

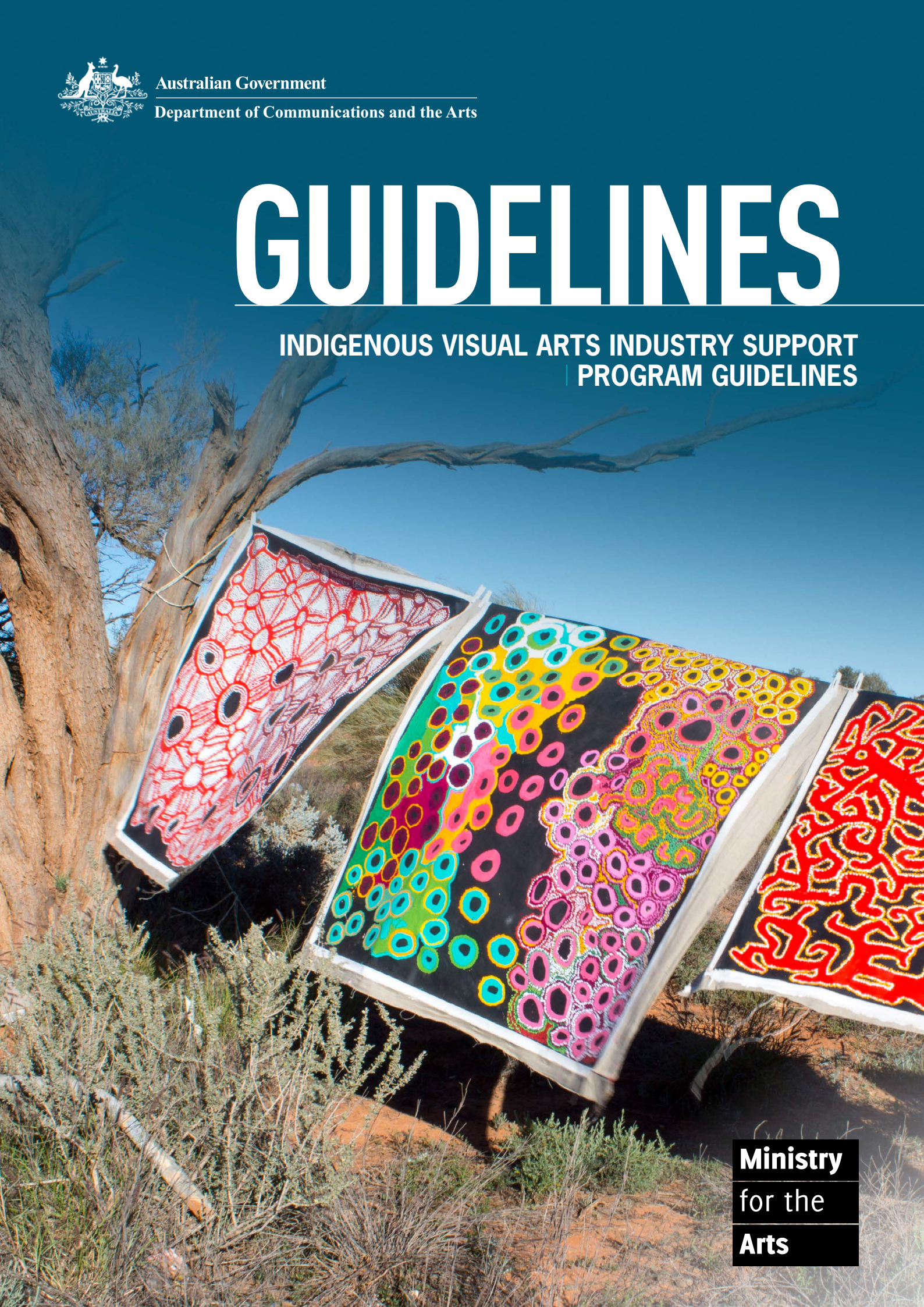


Australian Government

Department of Communications and the Arts

GUIDELINES

INDIGENOUS VISUAL ARTS INDUSTRY SUPPORT
PROGRAM GUIDELINES



Ministry
for the
Arts



Artworks from the Spinifex Arts Project drying in Spinifex country, near Tjuntjuntjara WA. Photo: Amanda Dent

CONTACT DETAILS

If you have any questions regarding the Indigenous Visual Arts Industry Support program, or if you require a hard copy of these guidelines, please:

- visit www.arts.gov.au/indigenous/ivais
- email ivais@arts.gov.au, or
- phone **1800 006 992**.

We would like to thank the following organisations for generously sharing images showing IVAIS program outcomes: Badu Art Centre, Yalanji Arts, Bula'bula Arts, Erub Arts, Giringun Aboriginal Art Centre, the Indigenous Art Centre Alliance, Injalak Arts and Crafts, Moa Arts, Pormpuraaw Arts and Cultural Centre, Salt Water Murris Quandamooka, Spinifex Arts Project, Wik and Kugu Arts and Crafts Centre, Tjungu Palya, Warakurna Artists, and Warlukurlangu Artists.

Aboriginal and Torres Strait Islander peoples should be aware that this publication may contain images of people who have since passed away.

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PART 1

INTRODUCTION

1 CONTEXT

The Ministry for the Arts develops and administers Australian Government programs and policies that encourage excellence in art, support our cultural heritage and provide access to arts and culture. This enables artists and organisations to shape our cultural landscape, increase cultural diversity, and inspire, educate and entertain audiences nationally and internationally.

We provide targeted funding to support Indigenous arts and languages. This results in outcomes that align closely with the Australian Government's priorities of improving the lives of Aboriginal and Torres Strait Islander peoples and making sure that all Australians have access to the same opportunities.

Our Indigenous programs promote the sharing of language and culture between generations and the ongoing viability of Indigenous-owned enterprises. They enrich the social, cultural and economic life of Indigenous communities and provide opportunities for Aboriginal and Torres Strait Islander peoples to generate income, gain employment and develop professional skills, while maintaining a continued connection to country and culture.

2 PROGRAM CHANGES

The Ministry for the Arts is improving the way it delivers this funding.

We have consolidated the Indigenous Visual Arts Industry Support, Indigenous Culture Support and Indigenous Languages Support programs, along with the Indigenous Employment Initiative, into these programs:

- Indigenous Languages and Arts (ILA) program
- Indigenous Visual Arts Industry Support (IVAIS) program.

In 2015-16 the Government will provide approximately \$40 million through the ILA and IVAIS programs.

These guidelines are for the IVAIS program.

For information on the ILA program, including program guidelines, please visit: www.arts.gov.au.

2.1 What is new in the IVAIS program?

In summary, from 2015-16 the IVAIS program will:

- continue to fund the operations of Indigenous art centres and industry service organisations that support the production, promotion and marketing of Indigenous visual art
- provide funding for art centres to employ Aboriginal and Torres Strait Islander arts workers
- be delivered through one funding agreement to reduce reporting and enable recipient organisations to liaise with one program management team in the Ministry for the Arts
- primarily be delivered through targeted allocation to organisations that best meet the program objectives, have a history of high-level performance, and have previously received IVAIS funding.

In response to feedback from stakeholders, the way that you employ arts workers can now be more flexible. Within the parameters of the Australian Government's National Employment Standards you can now:

- design a staff structure, including your arts workers, that best meets your needs
- offer arts workers full-time, part-time or casual positions
- offer higher salary levels to higher-performing, more experienced arts workers.

2.2 What does this mean for your organisation?

If you were funded through the IVAIS program to deliver an activity in 2014-15, and the contract for this activity expires on 30 June 2015, we will contact you prior to this date regarding future IVAIS funding.

If you did not receive funding in 2014-15 through the IVAIS program, you may be eligible for project funding through the open, competitive project stream of the Indigenous Languages and Arts program.

3 INDIGENOUS VISUAL ARTS INDUSTRY SUPPORT

Australian Indigenous visual art is internationally recognised and sought after for its quality, innovation and cultural richness. The Australian Government is committed to investing in our Indigenous visual arts industry so that it is developed and strengthened for future generations.

The IVAIS program provides base operational support to a network of around 80 Indigenous-owned art centres, as well as a number of industry service organisations across Australia. This network provides professional opportunities for over 6,000 Aboriginal and Torres Strait Islander visual artists and around 300 Aboriginal and Torres Strait Islander arts workers, most living in remote or very remote communities.

Some of Australia's most dynamic visual art is produced in Indigenous-owned art centres that provide the infrastructure and relationships that allow artists to create new art, generate income, develop professional skills and connect to the commercial art market through partnerships with dealers and galleries, online sales and marketing strategies.

As community-owned organisations, art centres are responsive to local needs. While their primary purpose is to achieve artistic outcomes, they also play an important role in enhancing social cohesion, promoting respect for traditional knowledge and providing leadership opportunities for Aboriginal and Torres Strait Islander peoples.

Art centres use IVAIS funding to support core operations, and as a platform from which to generate income from art sales, with many able to leverage further support, including philanthropy, in order to sustain their operations. Most art centres have been funded through the IVAIS program for many years, with several continuously funded for more than 15 years.

3.1 The Indigenous Art Centre Plan

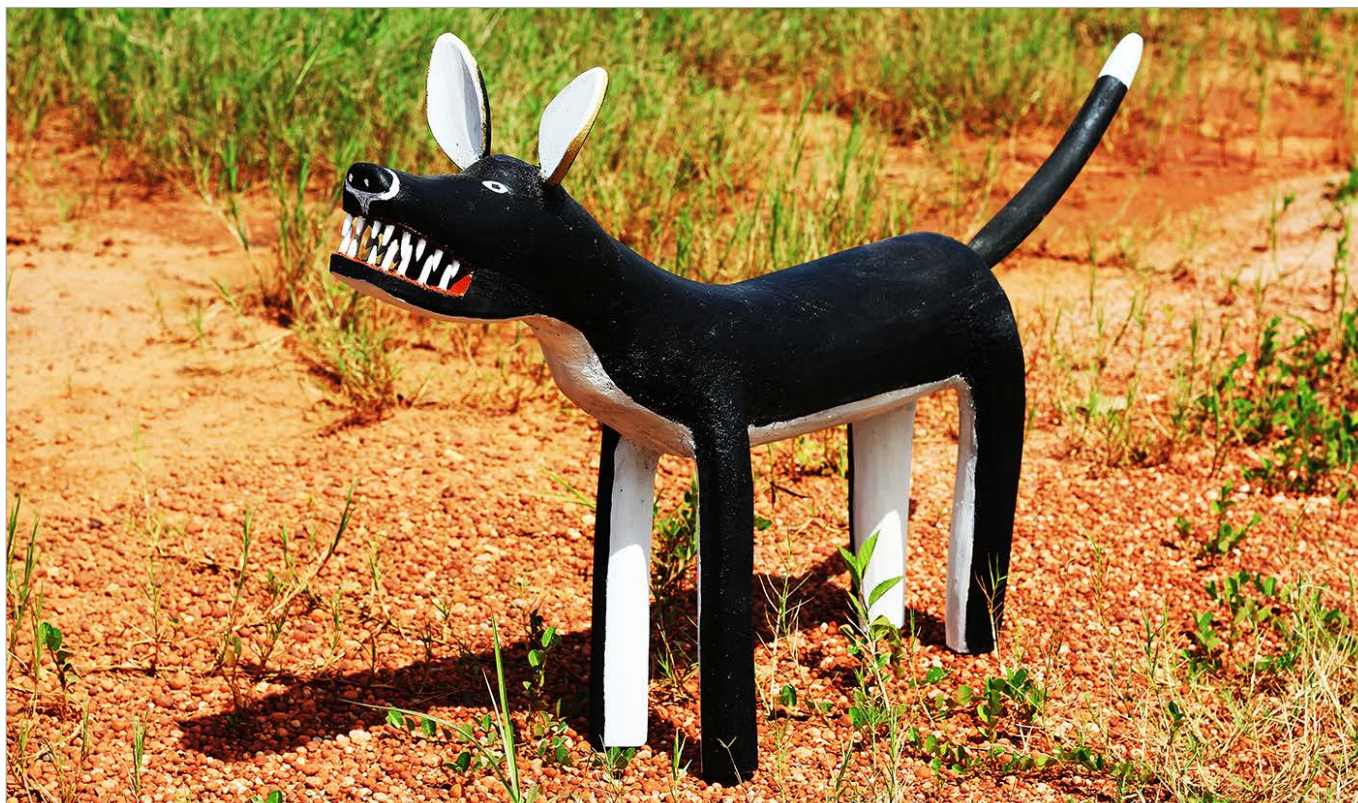
The IVAIS program is underpinned by the Indigenous Art Centre Plan that provides a co-operative framework for us to work together with art centres and industry service organisations to strengthen the Indigenous visual arts industry.

The Plan is available at:

www.arts.gov.au/indigenous/ivais

3.2 The Indigenous Art Code

The Indigenous Art Code is an industry led Code that guides ethical trade in the industry. Organisations seeking Australian Government funding through the IVAIS program are encouraged to sign up to the Code. Further information is available at: www.indigenousartcode.org.



Camp dog sculpture by Bevan Namponan of Wik & Kugu Arts & Crafts Centre in Aurukun, Queensland. Photo: Alex Ernst

4 OUTCOMES AND OBJECTIVES

4.1 Outcomes

A professional, strong and ethical Indigenous visual arts industry.

Strong participation by and employment for Aboriginal and Torres Strait Islander people in Australia's Indigenous visual arts industry.

4.2 Objectives

We will achieve these outcomes by:

- providing base operational support for Indigenous-owned art centres and industry service organisations that support Aboriginal and Torres Strait Islander artists in the production, promotion and marketing of their art
- providing opportunities for Aboriginal and Torres Strait Islander artists to develop, extend and generate income from their art practice
- providing employment and economic opportunities in the visual arts industry for Aboriginal and Torres Strait Islander people, particularly in remote communities
- providing opportunities for art centre staff, artists and board members to develop professional skills and gain experience
- supporting the delivery of professional services by industry service organisations.

4.3 Outcome indicators for this program

The following indicators will help us to assess whether the IVAIS program is successfully achieving its outcomes:

- number of Aboriginal and Torres Strait Islander artists engaged in professional art practice in art centres
- number of Aboriginal and Torres Strait Islander artists provided with visual art services by funded organisations
- number of Aboriginal and Torres Strait Islander people employed by funded organisations
- artists, staff and board members able to access professional development opportunities
- a national network of financially viable and administratively stable art centres and industry service organisations
- Indigenous visual art continues to be exhibited and collected on regional, national and international levels
- number of, and resolution of, complaints in relation to unethical behaviour.



Empty paint pots at Spinifex Arts Project in Tjuntjuntjara, WA. Photo: Amanda Dent

PART 2

ALLOCATION OF FUNDING

5 ELIGIBILITY CRITERIA

These eligibility criteria are subject to change, based on Australian Government policy. You will be advised of any changes to the IVAIS program.

5.1 Who we will fund

To be eligible to receive IVAIS program funding, you must:

- support Aboriginal and Torres Strait Islander artists in the production, promotion and marketing of their art
- have the expertise, as well as the governance, financial management and business planning capacity, to deliver a professional visual art program
- be a separate legal entity, such as an incorporated association or a company
- have an Australian Business Number
- be registered for the Goods and Services Tax, if required by the Tax Office
- have no overdue acquittals or serious breaches relating to any Australian Government funding. A serious breach is one that has resulted in, or warrants, the termination of a funding agreement.

In 2015-16, priority will be given to organisations that have previously received IVAIS funding. Funding recipients are encouraged to register under the Corporations (Aboriginal and Torres Strait Islander) Act 2006. For further information, contact the Office for the Registrar of Indigenous Corporations, or visit: www.oric.gov.au.

5.2 What we will fund

Activities funded under the IVAIS program must:

- support the operations of an Indigenous art centre or demonstrate a contribution to strengthening the Indigenous visual arts industry
- support increased Aboriginal and Torres Strait Islander participation and employment in the visual arts industry
- provide value for public money against expected results, and represent efficient, effective, economical and ethical use of public resources

Funding is not available for activities that:

- are primarily focussed on community development or cultural maintenance
- involve the re-granting of funds to other groups or organisations, without prior written agreement from the Ministry for the Arts
- are to be undertaken by an individual
- will occur outside Australia
- have commenced prior to the execution of a funding agreement
- are the primary responsibility of other Australian, State or Territory Government programs (refer to www.business.gov.au/grants-and-assistance/grant-finder for information about other government funding).



Edward Jangala Smith stretching canvas at Warlukurlangu Artists in Yuendumu, NT.
Photo: Cecilia Alfonso

While eligible for support through the IVAIS program, project-based and capital works activities are of lower priority in the context of consistently high demand for operational funding.

6 FUNDING PROCESS

6.1 We will:

- provide targeted funding to organisations that best meet the program objectives, have a history of high-level performance, and have previously received IVAIS funding
- contact art centres and service providers, whose contracts end on 30 June 2015, to discuss future IVAIS funding
- make funding recommendations to the Minister for the Arts, or the Minister's delegate, who will make the final decision based on this advice and in the context of the total available budget allocation
- determine the duration of your contract based on your past performance, delivery against contract milestones, financial viability and administrative stability. We are committed to providing stability for funded organisations where possible. Therefore, a high proportion of IVAIS funding will be committed through multi-year contracts
- on occasions, use demand-driven processes where proposals may be submitted by organisations at any time and will be assessed individually on a value for money basis against the objectives and eligibility criteria and within the available IVAIS program budget. This may include one-off grants to meet a specific policy outcome, or an urgent or specialised requirement of the granting activity.

6.2 You will:

- ensure that your organisation and activity meet the IVAIS program eligibility criteria
- demonstrate that your organisation is healthy and stable by providing us with a strategic plan, budget and staffing structure at the first project milestone in the funding agreement. We will provide templates as needed.



Mary Dhapalany from Bula'bula Arts collecting pandanus near Ramingining, NT.
Photo: Kate Riley

PART 3

FUNDING ARRANGEMENTS

7 FUNDING CONDITIONS

7.1 Funding agreement

You will be required to enter into a funding agreement with the Australian Government. The funding agreement will set out the nature of the relationship between your organisation and the Australian Government.

A high proportion of IVAIS funding will be committed through multi-year contracts. The duration of your contract will be based on your past performance, delivery against contract milestones, financial viability and administrative stability.

Standard terms and conditions of Australian Government funding, as well as draft funding agreements, are available at: www.arts.gov.au/indigenous/ivais.

7.2. Payments

The funding agreement will include an agreed payment schedule. This will usually be on a six-monthly basis. The first milestone payment will be processed once we sign the funding agreement, and once you provide us with your organisation's bank details.

We must receive and accept reports, plans and budgets as set out in the funding agreement before subsequent milestone payments will be made. Payments will not be processed where the recipient has a breach or overdue acquittal relating to previous funding.

7.3 Employment

When negotiating working arrangements, employees and employers have rights and obligations under the Australian Government's national workplace relations system.

The National Employment Standards (NES) are minimum standards that cannot be overridden by the terms of enterprise agreements or Awards. The NES set out 10 minimum standards of employment which apply to all employees in the national system, regardless of any industrial instrument or contract of employment.

The NES can be found here: www.fairwork.gov.au/employee-entitlements/national-employment-standards. More information on the new flexible arrangements for engaging Aboriginal and Torres Strait Islander arts workers can be found at: www.arts.gov.au/indigenous/ivais.



Locals working at Warlukurlangu Artists in Yuendumu, NT. L-R: Howard Jangala Sampson, Bradley Japanangka Forrest, Dean Jakmarra Nelson, Sebastian Japanangka Williams, Josiah Jupurrurla Walker, Stewart Jupurrurla Kelly and Elton Japangardi Granites (front). Photo: Cecilia Alfonso

7.4 Value for Money

We will consider whether each grant application represents value for money and will look at expected results, funding requested and the contribution the applicant organisation will make.

You must contribute to achieving value with public money by:

- considering how best to deliver the grant funding strategy to target groups or individuals. This may involve using existing processes and technologies or professional standards, or it may involve innovation and performance improvement by the provider or agency staff
- having in place an effective risk management approach that will minimise risk and ensure that the grant funding is achieving the outcomes, objectives and performance indicators
- ongoing monitoring and management of the grant as appropriate. This may involve the effective use of organisational processes, procedures and systems to produce the required reporting information, or it may involve adjusting activities to ensure they are meeting the objectives and performance indicators
- contributing to Government priorities through collaborative delivery of grant funding strategies
- participating in evaluations of grant funding.

7.5. Evaluation

If successful, we will assess the performance of your project to ensure it is achieving its stated outcomes. In evaluating your performance we may ask you to nominate one or more key outcome indicators, against which you will be assessed over the course of the project. In addition we may source a range of data and information on outcomes to inform our judgment. Where projects are not delivering outcomes, we may consider reducing or redirecting grant funding, or ceasing the grant funding.

8 TERMS AND CONDITIONS OF FUNDING

8.1 Reporting requirements

Reporting on Australian Government-funded activities ensures that funding is used for the intended purpose and that the Government can fully account for all funds. You will be required to provide reports, plans and budgets to us, as specified in the funding agreement, including a strategic plan and budget and reports on the progress of the activity against both the agreed objectives and the approved budget.

You may also be required to provide information to us for inclusion in government publications and on government websites including the Ministry for the Arts website.

8.2 Acquittal and evaluation

At the end of the funding period, you will be required to acquit all funding. This may include statutory declarations, independently audited financial statements or other financial information, as outlined in the funding agreement. The acquittal is normally required within 60 business days of the conclusion of the activity. You will be provided with templates as needed.

You may also be required to provide information about your activity to inform our evaluation of the program.

8.3 Acknowledgement of funding

You will be required to acknowledge the Australian Government's support for any activities that have been made possible as a result of IVAIS funding through use of the IVAIS program logo and/or the below text on relevant material, including but not limited to websites, promotional materials, exhibition invitations and exhibition signage:

Supported through the Australian Government's Indigenous Visual Arts Industry Support program.

Program logos can be found at:

www.arts.gov.au/indigenous/logos

8.4 Record keeping

You must keep relevant records that demonstrate the performance of the activity in meeting its objectives and performance indicators.

8.5 Variations

Variations to approved activities, or significant variations to approved budgets, require prior written approval from the Ministry for the Arts.

8.6. Taxation

Depending on your organisation's circumstances, there may be tax consequences arising from receiving your Australian Government funding. You should be aware that, unless exempt from income tax, funding provided under this program is included as assessable income in relation to carrying on a business. You may also be required to pay fringe benefits tax and make superannuation contributions to a complying fund or pay the superannuation guarantee charge to the Tax Office in respect of any employees.

You should seek advice about tax consequences (including income tax and GST) of this grant from your financial adviser or the Tax Office at www.ato.gov.au or by calling 13 28 66.

8.7 Conflict of interest

A conflict of interest arises where a person makes a decision or exercises a power in a way that may be, or may be perceived to be, influenced by either material personal interests (financial or non-financial) or material personal associations.

Where there is a potential conflict of interest associated with a funded activity, you must disclose this to us and provide a statement outlining how the conflict will be managed. You must undertake activities in a way that avoids conflict of interest, whether perceived or actual. This applies particularly to the selection of suppliers who should be chosen and engaged through an open and competitive process and in a way that maximises value for money.

The Ministry for the Arts has appropriate internal mechanisms in place for identifying and managing potential or actual conflicts of interest including requiring staff to sign conflict of interest declarations.

8.8 Privacy

We will collect information about organisations and their proposed activities in order to identify funding priorities through the IVAIS program.

Contact details of successful organisations will be made available to the Minister for the Arts and other members of parliament.

We are required to publish details of funded activities, including the recipient and the amount of funding received, on the Department of Communications and the Arts website. We may also share aggregated information with other Australian Government and state and territory government agencies for reporting purposes. Any personal contact information will be treated as confidential.

If you are awarded funding, under the terms of the funding agreement you will be obliged to meet the requirements of the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988 and the Department of the Communications and the Arts' privacy obligations. These principles cover the collection, storage, use and disclosure of personal information. Under the principles, you should ensure that any personal information you may collect and hold is accurate, relevant to the purpose for which it was collected, up to date and not misleading. In most cases, personal information should not be used or disclosed to another person, body or agency without the individual's consent. Individuals have the right to access their personal information and to complain if they think their personal information has been mishandled.

Information about the Privacy Act 1988 can be found at: www.aaic.gov.au.



9 COMPLAINTS PROCESS

We regard complaints as a way of both assessing and improving our performance. We will endeavour, where possible, to ensure that complaints are resolved promptly, fairly, confidentially and satisfactorily, and that our procedures are improved as a result.

Complaints regarding the IVAIS program should first be made in writing to:

Assistant Secretary, Creative Industries
Department of Communications and the Arts
GPO Box 2154, Canberra ACT 2601

or by email to ivais@arts.gov.au

If you are not satisfied with the response, please contact the department's Client Service Manager:

Client Engagement and FOI
GPO Box 2154, Canberra ACT 2601
Telephone: 02 6271 1000
Facsimile: 02 6271 1901
Email: clientservice@communications.gov.au



Eric Norman from Pomppuraaw Arts & Cultural Centre, Queensland, with a sculpture made from ghost net and other found materials. Photo: Paul Jakubowski

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