



ARTS AND CULTURE TRUST

Our Ref: 66-19819

Hon. David Templeman MLA
Minister for Culture and the Arts
Level 7, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Minister

STATEMENT OF INTENT – ARTS AND CULTURE TRUST BOARD

On behalf of the Board, I am pleased to provide this Statement of Intent which is in response to, and outlines how the Board will implement, your letter of expectation dated 18 August 2022.

The Board formally commits to meeting your expectations and ensuring government policies and priorities relevant to the work of the Board for the Arts and Culture Trust (the Trust) are realised.

All Board Members will work to ensure the community's confidence in the Board is preserved and strengthened and that in all our activities, we operate in a way that promotes collaboration and demonstrates accountability and transparency in support of government policies and priorities.

Good Governance

The Board acknowledges that it operates within a legislative and public policy environment that provides frameworks for accountability, governance, transparency, and service delivery.

The Board commits to understand its statutory requirements and to govern effectively, with diligence, care and skill, and for the benefit of all stakeholders.

The Board will comply with all its legislative requirements and adopt an approach to governance that achieves an appropriate balance between conformance and performance.

Through the Chief Executive Officer, the Trust's employees and resources will support the Board in the fulfillment of its governance responsibilities.

Ethical Behaviours and Conflicts of Interest

As the governing body of the Trust, the Board will uphold the highest standards of ethical behaviour in the execution of its functions and powers pursuant to the *Arts and Culture Trust Act 2021* (the Act), relevant government legislation and policies.

The Board will endorse and uphold its Code of Conduct and individual members will complete Accountable and Ethical Decision-Making training. Ongoing support to Board Members will be provided by the Chairperson and through the Trust administration.



ARTS AND CULTURE TRUST

Board Members recognise and understand their obligation to identify, declare and manage any conflict of interest in accordance with the Act. Members commit to make impartial decisions without influence of personal, commercial, political or other interest interfering with their duties.

Members will be held to account for their behaviours to maintain and promote high professional standards and undertake responsible decision-making with sincerity and integrity.

Performance Management

The Board will review its performance annually to determine whether it is carrying out its duties effectively against its statutory responsibilities and in accordance with the principles and intent of recognised good governance guides for public sector Boards.

The review will examine all aspects of the Board detailed in its Charter and will include:

- an assessment of whether the functions of the Board or Committee have been performed and whether individual members have discharged their duties; and
- consideration of whether the current composition of the Board or Committee provides for an appropriate mix of skills, diversity and length of tenure across the individual members.

The outcome of the review will be used to identify and address any gaps or improvement opportunities for the Board's performance.

Appointments

The Board agrees to provide timely advice in relation to appointments and submit paperwork before expiry of an appointment term to ensure there is sufficient time for appointments to be made.

The Board notes the current best practice guidance, which is not supportive of a Member's total tenure exceeding ten years.

Government policies and objectives

The Board will consider wider economic benefits to the State, impacts on other Government agencies and key Government policies as part of their planning and decision-making processes and also comply with relevant general policy requirements, set out in instruments including:

- Premier's Circulars.
- Public Sector Commissioner's Circulars; and
- Treasurer's Instructions.

The Board notes that these instruments also often specify the action a Board or Committee should take when compliance has not occurred and that it is appropriate to inform the Minister of any instances of non-compliance and actions being taken to address the situation.

Financial management

The Board will manage its financial affairs diligently and in accordance with legislative requirements.



ARTS AND CULTURE TRUST

The Board agrees to meet its statutory financial management obligations including:

- ensuring that actions taken in pursuit of the Board's or Committee's objectives are efficient and deliver value-for-money;
- having in place effective asset management and protection policies and strategies.
- ensuring that planned capital works and future budget requirements are prominently identified in a Strategic Development Plan (or equivalent strategic planning documentation), are linked to the Board or Committee's objectives and that expenditure is authorised by a decision of the Expenditure Review Sub-committee of Cabinet when this is required; and
- developing and maintaining an effective internal audit function that is proportionate to the extent of any financial and operational risks being managed.

Communication

The Board agrees to provide timely and accurate information to allow the Minister to effectively discharge his Ministerial and Parliamentary obligations.

The Board will proactively bring specific matters to the Minister's attention, including:

- activities and performance matters that are likely to be of public interest, including major initiatives and significant transactions;
- negotiations or discussions with unions, material safety or environmental events and cyber attacks;
- material dealings with other government departments, GTEs, local government, and any dealings with foreign entities, government and officials; and
- any approaches from, or plans to communicate with, Members of Parliament.

In addition, pursuant to Section 56 of the Act, the Board will:

- keep the Minister reasonably informed of the operations, financial performance and financial position of the Trust, including the assets and liabilities, profits and losses and prospects of the Trust; and
- give the Minister reports and information that the Minister requires for making informed assessments of the matters referred above. (s.56)

The Board will fulfil the expectation to keep the Minister's advisers and the Department of Local Government, Sport and Cultural Industries informed in the same manner.

The Board looks forward to working with you and delivering the abovementioned priorities and outcomes.

A handwritten signature in blue ink, appearing to read 'Morgan Solomon'.

Morgan Solomon
Chairperson
Arts and Culture Trust Board

3 November 2022