

**Shetland Arts Development Agency
Board of Trustees Meeting
Thursday 31 October 2024 at 5.30pm
Venue: Mareel/Teams**



Shetland *arts*

Item	Description	Report	Item taken by	Action
1	Welcome and apologies		Chair	Note
2	Declarations of interest		Chair	Note
3	Minutes 29 August 2024		Chair	Approval
4	Scrutiny 4.1 Management Accounts 4.2 Operational Issues 4.3 Performance Monitoring 4.4 Major Projects	Attached Attached Attached Attached	KLL GH GH GH	Note Note Note Note
5	Governance 5.1 Policies 5.2 Strategic Risks 5.3 Trustee Recruitment	Attached Attached Attached	KLL GH Chair	Approval Approval Approval
6	Strategy 6.1 Update from Stakeholders	Attached	GH	Note
7	General 7.1 Key Upcoming Events	Attached	GH	Note
8	Any other business None			
9	Future SADA Board Meetings: Board Meeting Thursday 19 th December 2024 – 5.30pm		Chair	

The Board may decide that on grounds of confidentiality particular items should be considered in private. Any such items will be noted in separate “closed” minutes for approval at the next Board meeting

Minutes of the Open Meeting of Shetland Arts Development Agency, Thursday 29 August 2024, held at 5.30 p.m. in Mareel

Present:

Chris Gadsby (CG), Shetland Arts
Hannah Hough (HH), Shetland Arts
Malcolm Innes (MI), Shetland Arts
Michele Kerry (MK), Shetland Arts
Catriona Macdonald (CM), Shetland Arts (via VC, part-time)
Jamie Manson (JM), Shetland Arts (via VC)

In Attendance:

Graeme Howell (GH), Chief Executive, Shetland Arts
Kerry Llewellyn (KLL), Support Lead, Shetland Arts
Shona Fullerton (SF), minute taker

Apologies:

Susan Mail, Kerry Larbalestier (KL) and James Johnston (JJ), Shetland Arts

Item	Topic	Action
1	Welcome and Apologies The chair welcomed everyone to the meeting. An error with the date on the agenda was noted and should have read 29 August 2024. Apologies noted.	
2	Declarations of Interest None.	
3	Minutes of Meeting held on 27 June 2024 The minutes were approved on the motion of CG, seconded by HH.	
4.1	Management Accounts to end June 2024 Noted. MI queried the Operational lease income – SIC item on the accounts and KLL explained that this related to a lease back arrangement with SIC for Mareel.	
4.2	Operational Issues None.	
4.3	Performance Monitoring Referring to Formal Education Delivery figures, GH commented that the figure was still flexible at this time, but recruitment had been	

	<p>strong. A brief discussion was held on future funding for Skills For Work students.</p> <p>GH highlighted that cinema attendances were behind target for Q1, but added that this level of attendance was good for an island based arts charity, but it was not what they had hoped for in Q1. CG responded by advising that this situation was not unique to Shetland but was being experienced across the sector.</p>	
4.4	<p>Major Projects Noted.</p> <p><u>Remembering Together</u> - GH highlighted the Remembering Together book launch on 24 September and commented that Trustees would receive invites to the event.</p> <p>Responding to a question from HH regarding the intellectual property (IP) issue, a brief discussion was held on the Memorandum of Understand (MOU) for the project. GH advised that the SADA had not signed the MOU and the IP matter had not been resolved but he did not think anything further would transpire.</p> <p><u>SCT Capital Grant Scheme – Bonhoga</u> – SCT have approved the carry forward of the capital grant into 2025-26.</p> <p><u>Music Policy Resilience Lab</u> – Project has been launched and had been shared with the Board through SADA News. It was hoped that the membership for this project would expand.</p> <p><u>SCT Capital Grant Scheme – Mareel</u> – Responding to a question from MI, GH advised that the scheme was not just for Changing Places, it also included replacement of external door and foyer flooring, etc. Referring to the Foyer floor, GH advised that a solution would be worked through further and a way forward would be agreed.</p>	
5.1	<p>Policies</p> <p>SM had requested grammatical changes in the policies and KLL would amend the documents in light of that.</p> <p><u>Flexible Working</u> – KLL advised that the current policy had been updated based on new legislation that had recently come in to place. MI commented that it was a comprehensive and understandable document, but it was lengthy. The length of the document was discussed but no actions were agreed.</p> <p>MK referred to the Scope of the policy and queried the terms ‘employee’ and ‘worker’. KLL advised that ‘worker’ related to those with casual worker agreements and ‘employee’ related to those with</p>	KLL

	<p>employment contracts. KLL advised she would bring a recommendation to the Board in the future regarding updating other HR policies with this Scope statement. Subject to grammatical changes, the policy was approved.</p> <p><u>Health, Safety & Welfare (HS&W)</u> – A discussion was held regarding definition, extension, consistency, staff responsibilities and competency requirements within the policy. KLL agreed to review with Worknest and take a revised policy to the next Board meeting.</p> <p><u>Disciplinary</u> – No changes required and recommended to review every three years. Policy approved.</p> <p><u>Volunteering</u> – No changes required and recommended to review every three years. Policy approved.</p> <p><u>Appraisal</u> - No changes required. As significant changes were implemented recently, it had been recommended to review the policy every 2 years at this time. Policy approved.</p>	<p>KLL</p> <p>KLL</p>
5.2	<p>Strategic Risks (CM joined the meeting via VC)</p> <p>It was noted that the item number on report should have read 5.2.</p> <p><u>Finance</u> – Noted.</p>	
5.3	<p>Board Recruitment MK had reached the end of her first term as a Trustee on 26 August and was reappointed for a second term.</p>	
6.1	<p>Update from Stakeholders None.</p>	
7.1	<p>Key Upcoming Events Noted. GH invited Trustees to attend the upcoming events noted in the report.</p>	
8	<p>Any Other Business None.</p>	
9	<p>Date of Next Meeting AGM at 5.30 p.m. on Thursday 26 September August 2024 and Board Meeting at 5.30 p.m. on Thursday 31 October.</p> <p>MK gave apologies for the AGM meeting.</p>	<p>KLL</p>

4.1 Management Accounts 5 Months to August 2024 Profit and Loss Accounts



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	Actual £	Reforecast £	Variance £
<u>Income</u>			
Ticket Sales	105,275	94,793	10,482
Education and training income	69,633	69,411	222
Retail income	11,415	11,320	95
Food and beverage income	208,261	182,952	25,309
Foyer income	34,333	32,551	1,782
Box office commission income	10,024	8,908	1,116
Hire of rooms and equipment income	34,106	33,380	726
Screen advertising income	3,172	4,171	-
Gift Vouchers	62	8	54
Sponsorship income	-	-	-
Donations received	65	304	-
Grant Funding - Capital	15,450	-	15,450
Grant Funding - SIC	-	3,296	-
Grant Funding - SCT	313,500	313,500	-
Grant Funding - Creative Scotland	139,167	139,467	-
Other Grants - Trusts and foundations	940	4,236	-
Operating lease income - SIC	55,190	55,190	-
Other income	23,700	28,351	-
Memberships received	2,908	1,771	1,137
Interest received	6,742	-	6,742
	<u>1,033,943</u>	<u>983,609</u>	<u>50,334</u>
<u>Purchases</u>			
Food and beverage purchases	94,235	89,486	-
Foyer purchases	23,112	19,768	-
Retail purchases	6,903	5,959	-
Direct costs	-	-	-
	<u>124,250</u>	<u>115,213</u>	<u>-</u>
			<u>9,037</u>

Direct Costs

Gross wages and salaries - regular	301,892	304,135	2,243
Gross wages - casual	78,010	77,849	- 161
Employers NI	28,067	28,869	802
Employers pension	66,643	66,726	83
Recruitment expenses	110	548	438
Employee/Trustee expenses	-	167	167
Training and protective clothing	7,814	9,020	1,206
Programme costs - project	124,597	105,957	- 18,640
Marketing costs - project	5,877	5,688	- 189
Licences - PRS etc	21,778	19,566	- 2,212
Film transport	-	333	333
Hire of equipment	-	-	-
	<u>634,788</u>	<u>618,858</u>	<u>- 15,930</u>

Overheads

Travel and subsistence and Entertainment	4,949	5,632	683
Rent, Rates and Insurance	37,518	36,917	- 601
Heat and Light	59,960	63,721	3,761
Operating leases - Rent and Equipment	67,791	68,773	982
Repairs and maintenance and cleaning	49,562	46,701	- 2,861
Print, postage and stationary	146	863	717
Telephone and broadband	3,578	3,033	- 545
Computer costs	6,808	6,808	-
Marketing costs - strategic	630	1,171	541
Website costs	637	637	-
Subscriptions	1,900	1,465	- 435
Consumables	167	1,246	1,079
Sundry	-	-	-
Legal and professional fees	31,113	19,526	- 11,587
Till differences	173	120	- 53
Bank charges	8,822	6,821	- 2,001
Loan interest	2,859	2,715	- 144
	<u>276,613</u>	<u>266,149</u>	<u>- 10,464</u>
SURPLUS/DEFICIT	<u>- 1,708</u>	<u>- 16,611</u>	<u>14,903</u>

5 Months to August 2024

Balance Sheet



Shetlandarts

	£	£
Tangible Fixed Assets		7,456,669
<i>Current Assets</i>		
Stock	20,196	
Debtors	455,460	
Cash at Bank	577,772	
	<u>1,053,428</u>	
<i>Current Liabilities</i>		
Creditors	<u>394,212</u>	
Net Current Assets		659,216
<i>Long term liabilities</i>		
Loans	32,979	
Pensions liability	<u>(1,010,000)</u>	
		(977,021)
Net Assets		<u><u>9,092,906</u></u>
Capital and Reserves:		
Capital funds		7,467,883
Revenue funds		615,023
Pension liability		<u>1,010,000</u>
		<u><u>9,092,906</u></u>

5 Months to August 2024 Movement on Selected Funds



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Fund Name	Opening		Closing	
	Balance	Income	Expenditure	Balance
Shetland Film Club	1,705			1,705
SCT Capital Grant	43,400			43,400
Trad Big Band	2,435			2,435
Culture Collective	27,630	35,000		62,630
Recovery fund for Cultural Organisations	142,470			142,470
Corra Foundation	4,146			4,146
Xchange	5,288		- 1,120	4,169
Summer of Play	2,972			2,972
Remembering Together	90,720		- 48,708	42,012
VACMA	4,785			4,785
Total	325,552	35,000	- 49,828	310,724

4.2 Operational Issues October 2024



INTRODUCTION

This report details the following

- Operational Issues
- Health and Safety Issues

OPERATIONAL ISSUES

Date	Issue	Staff Involved	Outcome
Ongoing	Staffing challenges in front line roles.	CEO, Customer Experience Lead	Recruitment ongoing.

HEALTH AND SAFETY ISSUES

Date	Issue	Staff Involved	Outcome
N/A			

4.3 Performance Monitoring October 2024



INTRODUCTION

This report details the following

- Key Performance Indicators

KEY PERFORMANCE INDICATORS

Formal Education Delivery	Applied to study at Mareel 24/25		Taught Across the Network 24/25
	Full Time	Part Time	
Skills for Work	-	37	-
Senior Phase	-	4	-
NC/HNC	2	14	-
Degree	-	2	16
Masters	-	-	7

Note: figures taken from student registers

Actuals (see footnote 1)	Concerts, Screenings, Exhibition Days					Attendances					Development Sessions					Participations				
	Q1	Jul	Aug	Sep	Q2	Q1	Jul	Aug	Sep	Q2	Q1	Jul	Aug	Sep	Q2	Q1	Jul	Aug	Sep	Q2
Delivered	746	230	216		446	42,418	10,950	11,768		22,718	285	19	79		98	2,568	271	716		987
Quarterly Target 23/24	1,000				1,000	52,500				52,500	400				400	3,500				3,500
% of Target Delivered	75%				45%	81%				43%	71%				25%	73%				28%
Impact (see footnote 3)	Concerts, Screenings, Exhibition Days					Attendances					Development Sessions					Participations				
	Q1	Jul	Aug	Sep	Q2	Q1	Jul	Aug	Sep	Q2	Q1	Jul	Aug	Sep	Q2	Q1	Jul	Aug	Sep	Q2
Improved quality of life through greater access to creative and social experiences	635	228	213		441	35,883	10,849	11,396		22,245	23	5	1		6	657	97	36		133
Improved opportunities through personal and professional transferrable skills	90	0	0		0	4,837	0	0		0	167	1	59		60	796	5	266		271
Improved confidence to contribute positively through opportunities for self-expression and community involvement	79	3	4		7	4,150	141	232		373	234	7	70		77	1,378	30	457		487
Improved feeling of inclusion and equality through greater understanding of other cultures and lifestyles	25	13	9		22	504	97	77		174	13	2	1		3	85	10	3		13
Improved mental and physical health through more active involvement in creative and social experiences	532	181	165		346	15,488	5,975	4,974		10,949	64	2	9		11	852	41	150		191
Improved community resilience through a more diverse creative economy	121	35	39		74	22,833	4,838	6,552		11,390	47	14	10		24	755	215	264		479

1: Attendances are the number of people who attend concerts, screenings or exhibitions. Participations are the number of times people take part in development sessions

2: Our activity is planned and measured against the 'Social Outcomes' (SOs) listed under the Impact heading - each event, session or project has two priority SO, and the table above cumulatively captures these priority SOs

4.4 Major Projects October 2024



INTRODUCTION

This report details the following

- Significant projects completed
- Updates on short term projects
- Listing of medium and long term projects

SIGNIFICANT PROJECTS COMPLETED

Date	Title	Intention	Outcome
8 th Sep	Homemade Films	Develop and celebrate short films produced by local makers (previously part of Screenplay)	Highest ever number of films entered (28). Two well attended screenings
September 2024	Music Policy Resilience Lab	International policy development project for music in remote locations. 11 international partners.	Launched and has been shared with the Board through SADA News

UPDATES ON ONGOING PROJECTS

Title	Intention	Update
Culture Collective. CS funded.	Support creative practitioners to deliver wellbeing projects in Shetland, Orkney and Western Isles through small grants.	Project work has begun.
Islands Deal Knab Project Strand	To support the development of the Cultural Hub	Work continues
Remembering Together	To deliver phase 2 of the National Covid Memorial project.	Launch of book cancelled due to printing issues. Reprint being arranged.

SCT Capital Grant Scheme – Mareel	Implementation of Capital Grant Works under the SCT scheme. Work will take three years.	Detailed update included in closed pack.
SCT Capital Grant Scheme - Bonhoga	Implementation of Capital Grant Works under the SCT scheme. Work will take three years.	Detailed update included in closed pack.
Accessibility & Inclusion Group	Establish a forum through which people with lived experience can inform Shetland Arts on accessibility & inclusion issues	Ongoing meetings scheduled and issues raised addressed as they come up
Health & Safety Review	To improve quality of operational Health and Safety information as well as accessibility for staff.	Work ongoing.
VACMA	Small grants for Visual Arts and Craft Makers	Funding secured. 22 October deadline for artist submissions with panel meeting soon after.
Travel Know How Scotland	Travel Planning for Staff, Suppliers and Customers	Discussions are ongoing.
New Website	New more user friendly website	Project is out to tender.
Rebranding	Updated brand for the organisation.	Project is out to tender.
Youth Arts winter program	Deliver blocks of Shetland Youth Theatre, Film Crew, and Sound Lab Music Makers over the autumn and winter months	Delivery ongoing. Monitoring and adjusting delivery as required

SIGNIFICANT PROJECTS PLANNED

Medium = 3 Months - 1 Year; Long = 1 Year +

Medium/Long Term	Title	Intention

5.1 Policies

October 2024



INTRODUCTION

This report details the following

- Policies for Approval
- Policy Register

POLICIES FOR APPROVAL

Policy Name	Appendix	Changes
Anti- Harassment, Bullying and Victimisation	1	No changes
Communications	2	No changes
Menopause	3	No changes
Whistleblowing	4	Details of website for further information updated.
Breastfeeding	5	New policy

POLICY REGISTER

Policy Name	Date for Review	Notes
Health, Safety and Welfare	27/04/2024	Updates following queries at August board meeting ongoing.
Anti- Harassment, Bullying and Victimisation	28/04/2024	Included as Appendix 1 above
Communications	28/04/2024	Included as Appendix 2.
Menopause	29/04/2024	Included as Appendix 3
Whistleblowing	30/06/2024	Included as Appendix 4.
Social Media	25/08/2024	Delayed to December 2024, awaiting input from Sales and Marketing Manager.
Environmental	02/11/2024	
Children, Young and Vulnerable Adults	03/11/2024	

Smoke Free	03/11/2024	
Sick Pay	16/12/2024	
Adoption, Maternity and Paternity	16/12/2024	
Equality, Inclusion and Diversity	21/12/2024	
Training and Trips	24/02/2025	
Recruitment	24/04/2025	
Pay and Pension	27/04/2025	
Expenses	30/06/2025	
Alcohol and Drugs	30/06/2025	
Data Protection	02/11/2025	
Procurement Policy	03/11/2025	
Statutory Right to Time Off	16/12/2025	
Absence Management	16/12/2025	
Conflicts of Interest	25/04/2026	
Time off for Dependents	27/04/2026	
Relocation	28/06/2026	
Appraisal	29/08/2026	
Capability	25/04/2027	
Stress	27/06/2027	
Disciplinary	29/08/2027	
Flexible Working	29/08/2027	
Volunteering	29/08/2029	
Portable IT	In development	
Lone Working	In development	
Breastfeeding	In development	Attached as appendix 5
Children in the Workplace	In development	
Fire	In development	

Appendix 1 – Anti Harassment, Bullying & Victimization

Introduction

It is the policy of Shetland Arts to provide a safe working environment free from harassment and bullying.

All individuals working at all levels and grades are covered by this policy. This includes all employees, casual workers, trustees and volunteers (“Staff”).

This policy covers harassment, bullying and victimisation which occurs both in and out of the workplace, such as on business trips or at events or work-related social functions. It covers harassment, bullying and victimisation by staff and also by third parties such as customers, suppliers or visitors to our premises. Unintentional harassment, bullying and victimisation are also unacceptable.

Staff are entitled to be treated with respect and dignity and Shetland Arts will not tolerate any harassment or bullying of any person on the grounds of sex, marital or civil partner status, sexual orientation, gender reassignment, pregnancy or maternity, race, religion or belief, age or disability (the “Protected Characteristics”).

It should be noted that staff have a personal responsibility for the implementation of this policy and to ensure that they treat others with the respect and dignity that they expect to be treated with themselves.

Grounds for Complaint

Harassment

Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. It may be repeated behaviour, or in serious cases, may involve only a single incident. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Staff should note that harassment related to gender, sexual orientation, gender reassignment, race, religion or belief, age or disability is unlawful. Whether the harassment is by a member of staff or by a third party, such as a client or supplier, both Shetland Arts and the harasser may be legally liable.

Harassment may include, for example:

- Unwanted physical conduct or "horseplay", including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault;
- Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless), and suggestions that sexual favours may further a career or that a refusal may hinder it;
- Lewd or suggestive comments about appearances, personal life or sexual activities;
- Continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- Sending or displaying material that is pornographic or racist or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- Offensive or intimidating comments or gestures, or insensitive jokes or pranks;

- Mocking, mimicking or belittling a person's disability;
- Racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- Outing or threatening to out someone as gay or lesbian;
- Ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a workplace social activity;
- The issuing of menial or demeaning tasks simply on the grounds of someone's age or disability.

The above are examples only of what may be considered inappropriate. It must be borne in mind that it is for each individual to determine what behaviour is acceptable to them and what they consider offensive. Even if the member of staff's conduct is not purposefully intended to harass a colleague or to make them feel uncomfortable the member of staff should bear in mind that it is the effect their conduct has on the colleague which is important.

Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- Shouting at, being sarcastic towards, ridiculing or demeaning others;
- Physical or psychological threats;
- Overbearing and intimidating levels of supervision;
- Inappropriate and/or derogatory remarks about someone's performance;
- Abuse of authority or power by those in positions of seniority;
- Continual and undeserved criticism;
- Imposing unreasonable deadlines; or
- Deliberately excluding someone from meetings or communications without good reason.

Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

It is intimidation that serves to undermine self-esteem, confidence, effectiveness and integrity. Shetland Arts recognises that all Employees have the right to work in an environment free from the threat of bullying and any reported instances of bullying will be treated seriously by Shetland Arts and investigated fully.

Victimisation

This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint. Staff have the right to raise grievances and to raise issues relating to discrimination or bullying in good faith and to have these matters investigated. Where a member of staff raises an issue in good faith, they will not suffer any detriment or victimisation by virtue of raising their grievance or complaint with management.

The Policy in Operation

Informal Steps

All allegations of harassment (including harassment by a third party), bullying and victimisation will be taken seriously. They will be dealt with sensitively, thoroughly, promptly and, where possible, in confidence.

Staff who feel that they are being harassed or are uncomfortable about an aspect of the work environment should make it clear to the harasser that the behaviour is unacceptable. Shetland Arts recognises that the member of staff, in some cases, may feel unable to approach the harasser directly, and advice can be sought from management on how the matter can be dealt with informally.

If you are not certain whether an incident or series of incidents amount to bullying or harassment, you should initially contact your line manager informally for confidential advice. If the matter concerns that person, you should contact a person at a higher level of management.

If informal steps have not been successful or are not possible or appropriate, you should follow the formal procedure.

Formal Steps

If you wish to make a formal complaint about bullying, harassment or victimisation, you should submit it in writing to your line manager. If the matter concerns that person, you should refer it to their line manager.

Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

Shetland Arts will investigate complaints in a timely and confidential manner. All parties involved in any complaint are expected to respect this need for confidentiality during the resolution of any complaints, and disciplinary action may be taken against any party who breaches this.

The investigation, where possible, will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation will be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

Any member of staff who is found guilty of harassment or bullying will be dealt with under the Shetland Arts' disciplinary procedure. Depending on the nature of the complaint, it may be necessary to temporarily transfer the alleged harasser to another department, or where this is not possible to suspend the employee on full pay.

Where your complaint is about someone other than a member of staff, such as a contractor, customer, service user, supplier, or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

We will also seriously consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours so as to avoid or minimise contact with the alleged harasser or bully.

Action Following Investigation

Where a member of staff is found guilty of an act of harassment or bullying, they will be dealt with in terms of Shetland Arts' disciplinary procedure. In serious cases of harassment or bullying, the harasser may be summarily dismissed.

Where the harasser or bully is a third party, appropriate action might include putting up signs setting out acceptable and unacceptable behaviour; speaking or writing to the person and/or their superior about their behaviour; or, in very serious cases, banning them from the premises or terminating a contract with them.

Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the alleged harasser or bully. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.

No detriment will occur against a member of staff who brings a complaint of harassment or bullying, unless it can be shown that the complaint was brought in bad faith or spitefully. In this case, the member of staff will be dealt with through the Shetland Arts' disciplinary procedure.

Appeals

If you are not satisfied with the outcome you may appeal in writing to the Chief Executive or if your initial grievance was with the Chief Executive you may appeal to the Chair of the Board, stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.

We will hold an appeal meeting, normally within one week of receiving your written appeal. This will be dealt with impartially by a manager or board member who has not previously been involved in the case (although they may ask anyone previously involved to be present). You may bring a colleague or trade union representative to the meeting.

We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

Appendix 2 – Communications

Introduction

This Policy applies to all Shetland Arts Employees, casual workers, trustees and volunteers and any other persons who at any time use or have access to email or the internet during the course of their employment or business dealings with Shetland Arts, whether such use takes place on Shetland Arts' premises or elsewhere ("Users").

In respect of Shetland Arts' Employees, the Policy forms part of each Employee's contract of employment. In respect of other Users, the Policy forms part of the contractual relationship between Shetland Arts and the User.

Policy Statement

The use of e-mail, instant messaging and the internet are efficient and cost-effective ways of communicating and obtaining information. If properly used, such means of communication are an invaluable business tool. However, improper or inappropriate use of e-mail and the internet can have an adverse effect on Shetland Arts' business. Such use can also have serious legal consequences. This policy has been introduced in order to protect Shetland Arts against the legal consequences that can arise. The policy is also designed to advise the Employee of the limits of their usage.

Complying with the policy will help protect Employees and Shetland Arts. If an Employee is ever unsure about whether anything they propose to do might breach Shetland Arts' policy, they ought to seek advice from the IT department beforehand.

Since technology and law in this area is subject to change, the policy will be updated from time to time. Shetland Arts will bring any updated policy to Employees' attention before it is introduced.

Employees are required to comply with the policy at all times whether using Shetland Arts' IT facilities in the office, on the move or remotely from home. The consequences of failing to comply with the policy are set out below. Employees should be clear that a serious breach of the rules may result in disciplinary action for misconduct, including dismissal.

Procedure

Viruses

Viruses can be introduced into Shetland Arts' network or transmitted to a third party's system by sending and receiving email and by using the internet as well as mobile devices (for example, but not limited to, smart phones, iPods, MP3 players, digital cameras and USB sticks). The deliberate introduction of a virus is a criminal offence. Accidental introduction of viruses may, in certain circumstances, give rise to a claim against Shetland Arts. All Users must take all reasonable steps to ensure that no viruses are transmitted and must follow Shetland Arts' anti-virus procedures.

Authorised Use

Users are entitled to make reasonable personal use of e-mail and internet facilities outwith normal working hours e.g. lunchtimes. Such use must, however, be consistent with this policy. Shetland Arts reserves the right to discontinue this entitlement for all or some Employees if it views the use of e-mail and internet facilities as excessive or inappropriate.

Unauthorised Use

Email and the internet must not be used for the creation, transmission, downloading, browsing, viewing, reproduction or accessing of any image, material or other data of any kind which:

- is illegal, obscene, pornographic, indecent, vulgar or threatening;
- contains unacceptable content, including but not limited to, sexually explicit messages, images, cartoons, or jokes, unwelcome propositions or any other content which is designed to cause or likely to cause harassment or provocation of any other person or organisation based on sex, sexual orientation, age, race, national origin, disability, religious or political belief.
- is defamatory, slanderous or libelous;
- deliberately introduces viruses into the email or internet systems of Shetland Arts or any other party or is designed to deliberately corrupt or destroy the data of other users;
- conflicts with Shetland Arts' commercial interests;
- infringes or may infringe the intellectual property or other rights of another;
- is part of a chain letter, "junk mail" or contains unsolicited commercial or advertising material;
- violates the privacy of other users; and/or
- disrupts the work of other users.

Users must not send emails which make representations, contractual commitments, or any other form of statement concerning Shetland Arts unless they have specific authority from Shetland Arts to do so.

Privacy and Monitoring

Shetland Arts may (i) monitor and record any e-mails which are transmitted over its computer system or (ii) monitor or record the use of the internet by Users, and the nature of material downloaded from the internet, for the following reasons:-

- to ascertain whether Shetland Arts' practices, policies and procedures (including this Internet and E-mail Policy) have been complied with;
- to investigate or detect the unauthorised use by any Employees of Shetland Arts' computer system;
- to secure the effective operation of Shetland Arts' computer system;
- to determine whether any communication has been made which relates to the business of Shetland Arts; or
- for the purpose of preventing or detecting crime.

Any e-mails sent by Users may therefore be intercepted and monitored by Shetland Arts for any of the above reasons. Accordingly, any messages which are sent are not private. If Users wish a message to be confidential, or if they wish for any internet access to be confidential, they should not use Shetland Arts' system.

Failure to Comply with the Policy

Any failure on the part of an Employee of Shetland Arts to comply with the Policy may result in disciplinary action being taken by Shetland Arts. Depending upon the severity of the offence a breach of the Policy may be considered gross misconduct.

Any failure to comply with the Policy on the part of a User who is not an Employee may result in the immediate termination of the contractual or other relationship between that person or organisation and Shetland Arts.

Any unauthorised use of e-mail or the internet by a User which Shetland Arts, at its sole discretion, considers may amount to a criminal offence shall, without notice to the User concerned; be reported to the police or other relevant authority.

Telephone Use

Employees and casual workers of Shetland Arts must not make or receive personal calls during working hours. The only exception to this is that in an emergency such calls may be made or taken but should be kept to a minimum to delay in dealing with Shetland Arts' business. Employees and casual workers are allowed to make calls during any breaks. Any such personal calls must not disrupt the work of other users and must not involve language which is likely to be offensive, or unacceptable to others.

Appendix 3 – Menopause

Introduction

Shetland Arts is committed to ensuring that all individuals are treated fairly and with dignity and respect in their working environment.

Shetland Arts is also committed to ensuring health, safety and wellbeing of the workforce. In this regard, Shetland Arts will provide appropriate support to women who are experiencing symptoms associated with the menopause, whilst supporting line managers by providing guidance.

This Policy is supported by a set of guidance sections and needs to be read in conjunction with these.

Aims & Objectives

The aim of this Policy is:

- to make managers aware of Shetland Arts' responsibility to understand the menopause and related issues and how they can affect staff, their partners, families and work colleagues, by educating and informing managers about potential symptoms and how they can support individuals in the workplace;
- to create an environment where women feel confident enough to raise issues about their symptoms and ask for adjustments at work;
- to raise wider awareness and understanding amongst employees and to outline support and reasonable adjustments that are available; and
- to subsequently reduce menopause related sickness by supporting staff to remain in work rather than having to take sick leave (or in some cases resign) meaning that the organisation retains valuable skills and experience.

Definitions and Background

Menopause is part of the natural ageing process for women, although it can be brought on as a result of other medical conditions or certain surgical interventions. It refers to the point in time when menstruation has ceased for twelve consecutive months. After a woman has not had a period for a year, this is considered to be *post-menopausal*.

Perimenopause is the period of hormonal change leading up to the menopause and can often last for four or five years although for some women it may continue for many more years or for others, may last just a few months. It varies greatly in different individuals. During this time, individuals may begin to experience symptoms due to changes in their hormone levels and may vary in degree. Due to the fact that they may be still having regular periods at the onset of the symptoms, many individuals do not always realise that they are experiencing the peri-menopause and may not understand what is causing their symptoms. This can be a barrier for support.

The menopause usually occurs between the ages of 45 and 55. In the UK, the average age is 51 but it can happen much earlier.

People from the non-binary, transgender and intersex communities may also experience menopausal symptoms. Due to a variety of factors, the experience of menopause may be different for those within these communities. Experiences and perceptions of the menopause may also differ in relation to disability, age, race, religion, sexual orientation, or marital/civil partnership status. It is important to recognise that for many reasons, peoples' individual experiences of the menopause may differ greatly.

Some people seek medical advice and treatment for the symptoms of the peri-menopause. A common form of treatment is known as hormone replacement therapy (HRT). Many women find these treatments helpful in alleviating symptoms but HRT is not suitable or appropriate for all women.

Some people using HRT may experience side effects which may also require adjustments in the workplace.

Legislation

The Health and Safety at Work Act (1974) requires employers to ensure the health, safety and welfare of all workers. Under the Act, employers are required to do risk assessments under the Management Regulations which should include specific risks to menopausal women if they are employed.

The Equality Act (2010) prohibits discrimination against people on the grounds of certain protected characteristics including sex, age and disability. It is also important to note that conditions linked to the menopause may meet the definition of an “impairment” under the Equality Act and require reasonable adjustments.

Key Principles

Shetland Arts aims to create an environment where individuals feel confident enough to raise issues about their symptoms and ask for support and adjustments at work. Shetland Arts is committed to ensuring that conditions in the workplace do not make menopausal symptoms worse and that appropriate adjustments and support are put in place.

Shetland Arts has a positive attitude to the menopause/perimenopause and will work proactively to make adjustments where necessary to support individuals experiencing the menopause and to ensure the workplace does not make their symptoms worse.

Shetland Arts takes a proactive stance and will promote a greater understanding of the menopause / perimenopause is a very individual experience and that people can be affected in different ways and to different degrees, and therefore different levels and types of support and adjustments may be needed.

Shetland Arts will provide appropriate information and support to all staff and other individuals.

Shetland Arts will carry out risk assessments which take the specific needs of individuals into consideration (including stress risk assessments).

Shetland Arts recognises that managers should ‘know their staff’ and be familiar with the needs of their staff and any associated issues. In ‘knowing their staff’ managers will understand when to apply discretion in respect of this Policy and its guidance sections. Manager discretion should be used when assessing a staff member’s individual needs and circumstances, in situations where there is a reasonable expectation of improvement without the need for formal intervention. Managers should create a supportive team culture that removes any barriers to disclosing information to their manager and their manager should equally be trained to understand the impact of the menopause and act accordingly without breaking the confidence of the individual.

Appendix 4 – Whistleblowing

Introduction

At some time during the course of their employment, Employees may have concerns about matters in work which are usually easily resolved. However, where an Employee has concerns about serious malpractice such as fraud, financial irregularities, corruption, bribery, dishonesty, or creating or ignoring a serious risk to health and safety, then it is important that the Employee is able to raise such concerns without fear of reprisal.

The Public Interest Disclosure Act 1998 allows individuals to disclose certain issues to particular external parties where there is good reason to believe that internal disclosure will not be taken seriously or will cause the individual making the disclosure to be penalised in some way. However, Shetland Arts is committed to dealing responsibly, openly and professionally with any genuine concern and encourages Employees to discuss concerns internally wherever possible.

The aim of this policy is to ensure that Employees are fully aware of the sorts of matters which they should report and the reporting procedure Employees should follow.

This policy should not be used for complaints relating to an Employee's own personal circumstances, such as the way they have been treated at work. In those cases the Employee should use the Grievance Procedure. If an Employee chooses to raise a concern under this policy, they must have a reasonable belief that to do so would be in the public interest.

The Policy in Operation

This policy applies to all staff. This includes staff directly employed, agency workers and other temporary staff.

The procedures outlined below enables staff to come forward in confidence with their concerns without fear of being punished for doing so and to have those concerns thoroughly investigated. Once an investigation has taken place, a decision will be made as to what action, if any, should be taken to address the problems.

It is the responsibility of everyone to ensure that appropriate, reasonable and timely action is taken in relation to any concerns of wrongdoing or malpractice raised that could expose Shetland Arts to loss or liability. Staff are encouraged to report any situation or matter which, they reasonably believe, might show that one or more of the following has occurred, is occurring or is likely to occur in the future:

- a criminal offence;
- a failure to comply with a legal obligation;
- a miscarriage of justice;
- a danger to the health and safety of any individual;
- a damage to the environment;
- a deliberate cover-up of any of the above matters;
- a serious act of misconduct;
- a serious breach of Shetland Arts' conduct rules

This reporting procedure should also be followed if staff feel that they have been asked to do something which they believe to be improper or unethical or would result in them being implicated in any of the matters listed above.

Procedures

How to Raise a Concern Internally

As soon as a member of staff becomes aware of any matter of the type listed above, or if they wish to confirm whether it is a matter which should be raised, they should speak informally with their line manager or if the matter involve this person their line manager.

If the member of staff decides to raise the matter under the policy, they should then report it immediately to their line manager ensuring to inform them they are doing so under this policy.

It is very important for Employees to report promptly any of the matters referred to above in order to assist Shetland Arts to uphold its high standards and to help prevent the concealment or destruction of evidence which might need to be reviewed.

Once a member of staff has informed their line manager of their concern, Shetland Arts will look into the matter and make an initial assessment of what action should be taken. This might involve an internal inquiry or a more formal investigation. The member of staff will be told who is handling the matter, how they can contact them and whether further assistance may be needed. Subject to any legal constraint, the member of staff will be kept informed of the progress of the investigation and its outcome. They will have an assurance that the matter will be dealt with promptly and within a reasonable time.

Although, for obvious reasons, Shetland Arts would not encourage matters to be raised on an anonymous basis, these will still be investigated. Anonymous disclosures are very rarely helpful since the reliability of the disclosure cannot always be readily tested.

How to Raise a Concern Externally

It should only be in exceptional circumstances that it should be necessary for a member of staff to raise a concern externally. It is accepted however that they may disclose information to a legal adviser in the course of obtaining legal advice. Provided the disclosure is made in the public interest and the member of staff believes it to be substantially true, they may also disclose information to one of a number of prescribed "supervisory persons" that protected disclosures may be made to under the Act – such as the Health & Safety Executive for health & safety matters.

Staff should seek independent advice before raising concerns externally so that they can be advised on whether the proposed disclosure may be protected under the Act. Such advice can be obtained from the charity Protect. Further information can be found by looking at the website:

<https://protect-advice.org.uk/>.

Staff can be assured that no one who reports any concern under this policy will suffer any detriment for coming forward, regardless of whether or not the concern is ultimately substantiated. Victimising staff for or deterring them from raising a concern under this policy is a disciplinary offence and will be dealt with under the disciplinary procedures.

Staff should be aware that disclosure to the media or to non-prescribed persons will not usually be protected unless there are extreme circumstances and that non-protected disclosures may lead to disciplinary action being taken.

How Shetland Arts Will Handle Alleged Detriment

If a member of staff believes that they are being victimised by or suffering any detriment from someone from within Shetland Arts as a result of reporting a concern or assisting in any investigation, they must inform their line manager immediately and appropriate action will be taken to protect that member of staff.

Disciplinary Action

Disciplinary action will be taken against anyone who:

- Deliberately makes false or malicious allegations;
- Makes disclosures for personal gain;
- Makes a non-protected disclosure without exhausting the internal procedure;
- Victimises anyone for raising a concern or making a disclosure under this policy;
- Inappropriately deters anyone from making a legitimate disclosure.

Such conduct will be treated as gross misconduct and may lead to dismissal.

Where, following investigation, a disclosure is substantiated, disciplinary action, or other appropriate sanction, may be taken against the person who is the subject of the disclosure.

Guidance on Specific Issues

This policy is designed to allow a channel for serious issues of a public interest (i.e. inappropriate or illegal use of public resources) to be raised. It should not be used for concerns of any other nature which staff feel have a particular negative impact on them and for which the normal grievance or other appropriate procedure should be used.

Additional Information

Any member of staff who would like further information about Shetland Arts' Whistleblowing policy should either contact their line manager or, for further information on the Public Interest Disclosure Act, refer to the Protect website at <https://protect-advice.org.uk/>.

Appendix 5 – Breastfeeding

Introduction

Shetland Arts wishes to fully support colleagues who are returning to work following a period of Family Leave and who choose to continue to breastfeed or express during working hours. When working at Mareel or Bonhoga, colleagues are welcome to breastfeed or express milk in spaces that suit their circumstances.

Policy in Action

We understand that some staff prefer privacy when breastfeeding or expressing milk and would recommend booking one of the spaces below, if available, through the venue management system. These rooms allow colleagues the opportunity to breastfeed or express in privacy.

Below is a list of rooms that have been established to support colleagues who require to breastfeed or express milk. However, if preferable, any comfortable, private room that can be accessed and that is deemed more suitable can be used for this purpose.

Building	Room(s)
Mareel	Dressing Room 1 Dressing Room 2 Boardroom Education Space North Education Space South
Bonhoga	Back Office
Garrison	Dressing Rooms

Line Managers are required to support nursing colleagues by giving staff time during the working day to express milk or to breastfeed. Staff are required to clock their break for this purpose if they are unable to work while doing so.

Colleagues are asked to let their line manager know as early as possible that they will be breastfeeding or expressing milk when they return to work following a period of Family Leave. This allows for the risk assessment that should be undertaken for all New and Expectant Mothers to be reviewed and updated accordingly so that any further support needed for expressing/breastfeeding can be discussed.

The SADA cannot take responsibility for the storage of milk that is left in fridges within our buildings. However, advice on the safe storage of breast milk can be found here:
<https://www.nhs.uk/conditions/baby/breastfeeding-and-bottle-feeding/breastfeeding/expressing-breast-milk/>

Please do discuss your needs with your line manager.

5.3 Strategic Risks October 2024



INTRODUCTION

This report reviews the following strategic risk:

- 6 Estates

DETAIL

The Estates risk has been reviewed by the Leadership Team and no changes have been suggested.

The risk details can be seen in Appendix 1.

Appendix 1

6	Estates Large unexpected estates issues	2	5	10	6.1	Proactive Asset Management	Asset Management Plan	1	5	5	Frequency has been reduced because of 6.1 & 6.2 Severity has not been reduced
					6.2	Regular Maintenance	Various Maintenance Contracts (eg Ness and Kone)				

Frequency			
Score	Descriptor	Guidance	
5	Extremely Likely	Is expected to happen in most circumstances. 80-100% likely to happen in the next five years.	
4	Very Likely	Will probably happen at some time. 60-79% likely to happen in the next five years.	
3	Likely	Might happen at some time. 40-59% likely to happen in the next five years	
2	Unlikely	Conceivable it could happen. 20-39% likely to happen in the next five years.	
1	Extremely Unlikely	Could happen in exceptional circumstances. 0-19% likely to happen in the next five years/	

Severity			
Score	Descriptor	Guidance	
5	Extremely Severe	Organisation will fail 100% of the time	
4	Very Severe	Organisation will fail without proper management 70% of the time	
3	Severe	Organisation will fail without proper management 35% of the time	
2	Minor	Organisation will fail without proper management 10% of the time	
1	Extremely Minor	Organisation unlikely to fail	

5.3 Trustee Recruitment October 2024



INTRODUCTION

This report details the following

- Individuals proposed for appointment for a second term as Trustee.

PROPOSED TRUSTEES

Name	Panel	Details	Recommendation
Malcolm Innes	N/A	Malcolm reached the end of his first term as a Trustee on 28 October 2024 and the Trustees are required to re appoint him for a second term.	Reappoint

6.1 Updates from Stakeholders

October 2024



INTRODUCTION

This report details the following

- Updates from key stakeholders

UPDATES FROM KEY STAKEHOLDERS

Creative Scotland	It has been announced that the decisions on Multi Year funding applications is now delayed to January 2025.
Shetland Charitable Trust	N/A
Highlands and Islands Enterprise	N/A
Shetlands Islands Council	N/A

7.1 Key Upcoming Events October 2024



EVENT DETAILS

Date	Title	Venue
25 October 2024	Dementia The Musical	Mareel
27 October 2024	Martin Taylor & Alison Burns	Mareel
8 November 2024	Attention All Shipping	Mareel
16 November 2024	The Swan of Salen	Mareel
8 December 2024	Youth Arts Sharing	Mareel
13 December 2024	Make More Noise	Mareel
28 December 2024	Young Musicians Showcase	Mareel
31 December 2024	Swing into the New Year	Mareel
31 December 2024	Bells in the Bar	Mareel