



**Minutes of the meeting of the Board of the Arts Council
held at MacNeice House, Belfast
Wednesday 12 November 2008 at 5.00pm**

PRESENT

Rosemary Kelly (Chairman), Eithne Benson, Damien Coyle (Vice Chairman), David Irvine, Tony Kennedy, Bill Montgomery, Sharon O'Connor, Joe Rice, Brian Sore.

IN ATTENDANCE

Roisin McDonough (Chief Executive)
Paul Burns (Director of Corporate Services)
Philip Hammond (Director of Arts Support)
Nick Livingston (Director of Strategic Development)
Lorraine McDowell (Director of Operations)
Noirin McKinney (Director of Arts Development)
Claire Robinson (Executive Assistant to the Board)

APOLOGIES

Kate Bond (ML), Raymond Fullerton, Ian Montgomery, Paul Seawright, Peter Spratt, Janine Walker

1 MINUTES OF PREVIOUS MEETING – 8 October 2008

The Chairman drew attention to the amended minute which had been circulated prior to the meeting. The Board considered the document and accepted it as an accurate record of the meeting. The amended minute of the meeting held on 8 October 2008 was approved by the Board and signed by the Chairman.

2 MATTERS ARISING

Page 3, Item 4.7 – Action List

The Chief Executive clarified she had no further information on DCAL's report on capital issues which was being prepared for its Capital Management Board, but would keep the Board informed on progress of the report. It was agreed that the report, particularly regarding roles and responsibilities for capital projects, would be raised at the meeting with Linda Wilson, DCAL Director of Art & Culture on the 10 December 2008.

Page 6, Item 6.2 – Terms of Reference for National Gallery

An update on the discussion of the Terms of Reference for a feasibility study for a flagship National Gallery project would be provided under the Chief Executive's report.

3 DECLARATIONS OF INTEREST

None.

4 CHAIRMAN'S BUSINESS

4.1 Chairman's Report

The Chairman indicated that her attendance at events during the past month had been restricted as she had been out of the country. She had however spoken at the launch by First Minister, Peter Robinson MP MLA, of the Beat Initiative's new Carnival Arts Centre on the Shankill Road; and the Forum for Local Government annual arts conference at the Braid Centre in Ballymena. She paid tribute to the work undertaken by the retiring FLGA Chairman, Charles Smyth and welcomed his successor Noelle McAlinden.

The Chairman, Chief Executive and Director of Arts Development, Noirin McKinney, had met with Stephen Brimstone, Special Advisor to the Minister for Culture, Arts and Leisure, Gregory Campbell, MP MLA, to present on Governance and Grant Distribution. The concept of an "Arts in the Assembly Day" had also been raised and the Chief Executive had undertaken to follow up on this.

In addition, the Chairman had attended a meeting of the Cultural Olympiad Leadership Group chaired by Minister Gregory Campbell MP MLA. She named the other members of the group and outlined details provided by each of the representatives of involvement in the development of the nations and regions framework. The importance of ensuring the best possible profile for the Arts was emphasised. The Board noted that although a draft communications strategy had been prepared and circulated by DCAL it would be important for ACNI to have its own strategy that would run in partnership with that of DCAL. The Chairman requested a monthly update on the Cultural Olympiad.

The Board's attention was drawn to correspondence from Eileen Mullan, Project Leader for the Get On Board Course run by BIFHE, which asked the Board to consider providing an opportunity for course members to experience a formal Board meeting. Following discussion the Board agreed it would like to support the course where possible, without committing to assisting on a regular basis. A decision would be made on the suitability for attendance once dates and times had been identified.

4.2 Meetings and Events to 10 December 2008*

Meetings scheduled up to 10 December 2008 were noted. The Audit Committee would meet on 24 November 2008; the Finance & Capital Committee on 27 November 2008; the Lottery & Grants Committee on the 2 December 2008 and the Policy & Planning on the 5 December 2008.

4.3 Attendance Record*

The attendance records were noted.

4.4 ACNI Board's Annual Work Plan 2008/09*

The 2008/09 work plan was noted.

4.5 Complaints and Reviews Update*

Since the last Board meeting no complaints or third party reviews had been received.

4.6 Freedom of Information (Fol) Update*

The Board was advised that a response relating to the Fol/077 request noted at the last meeting had been sent and that a further request from the same individual had since been received.

4.7 Action List arising from the Board meeting of 8 October 2008*

No issues arose and the Board accepted the action list as circulated. .

4.8 Register of Hospitality and Events*

Board members were asked to continue to provide details of all events attended and any hospitality provided/received.

4.9 Chairman's Priorities

The Chairman highlighted her priorities for discussion.

5 CHIEF EXECUTIVE'S REPORT *

The Chief Executive provided updates on items within the report circulated.

5.1 Grant Distribution of ACNI Funds

The Chief Executive referred to the analysis of the Arts Council's distribution of awards, (attached as appendix one of her report) and presented the information that had been prepared for the meeting with Stephen Brimstone, Special Advisor to the Minister for Culture Arts & Leisure. She indicated that the analysis and compilation of data had been undertaken as a result of enquiries from the CAL committee and the Minister's office and that she was pleased with the positive picture portrayed.

The Chairman complimented the Chief Executive on the high quality of the presentation and the Board noted the impact of the data provided and discussed various aspects of the report. Particular reference was made to the use of this kind of strong data for publicity purposes.

The Board supported the Chief Executive's suggestion that a formal report highlighting the salient facts would be prepared and that the key points would be emphasised on advocacy cards. The presentation would also be made available to the CAL committee.

During the presentation the Chief Executive had advised the Board that the Re-Imaging Communities programme would be re-opened as an additional £500,000 funding had been received. She also said that an evaluation of the programme had been carried out and the final report would be made available to the Board.

The Chief Executive provided an update on the recent meeting with the CAL committee when the terms of reference for a feasibility study for a National Gallery had been presented. She said the proposals had been sympathetically received and the question of whether DCAL or an interdepartmental body would lead on this was posed. The CAL committee requested regular updates on progress.

5.2 FOI Exemption Section 43: Commercial Interest

Eithne Benson joined the meeting.

5.3 Conference Update

The Board noted the update on the annual conference which would be held on 17 June 2009 at the Grand Opera House. Noirin McKinney, Director of Arts Development confirmed that, since the Chief Executive's report had been written, Maya Lynn and Daniel Barenboim had confirmed they would be unable to attend. The Board was delighted with the line up already secured for the programme and congratulated Noirin McKinney, Director of Arts Development and the communications team.

5.4 FOI Exemption Section 43: Commercial Interest

5.5 Re-imaging Communities Programme Update

The Chief Executive noted that the programme had been reopened as additional funding had been made available.

5.6 FOI Exemption Section 43: Commercial Interest

5.7 Meetings & Events

The meetings and events attended by the Chief Executive since the last meeting were noted.

6 ITEMS FOR APPROVAL

6.1 Terms of Reference for the Board's Review of Grant Distribution*

Ad-hoc working group – The Chairman, Kate Bond, Eithne Benson, Paul Seawright and Bill Montgomery.

Nick Livingston, Director of Strategic Development referred to the wide-ranging discussion of the draft Terms of Reference for the Board's Review of Grant-Distribution which had taken place at the September meeting of the group. He indicated that a number of changes had been recommended and had been incorporated into the document circulated. A further amendment was proposed and it was accepted that the reference to the McMaster report would be removed.

The Terms of Reference for the Board's Review of Grant Distribution inclusive of changes was approved.

6.2 Terms of Reference for Board Committees*

At its private session prior to the full meeting, Board members had agreed minor additional changes, in order to strengthen the terms of reference for all Committees. The terms of reference approved by the Acquisitions Committee at its meeting on 7 November 2008 had been tabled at the meeting.

The recommendations made by the individual committees were accepted and the Board approved the Terms of Reference for the Committees.

6.3 Client Liaison Process*

The Chairman referred to the papers circulated and advised the Board of the discussion and recommendation of the Policy and Planning Committee with regard to the Client Liaison Process. Joint action with the executive had been agreed with the Chief Executive and action would be taken to implement the recommendations of the Committee as outlined. The matter could be discussed further by the Board at a future private session in 2009.

The Board accepted the recommendations of the Policy & Planning Committee regarding the Client Liaison Process ie Client Liaison Group established by the Chief Executive would be maintained and Council members would be given a role; the Chair & Chief Executive's Forum would also be maintained; the ACNI Conference and Derry client reception would be continued, and a client reception in Belfast would be added with the possible addition of one in Armagh also being explored.

6.4 New Advocacy Messages*

The advocacy messages were considered by the Board and the communications department was commended for its work.

Risk: The Arts Council's approach to advertising was discussed and potential risk was highlighted regarding the use of public funds in this time of economic down turn. The Board advised caution.

The Board approved the new advocacy messages.

6.5 Major Individual Awards*

The Board was advised that applications for the major individual awards had been considered at the recent moderation meeting, which Board members had been invited to attend. The Chief Executive highlighted the three nominees recommended for funding and said that a further candidate (application ACNI/3548) would receive support through the Arts Development Fund

The Board accepted the recommendation made at moderation and approved the award of £15,000 to applications ACNI/3615; ACNI/3513 and ACNI/3427.

6.6 Half Year Financial Update*

Paul Burns, Director of Corporate Services spoke to the management accounts for the first six months of 2008/09, prepared by the Finance Manager, Edel Bonar. He highlighted points of significance within all sections of the report and clarified reasons for specific variances identified by Board members. The Board accepted the management accounts as presented.

Brian Sore, Chairman of the Finance & Capital Committee said that the management accounts had been emailed to committee members for comment in advance of the Board meeting but, due to rescheduling of committee meetings, the report had not been discussed by the group as a whole. He indicated that further adjustments to the format of the report were required and he would arrange a meeting with committee members and Billy Lyttle, co-opted committee member, and Paul Burns, Director of Corporate Services to discuss the changes.

The Chairman thanked Paul Burns, Director of Corporate Services for his input and reiterated her previous request that the Finance Manager/Accountant attend the monthly Board meetings.

The Board accepted that the half year financial report would be presented to the Finance & Capital Committee at its November meeting and would be placed on the agenda for the December Board meeting.

6.7 Update on Cultural Olympiad*

Philip Hammond, Director of Arts Support referred to the paper circulated and drew attention to the delay in receiving approval for the business plan submitted to Legacy Trust UK (LTUK) on behalf of the Northern Ireland Legacy Trust Advisory Group (NILTAG). He provided a summary of the programmes, projects and events and outlined one major project, 'Artists Taking the Lead', which was currently being developed. He asked the Board to consider and comment on the options proposed for this project.

The Board considered the information provided and, following discussion decided that it would be most appropriate to provide funding under option two, the production of a single piece of public art from Northern Ireland.

The Chairman thanked Philip Hammond for the paper and requested regular updates to the Board. She also suggested that Francesca Canty be invited to make a presentation to the Board in the near future.

The Board approved the proposal to offer £200,000 from Lottery funds to support a small public art project within Northern Ireland.

7 ITEMS FOR DISCUSSION & NOTING

7.1 Delegated Decisions*

Delegated decisions for Awards for All, Travel Awards and Equipment were noted by the Board. No issues arose.

Sharon O'Connor left the meeting.

7.2 Staff Survey Update- Executive/Board Response*

The Board noted the executive's response to the staff survey and emphasised the importance it attached to making a joint Board/executive response to staff. This view had been arrived at after thorough discussion at its private away day session in June. The Chairman had then agreed this joint way forward with the Chief Executive in July.

Paul Burns, Director of Corporate Services said the paper circulated outlined only the executive's response and had been considered by the Staffing & Remuneration Committee at its last meeting. He said that the Committee had accepted the actions proposed by the executive in response to the issues raised in the survey and had, in particular, welcomed and supported the development of a staff group. Work was ongoing and an updated joint paper would follow.

The Board welcomed this approach and noted that the Chairman had written to staff on behalf of the Board to acknowledge that concerns identified in the survey had been noted and would be addressed in a combined approach by the Board and the executive. The Chairman had also made a presentation at the staff residential in September and work was continuing with the Communications Manager, Grainne McCann to identify how to improve the communication process.

It was agreed that a joint communication, containing the main points of discussion, would be sent to staff jointly from Board and executive after each Board meeting.

Paul Burns, Director of Corporate Services clarified that the survey would be undertaken again within the next eighteen months.

7.3 Non Contributory Pension Issues*

Paul Burns, Director of Corporate Services advised the Board that the details of the non contributory pension issues had been considered by the Staffing & Remuneration Committee at its recent meeting. He outlined the main issues and indicated that discussion with NIPSA representatives was ongoing. Further guidance from NIPSA on a way forward was pending. The matter would remain as a standing item on the agenda for the Staffing & Remuneration Committee until resolved and the Board would be kept informed of progress.

8 COMMITTEES

The Board agreed that instead of a verbal update of the discussion and recommendations of the recent Staffing & Remuneration and Acquisitions Committees the briefing notes outlining the business would be circulated by email to all Board members.

8.1.1 Staffing & Remuneration Committee – verbal update of meeting on 22/10/08

A written summary of discussion and recommendations at the meeting would be circulated to all Board members.

8.1.2 Staffing & Remuneration Committee Minute of 9/6/08

The Board was advised that the minute of the June 2008 meeting circulated had been confirmed at the meeting on 22 October 2008.

8.2.1 Acquisitions Committee – verbal update of meeting on 7/11/08

A written summary of discussion and recommendations at the meeting would be circulated to all Board members.

8.2.2 Acquisitions Committee Minute of 20/6/08

The confirmed minute of the meeting of 20 June 2008 had been approved by the Committee at its recent meeting and was tabled for the Board's information.

The Board agreed that item 10 would be taken before the invited guests joined the meeting.

10 ANY OTHER BUSINESS

10.1 Internal Auditor

Tony Kennedy, Chairman of the Audit Committee told the Board that the newly appointed Internal Auditors, ASM Horwarth had advised him that only seven days internal audit work had been carried out this year to date and that the internal audit plan for 2008/09 would have to be revised. He indicated that it would be necessary to identify what work the previous internal auditor had been carrying out during the early part of this year whilst in the employ of the Arts Council and to ensure that outstanding work was completed as appropriate.

9 PRESENTATION FOI Exemption Section 43: Commercial Interest

11 DATE OF NEXT MEETING

The next meeting of the Board would be held in MacNeice House on **Wednesday 10 December 2008 at 5.00pm**. Linda Wilson, DCAL Director of Arts & Culture would attend at the beginning of the meeting.

The Chairman thanked everyone for attending and as there was no further business the meeting finished at 9.00pm.

RESERVED MATTERS:

FOI Exemption Section 43: Commercial Interest
Item 5.2, pg 3; Items 5.4 & 5.6, pg 4; Item 9, pgs 8/9

Signed: _____

**Rosemary Kelly
(Chairman)**

Date: _____

10 December 2008