

Response from ACE to questions posed by Supporters of Iniva (SI)
26th February 2015.

FUNDING AND PROGRAMMING QUESTIONS:

SI: What investment has ACE made to realise the ambition and scope of Iniva over its lifetime? Please supply a summary of the level of investment that ACE has made to Iniva since its inception.

ACE reply: Since 2001 Arts Council England has invested £10,707,325 in Iniva. We have made an additional offer of £683,032 for the 2015-18 National Portfolio Organisation (NPO) funding period.

Is Iniva eligible to apply for annual one off specific funds from ACE over the coming years to ensure its stability, partnership development and setting agendas for the future?

NPO funding is only one strand of our total investment activity. As an NPO, Iniva will be eligible to apply to relevant strategic funding programmes as and when they are made available. Eligibility criteria will be clear in the application guidance when these are published for individual funds. These are announced on a quarterly basis.

Is Iniva eligible to apply to the funding initiative under the Creative case for Diversity if a planned programme of activities is put forward?

We have yet to publish detail for this programme so it is not possible to speculate about future applications. As above, any funding programme related to the Creative Case for Diversity will be an Arts Council England strategic fund and eligibility criteria will be clear in the application guidance when this is published. We will be seeking a wide range of applicants to any such fund in support of this important area of work.

RIVINGTON PLACE

What is the current legal relationship between Iniva and Rivington Place particularly relating to Sense of Place as current owners of the building?

Iniva and Autograph jointly manage a public building, Rivington Place, under a separate management company A Sense of Place (SoP). The SoP board comprises trustees from the boards of Iniva and Autograph led by an independent Chair.

If this relationship has changed could you please advice when this change occurred?

The arrangements have not changed. However both organisations are in the process of negotiating new Heads of Terms. We cannot confirm when this will be completed.

Finally, what is being negotiated beyond March 2015?

The negotiation of Heads of Terms is currently underway. It is hoped that this will be concluded as soon as possible.

As ACE is listed as having 'legal charge and debenture legal mortgage guarantee' under the mortgage information of Sense of Place, does this mean that ACE owns the building?

This issue requires a technical explanation: Rivington Place is not owned by Arts Council England but we have a charge on the building. This charge affects the ability of the freeholder to mortgage or dispose of the asset without asking us to subvert our charge (in the event of mortgage) or consent to disposal (sale). We also have to give consent for substantial change of use or changes likely to affect the value of the building.

In considering the relative merits of the bids for a single organisation to run Rivington Place, what assets (building, library, cash in hand) does ACE consider to be part of Iniva's valuation?

As you are aware the NPO process is an open one and everyone wishing to join our portfolio of arts and culture organisations had to submit an application. Our decision making happened in two stages. Firstly, we looked at the application itself, and secondly, we decided how well we thought each applicant would fit into a balanced national portfolio to ensure we had the right spread of investment. See more at: <http://www.artscouncil.org.uk/funding/our-investment-2015-18/national-portfolio/how-we-made-our-decisions/>

When considering the value of Iniva and its assets, is the building listed as an asset given the current membership of Iniva on the Board of Sense of Place?

This will be part of Iniva's financial reporting as a charity and you should request a response from them or you may wish to look at the latest published audited accounts filed with the Charities Commission

Where does ACE envisage Iniva conducting a programme of cultural activities if it does not have programming access to a building?

Iniva is coming to an end of a consultation process which will inform the programme structure and business plan which we are in the process of agreeing with Iniva. This may include a range of options for future artistic programming in support of their vision. We believe that Iniva continues to play a particular role and anticipate that they will be able to continue building relationships with a wide selection of suitable partners in the coming years.

INSTITUTIONAL REMIT, SUSTAINABILITY AND CONSTITUTION OF Iniva

From ACE's perspective, is there a long-term viability for Iniva in the building if the current Iniva management is changed?

Both its personnel and location are matters for the Board of Iniva. Arts Council England believes that it is possible for Iniva to remain at Rivington Place, but Iniva itself will need to decide this. We are currently in dialogue with the board about the activity programme and business plan for this period.

How does ACE envisage Iniva sustaining its reputation and cultural value in the immediate future given the reduced staffing and funds for programming?

The grant offered to Iniva is commensurate with other National Portfolio Organisations which offer an artistic programme (investment to Iniva will total £228,344 per year from 2015-18). We believe these funds can enable Iniva to continue its national and international work, working with diverse artists through a range of partnerships. We are currently in dialogue with the board about the activity programme and business plan for this period and therefore it would not be appropriate for Arts Council England to comment on specifics.

Given the recent changes/reduction in staffing, what expectation does ACE have for Iniva delivering on staffing that is culturally diverse?

As part of the materials NPOs are required to submit to receive funding, all NPOs produce an Equality Action Plan which covers all aspects of the core business including an approach to staffing. We will use Iniva's Equality Action Plan to monitor its progress in this area during the funding period.

How can Supporters of Iniva (SI) be assured that ACE has been cognizant of the cultural capital and symbolic value of the UK's BAME arts community when planning for the future of Iniva and its future life at Rivington Place, given the internationally recognised cultural investment that has already taken place?

Arts Council England has considered the role that Iniva plays in supporting diverse and international artists and with this in mind it is included in the 2015-18 NPO portfolio. The planning for the future of Iniva's programme including its location is a decision for Iniva's Board who are currently considering these matters through consultation with the sector which we hope SI will contribute to.

If Supporter Members (SI) were to join the board of Iniva, will SI also be on the board of Sense of Place?

We are unable to answer this question at the moment as new Heads of Terms are being negotiated between Iniva and Autograph and this new document will outline the new management structure.