

Area Councils Terms of Reference

Agreed July 2013

1. Purpose

1.1 Under the terms of the Royal Charter, National Council may establish area councils. It has chosen to establish five area councils – one for each of its areas. The five area councils:

- help ensure that the executive spends public money against agreed strategy, in a way that the public can see, understand and accept
- provide a forum for artists, arts and cultural organisations and other stakeholders to ensure their views are heard in the formulation of Arts Council England strategy and to share Arts Council England thinking with the sector
- offer advice to National Council in terms of ‘on-the-ground’ knowledge of locally and nationally significant issues
- advocate for the arts, culture and the Arts Council in the area and encourage artistic talent

2. Responsibilities

Arts Council England's Mission and Objectives

2.1 Area councils are committed to its mission: Achieving great art, museums and libraries for everyone and to fulfilling the objects of Arts Council England as set out in its Royal Charter which is for the public benefit to:

- (1) develop and improve the knowledge, understanding and practice of the arts;
- (2) increase accessibility of the arts to the public in England; and
- (3) advance the education of the public and to further any other charitable purpose which relates to the establishment, maintenance and operation of museums and libraries (which are either public or from which the public may benefit) and to the protection of cultural property; and

- (4) advise and co-operate, where it is appropriate to do so, with the Departments of Our Government, Our Scottish Administration, the Northern Ireland Executive and the Welsh Ministers, local authorities, the Arts Councils and equivalent organisations in the museums and libraries sector for Scotland, Wales, and Northern Ireland (or their successors) and other bodies on any matter related to the objects.

[Article 4 of the Royal Charter]

Governance, Organisational Structure, Culture, and Values

- 2.2 Area councils provide advice on plans for major structural change and major changes in the Council's methods of operation.
- 2.3 Area councils are informed of any amendments to Council regulations (rules and procedures for meetings).
- 2.4 Area councils are consulted over any changes to the function and formation of area councils, especially the appointment of their members and determining the terms and conditions of their appointment.
- 2.5 Area councils are informed of any amendments to the Code of Conduct for national and area council members.

Strategy and Business Planning

- 2.6 Area councils provide advice on the strategy and plans of Arts Council England. More specifically area councils provide advice and input to the development of the Arts Council Plan and any area plans for submission to and approval by National Council.

Financial, Risk and Performance Management

- 2.7 Area councils advise on, and review Arts Council England's performance. They may monitor progress against targets set for the area in the Arts Council Plan or any area plans.
- 2.8 Area councils advise on the challenges and risks relating to the achievement of Arts Council England's goals in the area.

Investment Programmes and Decisions

- 2.9 Area councils provide advice on the design and delivery of the Arts Council's main investment programmes and are informed of the launch of new programmes.
- 2.10 Area councils make decisions on applications up to a certain threshold (currently £800k per annum) to join the National Portfolio in their area.¹ These decisions should reflect agreed policy and investment frameworks. Decisions of area councils on National Portfolio applications may be subject to review and possible change by National Council to ensure that the Arts Council maintains a nationally balanced portfolio. National Council will provide area councils with reasons where it overturns an area council decision.
- 2.11 Area councils make recommendations to National Council on grants of over a certain threshold (currently £800k per annum) to organisations applying to join the National Portfolio. Area councils are to be informed of the outcome of National Council discussions, particularly where their recommendations have been rejected.
- 2.12 Area councils will receive periodic updates on the number and type of funding applications received from the area and will provide advice on the priorities for the area and how Arts Council England should target its activity. They will also advise National Council and area management teams on the impact of Arts Council England's work in the area.

3. Delegated Authority

- 3.1 Area councils have delegated authority from National Council to take decisions within these terms of reference.
- 3.2 Area councils are responsible for ensuring that equality and diversity implications are considered in all matters they decide.

¹ Except where this relates to a re-assessment of an application, where National Council maintains the authority for making decisions on re-assessments of applications to join the National Portfolio.

3.3 Area Councils report to National Council.

3.4 Area councils will undertake a review of their own effectiveness at least once a year and report the results of that review to National Council.

4. Membership

4.1 Membership of each area council will comprise:

- The Chair – who is also a member of the National Council. The Chair is appointed by the Secretary of State, apart from the Chair of the London area council who is appointed by the Mayor of London in accordance with Article 11(2) of the Charter.
- Nine members appointed by the National Council other than:
 - in the London area where there are 6 members appointed by the National Council and 4 further members appointed by the Mayor of London in accordance with Article 11(2) of the Charter.
- Five members representing local government appointed by the National Council other than:
 - in London where there are 4 members representing local government.

4.2 All members of area councils are non-executive.

4.3 Area council meetings are chaired by the area council chair.

4.4 If the area council chair is due to be absent from a number of meetings, or if there is no one in post, the Chair of National Council will appoint another area council member to chair the meeting. If an unexpected absence arises, the members of the area council present at the meeting will nominate one of their number to chair the meeting.

4.5 Arts Council England (National Council) may terminate the appointment of a member of an area council who fails to perform the duties required of members to the standard expected of persons who hold public office (See the Code of Conduct for National and Area Council Members).

5. Frequency of meetings

- 5.1 There will be 5 meetings in each financial year, or as needed.
- 5.2 Meetings are co-ordinated by the Area Director's office, and should be aligned with the meetings of National Council.

6. Quorum

- 6.1 The quorum for a meeting of an area council shall be eight.