

**MINUTES OF THE ELEVENTH MEETING OF THE 2022/2024 COUNCIL HELD
AT GUILD HOUSE AND ON ZOOM ON TUESDAY 11 JULY 2023**

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Councillors Present: Nick Fletcher (Vice-President, in the Chair), Jassa Ahluwalia, Sean Biggerstaff, Jo Cameron Brown, Julia Carson Sims, Di Christian, Lizzie Cooper, Tonia Daley-Campbell, Dan de la Motte, Rachael Fagan, Graham Hamilton, David John (Honorary Treasurer), Mary Lane, Eva Lorraine, Leila Mimmack, Hywel Morgan, Louis Rolston, Lynda Rooke (President), Genevieve Say, Sam Swann, Paul Valentine, Annie Wallace and Jack Wilkinson.

Staff Present: Paul W Fleming (General Secretary), Louise McMullan (Deputy for the General Secretary), John Barclay (Assistant General Secretary, RM), Hilary Hadley (Assistant General Secretary, LP), Beccy Reese (Assistant General Secretary, F&O), Nick Baker (Internal Governance Officer), Tom Peters (Policy Officer) and Sam Winter (Council Secretary).

Apologies for Absence: Joseph Ballard, Victoria Brazier, Jackie Clune (Vice-President), Dan Edge, Trevor Fox, Shenagh Govan, Zainab Hasan, Maureen Hibbert, Kerry Kyriacos Michael, Helen Monks and Louie Whitemore.

11.1 ANNOUNCEMENTS

11.1.1 Alan Thompson

Nick Fletcher, Vice-President, said that Alan Thompson had sadly died. Graham Hamilton said that Alan had trained at RADA and had worked across many parts of the union. He had been an Equity activist for decades and a strong supporter of the branches. He had been a Councillor for 18 years. He had been on the Screen and New Media Committee, Audio Committee and had been active in many areas of the union's work and campaigns. He had cared deeply about his fellow performers and other members, and he would be sadly missed by his Equity friends.

The Council held a minute's silence and gave him a final ovation.

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11.2 MINUTES

11.2.1 Corrections

10.10 TRUSTEES, p.284

It has been pointed out that the points made in discussion for this section do not appear to relate to this item. Therefore, insert a new heading as 10.11: "UPDATE ON OFFICERS' VISIT TO USA". Then insert "The General Secretary said that he had been asked to provide an update on the upcoming visit to SAG-AFTRA and Actors' Equity over the next couple of weeks." Then insert the points made in discussion as already drafted.

The Draft Minutes and Confidential Minutes of 13 June were **proposed** by Mary Lane, **seconded** by Hywel Morgan and **AGREED** unanimously as a true and accurate record of the meeting.

11.2.2 Matters Arising

1. Authority of Committees on Agreements

David John, Honorary Treasurer, said he had clarified with John Barclay that the Audio Committee would also be included in some of the other negotiations involving the Screen and New Media Actors Committee, specifically ADR negotiations.

2. Motion from the Women's Committee

Tonia Daley-Campbell, speaking as the observer to the Women's Committee, said that the Committee had sent Councillors a letter about their motion at the last meeting. They felt that their position had not been properly understood.

The General Secretary said that reopening the issue would require a procedural motion to a future meeting. The original recommendation had been to refer the motion back to the newly elected Committee, but the Council had last month decided to take a decision there and then. He had communicated the decision fully.

Tonia Daley-Campbell thanked the General Secretary for his advice and said she understood. It was important for her to advocate for their view on this.

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Points made in discussion:

- A Councillor said she supported the Council's decision on this. The letter said that they felt there had not been enough dialogue. Was this fair?
Reply – the General Secretary said the outgoing Chair of the Women's Committee had been on the previous Council. She had sat on the working party that had looked at all of our rules and structures. At no point had it been suggested that the name of the Committee should be changed at that point. That Councillor had successfully advocated for a new Women's Councillor, under that name. There had been no open conversation with the Council during the time in which they had been doing the work on the name change and it had not been raised as part of the consultation on the union's structures. Instead, they had put a motion through in one of the final meetings of their term. It was politically contentious and not a settled debate.
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11.3 NEW MEMBERS

The new members were **proposed** by Eva Lorraine, **seconded** by Paul Valentine and **AGREED** unanimously.

11.4 LEGAL CASES

This item was placed in the confidential minutes.

11.5 EMERGENCY ITEMS

1. Sam Swann

On July 3rd the Israeli military launched one of its largest assaults on Jenin refugee camp for decades, leaving 12 Palestinians dead, many more injured, and large parts bombed and damaged including the Freedom Theatre.

After Israeli security forces killed over 3000 Palestinians and tens of thousands were displaced from their homes over 2000-2005, the Freedom Theatre was founded in 2006 as a symbol of hope. It's an inspiration, showing the power of art as a source of community creativity and resistance.

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But the theatre's roof and courtyard have been particularly damaged in the explosions from this latest military incursion.

"It has become normal that Palestinians are under attack and killed every day," says the theatre's Artistic Director Ahmed Tobasi. "The international community says nothing. The soldiers know they can do what they want... There have been no appeals to defend it from destruction, and there is unlikely to be funding for repairs. [But] we will keep this theatre open. There is invasion and killing here, but there is also a theatre in Jenin camp." [1]

It's essential to show that the international community does say something, and to offer our solidarity and support, especially in times of utmost need. When we say "to all people: Equity" we mean it.

This motion asks Equity Council to:

- 1) Help keep the Freedom Theatre open by donating up to £4,000 for repairs.
- 2) Express solidarity with all those facing occupation and state violence, including everyone at The Freedom Theatre.

The motion was **proposed** by Sam Swann, **seconded** by Hywel Morgan and **AGREED** unanimously.

Points made in discussion:

- Sam Swann said that Councillors would have seen that the Israeli military had just conducted a large assault on Jenin refugee camp. It was important for us to mark this and show our solidarity. We had supported the Freedom Theatre there in the past, which had been damaged in this latest attack. The way this had been discussed in our media was abhorrent. This motion expressed solidarity with all those experiencing occupation and state violence.
- The General Secretary said that the events could not have been known in the advance, so this was a legitimate emergency motion. The Freedom Theatre in Jenin had previously been our sole partner organisation in Palestine for many years. He reminded the Council of our policy on the Middle East – we supported the right of Israel to exist and we supported the right of Palestine to exist, and we acknowledged the impact that the situation there had on all artists' freedom. As well as arts organisations in Palestine, we also worked with our sister union in Israel and we would inform them of this motion. We took the same

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approach to conflict and threats to artists' freedom anywhere in the world, as we had done recently in Colombia, France and elsewhere. However, this would likely be treated by the media and on social media as distinct. This had happened the last time we had made similar statements on Palestine. 20 members had left back then – he had written to them all to explain the union's position and the majority had returned to membership. Back then, more Jewish members had contacted him to support our position than to oppose it.

- A Councillor said that Safety Curtain had supported Freedom Theatre for many years. Last week they had approved an application for funding and sent messages of solidarity as well. The director of the theatre had been assassinated on the steps of the theatre a decade ago.
- A Councillor suggested the motion be referred to the International Committee for Artists' Freedom (ICAF), with their new budget. *Reply – the General Secretary said the Committee had not been reformed yet, but in future we would be able to do that. ICAF had also given £1,000.*
- A Councillor said if we concerned ourselves with what would be said on social media then we would never achieve anything. He supported this motion and asked what the £4,000 would be for.
- A Councillor asked whether the money should be increased.
- Sam Swann said he was on ICAF and they were supporting the theatre as well. The £4,000 would be to repair the roof and courtyard.

11.6 STAFFING

The General Secretary said there were no major updates this month. In October he would bring a full strategic update for discussion.

This was **NOTED**.

11.7 COMMITTEE ELECTIONS RESULTS 2023

Sam Winter announced that the new committees had been elected for 2023-2025. He thanked every member who had voted, every member who had stood as a candidate and every member who had encouraged others to vote. He congratulated all those elected.

The turnout was 6.07%, a little less than in 2021 (6.48%). This amounted to around 100 fewer votes in total. What was surprising about this was that we

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had completely changed our voting system between these two elections to move to more or less online-only, and yet the turnout was virtually the same. We were still reflecting on the conclusions of this, and on the experience of working with the new scrutineer for the first time.

This was **NOTED**.

Points made in discussion:

- Hywel Morgan, speaking as a newly elected member of the Screen and New Media Actors Committee, said that he now needed to be replaced as Council's observer to that Committee. It was noted that Sean Biggerstaff volunteered to take up the position. *Reply – the General Secretary said that a ballot should be held on this in the next week.*
- The General Secretary said it was important to give this some context. The recent general secretary election at Unite, one of the most high profile union elections in recent British history, had received a turnout of 9%. We did relatively well for Council elections (around 10%), and for General Secretary elections (around 16%) we had the third highest turnout in the country. We had to also reflect on our participation in industrial democracy, which was extremely high as seen in the recent negotiations in live performance. We had delivered electronic voting and more or less replicated the same turnout as previously. We had to reflect on activist behaviour – if activists thought about this seriously, had every one of them done what they could to get the vote out? If every candidate had asked 20 members to vote, we would have had a much higher turnout. We were currently producing some more analysis on where people were voting which would hopefully help.
- A Councillor said that more members had stood for election this time which was a positive. We had communicated about this numerous times by email. This had been the first time we had used these new scrutineers and the mechanics of the online ballot system had some problems that needed to be reviewed.
- A Councillor said that around eight or nine years ago we had formed a working party to have a serious look at election turnout. The feeling then had been that the reason was that a certain group had held sway.
- David John, Honorary Treasurer and speaking as the Councillor for audio, said that the Audio Committee was an interesting case. They had been heavily contested (19 candidates for nine places) where they had been uncontested last time, but the turnout had actually gone down.

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- A Councillor said he had persuaded a lot of members to vote by explaining that it affected our power to negotiate. Perhaps we needed a training on engaging members in activism and voting. Members felt overwhelmed by the number of candidates and committees up for election. Some slates had been circulated which helped – he was interested in the position on formalising this. He said that it could have also helped to have communicated which agreements were up for negotiation during the term as well.
 - A Councillor said she was up for a conversation about doing more. There seemed to be something about how the traffic worked on Twitter. There were other technical issues that could be improved, which she had already reported to Sam Winter. We needed to have an honest conversation about what activated voting in members. Short videos, flow charts, more comms, etc., could help.
 - Lizzie Cooper, speaking as the Councillor for stage management, said it was great to see 50% new members on the Stage Management Committee. Was there a way to see the total number of members who could vote for each committee?
 - A Councillor said he had done a lot of work to persuade members to vote and it was quite exhausting. This had put to bed any thoughts he had had in the past that members were not voting because of the amount the union was doing for them. This was a long game and changing this culture would take a long time. We had to have patience.
 - A Councillor asked whether the lack of members voting was to do with the way the introduction of the General Secretary was presented on the online platform.
 - The General Secretary said there would be a review of the new scrutineers including all the issues raised. Please email any thoughts to Sam Winter. The truth was that committee election turnout had been around 6% for a long time. It had nothing to do with any system, any tweak, any piece of tech; it had everything to do with the behaviour of members. He did not support the idea of training here. Members were free to organise slates, but it was not clear that these either increased or decreased turnout (both points had been argued in this conversation). None of this was relevant, the honest truth was that it was all about activist behaviour.
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11.8 FIA EXECUTIVE COMMITTEE, ISTANBUL, TURKEY

Nick Baker said the next meeting would be 27-30 September in Istanbul, with travel a day either side. If members wanted to self-nominate they needed to send that in by the next day. He had only received one nomination so far.

This was **NOTED**.

11.9 RECORDED MEDIA

This item was placed in the confidential minutes.

11.10 FINANCE

11.10.1 Management Accounts

Becky Reese referred to the budget update circulated. One piece of good news was that we were now receiving 4.5% interest on our current account, which would generate an additional £40,000 in 2023. Benevolent fund grants had gone up and the FIA fee had increased. We had discovered that we had no provision for building management in Glasgow, which we had now put in place. Everything else was broadly on budget at this point in the year.

David John, Honorary Treasurer, said that up to the end of June, we had spent £59,448 on benevolent fund grants. This was more than half of what we had spent last year. He was generally receiving around 10 applications a week at the moment. He was hearing terrible stories from many members.

This was **NOTED**.

Points made in discussion:

- A Councillor said that David John, Honorary Treasurer, had spoken extremely well in parliament the previous day. He had spoken at the launch of our report on universal credit.

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11.10.2 Distributions Income

Beccy Reese said that interest rates had increased steadily over the past couple of years. We currently had a zero rate of interest on money held for distribution. At our last year end the money held in this account had been £13,470,287. The current interest policy relating to distributions income (adopted by Council in May 2017) had never been put into effect as the policy was overly complicated and unworkable without extensive and costly development to the distribution system. The policy was to pass the interest on to the performers, but when we looked at the number of individual transactions that this would require, we could see that it would cost more to administrate that would be generated in interest. Moving this money into interest-generating accounts would create another stream of income for the union.

Recommendation:

Council is asked to revoke the existing policy and permit interest to be earned on all the union's credit balances including money held for distribution.

The recommendation was **proposed** by Hywel Morgan, **seconded** by Eva Lorraine and **AGREED** unanimously.

11.10.3 Finance and Operations Team Update

Beccy Reese referred to her written report. This included updates on IT, buildings and all aspects of our finance and operations work.

This was **NOTED**.

Points made in discussion:

- A Councillor said he had a couple of questions on divestment from the Green New Deal Network. Would we be comfortable disclosing our divestments publicly? And when would the next meeting with the investment houses be? *Reply – Beccy Reese said yes, when we divested we would be communicating about this. And we had another meeting with our investment houses in September. We could look to involve Councillors in this as well.*
- A Councillor asked how we could limit our indirect exposure to fossil fuels in our investments. *Reply – Beccy Reese said we should be able to see this in the data they provided to us in the next stage of the process.*

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There may be some areas where they might not be able to say definitively that we were not exposed to fossil fuel investments.

11.11 POLICY DEVELOPMENT

Lizzie Cooper referred to her written paper. She drew Council's attention to the motion passed a few years ago. She had spoken to Hannah Plant, West End Official, and we were quite close to being able to launch the buyout calculator in the West End.

This was about empowering members to be able to see what they were owed.

Points made in discussion:

- A Councillor said that he had been surprised to learn about how much this affected performers as well. He suggested this should be looked at by the Stage Actors Committee as well. He also knew that buyouts were really common in pantomime and we should look at this as well.
- A Councillor asked whether there was the scope for ending the practice of buyouts altogether. *Reply – Lizzie Cooper said that some stage management members preferred to work on a buyout, in could be advantageous in some circumstances. Hilary Hadley agreed that it would not be a good move to end them.*
- Hilary Hadley said the buyout calculator was a great tool that had been created by the West End stage managers. It had taken us longer to develop it due to the pandemic, but it would be released in the near future. It would be a fantastic tool for members and it could be extended to other agreements as well. We had seen the use of performers' buyouts increase in recent years. We had sent out advice to agents that we did not like them in this context; when minimums increased, performers on buyouts did not necessarily feel the benefit of this. On the other hand, performers did sometimes like them, as they guaranteed the minimum amount to be earned. For this reason, it would be difficult for us to come down on one side or the other, but the calculator was another tool to allow members to make these decisions for themselves.
- The General Secretary said that a quarter of a million pounds on West End shows had been won for members as a result of this work – it was really important. The word "buyout" was actually quite unhelpful – it wasn't really a buyout, it was prepaid overtime. They also helped members demonstrate their income, e.g. when securing a mortgage.

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- Nick Fletcher, Vice-President, thanked Lizzie Cooper for driving this important piece of work forward.
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11.12 MOTIONS

11.12.1 Motions Referred to Council by the General Secretary

1. Northern Ireland Branch

Out of respect for current demand we, the Northern Ireland Branch ask that Equity Council include an Irish language section in future editions of Equity Magazine. Our comrades in Wales have their section of Equity Magazine printed in both English and Welsh. We support and admire our comrades in Wales and we would like to have our section of the magazine printed in both English and Irish.

The Irish language, like Welsh, is one of the indigenous languages of these islands and the Irish language is growing in popularity. Irish stars such as Brendan Gleeson, Colin Farrell and Paul Mescal all spoke in Irish when interviewed at the BAFTAs and the Academy Awards this year and many of our members in Northern Ireland are Irish speakers themselves.

Labhair i nGaeilge linn. Speak to us in Irish.

Response:

Support

The response was **proposed** by Lynda Rooke, President, **seconded** by Louis Rolston and **AGREED** unanimously.

Points made in discussion:

- Louis Rolston, speaking as the Councillor for Northern Ireland, said that members had come to the branch and asked us to look at what we could do to promote the Irish language, as we did with Welsh. He said there would be no cost to the union other than an extra page in the magazine, as we had secured translation for free.
- The President said she would be happy to propose the motion.
- Julia Carson Sims, speaking as the Councillor for Wales, said she was supportive of the motion as she was of the use of Welsh.

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- The General Secretary said there were a myriad of languages used in these isles, not just native languages. This meant that there was a limitless list of languages that could be requested. We therefore had to draw a rational line. We already used Welsh in some circumstances due to its statutory status. New legislation was being implemented to give similar status to Irish, and so it would be rational to extend some provision to the Irish language as well. He advised the Council against including further languages, and it would become an unending task. This was not to say that it would not make sense to produce some documents in different languages, where that was particularly relevant.

2. North East Branch

The North East Branch calls on Equity Council to provide feedback on the stagnant mileage allowance/HMRC rate which has not taken into account increases in travel and motoring expenses.

Response:

The Council notes the request and will refer to the Secretariat for a response. The request is not formally a motion as it is not asking the Council to do anything with respect to union policy, but an update on the HMRC mileage allowance for the branch can be provided.

This was **NOTED**.

3. Welsh National Committee

The Welsh National Committee is appalled by the recent treatment of Equity's Honorary Life Members.

In the past, they have always been invited to Equity's annual conference as Observers, and have had their travel, accommodation and meals paid for. As observers they were never allowed to speak or vote or propose or second motions unless they were part of a delegation from a branch or a committee but were able to engage in other ways during the conference. This decision shows a huge disrespect to this small important group of members which the union has chosen to honour following outstanding service to the union over many years as activists and staff.

The Welsh National Committee condemns this decision unreservedly, and urges the Equity Council to reconsider this matter at the earliest opportunity, including but not limited to consulting with the group of members now affected

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who had not been given the courtesy of being informed prior to the decision being made.

No procedural motion received:

This motion required a procedural motion from a Councillor in order to reopen a recent Council decision. No motion was received and so the motion was not debated.

4. London North Branch

The London North Branch is appalled by the recent treatment of Equity's Honorary Life Members. In the past, they have always been invited to Equity's annual conference, and have had their travel, accommodation and meals paid for. They were never allowed to speak or vote or propose or second motions, unless they were part of a delegation from a branch or a committee. Now, this invitation will no longer be issued. The Officers made a recommendation to this effect at Council on 11/04, and, after a heated debate, and a recount, Council decided by one vote to support the Officers' recommendation. We condemn this decision unreservedly, and demand that the Council reconsiders this matter at the earliest opportunity, after the wider membership has been informed.

No procedural motion received:

This motion required a procedural motion from a Councillor in order to reopen a recent Council decision. No motion was received and so the motion was not debated.

11.13 POLICY UPDATE

Louise McMullan said there was a chance that there would be a general election next year. We had therefore begun a number of consultations with shadow cabinet members. We had met with Angela Rayner MP recently. There were a number of welcome proposals around trade union freedoms, including online balloting. We were also talking about provisions we would like to see for self-employed members, including expanding rights around parental leave. We would continue this dialogue in the coming months. We were not formally part of the Labour Party's national policy forum but we could continue to have input in this way.

We had also met with Lisa Nandy MP to discuss their levelling up policy. She was interested in a thoroughgoing way to spread growth and investment

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around the nations and regions of the UK. In particular, we were engaging with her about the possibility of reforming the Arts Council.

Tom Peters, Policy Officer, said that we had launched our universal credit report the previous night in parliament. Six or seven MPs had attended and David John, Honorary Treasurer, had introduced it extremely well. The report had already been cited by Lord Clancarty in a debate on freelancers. It was difficult to read how serious an effect this was having on members' lives.

We would be taking a delegation to TUC in September, with motions on dignity in digs and universal credit.

Louise McMullan asked Mary Lane to speak on a recent action in Bristol. Mary Lane said she had had many proud days as a member of Equity, but last week had been one of the proudest. Members had assembled outside Bristol City Hall to protest the mayor's arts funding decision. Members, including Rachael Fagan (Councillor for the South West), had spoken powerfully, with press in attendance. The mayor had recently said that all funding decisions for the arts would not be announced until March 2024 and that he had created a new panel to make these decisions. We did not know who was on this panel, there had been no consultation whatsoever. She had been incredibly proud to stand there with other members. She thanked Gareth Forest for putting the action together so excellently.

Points made in discussion:

- A Councillor asked how things were going with the campaign around the freedom to work in Europe. *Reply – Louise McMullan said she had been talking to members about getting together with other creative unions to make a plan on this. Perhaps some sort of campaign in the lead up with the next election. The Musicians' Union were part of Labour's national policy forum and so could feed ideas in there.*

11.14 CONFERENCE 2023 ACTIONS

Sam Winter said that this was the work committed to by the staff in response to all the motions passed at this year's conference. He said that we would report on this again in November.

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The General Secretary said that the deal had been that the number of motions would reduce, but the amount done by the staff in response to each motion would increase. It was now up to the staff to deliver on this.

The actions were **proposed** by Graham Hamilton, **seconded** by Louis Rolston and **AGREED** unanimously.

Points made in discussion:

- A Councillor asked for more detail on how we would work to apply the Women's Committee's motion. Where individuals were accused, but not prosecuted, how would we manage this? *Reply – the General Secretary said the question here was where the responsibility lay – the responsibility to keep a workplace safe was with the producers. They had to ensure that they had proper reporting mechanisms in place, and that where members were dismissed due to their conduct, this was passed on in an appropriate way. The union was not the holder of this information and could not police it, but we had a key role to play in ensuring that producers had the proper reporting mechanisms in place.*
- The Council thanked Nick Fletcher, Vice-President, for chairing.

The Council meeting concluded at 16:00.