

Date	Wednesday 21 June 2023	
Time	12:30 – 16:30	
Location	The Foundry, Arts Council England Birmingham Office and Microsoft Teams	
Present:	<p>Sir Nicholas Serota CH (Chair)</p> <p>Helen Birchenough</p> <p>Bill Bush</p> <p>Sukhy Johal MBE</p> <p>Andrew Miller MBE</p> <p>Abigail Pogson</p> <p>Paul Roberts OBE</p> <p>Deborah Shaw</p> <p>Baroness Fleet CBE (Veronica Wadley)</p> <p>Kate Willard OBE</p> <p>Jamie Njoku-Goodwin</p> <p>David Bryan CBE</p> <p>YolanDa Brown OBE</p> <p>Elisabeth Murdoch</p>	<p>Chair of Arts Council England</p> <p>South West Area Council Chair</p> <p>National Council Member</p> <p>Midlands Area Council Chair</p> <p>National Council Member</p> <p>National Council Member</p> <p>National Council Member</p> <p>National Council Member</p> <p>National Council Member</p> <p>North Area Council Chair</p> <p>National Council Member</p> <p>London Area Council Chair</p> <p>National Council Member</p> <p>National Council Member</p>
Apologies:	<p>Roni Brown</p> <p>Simon Mellor OBE</p> <p>Francis Runacres MBE</p>	<p>South East Area Council Chair</p> <p>Deputy Chief Executive, Arts and Museums</p> <p>Executive Director, Enterprise and Innovation</p>
Also Present:	<p>Darren Henley CBE</p> <p>Laura Dyer MBE</p> <p>Mags Patten</p> <p>Navees Rahman</p> <p>Richard Russell</p> <p>Ruth Alaile</p> <p>Mumtaz Ali</p> <p>Nina Baptiste</p> <p>Rebecca Blackman</p>	<p>Chief Executive</p> <p>Deputy Chief Executive, Places and Libraries</p> <p>Executive Director, Communication and Public Policy</p> <p>Executive Director Chief Finance &amp; Resources Officer</p> <p>Executive Director and Chief Operating Officer</p> <p>Director, Governance and Planning</p> <p>Director, Financial Accounts &amp; Counter Fraud</p> <p>Senior Relationship Manager</p> <p>Director, Audience and Engagement and Nottingham</p>

David Bryant

Senior Manager, Governance and Data  
Protection Officer

Kirsty Grant

Senior Officer, Governance (minutes)

Peter Heslip

Director, Visual Arts and Brighton

Sarah Posey

Director, Cultural Property

Minto Felix

Nous Group

Nic Dillon

Nous Group

<b>1.</b>	<b>WELCOME AND APOLOGIES</b>	<b>Action</b>
1.1.	The Chair welcomed members of National Council and the Executive Board to the meeting. Apologies were received from Roni Brown, Francis Runacres and Simon Mellor.	
<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	
2.1.	National Council members were asked to declare any interests in matters or connections with any organisations due to be discussed.	
2.2.	Sukhy Johal declared a low level conflict of loyalty in relation to the Creative People and Places item. Sukhy is employed by University of Lincoln who administrate one of the Creative People and Places programmes.	
2.3.	No further interests were declared.	
<b>3.</b>	<b>NATIONAL COUNCIL REVIEW OF EFFECTIVENESS</b>	
3.1.	Following their externally facilitated review of effectiveness session on 10 <sup>th</sup> May, National Council held a further discussion to consider the actions. Members referred to the notes from the previous session, the post-session report prepared by the consultants RSM, the feedback from their peer Phil Stokes of PwC to aid their deliberations.	
3.2.	National Council asked for the following actions to be undertaken to improve the National Council's effectiveness: <ol style="list-style-type: none"><li>1. For an increase in the number of updates on the health of the arts and cultural sector and how Arts Council England's work has delivered against it.</li><li>2. Further data on how Arts Council England is performing and delivering against expectations and against the aims of our Delivery Plan</li></ol>	

	<ol style="list-style-type: none"> <li>3. An increased number of site visits to organisations we fund and a greater number of opportunities for members to meet informally, thereby developing stronger working relationships</li> <li>4. A review of the role of the Race Advisory and Disability Advisory Groups, reflecting on their long-term future and relationship with National Council.</li> <li>5. Consider ways to free up space on National Council agendas for discussion of strategic items, on issues and opportunities within our sector and how ACE is responding to them</li> <li>6. More concise reports which provide closer links to the Let's Create strategy, and also offer a members a chance to consider the full suite of options available.</li> <li>7. A thorough induction process for the new National Council members joining over the next year</li> <li>8. A fresh Skills Audit to be undertaken to understand whether National Council currently has any gaps in its areas of knowledge.</li> </ol>	
<b>4.</b>	<b>MINUTES FROM THE PREVIOUS MEETING (10<sup>TH</sup> MAY 2023)</b>	
4.1.	The minutes from the meetings of 10 <sup>th</sup> May 2023 were AGREED.	
<b>5.</b>	<b>MATTERS ARISING FROM THE PREVIOUS MEETING</b>	
5.1.	National Council were asked to note the Action Point Planner outlining progress on outstanding actions.	
<b>6.</b>	<b>Creative People &amp; Places 2025/28</b>  (Rebecca Blackman joined the meeting)	
6.1.	Laura Dyer introduced this item which asked National Council to consider proposals for the approach to the next round of the National Portfolio Creative People and Places programme 2025-28.	
6.2	National Council noted that they were not being asked to make a decision on the budget at this stage and that this will be considered as part of the overall programme budget setting exercise later in the year.	
6.3.	National Council viewed a short film on 10 years of CPP and reflected on the impact of the programme since it launched in 2012.	

6.4.	National Council recognised the success of Creative People and Places and the positive impact on communities. During discussions they noted it would be useful to see more granular data and further detail on the tangible benefits the programme has brought and also a sense of where it hasn't worked as well.	
6.5.	National Council AGREED to the launch of the next round of Creative People and Places as set out in the paper with confirmation of the budget for the programme later in the year.  (Rebecca Blackman left the meeting)	
<b>7.</b>	<b>Inclusion Review</b>  (Minto Felix and Nic Dillon from Nous Group joined the meeting)	
7.1.	The Chair introduced this item which presented National Council with the findings from the Nous Group's independent review of Arts Council England's employment policies and processes, practices, and culture in relation to equality, diversity, and inclusion (EDI).	
7.2.	The Chair began by reminding members of the background to the independent review which National Council agreed to commission in June 2022 following issues raised by staff who reported bad experiences at work that did not live up to the inclusive principles that the Arts Council aspires to.	
7.3.	Minto Felix and Nic Dillon from Nous group provided a presentation on the approach, findings and recommendations of the independent review. National Council noted that Nous group's methodology included reviewing and benchmarking of data and policies as well as engagement with staff via a survey, focus groups and one to one interviews.	
7.4.	Laura Dyer then went on to outline the Executive's response to the review.	
7.5.	National Council endorsed the review findings and recommendations. They commended the quality of the report, commenting that it is wide ranging, honest and transparent.	
7.6.	National Council noted the review found there to be areas where the Arts Council is performing strongly and demonstrating sound practice, however it also found there to be clear areas for	

	<p>improvement. Members welcomed the Executive's response and were reassured to see a clear commitment to making significant change and to swiftly putting the recommendations into action.</p>	
7.7.	<p>National Council noted they would closely monitor the delivery of recommendations and welcomed the plans for Nous group to be commissioned to give an independent assessment of progress to National Council over the next 18 months.</p>	
7.8.	<p>National Council AGREED to</p> <ul style="list-style-type: none"> <li>a) Note and accept the recommendations contained within the report</li> <li>b) the National Council's response statement</li> <li>c) the establishment of an Inclusion Delivery Group to ensure the effective delivery of the recommendations.</li> </ul>	
7.9.	<p>National Council thanked Nous group for conducting a rigorous and comprehensive review. They also expressed their gratitude to colleagues and staff groups for their contributions and engagement with the review.</p> <p>(Minto Felix and Nic Dillon from Nous Group left the meeting)</p>	
8.	<p><b>Social Model of Disability at ACE</b></p> <p>(Nina Baptiste and Peter Heslip joined the meeting)</p>	
8.1.	<p>Navees Rahman introduced this item which asked National Council to agree adoption of the Social Model of Disability at ACE.</p>	
8.2.	<p>Navees explained that the Social Model of Disability is the understanding that people are disabled by barriers in society, not by their impairment or difference. Access is everyone's responsibility and everyone must work together to ensure a level playing field.</p>	
8.3.	<p>National Council welcomed the Social Model of Disability policy which was developed by the Arts Councils staff Disability Network which currently comprises 50 colleagues. During discussions they noted the importance of developing a clear plan for communicating and embedding this approach. They also highlighted the need to communicate the Arts Council's work on this externally to the government and the sector.</p>	
8.4.	<p>There was a discussion on the remuneration of the Arts Council's non-executive Committee members impacting on our ability to recruit disabled council members. National Council noted significant</p>	

	pressures on the administration budget and requested further work to be done to reflect on the practical barriers to implementing the Social Model approach and to establish the resource implications of the associated work.	Navees Rahman
8.5.	National Council AGREED to endorse the adoption of the Social Model of Disability.	
8.6.	National Council congratulated the Staff Disability Network and thanked them for all their work in driving this forward.  (Nina Bapiste and Peter Heslip left the meeting)	
<b>9.</b>	<b>Performance and Audit Committee Update</b>  (Mumtaz Ali joined the meeting)	
9.1.	Paul Roberts introduced this item which asked National Council to note and approve the Performance and Audit Committee (PAC) 2022-23 Annual Report and note the update on the key discussions and actions from the 7 <sup>th</sup> June 2023 Performance and Audit Committee meeting	
9.2.	National Council AGREED to: a) Note and accept the quarterly and annual report of the Performance and Audit Committee.	
<b>10.</b>	<b>2022-23 Annual report and accounts</b>	
10.1.	National Council were presented with the 2022-23 Annual Report and Accounts for review and approval.	
10.2.	National Council noted that the National Audit office have completed their routine final checks.	
10.3.	National Council were made aware of an adjustment in relation to the categorisation of a pension payment. National Council were reassured that this was purely presentational and has no material impact on the accounts.	
10.4.	During discussions National Council members highlighted for future reporting they would like to see the Acceptance in Lieu Panel included within the Governance Committee commentary in the Trustee's report.	Mumtaz Ali/ Governance
10.5.	National Council noted their thanks and appreciation to the Finance team for their outstanding work.	

10.6.	<p>National Council AGREED to:</p> <ul style="list-style-type: none"> <li>a) Approve the Annual Report and Accounts for signing by the Chair and CEO subject to receipt of ministerial approval.</li> <li>b) Delegate authority to approve any unanticipated changes to the ARA between now and laying to its Chair.</li> </ul>	
<b>11.</b>	<b>Variation of DCMS grants to Wakefield Council</b>	
11.1.	National Council were asked to make a decision on a variation to a DCMS grant to Wakefield Council.	
11.2.	Wakefield Council have requested the reallocation of a further £1.5m of their remaining £2.5m HM Treasury hypothecated grant funding to increase the budget for Wakefield Exchange (WX), part of their CDF project, in light of increased costs.	
11.3.	National Council noted that DCMS and HM Treasury have confirmed to Arts Council their approval to reallocate £1.5m of the hypothecated grant funding to WX via the CDF project. This will require fall-in of the £1.5m of the hypothecated grant to be reallocated, and then a variation to the CDF grant, taking it from £7.4m to a new total of £8.9m.	
11.4.	National Council noted the potential staffing and workload implications for the Arts Council due to the extended timeline. The varied grant will also require a Subsidy Control declaration from Wakefield Council.	
11.5.	<p>National Council AGREED to:</p> <ul style="list-style-type: none"> <li>a) Ratify the fall-in of £1.5m of the HMT hypothecated funding grant and the subsequent addition of this as a variation to the CDF grant, as agreed by DCMS and HMT, which will fund the increased costs of completing the works at WX; and the extension of the project until July 2024.</li> <li>b) Note that the wording of the Memorandum of Understanding between DCMS and Arts Council relating to the Spring Budget 2021 hypothecated grant (signed July 2021) will require a further addendum to reflect the revised grant allocations.</li> </ul>	
<b>12.</b>	<b>Chair and Chief Executive's Report</b>	
12.1.	Sir Nicholas Serota and Darren Henley introduced this item.	

12.2.	Members received updates on the Music Hubs investment process, Coventry City of Culture – National Audit Office Review and the Government Indemnity Scheme. They also noted that the Delivery Plan update was published on Monday 5 <sup>th</sup> June following its annual refresh.	
12.3.	National Council AGREED to note the update.	
<b>13.</b>	<b>Area Council Appointments</b>	
13.1.	The Chair introduced this item which asked National Council to agree 8 appointments and 3 reappointments to the South West Area Council. National Council is also asked to agree the appointment of a London Council nominee to the London Area Council.	
13.2.	<p>National Council AGREED</p> <ul style="list-style-type: none"> <li>a) the appointments of Cllr Steve Pitt, Cllr Jemima Laing, Ajay Chhabra, and Mark Wallace to the South West Area Council from the 1<sup>st</sup> September 2023 to 31<sup>st</sup> August 2027.</li> <li>b) the appointments of Cllr Julie Jones-Evans, Cllr John Beesley, Julie Caplin Grey and Riley Mathers to the South West Area Council from 1<sup>st</sup> September 2023 to 31<sup>st</sup> August 2026</li> <li>c) the reappointment of Louise Mitchell, Shahina Johnson and Professor Bambo Soyinka to the South West Area Council from the 1<sup>st</sup> September 2023 to 31<sup>st</sup> August 2027</li> <li>d) the appointment of Cllr Ruth Dombey (London Council nomination) to London Area Council from 21<sup>st</sup> June 2023 to 20<sup>th</sup> June 2026.</li> </ul>	
<b>14.</b>	<b>Acceptance in Lieu Recruitment update</b>	
14.1.	The Chair introduced this item which asked National Council to approve the appointment of an interim Chair for the Acceptance in Lieu Panel	
14.2.	<p>National Council AGREED to</p> <ul style="list-style-type: none"> <li>a) the appointment of Michael Clarke (the current Vice Chair) as interim Chair from July 2023, for a period of no more than two years.</li> <li>b) the appointment of Deborah Shaw to the AiL panel from July 2023 for a term of 3 years</li> </ul>	
14.3.	National Council thanked Helen Birchenough for all her work and for initiation the process of change in the AiL Panel.	



<b>15.</b>	<b>Quarterly Investment Risk Report</b>	
15.1.	National Council were presented with an update on the risk profile of the National Portfolio and risk assessment compliance rates at the end of quarter four 2022/23.	
15.2.	National Council also noted the position on Capital risk including updates on the Bristol Beacon and Factory International Capital projects.	
15.3.	National Council AGREED to note the contents of the Quarter 4 Investment Risk report.  (Kate Willard left the meeting.)	
<b>16.</b>	<b>Communications update</b>	
16.1.	National Council noted an update on the Arts Council's approach to advocacy and communications. They had a broad discussion on future plans for stakeholder engagement, research and evaluation now that we have entered into the period of the new portfolio.	
<b>17.</b>	<b>Any other business</b>	
	No further business was reported.	
	<b>Meeting Closed: 16:00</b>	