

Arts Council of Wales

withdraws its funding for

Welsh Jazz Society

Mae'r Cymdeithas Jazz Cymraeg wedi chwarae rhan enfawr a phwysig yn fy natblygiad fel cerddor. Pan o'n i'n ifanc, byddwn i'n mynd i'r Four Bars Inn bob wythnos, lle gefais i'r cyfle a'r ffrind o weld cerddori - on jazz gorau'r wlad (a'r byd) yn perfformio - diolch i'r CJC - a wnaeth hynny fy ysbrydoli'n fwy nag unrhyw beth arall i ddilyn gyrfa fel cerddor. Y "gigs" cyntaf a wnes i fel cerddor proffesiynol oedd yn y Four Bars Inn, eto, diolch i'r Cymdeithas Jazz Cymraeg; a pan wnes i wythnos o brofiad gwaith ar ran fy ysgol, es i i swyddfa'r CJC, lle welais a'n llygaid fy hun pa mor galed oedd Brian Hennessey a'i dim yn gweithio dros y gymuned jazz yng Nghymru. Mae Brian wastad wedi bod wrth law yn y swyddfa i roi cyngor a help i gerddorion y wlad yngly'n â phob math o faterion sy'n berthnasol a jazz.

Dwi'n gwybod heb os fod fy mhrofiad i o'r Cymdeithas Jazz Cymraeg ddim yn un unigryw o bell ffordd, a fy mod i yn ymhlith nifer fawr o gerddorion ifanc sydd wedi elwa trwy gefnogaeth y Cymdeithas, a dyna pam dwi'n teimlo'n gryf iawn y byddai cael gwared â'r CJC yn gadael gwacter aruthrol yn sin jazz Cymru a byddai'n amhosib llenwi.

Osian Roberts - tenor saxophonist and composer

The Welsh Jazz Society has played a huge and important part in my development as a musician. When I was young, I'd go to the Four Bars Inn every week, where I had the opportunity and the privilege to see the best jazz musicians in the country (and the world) performing - thanks to the WJS - which inspired me more than anything else to follow a career in music. The first gigs I did as a professional musician were in the Four Bars Inn, again, thanks to the WJS; and when I was required to do a week of work experience for my school, I went to the WJS office, where I saw first-hand how hard they worked on behalf of the Welsh jazz community. WJS has always been on hand to give Welsh musicians a helping hand or advice regarding all sorts of issues relating to jazz.

I know for sure that my experience of the Welsh Jazz Society isn't unique by a long way, and that I am one of many, many young musicians who've benefited immeasurably from the encouragement given by the Society, which is why I feel very strongly that getting rid of the WJS would leave a huge vacuum in Wales' jazz scene which would be impossible to fill

Osian Roberts

The Welsh Jazz Society is the main reason I am a jazz musician today. I joined as a student and heard many jazz concerts: Al Cohn, Sweets Edison, Slim Gaillard (whom I later worked with), all accompanied by Welsh musicians. The Welsh Jazz Society has enabled performances in Wales by musicians of international stature as well as encouraging and bringing on home grown talent.

The value of the Welsh Jazz Society is palpable to Welsh audiences and should not be lost

Tina May - musician, vocalist, lyricist and educator

The Welsh Jazz Society has made a great difference in people's cultural lives in Wales and welcomed many international bands and musicians to play along side Welsh musicians

Dr Nathan Davis - performer and jazz educator, Pittsburg University, USA

Following a Review of Regularly Funded Organisations - ongoing since March 2005 - Arts Council of Wales (ACW) has announced the withdrawal of its funding to Welsh Jazz Society (WJS). This decision means the positive work WJS undertakes will effectively cease. WJS has always taken a prudent approach in order to meet all liabilities. Reviews of WJS conducted by ACW since 2003 gave no intimation of any serious dissatisfaction with its work in achieving its strategic priorities; despite this, the recent review states that WJS 'does not address the ACW's strategic priorities' and that 'there is no clear rationale for supporting this organisation'.

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Despite four years of standstill funding, WJS has continued with its remit, achieving a highly impressive and innovative programme on meagre resources. WJS has continued to promote a five-nights-a-week programme at Café Jazz Cardiff, providing a valuable platform for the Preservation Jazz Society, Cardiff Jazz Society, The Blues Society, Cardiff University Jazz Society, the jazz department at the Welsh College of Music and Drama, and Jazz Attic, in addition to regularly presenting high profile touring musicians.

WJS also continued to promote Jazz on The Level at St David's Hall; ran a series of successful concerts at Theatr Clwyd featuring top UK musicians; arranged two successful concerts for the Congress Theatre, Cwmbran; programmed the Cowbridge Jazz Weekend; assembled information on jazz activity in Wales, and publicised it through Jazz UK, Welsh media and regular newsletters to members. WJS also assisted requests to provide musicians for gigs and confirmed 50 bookings for Welsh-based bands. WJS handles on average 60 enquiries per month via, email, telephone and post from musicians, promoters and the general public seeking work, advice and information. WJS also encouraged and supported affiliated jazz societies in Wales such as Preservation Jazz Society, Cardiff Jazz Society, Torfaen Jazz Society, Cambria Arts, Swansea Jazz Society, Friends of Brecon Jazz Festival, Brecon Jazz Club, and Jazzland, Swansea, and works closely with other organisations in the UK such as Jazz Services, Jazzworks North West, Jazz Action and Jazz Yorkshire.

'The Welsh Jazz Society is the only organisation dedicated to promoting jazz music throughout Wales', says Monty Coffin, Chair of the Welsh Jazz Society. 'If you care about the future of jazz in Wales, please act now and write to the Chair of the Arts Council of Wales to urge them to reconsider their irrational decision.'

Please write to: Professor Dai Smith, Chair, Arts Council of Wales, 9 Museum Place, Cardiff CF10 3NX. You can also contact your member of the National Assembly of Wales, and your local MP.



Further information available from: Brian Hennessey, Welsh Jazz Society
Tel: 02920 340 591
Email: welshjazz@btconnect.com

www.jazzwales.org.uk
www.jazzservices.org.uk

Pics available on request
Interviews available on request

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05 March 2008

Professor Dai Smith
Chair
Arts Council of Wales
9 Museum Place
Cardiff
CF1 3NX
S Glamorgan

Dear Professor Smith

Re: Welsh Jazz Society

1. Introduction

Following a Review of Regularly Funded Organisations – ongoing since March 2005 – Arts Council of Wales (ACW) has announced the withdrawal of its funding to Welsh Jazz Society (WJS). This decision means the positive work WJS undertakes will effectively cease. WJS has always taken a prudent approach in order to meet all liabilities. Reviews of WJS conducted by ACW since 2003 gave no intimation of any serious dissatisfaction with its work in achieving its strategic priorities: despite this, the recent review states that WJS *“does not address the ACW’s strategic priorities”* and *“there is no clear rationale for supporting this organisation”*.

Despite four years of standstill funding, WJS has continued with its remit, achieving a highly impressive and innovative programme on meagre resources. WJS has continued to promote a five-nights-a-week programme at Café Jazz Cardiff, providing a valuable platform for Preservation Jazz Society, Cardiff Jazz Society, The Blues Society, Cardiff University Jazz Society, the jazz department at the Welsh College of Music and Drama and Jazz Attic, in addition to regularly presenting high profile touring musicians.

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I would be grateful if the ACW would:

- Rescind its decision to withdraw revenue funding for the Welsh Jazz Society (WJS).
- Undertake an in depth review of jazz in Wales to produce a workable and sensibly costed policy for jazz in Wales.

My reasons are as follows:

2. ACW’s flawed reasons for withdrawal of funding

"The main reason for this decision is that following the ACW review of Service Providers it was concluded from the evidence gathered that the weight of the organisation's activity is towards being a promoter of jazz events rather than as a provider of services to the jazz/music sector and that it is not operating as effectively as it could be in its role as promoter. The review concluded that the organisation does not address ACW's strategic priorities and there is no clear rationale for supporting this organisation."

Regrettably the reasons for withdrawal of funding are subjective and are not based on any rational analysis of business plans or ACW funding agreements. Furthermore the workings of the Review Group recommending the withdrawal of funding are not open and transparent. For example, ACW have failed to supply the names of the Review Group so people are unable to judge whether there are conflicts of interests. Furthermore, ACW have failed to convince me on the veracity of the Review Group in terms of their practice and management of jazz.

3. An opportunity to review jazz in Wales.

In 2001 a recommendation from the report on umbrella organisations has to conduct a review of the Welsh Jazz Society and the North Wales Jazz Society. The recommendation was not acted upon by ACW.

4. A second opportunity to undertake a review of jazz in Wales.

In March 2002 by Simon Lovell-Jones, Senior Arts Development Officer for Music at ACW, prepared a wide ranging discussion document to help the development of strategies for music in Wales. This document was a helpful well structured review of the jazz sector in Wales. The Music Development Strategy Paper of 10th September 2002 that followed stated inter alia *"this review has been identified as a priority for a number of years"*. The paper set out activities for a review of support for jazz currently provided by ACW.

This review, for reasons that have never been satisfactorily explained, did not take place.

5. A level playing field for music ACW

ACW, in its draft Wales Art Form Strategies 2008/2013, states on page 52 *"The present day Arts Council of Wales does not commit to one type of music over another, it does not value one form over another."*

On the 18th February I wrote to the Chief Executive of ACW and asked if ACW *"could provide me with details of the spheres of influence policy and protocol agreed by Arts Council England and the National Opera Co-ordinating Committee"*.

I was shocked to read the response to my enquiry from CEO of ACW dated 25th February 2008, which stated *"whilst representatives of the Arts Council of Wales are involved with the National Opera Co-ordinating Committee we do not hold any information specifically you describe as relating to the spheres of influence policy and protocol agreed with them and the Arts Council of England and would suggest you contact the Arts Council England directly regarding this information."*

I enclose a copy of the policy which has been in existence since 1978 as pointed out in the ACW Draft Strategy Document 2008/2013. Without this policy Welsh National Opera would be hard put to survive.

A policy of this magnitude and the fact ACW does not hold a copy of the policy is as astounding as it is extraordinary. The gist of this information is that if as the ACW claims, there is no hierarchy, why has WNO had a touring policy since 1978 and yet there is still no policy for jazz in Wales. I am not in the business of robbing Bryn Terfil to pay Paula Gardner, all I am asking for and what the jazz constituency expects is a level playing field. ACW may wish to dissemble and cry it is the touring policy of Arts Council England, the fact of the matter it is as much ACW's as Arts Council England, for without the music of the spheres policy and the revenues and stabilisation funding that has gone with it from Arts Council England, ACW's opera flagship could have foundered with all hands.

One is left with the conclusion that if the ACW does not know of the spheres of influence policy then what else doesn't it know!

6. Funding issues

The Welsh Jazz Society, between 1999 and 2009, will have received a total of £472,498, an average of £47,280 per annum. The ACW Report and Accounts for 2006/2007 show that £75,182 is paid to house the Welsh Amateur Music Federation and £400,646 Welsh National Opera in the Wales Millennium Centre. Under the Freedom of Act ACW stated that *"ACW's role is to administer the award on behalf of the Welsh Assembly Government"*. It is a curious state of affairs when monies are available to pay rents for organisations in the Wales Millennium Centre that in one year alone amount to the same amount the Welsh Jazz Society has received over ten years. It is crystal clear that the ACW values some musics and organisations above musics such as jazz.

7. Arts council of Wales Arts Form Strategies 2008/2013.

Ambrose Bierce in his Devil's Dictionary defined "Consult" as "to seek another's approval for a course of action already decided upon." The consultation document "Wales Arts Form Strategies" is an action already decided upon. When it comes to jazz in Wales, there has been no initial consultation with the Welsh Jazz society or recognition and acknowledgement of local volunteers, jazz promoting bodies such as Jazzland Swansea, Swansea Jazz Society, Cardiff Jazz Society, Torfaen Jazz Society, Preservation Jazz Society, Brecon Jazz Society, AberJazz, Cwmbran Arts and Women in Jazz Swansea

The consultation strategy Document is flawed and does little to further the cause of jazz in Wales.

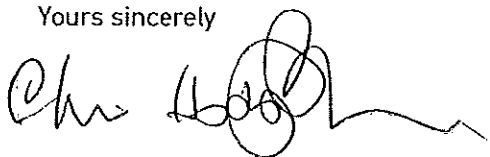
Furthermore, it raises issues such as ACW staff to grant ratio. I am enclosing my response to the document which notes that it takes 96 staff to disperse £26 million in Wales and 97 staff at the Scottish Arts Council to disperse £62 million in Scotland in 2006/2007.

ACW would do well to examine its own effectiveness, efficiency and value for money.

I write as a founder and trustee of the Welsh Jazz Society.

My final comment is that ACW should put its own house in order before it irrationally and without proper analysis and consultation withdraws funding from the Welsh Jazz Society.

Yours sincerely



Chris Hodgkins



A RESPONSE TO THE ARTS COUNCIL OF WALES ART FORM STRATEGIES 2008-2013

1. INTRODUCTION

This paper is a personal response from Chris Hodgkins.

2. BACKGROUND

The Arts Council of Wales (ACW) has recently published a paper that proposes strategies for each art form in Wales to 2013. An ACW press release dated 12 December 2007 stated inter alia.

'Many people today have helped us to date in shaping ideas about the future direction of different art forms in Wales, but this is a critical period to test these ideas and receive views from a variety of perspectives.'

ACW welcomed the outcome of the 2006 Wales Arts (Stephens) Review, and over the last year has been working on the Review's findings and developing proposals for the foreseeable future.

In preparing these strategies ACW has studied each art form individually, and collectively. The strategies relate to the following art forms.

Applied Arts and Crafts

Visual Arts

Dance

Music

Theatre and Drama

Literature

ACW has endeavoured to look at the needs of the arts but also to place them in the broader context, and to reflect their developing role in many aspects of Welsh life including Education, the Creative Economy and Cultural Tourism. The strategies also consider how the arts embrace and promote equality, inclusion and diversity.

Findings and proposals following the consultation period will be presented to Rhodri Glyn Thomas AM, Minister for Heritage and the recently created Arts Strategy Board.

The Arts Strategy Board was set up in response to the recommendations in the Stephens Report to establish a forum, chaired by the Heritage Minister, which would ensure a more joined up approach to the development of arts policy and strategy in Wales. Rhodri Glyn Thomas has urged the arts community to take part in the consultation process to ensure a wide range of views are taken into account.

Arts and Culture are dynamic and ever changing. I urge everyone who is involved or with a passionate interest in the arts to take part in this consultation.'

3. THE RESPONSE

3.1 General

This response deals with the Arts Council of Wales' attempt at strategy formulation and in particular, pays attention to music.

The strategy document itself reminds the author of a speech about the League of Nations in the House of Commons between the wars. Winston Churchill was asked for his opinion of it. "Well" he said, "I thought it was very good, it must have been good for it contained, so far as I know, all the platitudes known to the human race, with the possible exception of 'prepare to meet thy God', and 'please adjust your dress before leaving'."

3.2 Strategy

Strategy is a slippery word, and there are any number of definitions, but in the authors opinion is best summed up as 'analytical thinking, a commitment of resources to action' (Drucker 1988).

3.3 Problems with the proposed strategy

3.3.1 Lack of initial consultation

The consultation document found that jazz has the highest proportion of all music genres of people travelling out of their region to somewhere else in Wales to see their most recent jazz concert. One would have thought that the proposed music strategy would reflect this, and would attempt to redress this fact by supporting local volunteer jazz promoting bodies crucial to the jazz scene in Wales. In the document there is no mention, recognition or acknowledgement of Swansea Jazzland, Swansea Jazz Society, Cardiff Jazz Society, North Wales Jazz Society, Torfaen Jazz Society, Preservation Jazz Society, Brecon Jazz Society, Aberjazz, Cambria Arts – and for that matter there is no mention of Women in Jazz Swansea who also promote as well as providing a key resource for Wales and the rest of the UK. A key part of the proposed strategy is supporting existing jazz festivals, a laudable aim but jazz on your doorstep is ignored. The consultation document should recognise that festivals only promote at most two days of events per annum, and the voluntary jazz societies around Wales promote all year round. This is not a joined up approach as required by the Stephens Report; regrettably, it would appear there was no initial consultation with the jazz community in Wales to help shape ideas.

3.3.2 Lack of situation analysis

Unfortunately there is no situation analysis for the economy, audiences, technology, regulatory environment and so forth. For example the Arts Council of Wales commissioned Arts in Wales 2005 – Music Attendance and Participation. It was a very useful piece of research, but would appear to have been buried, for example audience attendances for the different music genres in Wales are as follows:

Music	Attend Once a Year or More %
Classical Music	13
Folk Traditional & World Music	11
Jazz	10
Opera	7
Other Live Music	39

3.3.3 Matching resources to action

There are no quantified resources attached to any of the proposed actions. Furthermore there is no analysis of allocation of resources within the ACW. For example set out in Annex 1 is a table of staff costs for ACW, Scottish Arts Council and the Arts Council of Northern Ireland. One would have thought the ACW would have undertaken a detailed evaluation of the expenditure on staff costs and the Chairs salary, especially in the light of its funding settlements in the past three years and best value for the tax payer. Scotland received £62m in 2006/2007 and employed 97 full time staff; Wales receives £26.8m and employed 96 full time staff, and also spent circa £30,000 on agency staff. Perhaps, before ACW starts axing its clients it should take a long hard look at its own operational structure and costs.

Secondly, the Report and Accounts for 2006/2007 show a sum of £1,024,028 which is paid to organisations resident within the Wales Millennium Centre. For music alone £75,182 is paid to house the Welsh Amateur Music Federation and £400,646 to Welsh National Opera, yet it states in the proposed strategy document (Our Perspective – Page 52) 'The present day Arts Council of Wales does not commit to one type of music over another; it does not value one form over another'. It would be very useful if these words were put into action, and that the ACW attached resources to its proposed actions so that there is no 'hierarchy' in music funding and music organisation. Perhaps then the jazz constituency could feel that for once in Wales that there is a level playing field, and no disbursements for some at the expense of the others.

Finally there is no analysis of the expected deleterious effects of lottery monies being diverted to the Olympic Games

4. CONCLUSION

The Art form Strategies 2008-13 document is regrettably flawed due to:

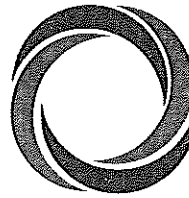
- * Lack of situation analysis of the Arts Council of Wales itself and the external environment in which the arts operate.
- * An absence of quantified objectives.
- * The proposed “strategic steps” have no quantified resources attached to them. The proposed strategy should be supported by budgets for the years 2008 to 2013.
- * Lack of initial consultation with the jazz constituency to help 'shape' ideas about the future. The ACW should work closely with the jazz Community to develop a viable strategy for jazz in Wales that recognizes the needs and aspirations of the jazz constituency in Wales.
- * Before the ACW foists a misinformed strategy on the Arts in Wales it should first put its own house in order and demonstrate that ACW functions effectively, efficiently and provides value for money.
- * Whilst the Arts Council states “that it wishes to test these ideas and receive views from a variety of perspectives”. However ACW need first of all to produce draft art form strategies for jazz that are viable and informed by the jazz constituency. Without this initial consultation the exercise sadly becomes a charade

Chris Hodgkins
14 February 2008

Table Annex 1

A RESPONSE TO THE ARTS COUNCIL OF WALES ART FORM STRATEGIES 2008-2013

	Grant from Scottish Executive / Welsh Assembly/ Department of Culture and Leisure	Average Number of Full Time Equivalent Employees	Staff Costs		% of Total Funding	Chairs Remuneration	
			2005-06	2006-07		2005-06	2006-07
	£,000		£,000			£	
Scottish Arts Council	55,298	62,474	95	97			
Arts Council of Wales	26,930	26,808	93	96	4.7%	12,500	13,984
Arts Council of Northern Ireland	12,338	-	46	-	8.6%	38,000	39,000
			941	-	N/A	Chair 8,378 Vice Chair 4,000	
Population all Ages mid 2005							
Scotland	5,095m						
Wales	2,950m						
N Ireland	1,724m						



CEFNOGI CREADIGRWYDD
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THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

1st October 2008

Mr Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

Dear Mr Hodgkins

The Chair of ACW has asked me to pick up the matters set out in your letter of 5th March, as per his recent holding letter to you. Although earlier letters should have been acknowledged and dealt with, the letter of the 5th March came in the period of the Appeal by Welsh Jazz Society and, as a trustee, (and indeed the person along with Monty Coffin representing the Society at the Appeal hearing) ACW understood that you were party to all the documentation put to the Appeals Panel indicating the rationale and process ACW had followed in reaching its decision to end annual revenue funding to the Welsh Jazz Society. That the Appeals process was under way is, in my view, the explanation of why your letter was not answered. I apologise on behalf of ACW because you should have had a reply to this effect at the time. The Appeals panel arrived at its conclusion, which was reported to Council in its April 25th meeting. The Panel had decided that ACW had acted correctly in reaching its decision and Council considered and accepted their recommendation not to uphold the appeal. Council thus maintained its decision in respect of the annual funding of the Welsh Jazz Society.

I would want to make the following points in respect the Artform Strategies to pick up on some of your statements in your earlier letter:

The Strategies went through a consultative phase earlier this year including three public workshops, and ACW received written submissions from individuals and organisations, such as that made by yourself. The Council received reports back on the consultation, as did the Arts Strategy Board. The Artform Strategies will be published on our website at the beginning of November, along with a report on the consultation. Council signed off on the revised Strategies in June and the Minister received them through the Arts Strategy Board in its September meeting.

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CAERFYRDDIN/CARMARTHEN
CAERDYDD/CHAIRMAN YR ATHRO/PROFESSOR DAI SMITH
~~YR YNGHWR/CHIEF EXECUTIVE OFFICER/YNDAI~~
RHIF ELUSEN GOFRESTREDIG/
REGISTERED CHARITY NUMBER: 1034245



Noddir gan
Lywodraeth
Cynulliad Cymru
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Government

The Music Strategy acknowledges both ACW's desire to support and further all genres whilst recognising the disparity of resource when music is considered in areas outside of support to WNO and the BBC National Orchestra of Wales. The Council will seek resources to further those aims in the strategy which currently lie beyond its current resource base. This applies to many areas of music provision which we would want to see advancing and which have, to date, perhaps been camouflaged in the financial picture by the grants to WNO and BBC National Orchestra of Wales. (Your exchange with the previous CEO indicates a misunderstanding. We meet regularly with ACE in respect of WNO and all parties are aware of the background and operation of the spheres of influence arrangements and how they relate to WNO's touring in England.). We will continue to hold the overall picture of music provision under review in order to advance our priorities which I can recap here, as they will appear in our published strategies.

- Working with partners to grow music's presence where music in all its forms and diversity can act in communities in an energising and transforming way, through initiatives combining forces (across for example, aspects of HFE in Wales, agencies working on the ground, and ACW's resources)
- Working to improve the commissioning resources available to composers/music creators.
- Working with partners to support the ambitions to test and improve standards and achievements in music.
- Advocating strongly for an entitlement to music in education and in lifelong ways
- Continuing support of the flagship companies of the WNO and BBC National Orchestra of Wales in their artistic aims to register consistently in a world-class arena whilst advancing their reach and role in musical life in Wales.
- Work on the infrastructure of music in Wales, building the circumstances for more musicians to be able to base their careers in Wales. This is an issue for all genres in music and demands a variety of strategies to address different areas:
 - Reviewing our policy framework for festival support in order to better develop and sustain key music Festivals,
 - Setting out paths for the development of traditional music,
 - Supporting a more ambitious, dynamic and cohesive approach to jazz, and its year round programming, across Wales



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- Remedying gaps and achieving proper sustainability in musical life in the fields of Chamber Orchestral, Ensemble and chamber music groups in Wales,
- Developing mentoring and support to community based initiatives,
- Supporting a range of mid-scale and contemporary work in opera, music theatre and other genres
- Work on developing the live audiences for music, supporting the work of venues and organisations addressing growth, renewal and new audiences for the whole variety of forms in music.
- Supporting the exploitation of new technology and the knowledge base Wales based musicians need to have, to maximise its use and application for their work

Current support for Jazz is focused on Arts Lottery support to various organisations and annual support to Brecon Jazz. In the last year this has involved support to North Wales Jazz Society, Cardiff Jazz Society, Women's Jazz Archive and Resource Centre, Swansea Jazzland, Torfaen's Jazz in the Park and Abersoch Jazz Festival – ACW remains keen to support the Welsh Jazz Composers Orchestra and the development of its potential.

In recent years we have been able to augment the music budget through partnership working with the Prince's Trust, the Performing Rights Society Foundation, other Trusts and Foundations and European monies.

On the question of our own staff base: ACW has undergone a recent staff restructure in the perspective of diminishing Lottery resources foreseeable up to 2012 at least. Whilst it would be very nice to have Scotland's level of funding, in effect we deal with a comparable number of clients and organisations and arts development needs as in Scotland – it's just that the sums of money are less when Wales and Scotland are compared.

Yours sincerely



David Alston
Arts Director

cc Prof Dai Smith, Chair, Arts Council of Wales
Nick Capaldi, Chief Executive, Arts Council of Wales



CEFNOGI CREADIGRWYDD
CYNGOR CELFYDDYDAU CYMRU
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Chris Hodgkins
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London
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21st October 2008

Dear Mr Alston

I am in receipt of your letter of the 1st October 2008. I note the apologies but regrettably there is no explanation as to why, with all the resources at its disposal, it has taken the ACW till the 1st October 2008 to respond to my letter of the 5th March 2008. It is ACW's policy to respond to correspondence within 10 working days. A letter dated 10th September from the chair of ACW stated that you would reply on his behalf, however, as with previous correspondence you break your own procedures. I require a detailed explanation as to why it has taken the ACW seven months to reply to my letter of the 5th March 2008.

Under the Freedom of Information Act I would be grateful if you would provide me with the number of letters that Prof. Dai Smith has received in relation to the withdrawal of funding of the Welsh Jazz Society; how many of these letters he has replied to and what date he replied. Furthermore how much if any of this correspondence was communicated to David Newland, Michael Goode and Enion Dafydd.

I note that you have written that you pick up on 'some of my statements in my earlier letter' that is my letter of the 5th March 2008. In view of the egregious length of time it has taken to get this far I require that you revisit my letter of the 5th March and address all the points.

1) With regards to the decision to withdraw funding from the Welsh Jazz Society and the appeal process. I will reiterate my statement that was made to three of ACW's officers at the last annual review meeting. Why it took three officers at the ACW to undertake a pointless exercise that could have been expedited by one person in five minutes highlights the need for ACW to put its own house in order. It is also an extraordinary waste of taxpayers' money.

"Despite the decreasing levels of funding available, ACW have found it necessary to engage the services of outside consultants to provide them with

assurances that internal procedures and processes are being correctly followed. Consultants are people who borrow your watch to tell you the time and then walk off with it. It would be more cost effective to simplify the procedures/processes and employ staff that understand them and have the confidence and ability to implement.

It took ACW nearly three years to carry out a RFO review process that resulted in the reallocation of only £150, 000 of arts funding. This decision could have been realised in three weeks and would have avoided paying £300, 000 to clients who were not considered fit for purpose..

The ACW has yet to provide the Welsh Jazz Society and its members with evidence that substantiate the actions in withdrawing funding. This pusillanimous behaviour in not producing minutes of the Service Provider Organisations Review Group under the ludicrous claim that "disclosure would or would be likely to inhibit the ability of public authority staff and others when deliberating or providing advice to express themselves openly, honestly and completely or to explore extreme options" flies in the face of natural justice and is not in the public interest. It is clear that if the officers concerned were "open and honest" then they would be at ease with and have the confidence in their "behind closed doors " discussions being disclosed to the public.

It would be helpful if the chair of the ACW complied with ACW policy by responding, in a timely way to the many letters that have been sent to him that have not been acknowledged."

The ACW has yet to provide hard evidence. All the ACW can provide is the equivalent of hearsay and unsubstantiated conjecture.

- 2) Under the Freedom of Information Act I require the Arts Council of Wales to disclose the relationship between the members of the ACW appeals panel and the Arts Council of Wales, in particular with the former Chief Executive Peter Tyndall.
- 3) In my letter of the 5th March 2008 I asked ACW to undertake an in depth review of Jazz in Wales to provide a workable and sensibly costed policy for Jazz in Wales.
- 4) With regards to ACW's Art Form Strategies, I reiterate point 7 in my letter of 5th March 2008.

" 7. Arts council of Wales Arts Form Strategies 2008/2013.

Ambrose Bierce in his Devil's Dictionary defined "Consult" as "to seek another's approval for a course of action already decided upon." When it comes to Jazz in Wales, there has been no initial consultation with the Welsh Jazz Society or recognition and acknowledgement of local volunteers, jazz promoting bodies such as Jazzland Swansea, Swansea Jazz Society, Cardiff Jazz Society, Torfaen Jazz Society, Preservation Jazz Society, Brecon Jazz Society, Aber Jazz, Cwmbran Arts and Women in Jazz Swansea. The consultation strategy Document is flawed and does little to further the cause of jazz in Wales. "

There was no initial consultation with jazz organisations in Wales. There is frankly little point in indulging in cosmetic consultation exercises when the spade work in developing a strategy has not been done. Under the Freedom of Information Act I ask that you provide me with environmental analysis that informed the consultation strategy. I require also an explanation as to why ACW failed to undertake initial consultation of jazz organisations in Wales.

- 5) With regard to your suggestion that the " Council will seek resources to further aims in the strategy which currently lie beyond its current resources base. This applies to many areas of music provision which we would want to see advancing and which have to date perhaps been camouflaged in the financial picture by grants to Wales and BBC National Orchestra of Wales." I would not call £75,182 per annum paid to house the Welsh Amateur Music Federation and £400,646 to house the Welsh National Opera in the Wales Millennium Centre "Camouflage."

I require that you address this point of the inequitable treatment of music and organisations by the Arts Council of Wales, circa £500 000 is being paid by ACW to the Wales Millennium Centre.

- 6) Your statement that my exchange with the previous CEO proviso by Arts Council England indicates a misunderstanding is as risible as it disingenuous. I repeat paragraph 5 of my letter of 5th March 2008.

5. A level playing field for music ACW

ACW. In its draft Wales Art Form Strategies 2008/2013. states on page 52 " *The present day Arts Council of Wales does not commit to one type of music over another, it does not value one form over another.*"

On the 18th February I wrote to the Chief Executive of ACW and asked if ACW "could provide me with details of the spheres of influence policy and

protocol agreed by Arts Council England and the National Opera Co-ordinating Committee."

I was shocked to read the response to my enquiry from CEO of ACW dated 25th February 2008, which stated *"whilst representatives of the Arts Council of Wales are involved with the National Opera Co-ordinating Committee, we do not hold any information specifically you describe as relating to the spheres of influence policy and protocol agreed with them and the Arts Council of England and would suggest you contact the Arts Council England directly regarding this information."*

I enclose a copy of the policy which has been in existence since 1978 as pointed out in the ACW Draft Strategy Document 2008/2013. Without this policy Welsh National Opera would be hard put to survive.

A policy of this magnitude and the fact ACW does not hold a copy of the policy is as astounding as it is extraordinary. The gist of this information is that if as the ACW claims, there is no hierarchy, why has WNO had a touring policy since 1978 and yet there is still no policy for jazz in Wales. I am not in the business of robbing Bryn Terfil to pay Paula Gardner, all I am asking for and what the jazz constituency expects, is a level playing field. ACW may wish to dissemble and cry it is the touring policy of Arts Council England, the fact of the matter it is as much ACW's as Arts Council England, for without the music of the spheres policy and the revenues and stabilisation funding that has gone with it from Arts Council England, ACW's opera flagship could have foundered with all hands.

One is left with the conclusion that if the ACW does not know of the spheres of influence policy then what else doesn't it know!"

There is no misunderstanding the previous CEO had no knowledge of a major policy initiative that year on year keeps Welsh National Opera afloat. This leads inevitably to the question what else did he not know? Please provide a satisfactory answer to paragraph 5.

At the end of your letter you state that a number of jazz organisations receive 'lottery support.' It is lottery support and is not revenue funding and this support is not informed by a policy for jazz in Wales. In any event, you make no mention of the sums of money involved.

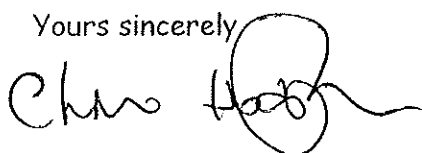
Finally, with regard to the cost of running ACW and the number of staff employed, the fact remains that ACW staff numbers have increased as funded organisations have been

shed. The point that you make where the ACW funds a comparable number of organisations to that of Scotland, denies my final comment the ACW should put its own house in order before it irrationally and without proper analysis withdraws funding for the Welsh Jazz Society. If it is comparable figures that you require, in 2006/2007 ACW's number of employees rose from 93 in 2006 to 96. The total wage bill including £33K of agency bills rose by 18 and a half % from £1952K to £2313K.

At the Scottish Arts Council staff for the same period increased from 95 to 97 and the wage bill rose from £2742K to £2945. An increase of 7.4%.

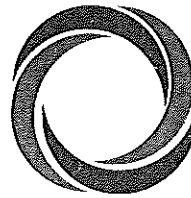
I trust that you will respond fully to this letter with in 10 working days.

Yours sincerely



Chris Hodgkins

[REDACTED]



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THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

Your ref: j:AACChris/letters/DA061008.doc

7 November 2008

Mr Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

Dear Mr Hodgkins,

Correspondence and Replies

My previous letter did offer an explanation of the delay. I acknowledged in my previous letter that you should have received a reply to your letter of 5th March, which should have simply referred to the Appeals process then underway, and the documentation being shared at that time with Welsh Jazz Society in advance of the Appeal Hearing. This was an omission on our part for which I offered an apology in my previous letter. The Council's submission to the Appeals Panel dealt with the Review, the findings of the Review, the Council's dealings with WJC and the Council's decision in respect of future funding.

The circumstances and course of the Service Provider Review were clearly set out in the documentation supplied to the Appeals Panel.

Your 21st October letter refers I assume to the latest Annual Review meeting with WJS which I consider was undertaken in a proper way given your receipt of grant to date. It was undoubtedly a difficult meeting for all parties but had to proceed on the basis of the outcome of the Appeals Process and could not be a re-opening of those issues and conclusions. You make there a veiled reference to consultants and costs. The Arts Council has in-house expertise which is generally valued by the arts sector and by the Assembly. We do not take on Consultants as a matter of course but do recognise that in certain tasks or research areas we would commission work from respected external consultants and experts to inform Council's work. On occasion we will involve agency work to cover if there is a gap in recruitment to a post.

I trust that, separately, response under FOI deals with the information you are requesting.

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CAERFYRDDIN/CARMARTHEN
CADERYDD/CHAIRMAN: YR ATHRO/PROFESSOR DAI SMITH
RHIF ELUSEN GOFRESTREDIG/
REGISTERED CHARITY NUMBER: 1034245



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Approach to Music Strategy and Funding

The Music Strategy forms part of the Artform Strategies which will be published on our website this month, following public consultation and three open Regional workshop presentations in early 2008. Subsequent to the consultation, Council considered responses to the consultation, held further discussions of the Artform Strategies and approved them in their July Council meeting. The Artform Strategies were also presented to the Arts Strategy Board chaired by the Minister in September 2008.

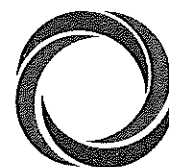
The analysis and strategic steps in the Artform Strategies were informed by seminars and discussions such as that held on Music in Galeri in April 2007 and informal discussion sessions using our National Advisers in the artforms. The Arts Council also builds up sector knowledge through its regular contact with clients and the Annual Review Meetings and with Arts Lottery recipients through their projects and reports.

... The resourcing of music in Wales as a whole and across genres remains a concern for Council. In the present year Dance, Visual Arts and Crafts, Music have budgeted spends from our Grant in aid, respectively of just over £1m, £1.7m, and £1.6m whilst the Drama budget and Presentation (support for venues across Wales and their programming) are resourced at just under £9m and Opera at £4.6m. However the Arts Council does not maintain that it has any over-resourced sectors operating at the expense of under-resourced sectors and remains actively engaged in growing the overall sources of investment into the arts in an increasingly difficult economic climate.

The support to Jazz is a mixture of revenue and lottery totalling £363,876 over the last 2 years, with Brecon Jazz Festival receiving an annual revenue grant of £124,908, and lottery support to, Womens Jazz Archive and Resource Centre, North Wales Jazz Society, Abersoch Jazz Festival, Cardiff Jazz Society, Swansea Jazzland, Porthcawl Jazz Festival, Torfaen Jazz in the Park.

The Council in publishing its Artform Strategies was very mindful of the distortions to the funding picture, which historically the joint funding of the BBC National Orchestra of Wales and the Welsh National Opera has brought to the area of music. This is what I meant by "camouflaging" the situation i.e. that the true picture of the funding of music has been masked perhaps by the funding of the orchestra and opera.

Other funding which ACW has received in recent years has been predicated on Welsh Assembly decisions and is registered in distinct clauses in the Remit Letter we receive regarding our funding. The additional monies, for example going to companies now based in the WMC which you refer to, recognised additional premises and other overhead costs those companies (Diversions, Academi, Hijinx) would have on transfer to WMC and their broader remit across Wales.



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THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

The Council is mandated by its current remit letter to come forward with proposals around funding models for the future, and it is in this context that the overall funding of the Music Portfolio along with the other artforms will be given in depth evaluation. Our Artform Strategies are clear about desirable developments and where our priorities lie.

Query regarding Spheres of Influence

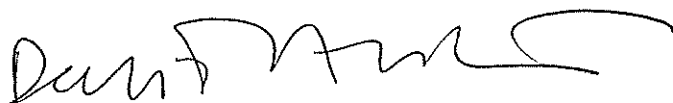
You seem exercised by the question of the spheres of influence policy and how it bears on Opera and touring. I can only repeat what I set out in my previous letter. The spheres of influence policy was determined many years ago to set up the touring pattern for UK opera companies. It does have an effect of protecting their possibility for touring income and guaranteeing to the Arts Councils a geographic spread of touring of opera of the highest quality. It set a pattern, which has continued into the present without it having to be a policy document, constantly in the forefront of any CEO's considerations. Its conventions are well understood by Arts Council England who drove the policy in the first place and by the lead officers in Wales and England dealing with the opera companies. Arts Council of Wales has been involved in sustainability matters with WNO and is confident in the approach the company takes to its finances both from public sources and from sponsorship or private support.

Staff Costs

Whilst you acknowledge my point to you about comparability with Scotland, if not in budgets at least in size of clientele, the conclusion one could draw from the figures in your letter are that overall we are providing services to the arts at a staff cost of £632k less than Scotland! There are factors however that render such headline comparisons less straightforward if differences of operation are factored in. Wales for example runs three regional offices to have a South, Mid and West, and North based operation and deliver with better local connectivity as a result. ACW restructured two years ago with issues of value for money and the best fit for changing circumstances as drivers for changes made then.

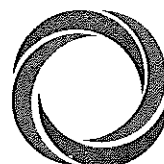
In conclusion, I consider that I have covered the matters raised and now repeated in your letters and that my responses, at the risk of reiterating matters covered in my initial letter, coupled with your FOI enquiries, should now, I would hope, conclude matters. If you have other and different queries, I will of course deal with them, but I would not propose to go over ground again that has been covered in my replies.

Yours sincerely



David Alston
Arts Director

Cc Professor Dai Smith, Nick Capaldi



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THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

My Ref: orgs/welsh jazz
society/appeal/DA121108v2.doc

Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

David Alston
The Arts Council of Wales
9 Museum Place
Cardiff
CF10 3NX

20 December 2008

Dear Mr Alston

Many thanks for your letter of 7th November in response to my letter of 21st October 2008.

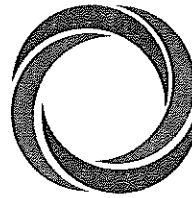
1. I require an explanation as to why it took Prof Smith seven months to reply to my letter of 5th March. I do not need excuses or stonewalling. Please provide one.
2. With regard to the final review meeting; it was not a difficult meeting for me, just a complete waste of my time and I was embarrassed by the lack of knowledge demonstrated by one of your officers concerning the market for jazz. This drives a coach and horses through your risible suggestion that the Arts Council has in-house expertise.
3. With regards to the decision to withdraw funding from the Welsh Jazz Society and the appeal process; the ACW has yet to provide hard evidence. All the ACW can provide is the equivalent of hearsay and unsubstantiated conjecture.
4. Again I have to ask you to answer why there is no policy for jazz in Wales. Please do not suggest that the music strategy is a policy for jazz.
5. I am still awaiting a copy of the Environmental Analysis. I asked for it under the Freedom of Information Act and it still has not been provided.

I trust that you will finally provide me with the answers that I require.

Yours sincerely

Chris Hodgkins

[REDACTED]
[REDACTED]
[REDACTED]



CEFNOGI CREADIGRWYDD
CYNGOR CELFYDDYDAU CYMRU
THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

27 January 2009

Your ref: orgs/welsh jazz society/appeal/DA121108v2.doc

Mr Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

Dear Mr Hodgkins

....
I know you have received a reply from Angela Thomas in respect of correspondence with the Arts Council of Wales. Several points in your letter dated 20 December I consider have been dealt with in previous correspondence. In my letter of 26 September I offered both an explanation of why your letter of the 5 March 2008 to the Chair went without response and I also apologised. You should have been sent a holding reply given the imminence of the Appeal hearing.

I am confident that the Arts Council of Wales can call on internal and external sources of expertise to inform its views on jazz. I am also confident of all the factors that were taken into consideration in determining Council's decision to curtail the funding of the Welsh Jazz Society. Jazz is a strand within our Artform Strategy for Music. This is in the public domain in terms of our focus and ambitions for music over the period 2008-13. This Strategy is subject to review and circumstances can dictate re-appraisal. The financial collapse of the organisation running Brecon International Jazz Festival obviously involves the Council's re-appraisal of its support, although the Council continues to consider that the Festival has a key role to play.

I addressed your question regarding environmental analysis by referring in my earlier letter to the research and sector knowledge the Arts Council of Wales has to inform its pattern of support.

Following Angela Thomas' letter to you I would now consider these matters adequately dealt with by this and previous correspondence.

Yours sincerely

David Alston
Arts Director

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Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

Nick Capaldi
CEO
The Arts Council of Wales
9 Museum Place
Cardiff
CF10 3NX

08 February 2009

Dear Mr Capaldi

Re: Welsh Jazz Society

At the last review meeting of the Welsh Jazz Society with three ACW officers, Brian Hennessey and I noted that these officers stated that they had no knowledge of letters of support for the Welsh Jazz Society. However, the ACW Compliance and Information Manager states "each would have been aware that letters regarding the decision to withdraw funding....were being received....these comprised of letters in support of the Welsh Jazz Society". I would appreciate clarity on this; did these particular ACW officers know there were letters of support or did they not know? Who is telling the truth?

I would also appreciate it if ACW officers who attended the last WJS review meeting on 9th September 2008 would supply me with a copy of the Minutes of that meeting. As at the date of this letter no minutes have been received.

Also I have asked whether the ACW strategy was backed up and informed by an Environmental Analysis. It appears from correspondence received from ACW that ACW is unsure as to what an environmental analysis is. All I require is a straightforward answer, yes or no. The question is "was an Environmental Analysis undertaken by ACW to inform the current strategy?"

Perhaps you should also note that the chairman and members of ACW staff have problems adhering to ACW guidelines on responding to correspondence within the 10 day deadline; for example, a letter to David Alston sent on the 20th December was finally replied to on the 27th January 2009. This is clearly in breach of ACW's own rules on replying to correspondence and I would like this matter of these delays investigated. The Information Commissioner's Office has already highlighted the ACW's insouciance in addressing correspondence.

David Alston in his letter of the 27th January says that jazz is a strand within ACW's Artform strategy. The only mention of jazz in the strategy is:

"A leading international event such as Brecon Jazz has created a profile for Wales and for jazz, and the Welsh Jazz Composers Orchestra has brought together a dynamic grouping of some of the best talents in Wales. They are dedicated to opening out new ways of working within the big band format and in combos. Many of its players perform with national and international recognised artists. Arts Council of Wales wants to support a more ambitious, dynamic and cohesive approach to jazz and its year round programming, across Wales."

And then in the Strategic Steps for Music I find that jazz is relegated to Category 3: "only achievable with new resources and development or new partners and demanding on occasion significant investment for them to be realised."

The policy for jazz in Wales is therefore "in supporting the Welsh Jazz Composers Orchestra and other partners to have an extended remit to embrace programming jazz in Wales outside festivals". -- that is if resources can be found.

The rest of jazz activity has been ignored and sidelined; which brings me back to my original letter to Dai Smith of the 1st March which for the main part has been unanswered. I enclose a copy.

I would be grateful if the ACW addresses my points above and in previous correspondence and does not indulge itself in vexations, obfuscation, stonewalling and disingenuous replies.

Yours sincerely

Chris Hodgkins
Trustee – Welsh Jazz Society

Case reference number: FS50219087



Information Commissioner's Office
Protecting your personal information and
promoting public access to official information

Swyddfa'r Comisiynydd Gwybodaeth
Hybu cyfle'r cyhoedd i weld gwybodaeth
swydddogol a diogelu'ch gwybodaeth personol chi

Mr Chris Hodgkins

[REDACTED]
[REDACTED]
[REDACTED]

London

[REDACTED]

8 January 2009

Dear Mr Hodgkins

Information request to the Arts Council of Wales

I refer to your complaint about how the Arts Council of Wales (ACW) dealt with your request for information of 31 January 2008 under the Freedom of Information Act (the Act). You requested the following:

1. *"papers and minutes of meetings that pertain to the decision to axe funding of the Welsh Jazz Society";*
2. *"confirm that all person [sic] involved in this decision have a demonstrable level of expertise in jazz, its practise and management";*
3. *"details of the spheres of influence policy and protocol agreed by the Arts Council of England and the National Opera Co-ordinating Committee".*

Between January and May 2008, a number of exchanges took place between yourself and ACW, which resulted in the provision of some information in relation to your requests.

You complained to the Information Commissioner on 31 August 2008 regarding the way in which ACW had handled your request for information. On 21 October 2008 you confirmed that the outstanding matter related to your request for copies of the minutes of the Review Group meetings, which ACW had withheld under section 36 of the Act. This outstanding information has formed the basis of my investigation.

You specifically requested copies of the *"minutes of the Review Group that handled the Welsh Jazz Society"* minutes on 28 March 2008. ACW responded to this request on 17 April 2008 stating that the information was exempt from disclosure under section 36(2) of the Act.

Information Commissioner's Office (Wales), Cambrian Buildings, Mount Stuart Square, Cardiff CF10 5FL
Swyddfa'r Comisiynydd Gwybodaeth (Cymru), Adeiladau Cambrian, Sgwâr Mount Stuart, Caerdydd CF10 5FL
tel/ffôn: 029 2044 8044 fax/ffacs: 029 2044 8045 e: wales@ico.gsi.gov.uk e: cymru@ico.gsi.gov.uk

Prif Swyddfa (Head Office): Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
tel/ffôn: 08456 306060 fax/ffacs: 01625 524510 e: mail@ico.gsi.gov.uk www.ico.gov.uk



Information Commissioner's Office
Swyddfa'r Comisiynydd Gwybodaeth

On 20 April 2008, you contacted ACW and confirmed that your request was for the minutes of the meeting that were pertinent to the Welsh Jazz Society and not all minutes. On 12 May 2008, ACW wrote to you confirming it had reconsidered your request in light of your email of 20 April 2008. The relevant section of the minutes was provided and ACW also confirmed that *"the remaining minutes related to other organisations or general items such as the "Terms of Reference" of the review and therefore are not within the scope of the request"*.

In your complaint to the Commissioner, you stated that you felt it:

"unbelievable and risible that the only reference to the Welsh Jazz Society to arise from the minutes of the Service Provider Review Group is:

3. The Welsh Jazz Society and Fforwm Crefft Cymru – Diane Hebb to speak to Einion Dafydd and Nathalie Camus about potential implications of funding cuts".

Following receipt of your complaint the Commissioner wrote to ACW on 21 October 2008 and requested a copy of the withheld information.

As discussed on 5 January 2009, I have now had the opportunity to view the minutes of the Review Group Meetings held on 25 May 2006, 31 July 2006, 23 October 2006 and 19 February 2007. I can confirm that the only reference to the Welsh Jazz Society within these minutes is the information which was provided to you by ACW in their letter of 12 May 2008. In view of the fact that you have now been provided with all the information held by ACW in relation to your request there does not appear to be any further practical steps for me to take.

During our conversation on 5 January 2009 you expressed your dissatisfaction with the way that ACW handled your initial request and the fact that you had to continue to make repeated requests in order to obtain all the relevant information relating to your request.

These issues have been highlighted to ACW which has been informed that although no formal action will be taken in relation to the handling of your request, the Commissioner monitors all complaints. Any discernable trend of non-compliance may result in the Commissioner taking enforcement action against ACW.



Information Commissioner's Office
Swyddfa'r Comisiynydd Gwybodaeth

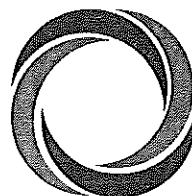
If you are content with the steps now taken by the authority, you do not need to take any further action and I will assume that you have withdrawn your complaint. However, if you remain dissatisfied with the steps taken, please let me know within 20 working days. I can be contacted by email at joanne.edwards@ico.gsi.gov.uk or on 029 2044 8055.

I can assure you that your complaint has been taken seriously, and I thank you for bringing this matter to the attention of the Commissioner.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Edwards', with a stylized flourish at the end.

Joanne Edwards
Senior Complaints Officer



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THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

16 February 2009

Mr Chris Hodgkins
[REDACTED]
[REDACTED]
London
[REDACTED]

Dear Mr Hodgkins

Welsh Jazz Society

Thank you for your letter of 8 February on the above.

You raise a number of points in your letter, most of which have been dealt with in previous correspondence between yourself and my colleagues. I don't propose to go over old ground and will restrict my comments to your points relating to the annual review meeting.

I will check where we are with the notes of the annual review meeting and ask that these are sent. I cannot comment on what was said at the annual review meeting or speculate as to its meaning. I wasn't there. However, I believe the advice previously given to you by our Compliance and Information Manager to be correct.

I note from our records that there have been some 15 Freedom of Information requests on the above, and numerous letters and e-mails. Where there have been delays in responding to letters we've acknowledged this and apologised.

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RHIF ELUSEN GOFRESTREDIG/
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In all other respects we've dealt with the Freedom of Information submissions promptly, and have provided the information that has been requested, when it's been asked for.

Finally, we received notification on 10 February from the Information Commissioner's Office (ICO) that:

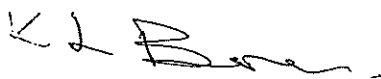
"no further action will be taken in relation to the procedural issues".

The ICO's letter goes on to say:

"I can also confirm that this complaint is judged to be withdrawn and the Commissioner proposes to take no further action. As such, I have now closed our case."

We accept and agree with the ICO's conclusion in this matter. I trust that the ICO will also have written to you directly to notify you of its decision.

Yours sincerely

pp 

Nick Capaldi
Chief Executive/Prif Weithredwr



CEFNOGI CREADIGRWYDD
CYNGOR CELFYDDYDAU CYMRU
THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

Nick Capaldi
CEO
The Arts Council of Wales
9 Museum Place
Cardiff
CF10 3NX

11 March 2009

Dear Mr Capaldi

Re: Welsh Jazz Society

I received your letter of the 16th February 2009.

With regard to the letter you received from the Information Commissioners Office, perhaps in the interests of clarity it would be best to quote the full letter. Their letter to me of the 8th January 2009 stated the following:

"In your complaint to the Commissioner, you stated that you felt it:

"unbelievable and risible that the only reference to the Welsh Jazz Society to arise from the minutes of the Service Provider Review Group is:

3. The Welsh Jazz Society and Fforwm Crefft Cymru – Diane Hebb to speak to Einion Dafydd and Nathalie Camus about the potential implications of funding cuts".

Following receipt of your complaint the Commissioner wrote to ACW on 21 October 2008 and requested a copy of the withheld information.

As discussed on 5 January 2009, I had now had the opportunity to view the minutes of the Review Group Meetings held on 25 May 2006, 31 July 2006, 23 October 2006 and 19 February 2007. I can confirm that the only reference to the Welsh Jazz Society within these minutes is the information which was provided to you by ACW in their letter of 12 May 2008. In view of the fact that you have now been provided with all the information held by ACW in relation to your request there does not appear to be any further practical steps for me to take.

During our conversation on 5 January 2009 you expressed your dissatisfaction with the way that ACW handled your initial request and the fact that you had to make repeated requests in order to obtain all the relevant information relating to your request.

These issues have been highlighted to ACW which has been informed that although no formal action will be taken in relation to the handling of your request, the Commissioner monitors all complaints. Any discernable trend of non-compliance may result in the Commissioner taking enforcement action against ACW."

You assert in your letter to me that 'a number of points in your letter, most of which have been dealt with in previous correspondence between yourself and my colleagues. I don't propose to go over old ground'. Regrettably the ACW has not fully addressed the points in my letter of 5th March neither to Professor Smith nor in subsequent correspondence.

The ACW has not addressed the following:

- Why has there not been a review of jazz in Wales when there were recommendations for a review on two occasions?
- Why was there no consultation with the Jazz Community in Wales on the art form strategy?
- Over 58 letters in support of the Welsh Jazz Society were received by the ACW and only 9 were replied to. With 97 staff the ACW can only reply to 9 letters; this is a matter that clearly needs investigation.
- David Alston did not adhere to the ACW's own guidelines by finally responding to my letter of the 20th December 2008 to the ACW on the 27th January 2009. There is little point in having these guidelines if they are not implemented.

With regard to my other points on the ACW's object failure to answer these points, I can only draw the following conclusions:

- The officers present at the final review knew that there were over 50 letters of support for the Welsh Jazz Society and paid neither heed nor attention to this fact. This should be noted in the minutes of the last review meeting in September with an explanation and apology for the appalling amount of time it has taken to produce them – over four months.
- No Environmental Analysis was undertaken to inform the ACW's strategy for Wales and the resulting strategy is therefore so flawed as to be worthless.

In my letter to you of the 8th February I stated the following:

David Alston in his letter of the 27th January says that jazz is a strand within ACW's art form strategy. The only mention of jazz in the strategy is:

"A leading international event such as Brecon Jazz has created a profile for Wales and for jazz, and the Welsh Jazz Composers Orchestra has brought together a dynamic grouping of some of the best talents in Wales. They are dedicated to opening out new ways of working within the big band format and in combos. Many of its players perform with national and international recognised artists. Arts Council of Wales wants to support a more ambitious, dynamic and cohesive approach to jazz and its year round programming, across Wales."

And then in the Strategic Steps for Music I find that jazz is relegated to Category 3: "only achievable with new resources and development or new partners and demanding on occasion significant investment for them to be realised."

The policy for jazz in Wales is therefore "in supporting the Welsh Jazz Composers Orchestra and other partners to have an extended remit to embrace programming jazz in Wales outside festivals" – that is if resources can be found.

The rest of jazz activity has been ignored and sidelined; which brings me back to my original letter to Dai Smith of the 1st March which for the main part has been unanswered.

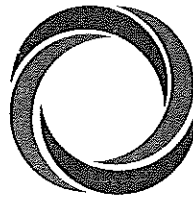
The pious platitudinous art form strategy states inter alia:

"Arts Council of Wales values musical diversity in Wales from rock and pop to world music, from jazz to classical, from traditional to contemporary... An aim of this strategy is to focus on the sustaining infrastructure needed for a whole variety of artistic careers in Wales – all topped off with the ACW priority for jazz which is "support a more ambitious, dynamic and cohesive approach to jazz and its year round programming across Wales" – a pious aim that regrettably lacks operational nous, muscle, quantifiable objectives, financial resources and an action programme.

This is an appalling state of affairs. The ACW has no practical, workable or concrete policy for jazz; there are no financial resources to jazz in Wales other than a support for Brecon Jazz Festival which is at the behest of the Assembly for Wales and the ACW acts as a conduit. The treatment of jazz in Wales by the Arts Council of Wales is a public disgrace.

Yours sincerely

Chris Hodgkins
Trustee – Welsh Jazz Society



CEFNOGI CREADIGRWYDD
CYNGOR CELFYDDYDAU CYMRU
THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

19 March 2009

Chris Hodgkins
[REDACTED]
[REDACTED]
London
[REDACTED]

Dear Mr. Hodgkins.

Welsh Jazz Society

Thank you for your letter of 11 March on the above.

I accept that you are unhappy about the responses to your previous correspondence. I regret that fact, and wish that our correspondence could have been happier in tone.

I do understand your concerns about jazz development, and I can assure you that the Arts Council won't be turning its back on jazz. However, I'm afraid that there is nothing new that I'm able to add to our previous letters.

Yours sincerely,
Nick Capaldi.

Nick Capaldi
Chief Executive/ Prif Weithredwr

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CAERDYDD/CARDIFF, BAE COLWYN/COLWYN BAY,
CAERFYRDDIN/CARMARTHEN
CADEIRYDD/CHAIRMAN: YR ATHRO/PROFESSOR DAI SMITH
~~PRIF WEITHREDWR/CHIEF EXECUTIVE OFFICER~~
RHIF ELUSEN GOFRESTREDIG/
REGISTERED CHARITY NUMBER: 1034245



Noddir gan
Lywodraeth
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My Ref: orgs/welsh jazz society/appeal/NC240309.doc

Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

Nick Capaldi
CEO
The Arts Council of Wales
9 Museum Place
Cardiff
CF10 3NX

24 March 2009

Dear Mr Capaldi

Re: Welsh Jazz Society

Thank you for your letter of the 19th March 2009.

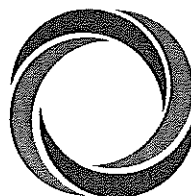
Regrettably all the evidence to date demonstrates that ACW has turned its back on jazz. My correspondence stands as testament to that fact and remains on public record.

I have asked for the minutes of the final review meeting of the Welsh Jazz Society that took place in September 2008. It has taken over six months for three officers of ACW who attended that meeting to produce nothing. I trust the Arts Council of Wales will provide a set of minutes for the trustees with an apology for the delay and an explanation; this behaviour from an organisation funded by the tax payer is inexcusable.

I await the minutes that I trust will include my observations on the matter from my letter of the 11th March 2009.

Yours sincerely

Chris Hodgkins
Trustee – Welsh Jazz Society



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CYNGOR CELFYDDYDAU CYMRU
THE ARTS COUNCIL OF WALES
SUPPORTING CREATIVITY

6 April 2009

Chris Hodgkins
[REDACTED]
[REDACTED]
London
[REDACTED]

Dear Mr. Hodgkins

Welsh Jazz Society

Thank you for your letter 24 March on the above.

Please find attached a copy of the annual review meeting notes and the letter that accompanied them.

Yours sincerely,

Nick Capaldi

Nick Capaldi
Chief Executive

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CADEIRYDD/CHAIRMAN: YR ATHRO/PROFESSOR DAI SMITH
[REDACTED]
RHIF ELUSEN GOFRESTREDIG/
REGISTERED CHARITY NUMBER: 1034245



Noddir gan
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Government

03.03.2009

Our ref: / 20080152

Mr. Brian Hennessey
Director
Welsh Jazz Society

[REDACTED]
[REDACTED]
Cardiff [REDACTED]

Dear Brian

Application No.: 20080152 - Annual Revenue 2008-2009

I'm pleased to enclose a hard copy of your finalised Annual Review Meeting report relating to our meeting with you in September.

I have to apologise for the delay in getting this out to you, which is due to capacity issues in my office. Unfortunately I'm having to write several such letters to clients who should have received their reports more promptly.

As you know, the report goes onto your file here, but if you wish to advise us of any factual errors please email your lead officer, [REDACTED]
[REDACTED]@artswales.org.uk - so that a note can be added to the file.

With best wishes

Yours sincerely

[REDACTED]
Director (South Wales)

Chris Hodgkins
[REDACTED]
[REDACTED]
London [REDACTED]

Nick Capaldi
CEO
The Arts Council of Wales
9 Museum Place
Cardiff
CF10 3NX

29 April 2009

Dear Mr Capaldi

Re: Welsh Jazz Society

I received your letter of the 6th April in response to my letter of the 11th March that asked for the minutes of the Welsh Jazz Society review meeting with an explanation and apology.

Regrettably your letter and the copy of the letter from [REDACTED] with the minutes of the review meeting that took place on the 9th September 2008 present a prima facie case for a thorough review of the Arts Council Wales its role, culture and operations.

1. Your letter makes no apology for the fact that it has taken six months to provide a record of the meeting. This lack of apology implies that this dilatory behaviour by ACW is deemed acceptable by the Chief Executive of the ACW.

[REDACTED]'s letter only serves to reinforce my view that the ACW is operationally defective.

The excuse given is that delay is due to "*capacity issues in his office*". Yet three ACW officers attended the review meeting on Tuesday 9th September. I also note that that the minutes of the review meeting recently circulated have October 2008 written at the top of each page.

A three day a week Chairman on £33k per annum – for what should be a voluntary position – who cannot reply to correspondence, 97 staff and access to agency staff; and it takes the three members of staff who attended the meeting plus the remaining 94 members of staff six months to type up and circulate a set of minutes.

It should also be noted that I was not circulated with the minutes even though I was in attendance; in any event the minutes should have first been sent for checking before they are placed on file.

2. [REDACTED] then says the report "*goes onto your file here but if you wish to advise us of any factual errors please email your lead officer [REDACTED]*".

Well the first factual error is that we do not have a lead officer as ACW does not fund us. In any event courtesy dictates that all replies should go to [REDACTED] d.

Secondly to use as an excuse insufficient capacity for this extraordinary 6 month delay is unacceptable and requires a full investigation.

3. I enclose a set of minutes of the meeting; it would advisable if [REDACTED] append them to the review document.
4. One glaring factual error is that on page 14 of the notes of the meeting it states that *"WJS noted they felt that the Compliance and Information Manager had done a very good job throughout the process"*. This sentence should in fact read *"WJS noted they felt that the Compliance and Information Manager had done a very good job throughout the process for the Arts Council of Wales"*.
5. Perhaps on this occasion ACW will provide an explanation and not a limp excuse as to why it took six months to send off notes of a meeting held in September 2008.
6. Under the freedom of Information Act I request the following information:
 - Re: the recent office move of ACW to the Millennium Centre:
 1. Were these offices purpose built for ACW?
 2. When and where was the decision to make the move announced?
 3. Does ACW need a rent subsidy similar to WNO?
 - Following the transfer of [REDACTED] from Music Officer to Regional Director:
 1. When and where was the vacancy for a Music Officer advertised?
 2. How many applications were received?
 3. How many applicants were interviewed?
 4. How many were included on the short list of candidates?
 5. The names of the ACW staff that conducted the interviews and made the decision.

Yours sincerely

Chris Hodgkins
Trustee – Welsh Jazz Society



Cyngor Celfyddydau Cymru
Arts Council of Wales

6 May 2009

Chris Hodgkins
[redacted]
[redacted]
London
[redacted]

Dear Mr Hodgkins

Welsh Jazz Society

Thank you for your letter of 29 April on the above.

As you'll have seen, [redacted]'s letter apology was clear and unequivocal. I can assure you that I very much agree that such an apology is merited, and can only add my regrets to those expressed in David's letter. We took too long to prepare the notes, and I'm sorry for the delay.

Our South Wales regional team is responsible for monitoring the work of a large number of organisations. They also cover the largest number of local authorities and the highest number of funding applications. This has placed particular pressures on staff. I've taken a look at these issues and we've put new arrangements in place for the next round of review meetings. We intend to make sure that matters are attended to more promptly in the future.

Thank you for sending us a set of notes from the meeting. I'll make sure that these are appended to the review document, as you suggest.

Finally, your Freedom of Information requests will be dealt with in the normal manner.

Yours sincerely,
Nick Capaldi

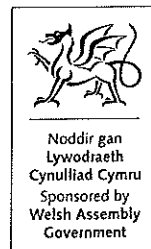
Nick Capaldi
Chief Executive/Prif Weithredwr

cc David Newland

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Cyngor Celfyddydau Cymru
Arts Council of Wales

10 December 2009

Mr M Coffin
Chair, Welsh Jazz Society
26 The Balcony
Castle Arcade
Cardiff CF10 1BY

Dear Mr. Coffin

Complaint made to the Public Services Ombudsman for Wales by Mr Chris Hodgkins
on behalf of the Welsh Jazz Society

Earlier this year, Mr Chris Hodgkins submitted a Complaint to the Public Services Ombudsman for Wales. The complaint arose from the Arts Council's decision to cease its annual revenue funding of the Welsh Jazz Society (WJS) from 31 July 2008.

We have now received a copy of the Ombudsman's Report. I entirely accept the Report's conclusions. In particular, I note the Report's conclusion that it was "neither reasonable nor fair for the ACW to say, in the letter conveying the decision to withdraw grant that, the WJS had not been operating as effectively as it could be as a promoter."

In our evidence to the Ombudsman we accepted that this letter was misleading – the comments on the performance of the WJS as a promoter of jazz events had been made in error and should not have been included. I am happy to reiterate that point here, and accept unreservedly that our comments on this matter were wrongly set out in the letter.

I would like to offer my sincere apologies for this error. We should not have made this mistake, and I regret that these misleading comments were included in our letter. I would therefore formally withdraw the adverse comments that we made about the performance of WJS as a promoter.

*Yours sincerely,
Nick Capaldi*

Nick Capaldi
Prif Weithredwr/Chief Executive

cc Mr Chris Hodgkins

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