
MINUTES OF THE TWENTY-FOURTH MEETING OF THE 2008/2010
COUNCIL HELD AT THE NATIONAL UNION OF JOURNALISTS ON 4TH AND
5TH MAY, 2010

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Present: Graham Hamilton (President – in the Chair), Riky Ash, Ian Barritt, Henrietta Branwell, Michael Branwell, Annie Bright, Robin Browne, John Carnegie, Jonathan Cecil, David Cockayne, Michael Cunningham, Nicky Diprose, Dave Eager, Tom Emlyn Williams, Bryn Evans (Honorary Treasurer), Caryl Griffith, Clive Hurst, Yvonne Joseph, Joseph Kloska, Mary Lane, Kate McCall, Corinna Marlowe, Paul Mead, Sheila Mitchell, Fiona Mott, Frederick Pyne, Dennis Ray, Jean Rogers (Vice-President), Rhubarb the Clown, Malcolm Sinclair (Vice-President), Nicholas Smith, Alan Thompson, Sally Treble, Tim Walton, Johnny Worthy (Trustee) and Christine Payne (General Secretary).

24.1 ANNOUNCEMENTS

- 1) The President welcomed Phil Pemberton, the new Campaigns and Publications Officer who was in attendance. He was welcomed by Council with loud applause.
- 2) The President was sad to announce to Council the death of the actress and Equity member, Lynn Redgrave from breast cancer at the age of 67.
- 3) The President was able to give Council the good news that Mark Holden's wife had given birth to twin boys – it was agreed that a bottle of champagne should be sent to celebrate this happy event.
- 4) The President announced that Alec Leaver, one-time Equity ITV organiser, would be visiting on the second day of Council to present a JAK cartoon as a gift to the Union for display in Guild House. He would be arriving at 12.45 p.m. on Wednesday and the President would be taking him to lunch by way of thanks.
- 5) The President announced that the Head of Finance, Duncan Smith and Richard Mason, Finance Officer, would be attending Council at 11.45 a.m. on 5TH May to settle expenses claims. The Honorary Treasurer said he had forms available for those not attending on 5th May but any payments owing would not be processed until then.
- 6) The General Secretary reminded Council that minor corrections could be sent to the Minutes Secretary by email or handed to him on the day – it was only necessary to raise substantive corrections at Council.
- 7) The General Secretary referred to two Emergency Motions which had been received both in the name of Clive Hurst. The General Secretary recommended that the first should not be treated as an Emergency Motion and, at the request of the Council, she read it out loud. After discussion, it was **proposed** by Michael Branwell and **seconded** by

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Henrietta Branwell that it was not an Emergency Motion as had been recommended by the Officers. This was **CARRIED** with three abstentions and the Motion would therefore be included on the June Council agenda.

The General Secretary recommended that the second Motion be treated as an Emergency Motion which was **AGREED**. This would be dealt with as a new item 6a).

- 8) The President announced the following further changes to the agenda:
 - i) Sally Treble's Emergency Motion would be taken as item 4c) under Recorded Media.
 - ii) Dave Eager's Motion would become a new item 6c) under the Election of President, Council, Appeals Committee and Standing Orders Committee.
- 9) The President announced that Jim Dowdall from the Equity Stunt Committee would be attending at 11.30 a.m. on Wednesday to assist in the discussion of Agenda item 7 – Joint Industry Grading Scheme.

24.2 CORRECTIONS TO THE MINUTES OF COUNCIL 23

- 24.2.1. **Minute 23.1 – Announcements 1)** – in line 8, delete the word 'applauding' and insert the words 'giving a final standing ovation'.
- 24.2.2 **Minute 23.2.1 – Minute 22.3.1. – Announcements**, in line 2, insert 'and in the second point made in response' after the word 'discussion'.
- 24.2.3 **Minute 23.3.5 – Matters Arising** - under the fourth point made in discussion – insert the words 'profit on the' in front of the word 'sales'.
- 24.2.4 **Minute 23.4 – Annual Report** – in point 2), delete the words 'would be' and insert the words 'had already been'; add a new point 12) as follows: 'Some listings of committee members included membership at either side of the July 2009 elections and some only current membership. Both sets of membership should be included throughout so as to make the listings comprehensive and consistent'.
- 24.2.5 **Minute 23.5.1 – TAC** – in paragraph 2, add the words 'under the BARB system' in line 2.
- 24.2.6 **Minute 24.2.6 – BBC Funding** – under the sixth point made in

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discussion, delete the word 'engineers' and insert the word 'designers'; in the sixth point made in response, delete the words 'lighting engineers' and insert the words 'TV and film industry lighting designers'.

- 24.2.7 Minute 23.5.3 – Walk On Agreements** – in line 1 of paragraph 1, insert the following words after the second 'a': 'Walk On Councillor who is an ex officio'; add a final point made in discussion as follows: 'Clive Hurst referred to an old Equity Rate Card which showed the rate as £67.00'; delete the first point made in response and insert the following: 'The General Secretary said that the matter of the redevelopment of the Equity website and the membership database would be discussed by Council in due course. She gave an assurance that the matter of the members' forum would be discussed as a separate agenda item by this Council'; move the third Point made in response to the last of the Points made in discussion and in line 1 of this point delete the word 'Committee' in this point and insert the word 'Councillor'; in the third paragraph after Points made in response, line 9, insert the words 'on basic rates' after the word 'more'; in line 12 of the same paragraph, delete the question marks after the word 'calls' and insert the words 'and less after agency deductions'; in line 14 of the same paragraph, insert the words 'under the ITV agreement' after the word 'increase'; in line 15 of the same paragraph, delete the word 'five' and insert the word 'three'.
- 24.2.8 Minute 23.7.2 – Subsidised Repertory Agreement** – move this item into the Confidential Minutes; in line 1 of the Points made in discussion, insert the words 'Manifesto for Theatre' after the words 'out of the'.
- 24.2.9 Minute 23.12 – Membership** – in line 2, insert the words 'for members paying a subscription' after the word 'figures'.
- 24.2.10 Minute 12.13 – Councillors' Motions** – in the first paragraph after 'Points made in response' delete the final two lines and insert the following: 'preceding year's Annual Report should be included in the current one. This will ensure that they are agreed by the ARC. A note should be placed in any archive copies of the previous report detailing any such corrections'.

24.3 MATTERS ARISING FROM COUNCIL 23

- 24.3.1 23.1. 1) - Announcements** – the General Secretary confirmed that she had sent a letter of condolence to Kika Markham, the widow of Corin Redgrave.

24.3.2 23.3.5 – Final bullet point (Points made in discussion) – the General Secretary reported that discussions were underway with the BBC and the Audio Committee to arrange a date for a meeting as per the Audio Committee’s Emergency Motion.

Points made in discussion:

- There had been too much delay in fixing up this meeting.

Points made in response:

- The AGS (RM) commented that the audio member of staff, Cathy Sweet, had been stranded in Johannesburg due to the volcanic ash cloud disrupting flights. He had wished to check with her what the proposal had been on how many needed to attend such a meeting. It was thought that six or seven was too many and four would be the right number. Sheila Mitchell’s view was that original intention was to have more than just the Chair and Vice-Chair involved.

24.3.3 Minute 23.5.1 – TAC – the AGS (RM) reported that the Welsh National Committee had endorsed the proposals before posting of the Council Minutes for Council 23 which was why this item had ceased to be confidential.

24.3.4 Minute 23.5.2 - BBC Funding - the AGS (RM) and General Secretary had met with Channel 4 executives. The new Chief Executive had been on gardening leave from his previous employer and had only started that day (4th May). There would be a further meeting after the General Election.

24.3.5 Minute 23.5.3 – Walk-On Agreements - Clive Hurst reported that he had amended his posting on the Forum and told Council he had been wrong to use some of the language which he had used and apologised. He went on to say that the rate card he had brought to Council had not been looked at so he had brought a new one to Council that day. He said that Equity had posted inaccurate and misleading information on rates on the Forum. The AGS (RM) responded by saying that at the time of writing these had been the rates received and believed to be correct.

He referred to the discussion on the half-day rate and reported to Council that there was a four-hour shift-call rate rate under under the FAA Agreement amounting to £57.74 compared to only £67.79 under the Equity agreement for working a whole day. He insisted to Council that his basic position had been correct as the Equity agreement had only increased 79 pence in the last six years and members were

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working below the National Minimum Wage after deduction of the agent's commission.

Sheila Mitchell asked Councillors that if they wished to make lengthy statement to Council on a particular topic then they should submit a hard copy to the Minute Secretary as a reminder to Councillors and a reference for any future date.

Points made in discussion:

- PACT had offered Equity less than the FAA Agreement.
- What had the AGS (RM) meant by saying that the FAA Agreement holds things back for walk-ons?

Points made in response:

- In relation to the second point made in discussion, the AGS (RM) replied that the FAA Agreement was worse across the piece and was holding Equity rates down.

24.3.6 Minute 23.6 – Equity/Ghana Actors Guild Twinning Scheme - the AGS (C & MS) told Council that the Visa applications for Samuel Nii Odio Mensah, President of the Ghanaian Actors' Guild, and Frances Kofi Dogbe, Treasurer of the Ghanaian Actors' Guild, had been turned down by the British High Commission in Accra. He said that he had e-mailed the High Commission that morning to say that Equity and the TUC were underwriting the costs of the visit and these were only temporary visits for Visa purposes. He said it was appalling that Britain's representatives in Accra should have turned down the delegation in this way.

Points made in discussion:

- Michael Branwell, as Chair of IPAT, expressed the hope that time would be set aside for the delegation to meet IPAT at the ARC assuming the Visa problems were sorted out.

24.3.7 Minute 23.7.2 – Subsidised Repertory Agreement - The AGS (LP & O) reported that the Respect for the Arts Manifesto had been sent out to 1300 candidates in the General Election and there had been numerous responses. In terms of the main parties, he said that the Liberal Democrats had now withdrawn an earlier guarantee that there would be no cuts to the culture budget.

Points made in discussion:

- The T.V. show 'The Daily Politics' had recently featured an interview with members of Opera North. During this

discussion, Respect for the Arts was discussed, so clearly the Manifesto message was getting through.

24.3.8 Minute 23.8 – National Minimum Wage in the Entertainment Industry - Clive Hurst commented that the point of the guidelines was that it was up to the government to decide who was exempt from the National Minimum Wage.

The General Secretary agreed that the guidelines were going to be of great importance and that many of the issues Clive Hurst was referring to would be addressed during the drafting of the new guidance which Equity was involved in.

It was **proposed** by Mary Lane and **seconded** by Rhubarb the Clown that the Minutes were a true and accurate record of the meeting. This was **AGREED**.

The meeting adjourned at 2.15 p.m.

24.4: BUDGET 2010

24.4.1. Budget Report.

Duncan Smith, Head of Finance, spoke on the budget for 2010 and referred to his report. He said that the deficit was getting smaller and was currently projected at £293,000. Although subscriptions had gone down slightly in January and that this trend had continued in February and March amounting to a cumulative total of £60,000, April had shown a slightly improving figure but the overall trend was down by £50,000. The subscriptions figure, however, had been maintained at £3,844,000.

He reported that the budgeted income for the Educational Recording Agency (ERA) had been revised upwards whilst the amount from Channel 4 Irish now looked as though it may result in several quarters being paid this year, hence the budgeted figure of £200,000.

With reference to other income, he said that the figure for BECS rent was currently nil due to the fact that negotiations were ongoing but clearly this would influence the final deficit figure in due course. In terms of staff costs, (salaries plus temporary agency costs) these are roughly as before with the budget assuming a 3% pay rise.

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The budget for the Legal Aid defamation case has been entered as £300,000; this budget assumes the loss of the case this year but, were the Union successful, then the figure would reduce to £150,000.

The figure for democratic costs presumes that there will be an election for the post of General Secretary; if this were not the case, the saving would be about £35,000.

The Professional Fees figure represents the work being carried out on the Equity Staff Pension Scheme. The production of new rules for the Pension Scheme could cost between £35,000 and £40,000; it was not yet clear when these costs would be incurred nor whether the costs would be met by Equity or by the Pension Scheme.

The Head of Finance also mentioned that rates had increased to approximately £92,000. This was due to the impact of CrossRail. The Union had been advised that there would be further increases in rates in future years.

The Honorary Treasurer reported that since the last budget forecast income had gone up by 2.29% whilst expenditure had increased by 0.95% which explained the change in the operating deficit; however, a figure of £50,000 needed to be added to the £192,000 giving a total figure of £242,000.

Council were proposing that subscriptions would increase by 3.85% as per Motion 30 to the ARC. It felt like the wrong time to delay a subscription increase and he was recommending to Council that rates should increase from 1st July.

Matt Hood, Head of Communications and Membership Support, had queried what to do about other categories of membership : Honourable Withdrawal, Youth Membership and Student Membership. The Honorary Treasurer said that the recommendation was for Youth and Student Membership to increase by 3.85% with the cost of Honourable Withdrawal increasing from £35 to £36.

Points made in discussion:

- Why isn't the income from old films included in other income?
- In relation to postage costs, why was this item introduced in 2009 and why did it amount to £1,000 per member?
- If we win the defamation case, why would we not get costs?
- Why are property and equipment costs less than in 2009?
- What does the insurance for Directors represent?

Points made in response:

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- The monies received from old films were not part of working capital and will be distributed to members.
- The postage cost figure represents the total postage costs for franking and stamps – previously the figures had not been broken down into different categories.
- In relation to the defamation case, their lawyers are doing it on a No Win No Fee basis – in addition, we would be unlikely to recover costs due to the insolvency of the other party.
- The saving on property and equipment costs is due to the business property relief claimed by the Glasgow office – this is based on the square footage, income and size of company – other offices could probably get this relief but would need to make an application.
- The Directors' and Officers' Insurance is to cover decision-making and the governance of the Union – it is taken out in case the Union is sued due to a decision of the Council.

Dennis Ray **proposed** and Clive Hurst **seconded** approving the draft annual budget.

This was **CARRIED** with two abstentions.

A Vote of Thanks was moved for the excellent work done in the preparation of the draft budget.

24.4.2 Increase in subscriptions.

The Honorary Treasurer **proposed** that subscriptions should be increased by 3.85% from 1st July, subject to the approval of the ARC. He asked Council to endorse this timing which he would announce when proposing Motion 30 at the ARC as Council spokesperson. His proposal was **seconded** by Michael Cunningham.

Points made in discussion:

- It was best to leave this increase until after the ARC.
- It will cost an additional £10,000 in postage costs to tell Direct Debit members about the increase in the subscriptions rate but the change should generate more than £10,000 in additional income.
- Those paying on a monthly basis will be penalised as against those paying annually.

Points made in response:

- The £10,000 is an unnecessary expense; this cost would not be incurred if we waited until January 2011.
- Under Direct Debit regulations the Union is not allowed to put up rates without informing members of the increase.

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- BECS money should enable us not to increase subscriptions.
- People joining after 1st July will pay anyway.
- The Honorary Treasurer explained that most people on Direct Debit pay monthly or quarterly and therefore will be affected immediately. For those paying this year, it will mean £2.00 over six months for the vast majority. Members can apply for financial help with their subscriptions and fewer than 200 do so each year. The new Direct Debit payments should bring in £26,000 - £30,000. Those paying in January on an annual basis will not pay the increase until January 2011.

The Motion to increase subscriptions in July 2010 was **CARRIED** with 5 abstentions.

24.4.3 London Actors Centre

The General Secretary stated that the proposal in the budget was to pay an extra £5,000 to the London Actors Centre. She said that two concerns had been how much of this money would be spent in Northern Ireland and the issue of auditions to join the Actors Centre. The General Secretary reported that she, Frederick Pyne and Peter Kosta had met with Matthew Lloyd, Artistic Director of the Actors Centre, and it had been agreed that all of the proposed £5,000 would be spent on delivering classes and workshops in Belfast in partnership with the Lyric Theatre.

On the question of auditioning, she said that the Actors Centre had a system of introductory, probationary and full membership and these different categories existed as a way of assessing the standard of those joining the Actors Centre. Following discussions with Matthew Lloyd, it had been agreed that an Equity member would be able to join the Actors Centre without auditioning but an assessment would be made of what level they should be joining at. This represented a big step forward on the previous position.

The General Secretary said that there would be an article in the next edition of the Magazine to clarify the membership rules as they now stood. .

The increase of £5,000 in the grant to the London Actors Centre was **proposed** by Frederick Pyne and **seconded** by Bryn Evans.

Points made in discussion:

- Some members of the Theatre Directors' Committee had thought it essential to have assessments and had conveyed their thoughts on this to the General Secretary.
- Is Matthew Lloyd able to make these decisions and will future monies go to Northern Ireland?
- Is the assessment per class and how confidential is the information?

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- What is the Actors Centre doing for Equity members? Do we get a discount?
- A lot of core funding to the Actors Centre had been lost.

Points made in response:

- The £5,000 would be for this year only.
- Matthew Lloyd is in a position to make these changes and he was also looking at possibly changing Probationary membership to Intermediate.
- You would join the Actors Centre at one of the three levels and there could be separate discussions about whether to take classes at a different level. The level you join at depends on your experience in the different areas: acting, singing, dancing and so on.
- A discount was available for Equity members.
- It should be the employer's responsibility to support the Actors Centre.

The Motion was **CARRIED** with one abstention.

24.4.4 Guild House Project

The Honorary Treasurer referred to the update report on the Guild House Project and told Council that Tom Cutler, our Project Manager from Keningtons, was in attendance. He said that the remedial work on the air-conditioning system would cost £12,045 and the water tank needed decommissioning and replacing due to being inaccessible. The total effective tender sum is £190,880.27 which is £31,793.27 over the original budget. Referring to the actual expenditure figures, he said that the non-BECS figures represented the cost of the disabled toilet, front door and partitioning on the 5th floor. In terms of the capitalised amounts, it may be possible to include only six months of capitalisation this year.

The total additional expenditure was just under £75,000 which would add around £70,000 to the deficit figure. The Financial Stability Working Party had looked at any areas where expenditure could be reduced such as having fewer air conditioning controls or not having a ramp for the disabled but these were not considered appropriate.

Points made in discussion:

- What were the options with the water tank?
- BECS were not covering all the costs that had been agreed; we should be getting more out of them.
- If things are being kept from Council, people get suspicious.

Points made in response:

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- As far as the water tank was concerned, it was dangerous to get up to and there was very little space when you got there. The tank could be replaced with a smaller one or you could dispense with a tank altogether and have a mains-fed system which was the option being looked at.
- BECS will have a five-year lease from July 2010 – by the end of the lease period, income from BECS will have exceeded the cost of the works.
- The BECS negotiations are still in process so these figures are still pending.
- There have been additional costs such as the structural engineers' report and the additional payments in the mechanical report.
- Full documentation is available on request from Keningtons which sets out all the figures in detail.
- It is cost effective to commission the non-BECS work at the same time that work is being done incorporating BECS into the building.
- BECS are not getting anything on the cheap.

It was **proposed** by Bryn Evans and **seconded** by Dennis Ray that the work continue on the basis recommended by the Honorary Treasurer and the Financial Stability Working Party.

This Motion was **CARRIED** with 21 for, 4 against and 4 abstentions (those voting against included Dave Eager and Sally Treble who wished their names to be noted).

Tom Cutler from Keningtons was thanked for his attendance.

24.5 ARC

24.5.1 Council attitude to Motions, Amendments in the name of the Council and the appointment of spokespersons.

The AGS (C&MS) referred to his report on the ARC Motions and took Council through them.

Motion 35: Young Members' Committee

The OSMT recommendation was to support this Motion. This was **AGREED**.

Motion 36: Devon & Cornwall Branch

The OSMT recommendation was to support this Motion. This was **AGREED**.

Motion 14: Members with Disabilities Committee

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The OSMT Recommendation was to support if amended.

It was **AGREED** that the amendments from the Young Members' Committee and the East Anglia Variety Branch were wrecking amendments and ruled **OUT OF ORDER**. There was then a discussion on the **proposed** Council amendment.

Ian Barritt **proposed** opposing the Motion and this was **seconded** by Nicholas Smith.

Michael Branwell **proposed** opposing the Motion unless the OSMT amendment was accepted and this was formally **seconded**.

Points made in discussion:

- Paragraph 2 of the Motion as amended was already Council policy.
- It was the antithesis of acting to say we can only play what we are.
- The word 'only' had to go but this could be an opportunity to mount a campaign similar to that pursued on gender issues.
- From the Committee's point of view if disabled members don't get a part as a disabled person, when will they get any work?
- Can be adopted as an issue of principle with the Union saying they should be employed not just auditioned.
- Point (i) could be deleted altogether.

Points made in response:

- Taking out (i) altogether would be a wrecking amendment.
- It's not possible to act out an able-bodied part if you are in a wheelchair – the Motion should not be rejected.
- The position for Council would be to amend or oppose as (i) as it stands goes against existing Council policy.

Exercising the right of reply, Ian Barritt said that disabled actors should be considered for all parts - integrated casting means being imaginative in how you cast people so that disabled actors should be considered for all roles.

Michael Branwell's Motion was **CARRIED** overwhelmingly; the Motion would therefore be opposed unless amended as per the Council amendment.

The Council spokesperson will be Jean Rogers.

Motion 16: Womens' Committee

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The OSMT recommendation was to support the Motion and the Minority Ethnic Members' Committee amendment but to be neutral on the Northern Area Committee amendment. This was **AGREED**.

Motion 30: The Council

The OSMT recommendation was to support this Motion. This was **AGREED**.

The Council spokesperson will be Bryn Evans.

Motion 31: Minority Ethnic Members' Committee

The Assistant General Secretary (C &MS) said that the issue was whether the specific right in the Rules for members to hold and express their personal, political and other beliefs should be removed if a member breached the Rule opposing all forms of harassment. Having taken legal advice, he said that he was advised that the OSMT proposed amendment would need to read as follows: 'except where the expression of those beliefs has resulted in a conviction for racial or religious hatred or a racially or religiously aggravated offence'.

Rhubarb the Clown **proposed** opposing the Motion and the amendment and this was **seconded** by Tim Walton.

Sheila Mitchell **proposed** supporting the Motion if amended in accordance with the legal advice explained by the AGS (C & MS). This was **seconded** by Ian Barritt.

Points made in discussion:

- This needs to be opposed as it confuses the law with the rule book.
- Would this have to go to a referendum?

Points made in response:

- It would need to go to a referendum.

Rhubarb the Clown's Motion to oppose the Motion and the amendment was **CARRIED** with 17 for, 7 against and 3 abstentions.

The Council spokespersons will be Rhubarb the Clown and Tim Walton.

Motion 32: Blackpool Variety Branch

The recommendation from the Officers was to support the motion but oppose the Amendment from the VAC.

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Points made in discussion:

- Can the Blackpool Variety Branch just accept the amendment?
- Variety Branch rules say they should only discuss variety branches.
- This was a good opportunity for branches and area committees to get together and sort it out.
- If Blackpool Variety Branch accepted this amendment would that preclude Council from including General Branches in the Working Party?

Points made in response:

- If the amendment were accepted, it would preclude the Council from including General Branches in the Working Party on the basis of this Motion.
- The Blackpool Variety Branch can just accept the amendment.
- The Motion can include general branches if it's an ARC motion.

Sheila Mitchell **proposed** accepting the Variety Advisory Committee (VAC) amendment and rejecting the Midlands Area Committee amendment – this was **seconded** by Rhubarb the Clown.

Ian Barritt **proposed** supporting the Blackpool Variety Branch Motion, opposing the Variety Advisory Committee amendment and supporting the Midlands Area Committee amendment. This was **seconded** by Michael Branwell.

Sheila Mitchell's Motion was **DEFEATED** overwhelmingly.

Ian Barritt's Motion was **CARRIED** with 17 in favour, 7 against and 2 abstentions.

Council decided that if the Blackpool Variety Branch accept the Variety Advisory Committee amendment, then Council will request them to remit the Motion or oppose it if they do not remit.

The Council spokespersons will be Ian Barritt and Michael Branwell.

DAY ONE of Council 24 closed at 5.30 p.m.

COUNCIL 24 - DAY TWO

The meeting resumed at 10.35 a.m. The President reminded Council about the visit of Alec Leaver and also of the visit of Jim Dowdall from the Equity

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Stunt Committee, under Agenda item 7 which would be taking place at 12.30 p.m.

The Honorary Treasurer reminded Council that Duncan Smith, Head of Finance, and Richard Mason, Finance Officer, would be coming in at 11.45 a.m. to deal with expenses claims.

24.5.1 COUNCIL ATTITUDE TO MOTIONS, AMENDMENTS IN THE NAME OF THE COUNCIL AND COUNCIL SPOKESPERSONS resumed.

Motion 21 - NORTH AND EAST LONDON BRANCH

The OSMT recommendation was to support – this was **AGREED**.

Motion 22 - LONDON AREA AGM

The OSMT recommendation was to support – this was **AGREED**.

Motion 23 - STAGE MANAGEMENT COMMITTEE

The OSMT recommendation was to support the Motion and the amendment.

Points made in discussion:

- The amendment doesn't say who does the checking and how frequently.
- Can we ask to remit an amendment?

Points made in response:

- The issue of checking could be dealt with as part of the claim and negotiations.
- The amendment cannot be remitted as it has no standing without the Motion to which it is attached.
- Whoever drives vehicle needs to take responsibility – the key person is the driver and that person should have right to say no.

The recommendation to support the Motion and Amendment was **proposed** by Ian Barritt and **seconded** by Dave Eager. This was **AGREED**.

Motion 24 - LONDON AREA COMMITTEE

The OSMT recommendation was to support. This was **AGREED**.

Motion 25 - WEST END DEPUTIES COMMITTEE

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The OSMT recommendation was to support the Motion but oppose both Amendments. This was **AGREED**.

The Council spokesperson would be Malcolm Sinclair.

Motion 26 - EAST ANGLIA VARIETY BRANCH

The OSMT recommendation was to support the Motion and the Amendment. This was **AGREED**.

Motion 28 - YORKSHIRE RIDINGS BRANCH

The OSMT recommendation was to support the Motion. This was **AGREED**.

Motion 29 - INDEPENDENT THEATRE ARTS COMMITTEE

The OSMT recommendation was to support the Motion and the three amendments. This was **AGREED**.

Motion 17 - HUMBERSIDE VARIETY BRANCH

The OSMT recommendation was to support this Motion. This was **AGREED**.

Motion 18 - VARIETY ADVISORY COMMITTEE

The OSMT recommendation was to support this Motion. This was **AGREED**.

Motion 19 - NORTH EAST VARIETY BRANCH

The OSMT recommendation was to support this Motion.

Points made in discussion:

- Going to the Variety and Light Entertainment Council would mean only dealing with a sub-set of agents.

Points made in response:

- This is not the only thing we could do; if Council supports the idea of a Variety Organising Team, then all of these motions could be referred to that team.

The OSMT recommendation was **AGREED**.

Motion 20 - MANCHESTER AND DISTRICT VARIETY BRANCH

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The recommendation of OSMT was to support this Motion. This was **AGREED**.

Motion 2 - MIDLANDS ANNUAL GENERAL MEETING

The Recommendation of OSMT was to support this Motion. This was **AGREED**.

Motion 3 - NORTH WEST OF ENGLAND BRANCH

The recommendation of OSMT was to support this Motion and the Amendment. This was **AGREED**.

Motion 1 - MODELS' COMMITTEE

The recommendation of OSMT was to support this Motion. This was **AGREED**.

Motion 5 - WALK ON AND SUPPORTING ARTISTS' COMMITTEE

The recommendation of OSMT was to support this Motion. This was **AGREED**.

Motion 7 - SOUTH WEST AREA ANNUAL GENERAL MEETING AND EAST MIDLANDS VARIETY BRANCH

The recommendation of OSMT was to support this motion. This was **AGREED**.

Motion 8 - NORTHERN AREA ANNUAL GENERAL MEETING

The recommendation of OSMT was to support this Motion and to be neutral on the Amendment from the North West London Branch. This was **AGREED**.

Motion 9 - NORTH WEST LONDON BRANCH

The recommendation of OSMT was to support this Motion. This was **AGREED**.

Motion 10 - AUDIO COMMITTEE

The recommendation of OSMT was to support this Motion. This was **AGREED**.

Motion 11 - SCOTTISH VARIETY BRANCH AND BRISTOL AND WEST GENERAL BRANCH

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The Recommendation of OSMT was to support this Motion. This was **AGREED**.

Motion 13 - NORTHERN IRELAND COMMITTEE

The recommendation of OSMT was to give qualified support to this Motion.

Points made in discussion:

- The AGS (RM) said that the Union wanted to support productions in Northern Ireland but having the fund administered by the Assembly would create difficulties as broadcasting was not a devolved matter; it was better to have another body such as Northern Ireland Screen administer it.
- It was not meaningful to give something 'qualified support'.

Points made in response:

- It is possible here to give qualified – all we are saying is to point out that the fund should be administered in Northern Ireland but by an appropriate body – the general principle is to avoid putting amendments where possible.
- There should be a debate at the ARC about giving 'qualified support' to motions.
- It would be woolly to ask to remit – it's better to amend.

The General Secretary proposed that the words 'the Northern Ireland Assembly' be deleted and the words 'an appropriate authority' be inserted.

This Amendment was **proposed** by Frederick Pyne and **seconded** by Sally Treble.

The Motion as amended was **AGREED**.

The Council spokesperson would be Frederick Pyne.

Motion 15 LESBIAN GAY BISEXUAL TRANSGENDER COMMITTEE

The OSMT recommendation was to oppose this motion.

Points made in discussion:

- It was wrong to hold information about members' sexuality.
- Two other Unions do this.
- The existing policy is to collect information about membership trends.

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- The reason is to look at whether we are under-representing certain groups so that we can do something about it.
- Is this asking for something that is already done?

Points made in response:

- The record is voluntary so it would be up to the member.
- We are looking at ways and means of doing this which is not being done at present.
- This would taint the existing record and undermine the data actually held.
- It would be odd to have two registers.
- If completion is entirely voluntary, then what's the point of it?

Ian Barritt **proposed** opposing the Motion and this was formally **seconded**.

This was **AGREED**.

The Council spokesperson will be Ian Barritt.

Motion 33 - MIDLANDS AREA COMMITTEE

The recommendation of OSMT was to oppose the Motion and the Amendment.

An amendment from the Theatre Directors' Committee was missing from the Council papers and this was read out by the General Secretary:

In line 2, delete all after insert till the end of the Motion and insert 'except in the case of specialist, national and area candidates when each member will be limited to one vote for a candidate in the specialism or nation or area where the member usually resides or works'.

Ian Barritt **proposed** and Clive Hurst **seconded** opposing the Motion and amendment.

Rhubarb the Clown **proposed** that Council be neutral on the Motion but oppose the amendment. This proposal was not formally seconded.

Points made in discussion:

- This is a wrecking amendment – it widens the motion too much.
- This will result in too much subdivision with 112 different ballot papers – the Union would need to outsource the election process to an external agency.

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- Members would be working across a range of boxes.
- They can only have vote per specialism which could lead to silly outcomes.

Points made in response:

- A wrecking amendment takes out the key intent or negates it – this does not do either of these so is not a wrecking amendment.
- We would be mad to go here – it would cost between £ 25-30k.

Following these discussions, Rhubarb the Clown withdrew his motion.

Ian Barritt's Motion was **CARRIED** overwhelmingly with 1 against and 2 abstentions.

The Council spokespersons will be Ian Barritt and Frederick Pyne.

The AGS (LP & O) will provide a briefing to the Council spokespersons.

Motion 27 - NORTHERN IRELAND ANNUAL GENERAL MEETING

The recommendation of OSMT was to oppose this Motion. This was **AGREED**.

The Council spokespersons will be David Cockayne and Jean Rogers.

Motion 4 - SOUTH AND SOUTH EAST LONDON BRANCH

The recommendation of the OSMT was to oppose this Motion and oppose the Amendments from the North and East London Branch, South East Area Committee and Welsh National Committee. A further Amendment had been put forward by David Cockayne in the name of the Council.

Points made in discussion:

- The AGS (C & MS) said he had difficulty with the idea of Equity having a representative on Arts Council England due to the conflicts of interest that could arise during funding rounds.
- The North and East London Branch amendment was about having a representative on bodies that advise the Arts Council.
- The Manifesto for Theatre Working Group supports the idea of artists on boards but not 'unions' – for example, Timothy West is an individual not Union assessor for Arts Council England.
- It was understood why the motion was opposed but if it went through it would help protect other performers.

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- Council could be neutral or support the Welsh National Committee amendment – what was wrong with trying to mitigate the motion in case it is carried?

Points made in response:

- The North and East London Branch amendment creates a whole new tier of bureaucracy.
- Seeking to mitigate the motion in this way would just create confusion.
- We don't want Unions represented on the Arts Council so given this position we must oppose the motion.

Following this discussion, David Cockayne withdrew his amendment.

It was **AGREED** to oppose the Motion and the three Amendments to the Motion.

The Council spokesperson would be Joseph Kloska.

Motion 12 - SCOTTISH ANNUAL GENERAL MEETING.

The recommendation of OSMT was to oppose this Motion.

Points made in discussion:

- The Union must be aspirational and stop the trend for regional studio space being used by other people.
- The current system is not working – it is too London-centric.

Points made in response:

- A Scottish production would have to use actors from all over the country. If the programme is made or paid for in Scotland, it should be made in Scotland.
- Where the production is based is as important as where the production company is based.

Ian Barritt **proposed** and Henrietta Branwell **seconded** opposing the Motion.

This Motion was **CARRIED** with 3 against and 3 abstentions so the Council will oppose.

The Council spokespersons will be Corinna Marlowe and Clive Hurst.

Motion 34 - SCOTTISH NATIONAL COMMITTEE

The OSMT had not made any recommendation on this motion.

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Sheila Mitchell **proposed** supporting the amendment from the Isle of Man branch. This was **seconded** by Henrietta Branwell.

John Carnegie **proposed** remaining neutral on the motion but supporting the amendment. This was **seconded** by Ian Barritt.

Points made in discussion:

- Specific criticisms had been made at the Scottish AGM and it would be useful to have these debated.
- The Council does not have to take a position on every motion.

Sheila Mitchell's Motion was **DEFEATED** with 8 for and 12 against.

John Carnegie's Motion was **CARRIED** overwhelmingly with 4 abstentions.

24.5.2 Honorary Life Membership – this item was deemed Confidential.

The President gave details of the two members who the Officers proposed should receive Honorary Life Membership, to be awarded at the ARC. The decision was **ENDORSED** with acclaim.

24.6 RECORDED MEDIA

24.6.1 Digital Economy Bill

The AGS (RM) spoke to his written report on this. He said it highlighted the work the Union had done prior to the passage of the Digital Economy Bill. This was about ISP providers taking responsibility and the Union had been actively involved, chairing meetings with employers and acting as the voice of the Creative Coalition in Press Releases and events including parliamentary events. The Bill was voted through and received the Royal Assent during the 'wash up' and clauses containing measures to tackle illegal file sharing survived negotiations with the opposition parties. The Union was now working in a European context to follow up on U.K. successes.

Points made in discussion:

- The General Secretary took a lot of flak from the media and helped steer the Bill through its initial stages.

Points made in reply:

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- Council agreed with this and showed its appreciation of her efforts.

24.6.2 Hallmark – this item was deemed Confidential

The AGS (RM) spoke to his written report on the ongoing progress of this US based broadcaster/producer.

24.6.3 Motion in the name of Sally Treble

Sally Treble had put forward an Emergency Motion which read as follows:

‘PACT Producers claim that it is cheaper to produce programmes in Romania than in the UK and, as a consequence, they believe that Equity should lower its fee structure to that of Eastern European levels.

This ARC believes that Equity should now respond to PACT Producers by commissioning a detailed and thoroughly researched investigation by the Guild of Film Production Accountants into the percentage of ‘talent’ fees incurred by the PACT producers against their overall budgets (including the cost of British-produced drama) to counter this attack on Equity’s agreements’.

The AGS (RM) thanked Sally Treble for withdrawing her Motion as a Motion to the ARC. He said that an apology had been received from PACT who had explained that the comments in The Stage were made by an independent producer belonging to PACT. PACT were still committed to getting a revision of the PACT Television Agreement. He said there was no necessity to get a report on this matter from the Guild of Film Production accountants. He asked Council to note his report and response and the fact that negotiations are ongoing.

Sally Treble responded by saying that it was good to know that action could be taken if need be. It was **AGREED** that her Motion should be included in the minutes and noted but that no further action was needed at present.

24.7 JOINT INDUSTRY GRADING SCHEME.

The President introduced Jim Dowdall from the Equity Stunt Committee who was attending to speak during this item.

The General Secretary spoke to her written report and further email from Martin Spence following a meeting of the JIGS Board on 27th April, 2010 and reminded Council that at their 23rd March meeting Council had discussed JIGS and the Equity Stunt Committee and that there had been an agreement for the officers to meet with both.

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Referring to Martin Spence's response, she said that the view of the JIGS Board was that there needed to be a very clear distinction between the Joint Industry Stunt Committee (JISC) and the Equity Stunt Committee (ESC). Martin Spence's view was that the job of the ESC is very different from that of JISC; the role of JISC is to be satisfied that the ESC processes are fair and have been subject to due process.

The General Secretary said that the Officers had arranged to meet with the ESC on Sunday, 25th April prior to the JIGS Board meeting the following Tuesday. The General Secretary had suggested that a JIGS Board Member attend the ESC meeting. Stephen Gregory, Head of Health and Safety at the BBC, and a JIGS Board member therefore attended along with the General Secretary, Malcolm Sinclair and Jean Rogers. There was a full and frank exchange of views and Stephen Gregory made it clear that unless the JISC was reformed in the way suggested by the JIGS Board then it would have to be removed from JIGS.

She explained to Council that the Equity Stunt Committee was expected to send a motion to Council on how JISC should be constituted but had in fact sent a motion which proposed a new Equity Stunt Membership Committee. The Motion that the Committee passed was as follows:

"The Equity Stunt Committee propose that an election is held to appoint a new membership committee, separate from the Stunt Committee, comprised of six full members of the JISC register who are not already members of the Equity Stunt Committee, with a two member quorum and the General Secretary as possible chair".

The JIGS Board were aware of this Motion when they met and they had a report from Stephen Gregory and Jim Dowdall.

The General Secretary then referred to the JIGS Board proposal at paragraph 4 of Martin Spence's email of the 28th April, 2010 and said that she was proposing that this be adopted by Council. Under this structure, the Equity representatives on the JISC would be made up of the General Secretary, the Stunt Councillor and two full members of the Equity Stunt Register from a pool of six all of whom must not be members of the ESC. Meetings during the week are difficult which is why there would be a pool of five or six representatives to ensure that Stunt Register members could attend.

The Board at its meeting on 27th April, 2010 rejected the idea of the General Secretary of Equity chairing the JISC. They did so because they thought it would be wrong to pre-judge who should Chair the meeting. JIGS have decided that the JISC will not meet again until it is reformed; if this does not happen then stunt work will cease to be included in JIGS. The General Secretary said that it would be possible to get a new JISC in place in time for the Stunt membership meeting in July but the matter was now down to the

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Council – if they were not able to support the proposed structure then this would be the end of the line.

Jim Dowdall from the ESC then spoke:

He said that JIGS had been set up in 2000 after an appeal by a member who had wanted to get upgraded and who had been prepared to go to court in pursuit of this. The nature of JIGS was that it was a limited company and the people running it were bureaucrats like those who run Equity.

He said that the bottom line was that stunt people should grade stunt people – with Health and Safety regulations being so tight, stunt people themselves would like the ultimate sanction on who should be on the register.

Points made in discussion:

- Who formed JIGS Ltd and what would happen if it went bust?
- Those who understand grading best are the actual stunt performers.
- Are the Stunt Committee happy with proposed structure?
- Jim Dowdall wished to know why Dennis Scard was involved now as the Chair of JISC given his lack of background in stunt matters – he was in fact from the Musicians' Union.
- Jim Dowdall said that the first meeting of JISC with Dennis Scard in the Chair had been inquorate yet he had decided to carry on and allow decisions to be made.
- Are BECTU involved in JISC?

Points made in response:

- The AGS (RM) said that the previous scheme had been officially a joint scheme with PACT. A number of members had gone to court on the grounds that the scheme was a closed shop - you had to be on the Stunt Register to work and you had to be member of Equity to be on the Stunt Register. Equity won the case but the legal advice received at the time suggested that this was an illegal closed shop leading to a danger of the Union being prosecuted not just for this but also for running a cartel with the people in situ deciding who should be on the Register. He went on to explain that Andrew Chowns, Chief Executive of PACT, had wanted then to abandon the scheme and, in consultation with ITV, BBC, BECTU and Equity had formed JIGS Ltd. to deal with the issue of the cartel and also to set up a legitimate grading scheme. Under the current system, the ESC makes recommendations to the JISC but the current system has been challenged on a number of occasions as representing a restraint of trade.

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- If JIGS Ltd collapsed, another company could be set up but this would have to be a collaborative effort.
- The Council have challenged ESC decisions in the past and JIGS had tried to tighten up the system.
- The people making the grading decisions should be different from those making the recommendations.
- The General Secretary said that Dennis Scard was chosen as an independent person – not from Equity or any of the employers.
- The meeting had been quorate in relation to the employers and the Stunt Committee had already made its position clear prior to the meeting.
- BECTU are not involved in JISC.
- Since 1980 when the six-discipline system came in it has been very hard to get on the Stunt Register.

Sally Treble **proposed** and David Cockayne **seconded** endorsing the General Secretary's recommendation to adopt the new JISC structure as proposed in paragraph 4 of Martin Spence's e mail to the General Secretary of the 28th April, 2010.

Sally Treble's Motion was **CARRIED** nem con.

PRESENTATION BY ALEC LEAVER.

The President then introduced Alec Leaver who was there to make a presentation to Council. He said that Alec had held various posts with Equity including ITV Organiser over a period of many years and had also been on the Rules Committee.

In making his presentation, Alec said that it had been a long time since he was last at an Equity Council meeting. He first became a staff member 45 years ago. Having wanted to work for a Trade Union, he knew Hugh Jenkins who suggested he write to the General Secretary. Although his application was successful, he later found that having a beard had not endeared him to the then General Secretary and he was advised to get rid of it. His job as ITV Organiser was made more complicated by the fact that he did not then have a television. He had been involved in the negotiations for the new ITV Agreement and had become concerned about walk-on terms and conditions. Over the years he had returned to the Union at regular intervals to take on other roles such as the Opera, Ballet and National Theatre Organiser, the West End Theatre Organiser, the Subsidised Theatre Organiser and Secretary of the Rules and Revisions Committee. This enabled him to collect a regular leaving present. After finally leaving Equity and moving back to Blackburn, he still kept in touch by sending staff regular supplies of home-made chocolate.

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Moving on to the cartoon, he told Council that 35 years ago the Evening Standard had sold him a cartoon by JAK which he thought would be appropriate if displayed in the Equity offices. It was he said a work of art but also amusing and thought-provoking. The cartoon featured the famous scene of Hamlet (in the guise of Laurence Olivier) holding Yorick's skull and saying: 'Alas, poor Yorick, he wasn't a member of Equity'. Alec went on to formally present the cartoon to the Council who showed their great appreciation for this, for all his work for Equity and the very amusing and informative talk. The President personally thanked him for coming down from Blackburn to make the presentation and informed Council that he would be taking Alec out to lunch to celebrate.

The meeting adjourned at 1.50 p.m.

The meeting resumed at 2.55 p.m.

24.8 LIVE PERFORMANCE

24.8.1 Sussex and District Variety Branch

The AGS (LP & O) referred to his written report and to the report by John Ainslie, South East Organiser. He said that the preferred position had been to merge the branch with the Brighton and Sussex General Branch. The Variety Advisory Committee (VAC) had wanted an alternative proposal which was to divide the Variety Branch between the Thames and Wessex Variety branches.

Whilst the AGS (LP & O) was concerned that the new Variety branch would struggle particularly in the Wessex area, the OSMT recommendation was to support the VAC Motion to Council so that the Sussex and District Variety Branch would be allotted to the nearest local Variety Branch. It could then be re-named something along the lines of the 'South Coast Variety Branch'.

It was **proposed** by Yvonne Joseph and **seconded** by Mary Lane that this recommendation be supported.

Points made in discussion:

- It should be made clear that they can join the General Branch should they wish to.
- It was important for variety artistes to have access to a Variety Branch secretary.
- There are 70 or 80 Variety members who are on register at the Brighton and Sussex Branch.
- There could be liaison between the Variety Branch and General Branch

Yvonne Joseph's Motion was **CARRIED** overwhelmingly with one abstention.

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24.8.2 Subsidised Repertory Agreement. This item is deemed Confidential

The AGS (LP &O) spoke to his written report on this.

24.8.3 Variety Organising Team

The AGS (LP &O) spoke to his written report on this. The proposal was that the Variety Organising Team would consist of three staff members (the AGS (LP & O) himself, the Variety Organiser and a Regional/National Organiser to be nominated at their next meeting), the VAC Chair, 1 Branch Secretary nominated by the secretaries, 1 Variety Councillor selected by Councillors and 1 VAC member nominated by the VAC.

Dave Eager **proposed** endorsing the recommendation as contained in the AGS (LP & O's) written report and this was **seconded** by Dennis Ray.

This was **AGREED**.

24.9 2010 ELECTIONS

24.9.1 Emergency Motion from Clive Hurst.

Council considered Clive Hurst's Emergency Motion which had been presented that morning. This read as follows:

"Equity Council is aware that the General Secretary wanted and did publish, in the latest Council report dated 13th April, 2010, a Council attack on a fellow Council member – which was sent to every Equity committee in the U.K. Council now believes that such an action, in retaliation of an attack on senior staff, may actually influence the pending Council elections. Therefore, the Certification Officer may deem the election null and void and may call for fresh elections. Council now believes that a correction should be issued, in the May Council Report and also to accompany the election voting papers too. Council understands that any Equity elections, must be seen to be scrupulously fair."

Points made in discussion:

- Clive Hurst said that he was very angry and upset and that he personally thought that the figures he had given were accurate except the 79 pence; he said that Equity had got its figures wrong and they were using a sledgehammer to crack a nut. Clive Hurst said that he

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had handed a 2009 rate card to senior Equity staff at the Council Meeting.

- The first line of the motion should read 'the Council' and not 'the General Secretary'.
- The Council decided that this was not confidential not the General Secretary.
- You would need an embargo on any criticisms of candidates before elections but for how long?
- It was important to present the right image to the membership; we are not here to crucify anyone.

Points made in response:

- Disciplinary procedures should have been used instead – the statement may influence how they are viewed by other members or their ability to get work.
- The General Secretary commented that in her view there was no foundation for a successful application to the Certification Officer but even so, if one were made, it may involve staff in a lot of work. She had thought long and hard about this and could not see any breach of the Union rules. A member of staff could not complain about the posting but a member of the Union could under Rule 28. This had not been a reprimand – the posting had been inaccurate and misleading and so Council's intention was to correct that in addition to the undeserved criticism of staff. John Carnegie had proposed that Council deal with it confidentially but Council had disagreed – the corrected Council Minute will be made available to members.

Clive Hurst's Motion was overwhelmingly **DEFEATED** with two abstentions.

24.9.2 Election of President, Council, Appeals Committee and Standing Orders Committee.

Referring to her written report, the General Secretary wished to thank the AGS (C&MS) for the accuracy and patience he had shown in relation to the 132 nominations. Council showed its appreciation for this.

The General Secretary said that multiple nominations had been received for all specialist seats except Audio, Choreographers, Dance, Opera, Theatre Designers and Theatre Directors.

The National Area seats all have multiple nominations except the Midlands, Northern Ireland, Scotland and South West.

The General Secretary had two recommendations in relation to the report:

- i. That Council notes the report.

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- ii. That the Council approves the publication of the names of all candidates in these elections and in future elections to the membership in the Council Report and on the Equity website.

There was then a discussion on a nomination which she judged to be out of order. This related to Rule 14(3)(2) which excludes candidates from Council where that candidate 'acts directly as a manager or employer of Equity members working in the entertainment industry where Equity has, or seeks to have, jurisdiction where workers are eligible for Equity membership in accordance with the criteria laid down in Rule 4'. In this case, the nominee engages Equity members to work in her professional theatre company.

Points made in discussion:

- The rule does not cover all Artistic Directors.

Council **AGREED** that in this case the nomination was **OUT OF ORDER**.

In relation to her second recommendation, the General Secretary said if it were endorsed she would publish a list of the names of all the candidates on the Friday after the Council meeting.

The recommendation was **proposed** by Rhubarb the Clown and **seconded** by Henrietta Branwell.

Points made in discussion:

- Publishing a list of names will be a disincentive to people voting when they get the ballot papers.
- Releasing the names now could lead to advance electioneering which may favour people with lots of money.
- Can we take the Equity Forum down for duration of the election?
- Could the AGS (C&MS) comment on difficulties with online nominations.

Points made in response:

- This was a good thing – some of the names were known already and therefore all of the names should be known.
- Only 8.69% voted last time – having the names out there will increase members' interest.
- Anything that gives less information is a bad thing.
- In answer to the problems with online nominations, the I.T. Manager had started a new server over the Easter weekend thinking that this would be a quiet period and this had been part of the problem. However, everyone who wanted to get nominated was nominated.

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Rhubarb the Clown's Motion was **CARRIED** overwhelmingly with 2 against and 2 abstentions.

24.9.3 Motion in the name of Dave Eager.

Motion in the name of Dave Eager:

'In consideration of the General Secretary recently stating, concerning the Equity Facebook and Twitter, that:

"What some may choose to post on our Facebook page in their own name, or to tweet at us, is of course entirely up to them. As Equity is not the administrator of these sites, we cannot control who can access our pages nor what they write."

Council resolves to take a view about the advisability of members of the public, in addition to Equity members, being able to use these accounts for election promotional purposes during the upcoming Equity Council Elections. Accordingly, the Council requests the General Secretary to provide a full report, and the options available, for further consideration by the Council.'

This Motion was **seconded** by Sheila Mitchell

Points made in discussion:

- What is the Equity Facebook?
- When would we take a view as the next Council meeting would be too late?
- How much policing is this going to take?

Points made in response:

- The AGS (C & MS) commented that the Union had to get on to all the new social networking sites – Facebook, Twitter, Biba and so on.
- We should not oppose the Motion as there is nothing here for us to worry about - Twitter and Facebook are places for healthy debate.
- The sites will operate in the same way as the forum with no personal attacks, or negative attacks on another member's work being permitted.

The General Secretary's recommendation was that the Union keep the Facebook, Twitter and other Equity social networking sites as they are with the Staff having the ability to remove an inappropriate posting. Further, that the use of these social networking sites be reviewed after the election.

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Following this discussion, Dave Eager withdrew his Motion.

The General Secretary's recommendation was **AGREED** overwhelmingly with 1 against and 4 abstentions.

24.10 MOTIONS FROM BRANCHES AND COMMITTEES

1. Scottish AGM

In the 21st century, Equity should avail itself of 21st century forms of communication to carry out its business. Currently, members and staff on its committees and working parties who live in nations and regions remote from London can only contribute to such meetings if they travel to Guild House. This entails considerable cost to the union, enlarges its carbon footprint (contrary to its agreed policy) and involves those contributors in inordinate additional time in airports and on trains.

Accordingly, Equity must invest (before the end of the calendar year) in appropriate means of electronic communication that shall allow contributors to such meetings in Guild House to participate fully in them from elsewhere in the UK.

OFFICERS/SMT RECOMMENDATION: Support subject to report for consideration by Council detailing cost and timescale.

The Recommendation was **AGREED**.

2. Scottish AGM

The BBC is increasingly seen as a commercial operation. Members are often asked to record material for the BBC that advertises BBC programmes and products on both television and radio. This motion calls upon the Equity Council to discuss this situation with the BBC and to ensure that in all future negotiations we seek to secure payment for members doing this work that is commensurate with what would be received for similar work with commercial broadcasters.

OFFICERS/SMT RECOMMENDATION: Support

The Recommendation was **AGREED**.

3. Yorkshire Ridings General Branch

Yorkshire Ridings General Branch urges council to mount a campaign to promote transparent casting policies in regional theatres, e.g. publishing casting breakdowns on their websites.

OFFICERS/SMT RECOMMENDATION: This can be incorporated into activity arising from the Manifesto for Theatre process and be taken up with Subsidised Repertory employers in the current negotiations.

The Recommendation was **AGREED**.

4. The Equity Stunt Committee

The Equity Stunt Committee propose that an election is held to appoint a new membership committee, separate from the Stunt Committee, comprised of six full members of the JISC register who are not already members the Equity Stunt Committee, with a two member quorate and the General Secretary as a possible chair.

OFFICERS/SMT RECOMMENDATION: see agenda item 7 of the Council agenda.

This Motion had been dealt with previously.

5. Variety Advisory Committee

This VAC agrees that the members of the Sussex and District Variety Branch be allotted to the nearest local Variety Branches as is custom and practice. If they also join a General Branch they can so choose

OFFICERS/SMT RECOMMENDATION: Support. The process for dissolution of the Sussex and District Variety Branch to be taken forward in accordance with the Variety Branch rules.

On completion of this process the Council believes the members and funds of the Sussex and District Branch should be transferred to the Wessex Variety Branch. Discussions should occur with Wessex regarding a name change of the Branch to something such as the 'South Coast Variety Branch'. It is hoped that the broader geographic catchment area will provide the opportunity for a functioning Branch to continue into the future.

This item had been dealt with previously.

6. Brighton and Sussex General Branch

Council has recently agreed to grant student membership to non-professional disabled people from three companies. This Branch believes Equity should respect the professionalism of all members and recruit only people who have acceptable contracts or who are attending accredited schools. Therefore the branch urges Council to treat the above decision as an exception, not a precedent.

OFFICERS/SMT RECOMMENDATION: The learning disabled performers at Firebird, Lawnmowers and Wicked Fish do not regard themselves as non-professional. The Equity Council has determined to offer student membership at these three companies which it believes is proportionate and reflects the fact that an element of training is involved in the activity of the theatre companies involved. However Council has also authorised discussions about a Graduate Membership Scheme for more long standing members of the companies whose element of training has lessened or ceased.

It is inevitable that other companies may seek membership for those learning disabled performers participating with their organisations. The Council will need to consider any such approach on its merits, considering fully the legal framework within which the Union works, should such approaches be made.

Equity like any other Union must operate within the environment of current times, not withstanding past practice. The Council however is not actively seeking to broaden the scope of the guidelines for this category of membership at this time.

The General Secretary then drew Council's attention to the Brighton and Sussex General Branch response to the recommendation which read as follows:

BRIGHTON AND SUSSEX GENERAL BRANCH RESPONSE

The feeling amongst those present was that a trade union should represent workers who earn a living in the profession. Enrolling people who do not have any history of paid work undermines the desire of disabled workers to earn a living as equals. We also feel that this decision has implications beyond the concerns of disabled members. If you erode the principle of representing professional members, you put the livelihood of all members at risk, and in turn erode the arguments for people being members at all. Clearly the union cannot exist without its members and the views of those members should not be lightly ignored.

The OSMT Recommendation was **AGREED**.

7. North and East London Branch

This Annual Representative Conference recognises the unique example of the Hackney Empire as East London's most prestigious theatre, and its history of much loved original independent community programming as a legacy of which to be proud.

We express our deep concern about the plans of the new management: in particular of the inadequacy of the public consultation process, and the poor decision to sell the Bullion Room Theatre. Good rehearsal and performance space is in short supply for London's independent and community artists, and Hackney Empire itself has need of a studio space.

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A large number of people have spent many years fundraising to expand the Hackney Empire. It would be deplorable to see that good work reversed, and not rewarded with an artistic development policy which will ensure continuity with all the good work that has been done over the last twenty years.

Equity must take this opportunity to defend the tradition of independent community arts in London, and demand more thorough and extensive public consultation on the future direction of Hackney Empire. This must include more consultation with Equity, Arts Council England, Hackney Council, the general public, cultural partners and artists who have previously used the theatre.

We also urge Equity to:

- seek a reversal of the decision taken by the current management board of Hackney Empire to sell the Bullion Room Theatre
- campaign in tandem with local interest groups for financial assistance for Hackney Empire, and a change of management at the theatre.

OFFICERS/SMT RECOMMENDATION: Support

The Recommendation was **AGREED**.

24.11 LEGAL CASES

MISCELLANEOUS

PERSONAL INJURY

Narinder Dosanjh v The National Theatre

Member was injured during performance as a result of a fellow performer accidentally hitting him in the mouth. Member has since required extensive dental treatment.

FULL

FULL PROTECTION was **AGREED**.

MISCELLANEOUS

Justin Pearson v Clutton

Frank Chislett v Barnt Green

Philip Sanders v Beth Sangwin

Ross Adams v Pure Actors Agency

Tony Junior v Park Leisure 2000 Ltd

579

COUNCIL 24

These cases were **NOTED**.

24.12 CURRENT MEMBERSHIP POSITION AND NEW MEMBERS.

The current membership position was **NOTED**.

It was **proposed** by Clive Hurst and **seconded** by John Carnegie that new members be approved. This was **AGREED**.

24.13 COUNCILLORS' MOTIONS

24.13.1 Motion in the name of Dave Eager:

Council requests the General Secretary to provide facilities for the Trustees to have minutes recorded of their meetings, if they express the desire to do this.

The motion was formally seconded.

Points made in discussion:

- Malcolm Sinclair said that he would support the motion as written but would oppose it at the next Trustee's meeting.
- Jean Rogers stated that she thought it would be regrettable if these meetings were minuted.

The motion was **CARRIED** overwhelmingly.

24.13.2 Motion in the name of Clive Hurst

This Motion read as follows:

"Equity Council remain shocked that the government still refuses to acknowledge/discuss in detail, the joint demands by both Equity and BECTU, that there must be new innovative licensing, for employment agencies, just in the entertainments industry.

Council acknowledges the old system, failed to address the problem, which was why such licensing was removed. Council now calls for a new set of innovative regulations to be jointly agreed by both unions in order to present a cast iron reason for agency licensing to a newly elected UK government later in May."

COUNCIL 24

The Motion was **seconded** by Alan Thompson.

Points made in discussion:

- Clive Hurst thought the case had not been put strongly. He said he had been in contact with SAG and the State of California and part of their licensing agreements could be used if need be.

Points made in response:

- The General Secretary commented that we don't know if BECTU would want to work with us on this – we need to ask them first.

She proposed the following amendment to the Motion:

Delete the final sentence and substitute the following: "Council agrees there should be a discussion with BECTU to see if a new set of innovative proposals can be jointly agreed by both Unions."

In addition, it was **proposed** that the first three commas in the first paragraph should be removed.

The proposer and seconder **accepted** these amendments.

The Motion, as amended, was **CARRIED** with three abstentions.

THE MEETING CONCLUDED AT 5.35 p.m.