

Council Minutes – meeting 157

Date of meeting:	Friday 3 February 2017.
Venue:	The Arts Council of Wales, Cardiff.
Present:	Phil George (PG), Andy Eagle (AE), Richie Turner (RT), John Williams (JW), Marian Wyn Jones (MWJ), Andrew Miller (AM), Lesley Hodgson (LH), Alan Watkin (AW), Melanie Hawthorne (MH) and Mike Griffiths (MG).
In attendance:	Nick Capaldi (NC), David Alston (DA), Hywel Tudor (HT), Sian Tomos (ST), Diane Hebb (DH), Kath Davies (KD), Betsan Moses (BM), David Newland (DN), Nathalie Camus (NCa) and Katy Brown (KB) – minuting.
Apologies:	Margaret Jervis (MJ), Iwan Bala (IB) and Kate Woodward (KW).
Observing:	Peter Owen (PO)
Translation:	Dafydd Frayling (DF)
Status of paper:	For public release.

		Action
1.	<p>Welcome, introductions and apologies</p> <p>The Chair welcomed members to the meeting held at the offices of the Arts Council of Wales, Cardiff. PG welcomed AE to his first meeting.</p>	
2.	<p>Declarations of Interest (to note)</p> <p>Members of Council asked for Declarations of Interest to be recorded in the minutes (attached as an appendix to these minutes).</p> <p>The following declarations of interest were noted: AE - Music Theatre Wales, Swansea City Opera, Cardiff Dance Festival, and Chapter.</p>	

3. **Minutes of the meeting held on Friday 9 December 2016**

The Minutes of the meeting were **approved**.

HR and Remuneration Committee

It was noted that the terms of MJ and KW as Council members will come to an end on 31 March 2017. As a result, a Council member will be required to take up MJ's position as the Chair of HR and Remuneration Committee. Council **agreed** to the recommendation that MG be appointed as Chair from 1 April 2017, following MJ's departure.

It was also **agreed** that AE would join the Committee.

Committee Terms of Reference

The Terms of Reference for all committees and groups will be presented to Council for approval at its March meeting.

RT reported that the Equality Monitoring Group has decided to advertise publicly for two independent members to join the Group.

Council Task Group

PG advised members that MWJ will Chair the Council Task Group that is being established to support staff in the implementation of the outcomes of the Organisational Review. PG, AE and RT will also join as members on the Group.

Creative Wales

MG congratulated staff on the success of the Creative Wales Awards at G39. He added that he welcomed the opportunity provided for a substantive debate of arts matters and hoped to see more such opportunities in the future. PG supported the suggestion.

4. **Matters arising**

All action points were reported as completed.

5. **Committee Minutes**

5.1 **Audit and Risk Assurance Committee – meeting held on 7 December 2016**

The report was **noted**.

5.2 **Equality Monitoring Group Meeting – 26 January 2017**

RT reported on the discussions of the recent meeting.

Strategic Equality Plan

The business of the meeting was predominately about the implications of data drawn from the Arts Portfolio Wales (APW), HR information and Lottery funded activity. This information is due to be included in our Annual Equalities Report. RT was disappointed to report that despite significant effort, the Arts Council was not achieving anything like the impact it wanted to see in this area.

Detailed analysis was impeded by the variable quality of the available data. The main issue was the lack of completion of the Equal Opportunities Monitoring forms. The Group expressed concerns that applications from organisations were apparently being processed without Equal Opportunities forms having been completed, in spite of completion being part of the eligibility criteria. It appears that the move to online applications may be the reason why applications are able to proceed through the process without an equality monitoring form. The group will be looking into the matter in more detail.

The group have suggested making the completion of the Equal Opportunities monitoring forms compulsory for individuals, providing a "prefer not to say" box on the forms. Discussions will be held between the Investment and Funding and IT teams to explore how the online application process can support our Equalities objectives.

Strategic Equality Plan

RT reported that 11 responses had been received from the Strategic Equality Plan consultation. Although the number of responses was disappointing, the content of these responses was detailed and helpful. The revised strategy and response to the public consultation will be presented to Council at its next meeting.

AM stated that he would like to see at the next Council meeting more concrete suggestions for tackling the issues of equalities.

AE added that Council need to be equipped with the skills and knowledge to assist organisations in Equalities matters.

KD

6. Chair's business

PG reported on recent events and matters.

Vice Chair

PG reminded members that they would be saying farewell to KW, Vice Chair in March. PG reported that he had asked MWJ to take on the role of Vice-Chair from April 2017, and MWJ had agreed.

Council members welcomed the announcement and congratulated MWJ.

Prof Dai Smith CBE

Council congratulated former Arts Council of Wales Chair, Prof Dai Smith, on his award of a CBE in the New Year Honours.

BBC Radio Jason Mohammed Show

PG reported that he had been interviewed on the show. He hoped he had been able to reach out beyond our usual constituency.

Valleys Task Force Meeting

PG and NC had met with John Howells, the Welsh Government's Director of Housing and Regeneration to discuss the Valleys Task Force that had been established under Alun Davies AM. Alun Davies will be invited to visit Valleys arts projects.

National Gallery

PG had met with representatives of the National Museum and Art Gallery to discuss their future vision for the Cathays site. PG would brief Council at its next meeting on our approach to the proposed feasibility study.

Creative Wales Awards

The Chair found the awards inspiring, noting that it was an important reminder of the value of our support for individual artists. RT congratulated staff on the event which he felt had been the best to date.

OECD Dinner

The dinner had been an interesting and useful opportunity to promote the work of our Creative Learning programme. PG thanked DH for her work in organising the event.

Artis Community

PG reported that he had spent an enjoyable day visiting Artis and had taken the opportunity to attend a dance and learning session.

National Assembly Cross-Party Arts and Health Group

PG attended the Group's last meeting which was addressed by Lord Alan Howarth.

PG

7. Chief Executive's business

7.1 Chief Executive's report

The Chief Executive's report detailed recent meetings, events and performances

that he had attended.

The Chief Executive's report also included information on staff joining and leaving the Council since the last meeting.

The report was **noted**.

10. Directors' Report

The report provided brief snapshots of activity across the organisation

Wales: India

British Council in partnership with Arts Council of Wales is running a funding programme to encourage collaboration and exchange between Wales and India. The Cabinet Secretary is to launch on 8 February at an event in Ffresh at Wales Millennium Centre. Council members will be invited to the event.

DA reported that 11 projects had been selected.

Council members noted the lack of successful applicants from North and Mid Wales. DA reported that difficult decisions had been a consequence of the high quality of applications. Although some proposals were not quite mature enough for this programme, there would be an opportunity to see if support might be available through our International Opportunities Fund.

China

Officers are undertaking work to develop cultural contacts with China. This was a contribution to the enactment of the cultural Memorandum of Understanding that had been signed between Wales and China.

BBC Horizons

It has now been agreed with the BBC that the scheme will continue into 2018. The format has been revised to help previously supported artists as well as offering opportunities to new artists emerging through "BBC Introduces".

Creative Learning through the arts (CLTA)

DH reported that 209 applications had been submitted to the latest round of the Lead Creative Schools scheme. The number of schools is now likely to exceed 530. The original target was to reach a third of schools in Wales. The project will exceed this target. The CLTA team will provide a presentation in March/May. Participants will join the meeting.

Investors in People

HT reported that we were investigating the case for re-applying for Investors in

DH

People accreditation.

He noted, however, that the costs of the new standards are likely to be substantially higher than in the past.

NC felt that some form of independent validation would be an important part of our future change programme, although it was necessary to find the best and most appropriate scheme. HT reported that the HR and Remuneration Committee will look at the matter in more detail at its next meeting and report back to Council.

Website

A project brief and outline budget for a new website had previously been approved. It was noted that our website hosting services continue to operate on a stable basis.

Council **noted** the report.

HT

11. **Organisational Review**

NC reported that information about Council's final staffing model, set out in "Our Way Forward", was published on schedule. He explained that the next part of the Organisational Review process had involved matching current staff to posts in the new structure (where this was possible). A specially convened Decision Panel met on 12 January.

It was noted that the Panel members were:

Phil George (PG) – Chair of Council

Marian Wyn Jones (MWJ) – Council member

John Williams (JW) – Council member

The Panel was joined by an independent Observer from ACAS, and the Chief Executive and HR Manager were in attendance.

The Panel's remit was to consider three questions:

1. Is it able to approve any requests from staff who would like to opt for Voluntary Redundancy?
2. Does a post in the old structure match a post in the new structure (allowing a 'slotting in' process for the post holder to be agreed)?
3. In the event of there not being an obvious match, are there posts in the new structure that might be offered as a 'suitable alternative'?

Staff were notified on Thursday 19 January of the provisional decisions of the Panel. Staff were also informed that a short period of individual consultation would also begin.

Final decisions were taken by the Decision Panel at its second meeting on 2 February.

NC informed Council that an internal audit of the process to date was currently being undertaken on the Organisational Review by Deloitte. He hoped to be able to arrange for a copy of the report to be available to Council at its next meeting.

NC

At this point, the Chair asked that all staff other than the Chief Executive leave the meeting while he reported back on the outcome of the second Decision Panel meeting.

PG explained that the Decision Panel's task was to review the responses of staff to the Panel's initial allocation of posts in the new structure. He noted that in excess of 88% of staff had accepted the Panel's initial offer, and he felt that this was an encouraging outcome.

Those staff who had queried, or rejected, the Panel's initial decisions had raised a variety of different issues – some were structural, others specific to particular posts. Each issue was worked through in great detail by the Panel. PG reaffirmed that the Panel's remit was not to change structural matters already agreed by Council.

The Panel had reached final decisions for all members of staff and it was hoped that letters could be sent to all staff by 15 February. It was noted that if a member of staff disagrees with the Panel's final decision, they can appeal to the HR & Remuneration Committee.

PG presented details of the anticipated redundancies as well as the cost implications. Council noted a number of those who would be leaving are long-serving members of staff. Council strongly expressed its wish to show its genuine appreciation of their contribution over many years.

In conclusion, PG noted that it has been a challenging process, but he and Panel colleagues believed that it had been fair, forensic and rigorous. This was confirmed by the independent ACAS Observer.

<p>Council noted the report.</p>	
<p>12. Welsh Government Cultural Statement: "Light Springs through the Dark"</p> <p>In December the Cabinet Secretary for Economy and Infrastructure published <i>"Light Springs through the Dark: A Vision for Culture in Wales"</i> which sets out his vision for the culture sector during the term of this government. Council will provide a written response.</p> <p>Council discussed the draft statement response and delegated to the Chair and Chief Executive responsibility for finalising the response.</p> <p>Council also asked that its response should be published on our website.</p>	<p>BM</p>
<p>13. Ideas: People: Places</p> <p>RT declared an interest in IPP, the project Arts and Mind.</p> <p>NCa provided a presentation on Ideas: People: Places. The presentation outlined the innovative aspects of many of the projects and their success in adopting new approaches to community regeneration. The learning shared between projects had also been an especially valuable aspect of the programme to date.</p> <p>Council thanked NCa for an informative presentation.</p>	
<p>14. Policy</p> <p>14.1 Operational Plan 2017/18</p> <p>Council discussed initial thoughts on the key themes of the Operational Plan. It was agreed that the Plan would be the main focus of a Council workshop discussion on 16 March.</p> <p>It was agreed that discussion should be organised around the overarching themes of Make: Reach: Sustain.</p>	
<p>14.2 The Resilience Programme</p> <p>The Resilience Programme is now underway and all 53 Expressions of Interest have been reviewed and assessed. The report explained the next stages of the programme and identified key emerging themes.</p>	

Council **noted** this report.

14.3 Hynt National Access Initiative

Hynt is an Arts Council of Wales initiative managed on our behalf by Creu Cymru (the Development Agency for Theatres and Arts Centres in Wales) and Diverse Cymru (a Welsh charity committed to supporting people faced with inequality and discrimination across the protected characteristics). The scheme enables attendance at key venues across Wales by disabled people and their companions.

Council:

1. **Agreed** to the continuation of Hynt
2. **Noted** the benefit of an ongoing relationship with Creu Cymru to manage the scheme on our behalf. However, it noted that the award of any future contract must be subject to appropriate procurement protocols.

15. Financial reports

15.1 Budget 2017/18

In December Council agreed overall head-line budget allocations for 2017/18. At that meeting Council took account of the increase in Welsh Government grant-in-aid funding of 3.5% (£1.066m). It also noted the deteriorating position in relation to income from the National Lottery.

NC drew attention to an error in the paperwork presented to the last Council meeting relating to the funding allocation to Ffilm Cymru Wales (where two different figures had been quoted in the papers). Council confirmed the figure and noted the steps around quality assurance that were being taken by officers to avoid any similar errors in the future.

The paper set out the recommendations for the Strategic and Lottery budgets.

Council:

1. **Approved** the amendment to Ffilm Cymru Wales' funding for 2017/18
2. **Approved** the proposals for Strategic funding of **£2.5m**
3. **Approved** the proposals for Lottery funded activity of **£26.3m**
4. **Noted** position regarding Running costs
5. **Noted** the five-year Lottery budget projections

It was noted that KD will present a defined paper on Capital Funding at May Council.

KD

15.2 Finance report to 31 December 2016

The report provided Council with a high-level overview of income and expenditure to the end of December 2016. It also drew attention to matters which Council was asked to note.

Council:

1. **Discussed** matters arising
2. **Noted** the financial position

15.3 Arts Council of Wales Pension Triennial Valuation

Members have been briefed previously on the triennial valuation process. The process has now been concluded.

Council **approved** the proposed contribution schedule as it applies to the Arts Council of Wales.

15.4 Funding recommendations

Decisions on lottery applications of £50,001 or more require Council approval. A total of 5 recommendations are presented in this paper.

Also included are recommendations for Council's approval for the India Wales Fund.

AE declared an interest and left the room.

ID/Ref	Organisation	Request	Recommendation	Strand
20161324	AGE Cymru	£55,328	£55,328	Taking Part
20161322	Eisteddfod Genedlaethol Cymru	£60,000	£60,000	Festivals
		£115,328	£115,328	

Council **approved** the recommendations.

ID/Ref	Organisation	Request	Recommendation
20170032	Artes Mundi	£60,000	deferral
20170029	Chapter Arts	£56,576	£56,576
20170035	National Theatre Wales	£54,886	£54886
		£171462.00	£109,462.00

Council **approved** the recommendations.

AE returned to the room.

16. Operational Plan 2016/17 Quarter 3 Report

Our Operational Plan takes our corporate strategies and priorities and translates them into the specific actions and programmes of work. These drive the implementation of our policies and priorities. They also guide the deployment of our financial and staff resources.

Council **noted** the report.

17. Date of the next meeting

Thursday 16 March (pm) and Friday 17 March 2017. KB to advise the venue.

KB

Council meeting Friday 3 February 2017: Summary of actions and decisions

Agenda item	Action/Decision	Responsibility
5.2	The Investment and Funding Services and ICT teams will meet to find a way of ensuring that our online application process captures Equalities data.	KD
6.	Council to be briefed on our approach to exploring the feasibility of a new National Art Gallery.	PG
10.	The Creative Learning team will give a presentation to the May Council meeting.	DH
10.	The outcome of the HR and Remuneration Committee's discussion on Investors in people will be reported back to Council.	HT
11.	A copy of the internal audit report on the Organisational Review will be shared with Council.	NC
12.	Our response to the Government's Culture Statement will be published on our website.	BM
15.1	A paper on the future of the Lottery Capital programme will be presented to May Council.	KD
17.	Members will be advised of the venue for the March Council meeting.	KB