

Minute 1
2020/21

Exemptions

FOI Exemptions:

Section 5.1 – Page 2,	Data Protection Section 1.1
Section 5.1 – Page 2-3	FOI Exemption Section 43
Section 5.1 – Page 3	FOI Exemption Section 22
Section 5.2 – Page 4-5,	FOI Exemption Section 43
Section 5.2 – Page 5,	Data Protection Section 1.1
Section 4.1 – Page 5,	FOI Exemption Section 43
Section 4.4 – Page 6,	Data Protection Section 1.1
Section 4.2 – Page 7-8,	FOI Exemption Section 43
Section 6.0 – Page 8,	Data Protection Section 1.1

CONFIRMED



**Minutes of the meeting of the Board of the Arts Council
On Thursday 9 April 2020 at 2.00pm
Held via Skype**

1. ATTENDANCE

PRESENT

John Edmund (Chair), Katy Radford (Vice Chair), Cian Smyth and Siun Hanrahan

IN ATTENDANCE

Roisin McDonough (Chief Executive)
Geoffrey Troughton (Director of Finance and Corporate Services)
Noirin McKinney (Director of Arts Development)
Paul Harron (Director of Operations)
Debbie McKibben (DfC, Head of Arts Branch)
Diane Dillon (Assistant to the Board and Directors)

The Chair opened the meeting at 2.00pm and welcomed all. On behalf of the Board, the Chair wanted to acknowledge the continued good work of the Executive team and ACNI staff in the current circumstances and hoped that everyone and their families were well.

2. DECLARATIONS OF INTEREST

No new conflicts of interest were declared.

The Chair proposed to take the decision-making discussions regarding Items 5.1 and 5.2 as the first items on the agenda; this was agreed.

The Director of Operations was welcomed to his first Board meeting.

5. BUSINESS REPORTING

5.1 AFP Overview Document

The Director of Arts Development provided an overview of the paper and provided an update on the robust moderation processes. The AFP recommendations are set out in Appendix 1; Appendix 3 provides a comprehensive description of each artform or specialist area.

In summary, the recommendations are:

- (i) 91 applicants were recommended for standstill funding.

- (ii) 2 returning AFP clients were recommended for an uplift: [REDACTED]
- (iii) 2 returning AFP clients were recommended for a decrease in funding: [REDACTED]
- (iv) 2 AFP applicants were not recommended funding for 2020/21: [REDACTED]
- (v) 2 new applicants were recommended for funding: [REDACTED]

Board members had a lengthy discussion regarding the recommendations and raised any concerns they had; the Director of Arts Development endeavoured to answer all concerns.

Board members discussed the Festivals category and the crossover with the Community Arts category. [REDACTED]

[REDACTED] The Director of Arts Development stated that historically LGBTQ arts as a category resided within 'participatory arts' where there was the expertise and knowledge of the organisation. [REDACTED]

Board members agreed that there needs to be a reassessment of the artform categories and in some cases how allocations to categories are arrived at; a conversation upon appointment of new Board members may be of value in addressing this.

The inclusion in the AFP round of [REDACTED] was acknowledged for its achievements in promoting the arts [REDACTED] but its inclusion in the Community Arts category and not in 'Venues' was queried.

Similarly, the inclusion of [REDACTED] within community arts and the rating it had obtained relative to its funding and the funding of other organisations within the category was also noted.

A question was also raised with regard to the fit between the allocation of funding and the strategic objectives set out in the new corporate plan. The Chief Executive responded that although recommendations had been made in exceptional circumstances, the Board could be assured that the published funding criteria and guidance notes, which had been developed in response to the strategic framework and approved by the Board, had been strictly adhered to.

Board members discussed the Lottery clients recommended for ring-fencing at standstill funding and asked for a better understanding as to why [REDACTED] had not been recommended for funding. The Director of Arts Development

advised that it was unlikely that [REDACTED] would proceed this year, however, should it go ahead, ACNI will find a mechanism to fund, [REDACTED]

The Director of Arts Development advised that the ring-fencing would at least guarantee some level of funding for these organisations and there would be an application process to adhere to.

The Chief Executive highlighted the problem of organisations that potentially would 'fall between stools' [REDACTED]

Following discussion all Board members were in agreement and content with the recommendations as set out in the report, therefore the Board:

1. Confirmed the financial allocations as recommended per the table below.

2020/21 AFP Exchequer Recommendations	£8,571,354
2020/21 AFP Lottery Recommendations	£4,349,639
AFP Total 2020/21	£12,920,993

2. Approved payments of 50% of approved grants to all AFP clients if cash flow from Lottery income permits to do so.
3. Approved ring-fencing of Lottery Project clients which are core to the arts infrastructure on standstill funding for 2020/21 [REDACTED] in order to ensure that these clients are protected during the next year of uncertainty due to COVID-19.
4. Authorised the Executive to solicit these applications and noted that as a consequence ACNI would not be opening Lottery Project Funding through an open call.

The Chief Executive advised that the Communications Team would prepare a press release announcing the annual funding which would be released publicly on Friday 10 April 2020.

5.2 Artists Emergency Programme

The Chief Executive advised that ACNI carried out a survey on the financial impact of COVID-19 on local artists and arts organisations. The information gathered helped to shape the Artists Emergency Programme (AEP) and guidance to Government.

With the support of DfC and the Minister, ACNI has designed the programme to support individual artists, creative practitioners and performers. There are two primary objectives of the programme:

1. To support proposals for the research, design and future presentation of specific showcases, performance(s) and/or other forms of public presentation aimed at groups and communities otherwise facing barriers to the arts on a range of platforms.
2. To engage the arts sector in employment by providing individual artists, creative practitioners and performers with financial support to create work and make a vital contribution to the well-being of communities.

The Chief Executive asked the Board to note that the AEP will endeavour to be as broad as possible in this time of need. There has been less emphasis put on the delivery of projects during the COVID-19 immediate crisis period and will allow for delivery between now and March 2021. The programme will be subject to a lighter touch application process in order for a quick turnaround.

The Chief Executive anticipates that the Minister will make a statement next week; following this the AEP will be launched.

The Director of Operations requested at this point, that he be excused from the meeting in order to advise the Operations team of the Board's decision regarding AFP in order to commence issuing Letters of Offer. This was agreed.

The Director of Operations left the meeting at 2.35pm.

Overall, Board members were content with the guidance notes and application form, however noted on Page 5 of the guidance notes "WHAT SHAPE CAN ART FORM PROPOSALS TAKE?" suggested that the final sentence "*Face-to-face will not work*" be removed and to leave the question as open as possible in order to let the arts decide.

Board members discussed the opportunity for arts organisations to avail of training to help them 'perform' digitally and asked if there was a possibility of developing an online training programme. The Chief Executive advised that [REDACTED] has offered professional help in this area to develop these skills.

Following discussion the Board approved:

1. The Artists Emergency Programme guidelines and application form, and
2. A budget of £500k for the programme.

Board members expressed their thanks to staff for the work of digesting and presenting information to the sector in a clear and accessible form.

Board members discussed the impact of the JRS Furlough Scheme within arts organisations. The Chief Executive said that a number of organisations will implement the scheme in order to retain staff and defray expenditure. The Chief Executive advised that it was up to each arts organisation's Boards to explore the best options for their organisations and staff.

The Chief Executive portrayed two very different cases as examples of difficulties which organisations are facing:



The Director of Arts Development advised that ACNI do not hold a list of organisations planning on implementing the Furlough Scheme, however the ACNI website offers comprehensive guidance to organisations in the first instance.

The Chair said that present Government arrangements are imperfect, and as a Board it is aware of the challenges that face the sector and endorsed the clear guidance that the ACNI website offers.

4. FINANCIAL UPDATE

4.1 Financial Report

The Director of Finance and Corporate Services advised that the report provided an overview of the financial situation for January and February 2020; he focussed on the report to 29 February and highlighted key issues.

Exchequer Resource and Capital Risk Factor

In-year allocations are inherently risky, he noted, as the timescale to manage the funding is reduced. The Board was asked to note both late in-year Resource and Capital allocations. The final DfC budget allocation letter dated 25 March 2020 was attached for information



Due to the late allocation there was no scope to vire the funds.

In addition, it was noted that the COVID-19 restrictions posed a year end risk as the office closure limited the resource to monitor budgets and make and effect virements.

The Director of Finance and Corporate Services stated that it is expected to achieve the Exchequer Resource KPI of 98%; however it would appear likely that the Capital KPI of 97% would not be achieved.

The Director of Operations returned to the meeting at 3pm.

Lottery

The Director of Finance and Corporate Services noted that actual Lottery Income for the first eleven months of this financial year has been erratic. At 29 February 2020 the actual cumulative share of net operator proceeds was £9,092,489

compared to the budgeted figure to February of £8,300,600; this represented an increase of £791,889 (9.5%) against budget.

The Director of Finance and Corporate Services provided an update on the Lottery Forum virtual meeting held on 2 April 2020. The impact of COVID-19 was discussed, however it is too early, he noted, to estimate the impact on sales of lottery tickets.

4.3 Going Concern

The Assessment of ACNI as a Going Concern had been previously approved by the Board on 28 November 2019. The Director of Finance and Corporate Services advised that the paper had been updated as much as possible to the year end. He advised that 'Going Concern' status should not be taken for granted and drew the Board's attention to the Exchequer Statement on Page 1 and the Lottery Statement on Page 2.

The Director of Finance and Corporate Services advised that under the definition, ACNI remains a going concern.

The document was approved by the Board.

4.4 Lottery Accounts 2018/19

The 2018/19 Lottery Accounts had been previously approved by the Board on 28 November 2019. The Director of Finance and Corporate Services advised that the National Audit Office reviewed the Accounts and sought amendments in advance of the C&AG certifying the Accounts.

The Director of Finance and Corporate Services provided an overview of the revised Accounts, which had been presented with changes tracked for ease of reference. It was noted that the sections in the Accounts, including the governance statement, are considered to be a 'living document' and should be updated to the date the Accounts are completed; as such changes were required.

It was suggested that given the passing of time since the original signing, including the impact of COVID-19, that the Accounts be updated with "non-adjusting Balance Sheet events" approved by the Board and re-signed.

The Board were content to approve the revised Lottery Accounts; the Director of Finance and Corporate Services read the Lottery Accounts (2018/19) Resolution:

"It is hereby resolved that the Lottery Accounts for the year ended 31 March 2019 be and are hereby approved and that the Chair and the Chief Executive as Accounting officer sign accordingly".

Proposer [REDACTED] Seconded [REDACTED] Approved by the Board.

Board members discussed the impact of COVID-19 on operating costs and any potential costs that ACNI may be liable for, for example home broadband access, telephone costs, etc. The Director of Finance and Corporate Services advised that to date there had been some minor costs for staff mobile phones and laptops; overall there is nothing material to be concerned about. The Director of Finance

and Corporate Services advised that staff may be entitled to avail of a tax free allowance for working from home, this can either be paid direct through the employer or employees can claim through HMRC. This discussion can be revisited when staff return to the office.

The Chief Executive advised that the senior Executive team has daily Skype calls with the Heads of Departments and regular Skype meetings with DfC. Post AFP, the focus will now be on implementing the new grant funding programmes.

The Chief Executive took the opportunity to commend the Operations staff team and the Finance team for continuing business as usual and making regular payments to client organisations, in order to ensure liquidity in the sector.

The Chair echoed his thanks to the entire staff team.

Board members enquired regarding the notification of AFP awards to client organisations. The Director of Operations advised that due to the operational challenges of working remotely, letters of offer will be emailed to the organisations and Officers will follow-up by telephone.

The Chief Executive advised that the Small Grants programme is currently under review, and in light of the McBride judgement all grants decisions will need Board approval. Approvals will be sought by either a virtual Grants Committee or by email.

The Chair referred to Board Effectiveness and noted that the key Committee going forward was the Audit & Risk Committee. Along with the Committee Chair, the two remaining Board members have agreed to continue to attend meetings in the interim.

4.2 Budget Update

The Chief Executive presented the Budget Update paper and advised that the Executive will bring forward new 2020/21 Exchequer and Lottery budgets in due course.

Following discussion the Board approved:

1. The redeployment of the £200k ring-fenced in Lottery [REDACTED] [REDACTED] for a continuation of the Commissioning Programme with a budget of £150k with the balance of £50k as part of the budget for the Artists Emergency Fund.
2. A budget of £340k in Small Grants in order to solicit applications under that scheme from organisations, which are strategically important under the programme and can deliver later in the year when the COVID-19 crisis abates, as well as emergency cases [REDACTED], and other strategic initiatives which may arise through this year. The Executive is not proposing an open Small Grants Programme given the issues facing the sector during the COVID-19 crisis.

Noted points of discussion:

Heaney Commission: The Director of Arts Development advised that Mid Ulster District Council have identified a site in Bellaghy. It is anticipated to run a separate competition for the commission and the Executive hope to place a bid for the Heaney Commission under Capital through DfC.

████████████████████ The Director of Arts Development provided an update and advised that ACNI have provided a response to the organisation.

Commissioning and New Opportunities under New Deal New Approach: The Director of Arts Development advised that the draft 2020/21 Business Plan would make reference to the Executive Office and projects such as languages and culture and survivors of historical abuse.

3. PREVIOUS MEETINGS

3.1 Minutes – 6 November 2019

The minutes were amended as agreed following discussion at the Board meeting held on 29 January 2020. The minutes were approved and signed by the Chair.

3.2 Minutes – 28 November 2019

The minutes were amended as agreed following discussion at the Board meeting held on 29 January 2020. The minutes were approved and signed by the Chair.

3.3 Minutes – 29 January 2020

The minutes were approved and signed by the Chair.

3.4 Minutes – 28 February 2020

The minutes were approved and signed by the Chair.

3.5 Matters Arising

There were no matters arising from the previous minutes.

6. ANY OTHER BUSINESS

- It was formally recorded that three Board members had been granted an extension to their terms until 30 June 2020.
- The Chair advised of a telephone conversation he had with ██████████ NI Opera advising of the departure of its Artistic Director ██████████. The Chair conveyed his thanks ██████████ for the outstanding quality of productions. A search for his replacement will be launched in the autumn of 2020.

There being no further business the Chair declared the meeting closed at 3.53pm.

7. DATE OF NEXT MEETING

Friday 29 May at 2pm via Skype.

Signed: _____

John Edmund (Chair)

Date: _____

26 June 2020

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