

Minutes National Council



Date	Wednesday 19 October 2022
Time	11am - 5pm
Location	Arts Council England, The Foundry, 82 Granville Street, Birmingham, B1 2LH

Present:	Sir Nicholas Serota CH (Chair)	Chair of Arts Council England
	Helen Birchenough	South West Area Council Chair
	Roni Brown	South East Area Council Chair
	YolanDa Brown	National Council Member
	Bill Bush	National Council Member
	Sukhy Johal MBE	Midlands Area Council Chair
	Ruth Mackenzie CBE	London Area Council Chair
	Elisabeth Murdoch CBE	National Council Member
	Andrew Miller MBE	National Council Member
	Jamie Njoku-Goodwin	National Council Member
	Abigail Pogson	National Council Member
	Paul Roberts OBE	National Council Member
	Deborah Shaw	National Council Member
	Baroness Fleet (Veronica Wadley CBE)	National Council Member
	Kate Willard OBE	North Area Council Chair

Apologies: None

Also Present:	Darren Henley CBE	Chief Executive
	Liz Bushell	Executive Director and Chief Financial Officer
	Laura Dyer MBE	Deputy Chief Executive Places, Engagement & Libraries
	Simon Mellor	Deputy Chief Executive, Arts and Museums
	Mags Patten	Executive Director, Communication and Public Policy
	Francis Runacres MBE	Executive Director, Enterprise and Innovation
	Richard Russell	Executive Director and Chief Operating Officer
	Ruth Alaile	Director, Governance and Planning
	Jane Dawson	Director, Funding Programmes
	Michelle Dickson	Director, Strategy
	Eddie de Souza	Director, Investment Operations and Resources
	Abid Hussain	Director, Diversity (Item 7)
	Alex Middleton	Senior Manager, Funded Organisations
	Claire Mera-Nelson	Director, Music and London (Item 7)
	Tharsini Joganathan	Director of Legal Services

David Bryant
Eliza Burrows
Bradley Hackett

Senior Governance Officer
Officer, Governance (minutes)
Apprentice, Governance

Abbreviations

Arts Council: Arts Council England

IPSO/s: Investment Principle Support Organisation/s

NPO/s: National Portfolio Organisation/s

1. WELCOME AND APOLOGIES

- 1.1. The Chair welcomed all attendees to the meeting.
- 1.2. There were no apologies to record.

2. INTRODUCTION

- 2.1. National Council members began by thanking the team at Arts Council for their work on the National Portfolio round.
- 2.2. The Chair explained the purpose of the meeting, which was to make the final decisions on the 2023-2026 Investment Process. He emphasised to Council members that the meeting was an important step forward in the delivery of Arts Council's 10-year strategy, Let's Create.
- 2.3. National Council members were reminded of the approach to conflicts of loyalty and interest and when they were required to leave the room for discussions and decisions. The Chair stated that if he had to leave the room due to a conflict, Paul Roberts would act as Chair for the duration of his absence.
- 2.4. National Council members were also reminded of the importance of confidentiality. They were also reminded of the Seven Principles of Public Life (also known as the Nolan Principles), which apply to everyone who works as a public office holder.

3. DECLARATIONS OF INTEREST

- 3.1. National Council members were asked to declare any additional interests or relationships with organisations which are not on the list, particularly in relation to any organisations who are likely to be discussed at the meeting. No additional interests were declared.
- 3.2. In addition to the Register of Interests, members were asked to declare specific artform, genre or discipline interests, recognising that all members of National Council have an overriding passion and commitment to the sector more generally. The following declarations were made:

Action

Sir Nicholas Serota CH	Visual Arts and Museums
Helen Birchenough	Non-disciplinary/ Theatre
Roni Brown	Non-disciplinary
YolanDa Brown	Music and Jazz
Bill Bush	Music
Sukhy Johal MBE	Non-disciplinary
Ruth Mackenzie CBE	Multi-disciplinary, digital, and international
Elisabeth Murdoch CBE	Visual Arts
Andrew Miller MBE	Music, Opera, Theatre and Digital
Jamie Njoku-Goodwin	London, Music, Theatre and Children and Young People
Abigail Pogson	Music and Opera
Paul Roberts OBE	Children and Young People
Deborah Shaw	Non-disciplinary
Veronica Wadley CBE	Music, Theatre and Children and Young People
Kate Willard OBE	Geographical – Thames and Teeside

4. MINUTES FROM THE MEETINGS HELD ON 26 SEPTEMBER 2022 AND 30 SEPTEMBER 2022

- 4.1. National Council **AGREED** the minutes of the 26 September and 30 September 2022 meetings.

5. 2023-26 INVESTMENT PROGRAMME: CONTEXT

- 5.1. The Chair reminded Council members of the background of events leading up to the current Investment programme, reminding them that the process began in 2017 with surveys across the country asking people about their expectations of the Arts Council. The results of that exercise revealed that the public wanted to see high quality ambitious art and culture which was geographically more

diffuse. The Government had also asked us to rebalance the portfolio by “levelling up” our funding outside London. In addition, the sector was still recovering from the effects of the COVID-19 pandemic. The sector was also having to deal with the inflationary pressures.

- 5.2. National Council were also informed that any organisation who is leaving the portfolio as a result of this application process will be able to apply for up to seven months transition funding. So that will be 12 months of funding following announcement of the decision.
- 5.3. The Chair and Chief Executive also briefed National Council on their recent meeting with the Secretary of State. It was noted that in view of the economic context Department of Culture Media and Sport has removed the requirement for organisations receiving over £2m per annum to increase their level of activity in Levelling Up for Culture Places by 15%. The Chief Executive confirmed that no applications had been proposed/rejected for funding or had requested amounts reduced or increased on the basis of any information they provided about this additional activity. Arts Council will enter into further discussions with organisations receiving over £2m per annum during the funding negotiation period when those organisations will have the opportunity to revise their activity plans accordingly.

6. 2023-26 INVESTMENT PROGRAMME: BUDGET

- 6.1. Director, Investment Operations and Resources introduced this item and presented National Council with the final National Portfolio budget proposal.
- 6.2. Following discussions with National Council and taking into account the increasing financial pressures on organisations leaving the portfolio, it was proposed to increase the amount of support that organisations leaving the portfolio can apply for - to up to 7 months of their grant. It was therefore proposed to increase the Transition budget from £5.4m to £12.6m by moving £7.2m from the Reset budget.
- 6.3. National Council **AGREED** to approve the:
 - a. NPO/IPSO/ Transfer budgets for 2023-2024 to 2025-2026 as set out in the paper.
 - b. Transfer of up to £7.2m from the Reset budget to the Transition budget, so that it can be increased to £12.6m.

7. 2023-26 INVESTMENT PROGRAMME: PROPOSALS

- 7.1. National Council were also provided with an analysis of the proposals from the perspective of Geography, Children and Young People, Equality and Diversity, Artform and Disciplines.

NPO Area Council Decisions up to and Including £1 million Including

- 7.2. The Deputy Chief Executive Places, Engagement & Libraries presented decisions from the five Area Councils on the up to £1m applications, and some referrals from Area Councils which needed National Council's approval.
- 7.3. National Council noted the decisions from the five Area Councils following the assessment of each individual application and in accordance with the published balancing criteria.

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*[Information has been withheld here in line with the requirements of **section 43(2) of the Freedom of Information Act 2000 – prejudice to commercial interests.** A public authority is entitled to withhold information under this provision where disclosure of that information would be likely to prejudice the commercial interests of any persons or organisations.]*

- 7.4. In relation to the Area Council referrals, following full consideration and discussion the National Council AGREED to approve the recommendations as set out in appendix A.
- 7.5. The following conflicts of interest and high risk conflicts of loyalty were declared, the members concerned withdrew and did not take part in the discussion on of those applications:
[.....]

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University of the Arts London (Trading as Afterall): Roni Brown

NPO Applications of £1,000,001 and Over

- 7.6. National Council considered the recommendations on the applications of over £1m, noting the proposals that had been made following the assessment of each application and in accordance with the published balancing criteria.

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7.10. [.....
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7.11. National Council considered the proposed recommendation on symphony orchestras in London.

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7.12. The Executive Director provided National Council with an update on investment in symphony orchestras in London following discussions. [.....]
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7.13. [.....]
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*[Information has been withheld here in line with the requirements of **section 36(2)(b)(i) and (ii) of the Freedom of Information Act 2000 – disclosure would be likely to inhibit the free and frank provision of advice and the free and frank exchange of views for the purposes of deliberation.** This information details free and frank opinion and advice offered in open discussions. It is necessary for a certain amount of “safe space” to exist in order for officials to debate issues freely. Disclosure of these details would be likely to inhibit the future ability of officials to express themselves openly, honestly and completely.]*

[.....]

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7.14. There was a discussion about the proposed funding levels for some of the visual art applicants in London.

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information would be likely to prejudice the commercial interests of any persons or organisations.]

- 7.17. National Council **AGREED** decisions on applications over £1m as set out in appendix A.
- 7.18. The following conflicts of interest and high risk conflicts of loyalty were declared, the members concerned withdrew and did not take part in the discussion and decision on of those applications:

Britten Pears Arts: Jamie Njoku-Goodwin
Contemporary Dance Trust: Roni Brown
English Touring Opera: Bill Bush
Glyndebourne: Jamie Njoku-Goodwin
London Philharmonic Orchestra: Jamie Njoku-Goodwin and Yolanda Brown
Manchester International Festival/ The Factory: Ruth Mackenzie
Nottingham Contemporary: Paul Roberts
Royal Shakespeare Company: Andrew Miller
The Sage, Gateshead: Abigail Pogson
Serpentine Galleries: Ruth Mackenzie
University of Oxford: Andrew Miller
Welsh National Opera: Andrew Miller
Wiltshire Creative: Helen Birchenough

- 7.19. [.....]
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- 7.20. [.....]
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organisations.]

Proposed Portfolio of Investment Principle Support Organisations

7.21. National Council members were invited to discuss the recommendations being put forward for Investment Principle Support Organisations (IPSOs). The Director Strategy introduced this item by providing an overview of the portfolio and budget.

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7.23. National Council asked for a report to come to a future National Council meeting on how IPSOs are contributing to the work around Children and Young People.

7.24. In response to a question about how the Arts Council will monitor the contribution of IPSOs, the Director of Strategy informed Council members that all the IPSO organisations will have an agreed activity plan, progress on this will be monitored by the Arts Council.

7.25. National Council **AGREED** the recommendations for investment in Investment Principles Support Organisations (IPSOs) in Appendix A save for those members conflicted:

7.26. The following conflicts of interest and high risk conflicts of loyalty were declared, the members concerned withdrew and did not take part in the discussion and decision on of those applications:

The Space CIC, [.....] – Andrew Miller

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University of the Arts London (trading as Artquest) – Roni Brown and Ruth Mackenzie

Proposed Portfolio of Transfer Organisations

- 7.27. National Council discussed the recommendations for Transfer Organisations.
- 7.28. National Council **AGREED** the recommendations for investment in Transfer Organisations applications, as outlined in Appendix A.
- 7.29. The following conflicts of interest and high risk conflicts of loyalty were declared, the members concerned withdrew and did not take part in the discussion and decision on of those applications:

English Touring Opera: Bill Bush
Shape London: Andrew Miller

2023-26 INVESTMENT PROGRAMME: Equality Analysis

- 7.30. The Director of Diversity provided National Council members with an update on the process and progress of the Equality Analysis for the 2023-2026 Investment Programme. He reminded National Council that the Arts Council was required by the Equalities Act 2010 to give due regard to equality when making decisions.
- 7.31. In relation to disability the Chair of the Disability Advisory Group, noted the disability figures from this investment round. There were a low number of applications from disabled led

organisations, particularly in the Midlands, South East and South West for both NPOs and IPSOs. Although there is an increase in people declaring disabilities, there is still progress to be made in regard to disabled representation within the arts.

7.32. The Chair of the Race Advisory Group, commented on the Black, Asian and Ethnically Diverse leadership figures. It was agreed that although this investment programme clearly showed improvement from previous rounds, there was still a considerably lower number of applications in the North, within the IPSO programme and a continued under-representation of Black, Asian and Ethnically Diverse leaders across Museums which would need to continue to be addressed.

7.33. There were discussions about what the Arts Councils' ambitions for equality were. Clear goals and targets could provide Arts Council with a clearer direction. It was noted that an action plan to address the issues raised in the equality analysis would be presented to National Council at a future meeting.

7.34. National Council **AGREED** to approve and endorse the Equality Analysis presented.

Director of
Diversity/
Executive
Director,
Communication
and Public
Policy

8. COMMUNICATIONS

8.1. Executive Director, Communication and Public Policy presented National Council members with the proposed communications plans for announcing the National Portfolio Organisations decisions. They were informed that a national press conference would take place on 26 October where the final NPO announcements would be made.

(YolanDa Brown left the meeting)

8.2. National Council **NOTED** the communication plan.

9. ANY OTHER BUSINESS

9.1. The Chair and National Council congratulated and thanked the Investment Centre, the Governance team, and Executive Board of Arts Council England for their contributions to this process.

Members also wanted to thank Darren Henley for his role as Chief Accounting Officer.

9.2. Darren Henley and Executive Board wished to thank the Chair and all National Council members for their time, expertise, challenges and support throughout the 2023-26 Investment Process.

9.3. There was no additional business.

The meeting closed at 5pm.