

# **Alberta Foundation for the Arts Mandate and Roles**

## **1. Mandate and Accountability**

### ***Mandate***

Created under the *Alberta Foundation for the Arts Act* (Chapter A-19), the Alberta Foundation for the Arts (“the Foundation”) is a public trust agency accountable to the Minister as determined under section 16 of the *Government Organization Act* as the Minister responsible for the Act (“Minister”) and is responsible through its activities for administering provincial financial and/or other assets in the public interest.

### ***Mission***

The Mission of the Foundation is to create “An Alberta where a vibrant arts community inspires creativity and innovation and is part of the fabric of how we live and work.” The purpose of the Foundation is to:

- support and contribute to the development of and promotion of the Arts in Alberta;
- provide persons and organizations with the opportunity to participate in the arts in Alberta;
- foster and promote the enjoyment of works of art by Alberta artists;
- collect, preserve and display works of art by Alberta artists; and
- encourage artists resident in Alberta in their work.

### ***Minister’s and Foundation Member’s Accountability***

The Minister is accountable to the Legislature for the operation of the Foundation. The key documents that define the role, responsibilities and accountabilities of the Foundation and the Minister are as follows:

- *Alberta Foundation for the Arts Act*
- *Government Accountability Act* and Regulations
- *Fiscal Responsibility Act*
- *Financial Administration Act*
- *Freedom of Information and Protection of Privacy Act*
- Code of Conduct for the Foundation
- AFA Foundation Procedural By-laws

Foundation members must act honestly, with integrity and without conflict of interest, to advance the public interest and the mandate of the agency. The Foundation is accountable and, through the Chair, reports directly to the Minister.

## **2. Recruitment and Appointment of Foundation Members**

The Board of Directors comprises twelve members, representing the various geographic regions of the province where possible. Members are recruited and appointed by the Lieutenant Governor in Council and collectively constitute “the Foundation”. They are subject to the Foundation’s Code of Conduct. Appointment of each member of the

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Foundation is typically for a fixed term of up to three years, with the potential for re-appointment based on satisfactory performance. Any member's appointment is limited to a maximum of ten years of continuous service.

The Foundation, in consultation with the Minister's designate, will develop a competency profile or matrix that outlines the skills, experience and knowledge the Foundation requires for each position. The recruitment and selection process will be managed by the responsible Assistant Deputy Minister and the Executive Director of the Arts Branch. The position will be publicly advertised and all identified candidates will be screened against the competency matrix, including the identification of potential conflict of interest issues.

An Interview Panel will consist of the Executive Director of the Arts Branch, AFA Chair and the responsible will recommend potential candidates to the Minister for his consideration and appointment through a Recommendation for Order in Council which is approved by Cabinet.

## ***Remuneration***

Foundation members will be paid remuneration in accordance with Committee Remuneration Order O.C. 466/2007, as is appropriate, and as amended from time to time.

## **3. Foundation Duties and Responsibilities**

### ***Minister***

The Minister's responsibilities will include:

- Approving AFA Board Member appointments through a Recommendation for Order in Council;
- Approving the Foundation's annual budget allocation;
- Providing strategic direction to the Foundation to guide its priority setting and plan development;
- Approving the Foundation's strategic plan in support of the Ministry Business Plan;
- Approving significant variations from Foundation's plan;
- Tabling of the Foundation's Annual Report and audited financial statements;
- Co-ordinating the work of the Foundation with the programs, policies and work of the Government and public and private organizations and institutions, in order to avoid duplication of effort and expense;
- Reviewing, approving and communicating all grant recommendations made by the Foundation prior to their payment, unless this function has been delegated to the Foundation;
- Working with the Foundation to communicate significant program changes to clients and stakeholders;
- Ensuring a review of the Foundation at least once every five years to ensure the Foundation and its activities are relevant to the needs of Alberta clients and are aligned with government direction; and
- Assigning staff resources as needed to support the work of the Foundation.

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## ***Foundation***

In response to strategic direction from the Minister the Foundation will:

- Establish policies for the provision of funding to, and the administration of programs for the development of the arts in Alberta;
- Within these policies, develop a three-year strategic plan, and refresh it on an annual basis within the context of the Ministry Business Plan, for the funding of programs for the development of the arts in Alberta.
- Allocate funding and estimate revenues within appropriate spending targets and in accordance with the strategic plan.
- Oversee and evaluate the implementation and execution of the strategic plan;
- Evaluate and report on the Foundation's actual performance against its goals and targeted performance outcomes, using criteria agreed upon between the Minister and the Foundation.
- Approve a formal annual reports and audited financial statements ;
- Follow established internal controls and government's financial and administrative policies and comply with management information systems requirements to ensure integrity and accountability of financial information; and
- Support a review of its mandate and programs at least one every five years.

## ***Annual Report***

Within 30 days of completion of audited financial statements, the Foundation will provide the Minister with a report indicating its major activities and accomplishments and the extent to which its goals and performance targets were achieved.

## ***Meetings***

Meetings of the Foundation will be held as required, but at least once a year.

## ***Legal Compliance/Statutory Requirements***

The Foundation is responsible for overseeing compliance with all relevant policies and procedures under which it operates and ensuring that it operates at all times in compliance with all applicable laws and regulations, the Foundation's Code of Conduct and to the highest ethical standards.

## ***Foundation Evaluation***

The Foundation will conduct an annual evaluation and review of the performance of the Foundation, Standing Committees, the Chair and individual members of the Foundation. The Foundation will review the results of such evaluation and discuss potential ways to improve Foundation effectiveness. The Foundation will also discuss the results of the evaluation and adopt agreed upon improvements.

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## ***Foundation Structure***

The Foundation may establish Standing Committees that support the mandate of the Foundation and are accountable to the Foundation. Currently, the following Standing Committees are established:

- Executive Committee – responsible for reviewing and recommending new or revised policy, providing direction for planning and making decisions, subject to Board ratification, on extraordinary funding requests and program issues between scheduled Board meetings.
- Finance Committee – responsible to the Board for all financial and business planning matters.
- Grants Committee – responsible to the Board for recommending grants and other adjudication matters for Board ratification and recommending new policy as required.
- Collections Committee – responsible to the Board for recommending new or revised collection policies, ensuring the appropriateness of collection programs and services, and recommending the acquisition of artworks for the Foundation’s collection.

The specific mandate of each Standing Committee is contained in the Foundation Bylaws and is reviewed periodically by the Foundation.

## ***Foundation Chair***

With direction from the Foundation, the Chair represents the Foundation and its interests in dealing with the Minister, the Department, stakeholders and the community. The Chair is responsible for providing leadership to the Foundation and for effectively facilitating the work of the Foundation. The Chair is responsible for:

1. Recommending board appointments, reappointments, and terminations for the Minister’s consideration;
2. Planning and managing Foundation meetings and ensuring that the Foundation and its committees have opportunities to meet independent of management;
3. Providing the Minister with regular updates on the Foundation’s operations and informing the Minister regarding emergent issues;
4. Ensuring that the Foundation conducts an annual evaluation of its performance and the work of individual Foundation members; and
5. Ensuring that the Foundation’s activities align with its mandate and bylaws.

## **4. Ministry’s/Department’s Responsibility**

The Ministry responsible for the Foundation under section 16 of the *Government Organization Act*, will support the Foundation in the following areas:

### ***Assistant Deputy Minister (ADM)***

As an Ex officio member of the Foundation, the ADM attends meetings, when appropriate, to bring the ministry and cross government’s perspective to the Foundation and to enhance ministry coordination and organization of support activities. The ADM will also ensure that the Foundation has sufficient resources to carry out its mandate and programming decisions and that the Foundation is satisfied with the support services

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provided by the Executive Director and the Arts Branch. As well, the ADM coordinates board recruitment processes.

## ***Executive Director***

The Executive Director is responsible for the general administration of the business of the Foundation including:

- The effective and efficient operation of the Foundation;
- Ensuring that staff carry out the direction provided by the Foundation
- Presenting the Board's recommendations for grants for the Minister's formal approval;
- Attending Foundation and Sub-Committee meetings in a non-voting capacity to support the Chair and to provide board secretarial functions including being the custodian of all minutes, records and other documents of the Foundation;
- Supporting Board recruitment procedures in accordance with Ministry policies including working with the Chair to orientate and evaluate members;
- Ensuring accurate and timely board remuneration and reimbursement of expenses;
- Forecasting and managing expenditures and ensuring that the annual budget is not exceeded without prior authorization by the Minister; and
- Informing the Foundation about any government policies that may impact the work of the Foundation.

## ***Senior Financial Officer***

The Senior Financial Officer is responsible for:

- All Foundation matters relating to financial and accounting policy and administration; and
- Assigning staff to provide financial services and other related administrative services to meet the provisions of the *Financial Administration Act*; *Government Accountability Act*; the *Fiscal Responsibility Act* and other government policies and guidelines;

Funds of the Foundation are managed and invested by the Alberta Investment Management Corporation.

## ***Branch Staff***

Arts Branch staff will carry out the work of the Foundation under the supervision of the Executive Director.

## **5. Interaction between the Foundation and the Department**

The Executive Director will serve as the main contact between the Foundation and the Department and will draw on resources from the Department as needed to support the work of the Foundation.

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The Chair will be the main contact between the Foundation and the Minister while also keeping the Deputy Minister, Assistant Deputy Minister and Executive Director informed when these meetings occur.

## 5. International/Intergovernmental Agreements

In the event the Foundation enters into an agreement with another government or its agency, either domestic or foreign, the agreement is not binding unless the Minister responsible for International and Intergovernmental Relations, as determined under section 16 of the *Government Organization Act (Act)* has approved the agreement, in accordance with section 11 of the Act. The Foundation will work with the department and International and Intergovernmental Relations to facilitate approval of intergovernmental agreements.

## 6. Communications Protocol

The Foundation agrees to the Communications Protocol as set out in the Attached Appendix.

## 7. Mandate Document Review Process

This document is in effect for not more than three years from the date it is signed. Any change in the core operations of the Foundation must be agreed to by both parties in a written amendment to this document.

## 8. Transparency

The original of this signed document will be kept with the Department's Legislative Services Unit with copies provided to the Minister, the Foundation and the Agency Governance Secretariat. In support of the principle of transparency, this document will also be easily available to the public on the Foundation's and Ministry website.

## 9. Roles and Mandate

This Roles and Mandate document replaces the MOU dated March 26, 2008.

\_\_\_\_\_  
Foundation Chair/Representative  
Alberta Foundation for the Arts

\_\_\_\_\_  
Minister  
Culture and Community Services

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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## **Appendix**

### **Communication Protocol Between the Alberta Foundation for the Arts and Government of Alberta**

#### **Guiding Principles:**

- The Alberta Foundation for the Arts (AFA) will conduct communications consistent with its legislated mandate. AFA and the Department will work together to ensure communications activities are coordinated.
- Communications products developed by the AFA will acknowledge Government of Alberta funding and support. These products will be developed according to the Government of Alberta corporate identity and Alberta brand standards.
- The responsible Minister will be informed of issues and opportunities in a timely manner, and invited to participate in the Foundation's public and stakeholder announcements and events.
- This protocol will be reviewed at least once annually, and may be amended from time to time, with the agreement of both parties.

#### **Ongoing Communications:**

- The Department will advise AFA in advance on provincial government announcements that may be of interest, or have an impact on the Foundation and its mandate.
- AFA will consult with the Department on the timing and content of significant public events or news announcements.
  - The Deputy Minister and Minister's offices will be consulted regarding the scheduling of news conferences and presentations.
  - The Minister will be given the opportunity to be quoted in AFA news releases.
  - A member of the AFA board will also be given the opportunity to be quoted in Government of Alberta news releases that specifically refer to the AFA.
- The Minister and Deputy Minister will be informed of issues arising with stakeholders, media and others in a timely manner.
  - Briefing notes will be provided to the Minister and Deputy Minister.
  - The Department will ensure the Foundation is similarly notified of emerging issues.
  - The Board Chair and Minister, or their delegates, would each be prepared to comment publicly on these matters.
- AFA may use the Government of Alberta media distribution network (ACN) and media monitoring service through the Department's Communications branch.
- All news releases and information bulletins must be developed using approved Government of Alberta templates.

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- These templates will include Government of Alberta and AFA logos, and will be coordinated through the Department's communications branch.
- Promotional materials intended for public distribution and use, including annual reports, will be provided to the Minister in advance. The Minister is responsible for tabling these materials in the Alberta Legislature, as appropriate, and for determining if these materials would be distributed to MLAs.

### **Spokespersons:**

- The Chair of AFA is the primary spokesperson for the AFA, and can assign other appropriate spokespeople as required.
- The Minister is the primary spokesperson on government policy and commitment to the arts.

### **Visual Identity and Signage:**

- As government's primary grant funding body for the arts, "Alberta Foundation for the Arts" is an official mark of the province of Alberta, and the Foundation will seek the Province's consent for any proposed change to this identity.
- The Foundation will advise the Department of any infringement of the "Alberta Foundation for the Arts" identity, and will cooperate with the Department in any prosecution resulting from this infringement.
- Communications materials and signage will acknowledge government funding and support for AFA in a variety of ways, including a standard statement on the Foundation's communications materials: *"The Alberta Foundation for the Arts is the principal arts funding agency of the Government of Alberta"* and through inclusion of the Government of Alberta signature and the Alberta brand.
- The AFA will recognize funding support from the Alberta Lottery Fund as directed by the Department.

### **Internet:**

- The AFA website will be developed according to Government of Alberta corporate identity and website standards.

### **TILMA and AIT:**

- In accordance with the Alberta-B.C Trade Investment and Labour Mobility Act (TILMA) and the Agreement on Internal Trade (AIT), marketing, creative services, advertising and media buying contracts will be awarded through a competitive process. When required by legislation, contracts will be tendered through the Alberta Government Purchasing Connection website.

### **Advertising:**

- The Foundation will work closely with the Department's communications branch to develop any advertising campaigns, and will follow standard Government of Alberta

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media buying and tendering processes. All advertising for the AFA will complement the Government of Alberta's corporate identity and Alberta brand standards.

### **Communications Roles and Responsibilities:**

- Through discussion, AFA and the ministry will determine the approach and the process for sharing information on a regular basis, and effectively addressing urgent matters and emerging public issues.