
**MINUTES OF THE TWENTY-FIRST MEETING OF THE 2018/2020
COUNCIL HELD ON ZOOM ON TUESDAY 26th MAY 2020**

- 21.1 Announcements**
- 21.2 Corrections to the Draft Minutes of Council 20**
- 21.3 Matters Arising from the Draft Minutes of Council 20**
- 21.4 Covid 19**
- 21.5 Updates**
- 21.6 Delegated Authority to the General Secretary**
- 21.7 Legal Cases**
- 21.8 Membership**
- 21.9 Any Other Business**

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), Di Christian, Jackie Clune, Bryn Evans (Honorary Treasurer), Nick Fletcher, Tony Gardner, Graham Hamilton, Maureen Hibbert, Dawn Hope, Isabella Jarrett, Nicholas Keegan, Mary Lane, Maggie McCarthy, Alan McKee, 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).

Apologies for Absence: Xander Black, Bertie Carvel, Stephanie Greer, David John and Stephen McGuire.

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21.1 **ANNOUNCEMENTS**

- 21.1.1 Sam Winter presented a reminder of the guidance for holding a Council meeting on Zoom.
- 21.1.2 The President thanked the Distributions team for their fantastic work in getting money out to 3,150 members this week, totalling almost £1m.
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21.2 **CORRECTIONS TO THE DRAFT MINUTES OF COUNCIL 20**

21.2.1 **Minute 20.4.2.3 – COVID 19 – Benevolent Fund – donations and grants**

“Stage” not “State” Management Committee.

21.2.2 **Minute 20.9.1 – ANY OTHER BUSINESS – Creative Restoration Corps**

Amend to: “Nick Fletcher said that Mark Rylance was trying to create a Creative Restoration Corps. The vision was to create the opportunity for creatives currently out of work to plant trees in a New Deal-style national effort.”

The Draft Minutes and Draft Confidential Minutes were **proposed** by Dan Ayling, and **seconded** by Paul Valentine as a true and accurate record of the meeting and **AGREED** unanimously.

21.3 **MATTERS ARISING FROM THE MINUTES OF COUNCIL 20**

21.3.1 **Minute 20.5.4 – UPDATES – President’s Roundtable on Safe Spaces**

The President said that the next report on this would now be given to the new Council at its first meeting in July. This was a change from the previous plan to bring the report to the September meeting. It had been decided that it was important that it be addressed sooner.

21.4 **COVID 19**

21.4.1 **Political**

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Louise McMullan said that Oliver Dowden, Culture Secretary had announced last week that they were launching the Cultural Renewal Task Force. They would be chaired by Neil Mendoza, and would broadly be looking at how the sector would be coming out of the crisis.

Our initial concern had been that there was no union representation on the Task Force, or any representation of workers at all. We had dug a little deeper, and found that Paul Nowak of the TUC had been asked to serve on the Task Force. We now know that there are going to be smaller working groups sitting under the main Task Force, and we were working towards having representation on one of these and in particular the Entertainment & Events working group.

We were also seeking support from employers and engagers. Darren Henley, CEO of Arts Council England was also supportive of us being on the group.

DCMS had said on their website that they would like to have workforce representation on this, so we were just working to ensure that this included us.

We were continuing to work on securing an extension to the SEISS. Rishi Sunak, Chancellor was continuing to push back on this, but had said he would keep it under review. We were continuing to work with the TUC to push the arguments for extending the scheme, including supporting the government to make this easier.

One thing we were exploring was incorporating an income declaration within the application process. We were working with the TUC to find a mechanism for the government to be able to find out who was most acutely in need, which would obviously include many of our members.

New starters and people with income over £50,000 were still excluded from the scheme, and the government was remaining firm on this. The parliamentary group was submitting evidence to the Treasury Select Committee that week on where the gaps still lay.

We were still compiling evidence from those with profits over £50,000, new starters, and also those whose income was split across both employed and self-employed income. She requested that anyone with further examples of people excluded from the scheme to come forward to add to the evidence.

Points made in discussion:

- A Councillor asked whether, if it were to be extended, would the SEISS be extended in its current form, or with changes? *Reply – Louise McMullan said that there was no extension confirmed at this stage, but her guess would be that they would like to extend it in some form. The difficulty they would have if they extended it is that it would bring into play the new starters. They might instead look at separate forms of support for those who had fallen through gaps. They were particularly*

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looking at those operating within limited companies and in receipt of dividend-based income. They were also looking at what they could do about those who had been on maternity leave within the qualifying period. She was hearing there was a 50% chance of extension at this stage.

21.4.2 Industrial

21.4.2.1 Recorded Media

John Barclay said that we had now concluded an agreement with PACT for a Covid 19 variation agreement for TV, which was great news for members. We had also submitted a claim to cover the film equivalent of that with PACT.

We had also agreed an extension to the Hollyoaks Covid 19 agreement, until mid-June.

We had been involved in many return to filming documents and protocols across the board, including Hollyoaks and the BBC soaps. Members had contacted us about their concerns in going back to work.

We had submitted a claim to revise the Cinema Film agreement, and entered into negotiations to improve the PACT TV agreement, specifically looking at incorporating SVoD original terms within the PACT TV agreement, and also an agreement for minors.

We were working to get a sum of money out of Finland, from the Finnish collecting society for UK works that were broadcast in Finland. We were then trying to find an agreement with ALCS, Directors UK and PACT on how these monies would be split between us.

Points made in discussion:

- Julia Carson Sims, Vice-President, speaking as the Councillor for Wales, asked whether an agreement had been reached with TAC?
Reply – John Barclay said that TAC and S4C had taken a more bullish approach. We were in discussion with Simon Curtis on a regular basis, and had received an opinion from our lawyers on the interpretation of the force majeure clause within the TAC agreement. The legal opinion worked in our favour, and John had been in favour of taking the legal route. Simon had decided to have one more go with TAC, and if that failed, then we would be instructing lawyers to take on TAC and S4C.

21.4.2.2 Live Performance

Hilary Hadley said that in her report, she had mentioned the Covid 19 variation agreement with commercial theatre. She said that since she wrote the report, these negotiations had progressed significantly. The draft agreement had gone to the PMA and to deputies, and everyone had been on

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board. However, one of the employers now appeared to be reneging on the draft agreement. This was extremely disappointing, and we would be arranging further discussions to try and resolve this.

She had also been working on getting money from online streaming of productions via donation buttons. We had been able to do deals for £150 on many productions, and £200 for the NT Live productions.

In Scotland, new work was being done to be screened digitally, and she believed that this was now likely to happen more and more. If this was the case, then she would be finding ways to use this to get income to members.

The good news, potentially, was that some producers may be ready to go back from September. Others were also working to get back from October, some from December, and some from April 2021.

We needed to ensure our members' voices were not lost in the debate around what a safe return to work would look like. We had launched a Workers' Inquiry, to survey members on this. We had also created an equivalent to this for Variety members, to canvass their views. This had been launched through the branch secretaries, and we were also putting sector specific surveys out through the various networks (circus, children's entertainers, etc.).

Stephen Spence said that there were lots of people in different sectors talking about when they would be going back. We were hearing different things from everyone, and views were changing all the time. Recovery plans were continuing to be developed, and we were feeding into these where we could. We would return to this later on the agenda.

It still looked as though Recorded Media sector would be back sooner, with Coronation Street looking likely to be back as soon as 8th June, and Eastenders towards the end of June. Live Performance was likely to be back later, as Hilary had already described.

John Barclay said we were in discussion with the deps on the return of River City via our Scottish office, but that their return would be dictated by the measures put in place by the Scottish government, and so they could expect a different return date.

Hilary Hadley said that anyone on a commercial theatre contract remained under contract. The variation agreement was related to *new* contracts. She would have been sending the deal for the new agreement to the Stage Committee today, but that now the employers were potentially reneging, she would not be able to do this.

Points made in discussion:

- Isabella Jarrett, Julia Carson Sims, Vice-President and Alan McKee, speaking as the Councillors for Scotland, Wales and Northern Ireland

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respectively, said that a return to work was likely to take longer in Scotland, Wales and Northern Ireland, as their governments were taking different approaches to the lockdown in general, when compared with England.

- A Councillor said that the survey was very long, and this might put people off. *Reply – Hilary Hadley said that it was rather long, but that she hoped members would have the time to complete it at the moment. The President said that within a couple of hours, 600 members had completed the survey. So there was a real desire to be a part of this work.*

21.4.3 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 £645,733.92
- The total amount given out in subscriptions grants was £44,533.65
- The total amount given out from the benevolent fund was therefore **£690,267.57**
- The total number of members helped was **2,345**

He said that the amount given out in grants last week was slightly down. This was due to the reduction in the number of applications we were now receiving, and also because one member of staff had had an issue with their computer.

We had now received **£132,188.40** in donations.

From 1st June, the General Secretary had decided, under her delegated authority from the Council, that when a member joined or rejoined the Union, their £33 join or rejoin fee would be put into the benevolent fund as well.

The General Secretary's full decision was as follows:

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.

The General Secretary said that it was Council policy that the benevolent fund should not fall below a balance of £200,000. Clearly, due to the commitment of the Council in March 2020 to give out £1m from the benevolent fund as an immediate response to the hardship caused by the Covid 19 crisis, the balance had now fallen below that amount, and would not recover without further intervention. This would therefore need to be looked at by the new Council in September. They would need to decide whether to revise this policy (and therefore allow the balance of the benevolent fund to fall below £200,000), or where any top up would come from. The only places this could come from would be as a loan from the no. 4 distributions account (we had already sought legal advice on this possibility), or from our investments (though this would reduce the Union's holdings and income from investments in the future).

Once we reached the ceiling of £1m, which we were likely to do at current rates of output by the end of June, then we would only be able to maintain a modest output from the benevolent fund beyond that point. This would be financed by the £33 join and rejoin fees to be added to the benevolent fund. If we kept up joins and rejoins at April levels, these fees would be worth around £7,000-8,000/month.

We also needed to do more on our donations. £132,000 was good, but not good enough. We all needed to do as much as we could through branches, committees, and individually, to bring in further donations, so that we could continue to provide modest, but incredibly important financial support to members, on a continuing basis throughout the rest of the year.

Matt Hood said that we would be holding a recruitment drive for people to join or rejoin the Union. This would focus on solidarity with workers, as well as the industrial action and lobbying activities the Union had been undertaking. There were a lot of initiatives going on to bring in further money and to publicise what we were doing.

The challenge was that we were so far mainly asking our own members to donate, at a time when they had little money coming in themselves. Therefore we were looking at ways to ask non-members to contribute to the benevolent fund as well. We would also be asking our life members (who do not pay annual membership fees) to make a contribution as well. There was a lot of activity going on, but we needed to continue our work on this.

Points made in discussion:

- A Councillor asked whether the new policy on join/rejoin fees going into the benevolent fund would be made public. *Reply – the General Secretary said yes, we would be publicising this, and we were hoping this would help our drive for new members to join/rejoin the Union.*

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The decision of the General Secretary was **NOTED**.

21.4.4 Services for members

Matt Hood said that this was mostly covered in his written report. He said there had been another spike in enquiries on the Self-employed Income Support Scheme (SEISS), now that it had been launched. Patterns were emerging on the problems members were facing, which was useful in guiding our lobbying activities.

We were continuing to support members through the Health Assured scheme, and there had been a recent spike in members being referred on to BAPAM for counselling. We had given an additional £5,000 to BAPAM to support the counselling scheme.

We had agreed a £30,000 rebate with Hiscox on this year's insurance premium, in the light of an anticipated reduction in claims during the lockdown period. We had also negotiated with Hiscox to pay our future insurance premiums in 12 interest free instalments across the year, rather than in one lump sum. This would be a great help to cash flow.

21.4.5 Staffing and offices

Stephen Spence said that the loosening of the lockdown meant that we had started planning for a possible return to offices from July. This didn't mean we would be returning to offices from July, just that we were putting plans in place for this possibility.

This had led to some increase in concern among the staff, and we were seeking to address those concerns.

We had already clarified that anyone who was clinically extremely vulnerable would not be required to return to the office for a very considerable period of time.

We were looking at separate provisions for clinically vulnerable staff as well. We would be discussing any concerns with those staff individually, and we would not be requiring them to return to the office for as long as those concerns remained.

Those with childcare responsibilities unable to be covered due to ongoing closures of schools/nurseries would also not be asked to return.

We were putting various measures in place to manage the risk within Guild House. This included, among a long list of things, hand sanitiser, staggered shift times, one way entry/exit and travel around the building, ensuring desks were sufficiently spaced out, etc.

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We were undertaking these conversations with our regional and national offices about this as well.

As a general rule, we were hoping to be able to begin our return to the offices once our members were beginning to return to their places of work.

It was possible some staff would continue to work from home for the long-term, where that made sense operationally.

The outcome of all of this work would be a Return to the Offices Plan.

For a period of time, the function of our offices as workplaces would have to come before the function of our offices as a resource for members. For a period, offices would not be available to members for meetings/readings. Safety of staff would be prioritised until we were further down the track.

Points made in discussion:

- A Councillor asked what we would be doing about staff who did not want to send their children to school, even when schools had reopened. *Reply – Stephen Spence said that we would engage in individual conversations with staff to address their concerns, and our position so far had been to lean towards accommodating their concerns. However, we would have to see how events continued to unfold, and how the guidance developed in the coming months.*
- A Councillor asked what the proposed timeline was around a return to the offices. *Reply – Stephen Spence said that we were aiming to have a plan in place in order for us to be able to return in July, but that this did not mean we would be returning in July. Depending on events, it could well be August, September, October, etc.*

21.4.6 Income/Expenditure

The General Secretary said that we had received in May an income of £35,452.72 from the government, for the 14 members of staff on furlough.

We were still waiting on the final direct debits to come in for May – these would come in tomorrow. We were estimating a 1% cancellation rate, but we did not yet know. Therefore, our income for May was thus as estimate.

If this was an accurate figure, then we would be around £30,000 down on what we had received in subscriptions for May 2019. This was concerning. April 2020 was also slightly down on April 2019. All of this made the furloughing income from the government even more important (around £35,000/month). This was making up the difference for our losses.

Under expenditure, we were spending approximately £340,000 and £130,000 a month on salaries and suppliers respectively.

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We had so far allocated £690,000 to the benevolent fund. On 1st June, we would be taking £167,761 as income from the no 4 distributions account which was the remaining balance of 2019 profit. This was income due to us, which we were entitled to take. In June, we would also be taking an advance of £200,000 from this account, against the income we had anticipated we were likely to receive for 2020.

We had anticipated we would receive around £400,000 from ERA payments in July (we receive this amount every three months). However, the ERA board had now voted to reduce the amount they would pay out by around one sixth. Therefore, we would expect to receive around £366,000. However, later in July, they would be making up the shortfall, and also paying us an advance from the payment due to us in October. This would help us get through August.

We would usually get a huge bill for insurances in October, but as Matt Hood had said, this would now be spread throughout the year as 12 interest free instalments. This would help enormously with cashflow.

In cash balances, we currently had £77,830 sitting in the benevolent fund account. We had agreed that Duncan Smith could take £70,000 from this if we got to the point where we needed an additional cash injection.

We also knew we had £86,000 sitting in the Unity Trust account, in case we needed it.

The general fund had fallen below £400,000, and was now at £371,000 (this included the estimate for the amount to be received from the end of May subscriptions). Duncan Smith had previously said that he would normally feel comfortable as long as the balance of the general fund remained above £400,000, so this needed careful management.

We had £550,000 in cash sitting in our investment houses, which we would probably need to call on later in the year, depending on how subscriptions held up.

We had £25,000 in our HSBC GBP account, and were also transferring £900,000 from our HSBC USD account to the no 4 distributions account, which would then be available for distributions.

The two key messages for Council were as follows: firstly, subscriptions income was declining – it had not fallen off a cliff, but we had to work to ensure that it would not in the future. Secondly, we had to work to get as much as we could into the benevolent fund through donations.

Bryn Evans, Honorary Treasurer added that in total, we had received £96,000 more in subscriptions income for the first four months of 2020 than we had in 2019, so the picture for the first four months of the year was not quite as dire

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as it might at first have appeared. Nonetheless, the picture for the rest of 2020 remained unclear.

Duncan Smith said that he had nothing to add, but would be happy to take questions if there were any. There were not.

21.4.7 Industry Recovery Plan

Stephen Spence said that it would not be possible to transplant Performance for All into the Industry Recovery Plans. The recovery plans would not be solely ours – they would be developed in collaboration with others.

Because of the strength of our industrial relations with various stakeholders, we would have the opportunity to feed into these plans. If we just sent them Performance for All, this would not be taken seriously, and we would not be listened to. However, we would be mining what we could from Performance for All, and feeding it into the recovery plans where possible.

He said that we were also lobbying in the devolved nations. The Scottish government had announced a support package of £34m to support the creative industries. This would go to local authorities for distribution to new starters (who were unable to get support through the SEISS). Something similar was being taken up in Wales and Northern Ireland as well, and we were lobbying for something similar to be taken up in England as well.

We had met with Claire Hanna MP (Belfast South) the previous week, to discuss the issues within Northern Ireland. She had been very helpful, and was taking several matters forward for us.

He would be meeting with the Welsh National Committee in the near future to go through their concerns around the latest developments around the Brexit deal.

These discussions were therefore taking place at UK, national, regional and local levels, and we were intervening in recovery plans at all these levels. We needed to remember that we would not be able to have all our Christmases at once within these discussions, but that we could have real influence.

Louise McMullan added that the key thing for us was to get representation on the recovery plan task force and other groups. Adam Adnyana had already been contributing to these discussions in Scotland. Ian Bayes had been involved in the West Midlands Cultural Recovery Group. Their metropolitan mayor was well connected with UK government, which would be useful. Similar representation was being sought across all regions and nations.

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Points made in discussion:

- A Councillor asked if we were involved in negotiations with the Lyceum in Edinburgh. *Reply – Stephen Spence said he believed we were, but he had not yet been briefed on the details.*
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21.5 UPDATES

21.5.1 The Theatre Council

The General Secretary asked Council to note the decision of the Theatre Council hearing held in May. It was brought by Equity as a way of securing some of the deposits held by managers, which could be used in order to support the Covid 19 settlement between the Union and SOLT. It hadn't been used very often, but where it was used, it would mean that members would receive the monies agreed between the Union and SOLT.

The decision of the Theatre Council was **NOTED**.

21.5.2 Race Equality Task Force

The General Secretary said she had sent to Council the email of the six former members of the Race Equality Committee (REC) and her response. This had taken a while to respond to, as she had wanted to discuss the matter with the Officers, the SMT, and the Independent Commission on Race Equality – the Race Equality Task Force had now decided to rename as the Independent Commission on Race Equality (ICRE).

The ICRE members had met on 15th May for the first time as a whole group. They had discussed the response there.

Essentially, the response was that the ICRE would be continuing. They were determined to carry on with their work, determining how we had got to where we were, and how we should move forward.

The REC would not be reconstituted, either by former members of the REC, or involving new members. The way that the Union addresses race equality, and our policy in the future, were matters that the ICRE would work on and decide.

She drew Council's attention to the requirement that the ICRE would have the authority and support of the Council to make these decisions, and if guidance was required, this would be with the General Secretary and the President in the first instance.

They were to be independent of the Council, and they would be free to conduct their enquiries in whatever way they wished (within the Rules and

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Objects of the Union). Any financial implications would be discussed with the General Secretary and President, and in turn with the Honorary Treasurer.

This was an important step, to scrutinise the work of the Union, and build towards the future. She said that there may be hard truths we would have to accept.

The members of the Commission were in place, but were not yet ready to be publicly named in full. She believed that Councillors would be impressed with the members they had assembled for this crucial piece of work.

Ian Manborde said that the Chair was Johnny Worthy, the joint Vice-Chairs were Chipo Chung and Tanya Moodie, and the Council representative was Dawn Hope. They were all happy to be identified to Council at this stage as the Officers of the ICRE.

Only the Officers of the ICRE would be named in the press release. The other six were members of the ICRE were not happy to be named at this stage. Several of them continue to feel uncomfortable about the current environment.

He said that this was a credible group of working members, committed to working with the wider Union to craft our race equality strategy for the future.

The Officers would be meeting again this week, and the full ICRE would be meeting in the next couple of weeks.

The President asked this not to be disclosed to anyone outside of Council before the official press statement, and for the six non-officers not to be disclosed until the information had been made public in the proper way, at some point in the future.

Points made in discussion:

- A Councillor asked: what provision would there be for the REC's constituency in the meantime - who was their link point to the Union during the time they are without a committee? *Reply – the General Secretary said that at present, the REC did not exist, and so there was no link point through as such. The next steps would be decided upon by the ICRE.*
- A Councillor asked what the difference was between the MEMC and REC. *Reply – the General Secretary said that they were the same nine people – they changed the name of the Committee from the Minority Ethnic Members Committee (MEMC) to the Race Equality Committee (REC), shortly before they all resigned.*
- Dawn Hope, speaking as a member of the ICRE, said that the process may have seemed long winded, but that this was because we had to get this right. She said that there were BME members sitting on Committee seats across the Union right now. Any members needing representation could reach out to them. She said that there could be

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more cross-committee support in the future. She said that the Chair and Vice-Chairs of the ICRE were spectacular, and that the wider group were members from all walks of life, of every age, and covering a wide spectrum of voices. It was essential now to give confidence to the remainder of the ICRE, and to provide them with clarity on their role. She had a lot of confidence in the group, and in the process from here. She said that they would not only be hearing from witnesses who were people of colour, but from others as well who had witnessed relevant events – so anyone could be called upon to speak. *Reply – the President thanked Dawn, and said that she too felt confident about the future of this work.*

The response of the General Secretary to the email from the six former members of the REC was **NOTED**.

21.5.3 Elections

21.5.3.1 General Secretary

The General Secretary confirmed that the ballot for the General Secretary election would open on 1st June, close on 8th July, and that results would be received by 10th July.

21.5.3.2 President, Council, Standing Orders and Appeals Committee

The General Secretary wanted to note and clarify her interpretation of the nominations process.

This had historically been done by asking the potential candidate to obtain the signatures of their proposer and seconder on a paper form. However, when this process moved online, she said that this now involved asking proposers and seconders to confirm that they did in fact want to propose/second by clicking on a link online. This was to satisfy data protection legislation. However staff then contacted the proposer and seconder to check that they were indeed proposing and seconding the candidate and this all had to be done before the close of nominations. This meant that members who got their nomination in on time could be disqualified if the staff were unable to verify the proposer and seconder before the deadline.

She had now decided that any nomination received before the deadline, and including the name and membership number of the proposer and seconder, would be acceptable, providing that the proposer and seconder then went on to confirm that they were in fact willing to propose/second that candidate within five working days.

This is why it took slightly longer to publish the information on this occasion – because we had to wait five working days for proposers and seconders to make their confirmations.

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Under this interpretation, only one nomination had been ruled out of order (because the nomination itself had been received after the deadline).

The South East of England seat had received no nominations. The new Council would have to make a decision about the timetable for filling this seat.

21.5.3.3 Hustings

Stephen Spence said that he had been providing general guidance to branches looking to hold hustings for the General Secretary election. Most of these had now taken place – he was aware of one more to be completed.

There was now discussion amongst branches about hustings for the Presidential election, and also discussion about what to do about Council elections. To reiterate, all hustings planning was the responsibility of branches, and not of Equity staff.

His understanding was that the hustings had in general gone well, and had been well received by members.

21.6 DELEGATED AUTHORITY TO THE GENERAL SECRETARY

The President reminded Council as to what had been agreed by the Council in March. The minutes of the Council meeting on 17th March 2020 recorded the following:

Minute 19.12 CORONAVIRUS

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.

Adam Burns had submitted a motion on this matter, which had been ruled out of order. However, his motion spoke to an important matter and it was important that he be given the chance to speak to it.

The General Secretary clarified that the Council had delegated its authority to her until the end of May, unless the Council decided to extend it by email ballot.

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She was now making the recommendation that this delegated authority be extended until the 29th June, i.e. the day before the final meeting of this Council.

She hoped that Councillors would agree that the decisions she had made (as set out in Appendix A of her written report) had been reasonable, sensible and pragmatic, made in consultation with the Officers and SMT, and made in the interests of keeping the Union going and responding sensibly to issues which had arisen. She did not believe she had in any way abused the authority given to her by the Council. Everyone, in very difficult circumstances, was pulling in exactly the right direction.

She knew that some Councillors may feel that losing their authority for another month was a step too far, but she asked them to consider what it was that they thought they would do, that she herself would not do. She said extending the delegated authority would allow her to respond pragmatically to situations as they arose. Full authority would be returned to the Council in time for Council to make decisions at the June Council meeting.

Adam Burns said that his memory of what had been agreed was slightly different, but he accepted we may all have different memories of this. He said that in March we had reluctantly accepted that the magnitude of this crisis was such that this measure was necessary. He thanked the General Secretary for that, and said he thought she had done a good job. He referred to the Union's Rules, that it was the Council that was the governing body of the Union, and not the General Secretary. This was not intended as a criticism of the General Secretary, but an expression of his belief in the importance of democracy. It was essential that the Council was able to hold the OSMT to account. Members needed to be heard, and this had to be through the Council. Our next steps had to be member-led. Another month was not necessary – unintentionally, this silenced the remaining authority of this Council, as there would not be enough time for decisions to be taken in the June Council (the final meeting before a new Council would be elected). He understood the issues around staffing and offices, but had always believed that these were in the General Secretary's remit anyway. Democracy and an increasingly desperate membership must be the priority, not the convenience of the OSMT. He implored Council to vote against the extension of the delegated authority in the email ballot. If they did not, they could be accused of a dereliction of their duty to the members who had elected them.

Julia Carson Sims, Vice-President said that this may not have been intended as an attack, but it felt like one. She said that Councillors had trusted the OSMT for these past two months, and that she asked them to trust the OSMT throughout the next month. All Councillors had seen the fantastic work the staff were doing, and we were all trying to do our best to keep the Union going through this crisis period.

The General Secretary thanked Adam and Julia for their comments. She said that this recommendation was not being put to Council for the convenience of

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the OSMT, as Adam had suggested. The OSMT were meeting every single week. They had met yesterday, bank holiday Monday. They were running things to the best of their abilities and keeping things going. This was what they were asking Council to allow, for another four weeks. But it was ultimately the Council's decision. She believed there would be a detriment to taking this authority away, but if this happened they would have to work out how to run the Union in that context.

She confirmed that the email ballot would go out later today, and would close on Friday. Council would then be informed of the decision that day.

21.7 LEGAL CASES

Faye Horne vs Marstons PLC

Equity Members v Stick Man Theatre Productions Ltd

Holly Mallett v Alexander Personal Management

Sean Collins v Thompkins Connexions Ltd

Elena Marina v Contraband Entertainment Ltd

F Haschaka & Blakeley v Contraband Entertainment Ltd

Burtie Welland v Just Kids Parties Ltd

Sonia Benito v Contraband Entertainment Ltd

Adriana Calvert v Upper Street Events Ltd

Martin Kenny said that a number of agencies had been refusing to pay members in recent weeks – some seemed to think that during the lockdown, the law no longer applied. He was following up on all of these.

The Legal Cases were **NOTED**.

21.8 MEMBERSHIP

21.8.1 Approval of New Members

The new members were **APPROVED** by the General Secretary, under her delegated authority from Council.

21.8.2 Current Membership Position

Matt Hood referred to his written report, and noted that these were the correct and final membership figures up to the end of April 2020.

He said that Council would be asked again to approve new members from June. He said that there was always a drop off in April, for technical reasons (2019 had actually been the first year that this had not been the case). Rejoin figures were down on March, which had been a bumper month for rejoins. The figures were not ideal, but we would be pushing a recruitment campaign to get these figures back up to where they belonged, despite the crisis.

The current membership position was **NOTED**.

21.9 ANY OTHER BUSINESS

21.9.1 Creative Restoration Corps

Nick Fletcher gave an update on Mark Rylance's efforts to create a Creative Restoration Corps. He was trying to align his efforts with the Wildlife and Countryside Link, the Scottish Rewilding Alliance and the Woodland Trust. He had asked if Equity members could be asked to complete a willingness to act form, but the OSMT had said there was too much going on right now, but that this could be reappraised after the elections. He said that if any Councillors were interested, please could they get in touch.

21.9.2 Committees

Ian Barritt, Vice-President asked whether his branch were correct in thinking that while branches could not pass motions at their meetings, committees still could. *Reply – Stephen Spence said that committees did not have the ability to put motions to Council during the crisis, but only to discuss industrial matters on agreements under their jurisdiction, providing they adopted the relevant standing orders at the beginning of their respective terms.*

21.9.3 Zoom sessions with members

Kelly Burke, speaking as Chair of the Women's Committee, said that there had continued to be an exciting and wide-ranging engagement on these

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sessions, including a fully subscribed session on Magic. The series had ranged across all industrial issues, as well as equalities intersections, and was now starting to look at some more specialist areas of work.

21.9.4 Breach of Council confidentiality

Graham Hamilton said that the document that it was suggested had been leaked had also been shared with the members of a committee outside of Council. He said that if that was the document in question, it was possible that the leak had come from outside of Council. *Reply – the General Secretary said that Graham was correct that this document was shared with a committee outside of Council, so this was possible.*

21.9.5 Agents

Jackie Clune said that she had read that there had been an increase in agents letting members go during this crisis. Were staff aware of this? *Reply – Matt Hood said we had noted that this was happening, and also the opposite (members wishing to leave their agents), and that if we saw a pattern emerging with any particular agent, then we would certainly be taking action on this.*

21.9.6 Partnerships

Maureen Hibbert said that her question had already been articulated by Graham Hamilton, and she thanked him for that. She referred to the minutes of the previous meeting, and asked in relation to minute 20.5.3 – what were the partnerships that had not been affected, as stated in the minutes? *Reply – the General Secretary said that partnerships referred to any relationships we held with outside organisations. There were no particular outside organisations which had given us any sense that they had taken a detrimental view of any of these matters, which is why she had answered “no” in the minutes referenced. This remained the case.*

21.9.7 StageSight

Adam Burns said that StageSight was reopening that Thursday. He had sent a report to the General Secretary and to Ian Manborde, which could be shared confidentially or he could write one. He asked that people please retweet, etc. the launch on Thursday as it was key they get the message out as they continued to work for change. He stated that we had a chance to bring our industry back as we wanted to see it. For those that didn't know their work, he directed them to www.stagesight.org and asked that they support them as they could. If anyone was in a financial position to support them, do feel free.

The Council Meeting concluded at 1:10 p.m.