirements and skills

*Legal requirements:* eg insurance; public liability; copyright; data protection; accounts; health and safety, finance, methods for protecting intellectual property, consumer protection' equal opportunities; the Disability Discrimination Act (DDA), environmental protection, child protection, sustainability, fire safety, financial eg royalties, training, data protection, equality and diversity, contractual obligations, disclaimers

*Skills:* general eg risk analysis, book keeping, resource management, obtaining licences, filing, record keeping, obtaining insurance; administrative eg tax, communication, scheduling, obtaining licences; training eg first aid, filing, record keeping, obtaining insurance; writing policies eg equality and diversity, fundraising, safety assessments, understanding contracts

## 3 Understand appropriate standards of professional working practice

*Evaluation:* research carried out; legal skills employed; networks accessed; knowledge of professional role; plan eg SWOT/risk analysis; administration; policies considered; business aspects explored; legal requirements considered; knowledge needed for future work

## Assessment and grading criteria

In order to pass this unit, the evidence that the learner presents for assessment needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria for a pass grade describe the level of achievement required to pass this unit.

Assessment and grading criteria		
To achieve a pass grade the evidence must show that the learner is able to:	To achieve a merit grade the evidence must show that, in addition to the pass criteria, the learner is able to:	To achieve a distinction grade the evidence must show that, in addition to the pass and merit criteria, the learner is able to:
<b>P1</b> outline how legal requirements and constraints affect performing or production artists [IE, CT]	<b>M1</b> describe how legal requirements and other constraints affect performing or production artists	<b>D1</b> explain how legal requirements and constraints affect performing or production artists
<b>P2</b> select and implement the legal requirement relevant to a specific performance activity with support and guidance [RL, SM, EP, TW]	<b>M2</b> select and implement legal requirements for a specific activity with minimal support and guidance	<b>D2</b> select and implement legal requirements for a specific activity independently and confidently
<b>P3</b> evaluate some appropriate standards of legal and professional working practice. [RL, SM]	<b>M3</b> thoroughly evaluate some appropriate standards of legal and professional working practice, suggesting areas for development.	<b>D3</b> evaluate a wide range of appropriate standards of legal and professional working practice, suggesting areas for development, in a sophisticated and independent way.

**PLTS:** This summary references where applicable, in the square brackets, the elements of the personal, learning and thinking skills applicable in the pass criteria. It identifies opportunities for learners to demonstrate effective application of the referenced elements of the skills.

<b>Key</b>	IE – independent enquirers	RL – reflective learners	SM – self-managers
	CT – creative thinkers	TW – team workers	EP – effective participators

# Essential guidance for tutors

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## Delivery

Learners will need to be taught how to gather information from appropriate sources and be given guidance on where to obtain information. It is important that learners fully understand what is being asked of them by the tutor or work placement, if they are undertaking legal skills development. Learners should record the different stages of their skills development and progress in a file or working journal. This record should highlight specific examples of legal skills employed by learners, eg obtaining a licence correspondence. It could be helpful to learners to have a specific role assigned to them, or one that they can choose from, from the outset of the unit, eg stage manager, arts administrator, performer, producer.

Learning outcome 1 involves learners familiarising themselves with the current legal landscape.

Research should take a variety of forms such as government internet sites, into local performance companies, interviews with performers or industry professionals or government agencies and creative enterprise information they gather agencies or work experience. Learners can reflect on the information identifying what is relevant to their particular career path or job role. Presentations should be recorded for internal and external verification purposes.

Learning outcome 2 is about applying skills within a job role and it is useful for learners to carry out these skills within a production team preparing for a performance. Tutors can either assign roles or learners can pick them. Alternatively, learners can apply these skills within a work experience role. Learners' records or logs should include a checklist of skills gained and skills needed. Other evidence includes photographs, DVD recordings, checklists, diagrams, notes about meetings or research. Tutor or employer observation statements and self-evaluation and reflection checklists and tools will enable learners to track their own progress and prepare for effective evaluation.

Learning outcome 3 can be delivered in a variety of forms such as answering set questions, essay, presentation or exhibition. It is useful for learners to discuss with tutors or employers the directions and steps taken and to explore future actions and areas for improvement. Learners can then evaluate their progress accurately and identify next steps.

It would be useful for the tutor to make contact with regional advice agencies who specialise in creative industry issues and provide information to professionals currently working in the performing and production arts. It would also be useful to encourage learners to gain work experience or knowledge from local performance companies or professionals, for example conduct interviews and make the research aspect of this unit as practical as possible thus encouraging learners to engage with complex issues in an exciting way. Centres could host a performance company for a question and answer session or help learners in accessing advice from appropriate sources such as government subsidised advice agencies for creative professionals (see website list). Centres may wish to set up regular contact with regional networks, who can dedicate local resources to supporting skills development and who have continual updated information available to creative professionals or those in education. (See *Essential resources*.) It would also be useful for centres to establish working relationships with local advice agencies that specialise in the creative industry, and encourage learners to access information and one to one guidance from these agencies. This will also assist learners in collecting evidence from the unit and assist learners in being introduced to the professional arena.

## Outline learning plan

The outline learning plan has been included in this unit as guidance and can be used in conjunction with the programme of suggested assignments.

The outline learning plan demonstrates one way in planning the delivery and assessment of this unit.

Topic and suggested assignments/activities and/assessment
Introduction to unit and structure of the programme – whole class.
<b>Assignment 1: Know about Legal Aspects in the Creative Industry – P1, M1, D1</b> <ul style="list-style-type: none"><li>• Research current legislation and policies affecting the industry.</li><li>• Contact legal information networks relevant to a professional role.</li><li>• Produce a short presentation on legislation relevant to professional role.</li><li>• Deliver presentation to a peer group or whole class.</li></ul>
<b>Assignment 2: Know about Legal Aspects of a Professional Role – P2, M2, D2</b> <ul style="list-style-type: none"><li>• Discuss relevant legal aspects in relation to a chosen professional role.</li><li>• Identify specific legal requirements.</li><li>• Use skills implementing appropriate legal steps and record actions taken.</li></ul>
<b>Assignment 3: Evaluate Professional Practice – P3, M3, D3</b> <ul style="list-style-type: none"><li>• Evaluate skills employed in a professional role.</li><li>• Explore strengths and weaknesses of skills.</li><li>• Identify skills to be developed for the future.</li></ul>

## Assessment

Evidence for learning outcome 1 can include reflection on research collected by learners as well notes or other evidence from contact learners have with legal information networks, for example advice from Equity or another appropriate network. Learners could be encouraged to make contact with appropriate networks and could submit notes from advisory meetings or calls with networks. It is important that learners reflect on the information they collect in a way that is relevant to a professional role.

Evidence for learning outcome 2 can include plans for and checklists of legal tasks carried out or considered by learners and logs should include evidence that tasks have been carried out, eg risk analysis, insurance letters, copyright letters.

For learning outcome 3 evaluations can be in a variety of forms, for example essay, presentation, class discussion. Learners could produce a plan of what they can do next to further their legal skills appropriate for their planned career path, for example planned further contact with networks, identified areas for further research, skills desired, SWOT, PESTLE.

It would be useful for learners to receive tutor feedback or direction throughout the unit in the form of tutor observation notes or smart targets which supports the specific skills learners are aiming to achieve. Tutors can also make notes on guidance given to learners as to the appropriate networks and resources to which they have been directed.

For P1, learners will have identified a minimum of one policy, one network and one aspect of current legislation relevant to their role or career path. They will have reflected on the information they have found. Some evidence of contact with at least one network is also required. For P2, learners should carry out or be able to produce evidence that they have observed some legal practice. For P3, evaluation must identify some areas for development.

For M1, learners will have described a variety of relevant policies, networks and current legislation appropriate to their career aims. Learners at this level will work consistently and, to some extent, independently, to contact networks and gain information. For M2, evidence can be produced to show a variety of skills or jobs carried out. For M3, learners will thoroughly evaluate their progress and identify a variety of areas for development.

For D1, learners will, work independently and show thorough understanding of the relevance of information collected. Reflection will be relevant to the chosen career path and a large range of networks will have been contacted or considered. For D2, skills acquired during the unit will be diverse and, for D3, evaluation will suggest definite plans for professional and legal skills development.

### Programme of suggested assignments

The table below shows a programme of suggested assignments that cover the pass, merit and distinction criteria in the assessment and grading grid. This is for guidance and it is recommended that centres either write their own assignments or adapt any Edexcel assignments to meet local needs and resources.

Criteria covered	Assignment title	Scenario	Assessment method
P1, M1, D1	Know about Legal Aspects in the Creative Industry	Research current legislation and policies affecting the industry.  Contact legal information networks relevant to a professional role.  Produce a short presentation on legislation relevant to professional role.  Deliver presentation to a peer group or whole class.	<ul style="list-style-type: none"> <li>• Log.</li> <li>• Research.</li> <li>• Presentation.</li> </ul>
P2, M2, D2	Know about Legal Aspects of a Professional Role	Discuss relevant legal aspects in relation to a chosen professional role. Identify specific legal requirements. Use skills, implementing appropriate legal steps and record actions taken.	<ul style="list-style-type: none"> <li>• Log.</li> <li>• Skills checklist.</li> <li>• Research.</li> </ul>
P3, M3, D3	Evaluate Professional Practice	Evaluate skills employed in a professional role.  Explore strengths and weaknesses of skills.  Identify skills to be developed.	<ul style="list-style-type: none"> <li>• Evaluation.</li> <li>• Log.</li> <li>• Skills development list.</li> <li>• Self-review.</li> <li>• Action plan.</li> </ul>

## Links to National Occupational Standards, other BTEC units, other BTEC qualifications and other relevant units and qualifications

This unit forms part of the BTEC Performing and Production Arts sector suite. This unit has particular links with the following unit titles in the BTEC Performing and Production Arts suite:

Level 1	Level 2	Level 3
	Performing Arts Production Process	Performance Workshop
	Working in the Performing Arts Industry	Performing Arts Business
	Professional Development in the Performing Arts Industry	Production Arts Planning
		Theatre in Education
		Arts in Community
		Arts Administration
		Performing Arts Events Management
		Working Freelance in the Performing Arts Industry

### Essential resources

Access to a library and IT equipment is essential. It would also be useful for learners to be provided with specific websites and contacts for gathering information. Skills checklists would be very useful for learners to keep track of their own progress and to help with goal setting, as well as being directed to use local creative industry resources. Contact with outside networks would be beneficial for learners.

### Employer engagement and vocational contexts

It could be useful for learners to take advantage of advice agencies for the creative industry.

Examples of agencies are given in the websites list.

It could also benefit learners to have contact with professionals already working within the industry for information gathering.

## Indicative reading for learners

### Websites

[www.bectu.org.uk](http://www.bectu.org.uk)

[www.businesslink.gov.uk](http://www.businesslink.gov.uk)

[www.ccskills.org.uk](http://www.ccskills.org.uk)

[www.creative-choices.co.uk](http://www.creative-choices.co.uk)

[www.creativepeople.org.uk](http://www.creativepeople.org.uk)

[www.culture.gov.uk](http://www.culture.gov.uk)

[www.culture.info](http://www.culture.info)

[www.englandsrdas.com](http://www.englandsrdas.com)

[www.equity.org.uk](http://www.equity.org.uk)

[www.musiciansunion.org.uk](http://www.musiciansunion.org.uk)

[www.plasa.org](http://www.plasa.org)

[www.skillset.org](http://www.skillset.org)

[www.tmauk.org](http://www.tmauk.org)

Media and entertainment trade union

Free business advice and support service

Sector Skills Council for Creative and Cultural Skills

Creative and Cultural Skills career opportunities

Professional development for arts and crafts

Department for Culture, Media and Sport information

Providers of European and international information services to the arts and cultural sector

Regional Development Agencies

Professional performers and creative workers trade union

Musicians trade union

Professional Lighting and Sound Association

Sector Skills Council for Creative Media

Theatrical Management Association

## Delivery of personal, learning and thinking skills

The table below identifies the opportunities for personal, learning and thinking skills (PLTS) that have been included within the pass assessment criteria of this unit.

Skill	When learners are ...
<b>Independent enquirers</b>	researching legislation
<b>Creative thinkers</b>	selecting appropriate information
<b>Reflective learners</b>	applying legal skills and evaluating progress
<b>Team workers</b>	carrying out legal requirements (if working in a group)
<b>Self-managers</b>	applying legal skills and evaluating progress
<b>Effective participators</b>	applying legal skills.

Although PLTS are identified within this unit as an inherent part of the assessment criteria, there are further opportunities to develop a range of PLTS through various approaches to teaching and learning.

Skill	When learners are ...
<b>Independent enquirers</b>	planning and carrying out research
<b>Creative thinkers</b>	adapting ideas for performance
<b>Reflective learners</b>	setting goals or tasks inviting feedback on their own work and dealing positively with praise, setbacks and criticism evaluating their experiences and learning to inform future progress
<b>Team workers</b>	when working in a group, taking responsibility for their own role managing discussions to reach agreements and achieve results
<b>Self-managers</b>	seeking out challenges or new responsibilities and showing flexibility when priorities change dealing with competing pressures, including personal and work-related demands responding positively to change, seeking advice and support
<b>Effective participators</b>	engaging with a group.

## ● Functional Skills – Level 2

Skill	When learners are ...
<b>ICT – Use ICT systems</b>	
Select, interact with and use ICT systems independently for a complex task to meet a variety of needs	researching legal aspects and job roles
Use ICT to effectively plan work and evaluate the effectiveness of the ICT system they have used	planning for a job role
Manage information storage to enable efficient retrieval	saving legal information
<b>ICT – Find and select information</b>	
Select and use a variety of sources of information independently for a complex task	creating and finding resources and ideas for performance and adapting them for use
Access, search for, select and use ICT-based information and evaluate its fitness for purpose	exploring, extracting and assessing the relevance of information from performance-related websites
<b>ICT – Develop, present and communicate information</b>	
Enter, develop and format information independently to suit its meaning and purpose including: <ul style="list-style-type: none"> <li>• text and tables</li> <li>• images</li> <li>• numbers</li> <li>• records</li> </ul>	making a skills list and recording progress
Bring together information to suit content and purpose	evaluating skills development
Present information in ways that are fit for purpose and audience	creating a log
Select and use ICT to communicate and exchange information safely, responsibly and effectively including storage of messages and contact lists	communicating with other members of a group relevant to job role or research
<b>English</b>	
Speaking and listening – make a range of contributions to discussions and make effective presentations in a wide range of contexts	doing pair work on the analysis of research and giving presentations on conclusions attending production meetings
Reading – compare, select, read and understand texts and use them to gather information, ideas, arguments and opinions	reading research and selecting appropriate material
Writing – write documents, including extended writing pieces, communicating information, ideas and opinions, effectively and persuasively	writing reports or log or evaluation.