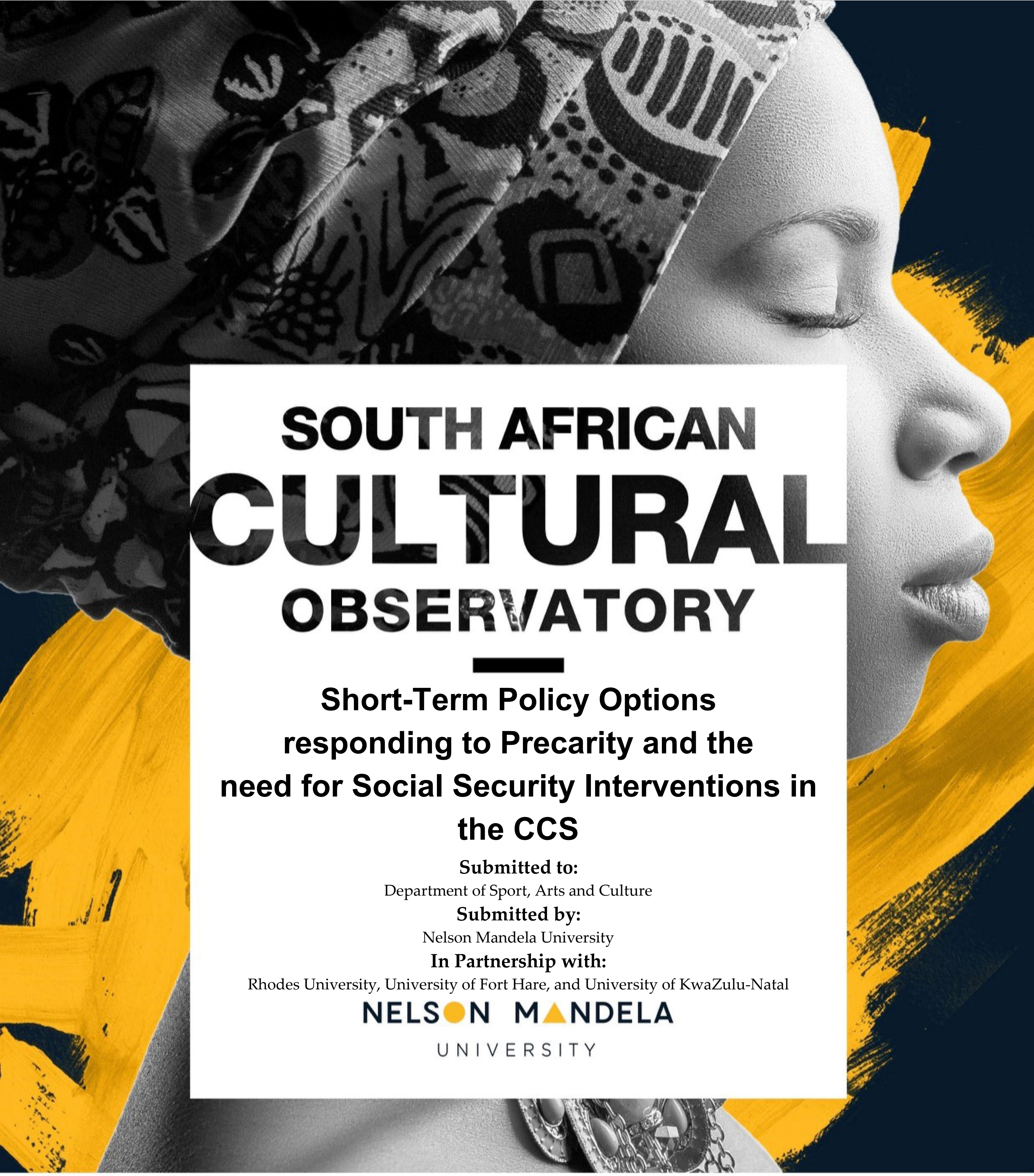

SOUTH AFRICAN CULTURAL OBSERVATORY

Short-Term Policy Options responding to Precarity and the need for Social Security Interventions in the CCS

Submitted to:

Department of Sport, Arts and Culture

Submitted by:

Nelson Mandela University

In Partnership with:

Rhodes University, University of Fort Hare, and University of KwaZulu-Natal

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South African Cultural Observatory

Report

Short-Term Policy Options responding to Precarity and the need for Social Security Interventions in the CCS

28 March 2023

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Abbreviations

ACH	Arts, Culture and Heritage
AFS	Annual Financial Statistics
AI	Artificial Intelligence
AP	Associated Press
AR	Augmented reality
ASSITEJ SA	Association of Theatre for Children and Young People South Africa
B-BBEE	Broad-Based Black Economic Empowerment
BRICS	Brazil, Russia, India, China, and South Africa
CACNET	Community Arts Centres Network
CAGR	Compound annual growth rate
CAD	Canadian dollar
CAPASSO	Composers, Authors and Publishers Association
CATHSSETA	Culture, Art, Tourism, Hospitality, and Sport Sector Education and Training Authority
CC	Cultural and Creative
CCI	Cultural and Creative Industry
CCIFSA	Cultural & Creative Industries Federation of South Africa
CCSA	Copyright Coalition of South Africa
CD	Compact disc
CISAC	International Confederation of Societies of Authors and Composers
CSA	Cultural Satellite Account
CSG	Child Support Grant
CSO	Civil society organizations
CSA	Cultural Satellite Account
CWUSA	Creative Workers Union of South Africa
DALRO	Dramatic, Artistic, and Literary Rights Organisation
DBE	Department of Basic Education
DOL	Department of Labour
DSAC	Department of Sports, Arts and Culture
DSD	Department of Social Development
DTI	Department of Trade & Industry
DTIC	Department of Trade, Industry and Competition
EC	European Commission
EU	European Union
EUR	Euro
FANG	Facebook, Amazon, Netflix and Google
FET	Further Education and Training
FFA	German Federal Film Board
FIC	Fair Internet Coalition
GDP	Gross Domestic Product
GEMS	Government Employees Medical Scheme
GEPF	Government Employees Pension Fund

GST	Goods and Services Tax
GVA	Gross Value Added
HEI	Higher Education Institution
HRD	Human Resource Development
IEJ	Institute of Economic Justice
ILO	International Labour Organization
IO	Input Output
IPR	Intellectual property rights
ISIC	International Standard Industrial Classification
KSVF	Artists' Social Insurance Fund
KSVG	*Künstlersozialversicherungsgesetz* Artists' Social Security Structure Act
LDC	Least developed countries
MLC	Mechanical Licensing Collective
MMA	Music Modernization Act
MOA	Memorandum of Agreement
MR	Mixed reality
NAC	National Arts Council
NDB	New Development Bank
NEDLAC	National Economic Development and Labour Council
NGO	Non-governmental organisation
NSF	National Skills Fund
NSSF	National Social Security Fund
OECD	Organisation for Economic Co-operation and Development
OMC	Open Method of Coordination
PANSA	Performing Arts Network of South Africa
PESP	Presidential Employment Stimulus Programme
PMA	Personal Managers Association
RIS	Reimagined Industrial Strategy
RTP	*Rádio e Televisão de Portugal*
RWP	Revised White Paper
SA	South Africa
SACO	South African Cultural Observatory
SADA	South African Dance Alliance
SAGA	South African Guild of Actors
SAM	Social Accounting Matrix
SAMRO	Southern African Music Rights Organisation
SAPAHA	South African Performing Arts Health Association
SASCOC	South African Sports Confederation and Olympic Committee
SASFED	South African Screen Federation,
SAUCCIF	South African United Cultural and Creative Industries Federation
SDG	Sustainable Development Goals
SEF	Social Employment Fund
SEK	Swedish krona
SETA	Sector Education and Training Authorities
SIC	Standard Industrial Classification
SME	Small and Medium Enterprises
SNA	System of National Accounts

SOE	State Owned Enterprises
SRD	Special Covid-19 Social Relief of Distress Grant
STAND	Sustaining Theatre and Dance Foundation
STEAM	Science, Technology, Engineering and Maths
STEM	Science, Technology, Engineering and Maths
TADA	Theatre and Dance Alliance
TBF	Theatre Benevolent Fund
TDA	Theatre Dance Association
TDEASA	Theatre & Dance Employers Association
UBI	Universal Basic Income
UIF	Unemployment Insurance Fund
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
US	United States
USA	United States of America
VANSA	Visual Arts Network of South Africa
VAT	Value Added Tax
VOD	Video On-Demand
VR	Virtual reality
WIPO	World Intellectual Property Organization

Executive Summary

The initial exploratory research report on Precarious Work and Social Security in South Africa's Creative and Cultural (CC) sector, ranged relatively widely and moved somewhat beyond its brief. Paradoxically, in so doing it opened further avenues of inquiry and uncovered tangled issues. A meeting with DSAC and SACO in December/November 2022 during the first research phase, already pointed to the need to expand and deepen the research. This was confirmed in a workshop in late January 2023 at which the exploratory report was presented, and its strategic implications and recommendations spelt out. The workshop also considered the scope and nature of future research and associated policy interventions, both in the short and longer-terms. A subsequent follow-up meeting between the research team leaders and senior DSAC member in early March 2023 clarified further the linked research and policy trajectories for DSAC.

This research report on Precarious Work and Social Security in the CC sector and creative economy in South Africa links with and expands certain aspects of the original report. It also sets the scene for a line of future inquiry on the dynamics of precarity in the CC workforce and the kinds of social protection that could be provided by a state facing a range of deep structural challenges ranging from the delayed investment in state infrastructure through to mass unemployment, high inequality and fiscally constrained growth. In addition, envisaged policy interventions will be taking place in a somewhat fragmented and historically conflicted terrain, with mostly underdeveloped institutional and associational structures. Smart partnerships, coordinated interventions, and an innovative use of public, private and third sector resources are required to lead to meaningful outcomes.

This study looks to supplement certain key aspects of the exploratory report, most especially in regard to the policy and implementation considerations, and to provide momentum for future policy and research processes. The study has three main objectives. Firstly, it provides the first stage of a refined online survey with more direct emphasis on the kinds of social protection measures required. Secondly, it provides additional economic analyses of contractual labour in the CC sector and examines the selection dynamics in regard to pensions and UIF programmes by cultural and creative workers and practitioners. In the third place, a summary policy framework most especially for shorter term initiatives, i.e. quick wins for the Department of Sports, Arts and Culture are provided.

The study is divided into eight chapters. The introduction discusses the issues at play, outlines the Terms of Reference of the study, and thus describes the nature and scope of the research to be done. There is also a short summary of the constituent chapters.

Chapter one provides a comparative and international literature review of atypical and precarious labour in the artistic, cultural and creative sectors. Notwithstanding the fact that precarity of creative labour is not a new phenomenon, it is the intensification thereof that is apparent even in a number of developed countries. While the C-19 pandemic had a deleterious impact on the CC sector globally, there are other factors in play. For instance, cultural capital and class positions can and still do make a difference in accessing work and opportunities in the sector. The ongoing digitization of the CCI sector and the continued shift to gig work has reshaped a good deal of cultural and creative work. In addition, the growing emphasis on intellectual property and copyright as part of what Standing (2016) calls the new rentier capitalism, has presented new contradictions for local artists and creative firms in securing a just percentage of their rights. A number of the digital platforms pay nominal or modest revenue to the relevant national governments but secure largely unmonitored access to a range of possible business including that associated with the creative economy. And in some instances as Cunningham (2014) points out precarity is negotiated and managed by some creative workers and practitioners and in some sectors. But with the downscaling of the welfare state project, there is less investment in the public arts and cultural space than previously, and more emphasis on consumption than production of arts and creative work.

Moreover, the creative economy is changing and seemingly expanding, partly through an emphasis on a kind of democratization of creativity and innovation, and the extension of digital platforms into new realms, such as the metaverse (Haines & Lotter 2023). And with AI impacting on processes of artistic creativity, there are new uncertainties for artists and creative workers. This in turn adds to the challenge to nation states: How to ensure that high artistic and creative endeavour is nourished and sustained.

In addition, the value of associations and trade unionism for artists and cultural workers in responding to conditions of work is considered, as are the shortcomings thereof. Furthermore, there is a compact discussion of efforts by certain associations and trade unions globally to adopt new technologies (such as social media) and approaches to help artists and cultural workers in their struggles.

The rather modest body of South African scholarship on the precarity and conditions of work is also examined. In general, the emphasis falls more with issues of precarity in the CC sector. There is something of dearth of academic research on social protection matters in regard to the CCS and the creative economy.

The research methodology and methods are discussed in chapter two. A mixed method approach is deployed. Desktop research includes a range of secondary literature and accessible documents. The economic modelling exercises are based primarily on data generated from the Labour Market Dynamics in South Africa (LMDS) survey. This is a longitudinal household survey conducted by Statistics South Africa (Stats SA) to provide a comprehensive understanding of the country's labour market dynamics. It collects detailed information on labour market activities, including employment, unemployment, job search, job mobility, and earnings, among others. The data is collected into a single file and occupations and industry classifications are used to identify creative and cultural workers. The prime mode of analysis of the data is via a time series approach. The times series data is aggregated using pivot table techniques.

Further quantitative material is generated via an online survey of select artists and cultural workers with a blend of questions on the experiences of precarious labour, and on the views on structured social protection and unemployment income support. This empirical material is supplemented by a several semi-structured interviews and informal meetings (direct and online) to explore and/or discuss potential short-term policy interventions in regard of precarity amelioration and social protection in the CC sector and creative economy. Where necessary such insights are cross-referenced with existing sets of interviews from the exploratory research study.

Chapter three considers of the international and policy context and developments, including certain best practices cases. In effect it supplements the specific literature review contextualized in chapter two. In chapter there is a quite substantive de facto literature review, most especially in regard to the status of the artist (in the widest sense), and the working conditions of artists and cultural workers and developing and/or reasserting relevant social security measures.

Chapter four provides a short overview of the socio-economic policy context in South Africa and relevant trends and issues. A compact summary of the social protection system/regime is also provided. This links up with certain of the economic analysis in chapter seven in regard to Pension, UIF and contractual issues confronting the artistic and creative workforce. The chapter then moves on to consider select aspects of DSAC cultural policy such as the Revised White Paper on Arts, Culture and Heritage, as well as the DTIC-DSAC collaborative production, the Masterplan for Cultural and Creative Industries (DTIC 2022). These productions are considered, particularly in regard to their provisions to improve working conditions for artists and creative workers, and recommendations on the subject of social security protection in the CCS. Thereafter, the associational and institutional landscape and the modest efforts at unionization, are compactly examine. The seemingly fragmented CCS terrain is discussed. The relevance of conflict management approaches in future policy processes are raised subsequently in chapter eight.

Chapter five discusses the qualitative empirical material. Several semi-structured interviews and discussions were held to supplement the insights provided by the seventeen interviews with eighteen stakeholders of the exploratory study. These interviews and discussions consisted of three one-on-one interviews, and three sets of online discussions, two of which were tripartite discussion, and the other meeting a one-on-one discussion. Furthermore, apart from these online discussions, a DSAC-SACO workshop was held in late January 2023, and an informal meeting of the SACO research team and DSAC held on 1 March 2023. There was also an online meeting with Assitej regarding the context and nature of the e-survey and questionnaire for their beneficiaries. These meetings and discussions were focussed primarily on key issues and items for the short-term policy and research options section

Chapter six analyses the data provided by the online survey. The electronic survey was carried out via the Survey Monkey platform. This survey was a trimmed and revised version of the one carried out for the exploratory research report. It was sent to Assitej beneficiaries and reinforced with additional respondents accessed by referral processes. On the first deadline of the survey, a robust number of 267 interviewees had responded – an encouraging sign given the tight timelines for the exercise. This survey provided an improved coverage of details regarding the question of social protection measures for the CC sector.

In chapter seven, a new quantitative economic analysis, based primarily on data generated from the Labour Market Dynamics in South Africa (LMDS) is applied to the CC sector. The analysis use a times series approach which is aggregated by the use of pivot table techniques. The LMDS survey comprises a longitudinal household survey conducted by Statistics South Africa (Stats SA) to provide a comprehensive understanding of the country's labour market dynamics. It collects detailed information on labour market activities, including employment, unemployment, job search, job mobility, and earnings, among others. The data is collected into a single file and occupations and industry classifications are used to identify creative and cultural workers.

On the question of unemployment income and pensions there are a number of workers operation outside of formal social security protection. The analyses show that a high percentage of workers do not pay UIF -- with Black creatives contributing the least to UIF and Coloured creative contributing the most of the designated population groups. In addition, despite the rather small old age pension given by government, less than half of creative workers contribute to a private pension fund. This is a significant amount and suggests the urgency for state and private sector interventions here.

In recent years the percentage of workers paying UIF has shown an upward turn, while there has been a downward turn in regard to contributions to private pension funds. These figures indicate if anything the reinforcement of informal contracts and gig work within the South African creative economy sectors

The second sub-section examined the situation of gig workers within or with links to the creative economy. Currently, they are classified typically as independent contractors and thus not considered employees. This means that they are not entitled to the same benefits and protections as employees, such as minimum wage, sick leave, or unemployment insurance. This is problematic and needs to be addressed and prioritized by government.

Gig workers contracts vary considerably with the industry, particular company, and/or the platform with which they are engaging. Some gig workers in South Africa may be represented by trade unions, associations, or advocacy groups, who work in part to promote the rights and interests of gig workers. However, the legal status of gig work in South Africa has not been settled, and debates continue on how best to protect the rights of gig workers, and how to ensure that they receive fair compensation and improved working conditions. A further point, raised by certain respondents is that quite often contracts are poorly drafted, or even verbal in nature, making it difficult to contest such legal arrangements when conflicts arise.

The tabular evidence suggests that if anything gig working is growing phenomenon in South Africa, and that fair and equitable representation is important.

Chapter eight deals with short-term policy options and interventions. The chapter outlines a range of short-term and policy options and actions steps, and related action steps. These interventions allow for meaningful integration of policy actors and accompanying research. Insights and identified solutions have been informed by the preceding analyses including the modest but focussed set of interviews and discussions that supplement the existing body of strategic interviews, focussed groups and meetings.

The policy options and interventions presented, are designed to be implemented in a relatively short space of time. There is an emphasis on ‘quick wins’: practical and achievable projects and processes.

The policy options envisage DSAC to take the lead in the inter-departmental initiatives in the Inter-Governmental Relations (IGR) space. Further specifications and prescribed procedures could be outlined in a ‘toolbox’ exercise.

A number of institutional projects and interventions are discussed, including the following:

- Establishment of Special Private Sector Fund for CC Sector on PP Lines.
- Formation of Intergovernmental Committee for Social Protection in the Cultural and Creative Sectors and Creative Economy.
- Formalization and Establishment of Special Archives and Records Management System/Programme for Social Protection for CC Sector.
- Policy Toolbox for DSAC and national government
- International Reference Group for Social Security for Artists and Creative Workers
- International Conference on Social Protection Responses to Precarity in the CC Sector
- Digital Cultural Policy Group

As discussed above, each project should articulate well with the other specified projects and interventions.

In addition, an accompanying programme of potential research projects is put forward to provide a set of applied research to provide useful information for the policy process for DSAC and inter-governmental stakeholders. These include a bespoke toolbox to facilitate DSAC interventions in regard of Social Security policy design for the CC sector; a research audit of the associations, trade unions and institutions of the CC sector; relevant research in regard to the production and stakeholder engagement for Green and White Papers; cooperatives as a means of ameliorating precarity in the CC workforce; and Gig work and the creative economy.

The research management aspect as well as the question of securing national and leveraged funding to ease the fiscal burden on DSAC is also considered. It is also advised that seed funding and additional funding for research be secured to anticipate the demands for information in respect of the institutional projects listed above.

In conclusion, this expanded study has brought to bear a range of rich empirical material, supplemented the original exploratory study, and confirmed the pervasiveness of precarity in the CCS in South Africa. With countries from Ireland to New Zealand, currently firming up new interventions in the regard to the improvement of the working conditions and social protection of the CC workforce, it is the time for DSAC singly, and in conjunction with strategic partners, to embark on a coordinated course of action in this field.

The report has identified a number of specific interventions and projects that can be embarked upon in the shorter term with achievable goals and with multiplier effects. The question of resource constraints has been taken into consideration and options for mitigating such factors specified. Such interventions may lead to further unanticipated and propitious outcomes. Accompanying such a programme would be a series of selected and supportive research studies which would provide an evidence-based dimension to the overall process and contribute to the reflexivity of the policy making and implementation. Such policy interventions will have a positive impact on the CCI sector and contribute inter alia to the implementation of key recommendations of the CCI Masterplan and the Revised Masterplan. Moreover, these endeavours will develop the creative economy and its workforce and stimulate the creation of new sustainable jobs.

1. Introduction

This projected research project is in line with the memorandum sent to DSAC in 2022 and the meeting of DSAC and SACO representatives held at the Courtyard, Arcadia, Pretoria on 28 January 2023.

The research project is designed to work within the parameters of a report for the last quarter of SACO's current tenure. It will respond directly to DSAC's desire to move quickly on determining interventions by the Ministry in respect to precarious employment and the shaping social security measures in the CCS.

The points raised by DSAC officials on the shorter-term imperatives for DSAC have informed this TOR. The exigencies of SACO's transitionary phase from the second to the third contractual terms of office have also been taken into consideration.

In regard to the key aims and objectives outlined in the preceding sub-section, this current research is the first practical step in a series of inter-connected steps and priorities for immediate and short-term interventions as well as providing a broader route map outlining future medium to longer-term interventions.

1.1. Terms of Reference

The exploratory report by SACO on Precarity and Social Security in the Cultural and Creative Sector in South Africa, and its early findings confirm the significant interest in the linked questions of:

- precarious work in the cultural and creative sector in South Africa, and the ways and means of addressing this, and
- the related issue of structured social security for artists and cultural practitioners.

The report also suggests that it is imperative for government, and more specifically for DSAC officials, to increase their working knowledge, locate and generate the relevant accessible data, and improve and refine their understanding of these issues. This will allow a more efficient design and development of policy fundamentals, including the legal aspects.

DSAC has emphasized that it is keen identify current resources that can be mobilized to provide practical guidelines regarding the initiation of processes leading to a Green and White Paper and, if required, relevant legislative measures. The first stage of this process is to offer opportunities which officials can use to expand their working knowledge base, and thereafter provide a toolbox for DSAC and government officials to use in accessing existing resources and clarifying the roles of key stakeholders.

1.2. Goals and Methods

The central aim and objectives of this report are to expand and diversify key aspects of the initial and exploratory research report, mainly the online survey, and the main policy recommendations and findings. In addition, it is imperative that we have a more specific quantitative overview of the main beneficiaries, which will entail a study of the cultural and creative workers/workforce, utilizing StatSA's Labour Force Survey dynamic data series.

The objectives and outputs will include the following:

- Expand, restructure and refine the current online survey to send to all relevant persons and agencies on the DSAC data bases. Also look to access ASSITEJ and other interested CC networks for respondents for the revised survey.

- Summarize the key and relevant findings of the international literature review and policy implications thereof. Where necessary add supplemental material and recommendations. Include available international best and good practice most appropriate to the South African context. Establish through comparative analysis reference points/guidelines for classifying artists and cultural workers deserving of social protection.
- Develop a profile of the cultural and creative workers and creative agencies to inform the design of policy interventions in regard to future social security measures.
- Develop a framework for the subsequent production of a toolbox containing guidelines, templates and resources that can be used by DSAC to meet it institutional priorities in the Cultural and Creative Sector (CCS).
- Within the parameters of this report, undertake select strategic interviews with representatives of the financial and business sector, representatives of the relevant associations. If possible, and following due protocols, arrange an interview with a designated representative of UNESCO in regard to determining future international cooperation and possible touchstones for subsequent interventions by DSAC.
- Consider support that government can expect from (i) the private sector; (ii) the CC sector; and (iii) the communities involved.
- Establish the basis for a phased approach, over a number of years, for government and especially DSAC to precarity and the related social security measure in the CCS.

1.3. Research Methods

In order to achieve the above objectives, the following research methods were used:

- A review of international and South African literature (journal articles, policy papers and documents, and industry reports), including the South African Cultural Observatory (SACO) Mapping Study and relevant SACO reports, to give background and context.
- Semi-structured interviews of representatives in the CC sector as well as the financial sector
- An online survey open to workers in the CC sector
- A quantitative review of current and potential social security measures in South Africa using a time series approach to data collation and analysis.

1.4. Conclusion

This introductory chapter sets the scene for this exploratory report and outlines the context in which this research was done. The intensification of precarity among cultural workers globally, is this report notes, not unrelated to the impact of neoliberal interventions in the cultural and creative sectors and beyond, and the increased dominance of the large corporate digital platforms in the shaping of new forms of the creative economy. With such disparities becoming increasingly prevalent, governments will need to re-evaluate their cultural policies and take action in the short, medium and long-term to improve conditions so that those in the CC sector can work with dignity.

2. Chapter 1: Literature Review – International and South Africa

2.1. Introduction

Research has shown that CCS contributes significantly to the global economy through provision of employment, growth of the supply chains, and nurturing of talent and innovation. Already in 2015, it was estimated that the CCS worldwide generated revenues of US$2,250 billion and employed 29 million people (CISAC 2015)

This chapter considers the studies done on the nature of work and precarity in the CCS, linked to the increasing globalisation of this sector. Thereafter, there is a brief overview of research on the differences in support for those in the CCS in the developed and developing economies. Key studies on the issues of associationism, collective action and trade unionism in the CCS are then highlighted as well as the emergence of new forms of activism.

The chapter ends with an overview of the studies of precarity in the South African CCS and important statistics provided of this via the mapping of the sector by the South African Cultural Observatory. A key finding is that South African cultural and creative products are not only bound by the complexities of our society, but also by global value chains.

2.2. Work in the CC Sector, Globalisation, and Precarity

The CCS comprises a wide range of work that involves the production and dissemination of cultural and creative goods and services. UNESCO defines activities in the CCS as those "whose principal purpose is production or reproduction, promotion, distribution or commercialisation of goods and services" (CISAC 2015, 11). In its 2021 report, UNESCO provides an updated overview of the different fields within the CCS, these are represented in the graphic below.

Figure 1: Domains within the CCS

Cultural and Natural Heritage	Performance and Celebration	Visual Arts and Crafts	Books and Press	Audio-Visual and Interactive Media	Design and Creative Services
Museums	Performing arts	Fine arts	Books & newspapers & magazines	Film	Architecture
Historical places	Live music	Photography	Libraries	TV and radio	Fashion design
Archaeological sites	Dance	Crafts	Book fairs	Streaming & podcasts	Graphics design
Natural heritages	Festivals, feasts and fairs			Video games	Interior design
					Advertising

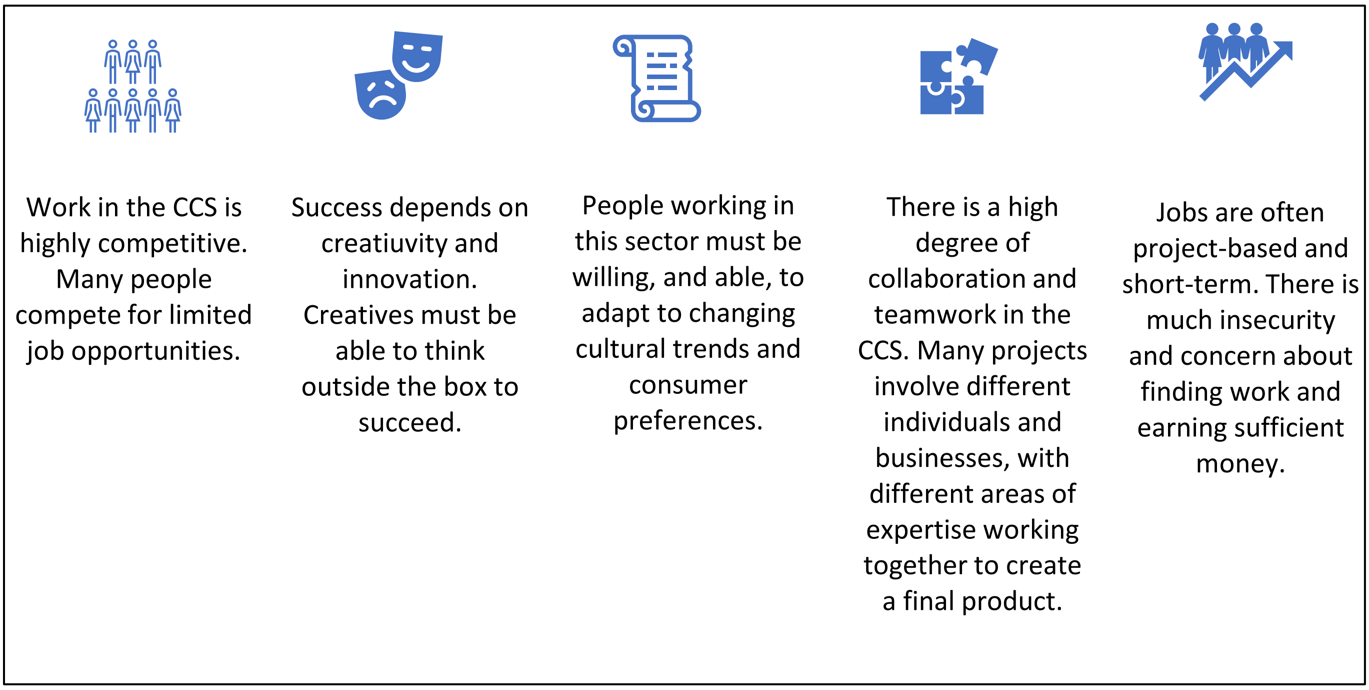
2.2.1. Nature of work in the CCS

The nature of work in the CCS varies widely depending on the field of work, job role, and organization. Over the years a great deal of research has been conducted on the nature of work in the CC sector and the structural changes that have taken place in the new millennium. Indeed, the advent of Big Tech companies (Google, Apple, Facebook, and Amazon), and the powerful platforms they have built, have significantly changed what work is available and how creatives work in this sector. These platforms offer creatives opportunities to:

- connect with global audiences;
- use new distribution channels;
- source different marketing options; and
- benefit from new revenue streams.

Trends about the nature of work in the CCS show mix of bohemianism and entrepreneurialism in a good percentage of their respondents (Gill and Pratt 2013). This mix drives the establishment of many small and medium-sized enterprises (SMEs), which, in turn, drive innovation and growth in the sector. A further characteristic of the CCS is the collaboration of businesses to produce and distribute products and services. Diverse businesses, such as catering to transport to security, all play significant roles in the different CCS fields. One result of this is the establishment of creative clusters such as Silicon Valley and Hollywood where businesses and entrepreneurs in the same field are located in close proximity, enabling them to share knowledge, resources, and expertise.
The nature of work in the CCS can be characterised as follows (Connor, Gill and Taylor 2015; McRobbie 2015; Gallagher 2015; Santos 2017, Gill and Pratt 2013).

Figure 2: Characteristics of work within the CCS



When considering the nature of work in the CCS, attention needs to be paid to its reliance on intellectual property, such as copyrights, trademarks, and patents, which protect the originality and creativity of creative works. This enables individuals and businesses to monetise their ideas and protect their rights in the marketplace.

2.2.2. Globalisation and the CCS

Globalisation has had a significant impact on the CCS by promoting the cross-cultural exchange of ideas, practices, and products. Globalisation has also had a significant effect on the nature of work in the sector. Curtin and Sansom (2016) show how the increased globalization of the CCS has gone hand in hand with increased precarity in the industry internationally.

Research on globalisation in the new millennium is often linked with the digitization and the convergence of production and distribution processes within the music industry (Lozic 2020; Lawrence 2019). The results of this have been seismic. The turn of the century saw the beginning of a decline in the music industry's revenue. Global music corporations have had to restructure their business models. Between 1999 and 2014 global music revenues declined by around 44 per cent (ibid).

While a turnaround in the fortunes of the traditional music corporations has been achieved and revenues grown, the revenue remains below the levels of 1999. And the greater portion of the global revenues is derived from digital sales and streaming. The turnaround in revenues has not matched the decline in CD and record sales. The artists' tour has become one of the ways for artists to generate revenue for themselves, until the Covid-19 pandemic inhibited such initiatives. While the major stars remained generally profitable for many musicians and associated creative professionals the pickings were slim (Lawrence 2019, additional reference).

Globalisation has also impacted on the nature of work in film and television. Workers in these fields have traditionally been categorized as among the creative sectors' elite industry workforce, but deregulation and privatisation as well as the increased influence of transnational capital and associated technology developments has placed more pressure on national public and private media structures, and intensified competition between local and international providers (Curtin & Sanson 2016).

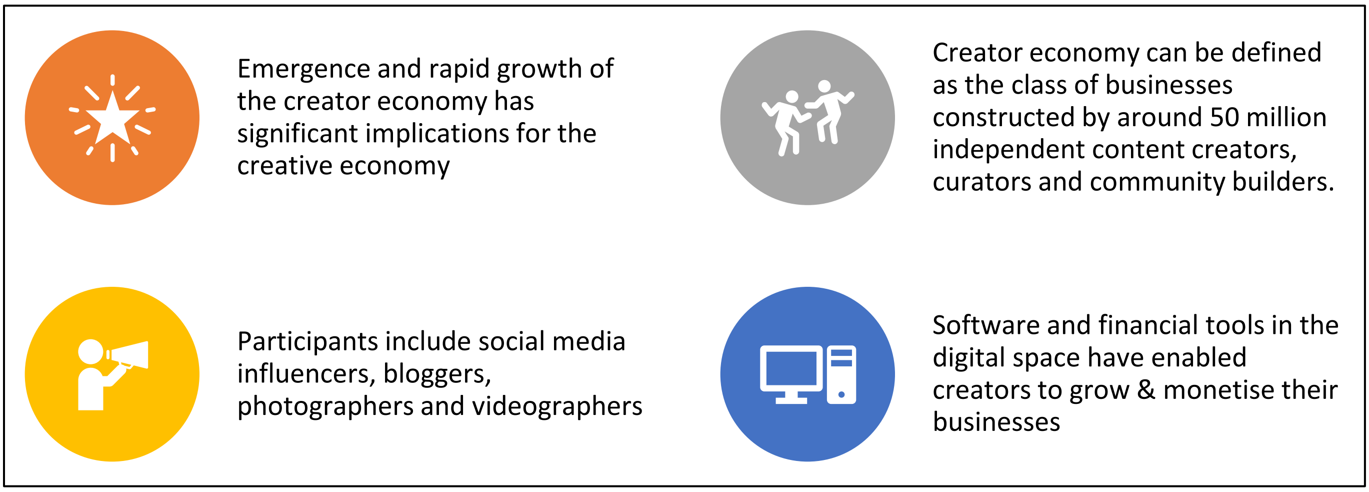
In recent years, researchers have argued that globalisation has led to the homogenisation of some cultural products, as many countries are now exposed to the same forms of music, films, and literature. And a number of artists are strongly advocating for their own cultural expressions to be prominent in their work (McRobbie 2015).

Research has shown that, despite efforts of international bodies, the positive impact of globalisation on local CC sectors has been limited (Gilmore et al 2019). Despite the organisations such as UNESCO emphasising the importance of engaging with 'the local', income protection and career transition schemes for workers in developing countries are still rare.

2.2.3. Big Tech and the Creator Economy

Closely linked to globalisation, is the growth of the Big Tech companies (Google, Apple, Facebook, and Amazon) and the impact of their platforms on work opportunities for local talent. The digital platforms have transformed the way content is created, distributed and consumed.

Figure 3: Digital platforms impact on work within the GGC

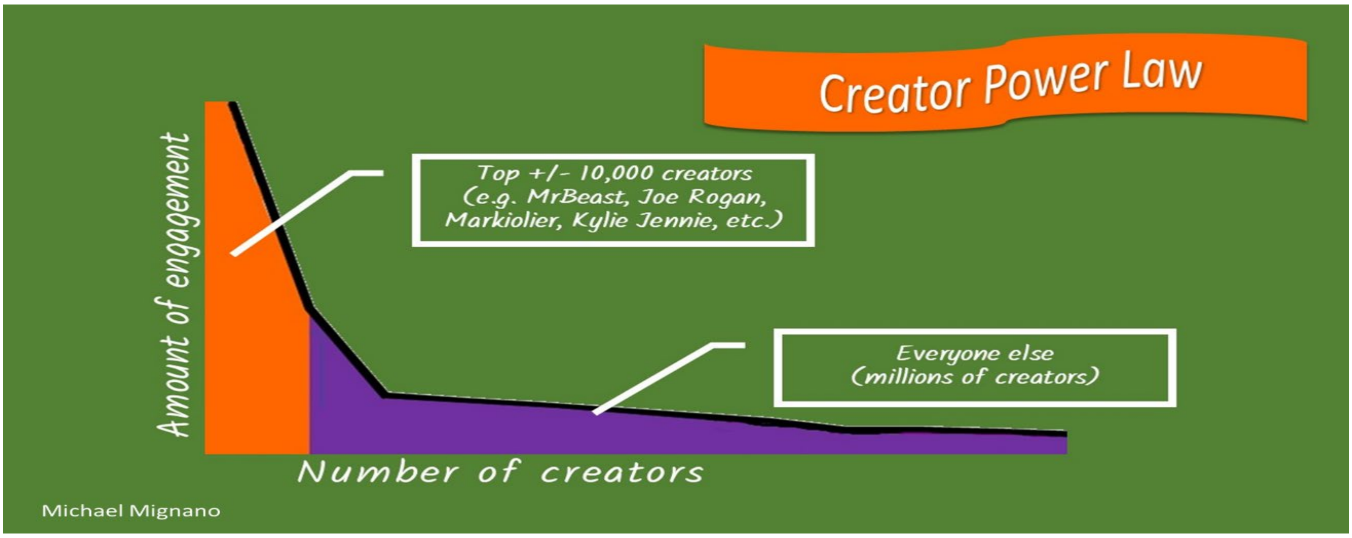


The Big Tech companies have enabled rapid growth of the creator economy. Broadly, the creator economy is defined as the class of businesses constructed by around 50 million independent content creators, curators and community builders. Participants include social media influencers, bloggers, photographers and videographers. Creators use innovative software and financial tools which have helped to grow and monetise their businesses and associated activities (Yuan & Constantine 2022).

However, the creator economy is not without its problems. For instance, global funding for creator economy start-ups raised ‘only’ $700 million in Q2 2022, a 60% drop compared to the equivalent period in the previous year.

Structurally, there is a particularly long tail of low earners in the creator economy. A hack of one of the payment systems in October 2021 showed that 50% of the revenue was made by the top 1% of streamers, and that 75% of the accounts made less than 120 dollars in that year (2021). In addition, a quarter of all revenue was earned by the top 1,000 accounts with 896,261 accounts making no money.

Figure 4: Creator power law (Michael Mignano)



Finding and retaining 1,000 fans is difficult for most creators. There are obstacles to breaking through digital platforms algorithms, including insufficient internal marketing expertise.

Constrained opportunities within the creator economy are not necessarily problematic. They in fact point to a much larger opportunity argues Mingana (2022), and that creating content for the sake of creativity is more than acceptable.

2.2.4. Big Tech in the CCS

The growth of the so-called tech giants has been dramatic. In the late 2000s, only Microsoft was listed as one of the biggest companies in the world as measured by market capitalisation. Nowadays, the top five usually comprises Apple, Alphabet (the parent company of Google), Amazon, Facebook, and Microsoft. Of these Apple, Amazon, Google and Facebook, have come to dominate the digital (platforms currently used by those in the CCS (Galloway, 2017 and 2018; Pillay 2018; Wu 2018; Brown 2021).

By early 2018 the Big Tech Four had a market capitalisation of $2.8 trillion (the GDP of France), a 24% share of the S&P 500 Top 50 (Galloway 2018). Their contributions to revenue in the US is well below corporate averages on the S&P, and at dismal levels in most countries outside the US (ibid.). For instance, Facebook paid just €30m in tax in Ireland on revenue of €12.6bn for 2016.

With smartphones and tablets now constituting the nexus of a range of products and services for the new creative economy, the fact that Google Android and Apple iPhones dominate the operating system space and the mobile app market, is significant. By 2018, Apple took in over 90% of the global smartphone profits. Effectively then Apple and Google determine which businesses can reach their customers and on what terms for such transactions (Hearn 2018). In other words, the tech giants are in a position to stimulate or inhibit the nature and growth of the CCS (Brown 2021).

Critics have stressed the large-scale destruction of jobs by Big Tech. This includes buying, or squeezing out, competitors with over 500 companies acquired by Big Tech since 2018, and hampering the entry of new tech initiatives.

Facebook and Google are seen as comprising a virtual duopoly (Fortune 2017) in online-advertising, with decreasing effective competition and regulation (Hearn 2018; Kelly 2018; Brown 2021; Koetsier 2018). These platforms generate over half the world's digital advertising revenue, which is the fastest-growing sector in the advertising industry. As Julianne Schultz (2016) states, this marriage of culture and technology is a problematic one:

> As a result, we are seeing a massive redistribution of wealth from the cultural sector, where meaning is created, to the technology sector, which has figured out how to market, distribute, reach and make money out of it in ways the cultural industries never imagined possible…

Competition regulators are struggling to come to terms with this new economy and there have been some successful rulings in the EU and India (e.g. Prakash 2022).

2.2.5. Precarity in the CCS

Employment insecurity is a significant issue in the CCS. A key factor contributing to insecurity in the CCS is the nature of the work itself. Many creative jobs are project-based or freelance, meaning that workers are not employed on a permanent basis and must constantly find new projects or clients to sustain their income. This lack of job security and a constant need to network to secure new work often increases stress levels.

Another factor contributing to job insecurity in the CCS is the industry’s competitive nature. It often happens that there are more workers than jobs available, leading to fierce competition. In addition, many creative jobs require a significant amount of skill and experience, which means that workers continually need to hone their skills in order to remain competitive.

Moreover, the demand for experience means that entry-level positions are scarce. CCS jobs, especially in the performing arts, are affected by fluctuations seasonally, politically and economically. Changes in government, such as the political party voted into power, or the minister appointed to oversee the CCS, could lead to changes in policies and government funding. This would have a significant impact on the availability of work in the cultural and creative sectors.

In addition, the global nature of the creative economy can contribute to work insecurity, as those in developed economies may face competition from lower-cost creatives in developing countries. This can lead to downward pressure on wages and job opportunities.

2.3. The Nature of CCS in Developed and Developing Economies

Numerous research studies have found that the CCS sector plays a significant role in economies of both developed and developing world. However, such research has also noted that there are key differences in the nature of the sector in these two types of economies. Developed economies have a more established and diversified creative sector, while developing economies are still building their creative industries, with a strong connection to local culture and traditions. The table below provides a snapshot of the CCS in the developed and developing economies.

Table 1: Comparison of CCS in developed and developing economies

In developed economies, the CCS	In contrast, in developing economies, the CCS

• Is well-established and has a mature market
• Is highly diversified, with numerous companies
• Has a large number of skilled professionals working in different areas
• Has government investment in arts and culture
• Has governments support mechanisms, including
  • grants
  • tax incentives subsidies
  • loan programs
• Have well established cultural institutions, including
  • museums
  • theatres
  • arts councils
• Has access to well-developed infrastructure to support creative activities.
• Is often driven by technology and innovation,
• Is a major contributor to local and the national economies
	• Is still in its infancy,
	• Is often seen as a luxury rather than a necessity.
	• Is usually dominated by small and medium-sized enterprises (SMEs) and individual artists and creatives
	• Has limited access to resources & infrastructure
	• Has limited institutional structures to support the CCS
	• Has limited support from government
	• Has limited access to funding, market, and technology.
	• Despite these challenges, the creative sector in developing economies is growing rapidly, and there is a growing recognition of its economic potential
	  • is often closely linked to local cultures and traditions
	  • are deeply rooted in the cultural heritage of these economies
	  • can contribute to cultural preservation and identity
	  • can provide a platform for local voices and perspectives

Despite these differences, there are commonalities in the challenges faced by the creative sector in both developed and developing economies, including:

- copyright and intellectual property protection,
- access to markets,
- the need to balance artistic expression with commercial viability and the
- challenges related to the globalization of creative industries (e.g. competition from low-cost clusters)

Moreover, in both developed and developing countries, the inequalities in regard to matters of gender, are persistent. For instance, according to an analysis by a Brazilian state organization, the percentage wage inequality between men and women is higher in the cultural sector than the collective percentage of all other sectors, with women in the cultural field in 2018, earning on average only 67.8% of men's salaries, as opposed to 82.8% in all other sectors (IBGE, SIIC 2018).

2.4. Associationism, Collective Action and Trade Union in the CC Sector

The high degree of precarity in the CCS as well as the large proportion of freelance and self-employed workers has made collective action and trade unionism a challenging undertaking. Although there is a relative paucity of studies about collective action and the viability of trade unionism in the CCS, there have been studies completed on this subject in recent years.

Bethany Staunton (2020) considers the situation in regard to trade unions in the CC sector in the UK, focussing on the establishment and formalization of the Artists' Union England (AUE) in 2016. She points out that trade unions have existed in the UK arts sector for some time and new unions have emerged. There are particular challenges for unions in a fragmented and shifting terrain. A major impediment is the lack of recognition and status accorded many artists. She cites Zita Holbourne, an artists and trade union organizer:

> "If you're working in the arts, you're very undervalued…There's a complete disrespect towards artists, across the world. They're expected to live off thin air, from the love of what they do. But imagine a world without art: it would be miserable."

Establising collective action in the CCS is complicated by the both the competitiveness nature of work as well as the specialised, project-based employment structures. This results in creative workers being hesitant to join trade unions despite the precariousness of their work. Trade unions have struggled to develop viable forms of collective action and organisation and incorporating these in collective bargaining (Bellini et al 2018). There is also they note little in the way of studies of interest representation and industrial relations vis-à-vis CC workers (Bellini et al 2018).

Amanda Coles (2015) explores the contradictions in regard to the role that unions in Ontario, Canada play in the film and television association, FilmOntario. The notion of the creative economy is presented as an economic development strategy to the cultural workforce. Film Ontario has been successful in negotiating tax incentives and funding. And its success in policy advocacy is tied closely to union resources. However, the authors note that the ideological and associational choices unions make as policy actors, when representing the collective voice of the (creative) working class, has determines the degree to which cultural labour problems are or can be understood as cultural policy problems (ibid).

A European Commission (EC)-funded study of Industrial Relations in Creative Sectors by Alberto Gherandini (2017) notes that in regard to cultural workers in the EU region, the recourse to collective action and bargaining, and unionization is modest at best. However, the identification of the traditional social partner organisation of creative workers at national et European level is not an easy task. Gherandini suggests that vulnerable creative workers 'barely use' either collective action or traditional industrial relations tools in order to overcome the risks of the markets and to safeguard their interests. This in turn is related to the decline of the power of the unions in the early decades of the 21st century and a tendency to focus on the 'insider' dimension of a dualized labour market (ibid.). A further cause is the low propensity of the younger generation to join parties and representative organizations. However, the author points out, the identification of the traditional social partner organisation of creative workers at national et European level is not an easy task.

Despite these challenges, there are a number of examples of successful collective action and trade unionism in the creative sector. For example, in the UK, the Broadcasting, Entertainment, Cinematograph and Theatre Union (BECTU) represents workers in the film, TV, and live events industries. Similarly, in the US, the International Alliance of Theatrical Stage Employees (IATSE) represents workers in the entertainment industry.

The graphic that follows provides a brief overview of the different types of associations and collective actions in the CCS.

Table 2: Types of associations and collective actions within the CCS

Artist collectives

- These are groups of artists who come together to explore different ways of perceiving the world and making arts. Artist collectives have occurred throughout history, can take many different forms, such as Picasso and Braque working together to create the Cubist style. Coollectives are also formed fto enable members to share the costs.

Trade unions

- Trade unions can play an important role in collective bargaining and developing a strong ecosystem in the CCS. In this way, trade unions can support creatives above and beyond the negotiation of better wages and working conditions for workers.

Creative networks

- These are informal groups of creative professionals who build relationships based on work opportunities. These networks are important for freelancers and independent contractors as they facilitate recruitment of individuals for specific projects.

Advocacy organizations

- These are groups that work to promote the interests of the creative sector as a whole, often by lobbying governments and policymakers to support arts funding, copyright laws, and other policies that benefit artists and creative professionals.

Benevolent associations

- These associations provide support and assistance to artists and creatives in need, while also promoting diversity, inclusion, and cultural heritage within the industry.

Crowdfunding platforms

- Digitalisation and IT has changed the funding models in the CCS. Crowdfunding is increasingly adopted in countries where there is limited opportunities to access government grants. Crowdfunding allows creative entrepreneurs to fund their projects and build a community of supporters. Platforms like Kickstarter and Patreon allow creators to raise money directly from their fans, without the need for traditional investors or gatekeepers.

Open-source communities

- Open-source communities have emerged as a way for people to collaborate on projects and share resources without the need for traditional intellectual property protections. E.g., the open-source software movement has led to the development of tools like GIMP (an image editing program) and Blender (a 3D modelling program) that are free and open to anyone to use and modify.

The above graphic lists the different type of association, collective action, and trade union opportunities for workers in the CCS. While collective action in the sector is very challenging, the graphic shows that there are distinct opportunities for creative practitioners to work together to improve working conditions and protect their rights. Such efforts need to be supported by government regulations and policies.

2.5. Emergence of New Forms of Activism

Gherandini (2017) stresses that cultural workers are not acquiescent or passive agents in regard to the prevailing social structures. Rather workers adopt mixed strategies. For one, creative workers may opt for an individual strategy that seeks to protect and enhance their creative reputations and their portfolio-based careers as a means to ensure continuing work within the industry. Secondly, in some institutional settings such as Denmark, or a specific subgroup, such as journalists, workers may be substantively unionised and involved in industrial relations. In other cases, creative workers, may not opt for either individual nor collective approaches; rather, new forms of collaboration have emerged or become more apparent. These include partnerships among professionals co-located in co-working spaces; virtual professional communities; and social media identity movements.

Covid-19 pandemic has had a significant impact on the creative sector, and many workers in this industry have been hit hard by the economic downturn caused by the pandemic. This has led to increased activism during the Covid-19 pandemic and in the immediate post-Covid period, as noted in the graphic below.

Table 3: New forms of activism within the CCS

Digital organizing •During the pandemic creatives increasing used digital tools to communicate and and organize. These tools include social media, online forums, and video conferencing. Such platfoms enable creatives to organize meetings, share information, and coordinate collective action.	Mutual aid networks •In addition to traditional artist collectives and trade unions, workers in the CCS tried to establish mutual aid societies to support each other during the pandemic. These societies focussed on providing financial and emotional support to members, as well as organizing collective actions such as lobbying for government support.
Public-private partnerships •Creative entrepreneurs have coillectively lobbyied for greater cooperation between government and the private sector to provide much needed support to organizations in the creative domains.	Systematic action by international organisations •Prior to, and post, Covid-19 shutdowns, agencies such as the UN, UNCTAD, UNDP and UNESCO have championed the CCS as a 'feasible development option'. Actions from such agenices have helped to globalise the creative economy policy agenda

The results of this activism have been studied by researchers, and their findings have deepened our understanding of the work and experiences of artists and cultural practitioners globally, and the disjunction between the declining fortunes of some, while others (Big Tech) have grown exponentially. Roberta Comunian & Lauren England (2020), via a study of the impact of Covid-19 on creative and cultural industries in the UK, raise several pertinent points. They note the disjunction between the existence and persistence of substantial levels of precarity in creative and cultural work, and the seeming invisible nature of such a phenomenon in 'the eyes of policy and policymaking'. Comunian and England (2020) chart the common concerns in relation to visible and invisible issues that require addressing. New approaches by the state, industry and other stakeholders are required to deal with the question of precarity in the CC sector (ibid).

Nevertheless, one of the study's main conclusions is that while emerging creative industries, such as the new media, present a lack of long-standing traditions and institutions they can be a fruitful field for work unionisation (ibid. 30).

2.6. South Africa and Studies of Precarity in the CC Sector

Studies on the play of precarity and the implications thereof in the South African context are modest at best. However, there have been some useful studies of late that provide collectively and individually a number of insights.

Ben Scully (2016) in a critique of Guy Standing, argues that while precarity in the world of work has come to be conceptualized as a global phenomenon, there has been on the whole a tendency to deploy a 'somewhat simplistic assumption of global convergence' (Scully 2016: 160). Although precarious work has been on the rise globally, there are real differences in the histories of work and work between the economies of the Global North and South (ibid.).

Scully argues that the narrative which contrasts current situations of precarity to a secure past is not accurate for many workers in the Global South. Precarious work has been a long-standing institution in the Global South although the impact of neoliberalism and globalization are important in the periodization of the restructuring of global labour. The erosion of work security and the 'old' politics of labour from the early 1980s to the present has been well charted by Standing and others. During the same period in the South, there has been an emergence of new forms of labour politics by means of which workers contested precarity within and without the workplace. Social movement unionism noted by Seidman (2011) in Brazil and South Africa was part of these processes.

Subsequent research has shown that such forms of activism were times of innovation and increased militancy for workers in a number of developing countries (Scully 2016). These late 20th century developments faced increased challenges in the early decades of the 21st century. Nevertheless, there are still continuities with old style labour politics through industrial strikes and union recruitment. There have also been new forms of collective action by structurally vulnerable workers (ibid.)

While there has been a range of work about precarious labour in South Africa (e.g. Barchiesi 2008; Ewinyu, A, Masikane, F & Webster, E (2021); Anwar & Graham 2022; Raniga 2022; Brandt 2022) there is a rather modest scholarship on precarity in the cultural and creative sectors.

Books by Louise Meintjes (2017 and Sarah Ives (2017) on the tangled history of Zulu Ngoma dance performances, and Rooibos production respectively, show how cultural products are bound up by the structural violence in South African society, past and present, and restructured by local and global value chains. As reviewer Aran Mackinnon (2018) notes of the two texts:

> The authors emphasize the historical and current precariousness of the majority of South Africans who struggle to make a living in the country… It is … this very precarity that defines and makes possible the essence of the cultural resources that people draw upon. (ibid).

Studies by the South African Cultural Observatory have provided important statistics and accompanying analyses of the dynamics of precarity in the creative and cultural sector. The most recent round of mapping studies of the Observatory have placed an increased emphasis on this dimension.

The Covid19 pandemic has both revealed and exacerbated the prevalence of precarity in the relevant labour markets. South African Cultural Observatory (SACO) provided two reports – one an initial scan of the scale and effects of the early effects of the pandemic and a later study, one year on from the initial study, and which provided a more effective take on the short and longer-term effects of the pandemic one year on. (SACO 2022).

A general overview of employment in the South African cultural and creative industries by Hadisi and Snowball (2017) while not focussing specifically on the question of precarity, does provide useful insights.

Table 4: Nature of work within the South African CCS

They find that the workforce in cultural occupations in South African is somewhat less racially diverse than that in non-cultural occupations, but there are relatively large differences between the cultural domains	There is a slightly higher proportion of men working in cultural occupations than women (%51.7% to 48.3%). But this is higher than in the non-cultural occupations here men comprise 52.5% of employed persons	Between 2008-2013 formal sector employment constituted a greater percentage of cultural jobs than informal sector employment. However, significantly formal CC sector employment declines from 2012, while the corresponding numbers of informal sector jobs increase	From 2014 the informal sector comprises a greater proportion of jobs than the formal sector
During the same period, the percentage of persons in cultural employment who work for someone decreases, while the percentage of 'own account' or freelance workers increases	Cultural employment grows fasters than non-cultural employment but is more volatile and more affected by economic downturns.	There is some evidence that cultural occupations are not as open or meritocratic as might be desired.	

Overall, these findings are indicative of the international trend to increased precarity in the CC sector labour market in South Africa.

In terms of case studies, Snowball and Mapuma (2021) examine a set of micro-enterprises making bespoke garments for customers using a particular South African textile termed Shweshe. Internationally economies CCIs can play an important role in national economic development. In South Africa, as no doubt in many other developing economies, cultural firms tend to be small and employment is precarious, with a high level of informality and freelance work. The findings of the study indicate that the informality of the business does not have a particularly large impact statistically on turnover all other things equal. This suggests that the informal business model may be a self-conscious and rational choice for firm owners operating in a cultural sector with a project-based orientation, rather than an enforced survivalist strategy (Snowball & Mapuma 2021). Nevertheless, Employment creation is, however, greater for those micro-enterprises operating in the formal sector, suggesting that there may still be benefits to formality for some firms (ibid).

Farmer (2021) provides an ethnographic study of the work and lifestyles of a community of indie game creators in Cape Town and provides material and insights into the complexities of precarious labour in the creative industry sector in South Africa. She argues that these game creators try to 'evangelize' their craft, by looking to grow their sub-sector of the industry by attracting additional creators and consumer, by developing networks, and establishing their careers by creating distinct cultural products. This enables them to better adapt to precarity and financial insecurity. In addition, given that the bulk of these game creators come from a particular ethnic and generational group, and they are able to leverage cultural capital. Importantly, as Farmer (2021) points out, they also tend to eschew mainstream expectations and conventional criteria for success (ibid.).

2.6.1. Precarious existence

It is recognised Internationally that CCIs play an important role in national economic development. In South Africa, as in many other developing economies, cultural firms tend to be small and employment is precarious, with a high level of informality and freelance work.

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2.6.2. Soft power

Joseph Nye coined the term "soft power" in his 1990 book *Bound to Lead* "that challenged the then conventional view of the decline of American power (Nye, 1990). "After looking at American military and economic power resources, I felt that something was still missing—the ability to affect others by attraction and persuasion rather than just coercion and payment." (Nye J (2017)

Stemming from his work and that of other scholars is the Africa Soft Power Project (ASP), which is focused on harnessing the continent's creative, cultural, and knowledge industries to propel itself forward, while championing the inclusion of African and diasporan voices, in global discourse.

In the African context, Soft power refers to the ability of an individual, institution or nation engage, communicate, and persuade, and it's applicable right across sectors, from the creative and cultural, to digital and tech, and even more traditional industries like finance or energy.

> *"Today, we live in a world where African culture has gone mainstream, as exemplified earlier this year when Burna Boy had a packed-out Madison Square Garden eating out the palm of his hand! We want to celebrate that success, but also build on it, bringing more African creative and cultural pursuits into the mainstream, and helping to fuel the digital and knowledge economies of tomorrow on a global level.*
>
> *"A key part of ASP's initial two year programme has been to establish May as 'Africa Month.' There are already celebrations like Black History Month in February in the US, or October in the UK, and that's great because they champion the diaspora community. But when we are thinking in terms of global blackness, the continent of Africa still gets left behind, and so we seek to paint a modern, accurate picture of what the continent is about today – and that cultural narrative of course, is best told by our creative industries!" (Nkiru Balonwu, founder of the Africa Soft Power Project).*

In May 2023 ASP is hosting a summit in Kigali, Rwanda with the theme: 'Africa & the Global Community: The New Face of Collaboration'.

> *As we leave lockdowns behind, we re-enter a very different physical world to the world we closed the door on in March 2020 – this represents a huge opportunity for change. For Africa, it's not only about attracting greater investment from the Facebooks, Googles, and Disney's of this world (which we need*

to do), but also having greater confidence in ourselves and our own media tech sectors, and what they can bring to the world.(ibid)

South Africa's CCI sector can benefit from being involved in the movement. Balonwu told NewAfrican in an interview that"

"The key of course, is always about balancing uniqueness with collaboration, which again is a big part of ASP's focus. If you look at an institution like the European Union, one of the big focus that has grown up there in recent years is the need to protect national culture and sovereignty, while simultaneously removing the barriers to collaboration, because the bloc as a whole recognises that it is stronger together.

"The African creative and cultural economies can act in much the same way, bringing unique outputs but operating efficiently as a continent, and in collaboration with the wider world".

2.7. Conclusion

This international and comparative literature review has focussed on the dynamics of precarity in the cultural and creative sectors. It notes that there are often class, ethnic factors and the mobilization of cultural capital in regard to entry and career progression in the sector, the particularities of which would appear to vary with regard to the country or region in question.

There are also North-South dichotomies at play in areas such as international donor relationships with local cultural and creative economies. We have seen as well that precarity has deepened in creative economies worldwide. And as a range of scholars argue such developments can be tied with the increased deregulation of the world economy and the erosion of state and union protection of cultural workers.

The development of transnational platforms and large corporate entities has eroded in a number of respects the options open to local firms in the creative and cultural economy. Nevertheless, as some scholars argue the occupational complexities and the heterogenous and shifting nature of the creative economy need to be taken into account.

Certain sets/groups of cultural workers and practitioners see the precarity as a given and look to negotiate and even exploit the opportunities. And some such workers have the networks, cultural capital and an outlook that welcomes a variety of work and experience as opposed to more corporate and structured occupational satisfaction.

Nevertheless, there has been a discernible increase of insecurity in swathes of the cultural and creative economy globally, and an accompanying erosion of traditional public spending on arts and culture. More reflexive and innovative interventions are required globally to reinforce the status of the artist and cultural workers and to ameliorate working conditions through some coherent social security measures.

3. Chapter 2: Methodology and Research Methods

3.1. Introduction

This research team used a combination of research methods in conducting this study, including secondary data (desktop) research, quantitative and qualitative fieldwork. This chapter provides a compact discussion of this report's methodology and research methods.

3.2. Desktop Research

A key aspect of the research was the desktop literature review. The review provides an international perspective of precarious labour and the need for social security in the CCS. It also includes a modest but not inconsequential body of literature on the South African dimension of the precarious nature of CCI-work.

3.3. Empirical Data

The empirical research consisted of quantitative and qualitative methodologies, listed below.

Semi-structured interviews, individual and group discussions.
A survey (prepared with a balance of closed, categorical questions and open-ended questions).
Data analysis via a time series approach

3.3.1. Semi-Structured Interviews and Focus Group Discussions

Interviews are a commonly used method for gathering rich and nuanced information about individuals' experiences, attitudes, and perspectives.

In this study, semi-structured interviews and focus group discussions were conducted to collect qualitative insights from study participants. The interviews consisted of a set of open-ended questions and opportunities for general discussion. Where possible, interviews were done onsite (during a site visit). Where site visits were not possible, interviews were conducted using the Zoom Cloud Platform or Microsoft Teams.

For the overall research exercise 27 respondents participated in a series of interviews. The respondents represented a wide range of domains within the CCS, i.e.:

- Cultural Heritage
- Design and Creative Services
- Education
- Performance and Celebration
- Performance and Celebration
- Visual Arts and Crafts

They also constituted a mix of individuals who:

- Work full time in a cultural or creative firm.
- Are freelancers with no permanent work.
- Employed in a non-profit/NGO.
- Employed in the public sector.
- Own or manage a cultural or creative firm with employees.

Each respondent signed an interview consent form.

3.3.2. Survey Questionnaire

An online survey is an effective way to obtain data from a large number of participants in a relatively short amount of time. The research team prepared and administered a survey between 6-14 March 2023. The survey consisted of four parts:

Part 1 – general questions for all to answer, including demographics (7 questions)
Part 2 – questions for freelance, part-time or gid workers to answer (9 questions)
Part 3 – questions for full-time employees to answer (10 questions)
Part 4 – questions for business owners or managers to answer (8 questions)

The electronic platform, SurveyMonkey©, was used to develop, distribute, and collate survey results. Through the use of this platform, we could guarantee the anonymity of the respondents.

It was anticipated that the response rates for this type of survey approach could be low, and insights derived somewhat superficial. Therefore, researchers engaged with agencies with strong links in the creative sector to help disseminate the survey link and encourage creatives to respond.

Some 267 responses were received by the close of the survey. Respondents took approximately 10 minutes on average to answer the questions.

A copy of the questionnaire can be found in Appendix 5.

3.3.3. Data analysis via a time series approach

The Labour Market Dynamics in South Africa (LMDS) survey is a longitudinal household survey conducted by Statistics South Africa (Stats SA) to provide a comprehensive understanding of the country's labour market dynamics. It collects detailed information on labour market activities, including employment, unemployment, job search, job mobility, and earnings, among others. The LMDS survey is designed to provide a better understanding of the dynamics of the South African labour market by tracking changes in employment and unemployment over time. The survey also seeks to understand the factors that contribute to job creation and job loss, such as economic growth, technological change, and changes in labour market policies.

The survey has been conducted annually since 2008, with a sample size of approximately 30,000 households, making it one of the most extensive labour market surveys in South Africa. The survey sample is drawn from the Quarterly Labour Force Survey (QLFS), which is also conducted by Stats SA.

The LMDS survey is designed to provide a better understanding of the dynamics of the South African labour market by tracking changes in employment and unemployment over time. The survey also seeks to understand the factors that contribute to job creation and job loss, such as economic growth, technological change, and changes in labour market policies. Importantly, it collects information regarding whether the respondent is an employer, an employee or a freelancer.

The survey includes employment (people who are currently employed, their occupation, industry, and earnings); unemployment(people who are actively looking for work but are currently unemployed); job search (how job seekers to find work, such as responding to job ads, networking, and using employment agencies); job mobility (frequency and reasons for changing jobs, such as seeking better pay, career advancement, or job security); earnings; education and training.

The data is collected into a single file and occupations and industry classifications are used to identify creative and cultural workers.

3.4. Ethical Considerations

All respondents were required to give consent before participating in the interviews or completing the survey.

3.5. Conclusion

This chapter provided a discussion of the research methods employed in the report. The research essentially comprises a mixed methods approach. The report has a substantive literature review which includes a comprehensive review of the international and comparative literature discussing precarity. The report provides an international and South African policy context based primarily on a desktop analysis. This chapter then provided an overview of the empirical aspects of the research, including the qualitative and quantitative methods used.

4. Chapter 3: International Context and Policy - International Best Practice Examples

4.1. Introduction

This chapter considers the international and comparative context and policy issues regard the intersecting trends and discourses in regard to precarious labour and social security and insurance provision in the CC sector nationally and globally. The international section is divided into several sub-sections. The first sub-section considers the question of the status of the artist discussions and policy productions and initiatives set in motion through the iconic 1980 Recommendation on the Status of the Artist of UNESCO and approved by the majority of its member states. The policy lineage of the 1980 Recommendation and the subsequent UNESCO 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions considered and associated developments are assessed.

The 1980 Recommendation establishes the right of artists to have the same similar social and economic rights as other citizens, which includes having the same right of access to the social security and social welfare regimes of the country or member state in question. Establishing the social and economic rights of artists entails grasping the central role of artists in society and the importance of ensuring that they have free and unfettered movement and expression to contribute individually and collectively to the 'high seriousness' and advanced and timeless heights of art at national and international levels, past and present. The chapter then examines the constituent aspects of the status, socio-economic rights and select international developments and practices regarding these. The nature, scope and variety of the responses of developed and developing countries in regard to the question and implementation of various state and certain non-state social security schemes and projects are covered.

A range of institutional and political economic issues impacting on the cultural and creative sector and its artists and practitioners world-wide is assessed and strategic debates and issues assessed. These range from intellectual property rights and the more specific issues regarding artistic copyright in the relevant CC sectors and sub-sectors. The impact of the digital transformation; the question of the power and wealth of the digital platforms and their fusing of culture and digital technology is examined. In addition, the structural issues of artists immiseration and remuneration are problematized and discussed. Key aspects of artists socio-economic rights as well as developments and impediments to their international mobility are highlighted. Furthermore, the notion of the freedom of association and the question of collective bargaining, unionization and other forms of social and collective action are raised.

4.2. UNESCO and Efforts to Improve the Status of Artists Globally

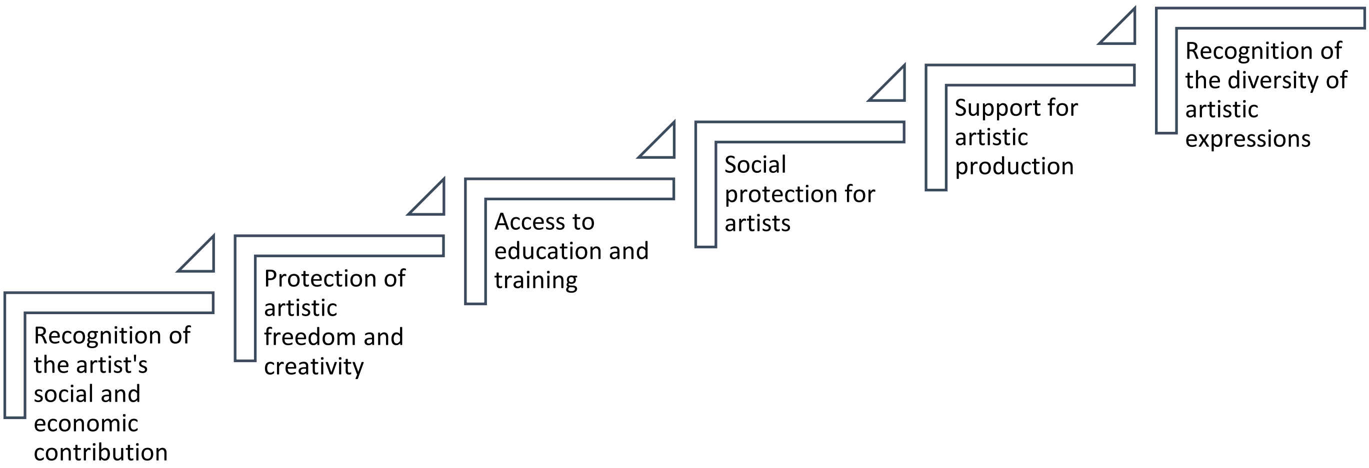
4.2.1. 1980: Recommendations Concerning the Status of the Artist

In 1980, UNESCO published a report called "Recommendations Concerning the Status of the Artist," with the stated aim of addressing challenges faced by artists around the world. UNESCO defined artists as follows:

> 'Artist' is taken to mean any person who creates, or gives creative expression to, or re-creates works of art, who considers his artistic creation to be an essential part of his life, who contributes in this way to the development of art and culture and who is or asks to be recognized as an artist, whether or not he is bound by any relations of employment or association.

The 1980 report highlighted common challenges faced by creatives around the world, and included six key recommendations to address these challenges. The recommendations are listed in the graphic that follows. While a great deal has been done since 1980 to ameliorate the working conditions of creatives, efforts need to continue to address the challenges still persist in the CCS.

Figure 5: UNESCO 1980 report recommendations



4.2.2. 2005: UNESCO Protection and Promotion of the Diversity of Cultural Expressions Treaty

Building on the findings and challenges identified in the 1980 report, UNESCO organised a convention in 2005 which resulted in the adoption of the Protection and Promotion of the Diversity of Cultural Expressions treaty (which came into effect in 2007). This treaty recognises the importance of protecting, promoting and supporting cultural diversity as shown in the table below.

Table 5: UNESCO 2005 treaty

Promoting	Promoting cultural diversity
Supporting	Supporting cultural industries
Protecting	Protecting cultural heritage
Promoting	Promoting cultural exchange
Supporting	Supporting artistic freedom
Enhancing	Enhancing cultural cooperation

Significant progress has been made in the protection of artists and promotion of improved working conditions. The Global Surveys done by UNESCO since 2007 have provided reliable data on the changing (positive and negative) conditions within which artists around the world work.

4.2.3. UNESCO Global Surveys

UNESCO began doing global surveys soon after the agency was established in 1945. The purpose of the surveys provide reliable data and information in the UNESCO focus areas (such as education, science and culture). UNESCO recognised that such data would help achieve its goal of informing policy formulation, and promoting cooperation and understanding between countries. The table that follows provides a snapshot of the key aims of the UNESCO Global Surveys.

Table 6: Aims of UNESCO global surveys

Monitor	Monitor progress towards achieving UNESCO's objectives
Identify	Identify trends and emerging issues
Collect	Collect data and information on specific issues
Provide	Provide evidence-based recommendations
Promote	Promote international cooperation and dialogue

The most recent and substantive assessments of the extent to which 1980 Resolution and 2005 Treaty have been implemented were done in 2018 and 2022 respectively.

The 2002 Global Survey has three key aims listed below.

- Map and monitor the policies, measures and initiatives implemented by Member States, NGOs and international NGOs to support the status of the artist.
- Identify challenges and opportunities faced by Member States, NGOs and international NGOs in the implementation of the 1980 Recommendation, and their specific capacity-building requirements in revising existing laws and policies or implementing relevant initiatives: and
- Collect and share best practices that illustrate how the provisions of 1980 Recommendation can be translated into effective policies and measures to support artists and the emergence of sustainable cultural ecosystems.

4.2.3.1. UNESCO 2018 Survey – Findings

The UNESCO 2018 report "Reshaping Cultural Policies: Advancing creativity for development" provides a detailed overview of global trends and challenges in the cultural sector, and highlights examples of innovative policies and practices from different countries.

The survey team found that discernible progress has been made. The report provides details of the progress (and challenges) in the following select areas:

- The importance of cultural diversity
- The need for coherence in the making of legislation and policy
- The role of technology and digital platforms
- The importance of participation

- The need for increased investment

In comparison to previous UNESCO surveys on the status of the artist, the 2018 survey raised concerns about the impact of digital transformation on artists' income and working conditions. The 2018 survey found that the majority of respondents felt the digital restructuring of the cultural and creative sector had led to a reduced income for artists, most especially in the areas particularly suited to internet-based distribution and consumption (UNESCO 2019). The current 2022 UNESCO survey results are due to be released in 2023 and it will be interesting to see if this is a longer-run trend.

4.2.3.2. Artists in the Digital Environment, and the Questions of Copyright and Royalties

The 1980 Recommendation had as one of its central objectives the improvement for artists of their access to and benefit from the copyright process. This was reinforced by the 2005 Convention and other relevant international measures. This concern is particular important with the digital transformation of the fields of culture, most especially in regard to the music industries.

The main purpose of copyright provisions is to encourage the production and availability of intellectual property by offering protection and compensation to the creators thereof. Fair and relevant copyright provisions should ensure that artists are duly compensated for their work in the digital space and elsewhere.

According to the 2021 annual Global Collections Report published by the International Confederation of Societies of Authors and Composers (CISAC), worldwide royalty collections for creators of music, audio-visual, art, drama and literary works fell by 9.9 percent in that year, with losses amounting to more than €1 billion as a result of the global C19 pandemic. Total revenue collections dropped to €9.32 billion as lockdown measures almost halved live and public performance revenue globally. The decline was mitigated in part by a rise in digital royalties, which showed a jump in audio and video streaming consumption worldwide, as well as robust licencing activity by a number of CISAC's affiliated member societies internationally.

This seismic move to digital platforms has transformed the work within the CCS. Work follows the money. And work in the CCS has shifted towards digital as shown by the royalty collections recorded by CISAC. Africa recorded the largest growth in collections across all five repertoires – music, audio-visual, art, drama and literary – increasing by 17.1% to reach €75m, which was generated mostly from digital collections. Digital collections on the continent increased by an impressive 68.9% to reach a four-year high of €12.7m. Nevertheless, the continent underperformed by 6.4% compared to the overall figures for 2019. South Africa was the largest contributor of digital collections in Africa and nearly doubled its revenue. This was due in part to the two South African agencies; Composers, Authors and Publishers Association (CAPASSO) and Southern African Music Rights Organisation (SAMRO) entering into a joint licensing agreement with Netflix, Facebook and Deezer (CISAC 2022).

Digital, however, remains poorly represented for the whole of Africa at only 16.9% of total collections. In comparison, Europe saw a 55.2% increase in digital, which was instrumental in expanding its total contribution by 1%. The unequal distribution of revenues globally is an enduring problem, with the International Music Council in recent reports showing that a particularly small percentage of royalties is being distributed to African countries and a modest percentage going to Latin American countries (UNESCO 2019; 2022)

In recent years there has been an expansion of advocacy and conscious-raising programmes for artists, policy makers, consumers, and civil society on the significance of copyright laws for the distribution and consumption of cultural content on the internet and linked digital platforms. These programmes have been provided by state, artist associations and in some instances artist collectives, and coalition groups This movement has overlapped with diverse activist groupings (including artists) who have questioned the seeming inequalities in the distribution, consumption, and revenue regimes on the internet. The Future of Music Coalition and Electronic Frontier Foundation in the US, and the Copyright Coalition in South Africa are among a variety of groupings worldwide (Makagamathe 2022).

Some recent illustrative stats show the economic extent of digital piracy (Spajic 2022).

- Pirated video material generates around 230bn views per year.
- More than 80% of global online piracy has been attributed to illegal streaming services.
- Annual global revenue losses from digital piracy are between $40 and $97.1 billion in the movie industry.
- Illegal downloading of copyrighted materials consumes up to 24% of global bandwidth.

While improved copyright regulations are probably on the whole a progressive move by national governments in developed and developing economies, new thinking/initiatives by policy makers especially at national and trans-national regional levels is/are required to deal more holistically with issues related to artists fair remuneration, status of the artists, and improving the funding of the cultural and creative sectors. The digital transformation as Martel has underlined, is in fact changing the terrain of cultural policy requiring new approaches and models. Such issues have shorter- and longer-term implications. What is important for our purposes is to consider some emerging initiatives and reforms of the expanding digital dimension of culture and the arts and the dynamics thereof.

For artists and cultural professionals to receive further compensation for their work it is crucial it should be available and accessible on digital platforms. With the latter becoming increasingly the prime means for delivering creative content, matters such as copyright and fair remuneration would seem to require more targeted interventions. In most developed countries national audio-visual content, including film and television offerings and public broadcast service material is available online (UNESCO 2019; UNCTAD 2019). In many developing economies such trends are emerging, but the question of national content and accessibility are among the challenges (UNCTAD 2019).

The most advances in recent years have come from the EU and certain of its member states.

- **Germany** updated a law that now requires Netflix, and all other online streaming companies to contribute a portion of the revenue earned by their German services to the country's national subsidy service system, the German Federal Film Board (FFA) which funds local film and television production.
- **France** followed the German example extending a 2% video tax to all digital platforms.
- **Portugal** in 2020 passed a law requiring streaming service providers to pay an annual fee equal to 1% of their Portuguese revenues or I million euros, whichever is more. The funds will support the Instituto do Cinema e do Audiovisual, a government-funded private agency that promotes Portuguese film and television. In addition, streaming platforms are required to invest 4% of their in-country revenues (or at least 4 million euros) in producing Portuguese-language movies, television series, or documentaries.
- A further **Portuguese** law requires state-owned Portuguese broadcaster Rádio e Televisão de Portugal (RTP) to spend more on locally produced content. RTP — which runs four national TV channels and three national radio channels and provides satellite and cable service as well — must reinvest 10% of its revenues in local content production, up from 8%.
- **Switzerland** now requires digital content streaming services to invest 4% of their income from Swiss subscribers in the country's film and television projects (Corliss 2022).

Well thought out tax reforms could make it possible for developed and developing nations to collect revenues generated within their borders by Big Tech companies as well as Netflix. It should be noted though that there are institutional and coordination challenges, because such digital-specific taxes could lead to retaliatory measures by the likes of the USA. America has already initiated trade investigations against countries such as France, Germany, and Indonesia, arguing that such tax methodologies unfairly single out US firms (Christie 2021).

In parts of the developing world, we are seeing some nations modifying their tax systems to include transnational audio-visual content providers. This trend is quite distinct in Latin America. Brazil has been something of a leader for some decades in stressing the importance of local content. In 2018 the Brazilian government announced its plans to proceed with the taxation of international and local companies' operation on-demand video streaming services (Marques 2018). This taxation will be levied soon on companies such as Netflix, YouTube and cable providers that offer video on-demand (VOD) (Marques 2018).

The tax collected from VOD providers does not necessarily directly benefit those local artists and creative professionals responsible for the cultural content. In this regard, Paraguay would seem to present a good case scenario. In mid-2018 the Secretariate of Taxation of Paraquay announced the drafting of a regulation to commence charging tax on foreign digital programmes such as Netflix and Spotify. Fifty per cent of the collection would be channelled to the Paraguayan Audiovisual National Fund which would be created by the law in question (Horbuz 2018). [UNCTAD (2020)]

While the number of initiatives and measures to improve the involvement and exposure of local, national and regional artists and creatives on digital platforms there are technological and institutional challenges. One theme is that the relevant search engines do not appear to prioritize the question of the diversity of content (Svanberg 2018; UNESCO 2022; 2019). This in turn has a deleterious effect on non-established diverse artists, which further inhibits the spread of global diversity of expressions (ibid).

4.3. State-Sponsored Social Security Systems in the EU

Several EU member states have formed or sponsored comprehensive programmes for artists that run parallel to the system covering employed worker, or has special bespoke provisions for artists. For example, in Belgium, from 2003 artists were able to benefit from a new social security system 'designed with their specific needs in mind'. The relevant social security statute applied to:

> …all persons who provide or produce, without being bound by an employment contract, artistic performances and/or artistic works by order of a natural or legal person in exchange for a fee.

The provision of artistic performances and/or the production of artistic works is defined as:

> …the creation and/or execution or interpretation of artistic works in the field of audiovisual and plastic arts, music, literature, theatre and choreography.

The new social security system thus applies to creative artists and performing artists, unlike the former system, which applied only to performing artists (Croux, H & Marx 2003). The system offers a wide range of benefits, with a 13% deduction drawn from artists fees, and a 35% contribution paid by the producer/employer. The state provides the remaining subsidies (UNESCO 2019).

4.4. Non-State Social Security Schemes

In some countries such as the US and Argentine, artists have arranged social protection schemes through their associations, unions or other non-profit societies. This allows artists to construct alternatives to deal with the lack or ineffective public social protection and/or discrimination between employers and freelancers and self-employed artists. In the UK, the Musicians Union runs a pension scheme of over 600 members which has been running for many years and providing tailored ways for members to make and receive pension contributions (MU 2022).

Whatever approach policy makers opt for in regard to the expansion and reinforcement of social security reform for artists and creative professionals, the particularities and dynamics of cultural and creative work and workers should be accorded due appreciation and respect. The CC sector is complex, and the individual experiences of substitute work, the trade-off between making a living and honing one's talent and craft, and even the kinds of personalities who are drawn to the arts, are part of the social equations that need to be solved. The market might be used imaginatively to mutual benefit, if possible, but it should never be an end goal.

4.5. Conclusion

This chapter provides an overview of the international and policy context and developments, including certain best practices cases. It deals with the UNESCO 1980 Status of the Artist Recommendations which calls on member states to improve the professional, social and economic status of the artists, through the implementation of interventions in regard to training, social security, employment, income and tax matters, mobility and freedom of expression.

The chapter analyses the findings of the UNESCO global surveys of the progress of member states in aligning to these recommendations, in conjunction with the 2005 UNESCO Convention. Surveys are conducted at four-year intervals.

The chapter provides a number of examples measures enacted to respond to social security, employment and income and tax matters. The emerging efforts of certain developed and developing countries to tax such platforms is considered. The options to governments in using such revenues to fund programmes an structures to address precarity and social security concerns is also discussed. Such examples provide a useful policy option for the South African government, most especially given the current pressures on the national fiscus.

Attention is given to IPR and the growing impact of the transnational digital and streaming platforms on CC in developing and developed economies. The advantage and disadvantages of these digital resources and the inequalities and asymmetries thereof are considered.

Initial findings suggest that usually that the well-known artists (e.g. musicians, visual artists, and writers) have benefit primarily from the hegemony of the digital platforms, while the majority of users, especially those with local as opposed to international reputations, benefit modestly at best. Establishing a closer working relationship with UNESCO and its current work on these matters is a course of action the DSAC and the South African government might consider.

5. Chapter 4: South African Context and Policy

5.1. Introduction

This chapter aims to link the South African experience to the relevant international policy developments and debates discussed in the previous chapter. It provides a brief but suggestive analysis of the political economy of the contemporary South African state, including major economic trends, the impact of deindustrialization on the development of the creative economy.

Attention is given to recent DSAC policy productions, including the Revised White Paper on Arts, Culture and Heritage, and the CCI Masterplan (a collaboration with the Department of Trade, Industry and Competition). Both documents contain provisions to improve working conditions for artists and cultural practitioners and proposals for social security measures in the CC sector.

The fractured institutional and associational CC landscape is scanned, and the fundamentals of the social security system introduced. This chapter is relatively compact, but its material is policy rich. It emphasises the need for more effective relationships between government officials and CC workers and practitioners. It is argued that the current structures for engagement have been compromised in recent years, but that there is hope and opportunity for innovative and inter-agency interventions. DSAC and national government more generally, should look to seize such current opportunities.

5.2. Economic Profile of South Africa

In recent years South Africa has experienced a host of interlocked socio-economic which have implications for policy making, including potential interventions in the CCI and CC sectors. On a list of 183 countries, compiled by Trading Economics and using the most recent official data, South Africa's unemployment rate is the highest at 34.5%. The country's real unemployment rate is far higher, at 45.5%. (Mail & Guardian 22 August 2022). This jobs crisis has coincided with low or even stagnant growth and reduced levels of investment – a situation that has persisted for decade or so (ibid.).

Premature deindustrialization and high inequality levels have reinforced these adversarial conditions, as has the growing energy crisis with increased load-shedding by an embattled Eskom.

Despite South Africa's emphasis on and need for inclusive economic growth, Bassier and Woolard (2021) find that the top income percentiles continue to diverge from the rest of the income distribution. Comparing household survey data and tax data to investigate the patterns of income growth over the period 2003-18, they find that the gap between the stagnant middle and the top end of the income distribution widened, particularly over the post-recession period. They also show that the divergence was partly driven by high returns to capital for those with top incomes.

Compounding this is the growth of large-scale capital in South Africa without a corresponding increase in job creation and income redistribution. Former economic government advisor Charles Stride argues that the share of corporate tax in the overall national tax base has declined significantly to only 20%, with individuals contributing 80%. He shows further that despite low and negative growth rates after the global 2007-8 economic crisis, the returns on profits for big business have increased (Haines 2022b).

5.2.1. Premature Deindustrialization in South Africa

There is growing consensus that South African is one of a range of developing economies to experienced 'premature deindustrialization' in recent years (Rodrick 2015; Siyawela 2021; Adreoni, Tregenana et al. 2021; Schussler 2021).

A number of recent writings (e.g. Vivares 2020; Adriano, Tregenna et al 2021; Siyawela 2021) show that the manufacturing and the industrial economy should be central to development policy but has in fact been marginalized in recent decades by more 'human-centred' and 'softer' technical development discourses (Thurbon & Weiss 2020; Siyawela 2021).

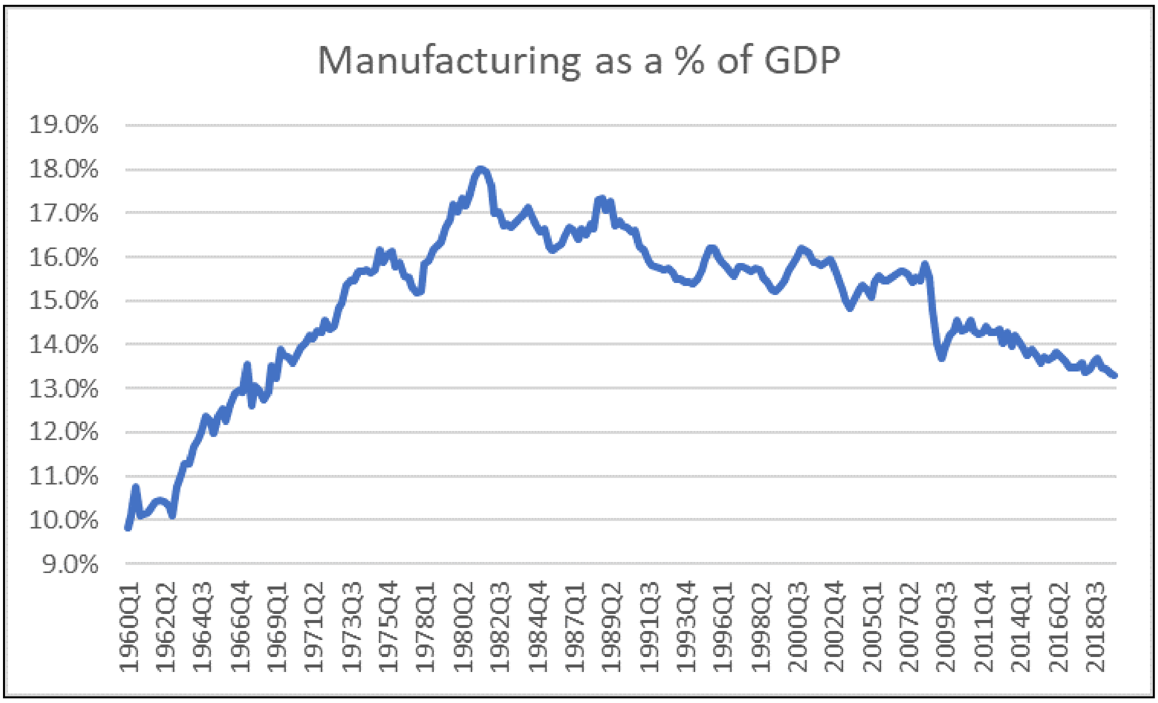
In South Africa the problem is compounded by an under-appreciation of the close and complex relationship between mining and the rise of the manufacturing sector in South Africa. The progress of the development state in the segregationist and apartheid eras, was made possible by mining surpluses (Yudelman 1982).

However, the failure to secure a productive and sustainable mining framework with supportive legislation is a direct and indirect factor for premature deindustrialization in contemporary South Africa. The industry is in a state of structural decline. The contribution of mining to GDP fell from 19.4% in 1980 to 6.6 % in 2017 and the number of employees on South African mines has nearly halved from a peak of 829 235 in 1986 to 455 109 in 2017 (Robinson and Croll 2017). This decline has continued in recent years, with mining production falling 29.8% year-on-year in May 2020 (MiningMix, 14 July 2020).

The continuous emphasis on the manufacturing sector is premised on the view that the manufacturing sector is critical in the process of industrialisation. Growth in the manufacturing sector, with its strong backward and forward linkages to other sectors, contributes to growth across the economy, and to higher employment and exports (Kaldor 1965).

Manufacturing has received targeted support from the DTIC, most especially in the automotive sector. However, there has in fact been a distinct decline in manufacturing's share of GDP and over time decreased employment in the sector. This trend commencing in the 1980s is illustrated in Figure 1 below.

Figure 6: Manufacturing contribution to GDP, Q1 1960 to Q3, 2018



Source: Siyawela 2021

5.3. The Creative Economy and the Status of the Artist: South African Snapshots

A recent estimate sees the creative economy generating annual revenues of over $2 trillion and accounting for over $2 trillion annual revenues and providing almost 50 million jobs worldwide. Women make up about half of the global workforce, and that these industries employ more people in the 15-29 age bracket than any other sector. Television and the visual arts are the largest sector in terms of revenue, with visual arts and music the largest industries in terms employment (UNESCO 2022). Figures would almost certainly been higher had not the 2019-20 Covid19 pandemic devasted the sector. There are some sign of a turnaround with new technological and associated social trends helping to expand and transform the sector (Haines & Lotter 2023).

International trade in creative goods and services generates increasing revenues for countries, but creative services exports vastly exceed those of creative goods. The global exports of creative goods represented US$524 million in 2020, while world exports of creative services reached US$1.1 trillion. In addition, UNCTAD estimates that, in 2020, creative goods and services represented 3 and 21 per cent of total merchandise and services exports, respectively. The report also shows that creative services were more resilient during the Covid-19 pandemic than other services sectors (UNCTAD 2022).

South-South trade in creative goods has almost doubled in the past two decades. In 2020, South-South trade in creative goods represented 40.5 per cent of creative exports by developing economies. On the other hand, developed economies mainly tend to exchange cultural goods among themselves. South-South trade can be important for developing economies to create new trading opportunities and diversify exports (UNESCO 2022).

It should also be borne in mind that with lower annual growth rates in past decades than high performing developing Asian economies, their outputs in terms of GDP contributions over time significantly less in real terms than their effective competitors. Notwithstanding these complexities, the promotion of creative economy in developing countries is more frequently advocated as a distinct and substantive development option (UNCTAD 2022). Such interventions would require more extensive and particular data most especially in many of the developing economies, and the related design and implementation of 'innovative and multidisciplinary policy responses' (ibid.).

Part of the policy challenge though is to balance the growth of the new creative economy and CCIs while maintaining and even extending established levels of public investment in the infrastructure and ecosystems for the traditional ACH (Arts, Culture and Heritage) sectors. For a range of developing economies, this includes dealing with long-standing commitments in terms of the 1980 UNESCO Resolution Concerning the Status of the Artist to provide more directly for the training and career development as well as the social security of artists and creative practitioners and secure their cultural rights as signatories of this measure (UNESCO 1980).

The 2013 Human Rights Council report by UN's Special Rapporteur, Farida Shaheed (UN 2013), points out that artistic expression and creativity are central to democratic societies. Artists and creative professionals required legal frameworks and protections that promote artistic freedom and underpin socio-economic rights. It was crucial too, she stressed, that public sector financing be available to ensure the space and scope for a diversity of cultural expressions. She expressed her concern at the advent of 'market censorship' by the large corporates and the reduction of the diversity of funding sources that reinforce artistic autonomy and open up spaces for cultural and creation expressions and productions. Invoking the UNESCO 1980 Recommendation she re-iterated that: 'States have a duty to protect, defend and assist artists and their freedom of creation (article III III 3, cited in UN 2013). Similarly, a 2019 UNESCO report shows concern at the seeming marginalization of artists and creative practitioners in policy making:

> One notes with great surprise, for example, the extent to which "artists" are actually often absent from the various cultural policies or programmes that are referred to, covering cultural expressions, arts institutions, cultural entrepreneurship or cultural and creative industries (UNESCO 2019: 9).

5.4. Towards an Intergovernmental Response to the Precarity and Social Protection in the CC Sector?

In recent years, one detects an increased interest by DSAC on a more expansive approach to policy design for the creative economy and its constituents. This can be seen, for instance, in the finalization of two key documents, namely the Creative Industries Master Plan and the Revised White Paper on Arts, Culture and Heritage.

5.4.1. Creative Industries Master Plan

The main aim of the DTIC's reimagined industrial strategy, is to grow and develop an innovative and sustainable Creative Industry via its Master Plan report and to outline key interventions in an inclusive fashion so that the Plan contributes in an effective and focussed way to the creation of 'decent work' in the South African economy. Utilizing the ILO's approach to work, the DTIC's Master Plan sees opportunities for work:

> "that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organise and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men" (cited in DTIC 2022: 5)

The creation of decent work should thus provide the means of reducing inequality and poverty in the country. However, the creation of decent work, the Plan report concedes 'is a challenge' as employment in the CCI Sector exhibits high levels of precarity, with jobs often short-term, contractual, and intermittent in nature' (DTIC 2022: 5-6). Moreover, it is noted, the CC sector 'is often characterised by inequality along race, gender and class lines' (DTIC 2022: 6).

The Master Plan for the CCIs does not provide much detail on the structural implications of the precarity in the South African CC sector. Thus, a number of areas of concern for artists and cultural workers in South Africa, are not dealt with in much depth, given the focus and nature of the Masterplan. These areas of concern include social security schemes:

- barriers to financial institutions for the CC sector for items such as mortgages and formal loans;
- providing structured interventions for the substantive training and upskilling of CC sector artists and artists;
- legally reinforcing the professional status of artists and creative practitioners;
- ensuing that rights to free association, collective bargaining and unionization are provided and indeed incentivized; and overall,
- ensuring that CC workers and practitioners are a stable and flourishing component of the ecosystem which needs to be consolidated and sustainably developed to nurture the CCIs as a whole.

The Masterplan does look to the question of education, and the articulation of relevant tertiary and university level education in more structured ways to look for the development skill levels more appropriate for the CCI sector. There is a particular emphasis on inserting the creative sector into an overall framework of innovation, with increased incorporation of art-related curricula and programmes to shift a STEM bias (science, technology, engineering, and maths) to a STEAM (science, technology, engineering and maths). There is reference, however, to humanities programmes being conjoined or supplemented with some form of STEM and also more bespoke training in the relevant digital technologies.

The report outlines several key threats to major threats to the promotion of CCIs, including the following:

Lack of social security framework for artists, making their security highly precarious wherein on one hand their share of revenue is limited and on the other they are considered as independent contractors thus excluding them from accessing the rights and benefits afforded by the South African Labour Relations Act (DTIC 2022: 40).

Other threats that if resolved could be helpful to artists and creative workers are:

- A high percentage of creative industries products released and distributed in South Africa consists of imported material with shelf space in wholesale and retail platforms geared towards this imported content thus extending and entrenching the market domination of imported content.
- Piracy, both in physical and digital formats, as well as elementary copyright infringement and protection, remain a key concern of all in the industry.
- Royalty collection, not only through organisations, is challenging and not as effective as it could be. (DTIC 2022: 40).

The critical policy-relevant interventions would be predicated on these listed issues listed in the DTIC Masterplan (2022: 41) include the following:

- a robust and reflexive enforcement of IPR.
- local content and domestic demand and consumption stimulation.
- instalment of viable and vigilant fiscal regimes which will ensure fiscal benefits for the creative industries and possibilities for tax exemptions.
- support policies for financial institutions established to give targeted support for creative industry businesses and provide grants to creative arts.
- enact and administer policies for fair competition.
- strengthen the creation of cultural enterprises.
- develop quality exports of creative goods and services.
- design and implement a national and regional creative cluster strategy to network independently functioning units and create synergies between CCI.
- develop entrepreneurial skills in the creative industries and provided related education and training.
- institute effective data-collecting measures.

Labour and social legal frameworks would additionally be put in place to enable creative industry occupations to be recognized as full careers; and to support non-formal businesses and artists organisations.

5.4.2. Revised White Paper on Arts Culture and Heritage

After a number of iterations, the fourth draft to the 2017 Revision of the Department of Arts and Culture 1996 White Paper (DSAC 2017 [2022]: 55), was passed in Parliament in 2022. To date the Revised White Paper (RWP) is the most comprehensive statement by DSAC on the question of the Status and Rights of Artists in South Africa. In the White Paper the category of artist is expanded technically to embrace the terrain of arts, culture and heritage – in effect the ACH sectors.

5.4.2.1. Social Status and Rights of Arts, Cultural and Heritage Practitioners

A range of social status and roles are recognized and noted. All individuals without exception in regard to race, colour, gender and creed are to have the same opportunities to acquire and develop the skills necessary… for the exercise of their artistic talents, to obtain employment, and to exercise their profession without discrimination and abusive practices of any kind' (DSAC 2022: 55).

Appropriate interventions are recommended to promote the teaching of certain artistic disciplines and related skills and facilities provided for this purpose. Particular attention should be accorded the participation and development of women, youth and the differently abled in various sector programmes. Work environments should be safe and secure from the practices of exploitation, sexual and other kinds of harassment. In addition, free international movement of practitioners and the freedom to exercise and practice their art and/or cultural expression of their choice should be protected (DSAC 2022: 55).

5.4.2.2. Economic Status and Rights

This section focuses on the improvement and reform of employment and working condition for art, cultural and heritage practitioners. The dual status of artists, as self-employed and as employees is seen as problematic as self-employed artists cannot access UIF provisions. They are also faced with complex taxation processes and the lack of social security (DSAC 2022: 55). DSAC is committed to engage in a 'series of discussions' with the Department of Labour (DOL) to enable artists to keep their self-employed status for taxation purposes while access benefits such as unemployment insurance; occupational health and safety compensation; and other social benefit offerings (DTIC 2022:55).

The policy outlined in this section, is aligned with UNESCO recommendations, among other relevant international institutions and guidelines. This policy endorses the drafting and passing of legislation aimed at the following outcomes:

- Recognize the unique status of artists in law. Such a categorization could allow an exemption from paying income tax and paying tax on materials and equipment
- Agree to a formal definition to be applied by all entities supporting the artists. This will ensure bona fide artists are duly recognized by any future tax and benefit scheme.
- To provide a registry of artists. This will allow for the administration of any proposed social security scheme for artists.
- Provide a formal framework for the regulation and facilitation of relationship between artists and producers;
- Structure bankruptcy protection schedules, such as classifying artists as preferred or secured creditors in the case of a bankruptcy situation;
- Allow tax deductions for expenses incurred through artistic work;
- Facilitate investment in the arts via charitable donations;
- Establish a specialize benefit regime for artists in the country; and
- Protect the creative and intellectual property and copyrights of artists, authors and creative innovators in the ACH sectors (DSAC 2022: 55-56).

These actions would lead to the formation of a Benevolent Fund. This structure was outlined in research commissioned by the then DSAC in the early 2010s (DSAC 2022: 56). The Benevolent Fund will be established in a two-phase process. The first phase will provide emergency support and certain technical and practical support, depending on the partnerships established during this phase. The second phase would finalize the development of the Fund (DSAC 2022: 55).

5.4.2.3. Right to Form an Association

The RWP supports the rights of artists and cultural practitioners to establish discipline-based associations at local, provincial and national levels. The creation of a National Federation of Associations is also recommended., which would be representative of the various sectors and sub-sectors of the ACH fields. Criteria for the formation and public funding of representative professional associations should be developed in consultation with relevant practitioners (DTIC 2017: 57).

5.4.2.4. Human Resource Development

Human Resource Development (HRD) is discussed in Chapter Seven of the RWP. It provides for a thoroughgoing educational intervention from early school through to tertiary and university education and training 'in which culture and creativity are adequately addressed in the form, content and practical resourcing of curricula, delivery methods, learning methods and the human resources that bring these together'. The policy implementation exercise entails a close intergovernmental relationship between DSAC and the Department of Basic Education (DBE) in the formative and basic education stages of arts, culture and heritage curricula and teaching in the schools. Such curricula must be aimed at 'the development of critically engaged and culturally aware citizens' (DSAC 2017: 58).

The provision of arts, culture and heritage education for learners at basic education level is reaffirmed as the responsibility of the Ministry of Basic Education in partnership with the Ministry of Arts, with the Ministry of Arts, Culture and Heritage. The implementation exercise requires appropriately trained teachers as well as suitably equipped and 'fully resourced' facilities duly staffed with qualified educators 'in all forms of the creative and performing arts and heritage'. The roll out would be extended progressively to all basic educational institutions, agencies and programmes throughout the country (DSAC 2017: 59-60). This would be supplemented by a 'dedicated satellite system' of national Art, Culture and Heritage Schools in each of the nine provinces, designed to reinforce provincial development and for 'the specific needs of the provincial population, while also including national and international exchange and cooperation' (DSAC 2017: 60).

The question of arts education at more advanced levels and its articulation with basic education is also conditioned by a three policy objectives:

- Growing new audiences and consumers of the arts
- Growing future creative talent
- Addressing areas of scarce and critical skills lacking in industry such as the areas of arts administration; management and entrepreneurship, relating particularly to tertiary education and the provision of work-based training.

5.4.3. The Copyright Amendment Bill

In South Africa the National Assembly passed in September 2022, the Copyright Amendment Bill with the next stage being the Council of Provinces. Since 2015, the Bill has undergone several rounds of discussion and redrafting. The Copyright Review Commission Report was something of a reference point for the reform of existing copyright legislation in the country. The Commission considered the workings of the societies collecting royalties for authors, performers, musicians, and other artists, and took note of the concerns of the creative industry regarding the collection and distribution of royalties to artists.

A long-term grievance by local artists and creatives that around 70% of royalties are allocated outside South Africa, was factored into the findings. The Bill incorporated a range of recommendations from the Commission regarding ways and means to address lack of regulation and transparency, sub-standard governance, and maladministration relating to distribution of royalties and unallocated revenues (RSA Government 2022x; Mail & Guardian, 1 September 2022). A good number of clauses in the Bill were adopted from other relatively copyright regimes, such as the US, UK, Israel, the EU and Singapore (Mail & Guardian, 1 September 2022).

The Bill seems to have serious flaws, such as the use of 'fair use' methodology borrowed from the US copyright legislative practice (Mail & Guardian, 1 September 2022) It is also a complicated piece of legislation. Furthermore, it seems that the e scope and implementation of this measure has been questioned by certain of the artists' associations (strategic interview, Johannesburg. The Copyright

Coalition of South Africa (CCSA) said the passing of the Bill was ‘extremely disappointing and a sad day for the South African creative industry’ (Githahu 2022). In addition, the local publishing sector are concerned that the Bill is ‘a win for big tech companies’. One small local publisher questioned the Bill’s sections providing users a right to copy a work without payment if this for educational purposes. Challenging big tech in court on such issues might be costly and a difficult process for small businesses (Billa 2022).

5.5. Association and Unionism in the CC Sector in South Africa

The CC sector is part of a fragmented terrain in South Africa and institutional efforts since the 1990s, in regard to associationism, collective bargaining and unionization, have not been sectarian and inadequately resourced and supported. Of late, however, there are some encouragement to commentators. There is also a dearth of scholarly research in this area, and it is hoped that new scholarship will provide a deeper understanding of the agencies and organizations concerned, and the impediments to institutional development in the arena.

In 2007, two small unions, the Performing Arts Workers’ Equity and the Musicians Union (both formed in the 1990s) merged to become the Creative Workers Union of South Africa (CWUSA). Affiliated to COSATU, CWUSA was registered with the Department of Labour in 2010 (RSA, Government Gazette, Notice B17 of 2010). The union sought to represent the broad spectrum of artists ‘including musicians, actors, poets, technicians, composers, performers, independent producers, radio disc jockeys, general disc jockeys, arts administrators, artist directors (sic), arts educators, choreographers, dancers, designers and other sector practitioners’. (ESAT 2015).

Among its aims were to improve its members conditions of employment, lobby the state and employers on behalf of the membership, and to promote the rights of creative workers’. In addition, the Union sought to foster cohesion in the creative industries; and to ‘capacitate the SADC region in order to be able to share in the collective intellectual property’ (ibid). While its intended constituency was broad and formal trade union activity planned, CWUSA struggled to impose itself on its modest membership (ibid.).

It came in for criticism that it was not particularly representative of musicians (Birkholtz 2009). In April 2014 the registration of the CWUSA was cancelled by the Department of Labour. CWUSA appears to have retained the name and functioned as an informal association and pressure group thereafter on select artistic issues.

The difficulties of sustaining formal trade unions in the CC sector can attributed in part to the problems of drawing sufficient paid union members. But other factors are at play. For instance, certain associational structures such as the SA Actors Guild (founded in 2012) have been keen to undertake certain core union activities such as collective bargaining but have been inhibited in expanding their field of activities by government regulations most especially under the industrial relations system.

According to the current chairperson of SAAGA, a long-standing complaint has been that because actors do not sign an employment contract with an employer, they are not protected under labour laws. Therefore they do not currently receive protection under the Labour Relations Act. Freelancers are currently not (King 2022). This contributes in turn to the prevailing exploitative nature of the industry which means that actors are often given little or no room to negotiate a contract, effectively being told to ‘take it or leave it’ (Cited by King 2022).

With the seeming difficulties in utilizing more traditional forms of unions in the CC sector/s in South Africa, there has been in recent years an increased recourse to different techniques and tactics, particularly new networks. These have allowed small and emerging firms and some modestly sized and under-resourced creative associations to find a measure of mutual benefit in such arrangements (telephonic interview, name withheld, 10 February 2023).

The debilitating impact of Covid19 on the CC sector (SACO 2021) and the dissatisfaction among many creative workers at the handling of the state's response, has seen the emergence of new initiatives at strengthening institutional cooperation and collective action within the sector. One such initiative is the establishment of the Sustaining Theatre and Dance (STAND) Foundation in 2022. This organization is an independent, non-profit and public benefit structure created primarily by individuals within the sector to nurture and promote South African dance and theatre. Funds have been raised by individual patrons, as well as from the Netherlands Embassy and Business and Arts South Africa (interview, name withheld, 10 February 2023).

In 2014 the Cultural and Creative Industries Federation (CCIFSA) was established as non-profit company with funding from government via the then Department of Arts and Culture. It central aims and objectives were to promote and develop the social and economic interests of the CCIs and to act as a controlling body for these sectors. The idea for CCIFSA originated following a 2009 meeting between Pres Zuma and some members of the cultural and creative industries. DAC thereafter formed two task teams which developed a framework for a federation identified 12 sectors and 45-sub sectors in the industry (Tham 2015).

An interim committee was set up and given funds to launch an elective conference. The conference was held in Bloemfontein in March 2015 but was characterized according to press reports by walkouts, conflict among the delegates and accompanying death threats, complaints/allegations about the lack of consultation and financial accountability (e.g. Tham 2015; Kuper 2015). Among the concerns raised subsequently was that the 'arm's length' concept of government in relation to arts and culture organizations had been replaced by direct government involvement in the sector and its industries. For instance, theatre director Gita Pather, one of the leading members at a post-conference meeting on concerns with the new organization, noted problems such as the lack of representation of different groups and the opacity of the mandate, as well as the fact that a memorandum of incorporation was not discussed or endorsed by the arts fraternity (cited in Kuper 2015).

Such concerns seem to have inhibited the subsequent workings of CCIFSA and it has struggled somewhat to gain legitimacy and traction with the CC sectors. The labelling by certain cultural activists of the Federation being a DSAC 'sweetheart' structure used by certain cultural activists (e.g Sigwen 2021) may also be an impediment in this regard. Concerns have also been raised by the Select Parliament Committee on Arts and Culture and the Select Committee of the NCOP on Education, Technology, Sports and Culture (e.g PMG 2017; PMG 2018; PMG 2021). These include the question of financial expenditure and transparency, provincial representativity; organizational efficienty; the problems with connectivity and use of social media (ibid.). In addition, the possibility of CCIFSA being non-inclusive and monopolistic was raised at 2017 meeting (PMG 2017).

Available evidence suggests the importance of finding ways and means of allowing the diverse artistic and cultural workforce to develop a more unified voice or set of voices

5.6. The Social Security System in South Africa.

5.6.1. Socio-Economic Rights Entrenched in South Africa

South Africa constitutionally entrenched socio-economic rights, including access to social security, through Section 27(1) (c) of the Constitution (1996) which states that "everyone has the right to social security." The framework for the provision of social security is set out in the White Paper on Welfare, 1997, which is based on four pillars - private savings, social insurance, social assistance, and social relief. These should work together to provide universal access to social security. However, there are significant gaps in legal and effective access to social protection for precarious workers in South Africa.

Approximately 4 percent of GDP is spent on social protection, with the majority of this directed towards the provision of social assistance, administered under the Department of Social Development. Over 17 million people in the country benefit from 8 non-contributory means-tested cash grants covering child support (under 18 years of age), older persons (above 60 years of age), disability, foster care, care dependency, grant-in-aid, social relief of distress and war veterans.

These grants are extended to South African nationals, and because they are not dependent on the existence of a formal employment relationship, they may cover precarious workers who fall below the relatively generous means test threshold. An omission from the social grants is any form of unemployment grant to provide for those between the ages of 18 and 59 without access to employment (UN SDG Joint Fund, 2022). During the Covid-19 pandemic this was temporarily remedied through the implementation of the Special Covid-19 Social Relief of Distress Grant (SRD), which aimed to cover those with no access to other forms of protection. This grant has now been extended into 2023 albeit with stricter eligibility criteria, covering only those with zero income (Mthembu et al., 2022).

Publicly provided insurance for those of working age makes up the second main pillar of social security (Woolard & Leibbrandt, 2010). Publicly managed schemes include the Unemployment Insurance Fund (UIF), the Workers Compensation Fund (for work-related illness and injury) and the Road Accident Fund. However, there is also a substantial private insurance market in South Africa, where the state is engaged in its role as an employer - contributing to the Government Employees Pension Fund (GEPF) and the Government Employees Medical Scheme (GEMS).

Workers outside of formal employment, the self-employed, those working less than 24 hours a month for an employer, and migrant workers on fixed term contracts do not have access to the UIF or the Compensation Fund which are administered by the Department of Labour and Employment (Olivier, 2011). UIF contributions are made by employers and employees who each contribute 1% of the worker's salary to the fund, which allows workers to claim benefits for unemployment (up to 238 days), illness, and maternity leave. A death benefit is paid to the family if a worker dies whilst still in employment. In terms of the benefits, the maximum income replacement rate is fixed at 60% of the of the remuneration rate for lower-income contributors, and at 38% for higher income contributors. These replacement rates fall below the norm in other developed and developing countries which range from 50 - 90% of earnings (Olivier, 2011).

In 2003 the Unemployment Insurance Act was amended to enable access to the scheme for domestic workers with multiple employers, with benefits including unemployment, illness, maternity, adoption and dependence. In 2021, after several years of legal challenges, the Compensation Fund was also extended to cover domestic workers (LabourNet, 2021). However, as the Covid-19 crisis revealed, registration rates of such vulnerable workers with the UIF remains low (Alfers, 2021), and are likely to remain low with respect to the Compensation Fund. The reasons for this are multiple. They include the fact of an employer-led registration paired with a lack of incentive to register as well as a lack of monitoring and enforcement, and complex and sometimes dysfunctional registration and benefit application systems (Plagerson et al., 2019; NALSU/UN Women/WIEGO, 2022).

5.7. Ongoing Developments

Efforts to remedy gaps in the social security system have grown since the Covid-19 pandemic, with several policy options being discussed in the public sphere. These include the following:

5.7.1. Basic Income Support:

The idea of a Basic Income Grant to ameliorate poverty levels in the 18-59 age group has a long history in South Africa, spanning back to the 2002 recommendations of the Committee of Inquiry into a Comprehensive System of Social Security (the Taylor Committee) (Seekings & Matisonn, 2010). The implementation of the Special Covid-19 SRD Grant, alongside increases in unemployment as a result of the attendant economic crisis, has reinvigorated calls for the implementation of basic income support, with a recent joint UN report supporting this call (UN Sustainable Development Goals (SDGs) Joint Fund, 2021). The Government has extended the temporary grant into 2023 while determining a pathway towards institutionalization.

Documents leaked to the press by the Institute of Economic Justice (IEJ) suggest that instead of a basic income, what is under consideration by the Presidency and the Treasury is a targeted grant for jobseekers, and for unemployed caregivers (Stent, 2022).

5.7.2. National Social Security Fund

During 2021, the long-awaited outline for an integrated National Social Security Fund (NSSF) was released by the Department of Social Development in the form of a Green Paper. This was met with a public outcry (see van den Heever, 2021), and the Green Paper was retracted for further deliberation. Nevertheless it provides a useful indication of thinking within the Government.

The NSSF would establish a 3-tier social security system - a floor made up of the social assistance schemes described earlier, a mandatory second-tier social insurance scheme providing contributory protections for low-income formal workers (up to an earnings ceiling of R276 000/year), informal workers and the self-employed which would integrate UIF, the Compensation Fund and the Road Accident Fund, and would also extend to providing retirement, survivor and disability benefits. A final third tier would be made up of voluntary private insurance arrangements (Green Paper, 2021).

In terms of the second-tier scheme to cover retirement, survivor and disability benefits, the Department of Social Development has outlined a scheme which would be based on relatively low contributions from workers (starting at R50/month). The fund would be split between a members account and government subsidy account. Contributors would be able to access a portion of the benefits out of their member accounts prior to retirement, but the government subsidy and the frozen portion would only be paid out afterwards. In terms of the disability benefits, the scheme would aim to pay out a monthly benefit of R1326/month until the age of 60, rising with inflation (Department of Social Development, 2022).

5.7.3. Maternity Benefit Reform

During mid-2022, the South African Law Reform Commission Project 143 on the extension of maternity benefits to self-employed workers submitted their report to the Minister of Justice for further action. Two major recommendations include the reform of the UIF to allow access for the self-employed to the maternity and parental benefits available under the fund - this would be financed by a 1% contribution based on a reference wage from the worker, to be matched with a 1% contribution from the government. A second recommendation includes the extension of the Child Support Grant (CSG) to the moment when conception is confirmed, as opposed to the current situation where the CSG comes into effect at birth.

5.8. Conclusion

This chapter has provided a short overview of the South African policy context in respect of the CCI sector and the artistic and creative workforce. A short economic profile of South Africa is provided which points to a coalescence of challenges and crises, which reduces the room for the contemporary South African state to manoeuvre. This has a bearing on the ways in which national government approaches the twin issues of precarity and social protection with the CCS and the creative economy.

Cost-effective and innovative strategies and tactics are required. These demand more optimal use of state resources and suggest an accelerated move to inter-governmental partnerships and a more defined and effective set of partnership with the private sector. The third sector and its undervalued resources must also be involved.

Among the more specific kinds of interventions there is surely scope for the including freelance contracts under the labour relations regime. A research audit on the nature and scope of the associations, and other institutional structures and initiatives for artists and cultural workers is advisable. There are other further specific policy implications, but these are teased out in chapter eight of this report.

6. Chapter 5: Strategic Interviews Findings

6.1. Introduction

This chapter analyses a series of interviews conducted in 2022 and 2023 to gather information about respondents' experiences within the CCS as well as their suggestions about how structures and systems within the sector can be improved. The opinions and perspectives shared provided rich data used to inform the recommendations made on short term policy options (chapter 8).

The interviews held in 2022 and 2023 are reviewed in this chapter:

- 2022: 17 in-depth interviews with 18 selected individuals and one focus interview held with three representatives of DSAC.
- 2023: 6 sets of in-depth interviews with 8 selected individuals

All the interviews and the focus group discussions were shaped by a semi-structured schedule of questions, which started with respondents describing their roles in the cultural and creative sector. The interviews then focused on seven themes:

- Theme 1: Why does the CC sector needs special support.
- Theme 2: Government resources and will to support the sector.
- Theme 3: Sources of funding
- Theme 4: Institutional challenges
- Theme 5: Hearing the voices of rural creatives.
- Theme 6: Diversity
- Theme 7: Potential interventions and structures

Most interviews were conducted in person, but where this was not possible online platforms were used. Respondents signed a consent form to indicate that they understood the nature of the study and that they agreed to participate voluntarily in the interview. The consent form provided information about the study, including its purpose and the procedures involved, as well as the respondent's rights, including the right to terminate the interview at any stage. The anonymity of the respondent was discussed and assured.

The interviews were generally between 60 and 120 minutes, and most were recorded. Transcripts were produced and archived. Summaries of all interviews have also been produced and archived. The schedule for the interviews can be found in Appendix 3 of the report.

The interviewees constituted a diverse, informed group with a rich set of relevant experience and provided the interviewers with a wealth of information, insight, and enhanced understanding of the complexities of work in the cultural and creative sector, the need for social security and protection of the rights of creative practitioners.

6.2. Respondents' Roles and Experience in the Cultural and Creative Industry

Of the 18 people interviewed in 2022, five were representatives from the audio-visual and interactive media domain, nine were people from the performance and celebration domain, and one each from the visual arts and crafts, cultural heritage, design and creative services domains. One other interview was conducted with a representative from an organisation that provides research, policy and training services. Most of the interviewees were from Gauteng, five were from the Western Cape and the remainder were from the Eastern Cape and KwaZulu-Natal. In their discussion, most respondents indicated that they were either managers or owners of organisations or businesses in the CCI.

A different perspective was sought in 2023, with the eight interviewees coming from strategic backgrounds in government, business and the CCS. Several have been involved in policy formation as consultants or government officials, while two also work in academia

Extracts are included from the 2022 interviews where they add context and value to those conducted in 2023.

6.3. Theme 1: Why does the CC sector needs special support.

There is consensus among all the interviewees that the CC sector is unique. This is supported by international research and experience: The term “Creative Industries” unites traditional arts sectors, copyrightable cultural industries and new creative businesses (KEA, 2006; Throsby, 2008).

> *They are all seen as producers and carriers of symbolic content and meaning (Throsby, 2001; Scott, 2000), focused but not limited to the arts (UNCTAD, 2008). The creative industries use human creativity, skill and talent and therefore have intellectual capital as their primary production input (Throsby, 2001; DCMS, 1998).*
>
> *Their output is thereby perceived as highly differentiated and can be characterised as artistic, cultural or creative. The non---monetary values attached to the symbolic content are highly regarded by consumers, which make the creative industries high---value---added sectors.*
>
> *The market conditions of their goods and services are considered to be different from those of ordinary economic ones: creative industries face higher demand uncertainty, strong volatility in tastes and therefore higher risks. (Townley & Beech, 2010). Caves (2000) has referred to this characteristic as nobody knows.*
>
> *In order to cope with these risks, creative firms have to constantly produce high levels of novelty (Cooke & Lazzeretti, 2008), which in turn have the potential to result in innovation (Scott, 2010). Some studies have even proved creative industries to be more innovative than other manufacturing or service sectors (Chapain et al., 2010).*
>
> *Moreover, the novelty production requires high levels of technological advancement, which is considered characteristic of the creative industries (Power & Scott, 2004; Birch; 2008), while also non---technological factors (e.g., design, new business models) are increasingly important (Stoneman, 2009).*
>
> *The durability of creative firms’ output, and the novelty generation imply that creative industries create or exploit intellectual property (Throsby, 2001; UNCTAD, 2008). It is seen as the main source of wealth generation in creative industries and as such it is often one of the most important defining parameters, even though problematic (Handke, 2004).*
>
> *The labour itself and its organisation are often viewed as different from other industries. According to Caves (2000), the complexity of the output and its dual value require motley crew – both creative and humdrum employees, each having specific skill sets. Moreover, it is assumed that creative workers are compensated by psychic returns: they care about their work and hence are driven by intrinsic motivation (Caves, 2000; Frey, 2002; Bille et al., 2013).*
>
> *The industry structures are considered as polarized, i.e., organised around few large corporations, often multinationals, and many small and micro businesses or self---employed, one---person businesses. The larger ones account for the majority of the output, they are more vertically integrated and more likely to be involved in mass--- production (Caves, 2000; Scott, 2005; Towse, 2010).*

Even though the small and micro businesses are less able to compete via advantages of scale and scope (Hartley et al., 2013), they can conquer equally big market share via specialisation on niche markets (Birch, 2008). (Rozentale & Lavanga, 2014)

The Doha Programme of Action, which outlines a roadmap for accelerating economic development in LDCs in the next decade, recognizes the untapped potential of the countries' creative industries.

"We recognize the untapped potential of least developed countries' creative industries to create full and productive employment and decent work, support entrepreneurship and innovation, encourage the formalization and growth of micro-, small and medium-sized enterprises, promote social inclusion and eradicate poverty. "We commit to protecting and promoting the status of the artists and cultural professionals through policies and measures, and encourage artists' inclusion in the digital ecosystem, including through appropriate intellectual property frameworks.

"The potential of the cultural and creative sector to enhance least developed countries' participation in and benefit from new opportunities for dynamic growth in world trade remains largely untapped.

South Africa is a contributor to the Doha Development Agenda.

6.3.1. Practical challenges

The challenges detailed above were highlighted by Respondent 18 in the 2022 interviews:

"Because the performing arts industries are unregulated, a lot of people are facing situations where they are effectively exploited. They don't have contracts even for the work that they are doing. Next, the contracts are not very secure. The contracts don't really give them full value for their work in terms of the relationship they have with the production companies and all of those kinds of things."

Respondent 18 further explains that this does not only apply to the performing artists.

"We are also talking about people who work at the back end of the arts, people who work as producers, people who the script writers, people work as lights. And it gets even worse for them because their plight is even less seen than the people who are the artists that are front facing."

Building on this, Respondent 4 describes the state of the CC sector as fractured:

"We are fractured, we are disorganized, we are not held together by any kind of legislator legislative policy framework that directs all our efforts towards a cohesive industry goal. And we feel this as a as a living working reality."

Respondent 22 focused on lack of tenure:

"I think what you're really talking about is job security. Every single step that you can take to make employment more secure and get right in front of opportunities must be looked at.

"What's missing often is the financial component. People in the CC sector tend not to be financially aware. They don't plan properly. They quote badly. They often give their services away. They're exploited by their community or their clients.

"So, I would come at it clearly from a financial point of view because that's what's missing.
"We've had endless discussion. And jobs are going down the tubes every day".

In 2022, respondent 8 elaborated on the nature of seasonal work. They explained that this sector is dominated by only a few funders and grantees, and that projects are time-bound.

“So once the project is over, then the cycle is over.”

Respondent 15 shared this sentiment, saying,

“My issue is the continuity. This place is vulnerable, if you go there, and you today, and tomorrow, what happens tomorrow?”

He argues that a more permanent intervention is needed so that artists can be developed for a long-term career in this sector.

Respondent 10 highlights CCI job precarity as follows.

“The problem is that we are raising up, or training people to work in this industry, when actually working in this industry is not viable. Very few people are actually able to earn a viable wage in the space. And we have to ask some serious questions of ourselves around what we’re doing to perpetuate those issues?”

6.3.2. Long Covid

Respondent 10 explained that the challenges have continued, and will probably continue, years after the lifting of the Covid-19 lockdowns.

“And so, the long-term effects are actually far more significant than what happened as a result of that immediate shutdown, because people can make plans for the short term; it's the medium and long term that are more complicated. I think there just aren’t the resources, whether that's financial or otherwise, to sustain or continue in the way we work. There's a lot more required to start something than to sustain something.”

Respondent 8 agreed, saying;

“It definitely threw a lot of artists into a more of a precarious situation than they otherwise would have been… But it also showed up the weaknesses of our institutions, in terms of supporting artists… On the other side, I also noticed with my own work, a move towards digital.”

6.3.3. The value of the creative economy

There is a tangible negative impact on local job creation and economy growth if the creative economy is not supported, respondents pointed out.

There were several references to international research into the sector.

The creative economy contributes just over 6.1% to global gross domestic product (GDP), averaging between 2% and 7% of national GDPs around the world. According to UN estimates, the creative economy industries generate annual revenues of over $2 trillion and account for nearly 50 million jobs worldwide.

About half of these workers are women, and these industries employ more people ages 15-29 than any other sector. Television and the visual arts make up the largest industries of the creative economy in terms of revenue, while visual arts and music are the largest industries in terms of employment.

According to a report by Africa No Filter, the creative and cultural industries (CCI) across Africa generate about US$4.2 billion in revenue and has a growth rate that outpaces other sectors on the continent.

In 2021, UNESCO published probably the most comprehensive mapping of the continent’s film and audio-visual industries. The report showed that the sector is underfunded and underdeveloped. It estimates the sector currently employs only five million people and accounts for only $5 billion in Gross Domestic Product (GDP) for the continent.

"In developed nations, creativity is a key indicator of wealth, class and success. Driven by the digital and visual world in which we live, the creative sector is increasingly driving economic diversification. Although Africa is estimated to contribute less than 1% to the global creative economy, it generates about US$4.2 billion in revenue. While it only employs about half a million people across Africa, most of whom are youth and women, the sector's growth rate outpaces other industries on the continent. (Pointer, Kimani, Makura, & Sparg, 2022)

6.4. Theme 2: Government resources and will to support the sector.

Given the socio-economic challenges facing South Africa, many question whether the government has the resources to support a "soft" sector such as creative industries. Others wonder whether it has the will to do so.

Respondent 21 believes that the government has a role to play in providing a measure of security for those working in this sector. Reference was made to the conditional grant for libraries, which was started by the national government in the early 2000s and which still exists. It, inter alia, provided for the building of new infrastructure and for jobs for community librarians, which later became permanent jobs. Linking this to setting up of community art centres, the respondent argued that once you get such a centre off the ground and have buy-in, you will probably create permanent jobs at a later stage. "And once you have one permanent job, it's easier than to bring others on board, so that you create that stability."

Respondent 2 discussed how government policies can help those in the CCI:

"So, government has created these policies that forced everyone to go out and look for a young creative to work with, so that they either get incentives from government, or they get more leverage support from the government. So, government can create policies where it incentivizes people who support and work with creatives, so that they also boost that industry and give creatives adequate work opportunities."

Respondent 10, however, was more sceptical about the value of government support for social security measures in this sector.

"We keep trying to reinvent the wheel. And each time, there is a bunch of people who can get excited and say, well, maybe this one will make the difference. But you know, for every one person who has that energy and excitement and sees possibility, there are nine saying 'Not this again, it's a complete waste of time, energy and money.'"

Government officials are not seen to have the necessary understanding of the needs and potential of the creative industry.:

"And then also you find that institutions, especially government institutions are not trained to be able to understand and accept the work of artists, and things like the supply chain." (Respondent 13)

Respondent 22: warns against reliance on government support:

"If you rely on government support you may find that after 18 months, there's a huge cut back on expenditure. And your program goes down the tubes. You do not want to relive the experience of the withdrawal of Covid-related programmes.

"We don't need government for anything other than the tax deductibility of that's it. You're done. You want government's blessing, but you don't want the administrators involved".

He is supported by Respondent 25:

“Great initiatives fall flat because, in some way or the other, some government department is involved and then they take it in a completely different direction, or they want to take it over from the NPO which set it up.

“So, you have state employees who can't do stock control, can't run a payment system, and it can't acquire stock on consignment. The state also doesn't have the necessary level of trust with the creatives, so the whole thing falls flat”.

“We've seen over and over again that really good initiatives start off well but end up consigned to history.

“From a delivery mechanism perspective, you want to keep things out of government as much as possible”.

6.5. Theme 3: Sources of funding

The respondents identified a number of sources of funding, from both government and the private sector.

Respondent 22: There is no limit to the sources of funding. The sector should start by agitating for a fairer distribution of taxes to provide more support to the sector.

That would include incentives, really favourable ones where the private sector can claim meaningful deductions.

So, I would put the company rate of tax up from 28%, which is what it is now, to 45%. And then provide a 5% deduction for specific sums of money going into the CCI sector.

The business community then takes responsibility for the disbursement of funding rather than the state.

There are broader benefits to the state:

Respondent 22: The CCI sector can create sustainable jobs. If a community becomes more financially secure, their children get better fed, they get better education and there is general upliftment over the long term.

International donors are eager to support the South African creative industry.

Respondent 22: Just this week, I had a call from this African American friend of mine who's been talking to the former head of the US chamber of commerce. And they are prepared to help. There is no shortage of will.

Grant funding is also available.

Respondent 25: There are enough programmes out there, where you will get a small manufacturing grant, or you'll get a small equipment grant for up to R2 million.

So, what you want to do is to help crafters and artists to access the support which is out there in the ecosystem.

There's a lot of grant funding. There's a lot of blended instruments.

There is also support such as entrepreneurship, training and business development.

Bring in Allan Gray, they're really doing amazing work out there. At present they are not very active in the creative sector.

6.5.1. Encouraging private sector involvement

Gaining support from the private sector starts with having a credible and accountable structure.

> *Respondent 22: "If you set up a fund, you need a board of internationally recognised and credible trustees. Business must believe that the fund will not disperse money unless every I is dotted and every T is crossed.*
>
> *"There also need to be specific measurable goals. On achievement of the goals. Funders are wary of putting money into funds or schemes which have no specified outcomes.*
>
> *"There is no real difficulty in clearly defining the need, which is to secure employment. At the end of the day, business benefits. Research has shown that, for every person that has a sustainable income as their family in KwaZulu-Natal, the multiplier effect is about eight to one".*

Government, however, remains a vital player.

> *Respondent 22: "You need to have somebody who has the ear of government. That's your risk".*

Another potential model is for companies to invest in creative enterprises.

> *Respondent 25: "You could consider what's called a makerspace incubator and accelerator based on the 22 on Sloan model. With crafters you are not usually working with start-ups, but businesses which are already active. So, it's more about scaling up. Most accelerators also provide financing. It's not just product development and innovation support. They actually take an equity stake in the small businesses that they are scaling.*
>
> *"Now, if you try to apply that to a craft space, or creative industry space, it's a little bit trickier, because most of these businesses are really survivalist. It is difficult for them to scale to the point that they are attract the interest of an impact investor".*

A private sector fund has another advantage:

> *Respondent 25: Even to qualify for government support, you have to be tax compliant. There's a whole bunch of hoops that you've got to jump through, before you even can get any government support.*
>
> *Respondent 26: "When we started a craft shop, I couldn't just take in any products that I thought would sell. When we went on our selection route trips, the crafter has to have a tax number and be a registered business.*
>
> *"It's really hard for a lot of the crafters because they're very rural, based. We ended up clustering the crafters under one person who would have all the documents but was really problematic. It really excluded quite a lot of the small businesses that actually had the potential to sell their products and to actually get money into the community".*

6.5.2. Ring-fenced special tax

Across the world, digital marketplaces like Uber, Airbnb, eBay, and Amazon are being tasked with guaranteeing tax compliance for the sellers using their platforms.

One suggested source of funding for the creative sector would be ring-fencing this new source of income for the fiscus. There is, however, little trust that the funds will be disbursed correctly.

> *Respondent 22: "And I would not go that route because what happens is the funds. It is just used as another form of revenue".*

Examples are the road tax, sugar tax, plastic bag tax, carbon tax and tyre recovery levy, the proceeds of which are being swallowed up by the fiscus or misappropriated.

6.6. Theme 4: Institutional challenges.

There are numerous institutional challenges within government.

> *Respondent 24: "Government support needs to be harmonised. The sector is managed by different departments, with different approaches, with different perspectives.*
>
> *There needs to be a defined way forward, even where there is disagreement over what needs to be done. All departments need to move ahead with what has been decided upon.*
>
> *"Previous attempts to support the sector have failed because there was an attempt to get the general consensus. There will never be consensus because of the different priorities and personalities in the departments".*

6.7. Theme 5: Hearing the voices of rural creatives.

Connecting with creatives in the urban environment has its own challenges. These are compounded in the rural areas.

> *Respondent 24: "We have to find a way to interact with the diverse constituencies of the creatives in rural level. They are difficult to access. We have to find a way to listen to those voices. Part of it is identifying the institutional landscape and getting responses because initially you want to come up with some concrete solutions. You don't want big talk shops.*
>
> *"My view is that government have systems in place, but the systems talk to the general population, irrespective of whether or not you are an artist.*
>
> *"Take UIF, everybody who is formally employed qualifies for it. But, few artists qualify because they are self-employed.*
>
> *"There have been attempts to address this, but they have died a natural death. In 2003, a number of departments were involved in trying to find ways to provide social support to the creative industry. It never saw the light of day".*

6.8. Theme 6: Diversity

Diversity in the creative industry goes well beyond ethnic diversity.

> *Respondent 24: "Initially, the definition in government departments was very narrow. It just dealt with the creative sector and did not include heritage and creative sectors. All the sectors identified in the masterplan must be included. Otherwise, the support provided is incomplete.*

Support remains fragmented at government level, according to the respondent. There is no clear understanding of which sector falls under which department.

> *Respondent 24: "But how do we, how do we structure the sector, so that this kind of diversity that we're talking about is, is understood and is well formalized. Without formalisation it will continue to be just ad hoc type arrangements".*

There remains no final consensus on the definition of the CCI sector in government circles.

Respondent 24: “We spoke about the definition of the sector following the UNESCO guidelines, but then someone in the sector says they have problems with the UNESCO definitions.

“So, they still need a consensus to reach a consensus, but then how do you reach that consensus?

“Interdepartmental cooperation is very critical, because now it gives the perspectives of each department within the sector. Each needs to understand the purpose of the intervention by a particular department.

“What is their perspective? What is their role here?

“Cooperation helps to harmonize the support being provided. Currently, the different departments do not understand the role being played by the other departments involved in the sector”.

6.9. Theme 7: Required interventions and structures

Respondents stressed that the development of interventions needs to include all role-players.

Respondent 24: “It's very critical that, whatever we do, we involve all stakeholders.

Without buy-in it is very difficult for interventions to succeed. An example is a provincial workshop being disrupted because participants complain that they have not been involved in the process that led up to the content of the workshop.

Respondent 22: “And we have to get it out of government control. Because, even if you find that good bureaucrats are involved initially, in six months time you may find they've moved somewhere else, and you start again.

“The other problem is what happens when you have got pooling of funds, because then you have no accountability.

“So, you need to have a dedicated, fund, which is outside government, if that's possible.

“You have to be able to set up a structure that has accountability, staffed by people who are incentivized to come to work.

While government is putting support structures in place, the private sector can initiate support for the CCI sector.

Respondent 22: “Proposed tax incentives or other support will take a bit of time. But in the meanwhile, you could kick it off with the private sector. Funding could come from foreigners who are not interested in local tax deductions and wealthy South Africans”.

6.9.1. How to involve the CC individuals

The idea of collaborative spaces for creative practitioners and artists was also put forward a way to support people in CCI

Respondent 11: “I think the notion of the Creative Hub community or to say incubation spaces, I think are vital. And that they should be in every small town and city in South Africa.

“I think that sense of connection, sociability is so important, creates a support structure. But it also enhances the idea of collaboration. Which I think, yeah, I know specific art forms sometimes engage collaboration in different ways, or there's always the joke around composers struggling to collaborate and prefer the isolated space.”

Another long-lasting impact of Covid-19 was described by Respondent 8. “I have a sense more and more creatives are looking toward the entrepreneurial route. But what does that really mean? It might mean that there's more people wanting to become more professional, so that they can provide goods and services as opposed to applying for grants."

However, Respondent 18, has a delightfully positive view of the how the CC sector in South Africa can flourish.

"For me, an artist is like a plumber. There's nobody who doesn't need a plumber.

"There's nobody in South Africa who doesn't want to hear music. Nobody in South Africa who doesn't want to be entertained, who doesn't want to laugh, who doesn't, enjoy that kind of thing.

"It's like a plumber. Everybody wants one, everybody needs one. But also like a plumber, that person can become their own boss. They don't need to set up a large corporation. They don't need to stand in long queues for somebody to go and to employ them in a large corporation. They literally can show up in a place, do what they need to do and go.

"And we just haven't created that economy. We haven't created policies that allow for that."

6.9.2. Creativity as a business

Respondent 22: "What is missing, and generally, people don't understand that without a customer. There's no sustainable business. Now, they have customers because they're fulfilling a need for somebody that somebody is a customer".
Respondent 25: Creativity needs a lens on the market development side. It's not training for training's sake, but it's training and then branding. You know, giving the crafters, a social media profile, and then looking at online markets.
"Online platforms are tricky, but individual crafters can market through pop up shops, and use their own social media".

6.9.3. Creating a collective

Any support structure for the creative industry will need to offer tangible benefits if creatives are to join.

Respondent 22: "First, you have to define who the beneficiaries are gong to be. Then, you're looking at giving them financial security, which means some retirement funding. You want to help them get group life insurance. How do they benefit and how does the organisation helm them achieve their objectives.

Respondent 25: "Rural crafters are not plugged into the ecosystem. You can run product development training, but there's no tourists, there's no customers".

It is also nearly impossible for rural crafters to access funds for purchasing equipment such as sewing machines and generators.

Respondent 25: "I think there's huge scope to do something quite interesting. I like the idea of using what's already there. That's embedded in the community.

"They need mechanisms which provide business support and access to markets".

6.9.4. Gig workers

Respondent 25: "We may need a new Act for gig workers because the existing rules don't make sense for a gig worker. The regulations do not make it easy for them to become formal and pay *tax. To all intents and purposes, they get a big bunch of money at one time, and then it's dry season for another couple of months.*

"It is not only the in the music industry, or the creative industries that we got gig workers, we've got them in other sectors. For emerging gig workers, we also need to have some kind of assistance".

6.9.5. Medical aid for CC sector

Respondent 27: We are advocating for an awareness of health and wellbeing needs in the world of performing artists and artists. Occupational health and safety is mostly overlooked in this sector. Health concerns include musculoskeletal, nonmusculoskeletal, vocal, and hearing health issues.

The public health care system currently is not appropriate – there is a fundamental lack of understanding of PA's needs

Fundamental problems:

- *Performers cannot afford specialised medical care*
- *Performers seldom seek appropriate medical advice*
- *There is no central directory of medical professionals who work with specialised needs of performing artists*
- *Lack of access to health-care professionals*
- *Lack of access to health-care professionals trained in the needs of performing artists*

Ideas for solutions:

- *Set up a 'medical' fund PA can access for those who cannot afford medical aid*
- *Artists with access to medical aid – we propose medical aids acknowledge performing artists as a specialist group and have benefits tailored toward them. (A modified medical aid for artists).*
- *Identify suitably trained medical specialists and health care workers with experience of Performing Arts Medicine – contracted within medical aid companies; and/or identify those willing to work pro-bono*

Evidence-based research project

- *Collaborative research project involving SACO, UP and SU (SAPAHA). Large scale national study exploring the current state of health and health needs of performing artists and artists in the formal and informal sector in South Africa. Mixed-method research approach.*

6.9.6. Other support for CC sector

Recent research points to additional areas where the creative industry requires support.

> *While other studies have given attention to the necessity for education, our study highlights that education alone is not enough: the infrastructure for creativity needs further development. Therefore, a key focus of those wanting to support the creative industry should be on infrastructural support, funding and capacity building. (Pointer, Kimani, Makura, & Sparg, 2022)*

The need for some form of security to support artists in a future catastrophic event was mentioned by a number of respondents. After the Covid-19 lockdowns, respondents agreed that "the idea of having some form of let me call it creative social net would really help. The question that comes to how do you manage that so that it is not abused? So that it doesn't create further dependency." (Respondent 7).

Respondent 11 argues that the social security net should allow opportunity for artists to be trained, and to experiment in their field:

> *"I believe artists should receive some kind of support, some kind of cushioning, to enable them to be in a field that is exploratory, that is experimental.*
>
> *"That is not always guaranteed a market and sometimes that's a long journey to both develop a skill, but also to deepen one's research one's investigation into a field or into a specific focus.*
>
> *"And I think, on some level that does need support. But it's again, you know, what is the value that we give to it? And then, you know, I suppose there's always the tension around outcomes. And again, sort of what are the timelines that are given to those outcomes. And that the notion of the fixed outcome versus an outcome that may be surprising or and I suppose these are pedagogical issues as well."*

A clear need in this sector is a legal framework to protect creative practitioners under our South African Labour Act. This, however, will not be easy. In his interview, Respondent 4 commented that he finds it "very disconcerting that even DSAC doesn't seem to be a firm grasp of what it means to work as a freelancer".

The respondent goes on to discuss the difficulties experienced by officials of the Department of Employment and Labour when attempting to gazette regulations to protect freelancers in the CCI.

> *"And what resulted from this is the Department of Employment and Labour, realizing that there is no direct translation of labour laws into our sector, simply because of the nature of the work itself." (Respondent 4)*

Any social security mechanisms developed to allow "artists to flourish" needs to take into consideration public benefit. "And the big question, I guess, is, is this a public benefit? And what role does government play in supporting artists to be able to focus on their craft, which often turns into national treasures?" (Respondent 8).

Another key issue which was noted that the social security mechanisms need to specify in what way artists and creative practitioners are registered for benefits:

> *"And who accesses our spaces, you know, who accesses the skills development? Because we're not structured, anyone just comes in?" (Respondent 15)*

6.9.7. Setting up a specialist fund

There is support for the establishment of a dedicated fund to provide social support to those involved in the creative economy.

> *Respondent 23: "I think setting up a vehicle to access funds would work. You need not limit looking for funding from South Africa. For me, first prize would be looking at securing funding from outside.*
>
> *"But the inter-governmental stuff is quite important, because you do want to take along the relevant stakeholders. You want them to be involved in the process. So, you need to target the right role players.*

“From a government point of view, they would want to see value in terms of the jobs that are being created. Once you can demonstrate that, II think it will be easy for you to bring all the stakeholders along with you.

“You will need to develop a stakeholder matrix. And establish a public private partnership, also guided by a matrix”.

7. Chapter 6: Analysis of Survey Results

7.1. Introduction

To get as much information from creatives themselves, an online survey was developed and disseminate to people in this sector via the Assitej network. The survey was also distributed to select members of the Freelance Association and other cultural and creative organisations.

Potential respondents were told that the research and subsequent survey is the first stage of the streamlining, refining and expansion of the initial research conducted in 2022.

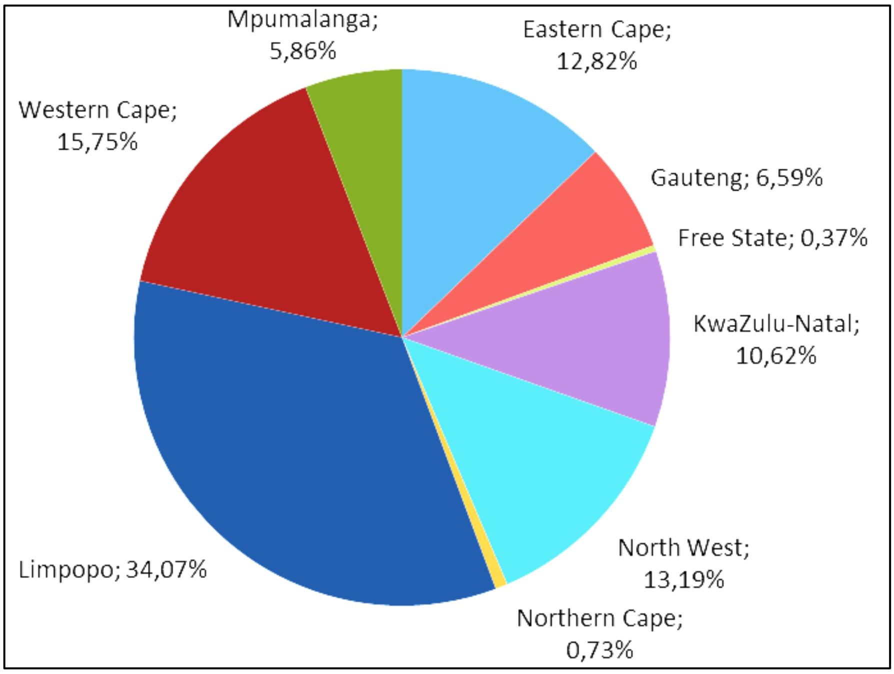
The purpose of the survey is to better understand the nature of work within the CCS and what measures can be put in place to improve social protection of artists and creative workers. Further, its purpose was to get a deeper understanding of the vulnerability and volatility of income, including the earnings or profit of South African CCIs.

7.2. Part 1: Overview of all Respondents

7.2.1. Respondents by Province

A total of 272 creatives completed the survey.

Figure 7: Percentage of respondents by province



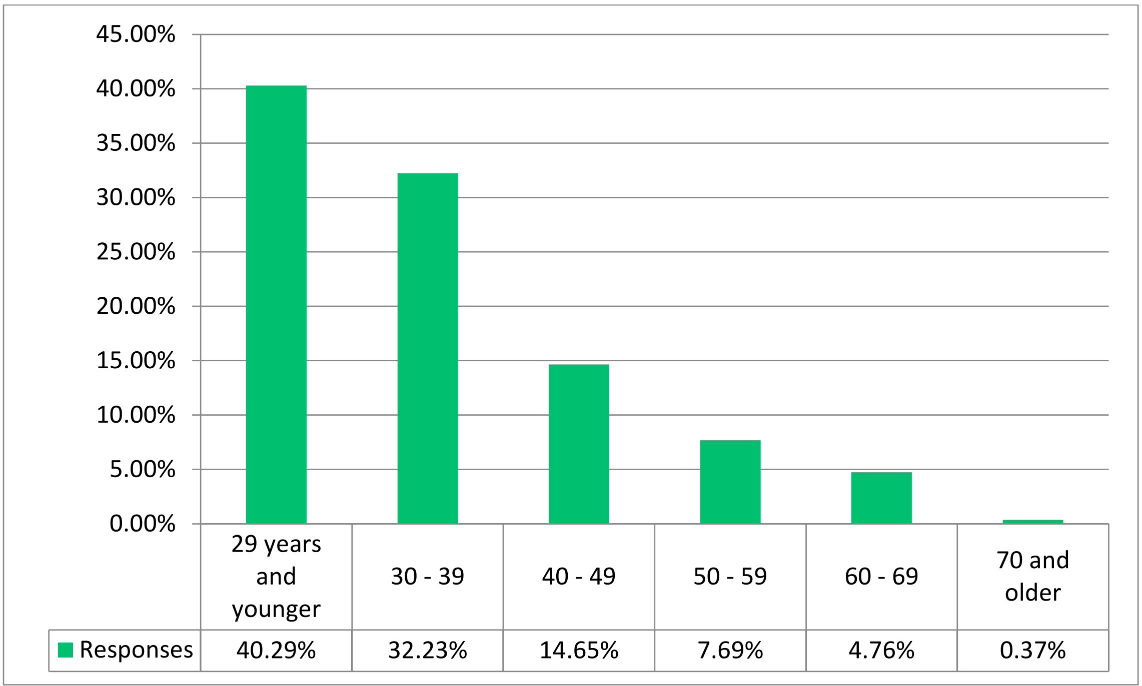
More than a third of the respondents were from Limpopo. This was followed by the

- Western Cape (15,75%),
- North West (13,19%),
- Eastern Cape (12,82%),
- KwaZulu-Natal (10,62%),
- Gauteng (6,59%),
- Mpumalanga (5,86%),
- Northern Cape (0,73%), and the
- Free State (0,37%)

7.2.2. Respondents by Age

The was a spread of respondents across the age range. However, it is important to note that the majority of respondents were younger than 40 years, indicating that interventions implemented now will be of benefit to our younger generation.

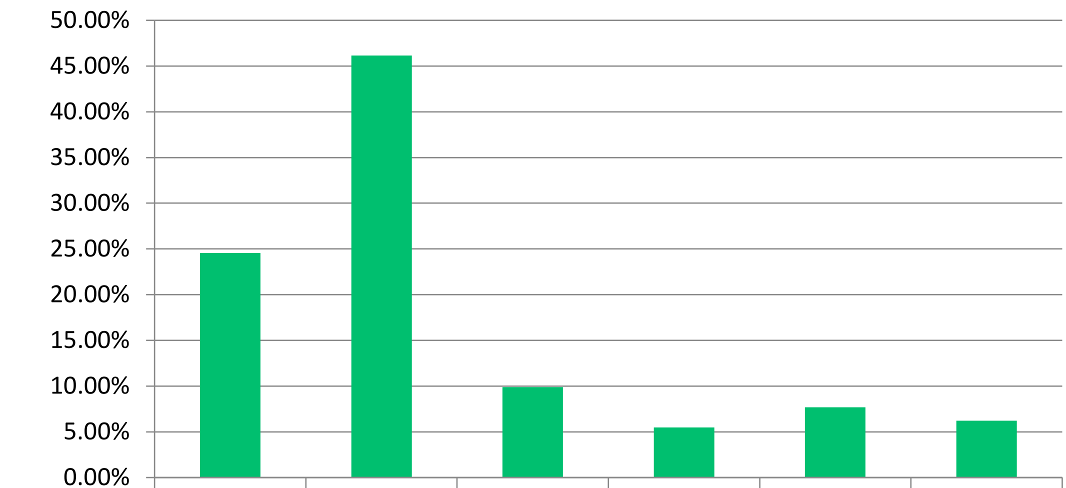
Table 7: Respondents by Age Group



7.2.3. Respondents by Qualifications

Better qualified people tend to be employed in more stable jobs and therefore have more security and are less precarious. Table 8 below shows the percentage of respondents per qualification.

Table 8. Qualifications of the respondents



	Grade 10 (Standard 8) or lower	Matric certificate or equivalent	Apprentice training / certificate	Post-matric diploma	Degree	Post-graduate
Responses	24.54%	46.15%	9.89%	5.49%	7.69%	6.23%

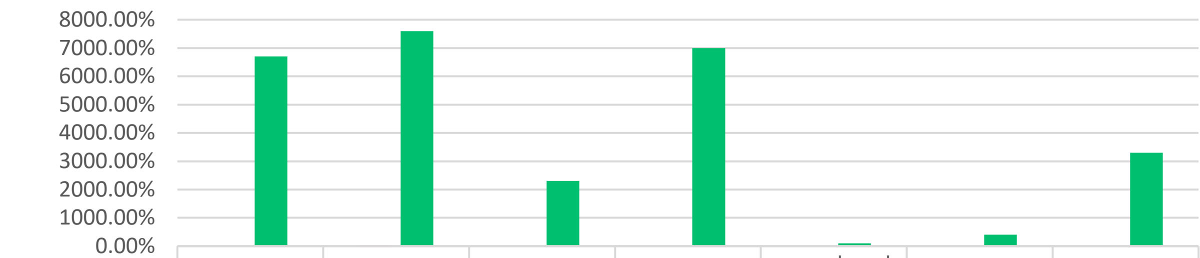
The majority of surveys in this survey have a matric or equivalent qualification. Approximately 20% respondents have a post-school qualification, while 24,4% do not yet have a matric qualification. As recommended in the CCI Master Plan (2022) and the RWP (2022) suggested shows a need for appropriate post-school training and education.

7.2.4. Respondents by the Nature of their Work in CCS

The majority of respondents to this survey are freelancers or part time workers (52,19%). Some 34,3$ of respondents work full time for either creative business or non-profit organisations. And 12,04% identify as business owners or managers.

This pleasing distribution allows for analysis of the different components of the work force within the CCS.

Table 9: Nature of Respondents Work



	...a freelancer with no permanent work	... employed part time in a cultural or creative firm	...employed full time in a cultural or creative firm	...employed full time in a non-profit/NGO etc	...employed full time for an international firm or organisation	...employed full time in the public sector	...an owner or manager of a cultural or creative firm with employees
Responses (%)	24.45%	27.74%	8.39%	25.55%	0.36%	1.46%	12.04%
Responses (#)	67	76	23	70	1	4	33

7.3. Part 2: Data from Freelance and Part Time Workers in the CCS

People who identified as freelance or part time workers were directed to respond to specific questions in this survey. Their responses are quantified in the tables that follow.

In figure 8, it can be seen that the majority of freelance workers indicate that they are unable to work for a full month. Only 13,68% of respondent indicated that they have contracted work for a full month.

Figure 8: Freelance Workers - How often do you have work? (%)

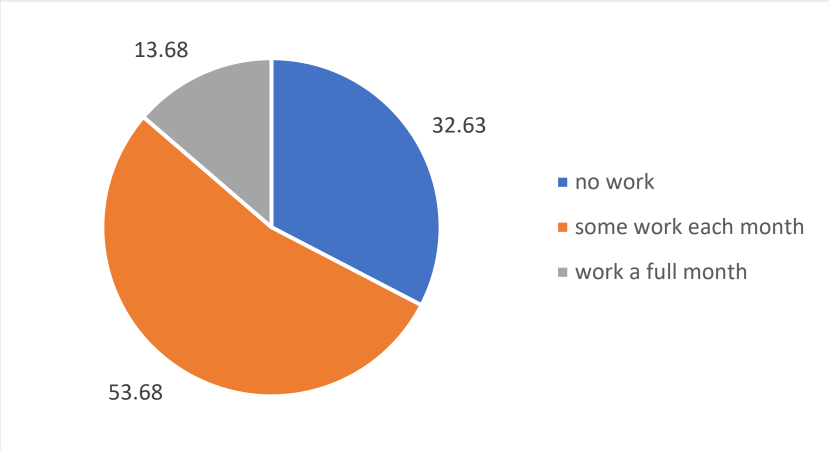
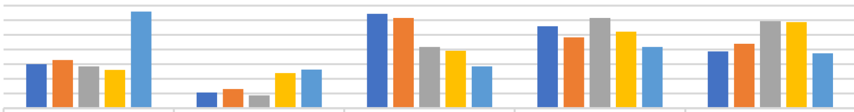


Table 11 illustrates how the struggle for work, impacts on the control that freelance and part time workers in the CCS sector have over key aspects of their work.

Table 10: Freelance Workers - Over the past 12 months how would you rate the following aspects of your life?



	0% - no control	25%	50%	75%	100% - full control
The control you have over the amount of work you do	15.05%	5.38%	32.26%	27.96%	19.35%
The control you have over the terms of your work	16.48%	6.59%	30.77%	24.18%	21.98%
The control you have over your working schedule	14.29%	4.40%	20.88%	30.77%	29.67%
The control you have over your working conditions	13.04%	11.96%	19.57%	26.09%	29.35%
The control you have over your pay	32.97%	13.19%	14.29%	20.88%	18.68%

In figure 10, the majority of freelance and part time workers (49,47%) indicate that they income is not stable. Only 14,47% indicated that they have access to a stable source of income. Table 12 that follows summarises the effect that the lack of stable income (and fierce competition in this sector) has on respondents

Figure 9: Freelance Workers - How stable is your income? (% of total)

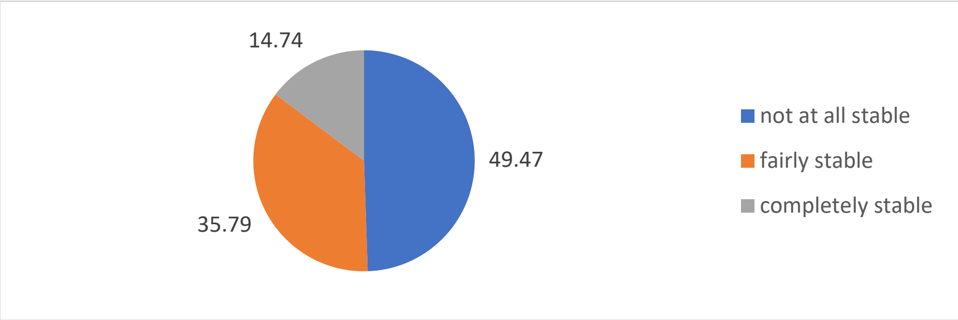
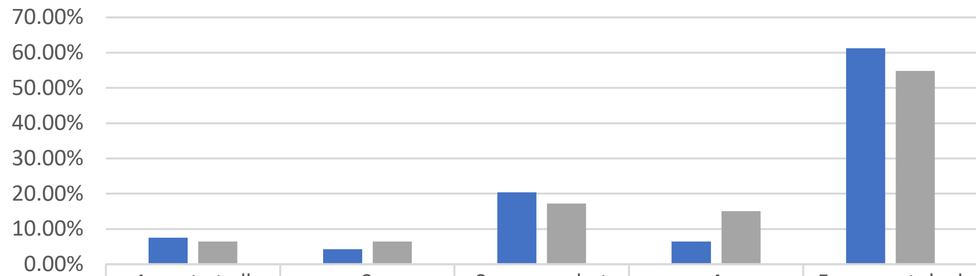


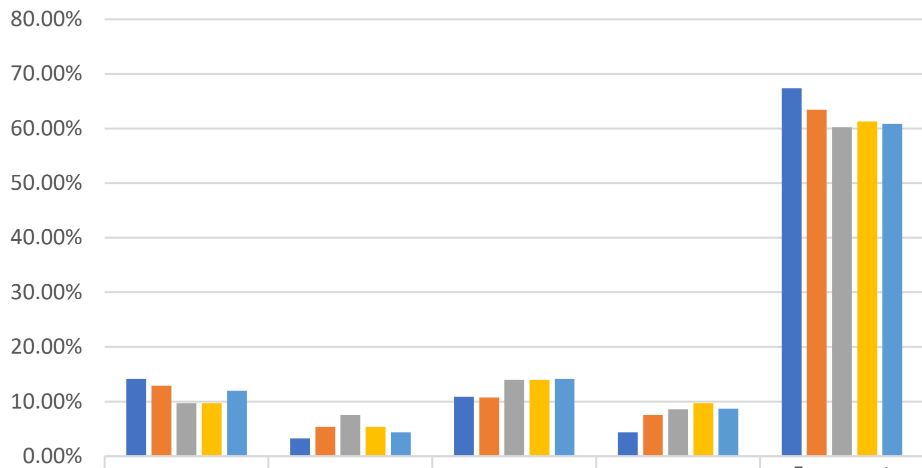
Table 11: Freelance Workers- How are you affected by lack of stable income and level of competition? (% of total)



	1 - not at all	2	3 - somewhat	4	5 - a great deal
lack of consistent and stable income impact on your ability to plan for the future?	7.53%	4.30%	20.43%	6.45%	61.29%
the level of competition in the industry impact your livelihood?	6.45%	6.45%	17.20%	15.05%	54.84%

Table 13 is a stark reminder of the marginalisation of creative workers and practitioners due to the lack of basic socio-economic protections.

Table 12: Freelance Workers - How does the lack of access to affordable ... impact your livelihood? (% of total)



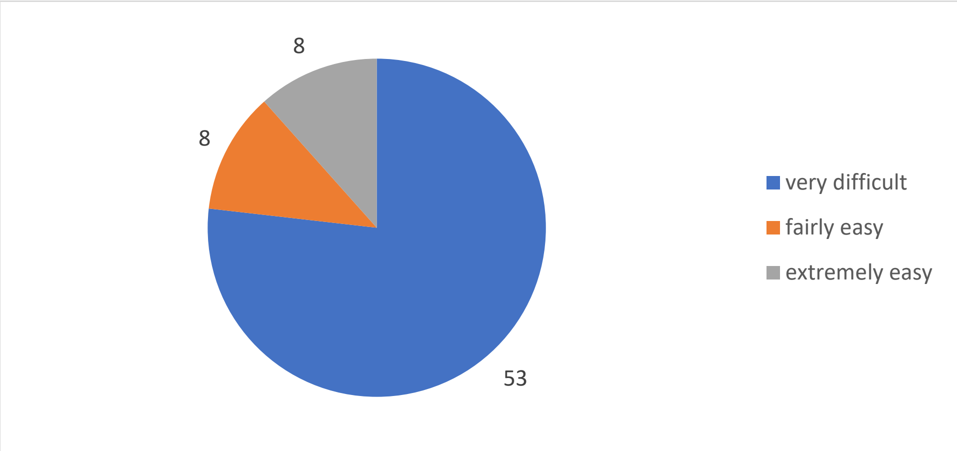
	1 - not at all	2	3 - somewhat	4	5 - a great deal
health insurance, retirement savings, and paid leave	14.13%	3.26%	10.87%	4.35%	67.39%
financing	12.90%	5.38%	10.75%	7.53%	63.44%
marketing services	9.68%	7.53%	13.98%	8.60%	60.22%
technology	9.68%	5.38%	13.98%	9.68%	61.29%
legal support	11.96%	4.35%	14.13%	8.70%	60.87%

7.4. Part 3: Data from Full Time Workers in the CCS

People who identified as full-time workers were directed to respond to specific questions in this survey. Their responses are quantified in the tables that follow.

In figure 13, it can be seen that the majority of full-time workers indicate that it is extremely difficult to find full-time employment in the CCS. Only some 16% of respondents stated that finding full-time employment is either fairly, or extremely, easy.

Figure 10: Full Time Workers - How easy is it for you to find full time employment? (% of total)



The data shown in table 14 reinforces that provided in figure 13 – the vast majority of full-time workers have been employed in their organisation for less than two years.

Table 13: Full Time Workers - How long have you been working for your current employer? (% of total)

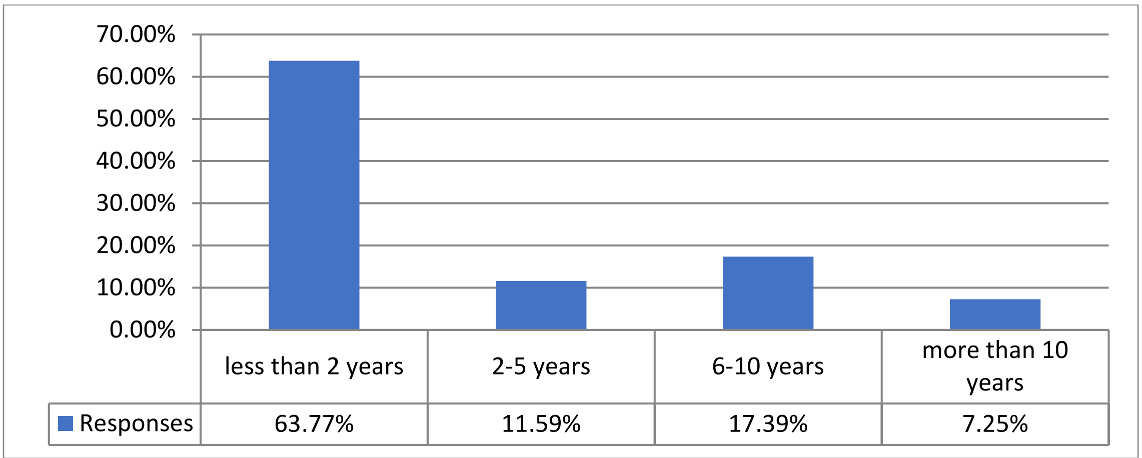
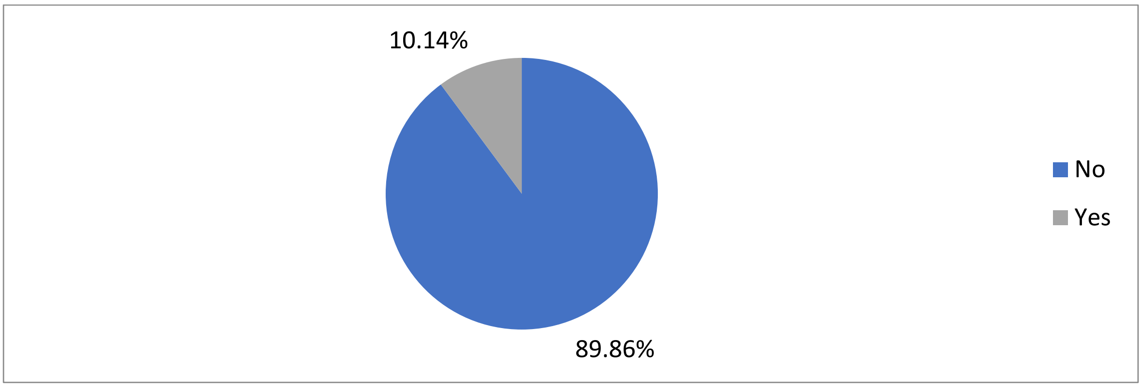


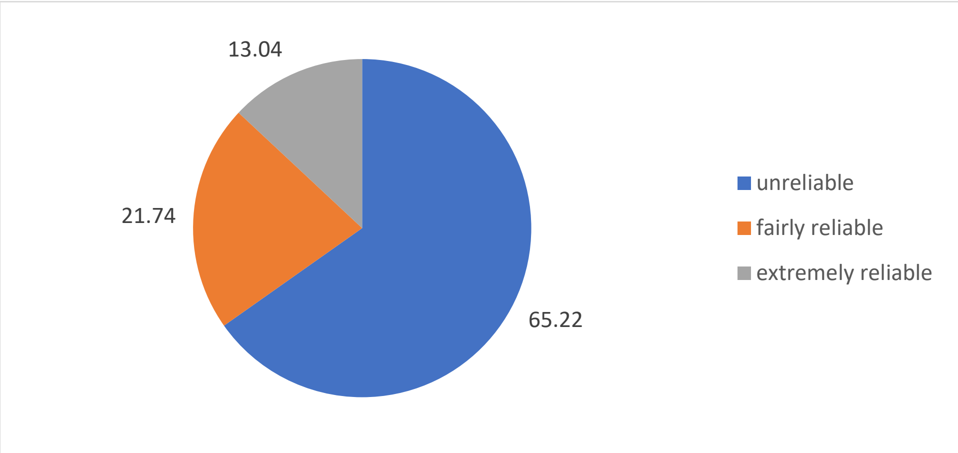
Figure 15 illustrates an important finding – the majority (90%) of the full-time workers in this survey do not belong to any trade union, association or guild.

Figure 11: Full Time Workers - Are you a member of a trade union or guild or association? (% of total)



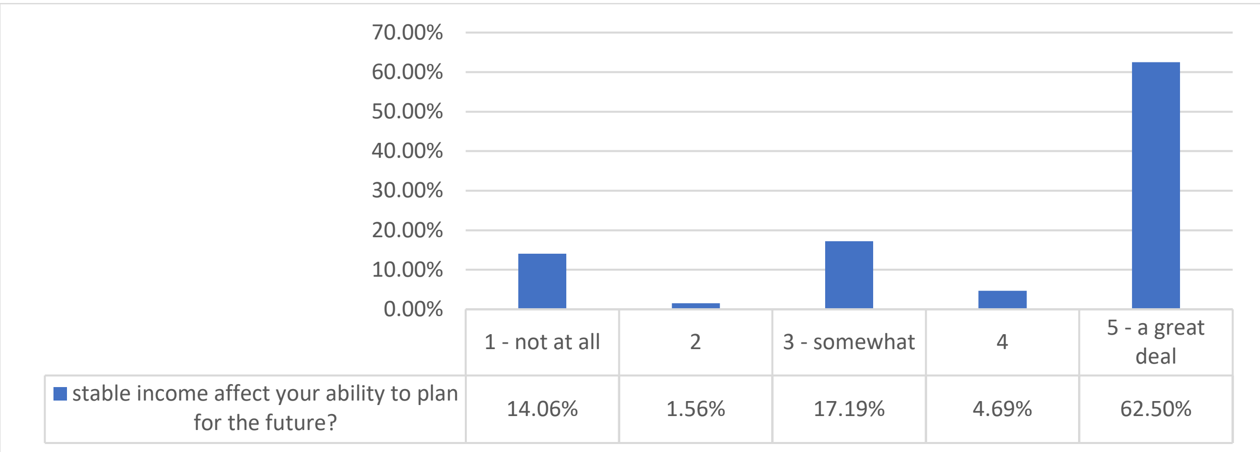
While the Figure 16 shows that, while the respondents might regard themselves as full-time workers, their income is not reliable (65% of respondents).

Figure 12: Full Time Workers - How reliable is your income from your creative work? (% of total)



It therefore follows that the full-time workers stated that the instability of their income, negatively affects their ability to plan for the future (table 15).

Table 14: Full Time Workers - How does the lack of a stable income affect your ability to plan for the future?



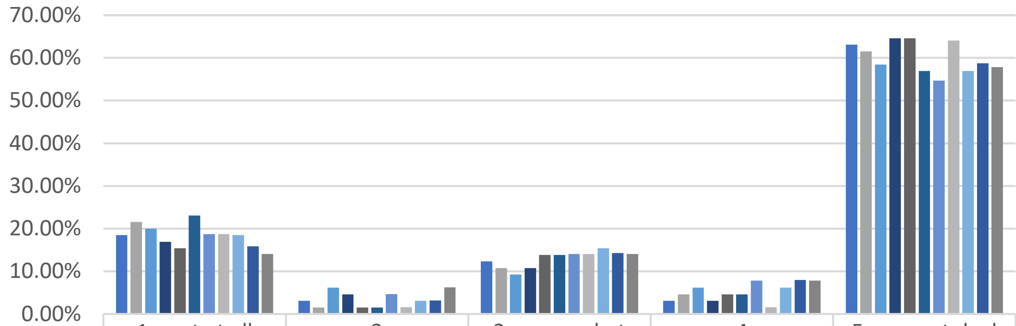
Full-time workers were then asked to indicate how the following socio-economic issues affect their lives:

- access to benefits such as health care and retirement savings impact your livelihood?
- access to affordable housing impact your livelihood?
- access to affordable child care impact your livelihood?

- access to affordable education impact your livelihood?
- access to affordable health care impact your livelihood?
- access to affordable legal support impact your livelihood?
- access to affordable insurance impact your livelihood?
- access to affordable transportation impact your livelihood?
- access to affordable credit impact your livelihood?
- access to affordable public services impact your livelihood?
- access to affordable communication services impact your livelihood?

Their responses are quantified and shown in Table 16. It is not surprising that the majority of respondents indicated that the lack of such social security measures affect their livelihoods a great deal.

Table 15: Full Time Workers - How does the lack of ... impact your livelihood?



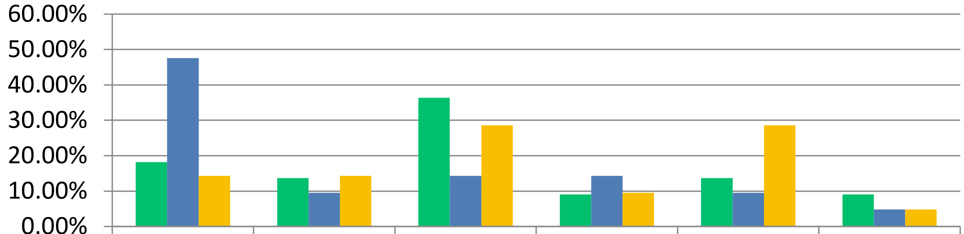
	1 - not at all	2	3 - somewhat	4	5 - a great deal
health care and retirement savings	18.46%	3.08%	12.31%	3.08%	63.08%
housing	21.54%	1.54%	10.77%	4.62%	61.54%
child care	20.00%	6.15%	9.23%	6.15%	58.46%
education	16.92%	4.62%	10.77%	3.08%	64.62%
health care	15.38%	1.54%	13.85%	4.62%	64.62%
legal support	23.08%	1.54%	13.85%	4.62%	56.92%
insurance	18.75%	4.69%	14.06%	7.81%	54.69%
transportation	18.75%	1.56%	14.06%	1.56%	64.06%
credit	18.46%	3.08%	15.38%	6.15%	56.92%
public services	15.87%	3.17%	14.29%	7.94%	58.73%
communication services	14.06%	6.25%	14.06%	7.81%	57.81%

7.5. Part 4: Data from Owners and Managers of Businesses in the CCS

People who identified as business owners and managers were directed to respond to specific questions in this survey. Their responses are quantified in the tables that follow.

Table 17 shows that the devastating impact of Covid-19 lockdowns on businesses in the CCS. However, the responses also illustrate that signs of economic recovery, as argued in other chapters of the report.

Table 16: Owners & Managers - How reliable is your income stream pre / during / post Covid-19



	1 - not all reliable	2	3 -fairly reliable	4	5 - stable	NA
Pre-Covid-19	18.18%	13.64%	36.36%	9.09%	13.64%	9.09%
During Covid-19	47.62%	9.52%	14.29%	14.29%	9.52%	4.76%
Currently	14.29%	14.29%	28.57%	9.52%	28.57%	4.76%

Business owners and managers explained the how inconsistent the revenues impacts on their ability to plan for the future.

Figure 13: Owners & Managers - how does the lack of consistent and stable revenue affect your ability to plan for the future?

Life is turning out to be difficult as now we have to jump from programme to programme for sustainability	It's terrible you can't plan when you can't make money. Our creative sector is the last thing on people's mind because of inflation and continuous blackouts	One can't be certain about number of beneficiaries in terms of program planning
Lack of funds to pay employees	I can't budget for projects which steam over 2 year periods	By not being able to attain short term revenue security it's impossible to move to medium term which eventually lack of funding for long term plans
I cannot plan foe the future due to load shedding and revenue is unstable	I don't know when would I get funding and for which project. I am solely relying on luck. You cannot base your planning on luck. It's nearly impossible.	There is little stability in my sector - future planning revolves around finding new work and opportunities

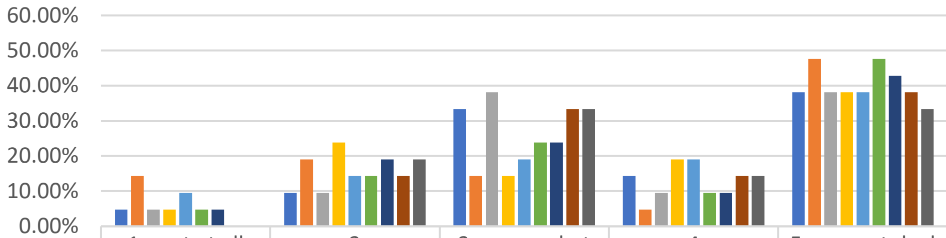
Business owners and managers were then asked to indicate how the following issues affect their business activities:

- lack of access to affordable financing impact your business?
- lack of access to affordable marketing services impact your business?
- lack of access to affordable technology impact your business?
- lack of access to affordable legal support impact your business?
- lack of access to affordable insurance impact your business?
- lack of access to affordable transportation impact your business?
- lack of access to affordable credit impact your business?
- lack of access to affordable public services impact your business?

- lack of access to affordable communication services impact your business?
- 1evel of competition in the industry impact your business?
- level of regulation in the industry impact your business?
- level of innovation in the industry impact your business?

Their responses are quantified and shown in Table 18. As with the full-time workers (Table 16), it is not surprising that the majority of business owners and managers indicated that the lack of such social security measures affect their business activities a great deal.

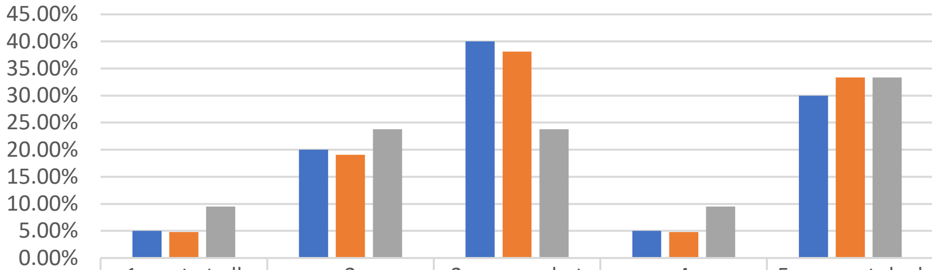
Table 17: Owners & Managers - How does the lack of ... impact your business?



	1 - not at all	2	3 - somewhat	4	5 - a great deal
financing impact your business?	4.76%	9.52%	33.33%	14.29%	38.10%
marketing services impact your business?	14.29%	19.05%	14.29%	4.76%	47.62%
technology impact your business?	4.76%	9.52%	38.10%	9.52%	38.10%
legal support impact your business?	4.76%	23.81%	14.29%	19.05%	38.10%
insurance impact your business?	9.52%	14.29%	19.05%	19.05%	38.10%
transportation impact your business?	4.76%	14.29%	23.81%	9.52%	47.62%
credit impact your business?	4.76%	19.05%	23.81%	9.52%	42.86%
public services impact your business?	0.00%	14.29%	33.33%	14.29%	38.10%
communication services impact your business?	0.00%	19.05%	33.33%	14.29%	33.33%

The majority of owners and managers believe that the level of competition, regulation and innovation in this sector does have a significant impact on their business activities. This is illustrated in Table 19.

Table 18: Owners & Managers - How does competition / regulations / innovation impact on your business?



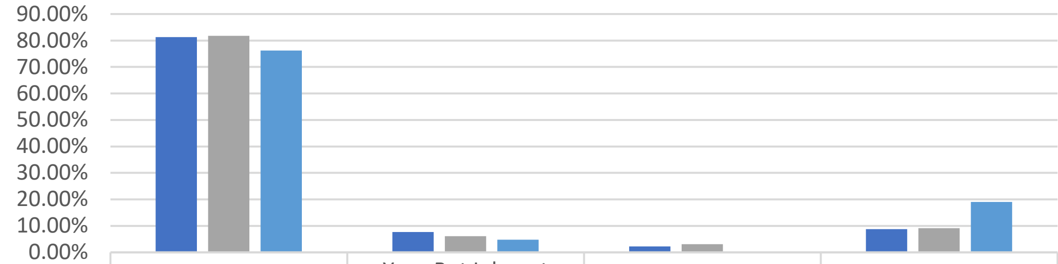
	1 - not at all	2	3 - somewhat	4	5 - a great deal
1evel of competition in the industry impact your business?	5.00%	20.00%	40.00%	5.00%	30.00%
level of regulation in the industry impact your business?	4.76%	19.05%	38.10%	4.76%	33.33%
level of innovation in the industry impact your business?	9.52%	23.81%	23.81%	9.52%	33.33%

7.6. Part 5: Comparison of Data from the Different Groups

The final four tables in this chapter illustrate the opinions expressed by all survey respondents about the provision of basic socio-economic measures in the CCS.

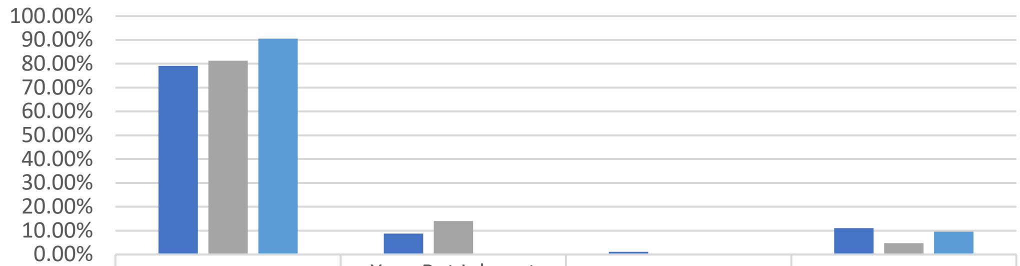
- A basic income grant should be offered to artists and cultural workers
- A specific unemployment insurance for artists and cultural scheme should be provided
- A medical aid scheme for artists and cultural scheme should be provided
- The creation of social fund to provide guarantees for financial loans from banks (for mortgages, hire-purchase, etc)

Table 19: A basic income grant should be offered to artists and cultural workers



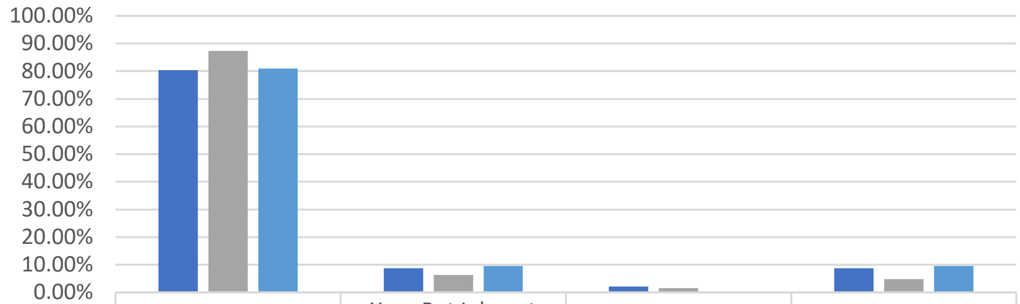
	Yes - I will be willing to contribute to this	Yes - But I do not want to contribute to this	No - I do not support this	Undecided
Freelance Workers	81.32%	7.69%	2.20%	8.79%
Full Time Workers	81.82%	6.06%	3.03%	9.09%
Owners & Managers	76.19%	4.76%	0.00%	19.05%

Table 20: A specific employment insurance for artists and cultural workers should be provided



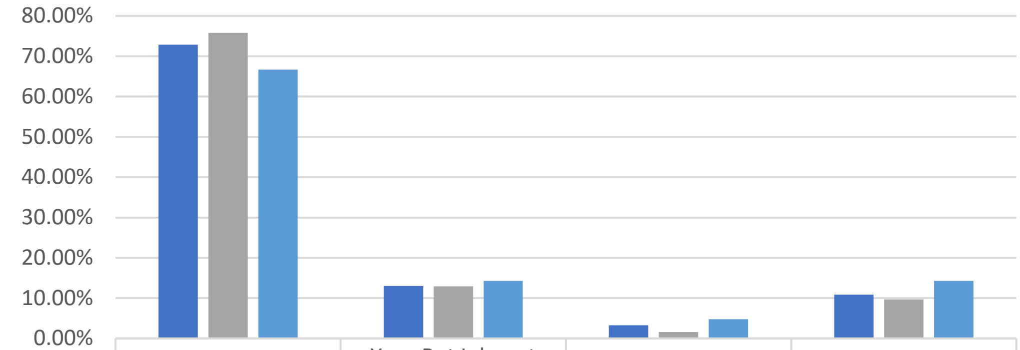
	Yes - I will be willing to contribute to this	Yes - But I do not want to contribute to this	No - I do not support this	Undecided
Freelance Workers	79.12%	8.79%	1.10%	10.99%
Full Time Workers	81.25%	14.06%	0.00%	4.69%
Owners & Managers	90.48%	0.00%	0.00%	9.52%

Table 21: A medical ais scheme for artists and cultural workers should be provided



	Yes - I will be willing to contribute to this	Yes - But I do not want to contribute to this	No - I do not support this	Undecided
Freelance Workers	80.43%	8.70%	2.17%	8.70%
Full Time Workers	87.30%	6.35%	1.59%	4.76%
Owners & Managers	80.95%	9.52%	0.00%	9.52%

Table 22: The creation of a social fund to provide guarentees for financial loans should be provided



	Yes - I will be willing to contribute to this	Yes - But I do not want to contribute to this	No - I do not support this	Undecided
Freelance Workers	72.83%	13.04%	3.26%	10.87%
Full Time Workers	75.81%	12.90%	1.61%	9.68%
Owners & Managers	66.67%	14.29%	4.76%	14.29%

7.7. What can Government do to assist those in the CCI?

Responding to an open-ended question, individuals shared their ideas about what can be done to assist them. It is worth highlighting that the typical time spent completing the survey was 12 minutes, showing that respondents were not only keen to shares their thoughts, but also hopeful that note will be taken of these for future policy developments.

The suggestions of respondents have been grouped (very loosely) into 7 categories.

7.7.1. Agencies

- Establish and enforce agencies that deal with CCI
- Have enough youth centres situated in our communities.
- Have more people who are aware, passionate and have experience in the arts to be in the government run institutions that work for the industry

- Have a relevant database of artists. Deploy young artists to work in schools for limited periods for a stipend. Provide support for arts venues. Support children's art initiatives including traditional dance and poetry. Recognise organised arts organisations and collaborate with them to schedule a sustainable set of activities that benefit society at large

7.7.2. Legislation

- Through legislative interventions support, protect and promote the local industry.
- Approve the actor's bill of rights
- Help create a regulatory structure that permits collective bargaining rights. This should include structures for standard work contracts, dispute resolution and UIF contributions.
- Change labour law definition of worker
- Most they should provide platforms and to partner with non-profit organizations within the creatives
- Recognise the arts and artists formalise the industry and stop letting politicians and politics interfere in the creative industry
- Allow for an organised industry with labour protection for artists and producers.
- Regulation and enforcement of regulated working hours
- See the value that the CCI have in the economic and social development of this country and for tourism. Minimum wage conversation needs to happen, more government subsidies and finding for projects, royalties, and fees
- Create more coherent and responsive enabling frameworks and more nuanced financing instruments
- Be consistent with procurement practices

7.7.3. Funding and grants

- Fund programmes to install skills which will be used to market art in general and ideas to achieve self-sustaining
- Distribute funds to those in need and not use it for their own pockets
- Recognise freelancers/contract workers as essential to the creative industries and small business and independent contractors by cutting all the red tape out.
- Provide financial support
- Fairness based on application adjudication. They need to improve their communication. Have budget for each province to create equality in distribution of funds. Scrap unnecessary compliance documents during the application process and be clear on what they need from applicant rather than introducing new things when suit them.
- Fund projects and companies for minimum of three years so that they have a chance to become sustainable and self-sufficient in other ways. Not steal money. Not give less that requested project budgets or if they do, to not expect the project to be executed in the same way to the same standard and outcomes.
- Artists should be able to apply for and receive a universal basic income grant to survive and pay their monthly expenses.
- Actually care. Distribute funds to not only the famous and more evenly
- Establish more funds to fund commercial ventures to ensure financial sustainability of organisations
- Public funding support for film
- Create a funding stream specifically for Khoi artists. - access to more resources and funding for CCI Industry, without ridiculous compliance needs.
- We need to look at the CCI industry spectrum of how many groups are there working hard with no funding and make sure that they are the ones who will get funding. Government should have a list of these organizations.

- Granting of funding for programmes that actually create jobs.
- Support the orchestras so musicians have job security
- Be timeous and thorough in the way that they support artists. They need to be quick off the mark, have vision and the ability to make well thought through and advised decisions. In Ireland by the second week the arts council was already asking Arts organizations to fill in forms that measured their predicted losses so that the Arts council knew how to respond.
- Not be so corrupt so that the money set aside for the arts actually gets to those who need the support
- Better support for artists- continue initiatives such as the PESP and the Social Employment Fund (SEF)
- Truly help by spreading funding, good projects fail without the government ever recognizing them because of unnecessary red tapes.
- More employment opportunities such as internships across industry. More funds for training providers in customized short courses. More grants for all businesses.

7.7.4. Education and training

- Empower the creative sector through workshops and training.
- Partner up with private companies to support creative artists who are trained and training in the sector with benefits such as medical aid, loans, grants, insurance and then furthermore have one structure where all cci agencies report their financial terms.
- Student Incubation Programme which facilitates the development of youth CCI practitioners into the global market and industry sector
- Prioritise creative & artistic education in the entire education system. Subsidise the consumption of creative products for youth /schools etc (e.g. theatre tickets).
- Proper funding courses. Supporting existing theatres and youth programmes. Better arts management.

7.7.5. Government officials

- Appoint a minister with some background in the Arts for starters and understand that Arts and Culture are totally different things.
- They need to be proactive instead of reactive. I do not think they have a cultural plan
- Understand it better so the interventions are fit for purpose
- Build innovative ways to help artists mentally, emotional and sell together to care for our economic needs
- Government should start instilling the culture of entrepreneurship in the creative industry and not just disburse funds without monitoring them
- Have a strategy! Be more forward thinking and daring! Stop lagging behind the western world and take ownership! See the value of the creative economy for entrepreneurship and job creation with youth. Hire a minister who actually understands the sector.

7.7.6. Platforms to showcase talent

- Assist with overseas trade shows again.
- Create marketing platforms for creatives to showcase their work and to network with other stakeholders.
- Partner with them in any event they host
- Provide access points to Broad-Based Black Economic Empowerment (B-BBEE) at art shows
- The youth and art offices in our local municipalities are practically useless as they are run by people who are not artists and who have no interest in solving our problems so I think your department should have an office in every municipality that will have

someone who is helpful. More funds could be allocated to skills development, training and implementation of projects.

7.7.7. General

- Transparency is important
- Easy access to interns for SMEs without all the blocks from SETA.
- Make the drive rebate work for animation industry, mandate SABC to broadcast local animation, make the copyright amendment bill work for animation and all related, fund industry organisation's intermediaries. Create a cluster policy and fund. Fund incubators. Reintroduce arts in schools. Mandate Dept of Communications to create a fund for animated TV series. Make sets separate animation. Form live action know how much we pay and ensure all left over money goes to intermediaries/industry organizations, create an animation development fund for business model and script creation
- Encourage people to attend cultural activities such as concerts. Perhaps provide funds or 'vouchers' for youth to attend cultural events.
- Creating more opportunities for small business
- The pandemic taught me to be self-reliant and as a result I wouldn't want to rely too much on an impersonal institution

7.8. Conclusion

In this chapter an analysis was provided of the 272 responses to our online survey. The analysis included consideration of where the respondents live (provinces). It was pleasing to note that the majority of respondents are based in Limpopo as this province is often under-represented in online surveys.

The majority of respondents are under the age of 40, and do not have a post-school qualification. This indicates that appropriate training and education offerings could benefit the CCS as a whole.

It was also noted that the respondents were distributed between those who are freelancers or part time workers (52,19); those who are full-time employed (34,3$) and those who are business owners or managers (12,04%). This allowed for data to be collated about the different components of the workforce.

Data was then analysed presented about factors affecting:

- Freelance and part-time workers
- Full-time workers
- Business owners or managers

Finally, answers to the open-ended question of what government can do Government to assist those in the CCI, were shared.

8. Chapter 7: Economic Perspectives on Social Security in South Africa

8.1. Introduction

The main source for the information in this chapter is the Labour Market Dynamics in South Africa (LMDS) survey, a longitudinal household survey conducted by Statistics South Africa (Stats SA) to provide a comprehensive understanding of the country's labour market dynamics.

It collects detailed information on labour market activities, including employment, unemployment, job search, job mobility, and earnings, among others. Conducted annually since 2008, and with a sample size of approximately 30 000 households, it is one of the most comprehensive labour market surveys in South Africa.

The latest survey, published in April 2022, reports that Between 2015 and 2020, the South African working-age population increased from 36 million to 39.1 million, which accounts for 67.3% of the total population of the country.

Over the same period, employment levels decreased by 679 000 from 15.7 million to 15.1 million and the number and level of unemployed persons increased by 939 000 from 5,3 million in 2015 to 6.3 million in 2020. Unemployment rate (29.4%) increased by 4,1 percentage points while the absorption rate (38.5%) decreased by 5,2 percentage points respectively.

Unemployment levels have since risen markedly. The Quarterly Labour Force Survey for the fourth quarter of 2022 estimates that the unemployment rate is 32.7%, or 42.6% using the expanded unemployment rate.

The survey does not single out workers in the creative industries, so there is no hard data about employment in the sector. This is despite the fact that a study by the South African Cultural Observatory estimates that, if one includes all parts of “The Creative Trident,” the cultural economy supports 7% of all employment in South Africa, or 1,136 million jobs (2018 figures).

It is recommended that a CCI category be added to future surveys.

8.2. Current Social Security Systems

The South African social security system is designed to provide a safety net for vulnerable individuals and families, helping to alleviate poverty and support those in need. The system includes a range of programs and benefits:

- Unemployment Insurance Fund (UIF): A fund designed to provide temporary financial assistance to people who are unemployed or who have lost their jobs.
- The Old Age Pension: A monthly pension payment for people over the age of 60 who are not able to support themselves financially.
- Disability Grants: A monthly payment for people who are unable to work due to a physical or mental disability.
- Child Support Grants: A monthly payment to support families with children under the age of 18 who need financial assistance.
- Foster Care Grants: This is a monthly payment for families who are caring for children who are not their biological children.

In addition to these programmes, the South African social security system includes a range of other benefits, such as free or subsidized healthcare and housing assistance. The system is funded through taxes and other government revenues, and is managed by the Department of Social Development.

8.2.1. The Unemployment Insurance Fund

The South African UIF is a social security program that provides short-term financial relief to eligible workers who have lost their jobs or have had their working hours reduced due to certain qualifying events. The UIF is administered by the South African Department of Employment and Labour and is funded by contributions from both employees and employers.

The purpose of the UIF is to provide temporary relief to workers who are unemployed or unable to work due to illness, maternity, adoption, or other reasons specified in the law. Eligible workers who have made contributions to the fund can claim benefits for up to 12 months, which can help them to meet their basic needs while they search for new employment or recover from their illness.

To be eligible for benefits, workers must have contributed to the UIF for a certain period of time, usually at least 13 weeks or more, and must have registered with the UIF. Workers who have been dismissed for misconduct, resigned voluntarily, or retired are generally not eligible for benefits.

The quantum of the benefit that a worker can receive is based on their previous earnings and is subject to a maximum amount determined by law. The benefit is paid out on a sliding scale, with higher-earning workers receiving a smaller percentage of their previous salary, while lower-earning workers receive a larger percentage.

Overall, the UIF plays an important role in supporting workers in South Africa during times of financial hardship and helps to reduce the social and economic costs of unemployment.

8.2.1.1. Towards a Creative Unemployment Insurance Fund

For creatives, the UIF can provide some relief during periods of unemployment, if they contribute to the fund. In the event that a creative loses his or her job, the UIF can provide financial support while they search for new work, but only if they have contributed to the fund. A large percentage of creatives are gig workers and work on a freelance or short-term contractual basis, which means that they do not have a regular salary or benefits, and therefore do not contribute to UIF.

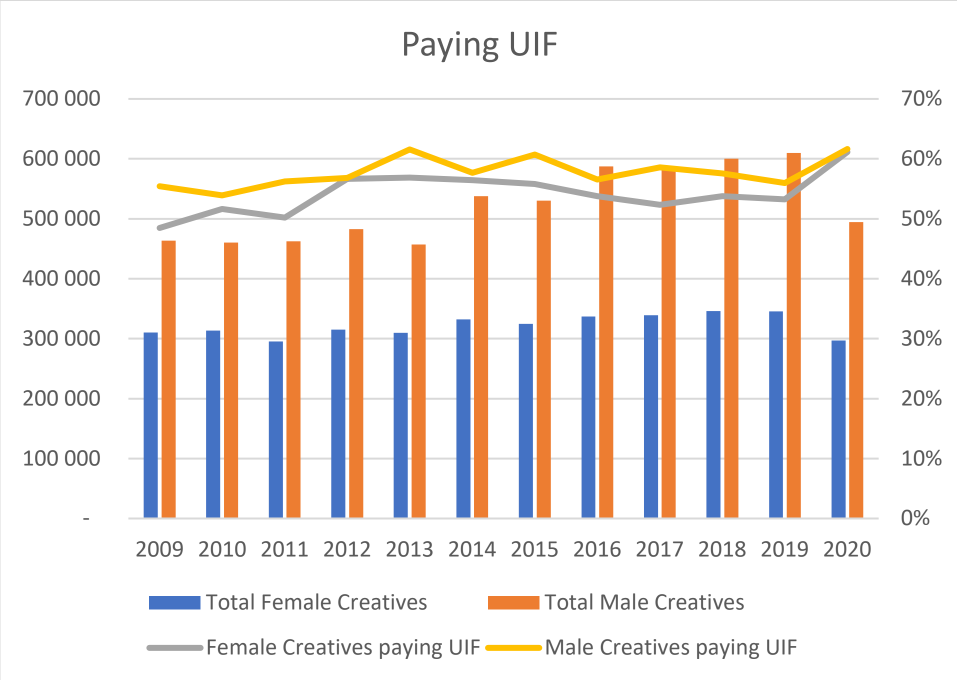
Using Statistics South Africa's Labour Market Dynamic Survey for South Africa (LMDS), a time series is extracted of creatives paying UIF, was extracted from 2009 to 2020. The table below depicts the number of creative workers working for creative enterprises.

Table 23. Profile of Non-creative and Creative Workers by Population Group in 2020

▪	▪ **Non-Creative Workers**	▪ **Creative Workers**	▪ **% Creative**
▪ Black	▪ 11 139 274	▪ 242 062	▪ 2.1%
▪ Coloured	▪ 1 486 953	▪ 34 783	▪ 0.2%
▪ Indian	▪ 492 556	▪ 17 619	▪ 3.6%
▪ White	▪ 1 767 514	▪ 72 673	▪ 4.1%
▪ **Total**	▪ **14 886 298**	▪ **367 137**	▪ **2.5%**

It is important to note that there are also creative workers in creative occupations in non-creative industries as well as non-creative workers that work in creative industries. Including the broader definition, there are almost one million workers related to creative occupations or industries. These results, by gender, are depicted below.

Figure 14: South African creatives paying UIF

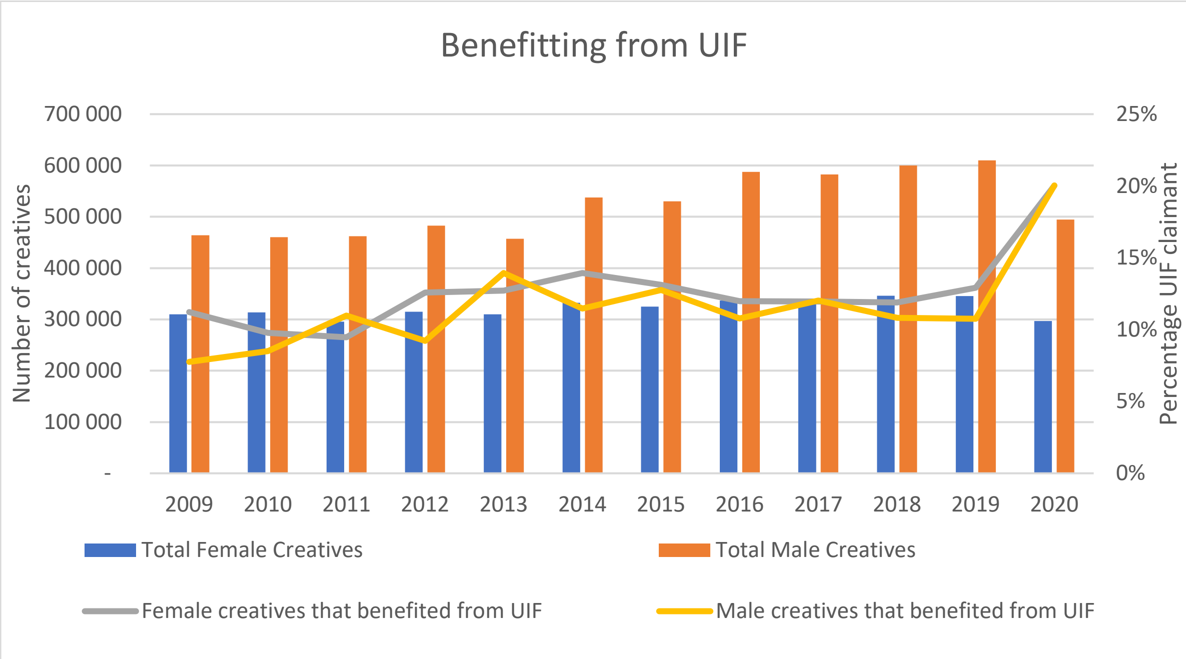


From the figure, it can be seen that there are more formally employed male creatives than female creatives. However, generally over the years, a greater percentage of male creatives are paying into the fund than female creatives.

What is interesting is that the proportion of both male and female creatives paying UIF increased in 2020, the first year of the Covid-19 pandemic. This can be ascribed, firstly to the fact that more workers that lost their jobs did not contribute to the UIF. This would imply that those who pay UIF are more resilient than those who do not. Secondly, employees (and employers) saw the benefit of UIF during a period where people were losing their jobs (especially with TERS), and registered.

The graph below shows the number of creatives that benefited from UIF. Clearly, the number of beneficiaries, relative to the number of creative workers, increased.

Figure 15: South African creatives claiming UIF benefits



Again, using the narrow definition (creative occupations in creative enterprises, the table below shows the number of workers paying UIF by population group.

Table 24. South Africans paying UIF by population group

▪	▪ Non- Creative Workers	▪ Creative Workers
▪ Black	▪ 5 423 942	▪ 77 477
▪ Coloured	▪ 1 072 464	▪ 25 219
▪ Indian	▪ 300 341	▪ 12 083
▪ White	▪ 1 088 962	▪ 37 338
▪ Total	▪ 7 885 709	▪ 152 117

The table below shows the proportion of South Africans not paying UIF by population group, and by sector.

Table 25: Proportion of South Africans not paying UIF

	Non- Creative Workers	Creative Workers
Black	51,3%	68,0%
Coloured	27,9%	27,5%
Indian	39,0%	31,4%
White	38,4%	48,6%
Total	47,0%	58,6%

Only employees who have contracts of a certain length can contribute to UIF. Since many creative workers are freelancers, and therefore part of the gig-economy, the proportion of freelance workers is higher for those in creative versus non-creative occupations and creative workers do not contribute to UIF and are therefore more vulnerable. Black and white creative workers exhibit the lowest propensity to pay UIF while the workers classified as coloured and Indian seem to be more inclined to participate in this programme.

8.2.2. Temporary Employer/Employee Relief Scheme

The South African Temporary Employer/Employee Relief Scheme (TERS), was a government-funded programme, introduced to ameliorate the loss of income caused by the shutdown of the economy in response to the COVID-19 pandemic. It provided financial relief to both employers and employees affected by the pandemic, particularly those who have lost income due to the lockdown measures that were implemented to contain the spread of the virus.

Under the TERS programme, eligible employers could apply for financial support to pay their employees during the period of lockdown, when their business operations were halted or significantly reduced. The programme covered up to 70% of the employee's salary or the national minimum wage, whichever is higher. Employees who had been temporarily laid off or placed on reduced work hours due to the pandemic were also eligible for TERS relief payments. These payments are made directly to the employees and cover a portion of their lost income.

TERS funding has been terminated, along with government’s strategy for dealing with the ongoing consequences of the pandemic

8.2.3. Pensions

Pensions in South Africa are an important aspect of the social security system. The South African government provides a basic level of social security to qualifying citizens. This includes a means-tested old age pension, disability grant, and child support grant. Many South Africans also participate in occupational pension schemes or personal retirement savings plans to supplement their retirement income.

The government's[1] old age pension is available to South Africans who are 60 years or older, who are not in receipt of any other social grant, and who meet certain income and asset requirements. As of the 2023 budget, the old age pension is R2,105 per month.

Private pensions in South Africa are retirement savings plans that are offered and managed by private financial institutions, such as banks, insurance companies, and investment firms. These plans allow individuals to save money for their retirement, which is then invested in various financial instruments such as stocks, bonds, and other securities.

Private pensions in South Africa are regulated by the Pension Funds Act of 1956, which sets out the legal requirements and guidelines for the establishment, operation, and management of pension funds in the country. The Act requires that pension funds be registered with the Financial Services Board (FSB) and that they comply with strict rules and regulations to protect the interests of their members.

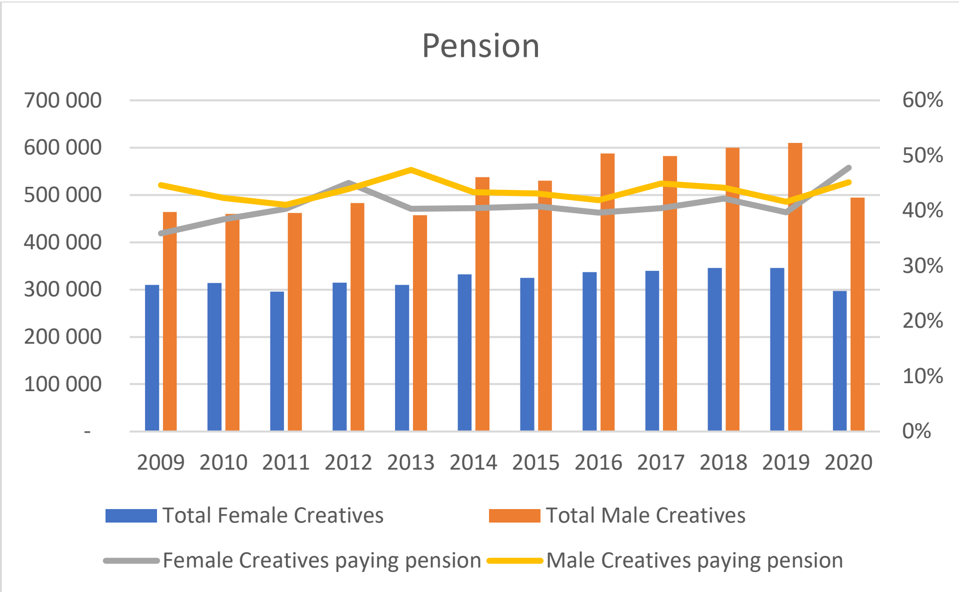
In the formal sector, the private occupational pension schemes are typically supported by employers, and may be either defined benefit or defined contribution plans. Defined benefit plans provide retirees with a

[1] The South African retirement system has faced some challenges, including inadequate retirement savings for many South Africans, high levels of inequality, and concerns about corruption and mismanagement in some pension schemes. As a result, the South African government has proposed various reforms to the pension system, including the introduction of a mandatory retirement savings scheme and the strengthening of regulation and oversight of pension funds.

specific level of income for the rest of their lives, while defined contribution plans are funded by both the employer and employee, and the retirement income is based on the accumulated savings and investment returns. Personal retirement savings plans, such as retirement annuities, are also available to individuals who wish to save for their own retirement. These plans are typically managed by financial services companies. Some offer tax benefits, and investment options tailored to the individual's risk tolerance and retirement goals.

Despite the rather small old age pension given by government, less than half of creative workers contribute to a private pension fund.

Figure 16: Creatives paying into a pension fund



8.3. Socio-Economic Security and Employment Contracts

An employment contract is a legally binding agreement between an employer and an employee. The contract sets out the terms and conditions of the employment relationship, including the job description, salary, working hours, leave entitlements, and other important details.

Employment contracts in South Africa must comply with the requirements of the Basic Conditions of Employment Act (BCEA), which sets out the minimum standards for employment contracts in the country. For example, the BCEA requires that every employment contract must include certain details, such as the name and address of the employer and employee, the job title and description, and the date on which the employment begins.

In addition to the BCEA, there are other laws and regulations that govern employment contracts in South Africa, such as the Labour Relations Act and the Employment Equity Act. These laws aim to protect the rights of workers and promote fair and equitable employment practices.

It is important for both employers and employees to understand their rights and obligations under the employment contract. If there are any disputes or issues arising from the contract, they can be addressed through various legal channels, such as the Commission for Conciliation, Mediation and Arbitration (CCMA) or the Labour Court.

In South Africa, gig workers are typically classified as independent contractors and are not considered employees. This means that they are not entitled to the same benefits and protections as employees, such as minimum wage, sick leave, or unemployment insurance.

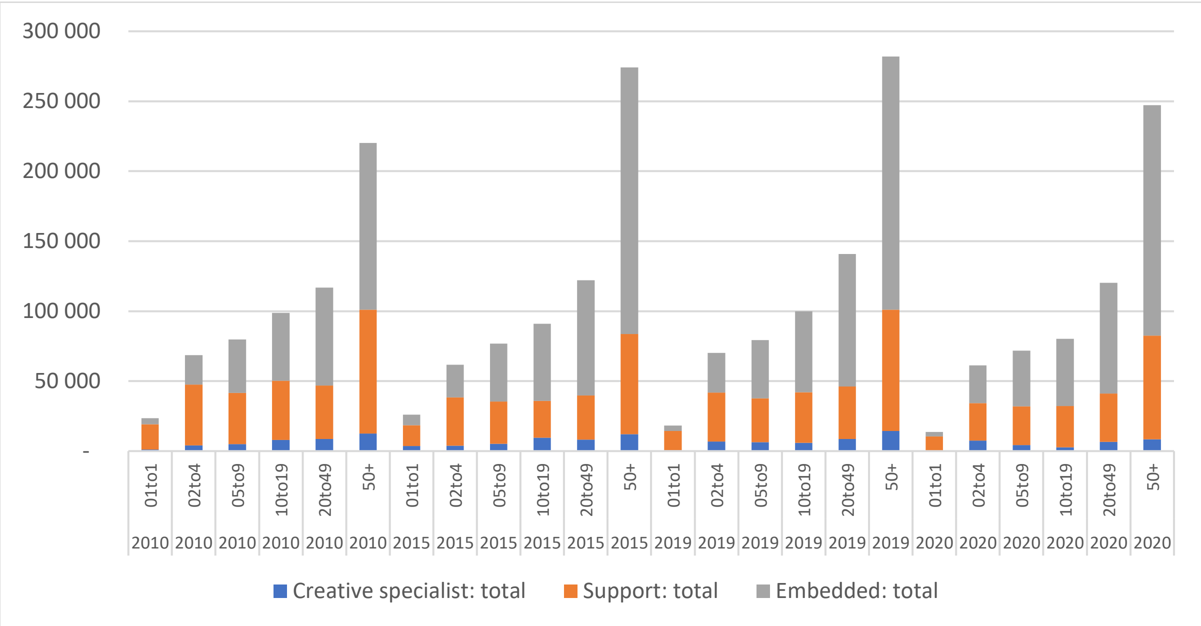
Gig workers in South Africa usually enter into contractual agreements with the companies or platforms that they work for, which outline the terms of their work and the compensation they will receive. These contracts can vary widely, depending on the industry and the specific company or platform.

Some gig workers in South Africa may be represented by trade unions or advocacy groups, who work to promote the rights and interests of gig workers. However, the legal status of gig work in South Africa is still evolving, and there is ongoing debate about how best to protect the rights of gig workers and ensure that they receive fair compensation and working conditions.

8.3.1. Creative workers with Contracts

The figures below illustrate the number of creatives with employment contracts in the CC sector as well as the number of creatives without employment contracts.

Figure 17: Number of creatives with employment contracts by size of enterprise



8.4. Conclusion

In conclusion, the evidence from the LMDS clearly shows the extent to which creative workers are vulnerable to economic shocks. Indeed, the current state of the creative industry is concerning, as a significant portion of creative workers are not able to access basic benefits such as unemployment insurance and pensions. With almost two thirds of workers not contributing to unemployment insurance and less than half contributing to pensions, it highlights the need for greater support and protection for those working in the creative sector. The lack of employment contracts also raises questions about job security and fair working conditions. It is crucial for both policymakers and industry leaders to prioritize the well-being of creative workers and take steps towards providing them with the necessary benefits and protections they deserve.

9. Chapter 8: Short-Term Policy Options and Intervention

9.1. Introduction

This section considers shorter-term and quick-win interventions in regard to the findings of the preceding section and the initial/exploratory report on Precarity and Social Security in the Cultural and Creative Sector in South Africa. The suggested interventions are part of a reflexive research process and there is scope for adaptation and additional inputs as conditioned by the availability of resources and accessible funding.

The responses and measures include a bespoke programme of accompanying policy-relevant research anticipating data, specific information and comparative material that will add value to the anticipated policy process. Such research should be aligned with the inter-governmental and inter-agency nature of the particular and collective institutional engagement with the pervasive precarity in the CC sector, the impact of the C19 and lockdown on CC firms and individual and difficulties in a post-C19 environment. The smaller and more vulnerable of the CCI firms will on available evidence struggle to reimpose and reposition themselves because of the relative lack of directed assistance during the C-19 lockdown period and the significant after-effects of the pandemic.

South Africa is not alone in such a predicament with both developed and especially developing economies having to reassess their grasp of precarity and the shortcomings of support to the CC sector in the preceding years. It is a not uncommon but nevertheless under-appreciated argument that the enthusiasm for the creative economy has outrun the public funding of the CC sector and focussed often on the technical and economic development possibilities rather than ensuring the working conditions and social support systems for the artists and cultural workers involved are in place and working to develop/sustain the human and social capital resources and the broader ecosystem.

The research and applied policy research work required in the shorter term will require a degree of inter-governmental funding as the majority of the suggested items are not duly covered by existing planned funding streams of the Department of Sports, Arts, and Culture. The current meta intervention focuses on arts and cultural workers, with a strong emphasis on those in intermittent and shorter-term contractual positions within and in instances without the CC sector. The question of sportspeople and sports agencies is not covered, but an exploratory study of precarity in the sports economy and the means to address this is worth considering. There is relevant existing research on the situation in South Africa, but further and more specific research will be necessary with an eye on the development of an appropriate policy response.

9.2. The Question of Process

The proposed interventions in the short to medium terms in regard to precarity amelioration and the development of inter-governmental policy measures for artists and creative workers in the CC sector and the creative economy more generally entail a series of connected/inter-linked developments. These developments include the specific projects discussed in the sub-sections of this chapter. The process is a reflexive one and results oriented. Contingent and new issues will be accommodated, and due modifications made if required. The emphasis is on developing and maintaining a meaningful momentum and looking to maintain a self-conscious blend/mix of policy design and accompanying research. Due cognizance is taken of both the policy process documentation of national government and current international good and best practices.

The diagram below, shows the interplay between policy, institutions and research, and the involvement of relevant agencies, is indicated:

Analysis of the broad problem	• SACO

Analysis of specific areas	• SACO
	  • By race
	  • By gender
	  • By space

Options and solutions	• SACO • Desktop

Green Paper	• SACO
	• DSAC
	  • Consultation
	  • Policy Formulation

White Paper	• SACO • DSAC • Inter-government unit
Legislation/ regulations/ policies	• DSAC • Government
Monitoring & Evaluation	• SACO • DSAC

In such processes, most notably those in regard to consultation processes in the broader CC sector may present difficulties given overlapping institutional affiliations and loyalties and rent seeking in view of perceived opportunities available in new governmental and private sector initiatives. The rather fragmented nature of the institutional and associational ecosystem is also a factor in this regard. Provisional research on this matter suggests that professional conflict management resources would help stabilize and improve the quality of participatory processes on matters such as the envisaged White Paper on Social Protection for the CC Sector. A short note at the end of this chapter outlines the value of such an emphasis.

9.3. Key Institutional Interventions

9.3.1. Public Private Partnership CSR Fund for Creative Sector

The following section makes a compelling argument for the setting up of a Special Purpose Corporate Social Responsibility (CSR) Fund for Social and Economic Protection for Artists and Creative Workers through a private public partnership (PPP).

At this stage, all that is required from government is a letter of support.

9.3.1.1. Background to the Proposed Fund

The first two decades of the 21st century have seen a significant and self-conscious growth in the use of PPP models for CSR purposes, including in developing country contexts. In India, for instance, there have been a number of such interventions.

A particular area of application has been the work of large energy corporates in the fields of health and education (Chunchu 2015). He noted that such initiatives encouraged 'a positive impact' through activities such as philanthropic efforts and employee volunteering and contributed to corporate self-regulation (ibid.).

Governments worldwide, and more especially in developing countries, often despair at the gap between what has been done and what should be done in the provision of community services. An effective way since the late 1980s has been through private partnerships. While there have been a number and range and successes the achievements have not been unqualified.

But the underlying model has been resilient and been refined over time. In addition, PPPs have been widening in scope and application, and have proved responsive in recent times/decades to new development policy thinking and practice (Karboul et al 2019; Jain 2019; World Bank 2022)

9.3.1.2. Definition of Corporate Social Responsibility (CSR)

While there is no commonly accepted definition of CSR, there is clarity regarding its core principles, which are that business should look to exceed the legal and commercial expectations of society in managing the economic, social and environmental effects of its manner of operation.

This emphasis has come to be known as the 'Triple Bottom Line' (BuHu 2021).

PPP criteria must be weighed up within the context of its whole-life cycle, which can be in excess of 25 years (ibid.).

9.3.1.3. Definition of a CSR PPP

There is no one agreed definition for a CSR PPP, but there is reasonable consensus that a PPP entails some form of contract between a government body and a private one to deliver a public service and/or constitute an asset for the public. The contract is usually a long-term one, with the risk mainly or wholly borne by the private party.

Returns on investment are linked to the performance of the private firm/s (Jain 2019)

In more recent years there has been an expansion of PPPs beyond formal public and private sector participants, with non-profit organizations being the most notable inclusion in this regard.

A Brookings Institute study of USAID's experience of public-private partnerships operated in a variety of national and international contexts is instructive (Ingram, Johnson & Moser 2016). Conceptually, PPPs are a win-win or even a win-win-win equation, as they now often involve three types of organizations: a public sector agency; a for-profit firm; and a non-profit entity.

PPPs use USAID's data and methodological tools to leverage private resources and expertise to advance a public purpose. Non-public sectors (including businesses and non-governmental organizations use their funds and expertise to leverage government resources, influence and experience to advance their particular objectives, consistent with the overall purpose of the PPP in question.

The overall study suggests a mutual reinforcement of public and private goals (ibid.).

These USAID public private partnerships have also provided an experimental ground for new development programmes and the invocation of socially responsible business models (ibid).

9.3.1.4. The South African context

South Africa is facing substantial socio-economic challenges and there is still a vast gap between rich and poor in South African society even after achieving its democracy in 1994 (The CSI Handbook, 2008).

As a result, CSR became an important issue to the South African economy and the public at large (Csrtoday.org, 2011) to address the socio-economic problems of the country.

Consequently, the contribution of business firms, government, regulatory bodies and other organizations to the society is important to a greater extent for addressing socio-economic problems of a country. (Kabir, Mukuddem-Petersen, Petersen 2015).

CSR has strong ties to the objectives and purpose of the Companies Act and B-BBEE Act.

The B-BBEE Act encourages the participation of companies in the economic upliftment of black citizens, facilitating much-needed socio-economic transformation, as well as the empowerment of suppliers. B-BBEE objectives, together with CSR, are necessary elements in the positive socio-economic transformation of the country. (Muthadzwi 2020).

South Africa's corporate governance guidelines and standards are contained and institutionalized in the well-known King reports. Although they do not constitute official legal documents; they are regarded as state-of-the-art guidelines regarding good corporate governance and its adoption is highly popular / recommended in the country's business sphere.

In 1994, the King Committee on Corporate Governance issued the first report, King Report 1994 or King I, aimed to promote corporate governance and adequate standards for board of directors of listed companies, financial institutions and some public enterprises. While encouraging good governance practices, the report also emphasized the need for corporations to be socially responsible in the areas and communities in which they operate.

In 2002, the King II report on Corporate Governance was published. More or less at the same time, the Johannesburg Stock Exchange requested listed companies to comply with the King report or otherwise justify why they were not adhering to the norm. The second document clearly established and explained the seven good corporate governance elements that any corporation adopting the report should pay attention to: discipline, transparency, fairness, social responsibility, independence, accountability and responsibility.

Indirect regulatory actions promote CSR initiatives in different industries. That is the case of the launch and growth of the Johannesburg Stock Exchange Social Responsibility Index (JSE SRI) in 2004. The SRI informs investors and market agents about corporate sustainability policies and practices of listed companies, encouraging investors to support "friendly" companies, and pushing corporations to reinforce their environmental, social and governance initiatives.

Responsible investment is a relatively new concept. The Dow Jones Sustainability Indexes were introduced in 1999 and the FTSE4Good Index Series was launched in 2001. (Flores-Araoz 2020)

9.3.1.5. A PPP to support individuals in creative industry.

Research undertaken by the South African Cultural Observatory (SACO) has identified private sector participants who would favourably consider participating in the establishment of a strategic fund to provide support for Social Security and Business Development in the CCI (Cultural and Creative) sector. Such a fund would be initiated by the private sector, and would draw on business networks, CSR commitments and imperatives, and leverage international investment and local and international philanthropic capital.

9.3.1.6. Leveraging Volunteer Capital

A potential resource which the PPP Fund would be well placed to exploit, particular in regard to the creative sector, is that of volunteer work and inputs. Indeed, internationally among the new prescriptions for economic development projects, and to ensure good multipliers, is to take note of the growing recourse to the leveraging of volunteerism. Australia is one of the countries that taken this route. In 2014 it was calculated that volunteer work had contributed 280bn Australian dollars to the country's GDP. Indeed, the economic contribution of volunteering to Australian society surpasses revenue sources from major sectors including mining, agriculture, defence and retail (Flinders University, 2014). Furthermore, volunteering showed a 450% return on every dollar invested (ibid.). But the impacts are also socially and psychologically beneficial (Valastro 2012).

Recent studies internationally have shown that volunteering reinforces social capital, improves individual and group wellbeing (Fox 2019). Volunteerism is a cost-effective means of construction create social capital (Fahey 2003). Volunteerism is expanding as an institutionalised developmental area both internationally and nationally. Most voluntary activity takes place at a local or regional level and partnership is a key instrument in ensuring the meaningful involvement of voluntary groups. The synergies created by genuine partnership add distinct value to selected outcomes. Among the emerging specialized areas is the use by large companies of voluntary work schemes for the employees, primarily in regard to their CSI programmes. This trend is evident in certain CSI programmes in South Africa, for example in the volunteer scheme of the First Rand group of companies (SERO 2020).

9.3.1.7. Private sector to Mobilise Capital

Transferring responsibility to the private sector for mobilizing finance for social investment is one of the major differences between PPPs and traditional procurement. Where this is the case, the private party to the PPP is responsible for identifying investors and developing the finance structure for the project (World Bank 2022; Farquharson et al 2011).

The proposed Fund would allocate funding to deserving recipients which would include CCI firms and artists and creative workers. The PPP will be mandated by government and articulate inter alia with the Presidential Employment Stimulus Programme (PESP), most especially in regard to creating sustainable work and enhancing social security within the Cultural and Creative sector and other relevant sites in the broader South African creative economy.

Certain of the key potential champions of this proposed PPP, namely a private sector Fund, have a high-level experience of working with national and sub-national government, emerging entrepreneurs, as well as the social economy more generally, and a sound grasp of the fundamentals of designing cost-effective financial instruments and funding programmes.

The advantage of this major initiative is five-fold, it:

- is cost-effective;
- provides additional resources in a time of considerable fiscal pressures on national government;
- reinforces the efforts of government to develop and promote the creative economy and the CCIs;
- shows business and government pulling in the right direction and thus contributes to social cohesion;
- offers new ways of levering new forms of philanthropic and CSG funding from both international and local corporations and individuals.

9.3.1.8. PPP model in South Africa

Despite the success of the PPP model in South Africa, the number of new project transactions declined from an estimated R10.7 billion in 2011/12 to R4.8 billion in 2016/17, mainly as a result of delays and cancelled projects in the health and security sectors (National Treasury 2017). During this time, the bulk of the projects were located in regard to infrastructure provision.

However, during the period 2016-17, National Treasury developed partnerships with local and international development finance institutions to explore the development of alternative infrastructure funding while diversifying sources of funding to encourage private-sector participation. This it was hoped would increase the pool of funds available and could help lower project costs (National Treasury 2017).

In recent years, Government has been working on a number of reforms to strengthen public investment management and the associated value chain (National Treasury 2022; Jackson 2016 etc). These included a review of the prevailing PPP framework; operationalizing the Infrastructure Fund; and prioritizing strategic infrastructure projects.

Government has also looked to improve the PPP regulatory framework, and expanding the pipeline of externally financed investment projects, most of which are likely to be PPPs (National Treasury 2022). This includes new project financing methods, such as blended finance instruments. (ibid.).

Notwithstanding the reforms and partial expansion of scope of PPPs in South Africa, there are new national imperatives and recent international developments that need to be taken into account in designing and implementing more innovative and reflexive projects (Karboul, Gustafsson-Wright & McCabe 2021; Jain 2019; World Bank 2022). In such a process a key consideration is to ensure that such interventions are more understanding of the fiscal constraints in which the National Treasury is operating.

9.3.1.9. Concessional Resources

The invocation and expansion of the use of PPPs has been expanded by the incorporation of concessional funding. This emphasis reflects the shift over the last two decades by the international development community which has recognized the value of mobilizing the diverse stock of concessional resources dedicated to alleviating poverty and stimulating economic development and growth in markets that do not enjoy a perfect competitive environment.

This trend has also seen new international funding practices such as the blending of concessional and private commercial capital (Sulser 2021).

In general, blended finance entails the use of capital from public and/or philanthropic sources to boost private sector investment to make up for any funding shortfalls to realize sustainable development.

This type of financing is often invaluable in high-risk environments where pioneering private investments can bring important benefits to society – such as creating new products, services and markets and developing new technologies – but where these initial investors may need a temporary incentive to mitigate the costs and risks inherent in these markets (IFC 2021).

9.3.1.10. The Benefits of Partnering with Charities and Foundations in the PPP Space

There is a marked trend towards partnering with charities and foundation in the PPP field. This is particularly the case with reputable global and regional charities beyond the purvey of traditional DFI partners.

Charities have substantial local networks and offer strategic insights into under-served markets for products and services such as water, sanitation and energy, and healthcare. They also have the requisite focus for long-term involvement. Such organizations also important insights into the viability of businesses in the areas of expertise (IFC 2021; Sulser 2021).

With increased global and regional challenges such as Covid-19, there is scope for DFIs to widen the net of potential partners including the wider universe of charities and foundations in the expanded PPP space. There are also opportunities to scale up such partnerships using impact investment structures.

This entails an expansion of the blended finance approach to include other global and regional charities that meet the requisite standards and have an established record of direct impact. In addition, this might require DFIs taking riskier positions in PPP projects, not dissimilar to those of impact investors, and in general to expand the blended finance pipelines to PPPs and related types of projects that incorporate private sector fundamentals (Sulser 2021; IFC 2021).

9.3.1.11. Partnerships for Public Purpose: The New PPPs

With the increasing global, regional and national crises and concomitant social inequalities, working conditions and employment, there is more awareness in policy circles of the need for new approaches.

And while government has a central role to play in solving such issues and providing the socio-economic programmes and responses to ameliorate them, the recognition that the private and non-state sectors have the potential to provide a multitude of benefits needs to be taken to new levels.

Such benefits can be the delivery and/or financing of such services through PPPs, but with a new set of emphases. There is thus in the US, EU and certain developing economies a policy coalescence that sees considerable potential for a new form of PPP with an emphasis on ‘partnerships for public purpose’. The emphasis here is not whether the partner is from the public or private sector, but ‘whether these collaborations and their impact have a publicly oriented purpose’ (Karboul, Gustafsson-Wright & McCabe 2021).

The emphasis on these new PPPs is on multilateral relationships that can underpin long-term, sustainable and systemic impact. These are less constrained by private finance contracts or cost-reduction priorities focussing rather on meaningful partnerships with a diversity of stakeholders (Karboul, Gustafsson-Wright & McCabe 2021).

By looking to exploit different sets of expertise from governments, private sector firms, NGOs and donor agencies, these new PPPs can provide the innovative approaches and mechanisms and develop collaboration to address those challenges that state resources and competing priorities find it difficult to address. This allows such PPPs to build capacity, strengthen quality, enhance equity and home in on poor and marginalized groups in the delivery /or financing of services (ibid.).

A number of these new PPPs are being implemented internationally and delivering results. This has been facilitated in part by outcome-based financing mechanisms such as social, development and environmental impact bonds (SIBs, DIBs, and EIBs), and outcomes funds. These mechanisms rope in multiple stakeholders which can included governments, non-profits, social enterprises, donors and investors, to deliver a set of outcomes, with payments contingent on results (Gustafsson-Wright, E & Painter, E (2023a and 2023b).

9.3.1.12. PPPs and Social Protection

With the ongoing revision, reform and at times a dilution of welfare and protection systems within the world economy, developing economies are confronting the challenge of inequality in wealth redistribution, due to the lack and/or shortcomings of national social protection schemes (social assistance, social insurance, health benefits, pensions or short-term cash benefits) well as the deleterious effects of a poorly trained and under-employed workforce (ILO 2021; UNESCO 2019; SACO 2022).

Effective social protection underwrites fair and equitable growth, social stability and cohesion and improves productivity. Currently about only 20 per cent of the world's population has adequate social security coverage, with more than half not having any coverage at all (ILO 2021b). Social security involves inter alia access to health care and income security, and is particularly required in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of the main income earner (ibid).

As we have seen, in some developing economies with a degree of social protection, such schemes do not always extend appropriately to artists and cultural workers (SACO 2022). Such precarity and irregular social protection and income security also affects large sections of South Africa's cultural and creative workforce (SACO 2022).

A number of studies demonstrate that social protection supports the competitiveness of companies and contributes to increased productivity and a reduced turnover of workers. In addition, social protection helps reduce poverty, exclusion, inequality and social vulnerability. It also strengthens aggregate demand for goods and services by boosting incomes, which in turn can generate business opportunities for the private sector (ILO 2021).

9.3.1.13. Benefits for Private Sector

A growing number of studies highlight that social protection supports company competitiveness, and leads to lower absenteeism, greater productivity and reduced turnover of workers. They also show that social protection contributes to reducing poverty, exclusion, vulnerability and inequality, while boosting aggregate demand for goods and services by increasing incomes, which can create new business opportunities for private sector enterprises (ILO 2016).

The ILO's Global Flagship Programme on Social Protection Floors (SPFS), launched in 2015, aims to organize the private-sector participation in SPFs and to achieve several targets related to social protection as part of the Post-2015 UN Development Agenda.

This participation was channelled through the creation of a Global Business Network for Social Protection Floors (GBN for SPFs) that was launched in October 2015 in Geneva. The GBN includes multinational enterprises, employers' organizations and corporate foundations that wish to share good practices and contribute to the promotion and establishment of SPFs worldwide (ILO 2016).

It has two chief objectives:

- Firstly, it enables enterprises developing protections for their employees to share their experiences and to learn from other companies, and to determine the extent to which these protections can be implemented through public social protection systems, particularly in countries where social protection systems exist and are functional.
- Secondly, it enables enterprises, their affiliates and subsidiaries to support the implementation of public social protection systems through advocacy and other related activities (ILO 2016).

9.3.1.14. The Establishment of a Special Purpose CSR Fund for Social and Economic Protection for Artists and Creative Workers

The above developments, and the findings of the initial report on Precarity and Social Security in the Cultural and Creative Sector in South Africa, coupled with the subsequent expanded research and report stream, suggest that a Special Purpose Fund created by the private sector on new PPP lines, would be a valuable and much-needed addition to current and anticipated ameliorative efforts.

The need for such a Fund was raised separately and independently by respondents with differing but substantive public and private sector experience at executive levels. Said Respondent 22:

> So, you need to have a dedicated run fund… that's outside government if that's possible…. [Y]ou have got to be able to set up a structure that has accountability, you've got to set up a structure that incentives the real engine of South Africa – the business community...If you had such an entity, and it's formalized you would encourage foreign funds.

In addition, to local involvement "you need to have internationally critical trustees… to set up this fund". There will have to be "huge credible heavyweights" on that Board of Trustees.

Respondent 2 observed:

> … I think setting up vehicle that would work [should] include the private sector, just to get funds. And … I think that also wouldn't limit you to looking at getting the funding form South Africa; you could get the funding even from outside South Africa. So I think, for me, first prize would be looking at securing funding from outside.

9.3.1.15. Implementation of the Proposed Fund

The time is right for the establishment of such a Fund, in regard to the perceived need for focussed interventions from the private sector in regard to social programmes and socio-economic support for the CCI sector. There are also positive signs of international potential philanthropic, donor and concessionary funding available. There are also emerging indications of inter-agency efforts to assist government in finding the resources and expertise to deal with job creation and economic rehabilitation work.

9.3.1.16. Implementation team in place

A private-sector Fund for Social Security/Protection for the Creative and Cultural Sector in South Africa run on PPP-lines is likely to gain momentum and local and international support quickly. An interim team has already been identified.

The team would have impressive experience in working at national and sub-national levels; been involved at the highest level with government in strategic organization development and redesign; worked in or with national government departments, including the Department of Sports, Arts and Culture.

Furthermore, they have a proven track record in building equity and empowerment aligned business and public sector entities, and extensive private, DFI (development finance institution), donor and non-profit networks and high-profile individuals.

Furthermore, a law firm of national and international repute is available to assist in drawing up the requisite legal documents (which would include a business plan and prospectus) for the venture.

What is required from government is a letter of support. This could come from the Presidency, the Deputy Presidency, or the Minister of Sports, Arts and Culture.

Written support from this level would allow an advanced and innovative PPP form of Fund to operate in line with local and international best practice norms, and leverage incentivized local business, donors and philanthropic contributions, as well as international donor, philanthropic and concessionary funding. It will also be a magnet for CSR and CSI programmes and obligations of business.

The Fund would provide financial support for specific criteria in regard to the social protection and eco nomic security of artists and creative workers and deserving CCI firms. These priority criteria will be identified in consultation with all the stakeholders.

The Fund will operate in parallel with current and future national government interventions in regard to social protection and economic security regarding the CCI sector.

The interventions would reinforce current and future job creation initiatives, and industrial policies (including the DTIC and DSAC Masterplan for Creative Industries).

Helping vulnerable CCIs and helping create more sustainable jobs within the sector, and strengthening social protection and income support, most especially for precarious labour, would help reduce unemployment and levels of inequality. It will also underpin job creation and economic growth with the multipliers attached to the former.

9.3.2. The Establishment of a Special Inter-Governmental Committee

It is proposed that an Inter-governmental committee be established at national level to optimize collective action and coordinate policy responses from selected state departments and entities in regard to the amelioration of precarious work and working conditions and social protection interventions in regard to artists and creative workers in the CC sector and the creative economy more generally.

The White Paper on Local Government (1998) defines intergovernmental relations as a set of formal and informal processes as well as institutional arrangements and structures for bilateral and multilateral cooperation within and between the three spheres of government. For Mentzel and Fick (1996: 101) intergovernmental relations constitute the following:

> …a mechanism for multi and bi-lateral, formal and informal, multi-sectoral and sectoral, legislative, executive and administrative interaction entailing joint decision-making, consultation, co-ordination, implementation and advice between spheres of government at vertical as well as horizontal levels and touching on every governmental activity. (Cited…

Relations between governmental institutions in the same sphere of government are referred to as horizontal intergovernmental relations (Smith 2002). Among the various examples of horizontal intergovernmental relations are those between the legislature, the executive and the judiciary, and between national government departments (Malan 2021). The latter example would include the proposed Interdepartmental Committee being proposed in this report.

Strategies for raising the quality of intergovernmental relations include the improvement of communication between spheres of governments; thus, the selection of suitable communication structures and related technologies is important (National Treasury 2022; Baatjies 2021; RSA 2020; Malan 2012; DPLG 2008). Also, of importance is ensuring that reporting is carried out systematically in intergovernmental structures, especially those that were established informally. A lack of reporting makes assessment of the performance and efficiency of such structures particularly difficult. Thus, formalizing the report role of intergovernmental structures as well as the keeping of records is most necessary (National Treasury 2022; Malan 2012; DPLG 2008). Horizontal IGR can take many forms and involve some or all of the constituent units. A common IGR mechanism is to establish a joint or independent agency to deal with a specific public policy issue

Internationally, intergovernmental relations (IGR) are an integral and pervasive part of modern political systems, of growing importance as complexities of modern governance increase. They have become a notable feature of federal political systems; however, they are an important component of any political system with more than one level of government (Philimore 2013).

9.3.2.1. The Creative Economy and Inter-Governmental Relations

The motivation for the establishment of an Inter-governmental Committee in the CC sector and creative economy takes due cognizance of the inter-sectoral jurisdiction and fields of action of those government departments and agencies involved in such sectors and areas.

In recent years DSAC has undertaken formalized joint work with certain national government departments most notably with DTIC in the formulation of a Master Plan for Creative Industries (DTIC 2022) and with the Department of Labour.

The promotion of inter-governmental relationships and structures is a key part of contemporary governance in developed and developing economies. In the South African case, provision is made through a range of legislative measures and regulations. Inter alia, the legislation formalises the roles and responsibilities of the different spheres with regard to various functions and establishes for a range of consultative structures.

Chapter 3 of the Constitution envisages the South African government which is modelled on cooperative government using the intergovernmental relations system to accomplish the outcomes of coherent government characterised by integrated, coordinated planning, effective provision of services, monitoring the implementation of policy and legislation, and achieving the realization of national priorities.

Section 40 describes the government as constituted of 3 spheres i.e. national, provincial and local, and further describes these spheres as distinctive, interdependent and interrelated. The spheres are distinctive in that each sphere performs functions and duties which are jurisdictionally based though the services are for the people of South Africa as a whole.

They are interdependent in that each sphere depends on the capability and functioning of the other to best perform some of their concurrent functions while they also perform exclusive functions. The spheres are interrelated in that the government should function in a unitary manner for the whole of the people of the Republic of South Africa. Each sphere is expected to cooperate with another sphere in mutual trust and good faith for the good of the country.

Thus chapter three of the Constitution, 1996, specifies that 'the spheres of government must, while co-operating with each other, foster friendly relations; assist and support one another, inform and consult on matters of common interest, co-ordinate their actions and legislation; adhere to agreed procedures; and avoid legal proceedings against one another'.

Section 41 provides for the following principles of cooperative government:

- Preservation of peace, national unity and the indivisibility of the Republic
- Securing the well-being of the people of the Republic
- Providing effective, transparent, accountable and coherent government for the Republic as a whole
- Loyalty to the Constitution, the Republic and its people
- Respect to the Constitutional status, institutions, powers and functions of government in other spheres
- Not assuming power or function except those conferred on them in terms of the Constitution
- Exercising their powers and performing their functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere, and
- Cooperate with one another in mutual trust and good faith by
- Fostering friendly relations
- Assisting and supporting one another
- Informing one another of, and consulting one another on, matters of common interest
- Coordinating their actions and legislation with one another
- Adhering to agreed procedures, and
- Avoiding legal proceedings against one another.

9.3.2.2. Intergovernmental Relations Framework Act (2005)

A comprehensive law (Intergovernmental Relations Framework Act) was enacted in 2005 for the purpose of regulating intergovernmental relations generally in reply to section 41(2) of the Constitution. The Act is a broadly enabling Act, which elucidates the principles of intergovernmental relations and cooperative government.

The Act provides the basic architecture of intergovernmental structures, procedures and processes for the settlement of intergovernmental disputes. The Act broadly provides a framework to allow for flexibility to meet the challenges of cooperative government. While articulating the key principles of cooperative government and intergovernmental relations, the Act provides an institutional spine to the system by regulating intergovernmental forums, as well as concrete steps for the conduct of intergovernmental relations and a framework for settling intergovernmental disputes.

9.3.2.3. Horizontal and vertical relations

Intergovernmental relations consist of both horizontal and vertical relations between agencies and actors in the three spheres of government, the principles of co-operative government situate these relationships within a normative framework. Underpinning this framework is the decentralization of state power in terms of the Constitution of the Republic of South Africa, 1996, which is not based on competitive federalism, but rather the norms of co-operative government (Malan 2012).

Legislation that structures intergovernmental relations (RSA 2011) includes the following:

- The intergovernmental Fiscal Relations Act (1997)
- Municipal Structures Act (1998) – This Act provides for the establishment of different types of municipalities and the division of powers and functions between local and district municipalities.
- The Municipal Systems Act (2000) - This Act provides for the establishment of different types of municipalities and the division of powers and functions between local and district municipalities. It also regulates the internal systems, structures and roles of office bearers of municipalities.
- Intergovernmental Relations Framework Act (2005) – This Act provides a framework for the establishment of intergovernmental forums and mechanisms to facilitate the settlement of intergovernmental disputes.

9.3.2.4. Provincial Inter-governmental Structures

The Premier in each province is responsible for coordinating relationships between national, provincial and local government in the province. A Premier's Inter-governmental Forum (PIF) consists of the Premier, the local government MEC, other MECs, Metro and District Mayors and other Mayors where necessary. The PIF meets regularly and consults on broad development in the province, as well as on the implementation of national and provincial policy and legislation. It also seeks to coordinate the alignment of provincial and municipal development planning and strategic planning. The PIF reports through the Premier to the PCC. PIF meetings are usually preceded by PAF (Provincial Advisory Forum) meetings where provincial heads of departments meet with all municipal managers.

Further optional forums can be established by the Premier. In the Western Cape, for example there is a Metro Inter-governmental Forum (MIF) where the Provincial Cabinet meets with the Cape Town Mayoral Committee on a regular basis. The reason for this is that around 70% of the provincial population lives in the Metro, and most of the economic and urban development is taking place in that area. There is therefore a huge overlap between the Metro's budget and responsibilities and those of the province.

Inter-governmental forums may also be established at district level, where they would consist of the District Mayor and Local Council Mayors.

9.3.2.5. Inter-governmental Committees – International Models

Internationally, the use of committees has increased in all spheres of government internationally, as the work of government grows more complex, and as a means of dealing with specific and cross-cutting issues. The kinds of committees used various somewhat internationally, but one usually finds distinctions between standing committees which function on a continuous basis. There are also Ad Hoc Committees which are appointed for a specific purpose, or to investigate a single issue, and which cease to exist when they complete the task or tasks assigned to them (Philamore 2013).

The literature suggests that intergovernmental committees play an underestimated role in development and human rights work. For instance, an intergovernmental structure lies at the heart of the Council of Europe and allows direct participation of governmental experts in its work. It significantly contributes to the organisation's core mission, which is 'to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress,' as stated in Article 1 of its Statute.

Recommendations for the improvement/reform of Council of Europe's committee structure and governance have relevance for the South African context. In terms of the nature and dynamics of the committee system recommendations included the importance of defining the strategic frameworks of the committees and ensuring reporting at a strategic level.

It was also stressed that draft terms of reference should be discussed systematically by the committee in question before being approved by ministerial deputies and that committee chairs should have a minimum two-year mandate (CoE 2019). In regard to the role of the Secretariats and other support structures the mobilization of extra budgetary resources to support the work of the committees and providing more flexibility in regard to the committees' staff and operational budget planning and deployment was emphasized (ibid). On the matter of working methods the importance of committees still meeting on a face-to-face basis was stressed. And the way in which committees communicate their activities and interact with key stakeholders had to be improved (ibid).

A study of Japanese inter-departmental cooperation between two agencies working in the cross-cutting field of policy making in the field of logistics is instructive. The author argues that Japan has struggle to overcome an inward-looking 'departmentalism' (Sukegawa 2017). He argues that functional collaboration between two department the case in question had to overcome a number of institutional and HR issues.

There were a number of factors that fostered a successful outcome over time. One was the inculcation of 'searching for a common ground first' by the policymakers in question. Once ministries arrived at a 'compromising mode', interdepartmental coordination was more likely to develop relatively quickly. The process also entailed a 'shutting down of a way out' as the 'starter of interdepartmental coordination' (ibid.). Thus 'cooperation' connotes the pattern of interdepartmental relations which refers to the joint action of government departments for a shared goal (ibid.).

Further important enabling factors were identified. Firstly, it is argued that actors coordinate if all of them 'become better off by doing so'. They do not look to be involved in coordination exercises if they are 'going to be worse off' (Sukegawa 2017). Secondly, interdepartmental communications seem to have functioned as an intervening factor to facilitate horizontal work (ibid.).

9.3.2.6. Establishing an Inter-Departmental Committee for the Consideration of Social Security Measures for Artists and Creative Workers

South Africa has an intergovernmental system that is based on the principle of cooperation between the three spheres of government – local, provincial and national. While responsibility for certain functions is allocated to a specific sphere, many other functions are shared among the three spheres.

Chapter 3 of the Constitution describes the three spheres as being 'distinctive, interdependent and interrelated' and enjoins them to 'cooperate with one another in mutual trust and good faith'. An important element of this cooperative relationship is that there needs to be a clear understanding of each sphere of government’s powers and functions to ensure that a sphere of government or organ of state ‘does not encroach on the geographical, functional or institutional integrity of government in another sphere’.

The following key elements and principles underpin the intergovernmental system:

- **Accountability**: Each sphere has specific constitutionally defined powers and responsibilities, is accountable to its legislature or council, and is empowered to set its own priorities. The power of national government to intervene in provincial and local government matters, and provincial governments to intervene in local government matters, depends on whether the relevant sphere fails to carry out an executive obligation.
- **Transparency** and good governance: Accountability of political representatives to the electorate and transparent reporting arrangements within and between spheres is at the heart of the intergovernmental system. While political executives are responsible for policy and outcomes, the accounting officers are responsible for implementation and outputs.
- **Mutual support**: National and provincial governments have a duty to strengthen the capacity of municipalities. Spheres of government must also act cooperatively towards each other, for instance through avoiding legal action until all other mechanisms have been exhausted.
- **Redistribution**: The three spheres all have important roles to play in redistribution, but because inequalities exist across the country, the redistribution of resources is primarily a national function. Where provinces and municipalities undertake redistribution, the challenge is to do this in line with their fiscal capacity and not to undermine economic activity and their financial viability. Redistribution among the three spheres is achieved through the vertical division of revenue. Redistribution among provinces and municipalities is effected through their respective equitable share formulae.
- **Vertical division**: Determining allocations to each sphere of government inevitably involves trade-offs that are made in the course of a comprehensive budget process driven by political priorities, and which covers all aspects of governance and service delivery. Separate and ad hoc requests for funds fragment the coherence of the budget and undermine the political process of prioritisation.
- **Revenue-sharing**: The fiscal system takes into account the fiscal capacity and functions assigned to each sphere. Provinces and municipalities are funded from own revenues, equitable share allocations, and conditional and unconditional grants. The grant system must be simple and comprehensive and not compensate provinces and municipalities that fail to collect own revenues.
- **Broadened access to services**: The Constitution and current government policy prioritises broadening access to services. The responsible spheres are expected to design appropriate levels of service to meet customer needs in an affordable manner, explore innovative and efficient modes of delivery, and leverage public and private resources to fund infrastructure.
- **Responsibility over budgets**: Each sphere of government has the right to determine its own budget and the responsibility to comply with it. To reduce moral hazard and ensure fairness, national government will not bail out provinces or municipalities that mismanage their funds, nor provide guarantees for loans. (National Treasury 2011)

9.3.2.7. Recommendation

The recommended body would be a National Inter-Departmental Committee for Determining Social Security Policy for Artists and Creative Workers. The committee would be a formalized and ad-hoc national inter-governmental committee. The Committee would be established and chaired by the Department of Sports, Arts and Culture. It would have a formal secretariate for the duration of the committee. The Secretariate would be funded on by DSAC with subvention from national government.

Departments directly affected by the policy matters should be fully represented on the Committee. The representatives would need to be drawn from the senior ranks of the department. The Committee would invite the following national government departments and agencies:

- The Department of Labour

- The Department of Social Development
- The Department of Trade, Industry and Competition
- The Department of Finance: Representation from National Treasury and the South African Revenue Service.
- The Department of Small Businesses
- Department of Higher Education and Training
- Department of Basic Education
- Relevant Provincial Departments

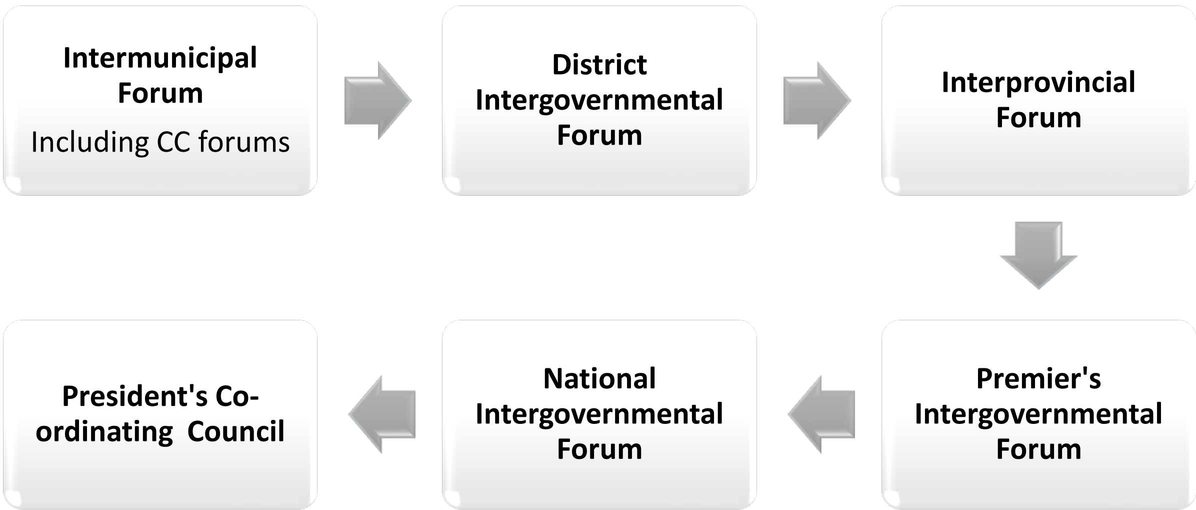
Municipalities are generally represented on the national intergovernmental structures by ‘organised local government’ in the form of the South African Local Government Association (SALGA). At the provincial level, municipalities are either represented directly or through the provincial local government associations.

The Committee would be free to discuss relevant recommendations with other Departments and Agencies as they consider appropriate. In addition, the Committee to be free to obtain any independent advice it deems necessary. The Committee would present a detailed implementation plan within three months of first assembling.

A general and/or headline Terms of Reference will be provided the Committee. The Committee will be given the power to define its precise Terms of Reference and the appropriate range for its investigations.

9.3.2.8. Broad structure (as outlined in the Intergovernmental Relations Framework Bill 2005)

It is recommended that the special intergovernmental national committee be informed by structures starting at local government level based on the provisions of the Act.



The Act outlines the structure and responsibilities at each level. Where it largely silent is the need for planning to be done in consultation with civil society. Provision should be made for input from the CC sector at all levels of the process

9.3.2.9. A Collaborative Approach to the Revised White Paper and the Masterplan for the Creative Industries.

Apart from more specific material on the question of the social protection for the CC sector there is policy material that has an intergovernmental aspect in the Revised White Paper, and the 2022 DTIC Masterplan for the Creative Industries.

The 2017 Revised White Paper (RWP fourth edition) has been recently passed by government. It has a section which addresses directly the status of artists and cultural workers, and the question of social security. This is evidenced for example in the mooted Benevolent Fund. The RWP also specifies existing understandings confirmed during the consultative and drafting processes, most particularly cooperation with the Department of Labour (DOL). As stated above it is also important to involved other relevant national and state-supported agencies in this process.

The DTIC Masterplan for the Creative Industries, May 2022 (DTIC 2022) – the outcome of a partnership between DTIC and DSAC (along with SACO) is also a policy touchstone. The Plan refers to the need for social security measures as well as certain interventions in establishing career-related training and education for CC workers and professionals. This in turn links with certain international and comparative policy interventions. Further research is required regarding the gaps and opportunities in regard to future institutional collaboration DSAC and DTIC and possibly other institutional partners on how the Masterplan, and the overarching RIS (Reimagined Industrial Strategy) mesh with the precarity and social security issues. In addition, the envisaged interventions and actions suggested in the RWP need to be articulated.

9.3.3. Formalization and Establishment Archive and Records Management System for Government/Select Committee

An archive and data resource programme needs to be set up for the Department of Sports, Arts and Culture and the proposed intergovernmental Select Committee on Precarity and Social Security for Artists and Creative Workers. It will be duly informed by and articulate with the archival and records section of DSAC, and where appropriate, the relevant person/s of the National Archives.

This structure will house i.a. copies of the recommended research audit and (where necessary) the collection of official and certain non-official documents dealing with government's previous responses to issues of social security and relief measures for the CC sector, will constitute an integral component of the research.

This should be a special institutional initiative taking cognizance of (i) the central role of DSAC in relevant policy and projects in regard to artists and creative workers primarily since the post-1994 period, and (ii) the proposed inception of a Select Inter-Governmental Committee on Social Security for Artists and Creative Workers.

The Archive and Documentary Resource Programme will be both a key component of the proposed Select Committee as well as providing a long-term resource for the efforts of DSAC in regard to the Department's continued work on the entwined matters of precarity and social security interventions in the CC sector and creative economy more generally. It would also articulate directly with relevant processes of international cooperation and exchange of ideas with agencies such as UNESCO, ILO and in relevant bilateral and multinational relations.

This archive and documentary resource will be of crucial value to DSAC, and cognate state departments and agencies, and help foster improved inter-governmental collaboration. Such a resource will contribute to a more integrated and informed history of South African cultural policy. By locating half-forgotten policy documents and recorded initiatives the structure will add significant value to the institutional memory of DSAC and will help prevent against the duplication of historic projects in the future. Given its inter-agency aspect, it should also be of value in this regard to participating government departments, and national government more generally.

Because of the strategic interaction and collaboration with other national departments as well as certain international agencies and partners, there will be an increasing demand to harmonize the formats used and the protocols in operation.

For instance, in the US the National Archive and Records Administration (NARA) has designed a detailed set of rules, the Federal Electronic Records Modernization Initiative (FERMI) to help ensure that all federal government agencies are handling their archival data in a standardized, inter-operable, and cost-effective manner. Thus, despite differences between agencies' missions and methods, there is consensus in regard to keeping meticulous records. This also allows data to be transferred easily to the US National Archives.

By early end of 2022, agencies were required to store and transfer all their records in an electronic format. This includes information that was initially saved on physical documents, as well as records intended to be temporary instead of permanent. Agencies were required to create a consistent archive of every item of content including digital files. The SA government and the National Archives is moving in a similar direction. Among the first steps for US agencies in complying with the NARA directive is choosing a uniform format for converted document. PDF/A, an archival version of PDF maintained by the International Standards Organization (ISO) is created to be future-proof and usable for long periods of time. It is a top choice international for agencies of various kinds. PDF/A is also recommended by NARA and works for pages of text, images and mixed documents. In addition the advantages of using this format is able to demonstrate operational benefits immediately, and justifies investment in conversions solutions (Foxit 2017)

One of the first steps in complying with the NARA directive is choosing a format for your converted documents. PDF/A, an archival version of PDF maintained by the International Standards Organization (ISO) specifically to be future-proof and usable for years to come, is the top choice for agencies of all kinds. NARA recommends PDF/A, which works for pages of text, images and mixed documents, and the advantages of using this format can generate operational benefits immediately, justifying a timely investment in conversion solutions. Such a process is in line with national e-governance priorities (see e.g. RSA 2017 (Government Gazette).

In more recent years, the life cycle and continuum concepts of records and archives management have been followed more widely. The perception that records and archives are two distinct entities with different characteristics and different management requirements has been replaced with a new integrated approach, and this change in perception has taken place in the context of a vast increase in the volume of records being generated. Records are managed continuously and coherently by records and archives professionals throughout their life. By controlling the processes of creation, use, maintenance and disposal, the requirements of all users can be met. By being involved in the record-keeping processes from the point of record creation, organisations can make coherent decisions about the retention and ultimate disposition of records. The increasing dependence on non-physical electronic records, and the ease with which electronic records can be changed, has emphasised this need for active involvement in the care of the record throughout its life (Foxit 2019).

Archives management is central to any organization's information system. Organizations and firms, and, in certain situations, divisions thereof, need to take due care of archives to ensure sustainability and proper functioning. Archives management is the professional practice of locating, acquiring, managing, preserving, authenticating the evidence of an organization's life and work. It can also be applied to a person's life and work. It can be used for paper-based documents, recordings and electronic records (Malak 2022).

Because the process of archiving is relatively complex, a number of steps are entailed, which include providing data protection; preserving records to enable them to be available for future use; and to allow them to be accessible across multiple locations; and providing tools for use in the collection and access of the material (Malak 2022).

The top archives management best practices are five-fold. The first and starting management best practice is to ensure that a substantive and well-structured archiving system is put in place. The second archive management best practice is to minimize the amount of data stored, by i.a. avoiding storing copies with duplicate information, and eliminate redundant data. The third archive management best practice is to have a solution for file sharing among the users. In the fourth place, a system of governance should be created where people within the organization have defined access to archival resources and be informed if an item needs to be archived. Fifthly, all the information and data archived should be set up in such a way that it can be retrieved by authorized members/personnel, and that it is secure (Malak 2022).

The establishment of this recommended Archives and Records Programme for Social Security in the Creative Sector, should be attached to the Division of Ms Lisa Combrinck, in liaison with the DSAC records section. A small, agile and informal advisory committee consisting of Ms Combrinck, a representative of SACO, and a further strategic representative of DSAC and/or National Archives and Records should be implemented to oversee the process. Prof Beth le Roux, of University of Pretoria's Department of Information Science, could be approached to be an external representative on this advisory committee.

The staffing of this programme would be modest. Official secondment would be a cost-effective move, but it is essential that the person heading up the programme must be well versed in archival and record keeping. An alternative is to look for a temporary half-time position. The use of research interns to help in the processes of the collection, systematizing and dissemination of material/records/documents would reduce costs in regard to administrative and research assistance, but such internship appointments must demonstrate the requisite aptitude.

Given the inter-agency nature of this programme/structure, and its relationship to an inter-governmental strategic initiative, funds should be available from special allocations such as the Presidential Employment Stimulus fund.

9.3.4. International Reference Group for Social Security for Artists and Creative Workers

While DSAC has a series of institutional arrangements with UNESCO in regard to South Africa's reporting and compliance with a range of relevant UNESCO conventions, recommendations and measures, a form of reference group with select international organizational partners is recommended.

Central to such a group would be representation from UNESCO and the ILO who are collectively and individually playing key roles internationally in regard to generating comparative research on the related issues of precarity and social protection for artists and creative workers. There would be potential interest from the South African missions and/or branches of bilateral and multilateral cultural institutions such as GIZ, Helvetica, British Council, USAID, and the French Institute. The creative and cultural division of the BRICS grouping in South Africa might also be worth considering in this regard.

In terms of the structure of the proposed entity, an institutionalized structure with a cost-effective and part-time administrative assistance would be the suggested approach in the shorter term. DSAC would be the convenor with due support coming from SACO. A relatively informal structure is suggested for the start-up phase. A general mandate and TOR would be provided but the Group will develop a more particular and detailed TOR within three months of start-up.

It is recommended that the Group meet once a quarter with the meetings generally convened in the major Gauteng centres where the relevant institutional stakeholders are primarily based. Additional special meetings would be convened when and if required. The frequency of meetings, which are recommended to take place once a quarter, could also be confirmed by the members of the group. The membership of the Group could be extended on discussion and general agreement among the attending members.

The Group would look to exchange views, network and provide information on resources and policy developments. The meetings would be duly chaired and recorded but a certain informality will be helpful in ensuring that such meetings are not over-organized, and that Chatham House approach prevails. Meetings should look to include compact seminar-like presentations which could be offered by professionals, businesspeople, or academics.

In this vein the choice of pleasant and accommodating venue, which offers good catering services would be advisable. Participation should not be an administrative burden but rather something pleasant. Provision should be made where necessary for online presentations most especially from overseas colleagues and specialists. Meetings should be face-to-face.

Meetings should not be over-long and the question of incentivizing and/or ensuring that there the attendees see benefit to themselves in attending should be a priority in establishing the body in question. This is in line with international research on the workings of successful inter-agency committees and groups. It is also important that a formal communication system for the Group be implemented. This could be supplemented by a modest website.

The meeting could be chaired initially by a senior representative of DSAC, but the Group could be invited to select one of the members. Alternatively, a neutral chairperson could be appointed on a small honorarium.

Funding for the catering and administrative support would be modest. There may be an interest in one of the bilateral or multi-lateral institutions providing some or all of the funding. This aspect could be the subject of a modest and informal piece of research or inquiry by SACO if needed.

The Group would be able to avail itself of the recommended special Archives and Records structure to serve the Intergovernmental Committee and DSAC on social security and protection in the CC sector. In addition, resources provided by the institutional stakeholders could be deposited /duly recorded in the archives in question.

9.3.5. International Conference on Social Security and Protection Responses to Precarity in the CC Sector

An international conference focussing on the question of the working conditions of artists and creative practitioners and question of social protection for the CC and CCI sectors is recommended. The conference would focus on both developed and developing economies with a view to promoting an exchange of views on good and best practice cases, innovative measures and donor and concessionary funding available.

A 2–3-day event in Johannesburg, Pretoria or Cape Town is suggested. This could be staged in late 2023 towards the end of November, or alternatively, in March 2024 depending on logistical issues.

Among other emphases, there would be thematic and area foci. The views and work governments, business and prominent non-profit and philanthropic agencies in the relevant fields would be presented and showcased. The main event would be a structured mix of academic, diverse creative and industry practitioners, and private, public and third sector stakeholders. Space would be provided for advocacy organizations and groupings.

The programme would include high level presentations from participating governments, and International Development Organizations and international non-governmental agencies. These would include UNESCO, the International Labour Organization. Key multilateral organizations such as the World Bank and the OECD could be among the invitees.

Given UNESCO and the ILO work on these matters in recent decades DSAC could look at partnering with them for this event. DSAC has consolidated its relationship with UNESCO in recent months and the UNESCO is finalizing its quadrennial survey on artists status and working conditions, this would be a timely and policy- and information-rich gathering.

International sponsors should be identified to help cover the expected costs. The South African Cultural Observatory which has a good track record in the conceptualization and hosting of international conferences could work closely with the DSAC team in this regard. Moreover, the key event organizer of the 2002 World Summit on Sustainable Development, held in Johannesburg, who has worked with SACO in the past, and UN agencies, would be available to assist on the conference team in regard to the kinds of organizations and peoples to consider on the international scale. And given the international relations and soft/cultural diplomacy component the International Relations division of DSAC would be key part of the event planning and management team. It is likely that DIRCO would like to be part of the planning team as well.

In addition to the main conference, the presence of executives and high representatives of regional association such as BRICS, SADC, and the AU would provide an ideal time to have smaller and more focussed post-conference workshops or colloquia on the matters of shared insights and approaches to the matters of precarity and social protection in the CC sector and creative economy.

There would also be opportunities to look to speak to organizations such as the IFC and donor agencies in regard to funding opportunities (market, donor and philanthropic) for mooted social programme and related investment interventions in the South African case.

A substantive and prestigious conference as outlined above, would be a win-win situation for DSAC and its partners, and provide significant Public Relations opportunities for the new Minister, as well as the executive government. There would be a distinct boost in tourism and opportunities to showcase for the world our creative and cultural products. In addition, the likely interventions in the creative sector are likely to be popularized and accelerated. Furthermore, there will be a distinct and demonstrable job creation effect (including multipliers). This would be to the credit of the President’s Employment Stimulus initiative.

As discussed above, DSAC, along with its communications division, and with the proposed assistance of SACO, would be the lead organizers. There would be credit and institutional involvement as well for the cognate national Departments involved in the recommended Intergovernmental Committee on Social Security for the Cultural and Creative Sector. The rationale and business plan could be drafted in a relatively short space of time once an approval for the project is granted.

The scope and size of the conference can also be reduced depending on the initial feasibility exercises by DSAC and its partners, and the advice of the international division of DSAC. Flexibility on this matter will allow the requisite external funding arrangements to be expedited to the satisfaction of DSAC.

9.3.6. Digital Cultural Policy Group

The impact of the digital platforms and increased globalization of the CCI sector, and its impact on South African artists and creative workers and practitioners has been one of the strategic emphases of the literature review in the exploratory study and this extension. It has also been a concern in a number of the interviews that inform this research.

The recent SACO-DSAC workshop on 28 February 2023 on the new Book Policy drew enthusiastic participation with its emphasis on the shortcomings and debates thereof in regard to the pending Copyright Bill. And intellectual property issues in regard artists and creative worker are central to debates regarding the macro digital platforms and streaming services

At the same time, the question of the regulation and local taxation of the large digital platforms operating in, and impacting on, national creative policies is of mounting interest in the international community, South Africa needs to be considered within a policy context.

These and other matters will benefit by having matters in the digital cultural policy area, scrutinized and debated by relevant academics, researchers, intellectual practitioners and critical commentators on the CC sector and the creative economy.

Considering the costs involved in establishing formal committees and task teams, the establishment of an agile and cost-effective group linked to academia and critical cultural networks both national and international makes good sense for all concerned. The start-up phase/s promise to be swift, and the logistics manageable.

What is proposed is the formation of a Digital Cultural Policy Group based on a flexible inter-agency model involving in the inception phase the Department of Sports, Arts and Culture; the South African Cultural Observatory (via for instance a nominated professor or their Academic Director); Professor Keyan Tomaselli who occupies a Distinguished Professorial Chair at the University of Johannesburg. There is interest too, from UNISA to be part of the venture.

The Group would look to work off a modest state grant and consider possible grants from select EU and OECD members on a bilateral or multilateral basis. It would make sense to apply to one or more of the cultural institutions representing such countries in regions.

The question of working conditions and rights of artists and creative practitioners, and ways of combatting precarity would be central to the work of this proposed Group. An important part of the brief would be to consider how revenues in respect of the big tech players should be taxed, and the percentages thereof. Such revenues as planned by several developing economies are in certain cases allocated state-run cultural funds. But little is known yet of how such structures will work in practice, and how funds can be ring-fenced for artists and creatives. Such issues will need to be defined.

The advantage of such a group for national, and possible international funding, is that its close and critical focus on the issues discussed above would be something of a lightning rod or outlier. They would allow government/s to test the waters regarding issues that may seem controversial, but which likely would contribute significantly to the development of the creative economy and its diverse actors and agencies.

It is proposed that the Digital Cultural Policy Group (working title) be established in the period April – June 2023, and that funding be applied for i.a. from DSAC and one or more of the overseas cultural institutions. Early discussions have suggested that there would be distinct interest in such an endeavour.

9.3.7. Toolbox for DSAC Interventions in regard of Social Security in the CC Sector

This item was discussed specifically at the meeting on 26/7 January 2023 and is a priority for DSAC. It is understood that funding is available.

The Policy Methods Toolbox is a repository of policy development methods that helps policy practitioners identify and select the right approach for their policy initiative. A quality policy toolbox would look to include newer methods and prevailing good and best practices (DPMC, 2021).

Policy Support Tools and methodologies are approaches and techniques based on science and knowledge systems and may depending on the circumstance include indigenous and local knowledge (IPBES 2023). Such approaches and techniques can inform, assist and enhance the decision process, and the making and implementation of policy from local through to international levels.

In line with international good practice the proposed toolbox would provide orientating material with themes which could be used to guide policy formulation and implementation processes. It is proposed that this toolbox be made available via an online platform. The toolbox could then be available to a range of officials in government (national, provincial and local) in all provinces.

The digital toolbox could include:

- Policy guides

  The toolbox should provide digital copies of current policies. Included should also be examples of best practices in terms of implementation of policies as well as the monitoring and evaluation thereof.

- Data and analytics

  The toolbox would provide structured access to data and analytical tools which provide officials with the requisite grasp of the nature, scope and dynamics of the creative sector. This would include formal links with the publications, reports and current research of the SA Cultural Observatory, as well as a mooted Research Hotline. This information and compact briefing documents from SACO would help officials and consultants in identifying trends, enabling and constraining factors, and assist with the monitoring of policy interventions. Data on employment, trading figures, and survey data and other critical metrics would be available. In addition, certain tools for visualizing and interrogating data will be provided.

- Mapping Tools and Techniques

  Access to SACO's ongoing mapping studies will assist officials and practitioners grasp the spatial and sectoral dynamics of the CCI sector, and locate CCIs and other cultural institutions and assets.

- Stakeholder Engagement and Public Participation

  The conceptualization and production of effective policy for the CC sector entails a set of engagements with a variety of identified stakeholders. These would include artists and creative workers, cultural organization, industry sectoral associations, federations, networks, as well as possible trade union interaction.

  The toolbox would provide the resources and tools for the overall process of stakeholder engagement. Due emphasis would be placed on providing information, allowing for feedback and reaction, collaboration and empowering the participants. The toolbox would provide the means to run stakeholder engagement, and where necessary direct community engagement. Tools and techniques would include online surveys, online forums, invitations to submit written presentations and memoranda, and certain other mechanisms.

In terms of public participation and aspects of stakeholder engagement the use of professional conflict management analyses and techniques could be profitably used.

- Impact Assessment and Evaluation

The toolbox would contain tools and resources for modelling and assessing the effects of policy interventions. These would constitute different types of assessment and evaluation tools, and include social and economic impact assessments with qualitative and quantitative features.

Best and good practice case studies would add value. These resources and tools would help officials

and advisers assess the feasibility and effectiveness of policies, identify constraints, and factor unintended consequences into the equation. Furthermore, they would help reflexivity, by refining policy interventions over a period of time.

- Futures Thinking

The toolbox could provide a range of tools to help officials and practitioners reflect on the drivers of change and acknowledge uncertainty. It will help add the ‘what if?’ strategic component to policy

making and implementation.

- Legal and Regulatory Resources

Toolbox users would be equipped with a variety of relevant legal and regulatory tools, resources and guidelines. The aim here would be to guide and assist officials and consultants in regard to the legal regime as affects the CC sector. Regulations would comprise information on contracts especially in regard to freelance work, associational rights, intellectual property and other appropriate regulations.

- Policy and Process Templates

The toolbox would include and/or provide access to a variety of relevant templates for the policy process. These would allow a systematic and guided approach to the development of policies and projects for the CC sector. Officials and consultants will be helped in the identification and clarification aims and objectives. They will be empowered in regard to the articulation of strategies and setting metrics for achievements and successes.

Subject to funding this project can be initiated in the second quarter of 2023.

9.4. Additional Potential Institutional Interventions

Depending on resources and time the following projects are feasible in the shorter-term.

Registry of Artists and Cultural and Creative Workers

The establishment of a formal Registry for Artists, Cultural Workers, Cultural and Creative Practitioners, and Cultural Entrepreneurs by the Department of Sports, Arts and Culture is recommended. The Registry facilitates the registration of individual artists, cultural workers and cultural organisations. It will enable access to relevant benefits in the Department and associated agencies.

The establishment of a relevant data base for artists has also emerged as strategic consideration in the recommendations from our current interview and survey results. It is suggested that this initiative be conceived of as a DSAC/SACO project and that the Registry be established and housed with DSAC.

Depending on the progress with the other projects, work on this could be considered for the October – December 2023 quarter.

The Creation of a Digital Platform to Build Positive Relationships in the CCI Sector

The creation of a large-scale digital platform by DSAC in collaboration with the private sector for use by CCI firms and creatives should be integral to this process. Internationally, there are some best practice digital platforms created by governments for CCI firms, and artists and cultural workers with a view to stimulate and sustain the creative economy. In South Africa such a venture would help build positive relationships and the articulation of social and cultural capital in the CC sector. DSAC should also consider involving certain other relevant state agencies in the project. The engagement with existing and established CCI bodies and cultural workers and practitioners would allow the develop of social and cultural capital in the sector. It would also allow certain of the related RWP and Masterplan objectives to pursued simultaneously.

Discussions with the proposed PPP Fund and the private sector more generally would be needed in this process.

Depending on the progress with the other projects, work on this could be considered for the October – December 2023 quarter

9.5. Shorter-Term Research Projects

A number of inter-related and contingent research studies will need to be done in tandem with the recommended institutional interventions and the process of designing and implementing policy.

This exercise is informed by the discussion at an all-day workshop with DSAC in Pretoria on 27 January 2023. An informal meeting in Pretoria on 1 March with DSAC qualified and supplemented the first meeting. These discussions have informed in part the outline below. A reflexive exercise by the SACO research team namely Profs Richard Haines and Andre Gouws have contributed to the items specified below.

A further and crucial aspect is that a number of the items will because of the inter-departmental nature of anticipated social protection measures in the CC sector may of necessity require external national funding.

9.5.1. Documentary Audit and Policy History and Concurrent Establishment of Dynamic Data Base

This suggested strategic research entails a documentary audit and accompanying history of DSAC and government interventions in regard to social funds and social security in the CC sector with a dynamic data base being established.

The audit and collection of official and certain non-official documents dealing with government's previous responses to issues of social security and relief measures for the CC sector, will constitute an integral component of the research.

The documents will supplement the existing desktop material and allow for a sizable and informative policy history of government responses to be constructed. The relevant documents and reports found will be inserted and categorized in an Excel data base using a methodological approach that has been track-tested with certain SOEs.

Subject to funding this research can be initiated in the April – June 2023 quarter.

9.5.2. A Research Audit of the Associational and Institutions of the CC Sector

A compact but comprehensive scan, audit, and categorization of the institutions, associations and unions, representing artists, and creative workers in the CC sector and broader creative economy in South Africa, has presented itself as a vital aspect in preparing for consultations with the relevant parties in the formulation of a Toolbox, and the processes linked with the preparation and discussion of a Green Paper and White Paper on the social protection measures in particular. Such a scan also provides the means of establishing a dynamic data base which can be updated on a regular basis, and which will be able to articulate with the periodic mapping studies undertaken by the SA Cultural Observatory.

Subject to funding this research can be initiated in the third quarter of 2023.

9.5.3. Research in Regard to Proposed Green Paper

A Green Paper has been identified as a key output for DSAC. It will be structured as a government policy discussion paper on the question of the need for social protection for the artists and creative workers and the creative economy more generally. It Green Paper will discuss the specific issues entailed including that of precarity, and then proceed to possible courses of action in terms of policy and legislation. It outlines/articulates possible solutions yet to be adopted by government.

The internal discussion on the Green Paper can be initiated during the April-June 2023 quarter and a brief and TOR established. This discussion can be undertaken by DSAC and SACO. A multi-disciplinary research team can be put together by SACO which would include a legal specialist who has worked on similar productions for national government in the past.

Should the proposed Intergovernmental Committee on Precarity and Social Protection for Artists and Creative Workers be established during the second quarter of 2023, then the research team would be able to work in a collaborative manner with the Committee.

9.5.4. Research on the Proposed White Paper

While the process in drafting a White Paper would follow the production of the Green Paper discussed above, there are administrative and research continuities between the Green and White Papers. This should allow the planning and contextual research for a White Paper to be initiated in the third quarter, i.e. between October and December 2023.

The purpose of the White Paper would be to establish an intergovernmental framework to guide the introduction and implementation of new policies and legislation of aimed at ameliorating precarity in the CC sector and creative economy and introducing focussed legislative measures for social protection in these areas.

9.5.5. The Use of Cooperatives in the Amelioration of Precarity

Cooperatives are one of the vehicles for the promotion of CCI entrepreneurial activity. However, relatively little is known of the efficacy and potential enhancement in regard to easing precarity in the CC sector and creative economy more widely. This study would examine trends and select cases to advise on adjustments to current policies and initiatives in place. In addition to DSAC, the study and its recommendations would be of relevance to the cognate national departments and certain of the development oriented SOEs. In addition, the findings would be informative for select agencies at provincial and local government level.

Such a project could be included for consideration in the new DSAC-SACO Research Agenda. However, there may be interest in putting this forward as a project for inter-governmental funding and co-ownership. For instance, the Special Advisor to the Department of Small Business sees this as a viable project.

Possible Inception: September 2023.

9.5.6. GIG Work and the Creative Economy

A study of the GIG working practices and GIC workers, with Specific Reference to the Creative Economy has been identified as an important area of future research. This would link with existing work on precarity, the mapping studies of the creative economy, and the deliberations of the proposed Inter-Governmental Committee. In addition to DSAC, the research would be of interest to the Department of Labour and the Department of Small Business.

There are two options regarding the funding and logistics: (i) to include the topic for consideration on the new and revised DSAC-SACO Research Agenda; or (ii) to explore potential inter-departmental and/or Presidential Fund allocation.

Possible Inception: July-September 2023

9.5.7. Research Management and Research Funding

For this process of researching and developing policy in regard to Social Protection in the Creative Sector and Economy, a compact research management component would be put in place to ensure overall control and direction for the research process and deploying teams for the above projects and additional aspects that might spin-off from the range of activities specified in the 'quick win' projects.

The strategic management function it is suggested should be vested in the current research leadership as this will allow consistency and guided policy articulation in line with national government and DSAC practices and protocols. The strategic research management function it is recommended would fall under a compact and agile DSAC-SACO group.

For the research initiatives, apart from certain options to be considered in the new research agenda for DSAC and the third iteration of SACO, specialized funding should be sought from external state funding structures and initiatives. These would include the following:

- Funds falling under the purvey of the President and Deputy President. These would include the Presidential Employment Stimulus programme
- Funding from the Department of Cooperative Government and the related Planning Commission; and
- Funds or contributions from the participating departments and agencies in the IRG Committee and the associated initiatives on developing social protection initiatives in the CCI sector and the creative economy more generally.
- The possibility of a specific grant and/or donation from the international community should be considered.

Securing such funding should be a priority and work in this regard should be targeted for the April-June 2023 quarter. Modest seed funding from DSAC should be considered to expedite this process.

9.6. Note on Conflict Management

A key part of the process of responding to precarity and developing social protection interventions for the CC sector and creative economy, is to negotiate a seemingly fractured terrain and diverse actors.

Sociological research teaches us that all societies experience various levels of conflict (Bradshaw 2008, Rubin, Pruitt and Kim, 1994). Although conflict is often experienced as discomforting, it is also undeniably a seedbed of social change, innovation and progress. On the other hand, some societies can be divided by poorly managed, and often unacknowledged social conflict, and this is also a problem. Well-managed conflict results in healthy organisations, institutions and societies.

In this particular case, addressing the precarity of the South African worker in the creative sector, we are dealing with a highly complex, multi-party situation. It is not dissimilar to what, in the literature is known known as a 'public dispute' (Carpenter and Kennedy, 1988: 3-17). In this regard, there are a number of parties, including government departments, parts of government departments, and different kinds of labour, and interest-based organisations, and specific individuals, all associated with the above. Different kinds of organisations introduce complexity, as they not only have different interests, but also have different systems of constituency communication/report-back, etc., with different deadlines, differing decision-making procedures, unequal accountability, and different forms of power.

All of the above make the facilitation, or mediation/management of conflict much more difficult. Additionally, there are very strongly held values on all sides, and a broad range of issues, with new issues emerging on an ongoing basis. Government rules and regulations are at play, and these often have the effect of limiting the options and/or room for manoeuvre available to the parties, but, on the other hand, may also provide a roadmap, relieving parties of the onus of decision-making.

The conflict management field has a number of responses, or a set of 'tools', well adapted to addressing conflict situations such as those confronting the creative workers, and all the constitutive organisations (fragmented as they are), and institutions of governance. At the obvious, and most superficial level, processes such as negotiation, or bargaining may be useful, especially if supported by mediation and facilitated dialogues. In some cases, these may be supplanted, or supported by arbitration or more directive processes. These are well-known, but is used insensitively, may seem to be failure prone. The field has even more effective elements that may add great value to the resolution of complex, fragmented systems such as the current one, and we emphasise some of these below, based on their utility.

The conflict transformation and management field has developed a sophisticated model for calculating the costs of poorly managed conflict (Dana, 2001: 17-30). The work of scholars such as Daniel Dana indicates that unmanaged, and poorly managed conflict are currently perhaps the greatest potential area for improvement in the productivity of organisations. In the field of creative endeavour, sound conflict management, built into the processes of institution-building will undoubtedly save, not only financial and other resources (which can be accurately calculated), but will save time, frustration and heartache, leaving creative workers freer to concentrate their efforts on their central role.

A Conflict Management System is a permanent, rather than a once-off intervention, which is substantially 'owned' by the parties to the conflict. It includes structures or institutions, and ongoing activities in pursuit of peace. It should be self-sustaining and accessible to the community at the point of need. Because conflicts shift and change, the CMS needs also to change and grow, constantly adapting to the needs of the changing conflict. The system should have built-in procedures for assessing resources, especially expertise and opportunities for planning (Bradshaw, 1994: 3,4). Considering the issues raised above, and the comments of participant number one (interviewed 7 March, 2023), the fragmented nature of the sector, and varied nature of the parties contending to best position themselves in the sector, a well-considered Conflict Management System seems to suggest itself as a way to achieve the overarching objectives being considered here. Bringing in a conflict management specialist to work with the government department/s and other parties would likely bear fruit. This intervention could be supplemented by training courses in conflict management.

9.7. Conclusion

This chapter consists of a series of recommendations about comprised shorter term responses which can be done.

These recommendations range from creating structures and events, through to an accompanying research process.

Conscious articulation makes sense for several reasons.

- Firstly, it allows a more optimal use of resources, which is important given the fiscal constraints/demands the SA state faces.
- Secondly, inter-governmental cooperation is encouraged which should enable the process/interventions to be less partisan and contested.
- Thirdly, by involving the private sector directly, one sets up another site of funding which should be appreciated by the National Treasury in its efforts to constrain state spending. This opens up possibilities for leveraging new kinds of funding and inputs. This in turn should add value to the entire creative economy value chain.
- Fourthly, the question of evidence-based policy is taken seriously, and the envisaged research emphases and outputs would feed into the policy work of the inter-governmental, private/PPP sector work, and the international reference group.
- Finally, there is also an interplay between the establishment of an archival document and records management system, and the institutional interventions, and certain of the mooted research work.

A suggested schedule for the implementation of the potential projects and interventions discussed in this chapter is provided in Appendix 1. This appendix can be accessed here.

10. Conclusion

This expanded research report on Precarious Work and Social Security in South Africa, seeks to supplement the policy and implementation issues of the original exploratory research. It is essential three-fold in its purpose and objectives. In the first part, this study seeks to extend the reach of the original survey and to make it somewhat more compact and accessible for the respondents. Secondly, it provides a new set of economic modelling of contractual and precarious labour in the Creative and Culture Sector and the creative economy and seeks to conceptualize the diverse and complex nature of the sector/s. Thirdly, the report aims to provide a summary policy framework for shorter-term interventions – ‘quick wins’ in popular parlance. These will help enable the Department of Sports, Arts and Culture ways and means to navigate the challenges of precarity and the establish a course of action, in a cooperative and inter-governmental manner ideally, in respect of the identification and realization of possible social protection programmes and measures for artists and creative workers.

The report, as with the original study, employs a mixed-methods approach, but the qualitative interviews are intentionally more modest in scope, focussed on generating specific information rather than a broader set of perceptions and insights. The reasons for this are the relatively short-times lines for this expanded report, the logistical and fiscal constraints of the study, as well as the need to focus on the articulation of policy action steps for DSAC and its partners. Secondly, the original report has provided both a base in terms of relevant literature and in the qualitative and quantitative empirical evidence to move to more direct policy considerations and advocacy.

The report is timeous and significant and calls for more substantive interventions by DSAC and government more generally. It reflects the increased policy and activist interest worldwide in the working conditions of artists and cultural workers, and the ways and means of addressing them].

The introductory chapter sets the scene, discusses the terms of reference, and aims and objectives of the research. There is also a short summary of the chapters.

Chapter 1 provides a short overview of the literature accessed for the original and expanded study. It provides both an international and comparative review, and associated insights, as well as a compact assessment of the South African literature. The international literature is somewhat unbalanced with the bulk of the studies dealing with developed economies. This situation is being redressed with the partial but growing realization by policy elites and scholars in developing countries, of the importance of grasping the nature and impact of precarity and devising appropriate socio-economic and legislative responses.

This chapter comprises the core of the literature review and provides important insights into the nature and workings of precarity in the CCS. It brings home the fact that precarity among the and cultural workforces is rather different to that in other sectors of the economy. Professional artists and creative workers are generally well educated and skilled, and their precarity is bound up with a sense of a calling and a preference for work and a career in demanding fields. This is why the UNESCO 1980 Resolution stresses the question of the status of the artists and the need to nurture and sustain talent and endeavour.

The review shows that precarity appears to have deepened in CC sectors globally. Such developments are complex but do indicate the impact of neoliberal prescriptions and standpoints and the long-term effects on public spending on arts and culture. The accompanying development of big tech and macro digital and streaming platforms are transforming and massifying the creative economy. The interventions are extra-national and pose new challenges for developing states in particular in protecting cultural expression and diversity within their borders, and in ensuring the intellectual property (copyrights etc) is properly protected and that revenue generation is more equitably distributed. That said, there are instances of artists and creative workers and practitioners negotiating the complexities and finding certain rewards in the process. The pros and cons of such developments need to be duly appreciated by governments in developing economies and help shape progressive responses to these trends.

There is a modest body of work on precarity in the cultural and creative sectors, but considerable scope to consider the sub-sectoral dynamics at play. A number of SACO reports and associated publications have contributed to an understanding of precarity in the CCS in South Africa, particularly in respect of the C19 pandemic and its aftermath. More case studies and ethnographic work is required. Furthermore, there is some evidence from certain of the CCI sectors, in particular gaming and content creation, that the relevant CC workers have learnt to adapt to the likelihood of precarious work. But cultural capital may play a part in such contradictions, and we need more detailed consideration of such matters, and a consideration of the broader policy implications.

There is, however, a paucity of work on social protection initiatives, past and present, in regard to South Africa's CCS and the creative economy more generally. This omission needs to be redressed.

Chapter 2 provided an overview the report's research methodology and methods. A reflexive mixed method approach is utilized. The desktop component included a compact literature review drawing from new literature identified in the initial report as well as insights from selected policy-oriented literature. In addition, a high-level economic exercise using a time series analysis, has been undertaken in regard to (i) the dynamics of precarity and Gig work in the CC sector; and (ii) the nature and scope of the participation in and contribution to UIF and state and private sector pension funds by creative workers.

The discussion in **chapter 3** of the international and policy context and developments, including certain best practices cases, has also a literature review component in respect of the question of the status of the artist, and efforts to secure this by improving the working conditions of artists and cultural workers and developing and/or reasserting relevant social security measures.

The chapter considers the UNESCO 1980 Status of the Artist Recommendations in some detail. The Recommendation calls on member states to strive to improve and reform the professional, social and economic status of artist, through the implementation of measures in regard to training, social protection, employment, income and tax matters, mobility and freedom of expression. The chapter considers the quadrennial surveys on member states progress on such matters. Thereafter, illustrative examples of interventions in respect of social protection, employment, income and tax matters are presented. Traditional and new means of generating revenue to fund such programmes and projects are discussed, including the question of taxing the macro digital and streaming platforms which have current a dominant position in the new creative economy. The options for governments in using such revenue is also considered. Strategic issues in regard to intellectual property, copyright issues and royalty payments are examined. Here as well the role of big tech and digital platforms more generally is of significance. The relevance of these developments for the South African government is appraised and revisited later in the report.

Chapter 4 provides an overview of the policy context, and strategic developments and issues in South Africa. It considers the major economic trends, the impact of deindustrialization on the economy and society of the country including the constraints on the development of the creative economy. Recent DSAC policy and joint policy productions most particularly the Revised White Paper on Arts, Culture and Heritage, and the CCI Masterplan (a collaboration with the Department of Trade, Industry and Competition) are examined with particular emphasis in regard to their provisions to improve working conditions for artists and cultural practitioners and proposals for social security measures in the CC sector. The fragmented terrain in the CC sector for union and associational activities is also examined, and institutional initiatives noted. Thereafter, an overview of the social protection system in South Africa, with particular refence to precarity is provided. Furthermore, the nature and current scope of social security measures for the general populace is discussed.

Chapter 5 offers an analysis of the opinions, perspectives and suggestions shared by 29 respondents in a series of interviews and discussions held in 2022 and 2023. The respondents constitute a diverse, informed group with a rich set of relevant experience. The content of the interviews held has provided researchers with a wealth of information, insight, and enhanced understanding of the complexities of work in the cultural and creative sector, the need for social security and protection of the rights of creative practitioners.

All the interviews and the focus group discussions were shaped by a semi-structured schedule of questions, which started with respondents describing their roles in the cultural and creative sector. The interviews then focused on seven themes:

- Theme 1: Why does the CC sector needs special support?.
- Theme 2: Government resources and will to support the sector.
- Theme 3: Sources of funding
- Theme 4: Institutional challenges
- Theme 5: Hearing the voices of rural creatives.
- Theme 6: Diversity
- Theme 7: Potential interventions and structures

Chapter 6 comprises the presentation and analysis of the qualitative empirical material. The main emphasis falls on the shortened and refined online survey. This was sent to a range of Assitej beneficiaries as well as to the freelancers' association. Further modifications will see the questionnaire sent to the DSAC list of CCI firms, organizations and beneficiaries in mid-2023. By the time of the close-off date of the current online survey 272 respondents had answered the questionnaire.

In **chapter 7**, data provided by the Labour Market Dynamics in South Africa (LMDS) survey is applied to the CC sector. The analysis use a times series approach which is aggregated by the use of pivot table techniques.

On the question of unemployment income and pensions there are a number of workers operation outside of formal social security protection. The analyses show that a high percentage of workers do not pay UIF (with Black creatives contributing the least to UIF and Coloured creative contributing most of the designated population groups. In addition, despite the rather small old age pension given by government, less than half of creative workers contribute to a private pension fund.

In recent years the percentage of workers paying UIF has shown an upward turn, while there has been a downward turn in regard to contributions to private pension funds. These figures indicate if anything the reinforcement of informal contracts and gig work within the South African creative economy sectors.

The following sub-section examined the question of gig workers within or with links to the creative economy. Currently, they are classified typically as independent contractors and thus not considered employees. This means that they are not entitled to the same benefits and protections as employees, such as minimum wage, sick leave, or unemployment insurance.

Gig workers contracts vary widely with the industry or specific company and/or the platform with which they are engaging. Some gig workers in South Africa may be represented by trade unions or advocacy groups, who work in part to promote the rights and interests of gig workers. However, the legal status of gig work in South Africa is still evolving, and there is ongoing debate about how best to protect the rights of gig workers and ensure that they receive fair compensation and working conditions. A further point raised by certain respondents is that some of the contracts are poorly drafted or verbal resulting in distinct difficulties in contesting such legal arrangements. The evidence presented suggests that if anything gig working is growing phenomenon and that fair and equitable representation is important.

In **chapter 8**, a number of short-term policy interventions and action steps are identified and outlined. Such interventions have been informed by the current and exploratory research study. They have also been a product of a modest but focussed set of informally structured interviews and discussions due to the time frame and logistics of this study.

The proposed interventions are primarily in designed to consider options of an immediate or shorter-term nature. There is an emphasis on practical and achievable projects and processes – 'quick wins' in a colloquial sense. The policy options are primarily for DSAC to take the lead in department related as well as inter-departmental initiatives in the Inter-Governmental Relations (IGR) space.

A number of institutional projects and interventions were presented. They include the following:

- Implementation of Intergovernmental Committee for Social Protection in the Cultural and Creative Sectors and Creative Economy
- Formalization and Establishment of Special Archives and Records Management System/Programme for Social Protection for CC Sector
- International Reference Group for Social Security for Artists and Creative Workers
- International Conference on Social Protection Responses to Precarity in the CC Sector
- Establishment of Special Private Sector Fund for CC Sector on PP Lines: Provisional

It is intended that there will be meaningful articulation between these institutional projects.

In addition, an accompanying programme of potential research projects is put forward to provide a set of applied research to provide useful information for the policy process for DSAC and inter-governmental stakeholders. The research management aspect as well as the question of securing national and leveraged funding to ease the fiscal burden on DSAC is also considered. Immediate and short-term projects would include a bespoke Toolbox for the planning of DSAC Interventions in respect of Social Protection in the CC Sector; an audit and institutional history of the Associations and Institutions operating in the CC sector and the creative economy; relevant research in regard to the production and stakeholder engagement for Green and White Papers; cooperatives as a means of ameliorating precarity in the CC workforce; and Gig work and the creative economy.

Furthermore, it is suggested that SACO work closely with DSAC on this overall project to ensure momentum and continuities. It is also advised that seed funding and additional funding for research should be sought to anticipate the demands for information in respect of the mooted institutional projects.

10.1. Concluding Thoughts

This study, its defined limits notwithstanding, is both timeous for DSAC and national government. Internationally, governments, the CCIs and artists and creative workers, are looking to come to terms with new realities, alignments, and challenges, and the need to develop more responsible and sustainable forms of capitalism. There is growing awareness of the current limitations of cultural policy most especially at national and sub-national levels. The increased impact of the macro digital platforms and their privileging of intellectual property (Standing 2016) is one imperative here. Also, the continued inequalities and disjunctions such as decreased public spending on arts and culture as opposed to technical creative economy projects, and the fragmentation of contractual work, are issues that need to be confronted with immediacy by developing states.

There are some counterpoints such as a resurgence of interest in the quadrennial survey exercise by UNESCO in regard to member states' responses to concerns for enhancing the status of the artist (and cultural workers) and prevailing working conditions. Also, there are some encouraging signs in both developed and developing countries of a new and/or renewed initiatives in regard to social security measures for artists and cultural and creative workers. There is appears to be more receptivity to the work of the ILO on such matters including social protection for creative workforces. Furthermore, some encouraging signs in both developed and developing countries of a new and/or renewed initiatives in regard to social security measures for artists and cultural and creative worker, can be detected – including the case of South Africa. There is also sign of activity among certain developed and developing economies ain looking to regulate and tax the macro digital and streaming platforms that are transforming the CCI landscape internationally.

This report in effect confirms the commitment of the South Africa government and more specifically DSAC to developing sensible and economically viable policies to underwrite the future of the CC sector and the national creative economy. The report also provides specified action steps to ensure institutional momentum and collaboration.

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APPROVALS FOR THE SOUTH AFRICAN CULTURAL OBSERVATORY – Short-Term Policy Options responding to Precarity and the need for Social Security Interventions in the CCS – 28 March 2023				
	NAME	**TITLE**	**SIGNATURE**	**DATE**
Approved by:	*Ms. Unathi Lutshaba*	*SACO Executive Director*		28 March 2023
Approved by:	*Ms. Lisa Combrinck*	*DSAC, SACO Project Manager*		
Approved by:	*Dr Stella (CN) Khumalo*	*DSAC Deputy Director General: Arts, Culture Promotion and Development*		

1. Appendix 1: Suggested Schedule for Projects and Interventions

1. Key Institutional Projects and Interventions			
Project/Intervention		**Time frame**	**Action(s)**
1.1	Establishment of Special Private Sector Fund for CC Sector on PP Lines: Provisional Schedule	Apr-May 2023	Task team, with Chair and organisational structure identified and established. Formal letter of support from President and/or Minister of Sports, Arts & Culture. This facilitates fundraising and formalisation of Fund. Seed funding from private sector procured.
		May-Jun 2023	Nationally and Internationally Law Firm establishes legal structure of Fund on a pro-bono basis. Fundraising discussions and work start in earnest. Seed funding secured.
		Jun – Jul 2023	International Funders and International Trustees scouted.
		Jul – Aug 2023	Inaugural meetings and opening arranged.
		Aug – Sep 2023	Early Phase of Fund. Working Parameters, Offices and Communications System in place.
		Oct 2023 –	Fund in operational mode.
1.2	The Establishment of a Special Inter-Governmental Committee	Apr – May 2023	▪ Establishment of DSAC task-team with SACO input to finalise the design and proposed structure of the Intergovernmental Committee (IGRC), its logistics and the invitees. Funds requested for related Special Research and IGRC initiatives. Includes overarching Archives and Records system. ▪ Process initiated Special Archive and Records Management System.

▪ 1. Key Institutional Projects and Interventions			
▪ **Project/Intervention**		▪ **Time frame**	▪ **Action(s)**
		▪ May – Jun 2023	▪ Meeting with Cognate Departments to discuss formation of Inter-Governmental Committee. Invitations sent through appropriate channels to requisite authority of relevant national department and state agencies.
		▪ Jun 2023	▪ First Meeting and Inauguration of IRGC. Confirmation of Chairperson and Acting Chairperson. Scope and Terms of Reference Finalised. Membership and mode or representation confirmed. Understudies for Departmental membership identified and nominated. Part-time secretariat established with skilled personnel employed and/or seconded for contract period of 12-24 months, in line with national government guidelines. SACO to provide assistance and input if required.
		▪ Jun 2023 – Jun 2025	▪ Meeting Schedule for 24 months June 2025 to June 2025 established. Schedule to be reaffirmed in 2024 depending on progress with IRGC's work.
▪ 1.3	▪ Formalisation and Establishment of Special Archives and Records Management System for Government / Select Committee	▪ April 2023	▪ Proposal for Funding for Special Archives and Records Management (SARMS) completed.
		▪ May – Jun 2023	▪ SARMS institutionalized and established. Works with DSAC, IRGC and related research and policy endeavours in the field of CC Sector Precarity and Social Security Interventions.
		▪	▪
		▪ Jun 2023 – May 2024	▪ SARMS supports special projects in regard to CC Sector Precarity and Social Protection matters. Option to absorb SARMs into DSAC Records Management or to continue as inter-governmental resource needs to be considered in early 2024.
▪ 1.4	▪ International Reference Group for Social Security for Artists and Creative Workers	▪ Apr – Jun 2023	▪ Established
▪ 1.5	▪ International Conference on Social	▪ Apr – Jun 2023	▪ Establishment of organizing team ▪

1. Key Institutional Projects and Interventions			
Project/Intervention		**Time frame**	**Action(s)**
	Security and Protection Responses to Precarity in the CC Sector	Jul 2023 – Nov 2023	Conference organization
1.6	Digital Cultural Policy Group	TBD	
1.7	Toolbox for DSAC Interventions in regard of Social Security in the CC Sector	Apr – Jul 2023	Subject to funding, this research can be initiated in the second quarter of 2023.

2. Additional Potential Institutional Projects and Interventions Depending on resources and time the following projects are feasible in the shorter-term.			
Project/Intervention		**Time frame**	**Action(s)**
2.1	Registry of Artists and Cultural and Creative Workers	TBD	
2.2	The Creation of a Digital Platform to Build Positive Relationships in the CCI Sector	TBD	

3. Shorter Term Research Projects			
Project/Intervention		**Time frame**	**Action(s)**
3.1	Documentary Audit and Policy History and Concurrent Establishment of Dynamic Data Base	Apr – Jul 2023	
3.2	Research Audit of the Associational and Institutions of the CC Sector	Jul – Oct 2023	
3.3	Research on the Proposed Green Paper	May – Oct 2023	
3.4	Research on the Proposed White Paper	Oct 2023	Provisional Date – Schedule to be determined in discussion with DSAC and IGRC
3.5	The Use of Cooperatives in the Amelioration of Precarity	Sep – Dec 2023	Department of Small Business may be interested in cooperating with DSAC in funding such an item.
3.6	GIG Work and the Creative Economy	Jul – Sep 2023	Topic could be considered for revised DSAC-SACO Research Agenda or consider potential IRG funding.
3.7	Research Management and Research Funding	Apr – Jun 2023	Securing seed funding and additional funding for research specified above.

2. Appendix 2: Questions for Strategic Interviews

2.1. 2023 Interview schedule

The 2023 interviews focussed primarily on the need for social protection interventions and the kinds of interventions and institutional arrangements required.

These interviews supplemented the 2022 set of qualitative interviews, and raised issues identified in the original discussions.

Attention was given to the following themes in the 2023 interviews:.
- Were interventions in regard of social protection in the CC sector and creative economy required or necessary?
- Does the government have the resources to initiate social security measures given the fiscal constraints current facing the state?
- Should it be primarily government that designs and implements social security programmes or should the private sector play a role?
- What were the major institutional challenges? Specify.
- What kinds of interventions and structures were required?

2.2. 2022 Interview schedule

1. Overview of the Research Project

Current Details & Experience

Questions:
3.1 Precarious and Atypical Labour in the Cultural and Creative Sector
   a) What is Your Assessment of the State of the Creative Economy in South Africa, and more specifically in your Region?
   b) In your opinion is precarious and atypical labour an issue in the creative economy in South Africa and locally?
   c) Is the incidence of this kind of labour on the increase or is it decreasing? Elaborate.
   d) What in your opinion can be done to ameliorate the situation or should it be left to the market to decide?
   e) If there are options for intervention, what form should they take? What role do you think should government and local business play in this regard?

3.2 Social Security for Artists and Creative Practitioners
   a) Do you think there should be a formal social security programme for artists and creatives?
   b) Do you know of any schemes that exist in this respect in the country at present?

c) Who should provide for such a programme?
d) Should the state and/or business be involved? If so how?
e) Given the current situation with state finances would such a programme be feasible?
f) What kind of aspects should such a programme (or associated programmes) cover?
g) Should such a programme cover professional artists and creative practitioners only? How should the selection be made?
h) What in your view are the other aspects in regard to vulnerable artists and creative practitioners that should be dealt with by such intervention/s?

3.3. Artists Rights, Business and Other Associations, and Unionization

a) Is there sufficient protection of the rights of artists and creatives in South Africa at present?
b) How in your view could the situation be improved?
c) What in your experience is the extent and effectiveness of business associations in regard to such the rights and interests of artists and creatives in South Africa at present?
d) Is there scope for the development of more specific and/or active associations? What in your view should be done further?
e) Is there sufficient protection of the intellectual property rights of artists in your sector, and generally?
f) What as you see it is the situation in regard to unionization of your sector and the CC sector more generally?
g) Should there be more formal unionization? If so, how?

3.4. Any Other Observations and Suggestions?

3. Appendix 3: Schedule of Interviews

Domain	Description of work	Province	Researcher	Key
Interviews conducted in 2022				
Audio-Visual and Interactive Media	Art and Entertainment Film Incubation	Gauteng	YX	1
	Film	Eastern Cape	YX	2
	Film and TV	Gauteng	RH	3
	Film and TV	Gauteng	RH	4
	General	Western Cape	RH	5
Cultural Heritage	Cultural Heritage	KwaZulu Natal	FG	6
Design and Creative Services	Design and Creative Services to improve built environment in low-income communities	Eastern Cape / Western Cape	FG	7
Education	Research, training, consulting	Western Cape	RH	8
Performance and Celebration	Music	Western Cape	RH	9
	Performance/General	Western Cape	RH	10
	Theatre/General - Youth and Community Development	Gauteng	RH	11
	Performance (live and recorded)		FG	12
	Theatre/General - Youth and Community Development	Gauteng	YX	13
	Performance/General	Gauteng	FG	14
	Theatre/General - Youth and Community Development	Gauteng	YX	15
	Youth and Performance	Gauteng	FG	16
Performance and Celebration	Supports the creation, distribution and appreciation of contemporary South African theatre and dance.	Western Cape	RH	17
Visual Arts and Crafts	Various	Gauteng	YX	18
Focus Group	Administration	Gauteng	RH/YX	19
		Gauteng	RH/YX	20
		Gauteng	RH/YX	21
Interviews conducted in 2023				
Economic consultant	Financial	Gauteng	RH	22
Management	Business development	Gauteng	RH	23
Management	Government	Gauteng	RH	24
Consultant	Government and private	Eastern Cape	RH	25
Visual Arts and Crafts	Various	Eastern Cape	RH	26
Performance and Celebration	Music & academia	Gauteng	RH	27
Performance and Celebration	Music & academia	Western Cape	RH	28
Audio-Visual and Interactive Media	Film and TV	Gauteng	RH	29

4. Appendix 4: South African CCI Representative Bodies / Associations / Organisations

This is a starting list of associations in the CCI, which can be expanded in the revised report.

- Association of Theatre for Children and Young People South Africa (ASSITEJ SA)

- Community Arts Centres Network (CACNET)
  Community arts centres are the lifeblood of a country's cultural well-being. CACNET was launched in April 2022, with the goal of organising and advocating for formalised community arts centres across the Western Cape and ultimately the country. CACNET Western Cape defines their purpose as a platform "to enable arts centres to share learnings, advocate for their interests, and build partnerships and tours throughout the province, nationally, and internally."

- Community Arts Practitioners Network

- Cultural & Creative Industries Federation of South Africa (CCIFSA)

- Dramatic, Artistic, and Literary Rights Organisation (DALRO)

- Festivals Network

- 'I'm 4 the Arts'
  Noteworthy accomplishment was arranging a sit-in at the NAC offices, after the NAC messed up distribution of the Presidential Employment Stimulus Programme funds allocated to help artists recover from the lockdown. https://www.facebook.com/groups/Im4theArts

- NATi

- NWASA

- Performing Arts Network of South Africa (PANSA)

- Personal Managers Association (PMA)
  www.thepma.co.za

- Roadies Association

- South African Dance Alliance (SADA)

- South African Guild of Actors (SAGA)
  https://www.saguildofactors.co.za/

- South African Performing Arts Health Association (SAPAHA)
- South African United Cultural and Creative Industries Federation (SAUCCIF)
- Southern African Music Rights Organisation (SAMRO).
- Sustaining Theatre and Dance Foundation (STAND)
  an independent, non-profit and public benefit entity created by individuals within the sector to nurture, promote and celebrate contemporary South African dance and theatre.
  https://www.standfoundation.org.za/
- SWIFT
- Theatre & Dance Employers Association (TDEASA)
- Theatre and Dance Alliance (TADA)
  a coalition of organisations, institutions, festivals and companies that operate, and individuals who make a significant part of their livelihoods within the South African theatre and dance sector.
  https://www.tada.org.za/
- Theatre Benevolent Fund (TBF)
  Founded in 1964, and helps those in the entertainment industry who have fallen on hard times and have no-one else to turn to.
  https://www.tbfza.co.za/
- Theatre Dance Association (TDA)
  https://www.thetda.co.za/
- UMINA
- Visual Arts Network of South Africa (VANSA)
- Western Province Dance Association
- WGSA

5. Appendix 5: Online Survey Questionnaire