



Invitation to Tender: Production of Guidelines on Pay and Conditions for Arts and Health Projects

Overview

Réalta, the national body for arts and health in Ireland, invites applications from suitably qualified individuals / organisations to develop and produce guidelines on pay and conditions for arts and health projects. The production of the guidelines is a partnership initiative between Réalta and Arts and Health Co-ordinators Ireland (AHCI), with funding from The Arts Council. The knowledge and expertise of AHCI members will be central in supporting the development of the guidelines.

This project has been initiated in response to a knowledge gap in arts and health provision concerning pay and conditions for freelance artists and creative producers. The guidelines will address best practice in relation to pay and conditions for different programme models and will encompass a range of healthcare contexts.

The successful Tenderer will work under the direction of Réalta and AHCI to determine content for the guidelines. It is envisaged that the successful Tenderer will undertake online focus groups and a survey to gather insights from artists and creative producers working across different art forms, in addition to desk research on relevant legislation and policies.

Tender Outline

Details of the tender are set out in this document which is comprised of four parts:

Part 1: Background information

Part 2: Project scope and requirements

Part 3: Tender process

Part 4: General tender information, terms and conditions

Interested parties should submit a proposal by email to Emma Eager, Réalta at Emma.Eager@hse.ie by **5pm on Tuesday 25 July 2023**.

Part 1: Background information

Réalta is the national body for arts and health in Ireland. Our vision is for the arts to be embedded into the provision of healthcare in Ireland. Réalta seeks to lead the development of the arts and health sector through support, promotion and advancement, and the demonstration of excellence in artistic delivery. Réalta has three core areas of focus: training and supports, sector development and inspiring practice. Réalta manages artsandhealth.ie, the national resource website, and the Waterford Healing Arts Programme at University Hospital Waterford and community healthcare settings in Waterford. The organisation operates from the Centre for Arts + Health, the first of its kind in Ireland, on the grounds of UHW. <https://realta.ie/>

Arts and Health Co-ordinators Ireland (AHCI) is an all-Ireland support network of professionals who are responsible for developing and managing arts and health initiatives, ongoing programmes and projects in various locations in Ireland. Established in 2003, the network provides information and support to its members and opportunities to explore arts and health issues through meetings, presentations, field trips and focused pieces of research.

What is arts and health?

Arts and health operates from the principle that the arts are integral to health and healthcare provision and that everybody, regardless of their health status, should have access to the arts. Arts and health is founded on a principle of equal partnership between the arts and health sectors. It embraces a range of arts practices occurring primarily in healthcare settings, which bring together the skills and priorities of both arts and health professionals. It is characterised by clear artistic vision, goals and outcomes that seek to enhance individual and community health and wellbeing. Improving quality of life and cultural access in healthcare settings is at the heart of arts and health work. For further information see <https://www.artsandhealth.ie/about/what-is-arts-and-health/>

Part 2: Project Scope and Requirements

Rationale

AHCI and Réalta are committed to advancing professional standards for arts and health projects in recognition of and accordance with the Arts Council's Paying the Artist Policy (2020), which states that 'best practice, not minimum standards, should apply to remuneration and contracting of artists across all artforms and disciplines.'

The majority of artists delivering arts and health projects in Ireland are freelance workers. Freelance artists and arts workers in Ireland are more likely to have annual earnings below the national minimum wage, largely because they are paid flat fees that do not reflect the hours worked.¹ Healthcare services, by their nature, are not generally designed for arts provision which can have implications for how the work

¹ Theatre Forum: Review of Pay and Conditions in the Performing Arts 2019-2020

of the artist is understood and the expectations placed on the artist. Data from the AHCI report “Mapping Arts and Health Activity in Ireland in 2019” revealed that 10% of arts programmes received no funding, 12% involved unpaid artists and 4% involved no artist at all.

The employment of an arts manager to oversee arts programming within a health or social care service is the exception rather than the rule in Ireland and salaried roles are mainly operational within acute hospitals. The conditions in which a creative producer (an independent project manager or curator) is contracted to deliver an arts and health project is contingent on the knowledge of the commissioner or programmer in relation to this role. Where project delivery does not include a project manager / curator, there may be an onus on the artist to manage as well as facilitate the project, without commensurate remuneration.

The guidelines, then, are born out of a need to create alignment between the arts and health sectors in the professional standardisation of this work, with the aim of fostering best practice in relation to pay and conditions for freelance artists and creative producers.

Who are the guidelines for?

The guidelines are aimed at any organisation commissioning or programming an arts and health project, which can include healthcare services, arts organisations, national agencies, local authorities, community organisations, amongst others. The guidelines will also be an important resource for artists, arts managers and creative producers delivering arts and health projects.

Scope of Guidelines

The scope of the guidelines is limited to pay and conditions for freelance artists and creative producers delivering arts and health projects across different programme models i.e. scope does not include employed artists or arts workers who are governed by specific rights and entitlements under Irish law. The parameters for the guidelines will be informed by the following terminology:

Arts and Health Project: This term refers to initiatives of any duration i.e. once-off events, time-limited projects and ongoing programmes. Projects can encompass all artforms covered under the Arts Act 2003, and can incorporate arts participation approaches (where an artist collaborates with individuals or groups within a health or social care service in the creation of work), environmental enhancement approaches (the enhancement of healthcare services through art and performance), or a combination of the two. Arts and health takes place across the spectrum of physical and mental healthcare. The range of settings includes but is not limited to hospitals, residential units, day care centres, primary care centres, hospices and community health services, in addition to non-healthcare settings.

Artist: An artist may practice in any discipline, work in any medium, or in more than one. The term ‘artist’ includes visual artists, writers, musicians, filmmakers, theatre makers and dance practitioners. The function of an artist in an arts and health

project is to work as an artist in a particular health or social care context, to facilitate and consult on arts work within that context, and often to initiate work within that context.²

Creative Producer: For the purpose of these guidelines, the ‘Creative Producer’ in an arts and health context is a freelance arts professional responsible for overseeing the delivery of an arts and health project. The role is distinguished from that of an ‘Arts Manager’ who is a salaried or waged employee managing an arts and health programme. We are using the term Creative Producer instead of ‘Project Manager’ or ‘Curator’ to encompass the varied nature of this role, which can include arts professionals initiating arts and health work, or commissioned or contracted to manage a specific initiative, as well as artists with the dual role of artist-manager on a project.

What we mean by ‘Pay and Conditions’:

Informed by the Arts Council’s Paying the Artist Policy (2020), remuneration is used here to encompass all potential forms of earnings of a freelance artist / creative producer on an arts and project, including pay, fees, allowances, benefits and non-cash incentives. Fair remuneration equates to what is asked of a freelance artist / creative producer in terms of their time, input and expertise.

It is important to note that there are no standard rates of pay within artform areas and a ‘one size fits all’ approach to standardising pay rates for arts and health projects would be counterproductive.

The intent of the guidelines is, therefore, not to advise on rates of pay but rather on the specific factors that commissioners or programmers should consider when determining rates of pay, pay structure and terms of engagement for arts and health projects, for example, type and length of project, practitioner experience, insurance, requirements in relation to planning, training, reporting, evaluation etc.

An initial scoping document on the variables that inform pay and conditions, produced by AHCI and Réalta, will be presented for discussion at the first planning meeting. It is envisaged that the successful Tenderer will also facilitate stakeholder engagement with artists, arts managers and creative producers to determine the extent of the criteria for ‘pay and conditions’ in arts and health projects.

The guidelines should address the following:

- Purpose and principles underpinning the guidelines, including communicating the value of the artist’s time in the delivery of arts and health projects;
- ‘Pay and Conditions’ as outlined above;
- Different programme models;
- A range of healthcare contexts across the life course;
- Guidelines that are informed by:
 - Legislation and regulations concerning contract working

² Adapted from ‘The Arts and Health Handbook: A Practical Guide’, The Arts Council, 2003

- Policies and procedures specific to arts and health practice in Ireland, including codes of practice produced by AHCI member organisations
- The Arts Council's Equality, Human Rights & Diversity Policy & Strategy;
- The perspectives of artists and creative producers e.g. via testimonials;
- Signposting readers to relevant resources e.g. rates of pay from arts resource organisations for different artform areas;
- Guidance that is easily accessible and understandable for both arts and health professionals.

Co-ordination and Management

The successful Tenderer will report to Réalta Project Manager, Emma Eager, and the AHCI Pay and Conditions Working Group on the delivery of the guidelines.

We are looking for an individual/organisation who can demonstrate:

- Good research and analysis skills;
- Excellent communication and writing skills;
- An understanding of HR legislation and regulations;
- Knowledge of the arts sector and an interest in arts and health;
- Capacity to deliver guidelines to a publishable standard* within a tight timescale.

*Please note that the design of the guidelines will be undertaken by a separate contractor and 'publishable standard' refers here to the written quality of the guidelines.

Deliverables

The successful Tenderer will be required to:

- Attend planning meetings with Réalta (meetings will be online with the initial project briefing in-person where feasible);
- Develop a detailed project plan and timelines;
- Undertake desk research on current policy and best practice of relevance to pay and conditions for arts and health projects;
- Facilitate a stakeholder engagement process to include:
 - Development and management of an online survey
 - Online focus groups with AHCI members, emerging and established artists working across different artforms, and creative producers to understand sectoral needs in relation to pay and conditions;
- Provide updates on progress and emerging findings to the Working Group, which can include the preparation of documents, presentations and / or verbal reports, as required (approx 3 updates over project duration);
- Write the guidelines and produce subsequent drafts, as needed, in response to Working Group / stakeholder feedback;
- Submit final copy for the guidelines to the Working Group, developed to publishable standards.

Réalta will support the successful Tenderer by:

- Acting as the key liaison for the successful Tenderer and project partners;
- Providing relevant research including codes of practice produced by AHCI member organisations and data gathered from a 2022 Waterford Healing Arts survey issued to arts and health organisations on rates of pay for artists and payment policies;
- Disseminating the online survey;
- Providing support for the online focus groups including organising attendees and technical support.

Project Timeframe:

Research to commence by week of 14 August 2023.

Stakeholder engagement completed by 30 September 2023.

Draft guidelines submitted by 1 November 2023.

Final guidelines (copy only) submitted by 18 December 2023.

Fee Proposal

The fee proposal should be in Euro (€) with a breakdown of total costs provided. Tenders to a maximum of **€8500** will be considered, inclusive of VAT and all expenses.

Please note that Réalta will not bind itself to accept the lowest Tender offer.

Part 3: Tender Process

Requirements for the Proposal

It is a requirement that the following documentation is supplied with the proposal. Please follow the numbering sequence outlined below:

1. Organisational / Consultant profile: Full consultant/organisation name, address, phone number(s), and email. Any sub-contracting arrangements must be indicated, with details on which consultant/organisation will be the project lead and take responsibility for the financial management of the project.
2. Relevant Experience and Project Team:
 - An overview of relevant experience with details of at least 2 relevant projects completed over the last 5 years must be provided. Include references for the above examples of work – client name, contact number and email. We will not contact your references without prior notice.
 - Experience of participative research, including focus groups, should be outlined.
 - Details of the proposed individual/team should be provided, including relevant skills and knowledge, with brief biographies of all team members who will be carrying out the work. CVs of no more than 2 pages may be submitted as part of the tender response.

3. Methodology: A brief proposal (max 2 pages) outlining the proposed approach to the delivery of all aspects of the work as indicated previously.
4. Project plan: A clear project plan (1 page) presenting the timelines for work from commencement to completion.
5. Project budget: A detailed breakdown of costs.

Evaluation Criteria

Tenders will be evaluated on the information provided at the time of tender.

Tenders received will be marked out of 100 as follows:

- Understanding of tender requirements and approach to tender 30
- Candidate Profile: Qualification and relevant experience 30
- Methodology and Project Management Plan 20
- Value for money 20

Application process and queries

Interested parties should submit a completed proposal by email to Emma Eager, Project Manager, Réalta at Emma.Eager@hse.ie by **5pm on Tuesday 25 July 2023**.

All tender documentation must be in PDF or Word format including an electronic signature. Late applications will not be accepted.

Queries or clarifications may be addressed before Friday 21 July 2023 to: Emma.Eager@hse.ie

Réalta reserves the right at any time before the tender deadline to update, cancel or amend the information contained in this document and/or to extend the tender deadline.

Part 4: General tendering information, terms and conditions

Terms of Appointment

The contract period shall be for a maximum of 18 weeks. The successful Tenderer should be in a position to start work by the week of 14 August and the final guidelines should be presented to Réalta on or before **18.12.23**.

Where a group or consortium submits a proposal, a lead consultant must be nominated who shall be fully responsible for providing the services required by this brief. On appointment the successful tenderer shall prepare and agree a project implementation plan with Réalta. The plan shall detail all staff to be engaged on the project and shall indicate all tasks to be undertaken against time.

Notification of Tender Acceptance

Réalta shall notify acceptance of the tender to the successful Tenderer as soon as reasonably practicable, and in any event by **Monday 31 July**.

Unsuccessful Tenderers will be notified when the appointment of the successful tender has been confirmed.

Currency

The currency to be used in this tender is euro and a tender proposal in any other currency will not be considered.

Costs

Réalta will not be liable in respect of any costs incurred by any Tenderer in the Preparation of tenders in response to this Invitation to Tender or any associated cost.

Tax Clearance

The successful Tenderer must be in possession of a valid tax clearance certificate for the duration of the contract. This must be produced before execution of the contract. A valid tax clearance certificate means a tax clearance certificate issued by the Irish Revenue Commissioners, and Tenderers not resident in Ireland must make application to the Irish Revenue Commissioners for such a certificate if their tender is to be considered.

Insurance

The successful Tenderer must produce valid public liability insurance.

Ownership of Documents and Copyright

All documents produced by the consultant in connection with this appointment and submitted to Réalta will be considered the property of Réalta and AHCI and may be used by these parties at any time, including for other projects, without the prior approval of the consultant.

False or Misleading Information

Tenderers who intentionally or carelessly supply false or misleading information will be disqualified from this Tendering Procedure on the discovery of such information.

Compliance with Law

Tenderers should be able to provide on demand evidence of compliance with all laws applicable to the provision of the services which are the subject of the Invitation to Tender, and in particular should be able to produce evidence that they have particular regard for statutory terms relating to minimum pay and any legally binding or sectoral agreements if applicable.

Termination

The contract shall contain provisions reserving to Réalta the right to terminate any contract awarded if it is not satisfied with the performance by the successful Tenderer of the contract. The satisfaction or dissatisfaction of Réalta shall be evaluated in the context of the Tenderers proposal set out in Part 3 of this document.

Requirements of Invitation to Tender

Tenders not conforming to the requirements of this Invitation to Tender will not be considered and will be returned to the Tenderer.

Subject to Contract

This Invitation to Tender is not intended to, and does not, create or evidence any legal or binding relationship, obligation or commitment of any nature between Réalta and any Tenderer. No such legally binding obligation or commitment shall come into being unless and until a formal legal contract is duly executed and delivered by Réalta and the successful Tenderer.

Disclaimer

This document is for information only and does not constitute, and shall not be interpreted as, an offer for sale, prospectus, or the basis of a contract. Candidates are recommended to read the document thoroughly. Réalta reserves the right to discontinue the procurement process at any time. No liability will be accepted for candidates' costs in connection with the procurement procedure, irrespective of the outcome, whether or not the procedure is cancelled or postponed.

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