

REPORT TO EXECUTIVE

Date of Meeting: 4 April 2023

REPORT TO COUNCIL

Date of Meeting: 18 April 2023

Report of: Director of Culture, Leisure and Tourism

Title: Proposal to establish an Oversight Panel to monitor the Royal Albert Museum & Art Gallery's delivery against the funding agreement made between Exeter City Council and Arts Council England for period 2023-26.

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

This report recommends establishing a new Oversight Panel to provide Arts Council England (ACE) with monitoring, evaluation and reporting information, relating to the City Council's receipt of National Portfolio Organisation funding for the Royal Albert Memorial Museum & Art Gallery (RAMM). An Oversight Panel is a requirement of the national funding programme, made in circumstances where there is no dedicated board solely focussed on a cultural organisation's governance. The Oversight Panel provides ACE with the assurance of the governing body's engagement with the funding programme and also surety around an appropriate level of scrutiny that extends beyond the officers directly involved in delivery of the programme's outputs. The City Council remains the accountable body for the funding agreement with ACE and the outputs it specifies. The Arts Council England's offer covering the period 2023-6 is for £618,000 per annum (subject to the settlement it receives from Government for this period).

2. Recommendations:

That Executive recommend to Council:-

- (1) to agree to establish a new Oversight Panel, as it is a prerequisite of the Funding Agreement that the Council will make with Arts Council England, in connection with its receipt of National Portfolio Organisation Funding 23-26; and
- (2) agree the Terms of the Reference for the Oversight Panel.

3. Reasons for the recommendation:

This is a new funding agreement requirement from Arts Council England, relating to its offer of investment in 2023-26 National Portfolio Organisations. The partnership funding RAMM has in the past been fortunate to receive through this route, is now critical to its continued delivery of ambitious and inclusive museum services.

The per annum award of £618,000 is based on the submission made to the Arts Council England in May 22 which resulted in an 'in principle' offer. A second stage of planning review submitted earlier this year forms the basis of the funding. Submission were made under the authority delegated to Director and Portfolio Holder.

4. What are the resource implications including non financial resources

It is proposed that the Panel meet quarterly. Additionally members may need to commit time to reading papers and preparing for meetings. They will also need to attend briefing and training sessions to enable their full understanding of the programme and ACE priorities. Members of the Oversight Panel will also be invited to visit the museum, see its work and attend events in order to familiarise themselves with the activity they are monitoring.

Administrative support for meetings will be provided by a member of RAMM staff.

5. Section 151 Officer comments:

The very small financial implications are to be funded from the Arts Council contribution, therefore there are no additional financial implications for Council to consider.

6. What are the legal aspects?

The receipt of grant funding from Arts Council England is conditional upon the Council establishing an 'Oversight Panel' in order to monitor and report on the application of the grant funding against the targets and measure set out in the Arts Council England funding agreement. Arts Council England regards the use of oversight Panels as essential in ensuring accountability and transparency of its public investments and that reporting and monitoring will enable it to keep track of its investment programmes. The role of the Oversight Panel is limited to an oversight role and will not be responsible for operational issues concerning the RAMM. Members will particularly note the attached document 'Background to RAMM Oversight Panel formation and function which sets out further detailed information and the draft Terms of Reference which set out the responsibilities of the Oversight Panel.

7. Monitoring Officer's comments:

These are proposed in order to comply with the conditions of grant which requires a degree of independent monitoring, evaluation and reporting information, relating to the grant spend. As a tool aiming for good governance, the Monitoring officer has no objection to the proposal.

8. Report details:

The National Portfolio Organisation programme is based on 'Let's Create', Arts Council England's ten year strategy and a suite of supporting documents and guidance including a Relationship Framework setting out its expectations of the organisations it will fund. This covers the requirement for an Oversight Panel in circumstances where there is currently no governing body solely focussed on the cultural organisation. This has informed the Terms of Reference in draft, attached.

This proposal outlines a strong relationship between the Oversight Panel and the City Council's wider democratic structures, ensuring the flow of information and minimising potential for duplication or confusion around responsibilities and accountabilities. The Oversight Panel will be chaired by the Portfolio Holder for Arts & Culture and Democratic Services with the Portfolio Holder for Communities as vice chair and further membership of four non- Executive Committee councillors. In total, the six councillors will reflect the current political balance of the full Council to ensure appropriate challenge, engagement and representation. Subject to the view of the Independent Remuneration Panel (IRP), the participation of Chair and Vice Chair is covered by Members' Special Responsibility Allowance and other councillors through the basic allowance. Councillors' role as elected public representatives, reflecting a breadth of opinion, meets an important ACE concern that governance of cultural organisation should reflect the community served. This is embodied in their 'Let's Create' Investment Principle focussed on Inclusivity and Relevance. Further information is available in the attached 'Background document'.

To support the work of the Oversight Panel and enhance the transparency and connection it represents, two further members are proposed; a member of Exeter Cultural Partnership and a member of RAMM's Youth Panel. As invited external representatives, these panel members will be remunerated for their time and support, with an estimated total cost of £600pa, which will be met from the ACE award. (This is also subject to review by the Independent Remuneration Panel).

9. How does the decision contribute to the Council's Corporate Plan?

Establishing an Oversight Panel enables the Council to commit to a Funding Agreement with ACE that triggers substantial investment in the city's cultural offer, in the form of RAMM. This makes a direct contribution to several corporate priorities but particularly a 'Thriving culture and heritage'.

10. What risks are there and how can they be reduced?

Arts Council England has confirmed its offer of funding to RAMM for the 2023-6 period but is an offer dependent on meeting their funding requirements which include the need for an Oversight Panel. Potential investment of £1,854,000 is at risk without ECC's appointment of an Oversight Panel.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because this relates to monitoring of a funding agreement.

12. Carbon Footprint (Environmental) Implications:

No direct carbon/environmental impacts arising from the recommendations because this proposal relates to monitoring of a funding agreement.

13. Are there any other options?

No. This is an ACE funding requirement applied nationally to cultural organisations without their own dedicated governing body.

Director of Culture, Leisure and Tourism, Jon- Paul Hedge

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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