

Peer Assessor Terms and Conditions

ARTS COUNCIL OF NEW ZEALAND TOI AOTEAROA

November 2018



1. Your role

Thank you for becoming a Creative New Zealand peer assessor.

Peer assessment is critical to Creative New Zealand's decision making process for funding. It provides input from individuals who have specialist knowledge of specific art forms and/or cultural contexts including international trends and markets, or specialist knowledge of an area of arts development/capability building.

These terms and conditions outline your responsibilities if you accept an invitation to assess for a funding round and our obligations to you.

2. Our process of selection

Creative New Zealand is required to publicly invite nominations from, or for, people who are interested in being appointed as assessors as per the Arts Council of New Zealand Toi Aotearoa Act 2014. Nominations are approved annually by the Arts Council and after being approved, assessors are listed on the Creative New Zealand assessor register.

Please note that being on the register does not guarantee that an individual will be invited to serve as an assessor. Creative New Zealand staff review the assessment requirements of each funding round and, with the approval of Creative New Zealand management, invite appropriate assessors to assess for that round.

3. Term of appointment

Assessors remain on the register for up to five years. After five years there is an eighteen month stand down period. During this time assessors will not be invited to assess for any funding rounds to ensure new assessors can bring fresh perspective to our decisions.

An assessor can request that their name be removed from the register at any time.

4. Assessor privacy and the Official Information Act

Creative New Zealand will treat all information supplied by you as confidential, but may be required to release this information under the Official Information Act 1982 (the Act). The Act is based on the principle that all official information

(i.e. all information held by public organisations and entities subject to the Act) shall be made available unless there is good reason to withhold it.

Your name will be on a register of external assessors which will be made available to the public upon request. Names of all assessors selected to assess for a specific funding round will also be released to the public upon request.

Your assessments are compiled solely for the purpose of determining recommendations for funding, however, your name and the scores and comments given by you about an application may have to be released following an Official Information Act request.

Good reasons for withholding are included in the Act and referred to as part of the Creative New Zealand Official Information Act request process. During the process of deciding whether or not to release some or all of the information requested, including assessor names if relevant, assessors will be consulted on whether there is good reason for the information not to be released to the requester. Assessor feedback will be taken into account in the decision to release or withhold the information but will not be determinative. Creative New Zealand's Senior Manager Planning, Performance and Advocacy Services will make the final decision.

Creative New Zealand may also be required to release information under the Privacy Act 1993 as an individual applicant can request information about themselves. It is more likely, though, that an information request will be made under the Official Information Act as it has a broader reach.

5. Confidentiality

Applications for funding are confidential. All assessors have a duty to maintain the confidentiality of information contained within an application, even after your work with us has ended.

You must not disclose information gained in the course of assessing applications to Creative New Zealand to any third party, or copy any material for private use or for use by anyone else. You may not use any confidential information or any intellectual property rights contained within an application for any purpose other than assessing the application.

This clause does not preclude you from communicating information that is already in the public domain.

6. Your responsibilities

The knowledge and expertise you bring to assessing funding applications is what Creative New Zealand's senior staff and Arts Council use to inform their decision making. As such, an assessor selected to assess for a funding round must:

- participate in a pre-round briefing prior to assessing
- read and evaluate the material provided
- adhere to the specific assessment criteria and scoring scale provided
- provide assessment commentary that supports your chosen score and supports applicants to develop their arts practice
- provide fair and impartial assessments
- submit assessments on time
- immediately inform Creative New Zealand of perceived or actual conflicts of interest that may arise (see section 7)
- maintain awareness of the policies, outcomes and strategic direction of Creative New Zealand
- direct all enquiries relating in any way to the funding round to Creative New Zealand staff
- delete or destroy any related documentation after the round has completed.

You may be required to join a panel of assessors for a funding round. Panel members are required to:

- read and consider the results of other external assessments prior to the meeting
- make recommendations for funding by coming to a consensus with other panel members at the meeting
- take into account the opinions of other members of the panel and additional information provided by Creative New Zealand staff.

Assessors selected to assess for a funding round cannot:

- independently liaise with applicants/organisations about assessments or applications for that funding round
- relay panel discussions or decisions to applicants or organisations

- communicate information to applicants or organisations about funding recommendations or the discussions of an assessment panel in that funding round
- make any representations on behalf of Creative New Zealand or the Arts Council either relating to that funding round or in general
- act as an advocate for an applicant/organisation that is being assessed in that funding round.

7. Conflict of Interest protocols

It is essential that Creative New Zealand is made aware of the existence of potential conflicts of interest and manages them consistently and transparently.

Assessors must declare any real or potential conflicts of interest to Creative New Zealand staff immediately so that we can determine the best way to manage the conflict. If you are in any doubt about whether a conflict exists, discuss it with Creative New Zealand.

For every funding round, a conflict of interest register will be prepared by staff. For funding rounds that have panels, the conflict of interest register will be provided to the panel facilitator prior to the meeting and the conflicts, and any absence of any panel member during discussion because of a conflict, will be recorded in the panel meeting minutes. There are three types of conflict of interest that may apply to assessors: direct, indirect and perceived.

A direct conflict of interest occurs when:

- An assessor applies to the round and stands to benefit financially and/or materially from a successful application. In this case, the assessor will not assess for that round.
- An assessor stands to benefit financially and/or materially from an organisation receiving funding or a capability building opportunity. In this case, the assessor will not assess for any funding round to which that organisation is applying.

An indirect conflict of interest occurs when:

- Someone else other than the assessor applies and the assessor would benefit financially or otherwise if a grant

or offer of a place on an initiative were to be made. In this case, there are two options:

- If the assessor has prior knowledge of the application, then the assessor should either withdraw from their participation in the project, or be removed from assessing that round. However, if the extent of the assessor's involvement in the project and potential benefits are not considered to be significant, the assessor may be cleared to participate in the assessment of applications to the round but they cannot assess that particular application, or batch of applications of a similar nature. The assessor must leave the meeting room during any related panel discussion.
- If the assessor does not have prior knowledge of the application, then the assessor must declare a conflict of interest as soon as they become aware. They will not assess that application or batch of applications of a similar nature and must leave the meeting during any related panel discussion.
- When someone else other than the assessor is associated with an organisation and the assessor would benefit financially and/or materially through the funding of that organisation. In this case, the assessor will not assess for any funding round to which that organisation is applying.

A perceived conflict of interest occurs when:

- An associate, friend, family member or organisation associated with an assessor applies for funding. In this case the assessor may be cleared to participate in the assessment of applications to the round but they cannot assess that particular application.
- An associate, friend, relative or organisation associated with an assessor would benefit financially and/or materially through the funding of an organisation. In this case, the assessor should contact Creative New Zealand to discuss the procedure for managing the conflict. In some cases, the assessor will be cleared to assess.

8. Payment

Reimbursement type	Amount (GST exclusive)	Description
Base fee	\$80	Flat fee applied to every round where an assessor submits one or more assessments.
Assessment of applications	\$45 per application	This per application fee will be paid for all funding rounds, excluding the four noted below.
Assessment of awards	\$60 per nomination	For the Prime Minister's Awards for Literary Achievement and the Arts Pasifika Awards.
Assessment of Investment applications	\$80 per application	For the Toi Uru Kahikatea and Toi Tōtara Haemata funding rounds.
Assessors attending panel meetings	Half day \$150 Full day \$300	Half day is calculated at 1-4 hours Full day is calculated at over 4 hours
Facilitators leading panel meetings	Half day \$180 Full day \$360	Half and Full day calculated as above, plus 20% preparation fee.
Travel, accommodation and expenses		<p>When necessary Creative New Zealand staff will arrange travel for you to attend panel meetings to consider funding recommendations. To minimise cancellation charges and full price for flights, please do not change flights once they have been confirmed unless absolutely necessary.</p> <p>Taxi chits will be issued for use on taxis or shuttle buses to/from the airport only. Taxi chits will not be issued for same-city transport to a panel meeting. Parking costs will be reimbursed upon receipt.</p> <p>Creative New Zealand will not pay for travel by private motor vehicle where travel by other means is more practical and cost-effective. All claims for private vehicle mileage must detail the business purpose, kilometres claimed and travel details. Creative New Zealand uses mileage rate provided by the Inland Revenue Department.</p> <p>Generally, flights will be for same day only; however, if an overnight stay is required, accommodation will be paid for and arranged at one of our preferred hotels.</p> <p>If an overnight stay is required up to \$35 may be claimed for dinner and up to \$20 for breakfast. Claims must be accompanied by a receipt. Room service costs such as mini bar, videos, movies and phone calls are the responsibility of the assessor.</p> <p>If assessors organise private accommodation an allowance of \$55 per night may be claimed from Creative New Zealand.</p> <p>For any queries relating to travel and accommodation please contact Creative New Zealand staff.</p>

Tax and invoices	<p>Creative New Zealand does not withhold tax from fees and allowances. The fees and allowances may be considered your taxable income by Inland Revenue Department (IRD). For tax treatment of your income please refer to IRD. You are required by law to declare the fees you receive from Creative New Zealand in your income tax return. You acknowledge and agree that you are responsible for paying all taxes, levies and payments relating your fees from Creative New Zealand, including without limitation, PAYE and any levies under the Accident Compensation Act 2001.</p> <p>We do not require a tax invoice and will make the payment directly into a nominated account. Please make sure we have your correct bank account details.</p> <p>If you are GST registered you must send us your GST number. We will add GST to your fees and allowances.</p> <p>Payment of fees will be made within two weeks of completion of the funding round.</p>
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9. Independent contractor

You acknowledge and agree that if selected to assess for a funding round, you will be an independent contractor to Creative New Zealand and not an employee.

10. Conditions of appointment

I have read and understood the above terms and conditions and my obligations if selected as an assessor, and agree to be bound by them.

Assessor Name:

Signed:

Date: