

Appendix E

Funding Agreement between Colchester Borough Council and Firstsite

1.0 Introduction

- 1.1 Colchester's vibrant cultural scene is one of the town's unique selling points, and something that Colchester Borough Council (CBC) is keen to support and sustain. Firstsite, Colchester Arts Centre, and the Mercury Theatre are central to this, providing the leadership, capacity, creativity and innovative programmes of delivery to make Colchester a great place to live, learn, work and visit.
- 1.2 The Council provides core revenue grants to these organisations, because they deliver on the Council's Strategic Plan, in particular they are fundamental to supporting delivery of the Creative Colchester Strategy and Action Plan which is a detailed delivery framework for promoting and enhancing the arts in the local economy. In line with the Creative Colchester strategy, the Council continues to work with regional partners to align policy and funding to help deliver key economic and social outcomes through investing in development of the arts.
- 1.3 As part of the Council's commitment to transparency, quality and performance management systems, the arts organisations that receive CBC funding must set out clear objectives and provide performance and sector data so that the service that is provided through partnership working can be measured, evaluated and improved. This document defines the performance targets and monitoring process, and confirms the funding amounts currently agreed.

2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2017 and 31 March 2018 the Council will fund Firstsite to the amount of £127,925. This funding was agreed by the Cabinet and full Council in line with the budget strategy to support the core operations of the organisation as set out in the business and operations plan and to meet the targets for performance set out in section 9 of this Agreement.
- 2.2 Upon signature of this Agreement, the Council will release the funding in quarterly instalments.
- 2.3 Any financial investment that the Council needs to make under its obligations as the owner of the building is deemed to be outside of this agreement. However, any tenant responsibilities that Firstsite holds are considered to be within this agreement.
- 2.4 On signing this Agreement, Firstsite recognises that it is in receipt of public funding and accepts responsibility for showing proof of eligibility, meeting the targets for performance, and collecting qualitative and quantitative performance data to provide evidence of the service standards. Firstsite also agrees to

Colchester Borough Council strategic funding for arts organisations 2017/18

provide available sector data to assist with monitoring and performance assessment.

Where appropriate and possible within current resources, Colchester Borough Council will provide non-financial support to Firstsite where it seeks to develop additional services that contribute towards meeting the Council's strategic priorities. If these additional services are developed to a point that requires additional funding, Firstsite may request such funding formally, and the Council may issue a separate funding agreement if applicable. If this circumstance arises, the services will be deemed to fall outside of this agreement.

3.0 Eligibility and Criteria for Acceptance

- 3.1 In order to be eligible for funding Firstsite must supply evidence to demonstrate that it is:
- a. Properly constituted
 - b. Financially viable
 - c. Able to manage its work effectively, monitor and manage risk, and seek necessary professional financial, legal and insurance advice
 - d. Operating with effective policies and procedures in equal opportunities, health and safety, equality and diversity, access, and protection of children, young people and vulnerable adults.
 - e. Delivering on the current strategic priorities of the Council.

4.0 Performance monitoring framework

- 4.1 Firstsite must submit an up to date Business Plan and operations information to CBC, including a budget to cover the same period as the funding agreement and a copy of the audited accounts from 2016-17.
- 4.2 As a minimum throughout the term of the agreement, Firstsite must submit quarterly budget reports and invite a Council representative to observe two Board meetings. The organisation will also participate in two bi-annual review meetings, as outlined below.
- 4.3 At the end of the agreement period, the organisation must provide audited accounts and submit performance data to evidence the organisation's turnover, audience and participation levels as well as contribution to the Council's strategic priorities.

5.0 Bi-annual stakeholder review process

- 5.1 A review meeting will take place between Colchester Borough Council, Essex County Council, Arts Council England and Firstsite twice in the period of the agreement. The meetings shall be attended by the relevant officer(s) of the Council and partner stakeholders and Executive staff of Firstsite
- 5.2 The Portfolio Holder and Firstsite Management may be asked to sit before a Scrutiny Panel to monitor performance and achievements. As such, the bi-

Colchester Borough Council strategic funding for arts organisations 2017/18

annual review process should be seen as an opportunity to ensure that the Portfolio Holder can evidence performance within their area of responsibility.

6.0 Acknowledgement of funding

- 6.1 Firstsite will acknowledge its financial assistance from CBC in all marketing and communication materials in print, electronic, broadcast and other formats.
- 6.2 The organisation is asked to specify particular steps that it will take within the period of this Agreement to promote the support that it receives from the Council in Section 9.

7.0 General conditions

- 7.1 The funding provided under this agreement may not be assigned to any other person, association or company other than in the course of delivering the Business Plan and agreed performance targets.
- 7.2 This agreement does not constitute Firstsite as an agent of the Council or otherwise make the Council liable to any person who may take proceedings against Firstsite.
- 7.3 The Council reserves the right to nominate annually a councillor to be a director on the Firstsite Board.
- 7.4 Funds will be repayable in full to the Council in the event of any of the following:
 - i. Misuse of payment received from the Council by Firstsite
 - ii. A breach of the law by Firstsite
 - iii. Petitioning the court for the appointment of an administrator
 - iv. Having a receiver appointed over all or any part of Firstsite's assets
 - v. Being the subject of a petition or resolution for Firstsite's 'winding up'
- 7.5 The Council should be consulted where any change or development in the direction of the organisation's affairs might affect this Agreement.

8.0 Breach in agreement

- 8.1 In the event of either the Council or Firstsite notifying the other in writing of a breach in this agreement, the parties shall meet to discuss the alleged breach within 21 days.
- 8.2 Both the Council and Firstsite agree that they have an equal responsibility to reach a practical and reasonable solution to the breach, but if after 12 weeks a solution has not been agreed then the parties mutually agree to arbitration.

9.0 Specification of performance targets

- 9.1 The specification of performance targets is developed collaboratively between the Council and Firstsite. The information provided here substantiates the Council's decision to invest public funds and helps to strengthen the partnership delivery model.

Colchester Borough Council strategic funding for arts organisations 2017/18

- 9.2 Information provided should be set out in line with the Strategic Plan to help to convey to Members, officers and partners how the Council's financial support is an effective and efficient way to deliver services to meet local identified needs.

9.3 Performance Overview

Target	Outputs/Report
Deliver four seasons of exhibitions Target: Met.	Firstsite delivered four seasons of exhibitions – a total of 16 exhibitions were presented within the period. Exhibitions included the work of more than 240 artists and 10 external curators from local, national and international contexts. The Grayson Perry exhibition achieved the highest ever attendance for an exhibition in Firstsite's history with over 51,000 visitors.
Deliver between 125,000 and 150,000 visitors Target: Met.	Firstsite achieved 155,005 visitors. This is the highest annual attendance since the building opened in 2011 and an increase of 42,005 (37%) on the previous years' attendance.
Deliver a Film programme with approximate 20%* occupancy from October 2017 onwards (based on Curzon success measure) Target: Met.	Film @ Firstsite delivered a total of 527 screenings with a total attendance of 14,372. Average Ticket price for a screening was £7.00 and the average ticket price for a broadcast was £13. Total ticket yield for screenings and live broadcasts was £124,784 which was over target. Average attendance was 27 per screening (14% capacity in the 188 seat Cinema)
Deliver a comprehensive programme of events and learning activities that engage a broad range of audiences reflecting Colchester's key demographics with regards to Diversity, Disability, Age, Gender, Sexuality, Affluence. Target: Partially Met	Firstsite delivered 557 Learning & Education sessions over the year. These engaged directly with or attracted the following levels diverse audiences: BAME - 40 sessions (390 attendance) Disability - 0 Older People – 37 (417 attendance) Gender – 0 Sexuality – 1 (2536 attendance) Socio-economic – 52 (5516 attendance) Health / wellbeing – 103 (894 attendance)

9.4 Community and Audience Development

Target	Outputs/Report
Produce an Audience Development plan with a view to engaging x10 new communities in Firstsite activities across the year. Target: Met.	Firstsite's Community engagement programme is primarily delivered through the events and hires programme. In 2017/18 a total of 1120 Community events were delivered. New communities to the gallery included: the Nepalese community, Chinese community and Holi Festival. These communities produced their own events in collaboration with Firstsite who provide venue space at no or low cost. This represents £36,000 of support in kind.
Deliver x1 major Community event per quarter Target: Met.	Major community events across the year were The Great Get Together, Big Sunday, Pride, The Festival of Rice and Spice and Holi. Most of these events fell in summer with the exception of Holi which was in March 2018.
Hold 1:2:1 consultation meetings with x10 hard to reach community groups with a view to developing long-term collaborative relationships. Target: Met.	Firstsite continued to consult with a broad range of community groups and for the first time arranged a Community Leaders Forum in February 2018 to which x20 Community Leaders were invited to share their work, challenges and ideas for Firstsite.
Establish Volunteer pool and build to include x70 continuous Volunteers by end of financial year. Target: Partially met.	Firstsite maintained a volunteer pool of x40 volunteers over the year. Our significant achievement in this area is that Firstsite has now established a partnership with Community 360 to co-deliver the volunteer programme meaning an expanded pool of 100+ volunteers can be accessed, trained and supported through bespoke provision.

9.5. Governance and Management

Target	Outputs/Report
Draft and sign off an appropriate Business Plan for the period 2018-22 involving all key stakeholders in draft and consultation. Target: Met.	Firstsite's Business Plan has been written and signed off by the Board of Trustees in January 2018. The consultation and drafting process included all three major stakeholders at several stages.
Complete a new ACE NPO funding agreement including milestones which can be adapted to suit CBC and ECC service level agreements for 2018-2022.	Firstsite has been successful in applying to the Arts Council for long-term core funding. The new agreement represents £3.2m spread across four years from 2018-22.

Colchester Borough Council strategic funding for arts organisations 2017/18

Target: Met.	
Complete x4 Board Meetings with a focus on Operations and Communications, Vision & Strategy, Diversity & Inclusion, Income Generation & Sustainability. Target: Met	Firstsite completed x5 Board meetings and x3 Special Board meetings covering the Main Strategic Objectives
Appoint new Board Members to focus on Income Generation and Audience Development Target: Met	Firstsite appointed three new Board members in October 2018. Atul Shah and Richard Polom were both appointed for the Financial Management and Accountancy backgrounds and have joined the Finance and Enterprise Group Committee. Richard Polom has taken over as Chair of the Finance & Enterprise Committee, replacing Bob Surman in December 2017. Cllr Mark Durham joined the Board as the new elected Board member for Essex County Council

9.6. Diversity

Target	Outputs/Report
Deliver against our Diversity Action Plan at least one exhibition per year with an artist sharing protected characteristics. Target: met.	93.64% of Firstsite's total exhibition days within the artistic programme were dedicated to work made by or curated by people from the protected characteristic groups. The top three represented groups were: BAME: 51.93% Disabled People: 18.96% And older people: 12.59%
Explore and design a major Equality Project via the 'John Ball Project Group'. Target: met	John Ball day was delivered on 15 th July 2017. 872 people attended. The evening panel discussion was chaired by David Isaac chair of the Equality and Human Rights Commission and panel members include Shami Chakrabarti and Professor Pamela Cox. Outcomes from the day included an audience survey indicating that perception of those attending suggests that the biggest barrier to equality in Colchester is wealth and the one thing most attendees would want to change to improve access to equality is education.

	These themes have become the cornerstones of Firstsite's Learning & Education Programme.
Increase audience diversity by 1% over the year Target: Partially met	In terms of overall volume, Firstsite's visitor attendance increased across all the protected characteristic groups we measure. However, proportionately, Firstsite's audience became less diverse with proportionate decreases in most areas including disabled visitors, mixed, Asian or Asian British visitors and visitors aged below 44 years old. There were small proportionate increases in Black, Black British and Other ethnic background visitors.
Appoint x2 new Board members from BAME backgrounds Target: Partially met	Firstsite appointed one new Board member with a BAME background.

9.7. Children and Young People

Target	Outputs/Report
Attract 2-3 schools to Firstsite per week on average. 100 school visits in total over the financial year. From across Essex, with specific focus on Garrison Schools and Schools in areas of economic disadvantage. Target: met	Firstsite delivered 491 sessions for children and young people and worked with 50 schools who made 159 visits in total. This is an average of 2.29 visits per week. This is an increase in one additional school to the portfolio and a 37% increase in overall visits. The Holiday Hunger project in the summer holidays generated 4548 participants and 394 meals for children who would normally receive free school meals during term time.
Engage x20 Young Artists and Curators in 1 st hand exhibition experience each over the course of the financial year. Target: met	Firstsite's YAK programme engaged x18 young artists and curators over the financial year. They researched and produced two exhibitions: We, You, Me which was curated by young curators from the region and involved work by emerging artists and Chip Night as part of the Britishness Project which enabled artists to curate works from the Koestler Trust annual, national prisoners artworks competition.
Attract 25% of Volunteers with age range under 25. Target: met	Firstsite engaged x44 volunteers over the period. X26 of these volunteers were below the age of 25 achieving 59% over double the 25% target.
Deliver major Young People project in conjunction with Garfield Weston	Firstsite delivered 8 months of workshops and activities in schools across Colchester and North Essex

Colchester Borough Council strategic funding for arts organisations 2017/18

Foundation and Coode-Adams Firstsite Trust Target: met	delivered by artists commissioned through the Britishness project. These workshops and activities generated artworks and outputs that were presented as part of a three month long exhibition at Firstsite.
------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

9.8. Older People

Target	Outputs/Report
Attract 20% of Volunteers with age range 60+ Target: Partially met	Firstsite engaged x44 volunteers over the period. X6 of these volunteers were above the age of 60 achieving 17.14% just below the 20% target.
Attract 10% of audiences with age range 60+ Target: met	Firstsite's audiences attracted 56,982 visitors over the age of 60. This represents 36% of its overall audience attendance.
Deliver x3 events through the 'Community Events Programme' targeted at Older People including a lunch for Veterans on 12 th November 2017. Target: met	Firstsite delivered the following events targeted at older people: <ul style="list-style-type: none"> • Will Quince's Older People's Fair • Veterans' lunch • Age concern conference

9.9. Job Creation, sector skills development and contribution to the local economy

Target	Outputs/Report
Deliver x3 Work Experience Placements over the financial year Target: met	Firstsite delivered x3 work experience placements with the University of Essex. They worked in the finance and programme teams from January to March 2018. One has continued on at Firstsite as a Gallery and Project Assistant.
Deliver x1 Internship supported by the Firstsite Collector's Group Target: met	Firstsite delivered one 4 month internship supported by the Firstsite Collectors' group to support the delivery of the Grayson Perry Gala dinner

9.10. Environmental and Economic Sustainability

Target	Outputs/Report
Complete Building Review and establish Environmental sustainability and action Plan Target: Partially met	Firstsite has completed a comprehensive building review and has identified one major new project for 2018/19 to replace the lighting system that will significantly improve our carbon footprint.
Collate and publish targets to reduce carbon footprint and provide evidence	Firstsite has not collated and published its targets to reduce its carbon footprint.

Colchester Borough Council strategic funding for arts organisations 2017/18

of improvement at regular intervals Target: not met	This has been rescheduled for the new financial year.
Establish two new major partnership projects with NPOs in Colchester and SE region that lead to new sources of income to Firstsite, Colchester and the region. Target: met	Firstsite has developed its partnership with Colchester and Ipswich Museums Services to deliver x3 new presentations over the financial year. Firstsite collaborated extensively with the Mercury Theatre to re-locate the venue to Firstsite in 2019/20. However, the project was eventually unsuccessful due to the scheduled building works adjacent to Firstsite.
Deliver one major income generation project designed to raise firstsite's profile amongst potential supporters as well as creating new unrestricted income Target: met	Firstsite delivered the successful, well attended and well received Grayson Perry Gala Dinner and lecture as part of the solo presentation of the Turner Prize-winner's solo presentation. The event generated £25,000 of unrestricted funding.

9.11. What are Firstsite's particular plans to promote the support that the Council provides during the period of the agreement?

- 9.11.1 CBC Logo and acknowledgement of support will appear on all promotional material including x15,000 exhibition guides, new website, fortnightly e-bulletins and social media posts.
- 9.11.2 Firstsite will continue to deliver a Community events programme which proactively seeks to offer its facilities to specific communities who will benefit from our support such as Colchester Refugee Action, Civic Alliance, Big Sunday etc
- 9.11.4 Firstsite will regularly present at conferences and events locally and nationally to raise the profile of CBC's investment in culture.
- 9.11.5 Firstsite will attend Independent Advisory Group meetings, Creative Colchester meetings, SECEN meetings and University of Essex Digital Programming Advisory Group meetings to continue to support strategic activities in the area

9.12. Please outline the way in which your organisation meets relevant local, regional and national strategies.

Local

9.12.1 Firstsite will enter into a Memorandum of Understanding between itself, The Mercury Theatre, Colchester Art Centre and Colchester & Ipswich Museums in order to better facilitate inter-organisational collaboration at all levels of our activities including sharing training opportunities, agreeing data sharing methods and shared box office systems.

9.12.2 Firstsite will take a proactive leading role in the delivery of project outcomes for the Creative Colchester Strategy and Board.

9.12.3 Firstsite is now a member of the Visit Essex Consortium, the One Colchester Volunteer strategy group and University of Essex LGBT Action Group

9.12.4 Firstsite is taking a proactive role in supporting the Business community of Colchester by developing the conversation around the Our Town project lead by Newsquest and Fenwick.

Regional

9.12.5 Firstsite is collaborating on an Ambition for Excellence project with Arts Council support to increase levels of regional cultural activity. The project is in collaboration with Wysing Arts Centre and Kettles Yard in Cambridge.

National

9.12.6 Firstsite is a member of the +Tate network of galleries that regularly meet to share best practice and collaborative opportunities as well as visiting other organisations to see first hand activity in other regions of the UK.

9.12.7 Firstsite is proactively drawing high profile exhibitions and projects such as the forthcoming Raqs Media Collective and Gillian Wearing Suffragist exhibitions in collaboration with 14/18NOW both of which will generate national news coverage for Firstsite and Colchester.

11.0 Acceptance

11.1 Upon signing this agreement, the organisation agrees to the terms and conditions of funding and use reasonable endeavours to meet the performance targets and monitoring framework that have been outlined above.

On behalf of Firstsite	Date	
-------------------------------	-------------	--

Signed (Executive Director)

Name (please print)

On behalf of Firstsite	Date	
-------------------------------	-------------	--

Signed (Chair of the Board)

Name (please print)

On behalf of Colchester Borough Council	Date	
------------------------------------------------	-------------	--

Colchester Borough Council strategic funding for arts organisations 2017/18

Signed (Portfolio Holder)

Name (please print)

On behalf of Colchester Borough Council

Date

Signed (Officer)

Name (please print)
