

Arts Council of Wales



Wales Cultural Recovery Fund (2) 2021/22

COVID-19: Support for Arts Organisations (Revenue)

April 2021

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Arts Council of Wales is committed to making information available in large print, braille, audio, Easy Read and British Sign Language and will endeavour to provide information in languages other than Welsh or English on request.

If you have any access needs and are thinking about making an application, we can help to make sure that you're supported during the application process. Please contact us at grants@arts.wales to discuss how we can help.

Arts Council of Wales operates an equal opportunities policy.

About the Wales Cultural Recovery Fund for the Arts

- This is a fund for arts organisations based in Wales (both profit and not for profit) who have been affected by COVID-19 and who are trying to sustain themselves until they can resume publicly accessible activity in 2021 and beyond.
- You can apply for a non-repayable grant of up to £1.5million to support your activities until September 2021.
- Many organisations are affected by COVID-19. But it's important that funds are given to those in the most urgent need. We'd therefore ask you to think carefully about whether you need to make an application at the moment to this fund.
- This is a rescue and recovery package related specifically to the impact of COVID-19. However, it also presents an opportunity to help deliver transformational change to the reach and impact of the publicly funded arts. You'll be expected to sign up to the ['Cultural Contract'](#) to encourage new ways of working and ensure greater diversity in the management, workforce and programming of your organisation.
- Organisations supported through this fund will be expected to demonstrate a forward-looking commitment to the principles of the Welsh Government's Wellbeing of Future Generations Act (Wales) 2015.
- All financial support from this fund is discretionary with competition likely for the available funds. Submitting an application does not guarantee all or some of the money you require.
- The process is intended to be 'light-touch' and quick. We're aiming to turn around applications within 6 weeks of the closing date. If the number of applications we receive means that this isn't achievable, we'll let you know as soon as possible.
- After September 2021 you'll be required to submit a short Completion Report confirming how the funds were used. This Completion Report will trigger any final payment of your award. You'll also be required to report on how you have met the ['Cultural Contract'](#) in 2022.
- It is part of the Welsh Government's overall Cultural Recovery Fund 2 of up to £30 million.

What is this fund for?

This fund is designed to help organisations stay afloat during a period of acute financial pressure due to COVID-19. We also recognise that ongoing restrictions on the resuming of activity caused by social distancing rules adds to the uncertainty. Helping to address these pressures is the central purpose of this fund.

The fund will consider support for businesses of all sizes which employ staff, including social enterprises and charitable organisations. Organisations who need help with the capital costs of making venues and facilities COVID safe can apply to this scheme for a maximum of £5,000 towards capital costs.

We cannot support everyone, so the fund will be targeted towards those who support and promote publicly accessible arts activity in Wales. Particular attention will be given to those who are experiencing significant financial pressures.

The funding will not duplicate the business rate relief support, funding made available to local authorities via the [Local Government Hardship Fund](#) or any other form of Welsh Government COVID-19 related non-repayable funding.

It's vital that we're able to support those who have the most urgent needs at this time. We're very aware of the significant financial challenges being faced by many organisations, so we want to support as many eligible applications as we can.

Applications will need to meet the published criteria. However, we might find that the number of applications is greater than the budget available to us. The assessment criteria will be the key basis for decision-making. We'll attach particular importance to those organisations who in our judgement have a strong track record of providing a clear cultural and public benefit to the people of Wales and have aspirations to develop further through their commitment to the Cultural Contract.

The criteria are explained later in these guidelines.

Eligibility

- Organisations that can apply if they are:
 - based in Wales, and formally constituted as one of the following:
 - a Company Limited by Guarantee
 - a registered charity (including charitable trusts)
 - a Charitable Incorporated Organisation (CIO)
 - a Community Interest Company (CIC)
 - a Company Limited by Shares (see public benefit criteria below)
 - an Unincorporated Association
 - a Partnership, including a Limited Liability Partnership
 - University or other Public Body running cultural activity
- contributing to the cultural life of Wales by providing creative activities that people can enjoy and take part in
- working mainly (50%+) in one of our supported disciplines (music, dance, theatre, literature, visual and applied arts, combined arts, Digital Art)
- able to show a track record (within the last three years) of providing publicly accessible arts activity that has a public benefit
- delivering the majority of their work (60%+) in Wales
- We recognise that some organisations, by the nature of their touring schedule or funding agreements with other agencies, deliver more work across the rest of the UK and internationally than in Wales itself. You might, however, feel that you have a case for making an application to the Cultural Recovery Fund and can fully meet the rest of the eligibility and assessment criteria along with our priorities for support. If this is the case, please contact us at grants@arts.wales so that we can advise you whether you're eligible to apply. This must be done at least 5 working days before the fund deadline. operating with a registered address in Wales, and have a UK bank account in the organisation's name with at least two people who can authorise transactions (see [Guidance](#) for further information)

- not in default of any financial agreement or have any overdue requirements on any other funding with the Arts Council of Wales or Welsh Government

If you're an organisation that delivers for profit activity, please note that the fund is made up of charitable money and so amounts you receive cannot be used to support any of your profit-making activity or supplement commercial profit.

Please note:

This Fund does not support:

- Individuals, freelance practitioners and sole traders
- Festivals and Events
- Grassroots music venues and Bands, comedy venues, publishing, film and tv, creative industries

(Please note that brass bands are eligible to make an application to the Arts Council of Wales's Cultural Recovery Fund)

- Technical support services
- Independent cinemas (but we will support arts organisations that fulfil the other criteria within these guidelines and who present film as a minor part of a multi-arts programme)

We're expecting applicants to 'self-define' if they're a multi-arts venue (showing film as part of their mix) or primarily a cinema (where other arts provision is secondary or not offered). We haven't specified that this decision should be made on levels of income as we recognise that some activity provides larger proportions of income than others. We would accept applications from all multi arts venues unless that venue sees itself primarily as a cinema, in which case they should apply to the Welsh Government's Cultural Recovery Fund programme.

Organisations are only able to make one application to either the Welsh Government or the Arts Council as we feel it would be difficult for multi-arts venues to de-couple the costs of presenting film from presenting other activities or programmes of work.

If you're unsure where to direct your application, please contact either Arts Council of Wales on grants@arts.wales or the Welsh Government's Creative Wales team.

- Local Authority directly managed arts provision. Local authorities and organisations owned or its activity is managed by a Local Authority should apply to the Welsh Government's [Local Government Hardship Fund](#)

Support for these sectors is funded through other strands of the Cultural Recovery and Local Government Hardship Funds managed directly by the Welsh Government. This fund complements other COVID-19 response measures to support businesses, social

enterprises and charitable organisations. It shouldn't duplicate that support. For example, if you're receiving furlough support income, you can't apply to cover expenditure that is already being paid for.

This funding is not to replace regular funding from a local authority or other public body. We would expect funding of this nature to continue at historic levels.

If you're a member of the Arts Council's **Arts Portfolio Wales**, please note that if you've received more than 55% of your turnover (3 year average 2016/17 - 2018/19) from Arts Council revenue funding, you'll only be able to make an application in exceptional circumstances. Please send this request to grants@arts.wales with a clear rationale and associated budget. This must be done at least 5 working days before the fund deadline. In the event of the fund being oversubscribed we may use your Arts Portfolio Wales funding % as part of our decision-making.

If you're a **school**, please note that schools aren't eligible as you won't be able to meet the other criteria that apply to this fund (for example, the requirement to be primarily working mainly (50%+) in one of our supported disciplines.

How much can I apply for?

A grant of up to £1.5million, to be used by 30 September 2021.

There are three funding thresholds. The level of funding that you can apply for depends on your final level of turnover as specified in your 2018/19 annual accounts.

- If your total turnover was £750,000 or under, you can apply for up to £100,000
- If your turnover was between £750,001 and £2,000,000, you can apply for up to £250,000
- If your turnover was above £2,000,000, you can apply for up to a maximum of £1,500,000

Please note that these thresholds are upper limits rather than a target to aim for. You should be clear in your application about why you need the amount of funding you have requested.

If you receive funding from the Arts Council of Wales, we wouldn't expect applications to exceed the usual amount of funding you would receive from us in any financial year.

Please make sure you apply within the agreed banding levels. If you apply for more than you're entitled to without prior approval, then we may have to reject your application. If you're unsure how much you can apply for, then please contact us.

In **exceptional** circumstances organisations can request approval to apply for a higher figure than the thresholds above. However, this flexibility only applies to the first 2 tiers.

Please send this request to grants@arts.wales with a clear rationale and associated budget. This must be done at least 5 working days before the fund deadline. Please note we will not, under any circumstances, consider application requests exceeding the highest maximum of £1.5m.

If you're an organisation that receives National Lottery funding for annual programmes of work, please note that the Cultural Recovery Fund is designed to support organisations facing a real prospect of collapse and insolvency before 30 September 2021. Funding from the National Lottery is a competitive process, and there's no guarantee that applications will be successful. It's therefore difficult for us to view this as a loss of income within the remit of this Fund.

We recognise that in some cases, our Lottery funding contributes to a key part of an organisation's overall financial viability.

Therefore, if you're an organisation that has received National Lottery funding from the Arts Council in at least **two** of the **three** past financial years (2017/18 to 2019/20), you may apply to the Cultural Recovery Fund to request support for any fixed or exceptional business costs. You can also apply for costs to cover key personnel that are employed on the full year payroll (if they're not able to be supported by the Government's Job Retention "furlough" scheme).

Please think carefully before applying to check that it's really necessary. It's important that funds reach those most in urgent need, and we'd ask you to bear this in mind.

If National Lottery funding delivers individual project activity – and those working on that project are funded from on a project-by-project basis – those individuals will need to apply to the Welsh Government's Cultural Recovery Fund for Individuals.

State Aid and Public Subsidies

There are rules in both the EU and the UK restricting the provision of grants and other economic advantages by public authorities on a selective basis to organisations where this could potentially distort competition and trade. The EU rules about this are known as the State Aid Rules, and these are still relevant in the UK for some purposes. Following Brexit, the UK has also introduced its own rules on the provision of subsidies (the **UK Subsidy Rules**).

You can find more information on State Aid and subsidies later in these Guidelines.

Please note:

The above information is not legal advice. You may wish to obtain legal advice in order to ensure that you're compliant with the State Aid Rules and the UK Subsidy Rules.

Deadlines

The fund opens for applications on **Tuesday 6 April 2021** and applicants will need to have submitted an online application no later than the deadline of **5.00 pm on Tuesday 20th April 2021**.

What are the priorities for support?

Wales faces numerous social and economic challenges. Many of these are legacies of the past. But enshrined in legislation – the Well-being of Future Generations Act (2015) – is a new determination from the Welsh Government to ensure that this generation doesn't, through indifference or carelessness, leave them as challenges for the next.

The Welsh Government's vision is for Wales to be a fair, prosperous and sustainable country, improving the quality of life of people in **all** its communities and working through the medium of the Welsh and English languages. The organisations that we fund will need to show how they embed the principles of equality and diversity in all that they do, including governance, workforce and through the activity that they present.

We want more people in communities and places less well-served by the arts to have opportunities to enjoy and take part in the cultural activities. We attach particular importance to organisations who demonstrate a practical commitment to working with and for D/deaf, disabled and neurodivergent people, Black, Asian, and Ethnically Diverse people, and Welsh speakers. We'll expect you to demonstrate in your application how you, as an organisation, have considered these issues and intend to apply them in the future.

The 'Cultural Contract'

Those receiving support from this fund will be expected to sign up for the Welsh Government's 'Cultural Contract'.

The Welsh Government's vision is of a Wales that is fair, prosperous and confident, improving the quality of life of its people in all of the country's communities. The development of a 'Cultural Contract' is designed to encourage applicants to adopt new commitments that ensure that public investment is deployed with a social purpose. This will build on the Welsh Government's existing 'Economic Contract'.

Activity that we will expect applicants to demonstrate in their future plans include:

- **Growth Potential** - developing positive activity to support resilience, diversify and adapt operations through income generation, sharing resources and maximizing opportunities to engage and support freelance creative professionals in Wales
- **Fair Work** – ensuring appropriate rates of pay; board and workforce diversity to increase the involvement throughout the organisation and in the work you deliver by, with and for Black, Asian and Ethnically Diverse people, D/deaf, disabled and neurodivergent people and people with other protected characteristics, including Welsh speakers
- **Promotion of Health, Skills and Learning in the workplace** – developing skills, learning and health and well-being initiatives in the workplace and community including supporting arts and health initiatives
- **Progress in lowering your Carbon Footprint** - measures to improve environmental sustainability and reduce your Carbon Footprint

What can I apply for?

Funding can be used before October 2021 to cover activity intended to prevent your organisation from ceasing operation during this period due to the financial impact of COVID-19 emergency, for example:

- fixed business costs such as:
 - staff, including those previously furloughed under the UK Government’s Job Retention Scheme, but not those currently “furloughed”
 - rent – excluding landlord rent holidays
 - security, essential building and plant maintenance, insurances
 - standing charges for utilities – water, electricity, gas, phone & internet
 - Contracted equipment rentals – IT systems, office equipment
 - Preparation in readiness for organisations restarting operations (including staff restructuring, business re-modelling etc.)
- exceptional costs such as:
 - costs involved in ‘mothballing’ venues
 - revenue costs of remote working of staff
 - Capital costs (up to £5,000)
 - legal/professional advice relating to the COVID-19 situation
 - -one-off costs directly linked to COVID-19 crisis not covered by other UK or WG support measures
 - preparation for reopening, including physical adaptations (see note on limits on capital funding above and throughout this form)

What are the criteria that apply to this fund?

Applications will be assessed against the following criteria:

- the degree and urgency of financial need as demonstrated in your application
- the contribution that your organisation makes to the cultural and public life of Wales by providing creative activities that people can enjoy and take part in.
- the quality and strength of your proposals for adopting forward-looking strategies that:
 - embed equalities, diversity and Welsh language in the future operations of your organisation
 - embed economic, environmental, social and cultural sustainability in the future operations of your organisation
 - include opportunities for freelance creatives and individual artists
 - evidence that employees are paid the national minimum wage and that freelance workers are paid at least the minimum level of fee agreed with the relevant trade union or professional association

What is the application process?

1. You will need to register on the Portal of our grants management system before you can make an application. (If you've already registered, you don't need to do this again.)
2. We ask you to complete and submit a simple online application form, which can be found in the grants section of our [here](#). If you're unable to access the online form, or require further assistance in making your application, please contact us at grants@arts.wales.
3. After we receive your application, we'll send you an acknowledgement.
4. We'll determine your eligibility by reviewing the information provided. We might need to ask for additional information. If any information (such as a governing document or bank details) is missing on your account, we'll contact you. You'll have up to 5 working days to resolve any outstanding matters, otherwise your application may be declined.
5. If we've confirmed that an application is eligible, it will proceed to assessment.
6. We'll review your application and budget information to ensure it meets with our priorities and that the figures are appropriate to the type and scale of activity.
7. If your application is successful, we'll ask you to confirm your acceptance of the award. If you've not been successful, we'll explain why.
8. Once you have accepted your award and we have verified your bank details we'll pay according to the following categories:
 - an award of more than £50,000- 45% of the award on acceptance, 45% mid –July 2021 on receipt of an update report and the remaining 10% on receipt of a satisfactory completion report.
 - An award of less than £50,000 – 90% on acceptance, the remaining 10% will be paid on receipt of a satisfactory Completion Report.

If your circumstances require a different payment schedule we can discuss this with you following confirmation of your award.

Please note:

We'll respond to all applications within 6 weeks of the deadline and will try to respond more quickly where possible. If our capacity becomes reduced due to the COVID-19 pandemic, we will contact you to discuss an amended timescale.

What Questions Will I Need to Answer?

Please note for the purposes of this application, any reference to 'project' refer to your proposal. The Cultural Recovery Fund is an Emergency Fund. Your application should not include project activity.

The application form is set out as follows:

1. Pre-Application Checks

Introductory information and pre-application checklist.

2. Contacting You

Information about the application contacts. This will include your language preferences and banking account information.

3. About your Project

Key information about your project, including project title, start and end date and basic budgetary information including access support costs.

4. Turnover

What was your organisation's turnover in the 2019/20 financial year?

Please also tell us about your current reserves position, including restricted and unrestricted reserves and, whether or not you'll be deploying them as part of this application, along with your rationale for this. If you're a member of the Arts Portfolio Wales, tell us how you're using your Arts Council funding to sustain your organisation at this time.

5. Cultural Contribution

Tell us about your organisation's contribution to the cultural and public life of Wales and its track record of providing opportunities for people to enjoy and take part in the arts.

What has been the broad type and pattern of your previous work? How has the public benefited from what you do? What achievements would you particularly like to tell us about?

6. Current Situation

Please tell us about your current situation and how COVID-19 continues to affect your business.

Tell us whatever you feel you're able to about what has happened to the work of your organisation as a result of COVID 19. (We're not able to support you through this fund if your change in circumstances is not related to the COVID 19 pandemic.)

7. Funding Requested

Why do you need the level of funding you have requested?

How will you use this funding to support your organisation until September 2021? Please detail what you might do differently as a result of this funding to enable you to be more financially sustainable longer term.

(We're not able to support you through this fund if your change in circumstances isn't a result of the COVID 19 pandemic.)

Please explain how your requested funding is calculated, making particular reference (in comparison to a 'pre-Covid' year) to:

- The amount of income you expect to 'lose' over the period to 30 September 2021
- Any cost savings you expect to make (as a result of reduced activity for example)
- Any additional costs you expect to incur as a result of the current situation in order for you to remain operational (whether this is in relation to activity or not)
- How you will use your reserves to assist you
- What, if any, capital expenditure will you require (the maximum you can apply for is £5,000)?

When preparing the above you should take account of any other support you expect to receive so that there is no double funding of anything that you're seeking funding for.

8. Other Financial Assistance

Are you seeking financial assistance from anywhere else? Do you expect to be successful?

Please detail here any other emergency funding that you're reasonably expecting to receive from other sources including funding from the UK and Welsh Governments and the Job Retention Scheme.

9. Meeting our priorities

Please tell us about your forward looking strategies to embed the following in the future operations of your organisation:

- equalities, diversity and the Welsh language
- economic, environmental, cultural and social sustainability
- opportunities for freelance creatives and individual artists

Tell us about what you're doing at the moment, or planning to do in the near future, to improve the diversity of your organisation and the people you work with.

Please confirm that your employees are paid the national minimum wage. and that freelance workers are paid at least the minimum level of fee agreed with the relevant trade union or professional association.

How many full-time equivalent jobs will this funding protect? (A full-time equivalent job is one of 30 hours or more a week.)

If you work with volunteers please estimate the number of volunteer hours this funding will protect during the period April 2021 – September 2021.

10. Further Support

The Cultural Recovery Fund will provide support up until the end of September 2021. There is currently no provision for further support under this Fund after this date.

However, we recognise that there's still uncertainty about when arts activity may resume and to what extent. If further Government support is made available, we'll try and find appropriate ways of allocating it as quickly as possible. In order to assist us in our future planning, if you consider you'll require further financial support for the period October 2021 to March 2022 please would you provide an indicative figure in the box below. We recognise this figure is likely to change and would ask you to make your best estimate at this point. You shouldn't include proposed project activity in this figure.

11. State Aid

In order for us to assess whether we need to consider State Aid and UK Subsidy implications in more detail it would help us if you could tell us whether you promote your organisation or its activities outside of the UK? If you do, please tell us what % of our audience typically comes from outside of the UK (including your audience when you perform outside of the UK but excluding any free streaming views). You might have to estimate or give us an average of previous years' figures.

12. Artform

Key information regarding the different artforms of your project.

13. Activity Types

Key information regarding the different activity types of your project

14. Targets

Key information regarding your proposed project targets, including number of exhibitions, performances, workshops, and audiences/attendees.

15. Language

We'll ask you to explain the impact you think this project will have on the Welsh Language:

Positive, Negative or Neutral

16. Location

In this section, we're asking you to tell us where your project activity will take place.

17. Equalities

In this section we'll ask you to give us equalities monitoring information for your project.

18. Attachments

Budget information

This must be on the downloaded templates available in our application form and, for the purpose of this application, should be for the period from 1 April 2021 to 30 September 2021.

Cultural Contract

Example

<https://businesswales.gov.wales/cultural-contract-annex>

Template

<https://businesswales.gov.wales/sites/main/files/documents/CULTURAL%20CONTRACT%20English.docx>

What other evidence will be required?

- Evidence that you have a bank account in your legal name that meets our requirements.
- Evidence that your organisation has a governance structure that meets the eligibility requirements for this fund.

See below for more information.

Completion reporting

We'll contact you around the end of September 2021 to provide us with a Completion Report explaining how you used the funding. Amongst the things that we'll be especially interested to hear about will be:

- The number of jobs safeguarded
- A copy of your reopening plan
- A report of your progress in helping to deliver the 'Cultural Contract'.

You will be asked to include rationale for any differences to your original application

You'll also need to report more fully on how you have met the Cultural Contract at a later date in 2021/22, together with confirmation of the number of jobs safeguarded and the number of individuals / freelancers supported.

We will assess how you have met the targets within your cultural contract, including those you stated when competing your application form. If you have not met the targets we may reclaim some or all of the funds awarded

Bank Details

Your nominated bank account must fully satisfy the conditions stated within our online guidance [here](#)

Organisation Governance Arrangements

Please refer to our separate published guidance note on [Eligibility and Governance](#). This will explain the documents you will be required to upload prior making your application.

Local Authorities are not eligible to apply to this Fund. Applicants directly owned by Local Authorities must apply direct to the Local Government Hardship Fund for support.

About State Aid and Public Subsidies

There are rules in both the EU and the UK restricting the provision of grants and other economic advantages by public authorities on a selective basis to organisations where this could potentially distort competition and trade. The EU rules about this are known as the State Aid Rules, and these are still relevant in the UK for some purposes. Following Brexit, the UK has also introduced its own rules on the provision of subsidies (the **UK Subsidy Rules**).

Further guidance on how the rules on State Aid and subsidies apply in the UK can be found [here](#) and an applicant should satisfy themselves that the proposed grant will be compliant with the State Aid Rules (where relevant) and the UK Subsidy Rules

The State Aid Rules and UK Subsidy Rules regulate the provision of public subsidies to organisations involved in economic activities (which can sometimes include the arts, heritage and culture). If a proposed grant from the Cultural Recovery Fund does not amount to a 'subsidy', it can be provided without having to comply with the State Aid Rules or the UK Subsidy Rules. A grant will not amount to a 'subsidy' if the recipient can be shown not to be engaged in any commercial activities (including generating income from performances). Even if the recipient charges for its activities, it may be possible to provide a grant without it being a subsidy if the charges only represent a 'fraction' of the true costs.

A grant will not be a subsidy if it will have no effect on trade between the UK and the European Union and, while this is a strict test, it is likely that only grants to those arts and cultural organisations which are large and renowned or which widely promote their activities in the EU will fall within scope of the State Aid Rules or the UK Subsidy Rules.

Grants which are "'subsidies' can still be provided from the Cultural Recovery Fund, provided certain conditions are fulfilled.

1. Limited amount of aid under UK Temporary Framework

Although the UK has left the EU, when providing grants from the Cultural Recovery Fund, there may be scope to rely on the [COVID-19 Temporary Framework for UK Authorities](#) (the **UK Temporary Framework**) which was approved before the end of the Brexit transition period under the European Commission's [Temporary Framework for State Aid Measures to Support the Economy in the Current COVID-19 Outbreak](#) (the **EU Temporary Framework**).

The UK Temporary Framework allows State Aid of up to **€800,000** to be awarded provided certain requirements are met including:

- the total aid of this kind received by the organisation under the UK Temporary Framework does not exceed the threshold of €800,000 (approximately £691,000 at March 2021);

- the total aid of this kind received by the organisation under the EU Temporary Framework does not exceed the threshold of €1,800,000 (approximately £1,555,000 at March 2021);
- the recipient has been affected by the Coronavirus pandemic; and the recipient was not an “undertaking in difficulty” on 31 December 2019

2. Exemption for low value subsidies

There is an exemption in the UK Subsidy Rules for certain low value subsidies. This allows subsidies up to a defined threshold amount to be provided to a recipient in any rolling three year period. The threshold amount varies depending on currency values and is approximately £350,000. The UK Subsidy Rules do not apply if the total value of subsidies granted to a recipient (which, in the case of a group of companies, means the total for the entire group) under this exemption in any three consecutive financial years does not exceed the threshold amount. In order to rely on this exemption, your organisation (including any wider business group) will need to confirm that the total amount of any subsidies (including the amount of the grant being applied for) received under this exemption, and under the former [State Aid De Minimis Exemption](#), either from the Arts Council of Wales or from any other funder, in your current financial year and your two previous financial years is £350,000 or less.

3. Article 53 of the General Block Exemption Regulation

If your organisation received a grant from the Cultural Recovery Fund prior to 31 December 2020 and that grant was given using the block exemption for aid for culture and heritage conservation (see chapter 1 and article 53 of the [General Block Exemption Regulation](#)), it may be possible to rely on that block exemption for any further proposed grant for the same activities provided all the requirements of the block exemption are still met.

The above information is not legal advice. Organisations may wish to obtain legal advice in order to ensure they are compliant with the State Aid Rules and UK Subsidy Rules, but this is not a requirement for applicants.

Fair Pay Guidance

The **National Minimum Wage** is the minimum pay per hour almost all workers are entitled to by law. From April 2016, a National Living Wage was introduced for workers aged 25 and older, across the UK. The Minimum Wage will still apply for workers aged 24 and under. It is a criminal offence for employers not to pay someone the National Minimum or National Living Wage, as appropriate or to falsify payment records. If you're not paying the National Minimum /National Living Wage we cannot consider funding you.

Further guidance on National Minimum and National Living Wage rates is available at:

<https://www.gov.uk/national-minimum-wage-rates>

The Living Wage: The Living Wage is a voluntary hourly rate that is set by the Living Wage Foundation (www.livingwage.org.uk) based on the cost of living. The Living Wage Foundation encourages organisations across the UK, in all sectors, and of all sizes, to become accredited living wage employers.

<https://businesswales.gov.wales/news-and-blogs/news/living-wage-foundation>

Who/Link	For
a-n	The Artists Information Company for visual artists
AOP	Association of Photography
BECTU	The Broadcasting, Entertainment, Communications and Theatre Union for technical staff
Equity	For actors, singers and dancers
ISM	Incorporated Society of Musicians
itc	Independent Theatre Council for theatre practitioners
Musicians' Union	Musicians' Union for musicians
WGGB	The Writers' Guild of Great Britain
UK Theatre	For theatre staff and musicians

What if I have a question?

The nature of this fund relies on the integrity of the applications. Please ensure you answer all questions fully, clearly and honestly. If you answer a question with inaccurate information, we may need to reclaim funding at a later date or take other action if we suspect fraud.

If you want to clarify if you or your request is eligible, or you wish to discuss other questions about this fund, please contact our Enquiries Service.

You can do this by email, through our website or social media:

Email: grants@arts.wales

Web: Fill out a form on our [website](#)

Twitter: Send us a tweet [@artswales](#)

We aim to respond to all enquiries very promptly.

If you want us to call you back, please provide your contact number and we'll arrange to come back to you as soon as possible.

Freedom of Information

Arts Council of Wales is committed to being as open as possible. We believe that the public has a right to know how we spend public funds and how we make our funding decisions. You can see details of our policy [here](#).

We're listed as a public authority under the Freedom of Information Act 2000. By law, we may have to provide your application documents and information about our assessment to any member of the public who asks to see them under the Freedom of Information Act 2000.

We may not release those parts of the documents which are covered by one or more of the exemptions under the Act. Please see [Freedom of Information website](#) for information about freedom of information generally and the exemptions.

Complaints Procedure

If you're not happy with the way we dealt with your application, you can access a copy of our Complaints procedure on our website [here](#).

Please note that you can only complain if you believe we have not followed our published process when dealing with your application. You cannot use the complaints procedure to appeal against the decision.

Fraud Prevention

Information collected through the application process will be shared with fraud prevention agencies who will use it to prevent fraud and money laundering and to verify identity. Further information on how your information might be used is set out in our Privacy Policy below.

Data Protection

It's important that you're aware of the Arts Council of Wales' obligations and responsibilities under the General Data Protection Regulations (GDPR). The GDPR regulates how we collect, manage, share and store personal data and your rights in relation to our management of your data.

Further information may be found in our published [Privacy Policy](#).

We will not disclose Personal data or Sensitive Personal data, (as terms are defined in the General Data Protection Regulations without your consent unless an overriding obligation applies (e.g. legal obligation).