
**MINUTES OF THE TWENTY-SECOND MEETING OF THE 2018/2020
COUNCIL HELD ON ZOOM ON TUESDAY 30th JUNE 2020**

- 22.1 Announcements**
- 22.2 Corrections to the Draft Minutes of Council 21**
- 22.3 Matters Arising from the Draft Minutes of Council 21**
- 22.4 Covid 19**
- 22.5 Independent Commission for Race Equality**
- 22.6 Rules and Standing Orders for the Standing Orders Committee**
- 22.7 Branch Data Portal**
- 22.8 TUC Congress 2020**
- 22.9 Legal Cases**
- 22.10 Membership**
- 22.11 Councillors**

Councillors Present: Maureen Beattie (President, in the Chair), Dan Ayling, Ian Barritt (Vice-President), Linda Broughton, Kelly Burke, Adam Burns, Jo Cameron Brown, Julia Carson Sims (Vice-President), Bertie Carvel, Di Christian, Jackie Clune, Bryn Evans (Honorary Treasurer), Nick Fletcher, Tony Gardner, Stephanie Greer, Graham Hamilton, Maureen Hibbert, Dawn Hope, Isabella Jarrett, David John, Emmanuel Kojo, Mary Lane, Maggie McCarthy, Stephen McGuire, Red Sarah, Rhubarb the Clown, Paul Valentine, Linden Walcott-Burton and Flora Wellesley Wesley.

Staff Present: Christine Payne (General Secretary), Stephen Spence (Deputy for the General Secretary, Industrial and Organising), Matt Hood (Assistant General Secretary, Communications and Membership Support), John Barclay (Head of Recorded Media), Hilary Hadley (Head of Live Performance), Ian Manborde (Equalities and Diversity Organiser), Louise McMullan, (Head of the General Secretary's Department), Phil Pemberton (Head of Communications & Membership Support), Duncan Smith (Head of Finance) and Sam Winter (Council Secretary).

COUNCIL 22

Apologies for Absence: Xander Black, Nicholas Keegan, Alan McKee and Sally Treble.

22.1 ANNOUNCEMENTS

22.1.1 The President said that Tommy Wallis had sadly passed away. Sally Treble's statement was read – she said that Tommy and his wife Beryl had had a long and illustrious career and had always sought to help their fellow entertainers through the Variety Artistes' Federation, Equity and The Water Rats, which continued up until Tommy's death. Tommy had been a gentle man, humorous, measured, and knowledgeable on Variety issues and would be sadly missed by all who had known him. Mary Lane said that Tommy had been born in 1927. He had been active with the VAF when it was first incorporated, and was then elected to join the VAC. He would be remembered with enormous respect and all our thanks.

22.1.2 The President said that Louis Mahoney had sadly passed away. He had been born in 1938, and had been an anti-racist activist, and had represented African and Asian members on the Council for many years. His list of credits was extraordinary, and he had been in all the great drama series, including Fawlty Towers, and numerous films. He had served on Equity's Council for many years, and as Vice-President from 1994-96. Louis had contributed enormously to Equity and would be greatly missed by all who had known him.

A minute's silence was held in memory of both Louis and Tommy, and both were given a final standing ovation.

22.1.3 The President said that we would be holding a toast after the meeting, in recognition of Council's work throughout this term.

22.1.4 Sam Winter presented a reminder of the guidance for holding a Council meeting on Zoom.

22.2 CORRECTIONS TO THE DRAFT MINUTES OF COUNCIL 21

None.

The Draft Minutes and Draft Confidential Minutes were **proposed** by Paul Valentine, and **seconded** by Ian Barritt, Vice-President as a true and accurate record of the meeting and **AGREED** unanimously.

COUNCIL 22

22.3 MATTERS ARISING FROM THE MINUTES OF COUNCIL 21

22.3.1 Minute 21.9.1 – ANY OTHER BUSINESS – Creative Restoration Corps

In discussion with the Officers and Senior Management the following statement was given to Mark Rylance in advance of his interview with Country File - “Creativity is what excels in our members and Mark is using his creativity to the benefit not only to the environment but also to help his fellow creatives through this crisis period where there is no work and no income but there is hope for a better future.” Mark was very pleased that we thought that what he was doing had merit.

22.4 COVID 19

22.4.1 Political

Louise McMullan said that since her written report, there had been a couple of significant developments for the sector.

Oliver Dowden, the Culture Secretary, had now released his roadmap for the recovery of the sector. The reaction of ourselves and others in our sector had been swift and dismayed, as it had not included any provision for a financial rescue package. We had responded with our own roadmap, including our four pillars of what we know would be required for the plan to be viable.

The government was enabling venues to reopen if they could, and of course we supported that, but it did not recognise the fact that many would not be able to, and the workforce was going to suffer badly without a financial package.

The General Secretary had been working as part of the DCMS Entertainment & Events Working Group to produce complementary guidance to the roadmap, sector-wide. Our national and regional officials had also been doing significant amounts of work on this.

We were now asking everyone to help push our four pillars arguments as widely as possible: <https://www.equity.org.uk/news/2020/june/equity-response-to-the-roadmap-for-re-opening-live-performance/>

We now thought that some financial assistance may be coming down the road for theatres, but there was the potential that this would include no financial assistance for the workforce, and would only be directed at venues and institutions.

Our arguments were now really well known within parliament, and members from across all parties were quoting our arguments. We were making the point

COUNCIL 22

that without assistance, a huge amount of skills were going to disappear from the sector, which would be a huge loss to the life and diversity of the UK's cultural sector. The first workers the sector would lose would be working class, BAME, parents and carers, constituting a huge loss to the sector.

We were also giving some thought to a plan B, in the event that DCMS did not deliver for our sector. We had held some initial scoping meetings, and we were looking at how we could successfully argue for additional grants through existing social security systems for self-employed creative workers.

But our main hope remained something akin to the New Zealand model. This was a real likelihood in Scotland and Northern Ireland, but would be a greater challenge across the rest of the UK.

On Brexit, she said that the immigration bill was being debated today. An opposition bill was also on the table, which covered our arguments. We were also trying to ensure that a creative visa for all EU member states remained viable, and this was also a high priority for us.

22.4.2 Industrial

22.4.2.1 Recorded Media

John Barclay said that the SNMC had met remotely, and they had also held a meeting about the future of the BBC, and on equalities and diversity issues on the resumption of production, and on streaming platforms.

We had worked with others to draft TV production guidelines supporting a resumption of production activity in a way that would allow for close-contact, mitigated by testing and other safety measures. The document was nearly there, and it would sit with the other industry documents published by the BFI.

We were also receiving a number of risk assessments on productions which were gearing up, and answering a large number of questions from members who were clearly keen to return to work, but also nervous about doing so. Particular recurring questions were around transport.

We were also working to revise various SVoD agreements, e.g. Disney+, Apple, etc.

Residual payments continued, with \$3m dollars coming into our US dollar account recently to be passed on for distribution to members shortly.

22.4.2.2 Live Performance

Hilary Hadley said that on the West End, she had received a request for a further variation agreement, asking for more flexibility in relation to the return to work – she would be looking at this. As we knew, Cameron Mackintosh had come out quite strongly to say that no one would be returning to work this

COUNCIL 22

year, and so had started to make significant redundancies. We had been in contact with members affected by this.

In commercial theatre, Bill Kenwright had set up a seven week rehearsal period for Hamlet, with Sir Ian McKellen playing Hamlet, with a view to touring the production. He had sent us the risk assessment, and he had put together his own road map. We would be meeting with the cast the week beginning 20th July. This would amount to just 25 jobs, but it was a tiny green shoot.

Six the Musical was also in the early stages of setting up a tour, with 50 workers on that production.

She was cautiously optimistic at these signs of hope, but also realistic about the challenges these productions would face, and the broader challenges across the sector.

We were having one last go at getting through a variation agreement for our directors and designers. Everyone wanted to know how long the Covid 19 variation agreement period would last, but we were not in a position to know. It was clear though that it could now go into next year.

The Royal Opera House had announced its voluntary redundancy programme, with a good redundancy package. They were hoping sufficient people would take it up in order for them to avoid further mandatory redundancies and cuts to basic salary. We would have to resist this, as it would likely mean structural changes going into the future.

We had Covid 19 recovery groups already set up for the chorus, stage management and the dancers, and we were reviewing all changes as they came up.

English National Opera were in a slightly better place. They would be starting with a drive-in opera at Alexandra Palace in the near future.

The recommendation on a 6m distance between singers would make opera and musical theatre near impossible, so we were looking at this as well.

Working groups were now being set up in response to the Workers Inquiry on Theatre.

The Variety survey had gone out, with the closing date tomorrow.

Points made in discussion:

- Adam Burns, speaking as the Councillor for members in stage management, asked who would be responsible for Covid security on the Hamlet production. *Reply – Hilary Hadley said that she didn't know specifically. She believed it would be collective responsibility, but ultimate responsibility would be with Bill Kenwright Ltd.*

COUNCIL 22

22.4.2.3 Overview

Stephen Spence said that we wanted to help facilitate getting people back to work, but we also wanted to keep people safe. The two had to be balanced, and this made the whole issue very difficult, especially with the Job Retention Scheme (JRS) and Self-Employed Income Support Scheme (SEISS) coming to an end in the coming months.

We were working incredibly hard on all of these measures, with 25% fewer staff. This had to be our priority, and so this meant that many of the other things that were coming in were not being prioritised.

He said that he would be following up with Tim Gale on the Casting Directors Association Awards Ceremony. Unfortunately, it was challenging for us to make progress on some of these items, as we were devoting so much time and energy to the other priority issues as outlined above.

We were receiving other calls for campaigns, cultural boycotts, etc. Again, the priority had to be supporting workers getting back to work, getting money for workers in desperate need, and managing a recovery plan.

The Lights Out campaign idea was an achievable initiative, which we had put to Julian Bird and were waiting for his response.

22.4.3 Benevolent Fund – donations and grants

Bryn Evans, Honorary Treasurer gave his report, with figures correct as of the previous evening.

From 1st January 2020:

- The total amount given out in grants was £881,009.92
- The total amount given out in subscriptions grants was £51,614.42
- The total amount given out from the benevolent fund was therefore **£932,624.34**
- The total number of members helped was **3,148**

We had now received **£185,544.50** in donations.

He said that the amount going out to members each week had now dropped from around £86,000 to £45,000.

Matt Hood said that two initiatives were ongoing. One by Michelle Collins, which had raised over £33,000, and we had also written to Branch Secretaries earlier this month to ask them to do what they could to help raise money. He had since had conversations with various branches about how they could support, as well as some branches sending cheques, and some donating their annual funding from Equity to the benevolent fund as well.

COUNCIL 22

We had also written to life members, and he had also been inundated by responses to our call for help with very generous donations.

This was all good news, but more was needed.

22.4.4 Services for members

Matt Hood said that Alan Lean and Emma Cotton were still being inundated with queries on the JRS, SEISS and Universal Credit.

BAPAM had successfully applied for extra funding from the Equity Charitable Trust, allowing them to extend their counselling support.

There was currently an under-utilisation of the service offered by Health Assured, so we were doing more work to ensure members could access information and support.

Hiscox had agreed to give a rebate on the accident insurance, due to an anticipated fall in claims.

There was still a huge list of Zooms In sessions which could be attended, or watched on catch-up.

On our work to encourage participation in the elections, we had written to everyone eligible to vote, emailed on two separate occasions, and made numerous posts on social media. A survey conducted in 2015 had told us that 84% of members who did not vote were aware that the elections were happening. Their responses as to why they hadn't voted were that they didn't believe different candidates would make any difference, or didn't understand candidates' statements.

He reminded Council that it was the candidates' job to enthuse members about why they should vote for them, not the union's. It was the union's job to enable everyone to vote, to ensure the process was fair and that it complied with the law.

22.4.5 Staffing and offices

Matt Hood said we had received a question about the new electronic sign. This had been approved last year, and had been included in the 2019 budget. We had scoped various possibilities, and this had been the best option. The new sign was much more energy efficient, using low-energy LED, which was much greener than the fluorescent tubes which had been part of the old sign.

Stephen Spence said that aside from our main priorities of supporting and lobbying for members throughout the crisis and keeping the union going, another area of work taking a lot of our time and energy was putting plans in place for getting staff back into our offices across the UK.

COUNCIL 22

A Covid 19 risk assessment had now been completed for Guild House, and we were waiting for the report to come back. Due to the potential of a second spike, it was likely that the reopening would be pushed back from July to August. Risk assessments were still being arranged for the regional and national offices.

The reopening would be extremely cautious, with a small number of staff returning between 10:00 a.m. and 4:00 p.m. in the first instance, under strict safety measures.

22.4.6 Income/Expenditure

The General Secretary said that we had received £344,100 from ERA just today. This was great news, and would help us pay staff salaries this month, and keep up our commitment to benevolent fund payments.

Subscription income from direct debits was holding up, but we were down on cheques and credit card payments. June was looking manageable, with a small drop off which would hopefully be covered by the furlough payments we were receiving from the government.

We were in the process of transferring just over £2m from our US dollar account, which would then be distributable in the next few weeks.

We could not become complacent, but we were keeping things steady for now.

She put on the record her enormous thanks to Bryn Evans, Honorary Treasurer for his incredible work in distributing funds from the benevolent fund to members. He was devoting a huge amount of his own time to this, and it was hugely appreciated.

Points made in discussion:

- Rhubarb the Clown, speaking as one of the Equity Staff Pension Trustees, reported that we should be aware that the value of the investments in our staff pension scheme had taken a hit, and would require careful management in the coming months.

22.4.7 Industry Recovery Plan

Stephen Spence referred Councillors to his lengthy written report on the matter, and invited questions.

COUNCIL 22

22.4.8 2020 Budget - 2nd quarter

Bryn Evans, Honorary Treasurer read from his written commentary on the budget.

The headline figures were:

Income.	£8,382,575
Expenditure.	£9,403,546
Operating deficit.	(1,020,971)
Net Assets.	£13,583,774

Some figures had hardly changed since March. He proposed therefore to concentrate on those Notes where there has been significant change, either up or down.

Note 1: Projected subscription income for 2020 had been reduced by £500,000 from £6,300,000 to £5,800,000. Subs income had fallen by 7% in March and April; we had therefore applied the same reduction (7%) to the period from June to December. Only time would tell whether this new target of £5,800,000 would be achieved.

Note 3: Income related to members and other performers had increased from £1,679,000 to £1,856,000.

Note 4: Investment income was expected to reduce from £503,100 to £379,500, down by £123,600. Many dividends had been reduced or cancelled; the figure of £379,500 was currently the best guess of our two investment houses.

Note 6: Other income had increased from £162,900 to £347,075. This was largely due to the £215,000 received from HMRC.

Note 7: Total staff costs had reduced from £4,347,086 to £4,303,526.

Note 8: Benefits to members had increased significantly from £1,282,195 to £2,334,617. This was largely as a consequence of the expected expenditure of the Benevolent Fund of £1,180,000, consisting of the £1 million allocated by the Council in March and expected donations of £180,000. The total figures for Note 8 had been helped by the insurance rebate of £31,845.

Note 12: Grants had increased from £61,600 to £69,078. Unsurprisingly the call on the services of BAPAM re mental health had been greater than originally planned. An additional tranche of £5,000 had been given, bringing the total grant to BAPAM to £45,000. The marketing budget in Note 10 had consequently been reduced by £5,000 to £20,000.

Note 13: Organising expenses had changed quite dramatically from £412,856 to £219,056, a reduction of £193,800. The reason for this was that physical

COUNCIL 22

meetings were presently impossible due to lockdown and there were therefore no costs being incurred for travel, meals, etc. Branch funding was still shown as the maximum figure of £7,166. Dealing with this had so far had to be put on hold whilst 25% of our staff were furloughed. When these monies were allocated to branches, the final figure was expected to be much lower than £7,166.

Note 14: Professional costs had increased by £26,315 from £428,656 to £454,971. Contained within this were the costs relating to computer consultancy/annual support. The change in the company providing this support has meant that the costs of £30,040 & £46,000 had increased to £45,059 & £91,362.

Note 15: There had been a small increase in property and equipment costs from £561,505 to £566,724. An additional £4,000 had been added in case there were expenses incurred in making it safe for our regional offices to reopen.

It was of course disappointing that the union now expected to have an operating deficit at the end of the year. It was worth pointing out that, but for the expenditure on grants from the Benevolent Fund, the union's finances would have been in balance, or very nearly so. It was of course absolutely right for the Council to allocate £1 million to the Benevolent Fund to seek to alleviate the financial hardship of our members.

The future still looked uncertain with many questions still unanswerable at present. Many of the government's measures were scheduled to end by 1 November and no one knew when theatres and concert halls would be able to reopen, provided that they were still solvent. If things were to get worse, as they may, this could still hit our membership figures and income very significantly. And the whole timetable of easing lockdown could have to be abandoned if there were a second spike of Covid 19. The union would need to stay vigilant.

Duncan Smith joined the meeting and invited questions.

Points made in discussion:

- Ian Barritt, Vice-President passed on a question from his branch. Was it not the case that the benevolent fund was financially separate from our general fund, and so why would expenditure from the benevolent fund impact upon our general finances? *Reply – Bryn Evans, Honorary Treasurer said that a decision had been taken in the past to effectively pool all our accounts into one pot of money. We still had different bank accounts, but the finances were treated as effectively one pot.*
- A Councillor asked whether we had a current estimate for the drop in our assets. *Reply – Bryn Evans, Honorary Treasurer said that at the end of 2019, our net assets had been £14,604,744. This had now dropped to £13,583,774. Most of that was due to the grants we were*

COUNCIL 22

giving to members through the benevolent fund. Duncan Smith said that there were three drops to our assets. One drop was the £1m going out from the benevolent fund; the second drop would be the amount lost on our investments portfolio, and this amount was changing every day; and the third drop would be the impact of the pension scheme, and there was no way of predicting how this would be affected.

22.4.9 Decisions made by the Council and General Secretary

The General Secretary said that the purpose of this item was to minute, for the benefit of the next Council, the decisions that had been made during the Covid 19 period by both the Council, and by the General Secretary under her delegated authority from the Council, in the period from 17th March to 29th June 2020.

She hoped that Councillors would agree that her delegated authority had been used wisely during this period.

Decisions made by the:

a) Council, at its meeting on 17th March 2020:

Motion 1:

Following this meeting, Council delegates the authority in line with Rule 23.5 to the General Secretary, in consultation with the Officers, SMT and other relevant officials to make further judgements on matters normally determined by Council as events unfold.

That this arrangement apply to the end of May 2020, unless subject to an email ballot of Council members to extend the arrangement, if required.

The motion was **proposed** by Graham Hamilton, **seconded** by Bertie Carvel, and **AGREED** with one against and one abstaining.

Motion 2:

That Council agrees that its Guidelines for use of telephone conferencing be extended to other online platforms for the duration of the current coronavirus crisis.

The motion was **proposed** by Jo Cameron Brown, **seconded** by Adam Burns, and **AGREED** overwhelmingly, with one against.

Motion 3:

That Council ask the General Secretary to consider the 13th and 14th September as superior alternative dates for the SRC and announce whichever dates are workable.

The motion was **proposed** by Xander Black, **seconded** by Dan Ayling, and **AGREED** unanimously.

Motion 4:

That Council suspend Branches or Committees meeting in person, for the safety of members, during this crisis period.

COUNCIL 22

However, we encourage online networking being used by Branches and Committees to keep in touch and plan fundraising and crowdfunding for the Benevolent Fund, in particular.

The motion was **proposed** by Adam Burns, **seconded** by Jo Cameron Brown, and **AGREED** unanimously.

Motion 5:

Council resolves to pay the remainder of the Unknown Funds into the Benevolent Fund.

The motion was **proposed** by Nick Fletcher, **seconded** by Jo Cameron Brown, and **AGREED** unanimously.

Motion 6:

Council asks the General Secretary to write to CDG/CDA asking for auditions to be conducted by remote means or self-tape for the foreseeable future.

The motion was **proposed** by Dan Ayling, **seconded** by Graham Hamilton, and **AGREED** unanimously.

Motion 7:

That Council take further steps to boost the Benevolent Fund to a minimum of £1 million to be used as a hardship fund for members in this crisis. This includes encouraging fundraising through crowdfunding and individual donations.

The motion was **proposed** by Adam Burns, **seconded** by Jackie Clune, and **AGREED** nem con, with one abstention.

Motion 8:

That Council ask the General Secretary and OSMT to examine:

- Encouraging more shows on the radio
- Fundraising for the benevolent fund
- Encouraging engagers at NT Live/Digital Theatre/BBC Radio, etc. to use members' work more extensively.
- Developing further advice to members on applying for mortgage holidays, utility bill pauses, etc.

The motion was **proposed** by Jo Cameron Brown, **seconded** by Julia Carson Sims, Vice President, and **AGREED** unanimously.

b) General Secretary, under her delegated authority from the Council between 17th March and 29th June 2020:

Summary of decisions made:

- | | |
|--|-----------------------------|
| 1) Elections | 4 th April 2020 |
| 2) SRC (Special Representative Conference) | 4 th April 2020 |
| 3) Branch Committees | 17 th April 2020 |
| 4) Branch Committees | 23 rd April 2020 |
| 5) Approval of New Members | 28 th April 2020 |

COUNCIL 22

- | | |
|---|----------------------------|
| 6) Safe Spaces Roundtable – Next Steps | 13 th May 2020 |
| 7) Benevolent Fund | 20 th May 2020 |
| 8) Approval of New Members | 26 th May 2020 |
| 9) Approval of Temporary Guidelines for Online Conferencing | 26 th June 2020 |

1) Elections – 4th April 2020

In the past week we have had discussions with Anne Hock, the union's Scrutineer and with Elizabeth George, the union's Solicitor and also with the Certification Officer and it is clear that the election of the General Secretary and the President, Council, Standing Orders and Appeals committees will need to be delayed.

However the election of the Council will need to be held before the end of July.

I have attached a summary of the legal advice received on the 2nd April and the scrutineer's advice received on the 3rd April.

In light of this advice the officers and senior management team met yesterday to discuss a revised timetable for these elections.

Therefore I am writing to confirm that the election timetable for each election is now as follows:

General Secretary

Nominations close:	Monday 6th April (no change)
Ballots open:	Monday 1st June
Ballots close:	Wednesday 8th July
	A ballot period of over 5 weeks
Scrutineer's report:	Friday 10th July

Council, President, Appeals and Standing Orders Committees

Nominations close:	Wednesday 29th April (no change)
Ballots open:	Monday 15th June
Ballots close:	Wednesday 22nd July
	A ballot period of over 5 weeks
Scrutineer's report:	Friday 24th July

Council meeting

Council papers go out:	Friday 24th July
Council meets:	Friday 31st July

2) SRC (Special Representative Conference) – 4th April 2020

In discussion with the officers and senior management team I have again reviewed the timetable for the SRC and because of the continuing uncertainty around the implications of COVID-19 I have decided to move the dates for the SRC to **Sunday 29th and Monday 30th November** at the same hotel.

In light of this we are now looking at a timetable whereby the SRC could also involve amendments to motions and emergency motions.

COUNCIL 22

Given that we will now have more time to make arrangements for the SRC I also believe that the Standing Orders Committee elected in July can and should undertake the arrangements for the SRC.

3) Branch Committees – 17th April 2020

Following the cancellation of the ARC, branches and committees will need to elect new representatives to the SRC. Under Rule 37.2.3 the branch can only be represented by a member of the branch committee, and the branch rules exclude co-opted members of the committee from representing the branch at the conference. Some branch committees have terms which are due to expire before the ARC in November and a branch AGM is required for a new committee to assume office. With branches unable to hold their AGMs for the foreseeable future, there is a danger that those branches could find themselves without a formally constituted committee and therefore without representation at the SRC.

The General Secretary, following consultation with the Officers and Senior Management Team, has decided to extend the term of those branch committees due to expire in 2020 until January 2021, to ensure that they can participate in the SRC

4) Branch Committees – 23rd April 2020

As General Secretary I am using my delegated power from the Council to make an interpretation of Branch Rules and Standing Orders that in this period of crisis and lockdown Branch Committee rules can allow a Branch Committee with a quorum (4 for General Branches and 5 for Variety Branches) to meet and make administrative and housekeeping decisions, which would include for example the ability of the Branch to convene hustings, raise funds for the Benevolent Fund etc. All such decisions would have to be enacted by the Branch Committee without the assistance of Equity officials. This interpretation will expire when the current situation has eased and lockdown has been lifted sufficiently for Branches to meet face to face again.

5) Approval of New Members – 28th April 2020

At the Council meeting on 28th April 2020, the new members were **APPROVED** by the General Secretary, under her delegated authority from Council.

6) Safe Spaces Roundtable – Next Steps – 13th May 2020

The working landscape for our members has been devastated and it is going to be a very long time before we get back to anything like business as usual for our industries and workplaces. Our collective priority must be to focus on recovery, protecting our members' workplaces, terms and conditions and keeping the union functioning and viable.

Therefore, taking into account also our limited resources, under the authority delegated to me by the Council at its meeting on 17th March, and in discussion with the Officers and senior management team, I have decided that the 'Safe Spaces Roundtable - Next Steps' will be deferred until after the elections and will be discussed by a meeting of the 2020-22 Council in September.

COUNCIL 22

7) Benevolent Fund – 20th May 2020

On Tuesday 19th May the Honorary Treasurer confirmed that over the last four weeks the average total allocated to members from the Benevolent Fund is around £86,000 per week. The Council has allocated a sum of £1 million to the Benevolent Fund and we have received £125,000 in donations. That makes a total of £1,125,000. When you subtract the £610,000 already allocated it leaves a balance of around £515,000. At a weekly rate of around £86,000 it is projected that Benevolent Fund will be exhausted by the end of June.

The Honorary Treasurer has also noted that the policy of the Council is that the Benevolent Fund should never fall below £200,000. The General Secretary has advised that this is a matter to which the new Council will need to return as there is no doubt that the Benevolent Fund will not have this amount in it by the end of the year and therefore she believed the options available to Council will be either to reverse/change its policy or to take this amount from either the union's investments or a loan from the No 4 (Distribution Account).

In order to maintain a revenue stream to the Benevolent Fund whilst at the same time not placing a stressful financial burden on the General Fund under the authority delegated to me by the Council at its meeting on the 17th March, and in discussion with the Officers and senior management, I have decided that from the 1st June:-

1. The re-join fee and entrance fee of £33 paid by a re-joining member or a new member will be transferred to the Benevolent Fund; and
2. The union will continue to fundraise for donations to the Benevolent Fund and will again ask branches and committees to focus some of their activity on fundraising for the Benevolent Fund; and
3. The Benevolent Fund will be included on the agenda for the Council at its meeting in September.

8) Approval of New Members – 26th May 2020

At the Council meeting on 26th May 2020, the new members were **APPROVED** by the General Secretary, under her delegated authority from Council.

9) Approval of Temporary Guidelines for Online Conferencing – 26th June 2020

It is very clear that the union's democratic structures will need to rely on remote access for some time to come. The Council meeting on Tuesday is being held by remote means.

The Officers are recommending in a motion to Council that now is the right time for branches and committees to also return to work by remote means. Should Council agree to this motion then committees and branches will need guidance on how to conduct meetings by remote means. Therefore drawing on the experience of the Council meetings held by Zoom, I have drafted in consultation with the officers and senior management, temporary guidelines for use of online conferencing for Council, Branch and Committee meetings.

The guidelines will be subject to review before the end of 2020 and it will be the Council's decision whether to revoke, amend or continue the guidelines.

COUNCIL 22

Therefore under the authority delegated to me by the Council at its meeting on the 17th March, and in discussion with the officers and senior management, I have decided that from the 1st July 2020 the temporary guidelines for use of online conferencing will apply to meetings of the Council, Committees and Branches. A copy of the Guidelines are attached.

The President invited Councillors to make comments on all of the above reports.

- Bertie Carvel expressed his thanks to all staff for their hard work during this crisis. He said that nonetheless, he wanted to raise a point about the effectiveness of the Council's oversight and governance function. He had observed a theme during his time on Council that Councillors were all trying to work out a way to give good oversight and critique, and he wasn't sure that the structure at present supported Councillors' desire or requirement to do that. He said that at times Councillors' critique did not seem welcome or supported by staff. *Reply – the General Secretary said that we could discuss this in the afternoon.*

22.5 INDEPENDENT COMMISSION FOR RACE EQUALITY

The General Secretary said that Councillors had received the ICRE interim report, Linden Walcott-Burton's email, and also the OSMT's recommendations. She said that she would be focussing on the recommendations within the ICRE's interim report and would leave it to Linden and others to speak to the wider context of the report.

The OSMT's initial recommendations, in response to the recommendations within the ICRE report, were the following:

- We would agree to make an apology for any distress unwittingly caused to the nine former members of the Race Equity Committee (REC).
- We would agree to mediation between the union and the former members of the REC, and would suggest Naomi Ling.
- We would suggest the terms of reference for the mediation as set out in the General Secretary's written report.
- We were recommending that recommendations 3 to 13 be referred to the new Council. It was hoped that the new Council would benefit from the apology and the mediation.
- Honorariums would not be possible due to HMRC and auditing rules, in response to the ICRE's recommendation that they should be compensated for the work. Therefore, the recommendation would be that the ICRE should have a conversation with the Honorary Treasurer about where receipted expenses could be claimed.
- The staff representatives of the staff union group had asked to discuss the matter of the ethnicity data gathering exercise with SMT.

COUNCIL 22

- On the matter of the link between the ICRE and the Council, it had been agreed that Maureen Beattie, President, and Dawn Hope, Councillor, should be the links between the outgoing Council and the ICRE until the first meeting of the new Council. The General Secretary said it had been agreed that it would not be practicable to have an election from this Council.
- Finally, the ICRE had requested an independent adviser. Our recommendation was to agree to that, subject to cost implications. The cost implications of this would need to be discussed with the General Secretary, the General Secretary Elect, and the Honorary Treasurer.

Points made in discussion:

- A Councillor asked about the selection process for the mediator. Would the former members of the REC be given the right to accept the choice of mediator, and have a part in the process of selecting who it should be? *Reply – the General Secretary said yes. Naomi Ling was our recommendation, but if the ICRE did not agree, then we would have to look again. Naomi Ling had been chosen as an expert on discrimination.*
- A Councillor said that instead of mediation, we could consider relationship counselling. He also asked whether there would be an opportunity to review the wording of the apology. He appreciated drafting an apology by committee would be challenging, but he asked that we be mindful not to repeat previous mistakes, and asked that Councillors at least have chance to make comment prior to the apology going out. *Reply – the General Secretary said that this would be challenging, and we would have to think carefully about who should be involved. She said that perhaps if there was a small group of ambassadors from this Council whom she could work with on this, that it may be possible, but it would be very difficult for her to work with the whole Council on this, especially as this was this Council's final meeting ahead of the election. She said that anyone who wished to be involved in this process should privately message her now, and there could be an election this afternoon.*
- A Councillor said that it was unacceptable that the matter of George Floyd's death had been brought into the discussion by the ICRE, and was being used as a political and emotional football when it came to resolving the matter of the Race Equality Committee and LF. She said that she stood with several other Councillors who considered this to be completely abhorrent, and they were not having it. She said that it was essential that we stay on track with what we were trying to achieve here. She said that they had worked hard to ensure that the ICRE represented a broad and diverse group of members. She asked that everyone else not simply engage with this matter emotionally – this was not what was needed – but with integrity, and with a mind to find practical solutions. She supported mediation and thought this was a good way forward, as well as the benchmarking she was working on. Finally, she reminded everyone that the whole purpose of this was to

COUNCIL 22

unite us by finding real solutions, not to find ways to further divide us, and she would not accept George Floyd's death being used in this way.

- A Councillor said that this whole matter had been a huge distraction from what we were trying to achieve, and the report from the ICRE yesterday had angered him further. He said that separate from this matter, there was real work to be done, and that he and others in the union were already getting on with it. He considered the whole matter to be a waste of time, and he was annoyed that it even had to be discussed. This process was creating more division, and the use of George Floyd's name in all of this was horrible to see. He said that he had joined Council to try and improve things for everyone, not to boost his own career. As union activists, we had to remember why we were here – not to be self-serving, but for the members, and for the future of the union and our industry.
- A Councillor said that the report had some points which may be of benefit, but that it was time for us to unemotionally examine the tenets of racism. She said that at this time where “Black Lives Matter” was being widely discussed, we had to be careful that issues did not become conflated. Those who had not had experience of this had to come to this matter with some humility, and to be careful if they were using this narrative in what they wanted to say.
- A Councillor said that he wouldn't repeat what he had already said by email. He supported the remarks of the previous three speakers. He said that certain aspects of the report had been signed off by some and not by others on the ICRE. He said that his view was that the report as a whole did not have the stamp of the whole ICRE, and it was his belief that there were a couple of people in the ICRE who were directing what was happening. He could not support all of the recommendations in these circumstances, as it was not clear to him that the whole report was not from the whole ICRE. On the first recommendation, he was not supportive of an apology being made at this point – he said that this needed to be discussed first. He said that he found it disgusting and abhorrent that certain individuals were using this issue for their own political gain. As Emmanuel Kojo had already said, this whole matter was a huge distraction and there was so much more that needed to be dealt with. He was sorry for the REC that things had turned out the way they had, but he was not sorry that the union had stepped in to protect them from the legal action that had been intimated.
- The President said that it had been communicated to her that the ICRE had become stuck, and that the recommendations put forward, and in particular the mediation process, were being put forward to try and find a practical way forward.
- A Councillor said that the ICRE had become stuck because the issue that had repeatedly been forced onto the agenda had been the former-REC insisting that they be reinstated as the REC. She said that this was a particularly difficult issue to discuss, but that it was her view that there had been racial divisions within the ethnic minority members of the former-REC which were causing division over the matters at hand. In particular, black members had found it impossible to make any

COUNCIL 22

progress on the critical issues for them through the REC for many years. For example, she said that black members had not been able to make any progress on the issue of black hair and make-up for years, and that the REC had not understood or supported any progress on this issue. This division was now reflected in the split between those who wanted to be reinstated, and those who did not, and it had to be remembered that three members of the former-REC were no longer supportive of the six members of the former-REC who were asking to be reinstated. She reasserted how crucial it had been that the General Secretary and the Council had stepped in to assume full legal liability on the original matter. She said that the whole structure of the REC was broken, and should not be reinstated until we had made huge progress. She said that all members of a future REC should have training to understand each other's racial issues, and we each had to be humble and listen to the issues that others faced, in order to come to an understanding and to be able to walk together as one. *Reply – the General Secretary thanked Dawn Hope, Emmanuel Kojo, Maureen Hibbert and Linden Walcott-Burton for their comments on this. She acknowledged their comments that this report was not truly representative of the whole ICRE, but said that as a matter of process, she had to take it on face value as the voice of the ICRE. She said that they were not recommending the REC be reinstated, but that recommendations 3-13 be deferred to the next Council. On the other recommendations, in terms of expenses, independent support for the ICRE, and the equality monitoring of the staff, she said that we could choose to do that now. She said that it was still her view as well that we should proceed with professional mediation, but she heard what Linden and others had said on the matter of making an apology now, and she believed we should now revise that particular recommendation to say that the issue of an apology, as appropriate, should instead be included as a matter to be discussed as part of the mediation process.*

The Council decided to break for lunch at 1:10 p.m., with this issue to be returned to later this afternoon.

The meeting resumed at 2:00 p.m.

A Councillor requested that the General Secretary provide a short precis of where we were. The General Secretary said that after the resignation of the REC, Council had decided to set up a group, independent from Council but under the rules of the union, to do two things: firstly, to review the matters of the preceding months, and secondly, to provide a way forward for the union and the union's work on race equality.

We approached Johnny Worthy, Chipu Chung and Tanya Moodie and asked them to be the Officers of the ICRE. Dawn Hope was closely involved as a representative from the Council. Between them, this group (the Officers and Dawn Hope) decided who else should join them on the ICRE. The Officers

COUNCIL 22

were happy for their names to be disclosed, but the other members were not at this stage.

Originally called the Taskforce on Race Equality, the group decided that this name was not appropriate, and so changed their name to the Independent Commission on Race Equality (ICRE).

Their task was twofold: firstly, to examine how we had got to that point, i.e. the entire REC resigning and the reaction of members to the union's actions; and secondly, to look forward and develop a race equality policy for the union. This was something Ian Manborde had been working on with the former REC, prior to their resignation.

The General Secretary took full responsibility for the decision to settle the potential defamation action. She had done this on the basis of her understanding that she had the authority of the Council to settle it, which she maintained was the case. She had not wanted criticism levelled upon individual Councillors for this decision.

The REC had resigned because they had not wanted the union to settle the potential action, nor make an apology, but to fight the case. The REC had been privileged to the legal advice that this potential defamation action was not without significant risk. The General Secretary had taken the decision that we had to settle, and so issuing an apology had been a necessary part of that settlement. From the minute we had decided to settle, our hands had been tied, and we had not been able to publicly explain all that had happened, as some of the facts of the incident were, and remained, legally privileged.

There were differences in the union's membership as to how the union had responded to the issue, as there were among the members of the former REC, as there were on the ICRE. But we had to now put our faith in the ICRE to resolve this matter. It was the view of some Councillors that their interim report was not ideal, and she understood that. But she had confidence in the members of the ICRE, and she asked Council to also put their confidence in the ICRE, and to support them in continuing their work.

She said that any issue of the reinstatement of the former REC had now been settled, and the ICRE should not continue to be burdened with this matter.

She had come into this meeting ready to support the ICRE's recommendation to issue an apology, and to support the mediation process. But she had listened to the comments of Linden Walcott-Burton, Maureen Hibbert, Dawn Hope and Emmanuel Kojo this morning, and had heard them saying that an apology at this point would not be appropriate.

This was why she had now altered the recommendation, to remove the inclusion of an apology, but instead to include discussion of an apology as part of the mediation process.

COUNCIL 22

She said that the Council had been placed in an impossible position. The financial stability of the union had been put in jeopardy, and the Council had instructed the General Secretary to fix this. She had done this the best she could, but she was fully ready to enter into the mediation process ready to listen, to learn, to acknowledge her unconscious bias and hard truths about the decisions, and potentially the mistakes she had made. All she asked was that the former REC enter into the mediation process in that same spirit.

Points made in discussion:

- A Councillor said that he did not agree with the General Secretary's version of events, and that it was a one-sided story. He said that he did not agree that the Council had agreed to settle the case on the terms that had been reached. He asked that we respect the views of the former REC. He supported the process of mediation, and asked that we respect that different people have different opinions, and move forward without attacking activists who were not present to be able to defend themselves. We could not afford to be divided right now, in the middle of this crisis.
- The President said that we had to find reconciliation, and that this had to be the way forward. The reason the process was taking time was because we were taking it so seriously, and we had to respect the process and make time for all sides to be heard within that.
- Ian Barritt, Vice-President, said that we were here today to discuss our attitude towards this report. He understood why colleagues were concerned about coming to a quick decision on this, as the matter was both very important and very complicated. He said that the General Secretary's recommendation remained to defer the vast majority of the ICRE's recommendation to the new Council, and the only matter still being debated was whether to apologise now, or whether this should be part of the mediation process. It was clear that many Councillors had reservations about issuing an apology now on the terms outlined, and if our black Councillors did not feel that an apology should be made at this time, prior to the mediation process, then he felt that it was his responsibility to listen to them.
- A Councillor said that he was pleased we were not rushing this through. He said that he felt we should make an apology on the basis of the racial trauma which had been caused, as the report had argued, even if we had not intended to cause that hurt. But he believed that exploring the precise nature of the apology through a process of mediation could be the right way forward. He said that we should recognise that we had a lot to learn, even if we continued to believe that the actions we had taken had been necessary.
- A Councillor said that, though from a different perspective, she understood what she believed Dawn had been very brave to share earlier. She said that there were also divides within the world of disabled people and activists. They all faced oppression every day, and yet they were not always united in their struggle. But they did not tell everyone else this, as it would dilute their struggle to do this. She

COUNCIL 22

supported mediation – it would be a long and painful process, but it was the only possible way. She said that lived experience was incredibly important, and we had to listen and be open to this. She also asked that we avoid using words such as “deaf” and “blind” in discussions which were not about deaf and blind people.

- A Councillor said that we all recognised and respected the recommendations of the ICRE, but we must also listen to our black colleagues on this Council. We would risk repeating the mistakes of the past by trying to put together an apology by committee, and so he supported the General Secretary’s recommendation to not apologise now, but to explore an apology as part of the mediation process.
- A Councillor suggested that instead of the phrase “to apologise”, the phrase “to make reparations” might be more appropriate.
- A Councillor said that, on balance, she agreed that the apology should be part of the mediation process. She thought that any resulting apology would in fact be more meaningful if it came out of this process. She said that the optics of the whole situation were still really bad, and that a lot of people were still looking to the union to address the hurt that had been caused. She said we also needed to be mindful of what it would look like if we rejected all of the recommendations of the ICRE.
- Dawn Hope, speaking as a Councillor who had worked closely on the establishment of the ICRE, said that there were things in the report that she supported. She wanted to move forward, and she wanted us to unite. She thanked the General Secretary for listening to her and other’s concerns over our response to the recommendations.
- Ian Barritt, Vice-President, said it was clearly important that we had taken the extra time over this matter. The mediation was now incredibly important, and he urged Council to support the recommendation.

The Council voted on whether the word “apology” should be used, or whether the word “reparation” should be used. By 11 to 8, the Council voted to use the word “apology”.

The *ICRE recommendations* are listed below, along with the **Council response** to each set of ICRE recommendations.

ICRE recommendations:

1. *Simply and publicly apologise for the distress that has unwittingly been caused.*
2. *Commit to a process of listening and learning in a mediated forum, rather than outsourcing the emotional labour to a BME group outside of the internal governance structure.*

Council response:

- a. **That Naomi Ling (Barrister, Outer Temple Chambers) is recommended as the mediator:** <https://www.outertemple.com/barristers/naomi-ling/>

COUNCIL 22

- b. That the following Terms of Reference will be put to all former members of the REC:-

“There is a clear and immediate challenge to establish racial equality across all facets of the entertainment industry.

The task at hand is significant and complex, particularly as; in many cases inequality is perpetrated both unconsciously and systemically.

This process can't be fulfilled without a significant amount of discomfort and reflection for all concerned.

Our only way of overcoming our past is, if both parties are able to be heard and agree the change that would bring about our collective goal.

In this spirit of reconciliation, Equity invites the former members of the REC to join us in talks with an independent mediator to be agreed by all.”

- c. That the mediation will include discussion of an appropriate apology.

ICRE recommendations:

3. *Make re-election of the Race Equality Committee, and its timing, a priority for the new Council.*
4. *Establish a Diversity and Inclusion or Equalities Sub-Committee on Council; ensure that all of the Equalities are represented by this committee and that Chairs or relevant members of the committees are able to attend Council Meetings to report on any important matters arising.*
5. *Review where people of colour are placed in the organisation: analyse where BME workers sit in the hierarchy of staff and committees, including Council, the Disciplinary and Appeals committee, regional committees and benchmark where the organisation aims to be within five years regarding Race Equality in its membership, committees and staff, and strategise accordingly.*
6. *Establish appropriate Monitoring and Evaluation frameworks (join up recommendations 3 & 4).*
7. *Commit proper funds to the Commission to deliver a policy within a very short period.*
8. *Ensure that political education is intrinsic to the training of Council members to ensure that the fight for social justice on equalities is seen as a fight for social justice for all.*

COUNCIL 22

9. *Review whether the Rulebook currently ensures that discrimination based on race, or any other inequality, is protected against; ensure that the rules are up to date and fit for purpose.*
10. *Ensure that appropriate counselling support is provided for those who volunteer for Equity's committees, particularly those in areas of vulnerability; create safe spaces for challenging conversations.*
11. *Train all staff and committees in unconscious bias, complicity, and anti-racism.*
12. *Consider recruiting a social media savvy person of colour into the Communications Department and ensure that all committees with Twitter-handles are trained in libel and liability.*
13. *Commit to restructuring the organisation to reduce blindspots, so that true equity is received for those who are a part of the Equalities Struggle.*

Council response:

Recommendations 3-13 above will be referred to the 2020-22 Council at its first meeting on the 31st July.

ICRE recommendations:

14. *Honorariums to the ICRE members for their participation going forward.*

Council response:

The advice of HMRC and the union's auditors is very clear that members cannot receive an honorarium as there would be tax/status implications for both the union and member. Therefore the union can only pay expenses on the basis of receipts. The General Secretary, General Secretary Elect and Honorary Treasurer will discuss this further with the ICRE.

ICRE recommendations:

15. *Ethnicity monitoring exercise across all staff.*

Council response:

The staff union representatives wish to have further discussion with the senior management on this request to ensure confidentiality and to seek the agreement of the staff.

ICRE recommendations:

16. *Link between the outgoing and incoming Council.*

Council response:

The ICRE has AGREED that Maureen Beattie and Dawn Hope will act as the link between the Council and the ICRE until the first meeting of the 2020-22 Council on the 31st July.

COUNCIL 22

ICRE recommendations:

17. *Advisor to the ICRE.*

Council response:

AGREE that an independent advisor be appointed to assist the ICRE subject to agreement on the cost implications with the General Secretary, General Secretary Elect and Honorary Treasurer.

The Council response, as a whole, was **proposed** by Ian Barritt, Vice-President, **seconded** by Emmanuel Kojo, and **AGREED** overwhelmingly, with one abstention (Adam Burns).

22.6 RULES AND STANDING ORDERS FOR THE STANDING ORDERS COMMITTEE

This item was deferred until after the election of the new Council.

22.7 BRANCH DATA PORTAL

Matt Hood said that this was one of the outcomes of the branch review. The cost was £10,925 + VAT, and it would be coming out of the existing budget for capital spend. We would be allowing time for some user feedback. There would be a section for members to opt in and out of receiving certain emails, the magazine, etc.

Recommendation: That Council approved the development of the new Branch Data Portal.

The recommendation was **proposed** by Mary Lane, **seconded** by Graham Hamilton, and **AGREED** unanimously.

22.8 TUC CONGRESS 2020

The TUC Congress will be held on the 14th and 15th September. The closing date for nominations for the General Council (2020-21) is 12 noon on Monday 20th July. This is before the first meeting of the new Council (31st July).

Therefore there are two options:

1. The Council at its meeting on 30th June will decide who its representative is – and this would usually be the General Secretary or in this case it would be the General Secretary Elect; or
2. The Council could delegate this decision to the current Officers (who will remain in office until the 24th July) and General Secretary Elect.

COUNCIL 22

The Officers and Senior Management believed that option 2 would give the General Secretary Elect an opportunity to consider this matter and decide whether he or someone else should represent the union on the TUC General Council.

Recommendation: that the Council should delegate the decision of the union's representative to the TUC General Council (2020-21) to the current Officers and the General Secretary Elect.

The recommendation was **proposed** by Stephen McGuire, **seconded** by Maggie McCarthy, and **AGREED** unanimously.

22.9 LEGAL CASES

Ryan Beange v Rewind Festival

Jenni Simmonds v Medieval Banquet

Maddie Cole v Lateef Kent Ltd

Russell Barnett v Anderson Cavendish Management Ltd

Wade/Hamper and Heathcote v Stick Man Theatre Productions Ltd

The Legal Cases were **NOTED**.

22.10 MEMBERSHIP

22.10.1 Approval of New Members

The new members were **proposed** by Jo Cameron Brown, **seconded** by Graham Hamilton, and **AGREED** unanimously.

22.10.2 Current Membership Position

Matt Hood said that we had seen a dip in May for the first time in many years. However, June's figures looked like they would hold up reasonably well. We were currently just up on 2019's membership figures to date.

The current membership position was **NOTED**.

COUNCIL 22

22.11 COUNCILLORS

22.11.1 Motions submitted in advance

22.11.1.1 Motion in the names of Maureen Beattie, Ian Barritt, Julia Carson Sims and Bryn Evans

Council thanks the:-

- ❖ Staff for their incredible work and support during the unprecedented and sudden impact of COVID-19. Council also recognises that this has been achieved with 25% of the staff on furlough and likely to remain furloughed until the autumn.
- ❖ The membership for their ongoing backing and activism during this period which has had a significant effect on the government and the strength of the union.
- ❖ The General Secretary for using the authority delegated to her by the Council in the best interests of the union, staff and members.

The authority delegated to the General Secretary has today been returned to the last meeting of the current Council which is being held by remote means. The Council believes that it is now the right time for the branches and committees to also return to work by remote means.

Therefore from the 1st July the rules and standing orders for branches and committees will be amended as follows:-

“That, until the Council determines otherwise the union’s Branches and elected Committees will be able to undertake their normal business by remote means and members attending a meeting remotely will count towards the quorum; and that this arrangement will be reviewed by the Council before the end of the year.”

Recommendation: Support

The recommendation was **proposed** by the Officers, **seconded** by Stephen McGuire, and **AGREED** unanimously.

22.11.1.2 Motion in the name of Julia Carson Sims

The Covid-19 pandemic has brought home to everyone how vital online links are; in particular the online environment has made it possible to keep Equity running in an effective manner. This has clearly led to a greater awareness of our digital world and its practical possibilities.

In the light of which Council recommends that the incoming Council approves a detailed exploration into better and safer online platforms, with the longer-term objectives that all union meetings should have the flexibility to be sometimes physical, sometimes digital or a mixture of the two, and have the democratic authority to create motions and take decisions. This method of online engagement would enable more Councillors to attend more Council meetings, especially if living or working outside of London, or otherwise constrained by considerations of physical ability and health. In addition to the democratic positives, the

COUNCIL 22

ecological benefits of online engagement are easily apparent, as are the consequent reductions in Equity's travel costs.

Recommendation: Support

The recommendation was **proposed** by Julia Carson Sims, **seconded** by Nick Fletcher, and **AGREED** unanimously.

22.11.1.3 Motion in the name of Paul Valentine

Equity Elections are in full swing, and as with all Equity's work, we should be trying to make them as accessible as possible. Candidate videos for elections are encouraged but by nature of the technical expertise involved, they often do not contain subtitles. It's not a difficult process, as software is now available to automatically hear what a video is saying, and caption accordingly. However, there is often a cost involved that may be too much for an individual but would be negligible to the Union. This Council notes and commends the fact that videos within the last year on Equity's YouTube Channel have utilised this software and contain captions. This Council calls on Equity to allocate a member of staff during election periods to subtitle all videos submitted to Equity, so these videos are accessible to all members.

Recommendation: With 25% on furlough we do not have staff available to undertake this work in the current elections. Therefore members should be encouraged to insert sub-titles on their videos where possible and this motion should be referred to the new Council for consideration in the 2022-24 elections.

Matt Hood said that unfortunately the amount of resource was not negligible. He was also concerned that this would place a significant liability on the union over the risk of getting any subtitling wrong. He therefore advised that it was the right decision to refer this to the new Council, so we can consider further the impact this would have on resource, and the potential liabilities it would create for the union.

Paul Valentine replied to say that he had great respect for staff's time, and admitted that he had not thought about the liability issue prior to this. However, he felt that the membership would be understanding if there were any errors in subtitling, and it would not lead to legal consequences. He said we do not do enough to support members' accessibility.

Di Christian, speaking as the Councillor for D/deaf and disabled members, said that she was part of a working party which had just put together a survey to find out how D/deaf and disabled members wanted to be communicated with. She said she would be willing to support Paul Valentine's proposal if this came back to the next Council.

The recommendation was **proposed** by Stephen McGuire, **seconded** by Ian Barritt, Vice-President, and **AGREED** with four against and one abstention.

COUNCIL 22

22.11.2 Comments

- Kelly Burke, speaking as Chair of the Women's Committee, said that the equalities committees had to date run 26 different Zooms In sessions, engaging over 2,100 members, and collaborating with 20 different members of Equity staff. They had covered a huge range of issues, and been told by members and staff that this had been one of the most positive things to have come out of the lockdown. She said that the publicity of the Zooms In sessions had not been marketed as being run by the equalities committees. Over two months ago, the equalities committees had written to say that not marketing the sessions as their work was erasing them and appropriating their work. They were asking for their ownership of the work to be made clear online, and for an apology to be issued for this having happened. This could be used to strengthen and meaningfully embed our work with our equalities activists at this important time. *Reply – the General Secretary said that she was surprised this was being brought up again. She had replied to the email from the equalities committees, and it had been on the agenda for the May Council. She had received no response to her email, and she requested a response to her email in the first instance.*
- Adam Burns, speaking as Chair of the Standing Orders Committee, thanked the General Secretary for postponing this matter until the next meeting. He said that its inclusion on this Council's agenda could have caused a crisis in terms of the work of the Standing Orders Committee. *Reply – the General Secretary said that a decision would be taken with the General Secretary Elect about which Council meeting this should go to.*
- Adam Burns said that the temporary guidelines for online conferencing were good, but that a few tweaks had been sent through which he requested should be included. In particular, he suggested we include allowing participants in meetings to have a carer in the room, for those who needed a carer to be present.
- Emmanuel Kojo said that he and Matt Hood were engaging publications in a conversation about racist reviewing practices. This was something he had personally experienced in the past. In the future, he hoped that this would lead to a wider engagement across the industry of theatre critics and reviewers, and he wanted to be a part of actively trying to help organisations to make this change. He said that a white actor's colour was never mentioned in reviews, so why was it that a black actor's colour was always mentioned? There was still work to do in showing some reviewers and critics that this was even a problem. Matt Hood said that initially, it had been a challenge to convince certain reviewers that this was even a problem. However, through Emmanuel's conversation and sharing of his experiences with them, progress was now being made. Next, we were going to work with the NUJ to produce a set of ethical guidelines for reviewers and critics, and to have conversations with the Critics Circle, the NUJ and other bodies, to persuade them to adopt and abide by the guidelines. Emmanuel Kojo

COUNCIL 22

would be leading a group in guiding this process, including listening to other actors and performers who had had similar experiences.

- Bertie Carvel said that, as this was our last Council meeting, he wanted to say that he believed that the ICRE was right to flag concerns over the effectiveness of our governance structures, and also over the lack of social media guidance for our committees and branches. There would not be time to discuss this now, but he wanted it to be noted.
- Adam Burns asked whether we would be able to support direct action and marches to persuade the government to take action to rescue our industry. *Reply – the General Secretary said that she agreed that direct action was a good thing, but that we had to be careful not to encourage members to break the law. We would have to look at the rules around social distancing, and she asked him to send through more information on the march, and then she would be able to make a decision. Julia Carson Sims, Vice-President, said that those in Wales and other parts of the UK were still locked down and so would not be able to participate in any direct action.*
- Ian Barritt, Vice-President, said that we should keep in our minds the life, career and activism of Louis Mahoney, who did so much to advance the work of racial equality within the union.

The President closed the meeting by expressing her thanks and saying goodbye to our three outgoing Councillors: Bertie Carvel, Red Sarah and Linden Walcott-Burton. Their insight and hard work had been so appreciated, and they would be truly missed. She thanked the staff for their hard work and dedication over the past two years, and in particular the incredible work of Christine Payne, our General Secretary.

The Council Meeting concluded at 4:00 p.m.