



**Victorian  
Small Business  
Commission**

## **WORKING FOR YOURSELF WITHIN THE ARTS AND CULTURE SECTOR**

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Victorian Small Business Commissioner

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Post Sole Studio, featured in AFC's 2019 film *Curated*  
Photo by Noel Smith and shared with permission from Creative Victoria.

# About the VSBC...

- We're working to achieve a fair and competitive operating environment
- We help small businesses to avoid or resolve disputes
- We also monitor business conditions, listen to your concerns and advocate to government.



ACMI Moon Safari by Mark Gambino, 2015.  
Photo shared with permission from Creative Victoria.

# Structure your business for success

- Seek advice and understand the detail (i.e. the risks and benefits)
- Many creatives operate as sole traders with an Australian Business Number (ABN)
- Establishing a company, partnership or trust can protect your assets BUT will increase reporting, compliance and cost
- Incorporating will mean you become a director, requiring a [director ID](#)



Phia Exiner performing with Melbourne India Voices for a film clip recording. Photo by Sarah-Jane Woulahan, shared with permission from Creative Victoria.

# Good record keeping is essential

Maintain all written communication via email

Set-up an online accounting platform (i.e. Xero, MYOB, QuickBooks) to establish a single portal for:

- Issuing invoices
- Tracking expenses (and claims at tax time!) and GST collected

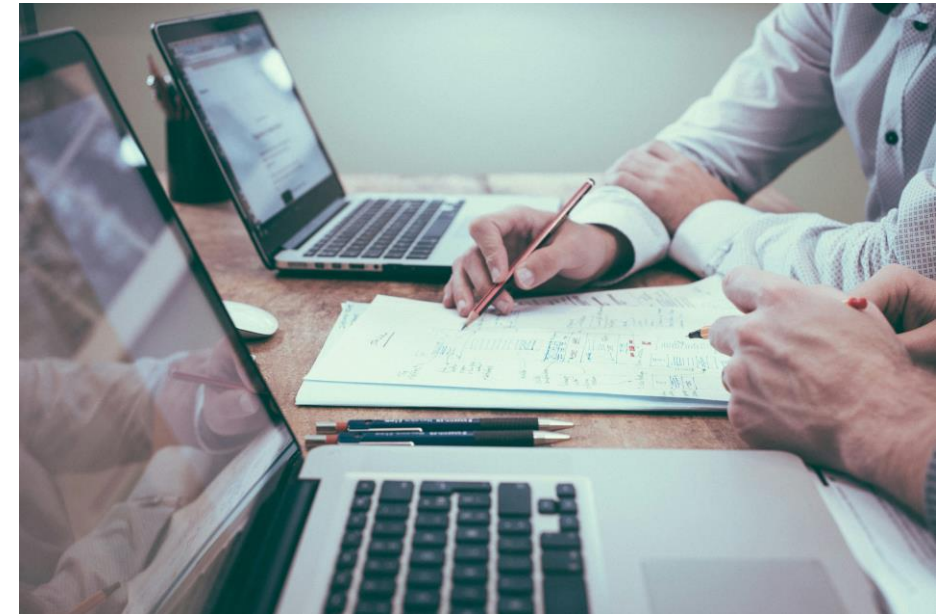


Photo by Scott Graham. Sourced from open licence image library.

# The business of running a business

## Business Victoria

- [Marketing plan template](#)
- [Cash flow forecasting template](#)
- Guidance on [pricing for profit](#)

## Australian Taxation Office

- Information on [business structures and tax obligations](#)
- Information on [registering a business or company](#)
- Tax [guides for small business](#)



Photograph of a DJ by Jess Middleton.  
Image shared with permission from Creative Victoria.

# Value your time

- Refer to market rate cards (and ask peers!)
  - For example, the National Association for the Visual Arts publish [freelance rates](#)
- Price for profit - incorporate ALL your expenses
- Consider the opportunity cost (what are you forgoing to take-up the work)
- Ensure you have a clear scope of work and that it's articulated in your contract or letter of engagement



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# Get paid on time

Establish a shared understanding by sending an engagement letter detailing:

- Fee arrangements (i.e. your rate)
- Terms of payment including dates, any extra fees for overdue payments and any debt collection processes.

Business Victoria have a [template](#) that you can adapt.

Consider e-invoicing to reduce risk of errors.

You can also use Business Victoria's friendly [follow-up email](#) templates to gently pursue outstanding payments.



Image of concert goers at *Push Over 2018*.  
Photograph by Jonathan White, shared with permission from Creative Victoria.

# Writing a letter of demand

If you're unsuccessful in following-up your invoice, you can write a letter of demand:

- This letter specifies the amount owed, the reason, and the payment deadline.
- Ensure previous reminders with correct invoices and payment expectations were sent.
- Be aware this can escalate the dispute, but it may be necessary for debt recovery.

Access a template letter from [Business.gov.au](https://www.business.gov.au)



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# How to avoid a dispute

Be commercially minded in approaching a working relationship. Consider:

- **Alignment** – look for like values and goals
- **Commitment** – evidence of lasting working relationships
- **Mutual interests** – understand the other party's position (it's not win-lose)
- **Dispute resolution** – incorporate procedures into your agreements

Conduct yourself professionally by:

- **Communicating** openly and transparently, early and often
- **Being accountable** – document your obligations and responsibilities and action them
- Choosing the **best time and place** to have challenging conversations

# Tips for de-escalating a dispute

- **Collect all relevant documents and details** of the dispute – dates, photos, written agreements, the lease etc.
- Highlight **what's most relevant**
- Think about the **outcome you want and compromises** you're prepared to make
- Contact the other party, explain the problem, **suggest ways to solve it.**
- Listen and **try to see things from their perspective**, even if it's difficult to do so
- **Keep all communication in writing**
- Issue a **formal letter** if discussion doesn't work
- If you can't reach an agreement, apply to the VSBC for help.

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