

REFGOV

Reflexive Governance in the Public Interest

Corporate Governance

No 'Third Way' for Economic Organization? Networks and Quasi-Markets in Broadcasting

By Simon Deakin, Ana Lourenço and Stephen Pratten
April 2006

Working paper series : REFGOV-CG-2

No ‘Third Way’ for Economic Organization? Networks and Quasi-Markets in Broadcasting

Simon Deakin, Ana Lourenço and Stephen Pratten*
April 2006

Abstract

We present two linked, longitudinal case studies of the use of quasi-markets in UK broadcasting over the past decade: the regulated outsourcing of programme making to independent producers, and the development of an internal market system within the BBC. New network forms are shown to have arisen from the interaction of legal regulation, contracts, and property rights. However, these organizational forms are also seen to be associated with increased transaction costs and with signs of deterioration in programme quality and innovation. Whether networks are a viable ‘third way’ between markets and hierarchy is, on this evidence, open to question.

1. Introduction

For the past decade and a half, British broadcasting has been the subject of a unique institutional experiment in the viability of different forms of economic organization. Two linked reforms were instigated. The first, initiated by legislation, required terrestrial broadcasting companies to outsource a fixed proportion of their programming to external producers; the second, brought about largely by administrative action, created an ‘internal market’ inside the BBC, the principal custodian of public service broadcasting. The reforms were interpreted by many, critics and supporters alike, as a significant step towards the complete marketisation of the sector. However, partly out of respect for the values of public service broadcasting, core features of a market model – universal pay-per-view and the complete unbundling of production from broadcasting – were resisted. The question now facing practitioners and policy-makers is the following: what precisely is the nature of the structure which has emerged from the past fifteen years of change, and can it be relied upon to deliver the creativity and diversity of programme production which are core aims of current broadcasting policy?

New institutional economics provides a concept around which this debate could usefully be structured – the network. Networks represent a kind of organizational ‘third way’, situated ‘between’, or perhaps ‘beyond’, markets and hierarchies (Bradach and Eccles, 1989; Powell, 1990). On this basis, public policy now actively seeks to foster network

* University of Cambridge, Catholic University of Oporto and King’s College, London, respectively.

forms in a number of contexts. One of these is the use of networks to deliver public services in situations – such as broadcasting – where the state no longer occupies the role of monopoly provider, but where, equally, complete reliance on private-sector market mechanisms is seen as in some way inappropriate or undesirable. Occupying this space is a particular variant of the network form: the quasi-market.

The aim of this paper is to explore the properties of quasi-markets as networks in the institutional setting of the broadcasting industries. The changes which have occurred in Britain since 1990 allow us to study the development of a quasi-market system, understood here as a variant of the broader network form. We focus on two aspects of this quasi market: the set of complex, structured relations between independent producers and terrestrial broadcasters which has grown up under the regulatory regime for the outsourcing of programme production and the equally complex internal market which has operated during this time within the BBC. We present evidence, in the form of longitudinal case studies, of the impact at the organizational level of successive waves of institutional reform. We then offer an assessment of the sustainability of the institutional experiment in broadcasting in Britain. Because reforms similar to those experienced in Britain are under consideration or in the course of being implemented in other countries, our study has wider implications for the use of quasi-market mechanisms in broadcasting and other fields. It also has significance for the body of theory relating to the quasi-market and other manifestations of the network form.

We begin our analysis in section 2 below by briefly outlining relevant background material: the nature of the television programme production process and the structure of UK terrestrial broadcasting. Section 3 then surveys the major institutional reforms initiated in the period under review and the thinking behind them, with specific reference to the concepts of networks and quasi-markets, and outlines the methodology adopted for studying them in the present paper. The scene is then set for the analysis, in sections 4 and 5 respectively, of the experience of the independent production sector and the BBC. Section 6 consists of an assessment of the evidence and section 7 concludes.

2. An overview of the structure of broadcasting in the UK and the process of television programme production

2.1 The television broadcasting and programme production process

According to Barrowclough (1998), the television broadcasting and programme production process can be divided into a series of relatively discrete stages (see Figure 1).

Figure 1: The broadcasting production process

[Figure 1 about here]

Stage 1, *finance*, relates to the sources of funds required to begin and maintain the activity of programme production and channel transmission. In the UK context, there are four general types of funding: advertising, subscription or pay-per-view, direct grant, and the licence fee. Stage 2, *resources*, relates to the provision of the physical facilities,

technologies and skilled personnel required for programme production (including studios, editing suites, camera crews, and sound engineers). Stage 3, *programme production* itself, involves combining the diverse physical facilities and technical skills with the creative ideas and resources (including agreement from specific rights holders) in order to generate programme material. Programme material may be produced in-house, as a vertically integrated activity within a television broadcasting organisation, in which case facilities owned by the organisation will be used and technical personnel and creative talent contracted to that organisation relied upon. Alternatively programming may be bought in via the market. Already-produced content may be purchased, typically from overseas, in particular from the large US market, or ‘independent producers’ can be commissioned to provide new programming.

In the case of independent production, programme material is commissioned by the broadcaster through a process that typically follows a specific sequence: the *proposal*, whereby the independent producer submits an idea for a programme to a broadcaster; the *development*, which relates to the concretization of particular aspects of the proposal, such as budget and allocation of intellectual property rights; the *approval*, which involves the submission of the programme proposal to the broadcaster and the confirmation of the commission by the commissioning editor, and the *contract*, whereby the production agreement is finalised and key terms, such as rights, price, production fee and net profit share are made explicit (see ITC 2002, appendix 5). Independent production companies can vary considerably in size and when producing television content may themselves rely upon independent facilities houses.

Stage 4, *channel generation*, encompasses combining the completed programmes with other material to form a coherent schedule. This involves not simply the allocation of a date and time for transmission but the development of a scheduling strategy, that is, a rationale for the nature of the portfolio of programming offered on a particular channel and the placement of particular types of programmes in specific slots. This strategy will then feed back into the commissioning processes and purchasing decisions and will also need to be effectively communicated to potential audiences. In the UK some channels – BBC 1, BBC 2, ITV 1, Channel 4 and Channel 5 – are organised on a ‘free to air’ basis, while others are ‘pay TV’ or subscription channels.

Stage 5, *channel distribution*, relates both to the technical task of transmitting channels and also to the reception of the programmes by those households who will finally consume them. Traditionally television channels were distributed in the UK via an analogue system which had limited capacity. In recent years, with the introduction of first satellite and then digital television, distribution systems that can more easily accommodate pay TV have emerged, and in this context the activity of channel distribution has taken on greater significance. Channel distributors bundle channels together into packages and retail these packages to the final consumer. At the present time, in addition to analogue ‘free to air’ distribution, there are also satellite, cable and terrestrial digital systems.

Once programming has had its first showing on a specific channel via a particular distribution system, it retains a value since programmes can be repeated and indeed shown on alternative channels both domestically and internationally. Which party retains rights in the programmes and how the value of television content is exploited in secondary markets varies greatly according to context and, as we shall see,¹ is currently the subject of much discussion and analysis within the sector. If the programme has been produced in-house, rights will be retained and the programme sold on to international television markets by the international sales or rights department of the relevant organisation. If the programme has been produced by an independent producer, the rights may in principle be retained by the independent itself, taken over by the broadcasting institution in question, or shared between them. In the case where the independent retains the rights, it may have its own distribution arm or use an independent distribution company. The perception of how a programme is likely to perform on international markets may in certain circumstances influence its chances of getting developed and commissioned in the first place and may affect the mode of financing it receives.

As the description just given implies, there are, in principle, numerous ways in which the different stages in the production chain could be linked together in organizational terms. This is not, however, just a question of vertical integration or disintegration; as we shall see in more detail below,² the particular form taken by production contracts and the distribution of intellectual property rights between producers and broadcasters may be highly significant. In this sense, the production process is non-linear; the mode of organization of, for example, the downstream stages of channel generation and distribution, can be expected to have a profound influence on the upstream stages of financing and production.

2.2 The structure and financial context of UK terrestrial broadcasting

The terrestrial television broadcasting sector in the UK includes four major business groups, which operate the five main national terrestrial channels which are broadcast ‘free-to-air’: the British Broadcasting Corporation (BBC); ITV plc; Channel Four Television Corporation, and Channel Five Broadcasting Ltd. The BBC is a publicly owned corporation established in 1922 and since then dedicated to public service broadcasting.³ Its status is governed by a Charter and Agreement that is periodically renegotiated with the government of the day. The BBC is mainly funded by a licence fee that is levied as a flat-rate tax on all households using a television.⁴ In organisational

¹ See section 4, below.

² In sections 4 and 5.

³ More recently, the BBC has preferred the expression ‘public value’, and has entered into an extensive development of this idea (BBC, 2004a and 2004b), in part in response to a review of public service broadcasting by the industry regulator (Ofcom, 2004). A full account of the concept of public service or public value broadcasting is beyond the scope of the present paper, but we consider below, in particular in sections 4 and 5, the use of the term in the context of the institutional reforms to the BBC and the independent sector which form the focus for our study.

⁴ Although it also receives grants for free television licenses issued to people aged 75 or over, as well as revenues from its commercial activities, linked to BBC Worldwide and BBC Ventures Group.

terms the BBC is vertically integrated in the sense that it owns facilities and carries out programme production.⁵

ITV is a network of 15 different broadcast licenses. ITV's constituent companies are commercial, private-sector broadcasters, but the network as a whole is subject to external quality regulation and is required to include certain types of programmes in its services. The network has been in existence since 1954, and is funded mainly by advertising. It is monitored and regulated by Ofcom.⁶ As a network, ITV commissions television programmes from its licensees and from independent producers, so that each of its constituent companies may be considered to be a vertically integrated organisation for present purposes. In terms of ownership, ITV has experienced a substantial degree of consolidation in recent years, culminating in the merger in 2004 of Granada and Carlton to form ITV plc, which then accounted for 92% of the ITV Network.

Channel 4 is a public-sector corporation funded by advertising⁷ that has been broadcasting since 1982. It is regulated by Ofcom and is expected to meet a distinctive public service remit specifically providing innovative programme content. One of the main features of Channel 4 is that it is an exclusively 'editorial' channel; in other words, it has no in-house production, its programming being sourced instead from the independent programme production sector and material purchased from international television markets.

Finally, Channel 5 is a private-sector corporation, owned by the RTL Group. Although it is required to include certain types of programmes in its services, it is primarily a commercial operation, launched in 1997 and funded by advertising. As with Channel 4 and ITV, it is also monitored by Ofcom. RTL has various media interests including a television production capacity since its merger with Pearson TV in 2000 and is itself owned by Bertelsmann, the world's fourth-largest media company.

Despite the growing significance of multi-channel television in the UK it remains the case that the BBC, Channel 4, ITV and Channel 5 are essential in providing a demand for domestically-produced, original programming. For example in 2001 it was estimated by the ITC that the terrestrial networks were responsible for two thirds of overall total programming spend by UK broadcasters. The large majority of that spend was on original UK television content (ITC, 2002). By contrast, the remaining one third of broadcasters'

⁵ Historically the BBC was further integrated in the sense that it was responsible for the transmission of its channels. However, the BBC's distribution activities were privatised in 1997 when a commercial operation, Crown Castle, obtained the contract for the transmission of BBC channels.

⁶ Ofcom is the UK communications' industry independent regulator, which inherited the monitoring duties of the former industry regulator, the Independent Television Commission (ITC), on 29 December 2003.

⁷ The Channel Four Television Corporation is part of the Channel Four Group, which also includes Channel 4 International. This company is responsible for the commercial exploitation of programme rights acquired from the producers, meaning that C4 as a business group is funded both by advertising and by commercial revenues.

total programming expenditure, including spending by the satellite broadcaster BSkyB, investment by the main network channels on their new digital services and expenditure by other multi-channel providers, was found to be dominated by spending on acquisitions, sports, movie rights and news.

3. Theoretical and methodological perspectives on the broadcasting reforms

3.1 The use of economic theory to drive institutional change

The current structure of UK terrestrial broadcasting is the result of considerable institutional and organisational change over the past decade and a half. A major focus for this has been the use of the mechanisms of competition law and economic regulation to open up the sector to increased choice and competition. This process has been associated with the broadcasting organisations being subject to varying degrees of vertical disintegration: in effect, the (partial) separation of stages 2-4 of the broadcasting and programme production process outlined above. The government-commissioned Peacock Report of 1986 led the way in advocating the introduction of competitive forces into British broadcasting. The committee chaired by Sir Alan Peacock envisaged ‘a sophisticated system based on consumer sovereignty’ in which it was recognised that ‘viewers and listeners are the best ultimate judges of their own interests, which they can best satisfy if they have the option of purchasing the broadcasting services they require from as many alternative sources of supply as possible’ (Peacock, 1986; para. 592). The full application of this logic would have led to a system based on pay-per-view since this was the ‘only system’ under which viewers could ‘register their preferences directly’ for particular types of programming. On the supply side, liberalisation implied ‘freedom of entry for any programme maker who can cover his costs or otherwise finance his or her production’ and the imposition of public utility-style common carrier obligations upon operators of transmission equipment (Peacock, 1986: paras. 547-8).

In many ways the Peacock report echoed the libertarian critique of certain economists, most notably R.H. Coase, who had been arguing for the introduction of market forces into British broadcasting since the late 1940s. For Coase (1972: 14), this was largely a question of applying to broadcasting ‘the merits of a competitive system [which] are so well known that it is unnecessary to catalogue them’. On the grounds of consistency, he argued not just for an end to the monopoly enjoyed by the BBC but for the replacement, in the commercial sector, of advertising revenues by pay-per-view: ‘if reliance on ability to pay is so unfortunate when applied to television programmes how much worse it must be when applied to food and clothing’ (Coase, 1961: 57).

However, the Peacock report also found a place for public service broadcasting, arguing that consumers were willing to fund television production ‘in their capacity as voting taxpayers’ in order to achieve greater diversity and quality of programme production, and that ‘public support of programmes of this type can be accepted by those who believe that viewers and listeners are in the last analysis the best judges of their own interest’ (Peacock, 1986: paras. 550-551). Thus while the Peacock report marked a significant shift in emphasis towards the use of market mechanisms in the delivery of broadcasting, in particular by comparison to the earlier Pilkington report (Pilkington, 1964), it also

repudiated the notion that the concept of public service broadcasting no longer had a place in the formulation of policy. Following this lead, the White Paper of 1988 (Home Office, 1998) and the Broadcasting Act 1990 stopped short of complete liberalization of the industry. A key part of the new structure was a requirement that the BBC and ITV should contract out 25% of their programme making by volume to independent producers (Peacock had proposed 40%); as the White Paper put it, ‘independent producers constitute an important source of originality and talent which must be exploited and have brought new pressures for efficiency and flexibility in production procedures’ (Home Office, 1988: para. 41).

Vertical disintegration within the BBC took the somewhat different form of internal administrative arrangements under which several producer-provider splits were implemented (see Deakin and Pratten, 2000). The context for these reforms was a perception by senior management, and in particular the then Director-General, John Birt, of the limitations of the traditional organisational structure of the corporation:

‘the BBC developed an administrative – not a managerial – ethos of safety and solidarity and this, at its worst, brought waste and bureaucracy... [the BBC] became a vast command economy; a series of entangled, integrated baronies, each providing internally most of its needs; all the many faceted inputs to the complex business of programme making; programme departments, resource facilities and support services, all separately and directly funded. Within this highly complicated machine, bureaucrats ... allocated resources and services to programme makers. Territorialism often stifled initiative. Nothing was transparent, everything opaque. It was Byzantine in many of its structures ... Creative freedom was frustrated.’ (Birt, cited in Spangenberg, 1998: 108.)

With this diagnosis of the problems facing the BBC, Birt entered into a two-phase programme of reform. The first stage, known as Producer Choice, was introduced in April 1993. It essentially took the form of a purchaser-provider split at the level of the relationship between programme makers and suppliers of production resources. The purpose was two-fold: to enable the BBC’s management to obtain information on the indirect, overhead costs of its programmes, in particular accommodation and capital depreciation, and to benchmark the costs of internal resource provision against those of external providers, so making it possible to carry out market testing. By these means, potential inefficiencies would be identified and costs brought under control. The second stage involved the introduction of a number of separate internal units or ‘directorates’ in the autumn of 1996. Programme makers were allocated to the Production directorate and commissioners to the Broadcast directorate. An internal commissioning system for television production was then put in place, to operate in addition to the 25% external quota which had been imposed by legislation. The imposition of the external quota was one of the principal factors behind the decision of BBC managers to introduce an internal market of their own:

‘The point about Producer Choice was to clarify a number of issues lying behind the 25% independent quota. The BBC feared a dilution of standards in programme making. As it turned out, these fears were not well founded; the independents were seen to be making programmes of comparable quality to the in-house producers. But there was still concern over costs. We thought the independents were charging a premium, to cross-subsidise their activities, so they were more costly than the in-house producers. However, when the BBC came to cost its own programmes, it could not do so. How do you cost the canteen? So we had no handle on how we compared to the independents. Also we had no basis for improving our own efficiency. A market discipline would produce information about costs and enable us to push our costs down’ (interview notes: BBC manager, interviewed by the authors, 2003.)

For the BBC management and in particular the architects of Producer Choice, the context to the reforms was provided by the emerging practice and ideology of the ‘new public management’ (Ferlie *et al.*, 1996). According to this perspective, a *simulation* of market forces could be used to streamline bureaucratic processes and enhance managerial efficiency. Again, although there was an appeal to a market-based logic as the foundation for empowering consumers and improving organisational performance, the mechanism chosen to implement this goal stopped short of replacing organizational relations, mediated by the internal bureaucratic and managerial structures of the BBC, with private contracts.

3.2 The nature of the network relations and quasi-market forms which emerged from the broadcasting reforms

How far does the structure which resulted from the reforms which have just been described – and which was to a large extent the result of an uneasy compromise between the market model and the traditional public service ideal – merit the description implied by the terms ‘network’ and ‘quasi-market’? The concept of the network is of particular interest here precisely because it holds out the promise of a third way for economic organisation, ‘an alternative to both hierarchies and markets, with some of the advantages of each, but without some of their disadvantages’ (Starkey *et al.*, 2000: 299). According to this perspective, networks are characterised by a particular, beneficent combination of competition and cooperation. Market-based and hierarchical coordination are by no means wholly absent, but they are complemented by trust-based mechanisms for engendering cooperation (Sako, 1989). Thus competition, based on the externalisation of production, helps to reduce the fixed employment costs of hierarchical forms of organisation, and to mitigate the rigidities of bureaucratic management structures. At the same time, close cooperation between supplier and customer firms provides a basis for the maintenance of quality in production and for technological and organizational innovation, of the kind which markets based on spot contracting and atomistic competition may not offer. Thus networks operate most effectively in an institutional environment or ‘architecture’ which is capable of supporting repeated trading between firms and a long-term orientation to contractual relations (Windeler and Sydow, 2001; Sydow and Staber, 2002). Such environments make it possible for firms to generate

‘relational rents’ from cooperation, in the form of knowledge sharing and the development of complementary resources and capabilities (Dyer and Singh, 1998).

It is, however, by no means a straightforward task to identify the institutional conditions for this type of cooperation. On the one hand, some degree of ‘institutional thickness’ and ‘network stability’ is necessary in order to provide the ‘kind of trust, commitment, and reciprocity norms... that support project coordination’ within network relations (Sydow and Staber, 2002: 216). On the other, the advantages of networks, in terms of flexibility in production and the avoidance of fixed costs, depend upon a degree of vertical and horizontal separation between firms, and therefore upon organizations retaining separate legal and organizational identities. While it may be possible to observe network relations coalescing into ‘latent organizations’ consisting of ‘configurations of key actors in ongoing relationships that become manifest as and when new projects demand’ (Starkey et al., 2000: 299), these forms are often, by their nature, temporary in nature, and inherently fragile. Not only do they lack the organizational unity and centralised management of the hierarchical enterprise, they also depend upon shared understandings and tacit agreements which cannot easily be reduced to the legal-contractual forms which market actors normally rely on to safeguard against opportunism. In the network setting, self-enforcing agreements are more likely to generate relational rents than third-party enforcement, not least because ‘informal safeguards (goodwill trust or reputation) are so much more difficult to imitate because they are socially complex and idiosyncratic to the exchange relationship’ (Dyer and Singh, 1998: 671).

It has been suggested that ‘institutional embeddedness’ of the kind most likely to nurture sustainable network relations ‘means more than the mere presence of institutions that set reliable rules and provide material and informational resources’, it also ‘implies extensive interaction and a common orientation among interdependent actors’ (Sydow and Staber, 2002: 220). To that extent, the emergence of successful networks is an evolutionary process, the nature of which cannot be wholly mapped out in advance. But in the case of British television production that we are considering here, institutional reform has been a conscious process, to a large degree planned and imposed from above through the use of legal-regulatory and bureaucratic mechanisms; the process has now been going on for a decade-and-a-half, and shows few signs of abating. The prominent role of conscious institutional design in the reshaping of the sector makes it appropriate to refer here to the concept of the quasi-market.

At the core of the quasi-market idea is the use of institutional mechanisms to mimic what are understood to be the workings of the *private* market, but within the framework of the delivery of *public* services, that is to say, services which are financed from general taxation or a hypothecated tax (such as the licence fee), and which are in principle made universally available by the state as an incident of citizenship. Because they involve vertical disintegration of production and the displacement of organizational relations by contractual ones, quasi-markets contain many of the elements of inter-firm networks. However, they also possess distinctive features of their own, suggesting that they are best thought of as a *variant* of the network form.

Quasi-market reforms were first introduced in Britain in the late 1980s and early 1990s, and now extensively affect education (West and Pennel, 2002), the National Health Service (for overviews see Powell, 2003 and Dixon, Le Grand and Smith, 2003) and the delivery of certain local authority services (Vincent-Jones, 2000). The ‘market’ aspect of the quasi-market structure is embodied in the replacement of monopoly state provision by competition between rival, independent suppliers, and by the initiation of purchaser-provider splits within public sector entities. However, the resulting arrangements differ from those within private sector markets in several respects (see Bartlett and Le Grand, 1993, and the discussion of McMaster, 2002).

Firstly, within quasi-markets, both for-profit and non-profit organisations can compete for the relevant public contracts. In the broadcasting case, as we shall see below, this has taken the form of independent producers, which are commercial enterprises, competing for commissions both among themselves, and also with entities set up for this purpose within the BBC. Non-profit organizations which are located entirely within the formal ambit of the public sector are not subject to the threat of insolvency which in principle acts as a discipline on private-sector firms and a mechanism for the promotion of economic efficiency. While it may be possible to replicate some of the effects of insolvency law within the public sector, for example through merging loss-making entities into more successful ones, this, in turn, requires the development of specific administrative mechanisms and devices.

Secondly, the purchasing power of consumers in a quasi-market is centralised in a single purchasing agency, or is allocated to users in the form of vouchers rather than cash. The effect is that there are either few or no ‘natural’ market prices; instead, tariffs or schedules are set through administrative means, or through negotiation. Again, this has implications for the way in which prices operate as signals for the distribution of resources. As we shall see below, although contracts between the broadcasting organizations and independent suppliers take the form of legally binding arrangements in an open market setting, their ‘cost-plus’ character, until recently, limited the possibility of prices playing a market-clearing role.

Thirdly, and relatedly, the final users in a quasi-market are represented by surrogate agencies. This is the case where purchasing decisions are made by doctors on behalf of their patients, and by schools on behalf of parents and children. In the broadcasting context, it is the difference between a system based on pay-per-view, in which consumers register their tastes directly, and one in which decisions on programming are in effect taken by broadcasting organizations on their behalf, via the commissioning process.

Arrangements for television production in Britain were not initially planned as a quasi-market in the same way that was true for health and education, but a quasi-market is nevertheless what has emerged. The quasi market nature of broadcasting arrangements is most clearly demonstrated within the BBC, where an internal market based on the splitting of purchasers and providers has, with varying degrees of intensity, operated now for over a decade. Relations between broadcasters and independents might appear at first

sight to assume a form closer to that of the private-sector network model, based on collaboration and competition between commercial enterprises. However, close inspection suggests that the quasi-market concept is relevant here too. As we shall see in more detail below, until recently virtually all firms in the independent production sector were heavily dependent upon public financing for the programme production process, had few business assets, and were closely tied into the agenda set by programme commissioners in the broadcasting organizations. While this model is now changing, the changes affect, at most, only a few dozen firms.

More generally, it is not plausible to see the independent television production sector as a completely straightforward case of private-sector network relations. In particular, it is not possible to understand the changes which have taken place within it since the early 1990s without paying close regard to the wider regulatory framework governing broadcasting. This is why the broadcasting case, we suggest, illustrates the sense of the quasi-market as a variant of the network model: one in which a particular mix of competition and cooperation provides the basis for the generation of relational rents, but where there is a prominent role for conscious institutional design, and where regulatory intervention is guided by a notion of ‘public service’.

3.3 Theoretical perspectives on criteria for evaluating the broadcasting reforms

One overriding objective has been set out for the broadcasting reforms in successive public policy documents, from the Peacock Report through to the review of the independent sector carried out by the ITC in 2002 and in more recent reports commissioned by the BBC (Work Foundation, 2005; Mediatique, 2005): the enhancement of diversity and quality in programme production. What does the characterization of the broadcasting reforms in terms of the theory of networks and quasi-markets imply for our understanding of this goal?

On one interpretation of a network-theory perspective, the introduction of competition into the programme making process, through the removal of barriers to entry for independent producers and the setting of quotas for outsourced production, would, in itself, provide the necessary stimulus to innovation. This is a view reflected within the industry itself:

‘the viewers, the punters, like sports, drama, news, but above all, innovation. If innovation is critical in the television production market, how do you get it? We think you get it by having a competitive programme supply market... How do you measure quality? You need to put in place the right creative and entrepreneurial production community, and then it’s up to consumers to decide’ (interview notes: industry representative, interviewed by the authors, 2003).

Yet, network theory also indicates that there were potential costs to the process of vertical disintegration and organizational fragmentation which these changes implied. The possibility that cooperating firms can exploit complementary resources or production capabilities in order to generate ‘relational rents’ (Dyer and Singh, 1998; Lampel and

Shamsie, 2003) presupposes that firms can effectively create such capabilities in the first place. In so far as ‘production capabilities’ are resources which are tied up in inter- and intra-firm processes and routines, they cannot be easily replicated outside the particular sectoral or organisational contexts in which they arise. Since ‘these capabilities generally cannot be bought: they must be built’ (Teece and Pisano, 1994: 553), the issue of ‘non-tradability’ arises: what happens to these resources when organisational routines are displaced, through regulation or bureaucratic action, by external relations? As a result of the reforms initiated following the Peacock report, there was often no option but to trade what formerly could not be traded.

One of the capabilities which had been tied up with the vertically integrated forms of organisation which formerly dominated the industry was the trust and loyalty of employees who had previously a confident expectation of job security, in return for which they were willing to transfer part of the value of tacit knowledge and expertise to the organisation and hence to the viewing public. Quasi-market theorists are, in general, sceptical of the idea that the highly stable and protected character of public service employment, in and of itself, reduces the scope for opportunistic action, let alone generates a surplus from which society as a whole benefits (Le Grand, 2003). However, there are grounds for acknowledging the role played by the organizational culture of the BBC and by the notion of public service broadcasting in promoting, over many years, a context for innovative programme-making. Tom Burns’s classic longitudinal studies of the BBC, carried out in the 1960s and 1970s stressed the degree to which BBC staff during this period ‘seemed to be devoting themselves - and consciously so - to individual ends and values which were consistent with those of public service broadcasting without being necessarily derived from them’, thereby creating what a personnel manager of that earlier era called ‘an increment you don’t pay for’ (Burns, 1994: 91). Georgina Born’s more recent and equally comprehensive anthropological study of the BBC points to ‘the existence of common professional ethics and standards... supported by common institutional cultures, internal training and limited competition’ in the vertically-integrated BBC, ‘unifying dynamics that were undermined as a consequence of deregulation’ (Born, 2004: 151). The nature of the issues involved here can be understood with reference to this comment on the 1990s reforms, made to the authors of the present paper by an employee representative: ‘when the independent quota came in, and outsourcing of cleaning, catering and security began, most employees, far from saying “what an opportunity”, were fighting to hold on to their jobs,’ with the result that ‘it was like working for any other broadcasting organization; it didn’t matter to the staff that it was the BBC any more’ (interview notes, 2003).

Network theory suggests that the development of resources operating at the sectoral or inter-organisational level is one possible response to vertical disintegration (Starkey et al., 2000; Lampel and Shamsie, 2003), and this argument has been taken up in the policy debate within the sector. Thus the ITC, in its 2002 review, argued for importance of ‘production capabilities’ (ITC, 2002: para. 12) which would serve to enhance the capacity for innovative programme making of the sector as a whole. What could have been a straightforward narrative of market liberalisation was thereby qualified by a perception of the importance of ‘collective competition goods’ (Crouch and Voelzkow, 2004) and other

shared industry-level resources of the kind emphasised by institutional and evolutionary theories of the firm. There was a recognition that the success of the independent sector depended upon a range of factors in addition to the intensity of competition: these included the types of contracting arrangements offered by broadcasters, the possibilities which were available for inter-firm collaboration, and the maintenance of a skilled workforce, but also the role of public intervention in preserving the large home market for qualifying programmes which was supported by the BBC licence fee and the regulatory commitment to public service broadcasting:

‘pay per view would destroy public service broadcasting. We are not in favour of that. We support the licence fee. £1.4 billion to spend on original programming – that is vital for the independent sector’ (interview notes: industry representative, interviewed by the authors, 2003)

At the same time, there was a growing view within the sector to the effect that resources developed within particular organizational structures and boundaries could only with some difficulty be re-created at an inter-organisational level. The Work Foundation report to the BBC in 2005 argued that ‘freedom, autonomy, good role models, resources (including time), encouragement, freedom from criticism, and norms in which innovation is prized and failure is not regarded as fatal’ were the drivers of creativity in programme production, and that these were ‘by-products of the organisation’s social character’ (Work Foundation, 2005: 17). Although the Report did not make an exclusive association between creativity and the preservation of existing organizational forms, its principal reference to the role of networks in promoting the conditions for creativity was to networks *within* organizations (Work Foundation, 2005: 20).

Thus from both a network perspective and one informed by the concept of quasi-markets, the success or failure of the broadcasting reforms is not to be judged *solely* by the extent to which market relations displace organizational ones. On the contrary, these theories point to the need for an institutional framework or architecture which is supportive of those forms of cooperation on which creativity and innovation depend. Moreover, both theories suggest that conceptions of public service could have a role to play in achieving an appropriate balance between competition and cooperation. A viable alternative to complete marketisation, on the one hand, and the simple preservation of the status quo, on the other, was, in principle, available. How far has this promise been fulfilled?

3.4 Examining the impact of regulatory change: methodological issues

We have been studying the development of the independent sector and the evolution of the BBC internal reform process since the mid-1990s. Our research consists of a series of enterprise-based case studies forming, together, a longitudinal sector study. The justification for using a longitudinal case study approach is that the factors which determine the quality of inter- and intra-organisational relations within television production companies and broadcasting institutions are numerous as well as often being historically specific. The relationship between the nature of the production process in television and the quality of outputs produced is far from straightforward, with complex and sometimes contradictory tendencies in play. The case study method allows, in our

view, appropriate regard to be paid to issues of time and place, and extended and repeated interviewing enables tensions between competing tendencies to be effectively captured. In the original phase of our research we carried out over thirty in-depth interviews in the period between 1996 and 1999 covering eighteen organisations in the UK media industries. In our more recent research, in the year and a half to July 2004 we conducted a further round of twenty in-depth semi-structured interviews with producers, commissioners, channel and business affairs executives, trade associations, unions, independent consultants and regulators. In some cases, we were able to revisit firms and individuals to whom we had spoken in the first wave of interviewing.

While the advantages of the case study method are considerable, the adoption of this approach imposed certain limitations on the study. We continued to be constrained by our level of access, since only a limited number of interviews were possible in any one organisation. To fully understand organisations the size and complexity of, for example, the BBC or Channel 4, even under only one aspect of their development, would require a far greater level of access than was possible within this study. More generally, as with all case study work, care has to be taken in generalising the findings. This is particularly the case in a fluid, fast moving sector such as broadcasting. However, while the case study approach has its limits, on balance we believe that it does make it possible to capture important organisational and sectoral trajectories and thereby usefully complement more quantitative approaches (see, for example, Dex, *et al.*, 2000) towards understanding structural change in the media industries.

The complexity of recent changes in the broadcasting industries in Britain is such that a large number of issues would be appropriate for an extended treatment: a non-exhaustive list includes the political and philosophical foundations of the concept of public service broadcasting (see O'Malley, 2001); the impact on customer demand and market structure of the introduction of digital technology (see Work Foundation, 2005: ch 3, for a recent overview); the changes to the employment form, training, and trade union structure which have followed in the wake of regulatory and organisational change (see Saundry, 2001; Antcliff *et al.*, 2005, Ursell, 2003); and the role of regional policy in supporting the emergence of networks and cluster-like relations between firms (see Pratt, 2004). Here, while we will refer to each of the above where appropriate, our main focus is on the changing characteristics of the quasi-market system itself, and the complex relationship between organisational form and the nature of the service provided.

4. The development of the independent production sector

4.1 Elements of the 'architecture' supporting the independent sector: the quota, terms of trade, broadcast rights and the form of production contracts

The independent sector did not come into being with the market-led reforms of the 1990s; the initial impetus behind its growth, to begin with, was the creation of Channel 4 in 1982 as an 'editorial' channel with no in-house production facilities of its own. However, the statutory 25% production quota which was introduced in 1990 has been the major stimulus to the independent sector's growth. Since the quota was intended to ensure, among other things, that vertically integrated organisations, combining production and

broadcasting, could more effectively benchmark the efficiency of their programme making capabilities against outside suppliers, it stimulated further rounds of organizational changes which encouraged outsourcing. The arrival of Channel 5 provided further impetus. In 2002, the review of programme supply conducted by Ofcom's predecessor, the ITC, concluded that 'there remains for the time being an important role for an independent production quota in the UK' on the grounds that 'the quota has created access to the main networks for a large number of new producers, and without it, there is a risk that the main broadcasters would once more favour in-house suppliers' (ITC, 2002: para. 32).

Thus it was in very large part thanks to the quota that by 2005 there were over 800 television programme production companies in the UK (Mediatique, 2005), the vast majority of which qualified for quota-related contracts on the grounds that they were 'independent' in the sense of being legally and organizationally autonomous of the main terrestrial broadcasters. Among the non-independent producers were the production arms of the BBC, the regional licence holders in the ITV network (who did not produce exclusively for the ITV) and a number of other producers with close links to terrestrial broadcasting companies in the form of cross-shareholdings.

The quota was, however, not the only influence on the growth of the independent sector. A second pivotal issue concerned the 'terms of trade' governing contracts between the independents and the broadcasters. The expression 'terms of trade' covers 'the broadcaster's benchmark, framework and guide for the negotiation of production deals with independent producers'; it embraces 'the commissioning procedure, guidelines on development and approvals, along with the broadcaster's starting point on key issues such as rights, production fee, net revenue share, distribution etc.' (ITC, 2002: Appendix 5, para. 2).

Until the early 2000s the terms of trade between broadcasters and independents varied substantially across the sector. The main divergence was between models offering a 'full funding' or 'cost-plus' contract, under which the broadcaster paid in advance the full costs of production plus a fee for the producer, and a 'licensing' option under which production costs were borne by the supplier. Under full funding, the broadcaster acquired all rights in relation to the programme, that is, not just the *primary right* to broadcast it in the UK, but all *secondary rights* relating to its rebroadcast on other channels and further exploitation in the UK or overseas, and *tertiary rights* relating to residual copyright and merchandising. The licensing variant, by contrast, allowed the producer to retain most secondary and tertiary rights, with the broadcaster licensed for a limited number of showings over a fixed period of time, sometimes with the option of an extension.

At one end of the spectrum were the ITV Terms of Trade, which provided that the ITV Network Centre, the body through which (among other things) agreements with independents were made, acquired only the right to UK terrestrial showings for a limited period, and which, in return, required the supplier to meet all production costs up front and to carry the risk of any shortfall between the agreed fee and actual costs. The

Network Centre had no funds of its own for programme development, so that a licensing model of this kind was its only viable option; however, the ITV Terms of Trade went further than this in seeking to protect the rights of independent producers, guaranteeing them equal access to the commissioning process with in-house ITV producers, and applying the same selection, commissioning and contracting procedures across the board.

By contrast, the BBC, Channel 4 and Channel 5 all operated some version of the fully-funded model, but with variations in the degree to which producers were allowed to retain certain rights. ‘Format rights’, or ‘the rights to the idea, concept or other distinctive features of the programme, including remake rights and sequel rights’, which are not normally protected by copyright law, were assumed by Channel 4 as part of the deal for funding, whereas the BBC and Channel 5 allowed them to remain with the programme maker. In other cases, the possibility of negotiation over the terms of the deal was explicitly acknowledged; thus Channel 4 maintained that it was prepared to negotiate on an individual basis with each independent producer it dealt with (ITC 2002, Appendix 5: para. 36).

The ITC review of programme supply, conducted in 2002, came out strongly in support of the ITV model for terms of trade, arguing in favour of ‘a presumption... that producers retain rights in their programmes unless explicitly sold to broadcasters and other parties’. In addition, the ITC recommended that there should be clear separation, within agreements, of primary, secondary and tertiary rights; that the terrestrial broadcasters should publish indicative tariffs for primary rights, so that producers would be aware in advance of the scale of funding available in return for the acquisition of such rights; and that a clear demarcation should be drawn between negotiations with distributors over the content of secondary and tertiary rights and negotiations with broadcasters over primary rights. The ITC proposed that these principles should be incorporated into codes of practice, published by the broadcasters, which it would be the responsibility of its successor body, Ofcom to enforce. These proposals were then given effect in the Communications Act 2003, which empowered Ofcom to issue guidance notes for the relevant codes of practice. The Ofcom guidance, also based largely on the earlier ITC Review, was published in early 2004 and the BBC⁸ and Channel 4⁹ shortly afterwards published new codes of practice incorporating, in essence, the Ofcom recommendations.

The basis for the ITC’s conclusion was, in part, the perception that the BBC had used its market power ‘to squeeze price and profit margins on primary rights’, but even if this argument from abuse of a dominant position had not been available, the ITC would still have opted for the licensing model as a means of enhancing the sustainability of the independent sector: ‘unless changes are made to the framework within which commissions are negotiated, then it is unlikely that a strong independent sector, able to build long-term value and capable of attracting significant external finance, will emerge’, in particular since the inability of independents to retain secondary and tertiary rights ‘reduces their attractiveness to external investors’ (ITC, 2002: Appendix 5, para. 21).

⁸ See <http://www.bbc.co.uk/commissioning/tv/business/code.shtml> (last viewed April 2006).

⁹ See: http://www.channel4.com/corporate/4producers/resources/guidelines_codeofpractice.pdf (last viewed April 2006).

The ITC's approach chimed in with the views of the large and more ambitious independents who saw their priority as orientating their operations toward markets where there is greater competition between organisations that demand television content. These were independents which saw themselves as sustainable enterprises capable of competing outside the 'protected' regime instituted by the quota. In the mid to late 1990s it was argued that 'because the independent producer doesn't have the capital to develop his business... independent production in this country is nothing more than a cottage industry' (Gutteridge, 1995: 7). One indicator of the precarious position of many television producers was their dependence upon commissions from one broadcaster and their exclusive expertise in one genre of programming. In 1997 a survey of UK television production found that 58% of officially independent production companies only produced for one channel during the four-year period under scrutiny and 84% did not produce for more than two channels. The same survey found that 78 % only produced in one genre and 94 % did not produce in more than two genres (European Institute for the Media, 1999).

From that period onwards there was a growing division in the sector between a small group of successful and growing businesses, engaging in take-over and merger activity, some attracting venture capital and increasingly adopting an international orientation, and a larger group of smaller independents known in the trade as 'lifestyle companies' because 'winning one or two commissions a year was enough to finance many a lifestyle business' (Mediatique, 2005: 8). In our most recent round of interviews, some respondents spoke of a generational shift which the sector had been going through, with the result that many of the original 'cottage industry' producers were going out of business. The changes introduced by the Communications Act 2003 were expected to accelerate this change. As the larger independents built up stocks of programmes in which they retained secondary and tertiary rights, they would use these assets to attract venture capital and other forms of external finance. For some in the industry, this is a major change: 'it's never been a business sector before' (industry representative, interview notes, 2003). By 2005, four independent companies had achieved stock exchange listings,¹⁰ and four others¹¹ had received private equity backing, with the expectation of a flotation at a future point (Mediatique, 2005).

¹⁰ The Television Corporation plc, makers of a range of programmes in the documentary, entertainment and sports formats; Ten Alps Communications plc, a media organisation with several operating companies producing documentary and docu-drama programmes, and an interest in the Teachers TV channel set up with funding from the Department for Education and Skills; Shed Productions plc, makers of popular dramas, mainly for the ITV network; and RDF Media Group plc, pioneers of the 'factual entertainment' format (including *Wife Swap*: see section 4.2, below).

¹¹ All3Media Ltd. (formed from a management buy-in of the Chrysalis Television Group in 2003, after which it acquired a number of other production companies in the areas of drama and entertainment); HatTrick Holdings Ltd. (one of the most successful and enduring independents, makers of comedy and entertainment programmes and one of the first to be able to retain the secondary rights in its programmes through negotiation with the broadcasters); Shine Ltd. (maker

However, the sector was not of one view on the merits of this development. For the smaller independents, the cost-plus deal which had long been typical within Channel 4, whereby programme costs were met by the channel and a production fee was paid on completion, carried advantages, in terms of a guaranteed income, over the ITV model where the company did not receive payments to cover costs until the programme was delivered. In addition, broadcasters (in particular Channel 4) argued that to pursue the rights-based model at all costs would be to fail to recognise the creative contribution of their own commissioners (see for discussion Preston, 2003: 18).

4.2 Output deals, repeat trading, creativity and risk

Related to the role played by commissioners was the use of output deals to foster creativity and risk taking, and to manage the uncertainty inherent in project-based contracting. We learned from our most recent round of interviews that Channel 4 used just 30 suppliers to provide it with 70% of its originally commissioned material. Reputation and experience were seen to be of vital assistance to commissioners who are looking to establish a reliable source of supply. It was also acknowledged to be in the interest of commissioners to build up particular relationships through repeat trading:

‘Some of the more established documentary companies are much better at targeting their proposals at particular strands. Experience has given them a clear idea of what is suitable for the different strands. It has become a bit of a vicious circle. If they get more commissions, they spend more time with us and get to know our judgements better. They watch a lot of our output and target their ideas accordingly. If an untried person approaches us with a proposal we like, we may advise them to take the idea to one or two of these companies’ (Channel 4 commissioning editor, quoted in Holland, 1997: 232)

As a Channel 4 commissioning editor put it to us:

‘the output deals change the nature of the relationship with the company. The producer does not feel like he is selling. If there is an element of security in the deal, there is an element of collaboration. The proportion of commissioning deals on the basis of collaborative relations is about 10%, but can become higher’ (interview notes, 2003).

A BBC manager said to us:

of a range of documentary, features and entertainment programmes, founded by Elisabeth Murdoch in 2001); and Zenith Entertainment Ltd. (maker of popular drama and entertainment programmes).

‘the development of long term relationships has distinct advantages specifically in terms of quality. It is the combination of the delivery of quality product at reasonable cost’ (interview notes, 2003).

In 2003, when announcing a series of output deals with independent documentary makers, Channel 4’s head of documentaries explained:

‘The key thing is, how do we get our conversations to be more grown up rather than being slightly overselling sales person and suspicious reluctant buyer, which characterises a lot of the dealings. I want to have relationships with producers where we both look for the right things.’ (*Broadcast*, 13 June 2003).

In the same vein, report on the commissioning process suggested that ‘every commissioner who’s got a good reputation has a super indy who’s their first port of call’ (commissioning editor, reported in Preston 2003: 22).

This trend towards output deals might have brought financial stability to producers, but for critics of the practice, it weakened competition, thus contributing to consolidation within the independent production sector. Moreover, for the growing segment of independents with the capacity to trade in the international market for broadcast rights, output deals were not viewed positively, as they could imply giving up or at least sharing control over intellectual property rights.

For many in the sector, the development of mechanisms for the sharing of risk between producers and commissioners was at least as important as the intensification of competition in terms of fostering creativity. There was a perception that independent producers had come to fore in the late 1990s and early 2000s in producing innovative ‘cross-genre’ programming spanning the traditional divide, for example, between documentaries and entertainment. The prime example cited was *Wife Swap*, described by its makers as a ‘reality show unlike any other. Two wives take the ultimate challenge and exchange families for two weeks, each day returning from their ordinary day job to their new household, husband and children’.¹² This was an illustration of the use of a new format to present issues of social concern which fell within the traditional remit of public service broadcasting:

‘Before, this type of issue was the territory of current affairs, today it is factual entertainment. Lots of these programs are part of the process of innovation that came about with the changes related to regulation in the industry, and are the ones that the USA wants to buy... Most of these formats are innovative, creative; they don’t have a parallel in other countries and are being bought. What is specific of the case in England is that programs are not simply entertainment, you are meant to learn

¹² See: <http://www.rdfmedia.com/reality/WifeSwap.asp> (last viewed April 2006).

something about them.’ (interview notes, independent producer interviewed by the authors, 2003)

However, beyond the small segment of highly successful independents, most companies were operating on exceptionally tight margins, in a position of financial fragility. For these companies, output deals were scarcely known, and few had the economies of scale to benefit financially from the transfer of intellectual property rights to producers brought about by the change to the terms of trade in 2003. In their case, the intensification of competition since the late 1990s meant that

‘risk taking has diminished a lot... the indy is not allowed to fail, because there’s a market and if you’re unsuccessful, someone else will do the job’ (interview notes, industry expert interviewed by the authors, 2004).

5. The BBC internal market

5.1 Some unexpected effects of partial marketisation

While the independent sector was undergoing the changes just outlined, the reforms associated with Producer Choice and the implementation of purchaser-provider splits in the mid-1990s were having unexpected effects in terms of staff morale, innovation and efficiency. While a greater awareness and sensitivity to issues of cost and efficiency were engendered by the introduction of internal trading, the form of the internal market brought new problems of its own. The resource-based directorates set up after 1996 were expected to compete with external facilities providers yet, initially, were not themselves able to bid for outside work on any significant scale. They were also expected to help cover heavy corporate overheads which made it difficult for them to match the charges of the smaller independent providers. Moreover, the charging structure which was implemented was rigid and took little account of high volume use. The limitations of the Producer Choice initiative were recognised by BBC executives themselves:

‘in its first form [Producer Choice] was too complicated, with 485 business units and, in the first two years, a third of all transactions for less than £100. These were changed in time, but John Birt was firm on the rules and loath to relax them or intervene. He wanted the invisible hand to do its work...it was resources that took the hard hits, the job losses from Producer Choice. Capacity remained high and more closures were necessary. A few producers, including some vociferous about saving the BBC in house resources, acted capriciously once given the choice of studios, OB vans, editors and camera crews elsewhere. “Playing shops” was the term the frustrated resources managers used. Most producers who went outside did so for particular talent or for price. BBC prices were uncompetitive because of the overhead.’ (Wyatt, 2003: 276)

The implementation of Producer Choice led to debates within the corporation concerning which kinds of activities could benefit from market type co-ordination and which were perhaps too important to be left to this form of organisation. So, for example, Producer

Choice was initially extended to the supply of research and development effort within the BBC. However it was quickly recognised that given the rapidly changing technical environment of broadcasting this was an area of such strategic significance that internal market provision was simply too risky an option (see Childs, 1997 for details).

The 1996 split between broadcast and production was also, in time, seen as generating certain tensions which limited its ability to deliver improvements (see Born, 2002, 2004). BBC Broadcast received the license fee income, while BBC Production had no autonomous income. Production also had no official claim on rights, which were held and negotiated by BBC Worldwide with rights revenues returning to BBC Broadcast. Just as with the resource departments before them, in-house producers perceived that they were being treated unfairly and that the internal market was being structured in such a way that they could not compete effectively. Since the production directorate was not allowed to sell its programmes to outside commissioners, while the broadcast directorate could commission from the independent sector, production units were in a weak bargaining position. As a finance executive recalled:

‘The split made life hard for Production. The fact that Broadcast could buy in programmes from the independent sector constrained BBC production. They had a certain capacity that they had to fill in order to break even. This gave Broadcast a great deal of negotiation power over prices. They would push down prices as far as possible because they knew Production had no alternative. They could not offer their production to another commissioning house. On balance, Production would rather have made the programme than not at all’ (BBC manager, quoted in Hall, 2001: 51).

In similar vein, a former BBC broadcast manager told us in 2003:

‘There was much to be said for the structural separation which John Birt introduced: organisational structure has had quite an influence. It led to specialisation in production and the development of core managerial skills; on the broadcast side, it led to a better understanding of what the audience wanted, and greater efficiency through market testing. However, in practice, the split was taken to an unproductive extreme. The commissioners behaved as if they were buying on a spot market. In time they came to learn that they should be developing long-term relationships with particular suppliers. But at the time, there was a serious loss of morale in the BBC’ (authors’ interview notes, 2003)

The then head of BBC Broadcast has since acknowledged that ‘[t]he chief problem with the reorganisation was that once in existence, BBC broadcast was seen to be bigger and more powerful than anyone expected, creating an imbalance in the BBC. The result of this was that other parts of the organisation tried to claw back what they could. This wasted much energy and time on all sides’ (Wyatt, 2003: 298).

Some of the internal producers also claimed that the split between broadcast and production inhibited the creative process involved in programme making:

‘Overnight the Managing Directors of Television and Radio no longer sat at the top table of the BBC. Instead they reported to and were represented by, the Chief Executive of Broadcast. Producers in BBC Radio and BBC Television suddenly found that their world had been turned upside down as they had become part of a new bi-media division called Production The Broadcast/Production split ... led to departments declaring war on each other, as they battled for commissions to survive. Science would try to get Religion’s programmes and vice versa.... I think the uncertainty led to safe programming and abandonment of risk. Why risk a challenging idea which might not be commissioned, if a formulistic one guaranteed success? At least you kept your job.’ (Abramsky, 2002)

As a human resources officer told us:

‘Creativity should be a marriage between production and commissioning. And the split of these two areas meant a loss of confidence in production. After the split, production people found themselves in the position of resources people and hated it.’ (BBC manager, interviewed by the authors: interview notes, 2003)

The discontent of in-house producers was said partly to explain the decision of the BBC management in 1997 to guarantee its in-house production directorate 60% of the annual programme expenditure of BBC1 and BBC2. This self-regulated quota reduced the area of competition between in-house producers and independents: competition between inside producers and independents was reduced to only 15% of the market, given the compulsory quota of 25%.

The implementation of the split between production and broadcast in the BBC therefore raised internal conflicts of interest, and the very responses which the BBC made to overcome these tensions called forth complaints from independent producers concerned that they could see access to potential commissions being once more curtailed. Thus while Producer Choice and the extended internal market within the BBC did have the merit of allowing for greater awareness of the costs involved in television production and for enhanced accountability, they also had the side effect of increased bureaucracy, high co-ordination costs, and effectively inhibited innovation. In sum, it seemed that the merits of the internal market were overcome by the excessive costs of co-ordination.

5.2 Reconfiguring the BBC’s interface with the market

With the appointment of Greg Dyke as Director-General in 2000 the BBC was subject once more to a wave of organisational reform. The new reforms were in part a response to the perceived limitations of the earlier structural changes. However, whereas the 1996 reforms were responding to the problems of Producer Choice by taking the logic of the

internal market further, the ‘One BBC’ reforms introduced by Dyke could in certain respects be seen as abandoning that logic.

The objectives of ‘One BBC’ were four-fold: more effective control of overheads; the simplification of the internal market system; the dismantling of the production/broadcast split in certain areas; and the increase of focus on audiences, creativity and collaborative work (Dyke, 2002). Reforms of the internal market were seen as necessary not only in order to reduce high coordination and transaction costs, but also because of the low motivation of the human resources and the adverse effects the structures had had upon innovation and creativity. The focus on audiences, creativity and collaborative work was justified on several grounds. Audience research identified groups that were not being reached by the BBC (people under 35 years; ethnic minorities and geographic areas besides the South of England) while surveys (both to external people and staff) identified the Corporation as not risk-taking or innovative. The emphases on collaborative work in particular may have been a response to the long standing concern that the organisation was structured in such a way as to promote heightened individualistic orientations. An independent producer and former programme maker at the BBC suggested to us:

‘[In the BBC] the head of the department is the department. The success of the department reflects well on the head of the department and not on individuals within the department. For individuals it is their individual programmes which are important. Within a hierarchical organisation like that there is not much of a culture of taking pleasure in each other’s successes’ (interview notes, 2003.)

The intention of creating a culture of collaboration was also related to the emergence and success of new genres such as factual entertainment which blurred the boundaries between departments.

As we have seen, central to the 1996 reforms had been the imposition of a purchaser provider split between commissioners (BBC Broadcast) and programme makers (BBC Production). The new structure introduced under ‘One BBC’ involved the abolition of the Broadcast directorate and its related support structure. This was replaced by four divisions Television, Radio, New Media and Nations and Regions. At the same time, the Production Directorate was broken up. Thus under the new structure, the idea that the functions of commissioners and programme makers could be separated out and a market like interface inserted between them was all but abandoned. This may have reflected a greater confidence that there were certain core functions which a public service broadcaster could retain. As a finance executive noted:

‘Another (hesitant) suggestion for the restructuring (of 1996) was that it made it easier to hive off parts of the corporation if needed. At the time, the long term future of the BBC was not as secure as it is now. To ensure that the BBC continued to operate, there was a thought that it may have to sell off its parts of the business. The most obvious choice would be to start at the bottom and sell off Resources, followed by Production. This would

result in the BBC becoming just a commissioning house like Channel 4' (quoted in Hall, 2001: 91)

Dyke's resignation in January 2004 polarised opinion. For critics of the Birt reforms, the changes made by Dyke were a necessary corrective:

'Dyke was seen as rolling back Birt. He was more committed to programme making... Dyke took the opposite view to Birt: why outsource if you could do it better in house? Dyke recognized that morale was at an all time low when he took over. When he left staff morale was quite high. Dyke recognised that a lot of the internal market was nonsense; extra layers of bureaucracy and regulation. He was a big picture man, not a detail man, and that was his downfall' (interview notes, employee representative, interviewed by the authors, 2004)

A very different perspective came from those who saw Dyke's BBC as encroaching on the legitimate sphere of the independent sector:

'Birt ran the BBC at low peak capacity. Dyke ran it at top peak. Lots of people were employed, but not to make programmes. The licence fee payers of the next generation will not give the BBC the benefit of the doubt as at present. Under Dyke, the BBC over expanded, and now faces death by a thousand cuts' (interview notes, industry representative, interviewed by the authors, 2004)

This remark proved to be prescient. In 2004 Dyke's successor as Director-General, Mark Thompson, announced a restructuring programme which would see the loss of several thousand jobs. In addition, the BBC, under pressure to make greater use of the independent sector, announced that in addition to strictly observing the 25% quota (something which it had failed to do in both 2001 and 2002), it would open up a further 25% of its programming spend to competition between independents and its in-house producers from the autumn 2005 commissioning round. This so-called 'window of creative competition' (or WOCC) was expected to lead to 'an increase in the volume of work for the independent sector' with 'a dramatic impact on revenue growth over the next few years (Mediatique, 2005: 13), while also posing yet another 'profound organizational challenge to the BBC' (Work Foundation, 2005: 43).

6. Assessment

Three interpretations may be suggested as ways of understanding the evolution of British broadcasting since the reforms which began in the early 1990s. According to the first, what we are witnessing is the gradual withdrawal of broadcasting services from the public sphere, a process which will end sooner or later in full marketisation. Pay-per-view and the complete unbundling of production from broadcasting have simply been postponed. The pre-reform structure of the BBC, with the absence of choice and

competition, enabled producers to set their own agenda for programme content and quality:

‘British broadcasting was effectively run by producer elites, while the economic rewards went disproportionately to the workforce. This unusual arrangement arose from the twin features of monopoly funding and a Reithian ethos - television should be good for you. The definition of what was good for you was left to the programme departments of the BBC and ITV companies, self-perpetuating oligarchies which shared a common value system, supported by managements and regulators who themselves started their careers in the broadcasting organisations’ (Cox, 1997: 22).

In this perspective, John Birt’s reform programme, while ostensibly aimed at saving the BBC from the hostile forces then ranged against it, was the harbinger of the further disintegration of the organization, which will be inevitable as the independent sector grows in size and influence. This point of view sees the way forward in terms of reforms aimed at enhancing contestability in the sector. Plans to make licence-fee funding fully contestable, although rejected in the review of the BBC’s Charter which was completed in 2006, remain on the wider policy agenda.¹³

The second interpretation shares the same prognosis as the first, but is much more pessimistic about its implications. This sees an integrated BBC as the only effective means for guaranteeing the mix of objectives contained in the notion of public service (or public value) broadcasting, including the preservation of quality and innovation in production. Under the pre-reform structure, with limited competition, notions of product quality were largely generated from within the production process. The BBC operated on the basis of a common value system which sustained production capabilities of a certain kind. These are to be understood above all in terms of the shared knowledge, autonomy and long-term view taken of the risks of failure which the BBC offered its producers. In this view, the advent of Producer Choice, the producer-broadcaster split and the regulatory encouragement of the independent sector are seen as fatally undermining this organisational heritage. Even at the point of the partial reversal of purchaser-provider splits in 1997,

‘the damage had been done. The conflicts unleashed by the BBC’s marketisation, and the corrosive effects of commercialization, competition and disaggregation as they were stoked by Producer Choice, the independent quota and the restructuring, had caused a disintegrating unity of purpose inside the corporation. They had eroded the BBC’s efficiency, the creative autonomy of its production departments, its quality standards and public service orientation. Above all, they had dislocated the former

¹³ This suggestion was contained in a report on the BBC by a number of broadcasting experts and practitioners for the Conservative Party in 2004 (Elstein et al. (2004)); the review of the Charter concluded that the case for making licence-fee funding available beyond the BBC was not made out, but should be reviewed as part of the next Charter review (DCMS, 2006: para. 11.1.4).

ethos of creative cooperation and trust between the channels and production arms. The BBC's well being and its capacity to be inventive were undermined. Its components had little incentive to work together for common public service ends. Instead, a great deal of collective energy was expended on internal battles and bureaucratic solutions, to the detriment of creative forces' (Born, 2004: 177).

From this perspective the institutional conditions that had once allowed public service objectives to be met have been severely undermined, with the consequence that the sectors output has become increasingly uniform, non-challenging and non-informative (see Ursell, 2003).

The third interpretation sees the past, and the future, differently. This holds that the reforms of the past decade and a half have proved a success in maintaining a creative and diverse programming base: 'there has been an acceleration of choice besides the maintenance and even improvement of quality' (Work Foundation, 2005: 3). A 'third way' is possible: competition from the independent sector has improved the performance of the BBC while allowing for the emergence of new programme formats which are consistent with the public service goal, while also satisfying the market-driven imperative to satisfy consumer wants. The broadcasting reforms have left the sector as a whole with 'strong production capabilities', in large part because of the role played by the quota in '[opening] up the programme supply market to many hundreds of independent producers, responsible for adding to the creative and innovative programming available to viewers' (ITC, 2002: para. 12).

Can we therefore conclude that a viable 'third way' for economic organization has emerged, a true alternative to the market-hierarchy dichotomy? On the evidence available to date, that conclusion would be premature. There are signs that the present equilibrium is anything but stable. The ITC review of programme supply concluded in 2002 that:

'the independent production sector remains fragile – producers lack the scale to diversify their risk, and lack the rights base which would allow them to attract external finance – only a few independents have been able to grow sizeable and sustainable businesses at home; and fewer still have made inroads in the international marketplace' (ITC, 2002: para. 13).

Worse still, the quota, while 'a success in its original terms', was becoming part of the sector's problems:

'it addresses only some of the issues that are required for a healthy programme supply market, and has its own disadvantages as well as advantages. Some broadcasters use it as a ceiling not a floor, and many have said that it risks creating a "welfare culture" of small independents who depend on the quota, rather than their own competitive strengths, for their continuing existence' (para. 18).

The solution advanced by the ITC was one based on the further intensification of competition: by limiting perceived abuses of market power by the BBC, moving to the

ITV's terms of trade, and attempting to disembed the commissioning processes, the independent sector would be released from the forces holding it back. The expectation was that as old-style 'cottage industry' firms were sidelined, the survivors, now able to assert control over secondary and tertiary rights, would be better equipped to attract external capital.

But there is a rival narrative running through the recent experience of the television production sector. The model of cost-plus financing, while making it difficult for some of the smaller independents to grow, also protected them from the downside risks of cost shortfalls which are a common feature of television production and which only the larger suppliers have the scale and reserves to deal with. A fully level playing field for the independents would probably require the formal unbundling of the broadcasting and production functions of the BBC; but as the ITC was compelled to recognise, 'structural separation of the BBC's broadcasting and production businesses might have the effect of creating a more level playing field between the BBC's own producers and independents, but would likely impose significant costs on the Corporation' (ITC, 2002: para. 31).

The changes which came in the wake of the 2002 review have already had an impact; the sector, which had been 'fundamentally weak from a business point of view' (Mediatique, 2005: 8), began to attract external financial capital on a significant scale following the redrawing of the terms of trade in the independents' favour. But private equity and stock market interest came at a price. The sector is dividing into a small but commercially-orientated group of larger independents, and a long tail of 'lifestyle' businesses. One possibility is that 'the big integrated companies, supported by City money but required to deliver predictable growth, are likely to produce more homogenised programming in their quest to deliver year-on-year profit progression from multiple revenue streams' (Mediatique, 2005: 3). In the past, the private company form taken by most independent producers concealed extremely tight margins and 'lumpy' or variable financial performance over time, as individual programmes and formats came and went; a stock exchange listing makes such concealment impossible. Thus while a financially stable core of independents with a strong export orientation would be 'a national asset in economic and industrial terms', there is 'likely to be an increasing tension between this ambition and [the independent sector's] role as a committed supplier of creative, high public value television to the BBC' (Work Foundation, 2005: 38-9). Innovation in programming is more likely to come in future from the 'long tail' of lifestyle businesses, but, because of diseconomies of scale, these companies are also the least likely to survive a further intensification of competitive pressures (Mediatique, 2005: 3). For the BBC, meanwhile, the increased contestability implied by the 'Window of Creative Competition' makes it more difficult for it to plan ahead and to resist the poaching of its staff, while the loss of secondary and tertiary rights to the independents threatens to undermine its financial base. As a result, 'the BBC risks a serious hollowing-out as a creative organization by a rapidly growing and newly empowered independent sector' (Work Foundation, 2005: 7).

The prospects of a 'third way' for broadcasting are therefore extremely uncertain. It would be plausible to believe, on the experience of the British case, that the process of

moving away from vertically-integrated forms of organization, supported by secure public financing under conditions of limited competition, can only lead in the end to the full instantiation of private-sector market relations. That is the direction in which the independent sector now appears to be heading. The BBC, on the other hand, has operated most successfully, in recent years, when it partially reversed its purchaser-provider splits, and engineered a degree of vertical reintegration. This period, however, proved to be short-lived. The realignment of the terms of trade after 2003 is likely to see the growth of an independent sector which is more financially secure but with a reduced capacity for innovation, while putting the future of the BBC further in doubt. Thus the mixed public-private arrangement which has operated for the past fifteen years, notwithstanding its success in many respects, may well turn out to be unsustainable.

7. Conclusion

In this paper we have reviewed the impact of legal and institutional changes in British broadcasting over the past fifteen years which saw the introduction and extension of competitive forces and the establishment of a complex system of mixed public and private provision. For proponents of reform, market liberalisation involved the establishment of consumer sovereignty and the consequent disempowerment of a 'producer elite' which was seen as having imposed its own tastes on the viewing population. For critics, the disorganisation of previously well established productive relations has undermined institutional capacity and engendered a 'race to the bottom' in terms of the quality of the end product. We have presented evidence which offers tentative support for a third way for economic organisation, beyond the traditional dichotomy between market and hierarchy. Liberalisation did not lead either to enhanced consumer sovereignty or to atomistic competition between programme suppliers. Instead, features recognizable from the network mode of economic organization emerged: a supportive environment for creativity and diversity in programme making was established through contractual and other mechanisms for the sharing of costs and risks and the transmission of knowledge and values supporting long-term cooperation. Innovations led, for the most part, by the independent sector saw the emergence of new genre types for factual and documentary programming, using more 'popular' cross-genre formats, but which producers and commissioners alike have maintained are faithful to the public service broadcasting ideal.

However, we have also seen that the equilibrium in which the industry currently finds itself, if such it is, is extremely unstable. Institutional changes aimed at further removing barriers to entry, intensifying competition and strengthening the financial position and commercial orientation of the independent sector have the potential to weaken the BBC and to undermine the innovative capacity of the sector as a whole. It is far from clear that the institutional architecture of this sector of the creative industries is adequate to the task of securing its sustainability.

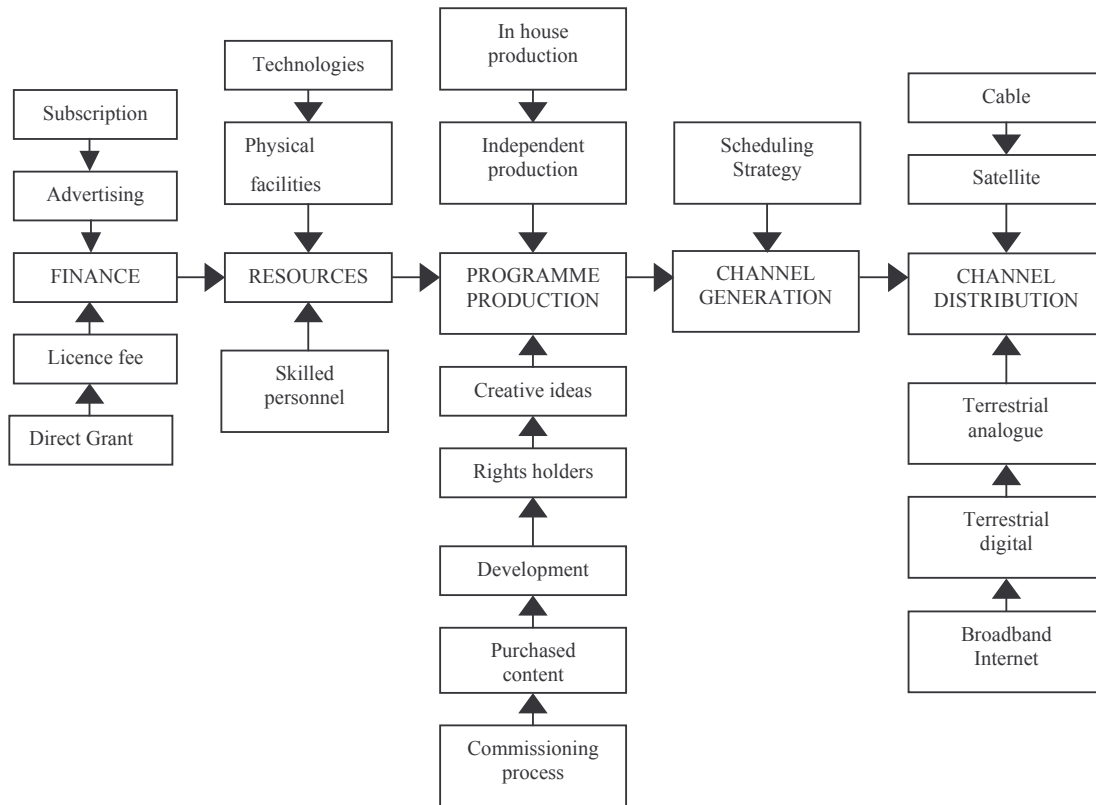
What are the implications of this for our understanding of the properties of networks and quasi-markets? Our study need not be read as implying that the benefits of network forms of economic organization are incapable of being realized, but our findings do

suggest that successful and sustainable networks are the exception, not the rule. The conditions under which networks thrive are only rarely encountered, and may prove hard to maintain. There are organizational forces at work which tend to undermine network relations. It is difficult to recreate at an inter-organisational level the kind of environments which support autonomy and innovation in the production process within organizations. Arrangements for knowledge-sharing and the transmission of cultural values underpinning cooperation across autonomous and legally separate entities are, by their nature, fragile and transient.

These problems have been compounded by the introduction in the broadcasting context of the quasi-market model. The fundamental problem with the idea of the quasi-market is the difficulty in designing an institutional framework which is adequate to the goal of combining market mechanisms with a public-service policy agenda. In contrast to the dynamic and evolutionary character of norms stressed by network theory, quasi-markets set up rule-systems which are complex and rigid. The BBC's experience, in particular, is testimony to the damaging and unanticipated effects which ill-designed quasi-market systems can induce.

But institutional forces are also capable of undermining network forms more generally. Our analysis suggests that competition policy, while it is necessary in order to remove barriers to access and to support new entrants, also has the potential to destabilize long-term inter-organisational arrangements. The preferred transactional model within competition law is one based on arms-length dealing and spot contracting; it therefore sits uneasily with the goal of providing an architecture or framework which is supportive of collaboration across legal and organizational boundaries. As long as competition policy is simply directed towards the ever greater intensification of inter-firm rivalry, the promise of the network form is unlikely to be realized.

Figure 1. Television Broadcasting and Programme Production Process



References

Abramsky, J. (2002), 'Public service radio: phoenix or albatross?' Speech, available at <http://www.bbc.co.uk/pressoffice/speeches/> (last viewed April 2006).

Antcliff, V, Saundry, R, Stuart, M, (2005) 'Individualisation, collectivism and the management of risk in a freelance labour market: the case of the UK television industry', Paper Presented at the British Sociological Association Conference, York, March.

Barrowclough, D. (1998), 'Public television quasi-markets in New Zealand and the UK', in W. Bartlett, J. Roberts and J. Le Grand (eds.) *A Revolution in Social Policy: Quasi-Market Reforms in the 1990s*. Bristol: The Policy Press.

BBC (2004a) *Building Public Value. Renewing the BBC for a Digital World*. London: BBC.

BBC (2004b) *Review of the BBC's Royal Charter: Response to the DCMS Consultation*. London: BBC.

Born, G. (2002). 'Reflexivity and ambivalence: culture, creativity and government in the BBC' *Cultural Values*, **6**: 65-90.

Born, G. (2004) *Uncertain Vision: Birt, Dyke and the Reinvention of the BBC*, London: Secker and Warburg.

Bradach, J. and Eccles, R. (1989) 'Price, authority and trust: from ideal types to plural forms' *Annual Review of Sociology*, **15**: 97-118.

Burns, T. (1977) *The BBC, Public Institution and Private World*. London: Macmillan.

Burns, T. (1994) *Description, Explanation and Understanding*. Edinburgh: Edinburgh University Press.

Childs, I. (1997), 'The BBC R&D in the 90s' *EBU Technical Review*, Autumn: 4-9.

Coase, R. (1961) 'Why not use the price system in the broadcasting industry?' *The Freeman*, July, 52-57.

Coase, R. (1972) 'Comment on "The muted voice of the consumer in regulatory agencies"', in W. Samuels and H. Trebing (eds.) *A Critique of Administrative Regulation of Public Utilities*. East Lansing, MI: Institute of Public Utilities, 311-6.

Cox, B. (1997), 'Two tiers for TV', *Prospect*, March: 21-25

Crouch, C. and Voelzkow, H. (2004) 'Introduction', in C. Crouch, P. Le Galès, C. Trigilia and H. Voelzkow (eds.) *Changing Governance of Local Economies. Responses of European Local Production Systems*. Oxford: OUP, 1-10.

DCMS (2006). *A Public Service for All: the BBC in a Digital Age*. Cmnd. 6763. London: HMSO.

Deakin, S. and Pratten, S. (1999), 'Reinventing the market? Competition and regulatory change in broadcasting' *Journal of Law and Society*, **26**: 323-50.

Deakin, S. and Pratten, S. (2000), 'Quasi-markets, transaction costs and trust: the uncertain effects of market reforms in British television production' *Television and New Media*, **1**: 321-354

Dex, S., Willis., J., Paterson, R. and Sheppard, E. (2000), 'Workers' strategies in uncertain labour markets: Analysis of the effects of casualisation in the television industry', *Work, Employment and Society*, **14**: 283-305.

Dixon, J., Le Grand, J. and Smith, P. (eds.), (2003) *Can Market Forces be used for Good?* London: King's Fund.

Dyer, J. and Singh, H. (1998) 'The relational view: cooperative strategy and sources of organizational and competitive advantage' *Academy of Management Review*, **23**: 660-679.

Dyke, G. (2002). *One BBC - Making It Happen*. BBC Press Office: London.

Elstein, D., Cox, D., Donohue, B., Graham, D. and Metzger, G. (2004), *Beyond the Charter: the BBC after 2006*. Broadcasting Policy Group. Premium Publishing: London.

European Institute for the Media (1999) *The Situation of Independent Television Producers in Great Britain, France and the Netherlands*. Mimeograph.

Ferlie, E. et al. (1996), *The New Public Management in Action*. Oxford: OUP.

Grossman, R. and Smith, P. (2003). 'Humanizing cultural change at the BBC.' *Strategic Communications Management* **7**: 28-31.

Gutteridge, T. (1995), '57 Channels and nothing on', Fleming Lecture. *Royal Television Society* **35** (May): 6-10.

Hall, J. (2001), 'Market reforms within the BBC: past and present.' Mimeograph, King's College London.

Holland, P. (ed.) (1997) *The Television Handbook*. London: Routledge.

Home Office (1988) *Broadcasting in the '90s: Competition, Choice and Quality* Cm. 517. London: HMSO.

Independent Television Commission (2002) *A Review of the UK Programme Supply Market*. London: ITC.

Lampel, J. and Shamsie, J. (2003) 'Capabilities in motion: new organizational forms and the reshaping of the Hollywood movie industry' *Journal of Management Studies*, **40**: 2189-2210.

Le Grand, J. (2003) *Motivation, Agency and Public Policy: Of Knights and Knaves, Pawns and Queens*. Oxford: Oxford University Press.

Le Grand, J. and Bartlett, W. (eds) (1993) *Quasi Markets and Social Policy*, Basingstoke: Macmillan.

McMaster, R. (2002) 'The analysis of welfare state reform: why the 'quasi-markets' narrative is descriptively inadequate and misleading', *Journal of Economic Issues*, **36**: 769-793

Mediatique (2005) *From the Cottage to the City: the Evolution of the UK Independent Production Sector*, Report commissioned by the BBC, September available at www.bbc.co.uk/thefuture/related.shtml (last viewed April 2006).

Ofcom (2004) *Is Television Special?* available at <http://ofcom.org.uk> (last viewed April 2006).

O'Malley, T. (2001) 'The decline of public service broadcasting in the UK 1979-2000', in M. Bromley, ed. *No News is Bad News: Radio, Television and the Public*, London: Longman.

Peacock, A. (Chairman) (1986). *Report of the Committee on Financing the BBC Cmnd 9824*. London: Home Office.

Pilkington, N. (Chairman) (1964) *Report of the Committee on Broadcasting Cmnd. 1753*. London: HMSO.

Powell, M. (2003), 'Quasi-markets in British health policy: a longue durée perspective', *Social Policy and Administration*, **37**: 725-741.

Powell, W. (1990) 'Neither market nor hierarchy: network forms of organisation' *Research in Organizational Behavior*, **12**: 295-336

Pratt, A. (2004) 'Creative clusters and networks: toward a critical practice', *Media International Australia* **112**: 50-66

Preston, A. (2003) *Inside the Commissioners: the Culture and Practice of Commissioning at UK Broadcasters*. Glasgow: The Research Centre for Television and Interactivity.

Saundry, R. (2001) 'Employee relations in British television', *British Journal of Industrial Relations*, **32** 22-36

Spagenberg, J. (1998), *The BBC in Transition: Reasons, Results and Consequences* Frankfurt: Deutscher Universitäts Verlag.

Starkey, K., Barnatt, C. and Tempest, S. (2000) 'Beyond networks and hierarchies: Latent organisations in the UK Television industry', *Organization Science*, **11**: 299-305.

Sydow, J. and Staber, U. (2002) 'The institutional embeddedness of project networks: the case of content production in German television', *Regional Studies*, **36**: 215-227.

Teece, D. and Pisano, D. (1994) 'The dynamic capabilities of firms: an introduction' *Industrial and Corporate Change*, **3**: 537-557.

Ursell, G. (2003) 'Creating value and valuing creation in contemporary UK television: or "dumbing down" the workforce', *Journalism Studies*, **4**: 31-46.

Vincent-Jones, P. (2000), 'Contracting for public services: trust, accountability and consumer participation in UK local authority quasi-markets', in Y. Fortin and H. Van Hassel (eds.), *Contracting in the New Public Management*, Amsterdam: IOS Press, 143-159.

West, A, and Pennell, H (2002), 'How new is New Labour? The quasi market and English schools 1997 to 2001', *British Journal of Educational Studies*, **50**: 206-224.

Windeler, A and Sydow, J. (2001), 'Project networks and changing industry practices - collaborative content production in the German television industry', *Organization Studies*, **22**: 1035-65.

Work Foundation, (2005) *The Tipping Point. How Much is Broadcast Creativity at Risk?* Report commissioned by the BBC July, available at www.theworkfoundation.com/publications/ (last viewed April 2006).

Wyatt, W. (2003), *The Fun Factory: Life in the BBC*. London, Aurum.