

## **CULTURE SERVICE - FLEXIBLE FUNDING**

### **APPLICATION GUIDELINES 2021/22**

#### **DIVERSITY & INCLUSION FUND**

**Promoting ethnically diverse representation  
in Edinburgh's arts and culture sector**

#### **INTRODUCTION**

This funding has been allocated as a result of the city's Culture Plan to deliver wider access to Council cultural funding opportunities and continues the Council's core role in ensuring Edinburgh is a city of creative opportunities. Our cultural activity and offer continues to be a crucial contribution to the city's success as an exceptional place to live and work.

The Diversity and Inclusion Fund seeks to support the work and narratives of ethnically diverse artists and creatives which have been developed and delivered through multi-art form collaborations and partnerships. It reflects feedback from applicants, fund recipients and network members following the 2020 Diversity and Inclusion programme, as well as Collaboration, Research and Development Funding programmes offered to Edinburgh-based practitioners and organisations. With the mainstreaming of ethnically diverse work in mind, this fund supports greater visibility and recognition of work designed and managed by ethnically diverse artists and creatives for the benefit of participants, audiences and the arts and sector industry at large. It seeks to invest in Edinburgh-based talent and promote the diversity of thought, ideas and expression. It also encourages innovation and experimentation when devising new creative interventions and testing collaborative working models.

In line with the findings and recommendations of the City of Edinburgh Council Equality, Diversity and Rights Framework 2017-21: Interim Progress Report, 2017- 2019', the Diversity & Inclusion Fund has been developed to 'advance equality of opportunity between people who share a protected characteristic,' (in that context ethnicity other than Scottish/British White).

As stated in the Action Plan agreed at the Culture and Communities Committee Meeting on 18 June 2019, the City of Edinburgh Council is committed to promoting stronger collaboration, developing new partnerships and creating new funding streams for the culture sector in Edinburgh.

This is one of three cultural project funding opportunities the City of Edinburgh Council has allocated resources towards, and for projects developed in financial year 2021/22: Diversity & Inclusion Fund; Edinburgh Creative Practitioner/Artist Support Fund and Creative Community Partnerships Programme: Collaboration & Exchange Fund.

## **PURPOSE OF SCHEME:**

Grants will be awarded to projects that promote greater partnership collaboration between minority ethnic artists/practitioners, independent creatives and/or Edinburgh-based cultural organisations. Projects should reach, involve, benefit and engage ethnically diverse artists/creative practitioners and cultural organisations based in Edinburgh.

The fund is intended to support projects and activities, including professional development, production development, development of work and cultural events, that utilise multiple art forms, such as visual and performing arts (music, dance, spoken word and theatre), film, digital arts, literature and poetry, to promote greater collaboration and partnerships between ethnically diverse artists and creatives and cultural organisations in Edinburgh. Priority will be given to quality multi art form projects.

## **FUNDS AVAILABLE:**

A total budget of £100,000 is available offering grant awards of up to £10,000 for projects developed in financial year 2021/22 and completed by the end of December 2022.

Please note that all project facilitators, artists, creatives, managers involved in the project delivery are expected to be remunerated as per industry rates. Only in special circumstances when project partners declare that they do not require to be paid for their work and their contribution towards the project delivery is in-kind they can be involved on a no-fee basis. Links to industry rates, as recommended by industry bodies, are listed below:

[BECTU](#)

[ITC](#)

[UK Theatre / Equity Commercial Theatre Rates](#)

[UK Theatre/ Equity Rates for Subsidised Managers \(in receipt of public funding\)](#)

[UK Theatre/Musicians Union](#)

[UK Theatre / Writers Guild](#)

[SSP](#)

[UK Theatre/ BECTU/Equity Choreographers:](#)

[UK Theatre/ BECTU/ Equity Designers/Resident Designers](#)

[Set and Costume Designers](#)

[Lighting Designers](#)

[UK Theatre/ BECTU/ Equity Directors](#)

[Visual Artists \(Paying Artists\)](#)

[Exhibition Payment Guide](#)

[Musicians](#)

[The Society of Authors](#)

**Applicants should apply for the exact amount needed for their project and will not automatically be awarded the full amount of their application submission. The awards panel reserves the right to award an amount different to that submitted.**

**DEADLINE: Friday 14 January 2022 (23:59 GMT). Late applications will not be accepted.**

Please note that the funding award for successful applications will be issued in one payment (100%) on receipt of a signed funding agreement. You will be required to submit for approval, a project report on completion of project. You will be advised w/b **31 January 2022** if your application has been successful by email. Funding payments to successful applicants will be made within 6-8 weeks from the date of notification of a successful funding application.

## WHO CAN APPLY?

**\*\*\*Please note that the lead applicant's eligibility criteria have been updated, inviting non-registered but constituted organisations, in addition to charities and not-for-profit companies, to apply for funding in partnership with ethnically diverse artists.\*\*\***

- Projects must have an ethnically diverse lead artist / creative and take place within the City of Edinburgh boundary with Edinburgh-based partners.
- Partnership working is a City and Culture Plan funding priority therefore applicants will be expected to place an emphasis on this in any submission. This can be both in cash and/or in kind.
- A constituted organisation must be the lead project partner for the release of any grant award. The organisation will be asked to provide a copy of their constitution to the Council and where appropriate the organisation's Memorandums & Articles. Your financial accounting practices will need to meet as a minimum the essential elements and requirements of the Office of the Scottish Charity Regulator (OSCR).
- A Council revenue-funded Strategic Partner organisation or Grouping cannot lead on an application and if they are in receipt of Strategic Partnership grant funding of more than £50,000, they cannot directly receive project grant funding. They can, however, be involved as a partner in any application. For example, a venue may act as host or a company provide in-kind support. A list of CEC Strategic Partner organisations and Groupings can be found in the Related Documents section in the online application.
- Only one application per partnership can be considered.
- Please note that the same project cannot be considered for all three Flexible Funds (ie Diversity & Inclusion Fund; Edinburgh Creative Practitioner/Artist Support Fund and Creative Community Partnerships Programme Fund).
- Those in receipt of the Diversity and Inclusion as well as Collaboration, Research and Development Fund are eligible to apply as long as they present, or are part of, a new partnership/project for consideration.

The [Culture Plan](#) vision is that “city partners work together to keep culture and creativity at the heart of Edinburgh’s success”. Further information on the vision can be accessed through the [Council’s Business Plan](#).

## CRITERIA:

Applications will be assessed against the following criteria:

- an imaginative and/or experimental creative concept;
- confirmed partnerships and quality of project management;
- practical involvement of ethnically diverse artists and creative practitioners **and/or** genuine engagement of the city's ethnically diverse communities.

## PRIORITIES:

1. Demonstrable ethnically diverse artist/practitioner lead involvement;
2. Creative concept;
3. Partnership/collaboration working - a City and Culture Plan funding priority; and
4. Use of multi art forms within projects.

We will be assessing the likely impact of the project and to what degree it will extend the reach of cultural activity in the city, especially in hard to reach communities, greater visibility and representation of the ethnically diverse arts and culture in particular.

We want to see how you propose to use this funding and what you envisage the direct impact of that funding will be.

Our focus will be on what major difference this funding will make to the project (i.e. what wouldn't happen without this support).

## EXCLUSIONS:

### Applications cannot be considered:

- for projects already started or planned to start before the decision is made, ***unless it is the next stage of a previously completed phase of work;***
- if received after the deadline date; and
- unless there is a suitable management/governance structure in place.

### Funding cannot support:

- Revenue costs or permanent posts
- Press events or launches
- Equipment items or capital projects
- Projects which primarily take place outside Edinburgh.

Please note that the support offered to ethnically diverse artists and creatives by this fund is using positive action to promote equality as reflected in the Equality Act 2010.

## HOW TO APPLY:

Please read these guidelines carefully. Applications must be submitted using the application form, returned by the stated deadlines and signed by the applicant. Please contact Beata Skobodzinska 0131 529 4577 [beata.skobodzinska@edinburgh.gov.uk](mailto:beata.skobodzinska@edinburgh.gov.uk) or Sandra Elgin 0131 529 6720 [sandra.elgin@edinburgh.gov.uk](mailto:sandra.elgin@edinburgh.gov.uk) if you require advice on your application.

**Before starting this application online, please download a blank PDF application form for your preview. Please also download the Application Guidelines, the Council's Standard Conditions of Grant, Part B of the Application Form (Budget) spreadsheet and the Equal Opportunities Monitoring Form.** Links to the Council's Culture Plan, Business Plan and Privacy Notice are also available in the Related documents section.

## **APPLICATION PROCESS AND AWARDS PANEL**

Submitted application forms will be acknowledged via email. Applications will be considered by members of the awards panel, comprising officers from the City of Edinburgh Council and specialist independent advisors.

The panel will meet within 3 weeks of the fund deadline, and you will be informed by email of the outcome within further 2 weeks of the meeting.

Once you have submitted my application form, please complete the [Equal Opportunities Monitoring Form](#).

### **Privacy Notice**

To deliver Council services we need to collect, store, use, share and dispose of personal information. This is known as data processing.

When we collect personal data, we must tell you why we need it, and what we will do with it. This information is called a privacy notice.

The Privacy Notice [link](#) takes you directly to the City of Edinburgh Council's privacy notice. Here we explain how we process your personal information as a Council.

**It is the responsibility of grant applicants to carefully read the following Council Standard Conditions of Grant (Council Funding Conditions) as these will be the basis of any grant relationship. These conditions may be subject to change over the proposed funding period, however, grant recipients will be sent any updated conditions.**

## **COUNCIL STANDARD CONDITIONS OF GRANT**

These are the City of Edinburgh Council's (Council) standard conditions for the award of grant funding.

The Council provides grant funding to third parties to improve social, environmental, health and well-being and economic outcomes for Edinburgh's citizens and communities. The Council is committed to working in partnership with third party organisations, to ensure the agreed outcomes/objectives related to this funding are delivered.

If you want to be considered for a Council grant, you must be willing to accept the following conditions (Please note that there may be additional conditions applied by the specific Council service making individual grant awards):

### **1 General**

- 1.1 You must provide confirmation that your organisation is properly constituted. You will be asked to provide a copy of your constitution to the Council and where appropriate your organisation's Memorandums & Articles.
- 1.2 You must only use Council funds for the purposes agreed with the Council, as stated in your Funding Agreement, or as agreed in writing by the Council and these should be treated as restricted funds in your organisation's accounts.
- 1.3 All organisations are expected to have the following in place:
  - suitable operational and financial management practices;
  - proven effective organisational governance;
  - auditable record keeping systems; and
  - relevant employment, equalities, rights and sustainability policies.

### **2 Sound Financial Practice**

- 2.1 Your financial accounting practices will meet as a minimum the essential elements and requirements of the [Office of the Scottish Charity Regulator](#) (OSCR).
- 2.2 If your grant is more than £10,000 in total, you will need to submit to the Council financial information as required by OSCR. This financial information should be returned each financial year, either by 30 December or such other date as agreed with the relevant service area providing funding.
- 2.3 If your grant is below £10,000 in total, you will need to submit records and receipts to demonstrate that the Council funds were used as indicated within your Funding Agreement. This information should be returned for the previous financial year, either by 31 July or another date set by the relevant service area providing funding.

- 2.4 Failure by an organisation to submit the required financial information or annual performance report on request may seriously jeopardise any future funding relationship with the Council.
- 2.5 The organisation's record-keeping and management practices should be of a good standard compliant with the [Public Records \(Scotland\) Act 2011](#).

### **3 Monitoring the use of Council funds**

- 3.1 The Council service area providing funding and the funded organisation will each nominate a contact person in respect of the grant to:
- be the initial point of contact on matters relating to their funding relationship; and
  - ensure that the agreed monitoring and review processes are effectively managed.
- 3.2 The Council service area's nominated officer, for the purposes of the Funding Agreement, the Grant Monitoring Officer (GMO), will be entitled to attend the organisation's Board/Committee meetings subject to giving advance notice and in an observer capacity and where the GMO requests must be provided with minutes and or board papers of such meetings.
- 3.3 The Council is committed to the principles of collaboration and co-production. Co-production means the real and meaningful involvement of the citizens of Edinburgh and recipients of services in delivering better outcomes. For the purposes of co-production and improving the service, the GMO may meet with service users for feedback sessions. As a grant recipient you are encouraged to communicate effectively and to work together with recipients of services and communities of interest to achieve and improve outcomes.
- 3.4 Performance in relation to the Funding Agreement will be reviewed annually through a variety of means and may involve at least one meeting per year for this purpose. The Council should be provided with a written report covering achievements against the Funding Agreement and detailing any outstanding plans for use of the grant.
- 3.5 If your grant is for more than £10,000 per annum, you will be required to provide an annual financial and performance report which shall include, outcomes, impacts and outputs delivered annually as a result of receiving the grant as detailed and agreed as part of the Funding Application. User satisfaction levels.
- Performance against targets set in Funding Agreement
  - Volunteering and paid staff hours
  - Additional funding received
- 3.6 If any Council funds contribute to an organisation's financial reserves, these must be accounted for as restricted reserves. Where possible, an organisation should continue the general good practice guidance of maintaining non-earmarked reserves equal to three months' operating expenditure.



- 3.7 If an organisation is winding up, the GMO must be consulted about any proposals to distribute surpluses and assets. Any unspent Council funding must be returned before any distribution is commenced. Approval may be sought from the Council to use unspent funding to meet outstanding commitments such as salaries, rents and costs incurred in winding up etc.

#### **4 Protecting the Environment**

- 4.1 Your organisation's policies and practices should minimise any detrimental environmental impacts and complement the Council's commitment to protecting and improving Edinburgh's environment for future generations.
- 4.2 You will ideally have in place, or will develop, an Environmental Policy which supports the Council's commitments to reduce carbon emissions and work towards a more environmental and sustainable society as set out in the Council's City Sustainability Strategy 2030 and the targets set by the Council for the City of Edinburgh to be carbon neutral by 2030.

#### **5 Equalities**

- 5.1 Your organisation must have a commitment to mainstream equalities and rights in accordance with the [Equality Act 2010](#) Both in terms of its practices employing staff and volunteers and in providing services, you should be able to show how your organisation:

- advances equality of opportunity;
- fosters good relations; and
- eliminates any unlawful discrimination, harassment and victimisation.

- 5.2 If service users or prospective service users ask, you must produce information in accessible formats (e.g. tape, disk format, Braille, large print (18 or 36 point) and community languages). Records of requests for accessible formats should be kept and shared with the GMO at Funding Agreement meetings.

#### **6 Staff and Volunteers**

- 6.1 If your activities involve children and adults at risk, you must:

- vet staff and volunteers using the national disclosure scheme and provide written confirmation that this has been carried out;
- train staff and volunteers to communicate effectively with clients and be aware of relevant safety issues;
- follow the policies and procedures for making the Council aware of [any abuse or neglect](#); and
- [be aware of and follow the Prevent Duty Guidance for Scotland](#)  
<https://www.gov.uk/government/publications/prevent-duty-guidance/revise-prevent-duty-guidance-for-scotland>

Copies of procedures which may offer a useful framework, such as [Safer Recruitment Through Better Recruitment](#), are available from your supporting service area.

- 6.2 Vacancies for posts, funded (or contributed to) by the Council grant, covering six months' duration or longer, should be publicly advertised. Advertising must indicate that the organisation is in receipt of funding from the Council for the post(s) concerned.
- 6.3 If your activities involve the use of volunteers, volunteer management and support should be of the highest standard in line with the [Investing in Volunteering scheme](#).
- 6.4 If a Council funded post lies vacant for a period of time, funding may be reduced proportionately.
- 6.5 Staff must not be hindered in any efforts to establish trade union recognition in your organisation.

## **7 Sponsorship and Publicity**

- 7.1 If offered sponsorship packages that could be considered controversial such as tobacco, alcohol or pay day lending, you must advise the GMO at the earliest opportunity. If you are in doubt, please contact your GMO to discuss.
- 7.2 If you produce any publicity or promotional information about your organisation, including information of events or exhibitions, social media activity, recruitment information or annual reports, this material must indicate the Council's support, proportionate to the level of funding being provided. In addition, this proportionally must be reflected when listing any other funders / supporters.
- 7.3 You must adhere to Council procedures relating to the acknowledgement of funding eg: the Council logo, or the words 'Supported by the City of Edinburgh Council' should always appear on promotional material, websites, online presence, social media, programmes, annual reports and job vacancy advertisements.
- 7.4 By prior agreement, the Council and the funded organisation shall be entitled to:
- host promotions, photo calls and press briefing at mutually convenient times, located within the funded organisation;
  - issue press releases regarding areas of the funding relationship at any time throughout the period of the fund; and
  - work closely with the Council's Communication Team to identify mutually beneficially promotional opportunities. Your GMO can give you the relevant contact in the Council's Communication Team.
- 7.5 During the period of funding, any press release or other communications activity which relates to the relationship between a funded organisation and the Council, must be agreed by both parties before being issued. Any releases or other communications activity out-with this period that relate to activity associated with this funding must also reference the Council's support and the opportunity for the inclusion of a Council comment.
- 7.6 [Section 2 of the Local Government Act 1986](#) prohibits the Council from publishing any material that appears to be designed to affect public support for a political party. The same section also prohibits the Council from awarding funding to organisations for this purpose.

## **8 Funding Terms**

- 8.1 Funding agreements cover a single financial year. Where a grant award spans more than one year, this can be referenced in a funding agreement but awards for a second and subsequent year(s) of funding are “in principle” only. Funding agreements are reviewed and renewed annually and grant awards for second or subsequent year(s) are subject to the Council’s own financial position as judgement on the satisfactory performance of funded organisations.
- 8.2 You acknowledge that the Council is bound by Grant Standing Orders and to encourage the future financial sustainability and diversity of funding sources all grant recipients are encouraged where possible to seek and secure alternative sources of funding and to acknowledge that Council grant programmes are subject to the requirement to openly advertise grants to all eligible applicants unless agreed by the relevant Committee.
- 8.3 Funding will be issued following the agreement of both parties to the Funding Agreement and related signing. The funds will be paid by the Council in the form of direct payment through BACS to the organisation's bank account.
- 8.4 The Funding Agreement will record the pattern of payments to be followed. Payment will be by BACS into the organisation’s bank account.

## **9 Breach, termination and variation of the Funding Agreement**

- 9.1 The Council acting reasonably and proportionately shall have the right to demand immediate repayment by the organisation of the whole grant or any part thereof if there is failure to:
- give appropriate recognition of the Council’s support as outlined above;
  - comply with all the terms and conditions specified;
  - attend, as appropriate, meetings with the Council;
  - communicate in advance proposed changes in the Funding Agreement including any inability to meet agreed service delivery outcomes;
  
  - act to meet the agreed targets contained in the Funding Agreement;
  - make decisions or operate systems to the standards expected by the Council in managing public funds.
- 9.2 This agreement will automatically terminate with immediate effect:
- by reason of fundamental breach, unremedied or repeated default on the Funding Agreement conditions;
  - following a breach of statutory duty;
  - if the funded organisation is in receivership, insolvent or in liquidation;
  - if the funded organisation does anything to bring the Council into disrepute.

Based on any of the above, the Council reserves the right to the return of appropriate funds from the organisation.

- 9.3 To terminate a Funding Agreement, either party must submit a Notice of Termination to the Registered or Head Office of the other party by recorded delivery or registered post.

- 9.4 Any party wishing to vary a Funding Agreement will need to give a minimum of twenty-eight days' notice to the other party or parties of the proposed variation. Any variation shall only be valid if agreed by both parties in writing.

## **10 Miscellaneous Conditions**

- 10.1 For the purpose of this clause 10 the terms "data controller", "processor" and "personal data" shall have the meaning set out in the Data Protection Legislation.
- 10.2 "Data Protection Legislation" means all applicable laws relating to privacy and the processing of personal data including the [General Data Protection Regulation \(EU\) 2016/679](#) and the [Data Protection Act 2018](#) or any equivalent or similar legislation implemented in the UK following the UK's withdrawal from the European Union.
- 10.3 "Information Legislation" means the [Freedom of Information \(Scotland\) Act 2002](#) and the [Environmental Information \(Scotland\) Regulations 2004](#).
- 10.4 You must observe your obligations under the Data Protection Legislation and the Information Legislation, and shall comply with all applicable laws, regulations, best practice and codes of practice.
- 10.5 You acknowledge that the Council is subject to requirements under the Data Protection Legislation and the Information Legislation. Where requested by the Council, you will provide reasonable assistance and cooperation to the Council to assist the Council's compliance with its information disclosure obligations.
- 10.6 On request from the Council you will provide the Council with all such relevant documents and information relating to your data protection policies and procedures.
- 10.7 You acknowledge that the Council, acting in accordance with the codes of practice issued and revised from time to time relating to the Information Legislation, may disclose information concerning your organisation and this Funding Agreement without consulting you.
- 10.8 You can request that specific information you provide to the Council as part of the Funding Agreement is exempted from disclosure under the Information Legislation. However, no guarantee can be given that the Council can comply with such a request.
- 10.9 You agree that you are the data controller of any personal data processed by you for the funded activities agreed with the Council as stated in the Funding Agreement. You will comply fully with the Information Acts to the extent that they are applicable to you and with the ICO's public guidance for data controllers.
- 10.10 You agree that the Council, its employees and contractors may use personal data which you provide about your staff, partners and participants involved in the activities agreed with the Council in order for the Council to administer and evaluate the grant, and to exercise the Council's rights under the Funding Agreement.

- 10.11 You agree that the Council may share details of the grant, the name of your organisation and any personal data obtained from you with the Scottish Government and that such details may appear on any Government Grants Information System database which is available for search by other funders. You also agree to the Council publishing any details of the grant on the Council's website.
- 10.12 You will ensure that you have adequate insurance including public liability and employer's liability.
- 10.13 You will provide, if requested, evidence that where the award is used to purchase items of equipment, the equipment is adequately insured. In the event of the equipment being lost, stolen or damaged and not replaced, money obtained from the insurance must be paid to the Council.
- 10.14 In the event of items of capital equipment funded by the Council being no longer required, or an organisation with such equipment ceasing to exist, at the discretion of the appropriate Director, the equipment should be returned to the Council.
- 10.15 You will notify the Council of any conflict of interest that may reasonably be deemed to affect the impartiality of any member of staff, volunteer, Office Bearer or Board/Management Committee Member on any matter relevant to his or her duties.
- 10.16 You will provide evidence to the Council that the organisation is working to support the principles of Best Value. These principles include:
- Accountability to service users;
  - Transparency in the organisation's decision-making through easily accessible information;
  - Demonstration of continuous improvement in the provision of services or activities; and
  - Encouraging ownership of the organisation by all stakeholders through effective consultation processes.
- 10.17 The Council will not approve grants for projects whose members have been involved in activity deemed to be inappropriate by the Council e.g. fraud, criminal activity or breach of workforce regulations.

## **11 Fair Work Practices / Living Wage Foundation Rate**

- 11.1 The Council expects funded organisations to adopt policies which comply with fair work practices. Fair and equal pay, including the Living Wage, is a positive factor and one of the clearest ways in which a funded organisation can demonstrate that it adopts fair work policies.
- 11.2 The Council has committed to the [Living Wage Foundation Rate](#) (currently £9.30 per hour as at July 2020, the new annual rate is announced in November during Living Wage week each year), and therefore encourages funded organisations to do the same.
- 11.3 Funded organisations can also demonstrate a commitment to fair work practices through a variety of policies and practices including, but not limited to: recruitment, remuneration, terms of engagement, skills utilisation and job support and worker representation.

**12 New conditions of grant provision**

- 12.1 If there is a need to introduce new conditions of grant, the Council will make organisations aware, including the reasons for their introduction.

**13 Special Conditions**

Organisations must comply with the special conditions noted below:

- 13.1 If you are registered with the Care Inspectorate, you are required to inform the Council and/or EHSCP as appropriate of any changes to your registration or inspection grades or where any restrictions or conditions have been attached to your provision.