



Memorandum of Understanding

between

**Arts Council England and the Heritage
Lottery Fund**

1. The Partners in this Memorandum of Understanding

Arts Council England (ACE) is the national development agency for the arts, museums and libraries in England, distributing public money from Government and the National Lottery. ACE champions, develops and invests in artistic and cultural experiences that enrich people's lives. We support a range of activities across the arts, museums and libraries – from theatre to digital art, reading to dance, music to literature, and crafts to collections. Great art and culture inspires us, brings us together and teaches us about ourselves and the world around us. In short, it makes life better. We invest public money from government and the National Lottery to help create these experiences for as many people as possible across the country. www.artscouncil.org.uk

The Heritage Lottery Fund (HLF) distributes money raised by the National Lottery to support the UK's heritage - the product of a rich and precious history of buildings, sites, objects, landscapes and, above all, people. To secure HLF funding, organisations must deliver lasting change for people and communities, bringing them pleasure and understanding, and opening up heritage so future generations can enjoy and learn from it and be inspired. HLF provides leadership through advocating for the value of the heritage and building partnerships, capacity and resilience. We serve the whole of the UK through a secure, open, stable, ever more efficient and respected organisation, striving truly to serve and reflect the UK's diverse people and communities.

www.hlf.org.uk
www.nhmf.org.uk

2. Context

Arts Council England and the National Heritage Memorial Fund/Heritage Lottery Fund have for many years worked together as investors in the arts, culture and heritage of England; as joint funders with National Lottery money of capital projects, cultural programmes and grant schemes; as advocates for the value of the arts, culture and heritage to society; and as key members of the family of cultural organisations and funders sponsored by the Department for Digital, Culture, Media and Sport.

This close working is exemplified by the Catalyst programme (complementary capacity-building grants schemes for arts and heritage); joint funding of 14-18NOW, the First World War Centenary Cultural programme; and Great Place, joint investment in the role of culture in place-making. There has also been close liaison between ACE and HLF/NHMF on a wide range of issues affecting museums, collections, and cultural property. These include export licensing, collections at risk and acquisitions, especially with NHMF's financial assistance for the acquisition, preservation and maintenance of heritage of outstanding importance in the UK.

In 2017 the UK Government published 'The Mendoza Review; an independent review of Museums in England' (DCMS 2017), which sets out the roles of ACE and HLF in respect of museums in England. The Review articulated ACE's role as the public agency for the development of museums, libraries and the arts, and it called for ACE to become a stronger and more assertive leader of museum development throughout the sector.

The Review recognised and endorsed the role played by HLF in the museums funding ecology ensuring that money gets to where it is needed most.

The Mendoza Review states that the most pressing and important challenges facing England's museums required a joined-up approach between DCMS, ACE, and HLF, as key funders of the sector to enable the best use of the limited resources available. On the basis that ACE is the development agency for museums, the Review says that HLF will take a lead from ACE in England. Our two organisations are asked to work together to share intelligence, streamline our offers to museums so it is clear where they should go for different needs, and align funding to ensure maximum impact for both organisations.

Both ACE and HLF are committed to delivering elements of DCMS's Digital Culture project for our respective sectors and to working together, for example to create the Digital Maturity Index and to encourage more robust data collection and sharing by funded organisations.

Government has also recently carried out Tailored Reviews of both ACE and HLF, making recommendations to each about stronger partnership working.

Arts Council England will publish a new 10 year strategy in September 2019, covering the period 2020-30. It will be a high level document, accompanied by a plan for the first period of delivery. This plan will include actions and success measures which relate to the Arts Council's role in relation to arts, libraries and museums.

HLF will launch a new Strategic Funding Framework in January 2019 with new funding programmes for 2019-2024.

ACE and HLF now wish to formalise their relationship through this Memorandum of Understanding, which makes a commitment to a close strategic working relationship between ACE and HLF for the period 2018-2021.

3. The Commitment

3.1 Scope

ACE is the development agency for the arts, museums and libraries in England; this includes only those museums which are Accredited. HLF funds heritage projects led by not-for-profit organisations across the UK, including museums, whether Accredited or not.

ACE and HLF have a wide range of shared strategic interests, which are common to arts, museums and heritage. In addition, we have museum- specific shared interests, particularly as referenced in the Mendoza Review.

This Memorandum of Understanding covers all our shared interests and activity.

Shared strategic interests

- Capital/Infrastructure
- Digital
- Diversity and inclusion
- Engagement and Audiences
- Governance
- Leadership
- Learning
- Philanthropy
- Place-making

Resilience
Skills
Social investment
Volunteering
Wellbeing
Workforce

Additional museum-specific shared interests

Acquisitions
Collections
Conservation
Curation
Museums/collections at risk

This Memorandum of Understanding covers the shared interests and activity of ACE and HLF in England; HLF may develop parallel agreements with bodies in Northern Ireland, Scotland and Wales.

3.2 Objectives

We will work together in the best interests of our respective stakeholders and clients, aiming for the best use of available resources. We will ensure clarity for stakeholders and clients in respect of our roles and which of us funds and/or supports what.

As appropriate to any given situation, we will undertake the following activity:

Sharing data and intelligence
Strategic reviews e.g. of needs
Review of expressions of interest/applications for funding
Joint funding programme
Complementary funding programme
Joint funding of major projects
Joint research and/or evaluation
Joint advocacy

3.3 Delivery plan

ACE and HLF will draw up two delivery plans in line with the shared interests

and objectives outlined above and with both organisations' strategic planning processes. This Plan will form an Appendix to the Memorandum of Understanding and should be considered to be an integral part of it. Whilst both organisations intend to invest funding in joint activity, this cannot be guaranteed at the outset. Individual programmes and objectives may need to be adjusted to suit the level of resources available.

3.4 Working together strategically

We recognise that a binding commitment to working together and sharing intelligence is key to both delivery of the Mendoza Review recommendations and a more strategic approach to our respective distribution of National Lottery funds. This does not change either organisation's ability to take independent funding decisions at national, regional or local levels. We also recognise that we are building on existing relationships and approaches and looking to make them more consistent.

Each organisation will take into account the other's views where relevant.

With regard to implementing the Mendoza Review, HLF will take into account ACE's views in assessment and decision making.

ACE will ensure HLF receives timely and relevant intelligence which may have bearing on applications to HLF or HLF-funded projects, including early flagging of potential problems around a museum's Accreditation.

There will be meetings between the appropriate member of ACE's Area Management Team and the HLF Head of Region at regular intervals, as a

minimum quarterly. Their purpose will be to share regional intelligence generally and, specifically on applications which have funding/strategic implications for both organisations.

Our Chairs and Chief Executives will continue to meet every six months, and they will have oversight of progress against the MOU and the action plan at each meeting.

The Project Group will meet every three months, and will be responsible for ensuring the delivery, reporting and monitoring of progress on the action plan. They will prepare an update for the Chairs and Chief Executives meeting.

Membership

ACE: Director, Museums – Kate Bellamy, Director North - Sarah Maxfield, Senior Museums Manager - Isabel Churcher

HLF: Deputy Director, Strategy - Karen Brookfield, Head of Museums, Libraries and Archives – Fiona Talbott

We will develop Terms of Reference for each group including membership, meeting cycle and purpose.

ACE's Director of Museums and HLF's Head of Museums will meet monthly. Senior strategy staff of ACE and HLF will meet quarterly with the addition of senior museum staff at least once in the year/when necessary.

We will review this approach at the six month and twelve months points.

3.5 Good Partners Agreement

ACE and HLF will each inform the other partner prior to any sensitive messages emerging that might impact on that other organisation.

Both partners will share information with each other about any agreements with third parties as appropriate.

Both organisations will observe confidentiality as required in relation to shared information that is not in the public domain.

Both organisations shall assist and cooperate with each other to enable each organisation to comply with their information disclosure obligations.

Arts Council England and HLF are 'public authorities' for the purposes of the Freedom of Information Act 2000 ('the FOI Act'). Subject to certain exceptions, they are required to supply information to members of the public on request. This potentially includes any information that relates to activity conducted under the terms of this Memorandum of Understanding.

In the event of one organisation receiving a FOI Act request that involves disclosing information that has been provided by the other organisation, the organisation in question will notify the other to allow it the opportunity to make representations on the potential impact of disclosure.

Both parties agrees to notify the other as soon as possible if they consider any information they give to that party to be confidential or covered by one or more of the other FOI Act exceptions. This clause will not affect the rights of HLF or ACE under the Data Protection Act 1998 or any other relevant data protection legislation.

4.0 Evaluation of the Memorandum of Understanding

ACE and HLF will evaluate the effectiveness and success of the MOU through regular monitoring of delivery against the action plan.

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Sir Nicholas Serota
Chair, Arts Council England

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Sir Peter Luff
Chair, Heritage Lottery Fund

Appendices

- Action Plan for 2018/19
- Mendoza recommendations to ACE and HLF
- Glossary of terminology and definitions