



Music Education Hubs: Governance guidance

Published 12 May 2023

Supported using public funding by



**ARTS COUNCIL
ENGLAND**

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Introduction

The Arts Council has a responsibility to ensure that public funding is used for the purposes it was intended for. Given the scale of public funding we are investing in on behalf of the Department for Education (DfE), we need to be confident that Music Education Hubs/Music Hubs (Hubs) are well governed and well managed by the Hub Lead Organisation (HLO), with the HLO using their grants efficiently and effectively to maximise the benefits to children and young people. As part of the funding agreement, we therefore expect HLOs to demonstrate that appropriate governance structures are in place.

We recognise that arrangements will vary, so this document is intended to support HLOs and Hub partners to align our requirements with generally accepted best practices for good governance.

This document is primarily aimed at Music Education Hubs delivering against the requirements for the 2023-24 funding period. However, it may also be helpful for anyone applying to lead a Music Hub as part of the Music Hub Investment Programme, to understand our reporting requirements and expectations for Hubs.

Hub governance arrangements

Hubs are, by definition, partnerships of organisations working together to create and deliver joined-up music education provision. How a Hub creates those partnerships is not defined, but they must be governed to help address conflicts of interest that are inherent in partnership working.

We require that all Hubs must be governed by a Hub board (or equivalent oversight group – herein referred to as the ‘Hub board’), which ensures that the Hub uses impartial, evidenced-based decision-making to allocate resources and oversee activities in a transparent manner.

If the HLO only delivers Hub activity, then the HLO’s board may also be the Hub board.

If the HLO’s activity is broader than the delivery of Hub activity, it may be necessary for the HLO to create a sub-committee or steering group as the Hub board with terms of reference that address our governance requirements.

One Hub board may serve more than one Hub, provided that terms of reference are agreed with each Hub.

We expect that most Hubs will operate with a separate Hub board.

If any Hub wishes to use a different governance arrangement, it must explain how all conflicts of interest and conflicts of loyalty will be identified and managed.

Hub governance requirements

In all Hub governance arrangements, HLOs must demonstrate to the Arts Council that they are ensuring:

- objective, consistent evidence-based decision-making
- strong insight that will help the Hub in its efficient strategic delivery
- independence and impartiality for appropriate accountability
- breadth of perspectives to help the Hub be responsive and participatory
- robust and transparent quality assurance processes

To be compliant with the [Additional conditions](#) and [standard terms and conditions](#) of the funding agreement, all HLOs must meet the following governance requirements for their Hub, while Hub activity is funded by the Arts Council:

- Implement a **Hub board**, which has the skills and authority to check, challenge and champion strategic Hub decisions.
- Agree a **terms of reference** which clearly defines the remit of the Hub board.
- Appoint an **independent chair of the Hub board** with the authority to meet and correspond freely with the Arts Council, and to represent the Hub board as required.
- Ensure that there is a **conflicts of interest policy** that applies to how the Hub board members make decisions, and that any conflicts of interest are appropriately managed.
- The Hub board must have **broad and diverse representation**, demonstrating a range of perspectives, skills and protected characteristics within its membership, and be representative and reflective of the communities served by the Hub. Representation must include schools, parents/carers, young people, strategic partners, and the wider arts/cultural, youth and music industry/sector.

Hub governance recommendations

Implementing a Hub board

We suggest that HLOs will be able to fulfil our governance requirements if they follow one of the many widely adopted governance codes of practice or frameworks (eg the [Charity Governance Code](#) as a tool to support continuous improvement.

As part of this, a HLO may wish to consider the following recommendations:

- Ensuring the majority of the Hub board consists of independent members, ie members that do not personally provide funded services to the Hub or are not in any way related to the executive officers who deliver or manage the activity set out in the funding agreement.
- Seeking views from experts, peers and/or Hub partners in setting up and regularly reviewing their Hub's governance arrangements.
- Limiting the terms of service of Hub board members to a defined maximum term.
- Agreeing an expenses policy for Hub board members' reasonable expenses, where applicable.
- Making available all minutes of Hub board meetings to stakeholders.
- Reviewing all policies and a risk register on a regular basis.

Terms of reference for your Hub board

We expect all HLOs to have a terms of reference for their Hub board, which are reviewed on a regular basis.

The terms of reference must clearly set out the relationship between the HLO (including the organisation's board and executive), the Hub board, and, where relevant, any sub-committees, steering groups and partner organisations, to ensure that the purpose, objectives and responsibilities of the Hub board are clearly communicated and that any conflicts of interest are being appropriately managed.

Appropriate terms of reference should include:

- the remit, purpose and objectives of the Hub board, including schemes of delegation and how the Hub board will work in relation to the governance of the HLO (where appropriate) as well as to other sub-committees or steering groups
- an agreed schedule for planned work (eg reviewing the Hub budget)

- the Hub board membership, including the description of any key roles (eg the name and role of the chair)
- how and when the Hub board will meet, how and when notice for meetings will be given, and how and when agendas with supporting papers will be distributed
- the quorum for meetings
- how meeting minutes and actions will be taken and shared
- how decisions will be taken, and any special arrangements for voting
- a cross reference to the Hub's policies
- how deadlocks and disputes will be dealt with

Implementing an independent chair of the Hub board

The chair is the individual charged with providing the Hub board with leadership, and to harness the talents and energy contributed by the HLO and board members. The chair is required to retain an objective viewpoint of all aspects of Hub management and delivery.

An independent chair is more likely to foster independent decision-making and to mitigate conflicts of interest that may arise. They may also be able to bring a focus and expertise to the role that will be of benefit to the work of the Hub board. Therefore, the Hub board's chair should not be (nor connected to) the chief executive or senior management of the HLO, or a Hub partner.

The chair's role should be clearly specified. You may also wish to consider whether the Hub board's chair is assisted by a vice-chair.

Conflicts of interest policy

A conflict of interest or loyalty is any situation in which a Hub board member's personal interest, or interest which they owe to another body, could influence or affect the decisions they make as a Hub board member.

To ensure independence and impartiality for appropriate accountability, and to mitigate the risk of reputational damage, all Hub boards should have a conflicts of interest policy in place. Having a policy in place will help to ensure that all potential conflicts are dealt with consistently and will enable the Hub board to comply with regulatory guidance.

Your conflicts of interest policy should identify an appropriate process for Hub board members to disclose any actual or perceived conflicts of interest (including a declaration of interests at the beginning of each meeting) and detail how these will be managed (including a register of interests, which is updated regularly).

For further details on conflicts of interest, including information on what a conflicts of interest policy should contain, please see this [Charity Commission guidance](#).

Ensuring broad and diverse representation

To achieve greater fairness, access and opportunity across your Hub governance arrangements, Hub boards should conduct a periodic audit which:

- reviews the current representation and diversity of its members
- identifies opportunities to become more inclusive and representative of the communities served
- assesses the current expertise and skills of its members, determining, strengths, gaps and areas for improvement

Hubs should conduct this activity on an ongoing basis, translating any evaluation findings into an action plan or equivalent. This may include:

- publishing a Hub board succession plan and recruitment policy as the basis of an inclusive, transparent and open selection process which ensures a broad range of skills and views
- detailing, within any inclusion strategy, whether other stakeholder, advisory groups and/or ad-hoc consultations are necessary to be compliant with the [additional conditions](#) and [standard terms and conditions](#), especially considering the views of children and young people (ie ensuring youth voice)

The Arts Council's monitoring arrangements

Relationship Managers may ask HLOs about their chosen governance code or framework and how they have applied it to their practice. The Arts Council may also choose to review the organisational governing documents for the HLO at any stage. This will include checking company registrations with Companies House and the Charity Commission, and other checks to establish the validity of its governing document (organisations are required to notify the Arts Council of any changes in those documents and circumstances, as per the terms and conditions of the funding agreement).

The Hub board must be informed about any concerns we express, if they arise, either in discussion at a meeting or in writing. The Hub board, working with the HLO's executive officers (and wider governance structure where appropriate), must deal with relevant issues and provide prompt and constructive advice on how to meet the requirements set out in the funding agreement.

The Arts Council, through its Relationship Managers, will review Hub board papers on a quarterly basis and attend meetings. We may also write to the HLO, and/or the Hub board chair and/or attend Hub board meetings to provide feedback.