

# The Arts Council/An Chomhairle Ealaíon

681<sup>st</sup> Plenary Meeting

70 Merrion Square

Wednesday 25 March 2015 at 14.00-17.30

## **Present:**

Sheila Pratschke Chairman, Eimear O'Connor, Joan Sheehy, Ciarán Walsh, Judith Woodworth, Miriam Dunne, John Fanning, John McAuliffe, Brian Maguire, Monica Spencer, John O'Donnell, Mark O'Regan.

## **In attendance:**

Orlaith McBride *Director*, Martin O'Sullivan *Finance Director & Company Secretary*.

## **Documents before the meeting**

Agenda

Minutes of Meeting held on 25 February

Directors Report

Financial Statements 2014

Draft Letter of Representation 2014

Draft Chairman's Letter to Minister

Report on the effectiveness of the Arts Council's system of Internal Financial Control for 2014

Grant Programmes Update Reports

Cnuas Recommendations

## **15 – 03 – 020 Apologies**

Aibhlín McCrann. Deputy Chairman.

## **15 – 03 – 021 Chairman's Introduction**

*Conflicts of Interest*- The Chairman requested members to declare any conflicts that they may have with the agenda items and reminded members to advise her of any conflicts that may arise during the course of the meeting.

The Chair confirmed that Professor John Coolahan, Chairman of the High Level Arts in Education Implementation Group, would be attending to make a presentation to Members.

The Chair informed Members of a meeting held with the Chair of RTÉ, the Irish Film Board and Screen Producers Ireland on working together to promote areas of common interest in the broader arts, culture and creative sectors with a particular focus on the need to progress the establishment of an international standard film studio space in the Dublin region. The Chair confirmed that the Group agreed to meet again and will now be expanded to include the individual CEO's. Members **noted** the update.

The Chair also updated on a meeting with the Gate Theatre, convened at their request and attended by the Chairman and two Members of their Board, covering matters such as clarification in relation to the funding offer for 2015/16, the Director's remuneration package, touring and Board changes. Members **noted** the update.

### **15 – 03 – 022 Minutes of the Plenary Meeting: 25 February 2015**

The Minutes of the 25 February Plenary meeting were **approved**.

### **15 – 03 – 023 Matters arising from the Minutes**

Members asked for an update on the 2016 Programme timeline. Members were informed that dates have been published on the Arts Council's website, that the *Open Call* and *Artists' Bursaries* have been fully announced, and that international jury members have confirmed their willingness to be Panel members for the *Open Call* Jury, subject to availability. [REDACTED]

Members were also informed that the project management resource will have to be procured. It was **agreed** that the final programme budget will be reported back to members when finalised. Members **noted** the update.

Members **noted** that there were no matters arising from the minutes.

### **15 – 03 – 024 Directors Report**

*Cork Institute of Technology – New Body Nominations*

[REDACTED]

#### *Additional Meetings*

Members **agreed** that the following additional meetings should be scheduled and added to the Council Diary:-

- Policy & Strategy Committee - 19 May, 2-5pm
- Plenary Meeting - 26 June, 12-1.30pm

#### *Charities Regulatory Authority & the implementation of the Charities Act*

Members were updated on the Arts Council's ongoing registration and legal and tax advice received in relation to the matter.

Members **agreed** that the Arts Council should submit the additional information required by the Charity Regulator and to separately engage with the Revenue to determine whether the Arts Council is eligible to retain its CHY number.

#### *Film Initiatives*

Stephanie O'Callaghan, Arts Director, joined the meeting confirming that additional monies had become available in the Film budget following a detailed discussion the following was **agreed**:-

- €15k increase to 2015 Projects Round 2 fund
- €10k towards developing a 'national film programme' with the IFI
- €4k towards a film marketing initiative with Access Cinema
- €3.5k towards digitising the Arts Council's funded work from 2003-2008
- €2.5k towards a cinema benchmarking project

Members **noted** the need for the 'national film programme' stressing that social inclusion should be a key consideration as well as an actual 'pilot' component as part of the programme rather than a feasibility study.

#### *National Architects in Schools Initiative 2015-2016*

Stephanie O'Callaghan, Arts Director, briefed Members on extending the initiative. Following a detailed discussion Members **agreed** to extend support to the initiative for a further two years (2015 & 2016) and to increase financial support to €15k per annum.

*Digitisation of Arts Council Collection*

Members **noted** that the digitisation of the Collection is now complete and that the timing of a public launch is now being considered.

Members sought clarity on copyright and whether the Arts Council was covered on the matter. Members were informed that rights for website publication had been received.

Members suggested that a media partner should be brought in to best reflect what the Arts Council is doing for the visual arts.

Members also sought clarity on whether the Arts Council should consider a Collection purchasing programme. Members **agreed** to the principle of reinstating an annual purchasing budget but that final decision on the matter should be in the context of the overall Strategic Plan.

Members were informed of €9k being recovered as part of the Arts Council's tracing of Joint Purchase sales. Members **agreed** that this should directly go towards adding to the collection.

Members **noted** that Lesley Ann Haden has been contracted to develop the Collection Policy. It was **agreed** that as part of this policy that the Council would allocate a separate budget annually to the purchase of new work for the collection.

*Update on the report on the harping tradition in Ireland*

Members **agreed** to defer discussion on this matter.

*Committee Membership*

Members **noted** that John Fanning had been reappointed as a Member of the Business & Finance Committee and the Policy & Strategy Committee.

*Update on Value for Money Policy Review (VFMPR)*

Members **noted** the update.

*New Aosdána Members*

Members **noted** the new Members appointed.

*Director's Diary Report*

Members **noted** the update.

**15 – 03 – 025 Financial Statements 2014**

Jimmy Murphy, Committee Chairman of the Audit Committee, joined the meeting. Following a detailed discussion Members **agreed** the Financial Statements for 2014, subject to no material changes, and **agreed** that the nominated signatories should be Sheila Pratschke and Ciaran Walsh.

*Letter of Representation 2014* was **approved**.

*Chairman's Letter to the Minister* was **approved**.

The Committee Chairman expressed his thanks to the Finance Department for the work done in the preparation of the Financial Statements.

### **15 – 03 – 026 Annual Review on the effectiveness of the Arts Council's system of Internal Financial Control for 2014**

Jimmy Murphy, Committee Chairman of the Audit Committee updated Members on the Report before the meeting and the work done by the Audit Committee during 2014 in this regard.

Members **agreed** that the annual review of the effectiveness of the internal financial controls had been carried out for 2014 and that the Chair is **authorised** to sign the annual Statement in the 2014 Financial Statements.

### **15 – 03 – 027 Reports**

*Audit Committee 24 March 2014*

Jimmy Murphy, Committee Chairman, briefed Members on the Meeting as follows:-

- *Minutes of 8 December 2014* were agreed;
- *Report on performance of Audit Committee 2014-* approved also agreed that the other three Members of the Audit Committee would meet in advance of the next meeting to review the Chair's performance;
- *Report on the effectiveness of the Arts Council's Internal Financial Controls for 2014-* approved;
- Members agreed that the Business & Finance Committee would review the Risk Register in advance of the next Committee meeting;
- Draft Financial Statements 2014- approved
- Draft Letter of Representation 2014-approved
- Draft Chairman's Letter 2014-approved
- *External Audit Committee Members-* Members noted that the terms of both the Committee Chairman and external Member are nearing completion. Members agreed to consider new Members with appropriate accounting/financial background and in particular an audit qualification highlighted as important;
- *ICT Security Audit Progress Update-*Members noted a meeting attended by the Committee Chairman where the findings of the ICT Security Audit Report were discussed with Brian Hogan, BH Consulting (auditor) and the internal ICT team. Members noted that the profile of the Arts Council determined the level of importance attached to the Report findings. Members also noted that the findings will be prioritised, by the consultant, into an implementation schedule. It was agreed that Members should be circulated with the revised report and that budget allocation should be made available if required. The importance of the Infrastructure Officer role was also identified as a key resource.
- Members agreed that the Committee Chair and Finance Director would attend a C&AG Audit Committee briefing session in May.

The Committee Chairman particularly referenced the findings of the ICT audit noting that Council and senior management buy-in is essential and that an appropriate budget should be allocated towards completion of the prioritised findings.

The report and recommendations of the Audit Committee were **approved**.

The Chair, **noting** that the Committee Chairman's term is nearing completion, took the opportunity of thanking the Committee Chairman, on behalf of the Council, for his significant contribution to Council governance and compliance business and for all the support and help offered to both herself and to the Council generally.

### *Policy & Strategy Meeting 25 March 2014*

Eimear O'Connor, Committee Chairman, updated members confirming that three presentations were given by Martin Drury, Strategic Development Director :-

- Exploring 'Arts Council as Development Agency'
- Exploring 'The [Individual] Artist'
- Current & Proposed Investment Model

Members agreed that the concepts of spatial planning and demographic analysis would be the focus of discussion at the next meeting.

Members also agreed that 1) the individual artist 2) arts infrastructure and 3) social engagement would be explored further using the lenses presented as the key characteristics of an agency behaving in a more developmental manner.

Members **agreed** the report and recommendations of the Policy & Strategy Committee

Members **noted** that new artform / arts practice plans would be developed in the context of the overall Strategy commencing in the Autumn with a number of areas such as Opera Literature/Publishing, Dance included in the first tranche of sectors to be engaged with. It was agreed that an overall communication on the status of the Strategic Plan would be released in April outlining the process and timeline.

### **15 – 03 – 028 Appeals Panel**

Mark O'Regan, Council Member, who sat on the Panel updated Members;-

Whistleblast Quartet-Application Number: A076038-Programme Activity Fund 2015 YPCE-  
Appeal not upheld. No material failure in process found.

Fibín Teo- Application Number: A076108--Programme Activity Fund 2015 YPCE-  
Appeal not upheld. No failure in process found.

Members **agreed** the recommendations.

Members **noted** the continuing need for unsuccessful organisations to be encouraged to seek feedback on why their applications were unsuccessful.

### **15 – 03 – 029 Grants Programme (2015/16) Update Report**

*Rough Magic*- John Fanning & John O'Donnell declared a conflict and left the meeting.  
Members **agreed** that the second sentence of the update report should be deleted.

Members **noted** the other reports.

### **15 – 03 – 030 Conflict of Interest Management Awards & Schemes**

Stephanie O'Callaghan, Arts Director, joined the meeting and gave a presentation on the new processes now in place for Panel Members, Staff and Advisers.

Members **noted** and welcomed the update.

Members expressed some concern regarding the 'self- assessment' approach required and whether it is too onerous for Panel Members. It was **agreed** that where a perceived conflict is

problematic that the Panel Member should engage with relevant Arts Council staff and seek clarification and where a 'not conflicted' position is adopted and where the perception might be otherwise, a formal record of the evaluation and opinion should be recorded.

Members **agreed** that the Panel Chair should know the declared conflicts in advance of the Panel meeting.

Members **agreed** that a standard Panel protocol needs to be agreed for scoring applications in the event of one or more of the Panel members being conflicted.

It was agreed that all of these issues will be discussed further when the comprehensive piece of work on panels is presented to the Council for discussion over the coming months.

### 15 – 03 – 031 Awards

#### *Aosdána Cnuas Recommendations*

Members **agreed** the recommendations. An appendix of the approved recommendations and related conditions is attached to the Minutes.

### 15 – 03 – 032 Any Other Business

Professor John Coolahan, Chair of the High Level Arts in Education Implementation Group joined the meeting and made a presentation to the Council on the arts in education in Ireland and the key role played by the Arts Council since the Benson Report 1979. The work of the Arts Council in supporting the Arts in Education Charter was acknowledged as well as the continued partnership between the Department of Arts, Heritage and the Gaeltacht, the Department of Education and Skills and the Arts Council in ensuring that young people and children are supported both in school and out of school to engage with the arts both as makers and participants. The critical role of artists and arts organisations was also discussed in supporting education partners to develop key competencies in the arts and nurture future generations of creative thinkers who will influence all aspects of Irish life.

#### *Summary of decisions/actions*

- *Minutes of the Plenary Meeting: 25 February 2015-* the Minutes of the 25 February Plenary meeting were **approved**;
- *2016 Programme-* it was **agreed** that the final programme budget will be reported back to members when finalised;
- [REDACTED]
- *Additional Meetings-* Members **agreed** that the following additional meetings should be scheduled and added to the Council Diary:-Policy & Strategy Committee - 19 May, 2-5pm, Plenary Meeting - 26 June, 12-1.30pm;
- *Charities Regulatory Authority & the implementation of the Charities Act-* Members **agreed** that the Arts Council should submit the additional information required by the Charity Regulator and to separately engage with the Revenue to determine whether the Arts Council is eligible to retain its CHY number;
- *Film Initiatives-* **agreed** (see details above);
- *National Architects in Schools Initiative 2015-2016-* Members **agreed** to extend support to the initiative for a further two years (2015 & 2016) and to increase financial support to €15k per annum;
- *Arts Council Collection-* Members **agreed** to the principle of reinstating an annual purchasing budget. Members **agreed** that the €9k from Joint Purchase Sales should directly go towards adding to the collection. It was also **agreed** that as part of the

development of a Collection Policy that the Council would allocate a separate budget annually to the purchase of new work for the collection;

- *Update on the report on the harping tradition in Ireland-* Members **agreed** to defer discussion on this matter;
- *Financial Statements 2014-* Members **agreed** the Financial Statements for 2014, subject to no material changes, and **agreed** that the nominated signatories should be Sheila Pratschke and Ciaran Walsh;
- *Letter of Representation 2014* was **approved**;
- *Chairman's Letter to the Minister* was **approved**;
- *Annual Review on the effectiveness of the Arts Council's system of Internal Financial Control for 2014-* Members **agreed** that the annual review of the effectiveness of the internal financial controls had been carried out for 2014 and that the Chair is **authorised** to sign the annual Statement in the 2014 Financial Statements;
- *Audit Committee 24 March 2014-* the report and recommendations of the Audit Committee were **approved**;
- *Policy & Strategy Meeting 25 March 2014-* Members **agreed** the report and recommendations of the Policy & Strategy Committee;
- *Appeals Panel-* Members **agreed** the recommendations;
- *Grants Programme (2015/16) Update Report-Rough Magic-* Members **agreed** that the second sentence of the update report should be deleted;
- *Conflict of Interest Management Awards & Schemes-* Members **agreed** that a standard Panel protocol needs to be agreed for scoring applications in the event of one or more of the Panel members being conflicted; Members **agreed** that the Panel Chair should know the declared conflicts in advance of the Panel meeting; it was **agreed** that where a perceived conflict is problematic that the Panel Member should engage with relevant Arts Council staff and seek clarification and where a 'not conflicted' position is adopted and where the perception might be otherwise, a formal record of the evaluation and opinion should be recorded;
- *Aosdána Cnuas Recommendations-* Members **agreed** the recommendations.