



PEER HANDBOOK FOR ASSESSMENT PANELS

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OVERVIEW

This Handbook provides an overview of the peer assessment processes used by the Australia Council for the Arts ('the Council'), concentrating on the role of peers in assessment panels.

A peer is anyone who has sufficient knowledge or experience of the arts sector to make a fair and informed assessment of applications for funding. This knowledge and experience could be developed in one or more of the roles of a practising artist, arts worker or industry expert in one or more art forms.

The Handbook outlines the process of peer assessment and also includes important information about Council policies to ensure that decision making is fair and transparent.

Questions regarding the information in this Handbook should be sent to peers@australiacouncil.gov.au.

Prospective peers should visit the [Australia Council website](#) for more information on how to apply.

ABOUT THE AUSTRALIA COUNCIL FOR THE ARTS

The Australia Council for the Arts is the Australian Government's arts funding and advisory body. We support Australia's arts through funding, strengthening and developing the arts sector.

We collaborate to build new audiences, foster philanthropic support and deepen our understanding of the arts through research.

The Australia Council was originally established as an independent statutory authority through the *Australia Council Act 1975*.

On 1 July 2013, the *Australia Council Act 2013* commenced, updating the functions of the Australia Council. The Australia Council is accountable to the Australian Parliament and to the Government through the Minister for the Arts.

- Through our grants we fund a range of arts activities including the creation of new work, collaborations, touring, productions, exhibitions, performances, publishing, recording, promotion, market development and audience engagement.
- We provide multi-year funding to arts organisations across Australia that create and present work and service the arts and artists.
- Through targeted programs and strategic initiatives we support the arts sector and lead change where needed.
- We advocate for the arts sector and deliver original research and analysis to inform policy and strengthen the arts industry.

[Click here to view the Australia Council Act.](#)

The Australia Council's Strategic Plan 2014-19 sets out our vision for the arts in Australia. It also defines the goals and strategies that will guide our work over the next five years. It responds to our new legislation and is informed by sector and nationwide consultation.

[Click here to view the Australia Council Strategic Plan 2014-19](#)

ROLE AND RESPONSIBILITIES OF PEER ASSESSORS

Each year, the Council delivers more than \$170 million in funding for arts organisations and individual artists across the country. Peer assessors bring expertise, contextual knowledge of the arts, and independence from Government to this process. Independence from Government, also known as the arm's length principle, and peer group assessment and decision making are fundamental to the Council so that grants are offered to artists and arts organisations whose proposals, in competition with those of other applicants and within budget constraints, demonstrate the highest degree of merit against the published assessment criteria.

Panel Selection

The Council is committed to forming diverse and balanced panels. We appoint peers who are both knowledgeable and representative by balancing the following factors:

- Artistic practice – artists and arts professionals with different artistic styles and philosophies, respected within their field.
- Professional specialisation – artists and arts professionals who perform a variety of different professional roles in the arts that are relevant to the category.
- Cultural diversity – artists and arts professionals representing the cultural mix of Australian society.
- Disability – artists and arts professionals with disability.
- Aboriginal and Torres Strait Islander – representation of Aboriginal and Torres Strait Islander artists and arts professionals.
- Regions and communities – artists and arts professionals from different geographical regions.
- Gender.
- Age – artists and arts professionals of different generations.

The Council maintains a **Register of Peers**, containing the details of all artists, artworkers and industry experts who have registered their interest in participating in a peer assessment. The Australia Council's Nominations and Appointments Committee reviews the Register and makes recommendations to the Australia Council Board. The Board approves a Pool of Peers to participate in assessment panel meetings as required.

The **Pool of Peers** has been introduced to ensure even greater diversity and it includes the following guidelines:

- Peers may participate in a maximum of six assessment meetings, or remain in the Pool for three years, whichever is reached sooner;
- Once the meeting or time limit is reached, peers leave the Pool (but remain on the Register) and may be reappointed to the Pool after a period of two years;
- Panels will be comprised of between three to nine peers depending on the kind of assessment and representation required;
- Peers may be invited to participate in any assessment panel across Council if they have the required experience and knowledge;
- Additional peers can be appointed to sit on a peer panel on a one-off basis by the Council's CEO in cases of extraordinary need (i.e. capacity or specialist knowledge).

The diversity of peers on assessment panels is reported to our Nominations and Appointments Committee and the Australia Council Board. Council works to recruit new peers in areas that are underrepresented.

Code of Conduct

Peers are expected to be:

- Honest and sincere in their approach to their duties and responsibilities;
- Fair and impartial and not allow prejudice or bias to override their objectivity; and
- Free of any interest which may be regarded, whatever its actual effect, as being incompatible with integrity and objectivity.

Members and participating advisers should not use panel meetings as an opportunity to promote the interests of a particular group or individual.

Conflicts of Interest

Managing conflicts of interest in peer assessment is critical to the Council's processes. In selecting peers for a particular round, the Council makes a conscious effort to identify relationships between peers and applicants or applications, to avoid conflicts in the first place. However, other conflicts may not be readily identifiable and requires each selected peer to acknowledge such interests prior to each assessment meeting. A peer must declare a direct or indirect financial interest, or a personal interest, in the outcome of the application or proposal.

Peers cannot be an applicant to any funding programs they are assessing, nor can they be a major financial beneficiary. As a general rule, a major beneficiary is one who will receive more than 20 per cent of the funds requested.

Peers who have, or feel they could have, a conflict of interest must contact Council staff immediately to discuss the situation. For those cases where a peer is a minor beneficiary through an application by a third party, or where there is a perceived conflict of interest, action will be taken on a case by case basis depending on the context and nature of the conflict. Actions that may be taken range from:

- The peer being allowed to score a particular application, with a note recorded that a sufficiently remote or minor potential conflict may exist.
- The peer being unable to score a particular application, and leaving the room when it is discussed.
- The peer not being able to participate in the assessment panel.

See [Attachment 1](#) for more examples of conflicts of interest.

Confidentiality of Information

Peers must treat both the material that they review, and any discussions related to their assessment, as confidential. They must not disclose information about grant applications, or discuss the names of the applicants or nominees, the recommendations, or any comments made by other peers during a meeting. Under no circumstances may this information be released to the media or made public.

At the end of a meeting, peers must return all assessment materials to the convenor of the panel, and destroy all digital copies of the applications and support material in an appropriate manner that protects the privacy of individuals and the confidentiality of the information concerned.

If a peer is approached directly after a meeting by an applicant who is asking for their opinion of why they were unsuccessful, the peer should politely let the applicant know that they are not in a position to provide that information and the applicant should contact Australia Council staff.

Peer Responsibilities

Peers must:

- not have any grants that are overdue for acquittal;
- read the description of the funding program and the assessment criteria, as well as all applications and related documentation and essential support material received prior to and during a meeting;
- comply with all the Council’s policies (conflict of interest, confidentiality, etc.) at all times;
- provide expert advice to the assessment panel;
- assess all the applications only on the published assessment criteria and description of the program, and in accordance with any Council policies and directions;
- establish an order of priority for funding; and
- determine and rank the final recommendation list(s)

Council Staff Responsibilities

Staff will review the respective applications for each funding program and determine eligibility, complying with the Council’s policies at all times.

A delegated officer of the Council will facilitate each meeting of the assessment panel. Their role is to ensure meeting protocols are maintained, and to ensure the assessment panel in making fair and accountable decisions. Council staff with relevant expertise will attend to provide factual or background information during an assessment meeting.

PROCESS OF PEER ASSESSMENT

The Australia Council for the Arts has implemented a deliberative decision-making model of peer assessment. Under this model:

- The decision making *standard* is the merit of the applications in responding to the published selection criteria;
- The decision making *method* is mutual agreement, based on reasoned arguments put forward by peer assessors.

Each assessment panel follows a similar process:

- Individuals are contracted as peers for specific meetings;
- Peers will undergo an induction before the assessment meeting;
- Peers are provided with online access to application materials prior to the assessment meeting;
- Peers review the material and individually score each application online;
- Peers participate in an assessment meeting in person or remotely (e.g. teleconference, by video conference) and have the opportunity to discuss applications and review the rank of applications in light of the panel's discussion; and
- Peers agree the order of merit of applications that form the basis for funding recommendations.

Australia Council for the Arts online system

Peers must access the Australia Council for the Arts [online system](#) to undertake their peer duties. The online system can be accessed using an email address and password, and is used by peers to:

- Register to be a peer;
- Accept the peer assessor contract;
- Access applications and support materials of panels they are assessing;
- Enter scores for applications.

Application Material

Peers will access applications and support material through the Australia Council for the Arts online system.

Other formats can also be provided to meet peer accessibility requirements as required.

Peers are expected to read the material provided and to have assessed each application against the published selection criteria prior to the meeting. The assessment comprises of two steps: scoring against the criteria, and then using those scores to determine whether an application is fundable.

Scoring

Scoring of applications will usually take place via the [Australia Council for the Arts online system](#). Ratings are used to score applications against the published selection criteria for that funding program, ensuring that these criteria are properly considered in reaching a decision. Scoring is a tool to aid the assessment process. It does not circumvent this process or predetermine the outcome, but it does allow peers to quickly establish which applications are not in contention for funding from those that are. A numerical system of 1-7 is used for scoring and the following ranges apply:

- 7 Very high
- 6 High
- 5 Good
- 4 Medium
- 3 Below average
- 2 Low
- 1 Very low.

Peers will normally enter their scores against the criteria for each application into the online scorecard. Scoring guides have been developed for each criteria to help peers score consistently.

Recommend for Funding

As peers score against the criteria they will also be asked if they want to recommend an application for funding. An application can be recommended based on the scores given for each criteria. To aid this, benchmark scores for fundable applications have been set for each criteria. For example, a score of 5 or higher out of 7 for artistic merit is the benchmark for an application to be recommended for funding. The scoring guide lists the benchmark score for each criteria.

If peers score an application below the benchmark, but consider the application to be fundable, they **must** increase their score/s to the benchmark in order to recommend it for funding.

If peers score an application at or above the benchmark, but do not consider the application is fundable, they can select and save 'No' in the 'Fundable' column on their scorecard without changing their criteria scores.

Only the final, collectively agreed ranking and the record of the number of peers that recommended the application be funded are recorded permanently on file. The assessment by an individual peer does not form part of the official record of the meeting. An electronic record of individual peer scores is kept for 45 days after the assessment meeting in case of any appeals against the decisions, before it is automatically destroyed.

At the Meeting

A delegated officer of the Council facilitates the assessment process at the meeting, but does not assess or score the applications. The facilitator will run through the agenda with peers, specifically addressing roles and responsibilities and the Code of Conduct, including conflicts of interest and confidentiality of information.

Any additional conflicts of interest should be identified and documented at this time, and peers may be asked to leave during the discussion of the relevant item and have their initial scores removed from the online scoring system.

The number of peers recommending an application for funding, along with the average score (as a percentage score against all criteria) are used to establish an initial ranking or ordering of applications within the funding program. This information is shared during the meeting.

Peers will have the opportunity to discuss the range of applications in contention for funding, along with applications they want to advocate for. Peers will be encouraged to:

- share their experience, expertise and reasons for their views;
- acknowledge that other views are legitimate and decision-makers are equal; and
- develop a shared understanding of different views and the reasons for these.

Depending on the number of applications to be considered, not all applications may be discussed.

Peers are not bound by the assessment they make before the meeting. As part of the deliberative decision-making process, the panel can collectively change their determination of which applications to recommend for funding, and in what order.

The facilitator may ask individual participating peers to leave the meeting if he or she feels they are exerting undue influence on any application decision or funding recommendation.

Reporting, Budgets and Approval

At the end of each meeting a number of reports are generated:

- a report including:
 - a listing of the ranking of each application and the number of peers that recommended the application be funded;
 - the peers participating in the meeting; and
 - certification that the ranking is a true record;
- a memo summarising any conflicts of interest declared by the peers.

Once the ranked list of applications for all panels have been confirmed, Australia Council staff will allocate funds to the top ranking applications across each panel. Peers will be briefed on which applications were supported after the meeting has been closed and the budgets allocated.

The Executive Director, Grants and Engagement will raise any issues of concern or potential media scrutiny to the CEO prior to approving the release of funds.

Under the Council's Administrative Authorisations Framework, the CEO and Chair of the Board of Directors (or the Deputy Chair in the Chair's absence) can jointly suspend a recommendation by peers or Executive Directors to approve funding for a particular grant, project or initiative. To do so, the CEO and Chair:

- must consult with the relevant peers and Executive Director;
- only exercise this authority where the project outcomes may not comply with all applicable laws, or could reasonably be deemed to bring the Council into disrepute.

This review only happens in exceptional circumstances.

Notification and Feedback

Following approval from the Executive Director applicants will be notified of the decision by email or letter. Council staff will also provide feedback to applicants after notification, drawing on the overall ranking and any specific comments made by peers.

Peers are reminded they should not provide applicants with feedback. If approached, peers must direct the applicant to the Grants team for more information.

Appeal Process

If applicants can demonstrate that due process was not followed or natural justice denied, they can seek a review of the decision providing evidence to support one of the two published grounds of review of a decision to Council's General Counsel. Refer to [Attachment 2](#) for more information about the appeal process.

REMUNERATION AND ENTITLEMENTS FOR PEERS

Sitting Fees

Peers receive sitting fees and travel allowances for participating in assessment panel meetings.

The sitting fees below are effective from 1 January 2016:

	Sitting Fee (per day)		
Peer panel meeting length	Meetings of 3 hours or more	Meetings of 2 to 3 hours	Meetings less than 2 hours
Fee	\$706.00	\$423.60	\$282.40

As directed by the Remuneration Tribunal¹ these rates are the total fees to be paid and are **inclusive of any GST**. Peers are responsible for complying with any taxation obligations.

Travelling allowances

The travelling allowance includes accommodation and meal costs and is paid when travel involves an overnight stay. The full amount of the travelling allowance is not paid when either accommodation and/or meals are paid for by the Australia Council.

As a general rule the Australia Council organises and pays for the cost of accommodation as well as for some meals (for example lunches at assessment meetings). The allowance peers receive will be for those meals not covered by the Australia Council and the incidentals component of the allowance. Any allowance due will be paid after the assessment panel meeting.

The table below gives travelling allowance rates. These rates are also set by the Remuneration Tribunal.

¹ Remuneration Tribunal, Australian Government, 2015-20 *Principal Determination – Remuneration and Allowances for Holders of Part-Time Public Office* (1 Jan 2016) Doc ID: 2015-20DET

Travelling allowances

The travelling allowances below are effective from 31 August 2015:

Per overnight stay (location)	Maximum Travel Allowance *
Sydney	\$397
Adelaide	\$359
Brisbane	\$408
Canberra	\$374
Darwin	\$438
Hobart	\$327
Melbourne	\$379
Perth	\$411

Different rates apply for different country centres

* Maximum Travel Allowance includes accommodation, meals and incidentals

The meal and incidental components of the travel allowance are given in the table below.

Meal and incidental components of the travel allowance	High Cost Centres *	Other Country Centres
Breakfast	\$29	\$26
Lunch	\$40	\$27
Dinner	\$56	\$52
Incidentals	\$27	\$27
TOTAL	\$152	\$132

* High Cost Centres include capital cities and specified country centres

Peers Contract for Services

Peers serving on an assessment panel enter into a contract for services with the Council. This contract outlines the nature of the services to be performed by the peer, when and where these services are to be undertaken, the fee for the services, and other terms of their engagement by the Council, including abiding by Council's conflict of interest policies and Code of Conduct.

Travel and Accommodation

Domestic travel on official business must be authorised in advance by the Director, Peer Services at the Council. Council staff will arrange all travel including tickets and accommodation in advance through the Council's designated travel company.

Other travel expenses may be authorised at the approved daily rates if the peer is staying overnight to participate in the meeting. The travel allowance is expected to cover any additional out of pocket expenses including meals or incidentals incurred by the peer. Please note that the hotel chargeback service we operate covers the costs of the room only, and peers are expected to pay for any additional charges at the hotel.

As per Australian Taxation Office guidelines, domestic air travel for more than five days will require a travel diary to be submitted and acquitted to the Council. Combining travel between business and personal use may be subject to a Fringe Benefit Tax. If this is the case, peers are liable to pay any tax.

A travel diary is compulsory for all international travel. It should be submitted and acquitted to the Council within 21 days of a peer's return.

Cab Charges

Cabcharge™ vouchers may be issued to a peer for travel to attend assessment panel meetings, and will usually be posted to the peer a week before the meeting. All unused dockets should be returned immediately after the meeting to the relevant administrator or section coordinator for reconciliation purposes. Any questions about the using of Cabcharge™ vouchers should be referred to the Council's Financial Controller.

Payment Method

Fees are generally paid by electronic funds transfer.

When booking a peer's travel, Council administrators calculate any travel allowance owed to a peer, based on the times when a peer is travelling, the number of overnight stays, and meals provided by the Council as part of the assessment meeting.

Peer Services Officers will advise whether any travel allowance due prior to the assessment meeting.

Sitting fees, travel expenses, travel allowance and reimbursement of any other agreed expenses are paid after the meeting, on completion of the assessment and all contractual obligations. Peers must submit a valid tax invoice or Statement of Supplier, whichever applies, using the template in [Attachment 3](#) as a guide.

ATTACHMENT 1: CONFLICTS OF INTEREST

This appendix contains examples that may help identify any conflicts of interest at an assessment panel. In most cases where a conflict of interest exists, peers will not score and be asked to leave the room for the assessment of the application. In some cases other actions may be considered more appropriate.

BOARDS, COMMITTEES OR PANEL MEMBERS

If you are on the board of an organisation that will benefit from a grant, or on a steering committee/panel involved in making decisions you cannot score that application or, in some cases, cannot be a peer assessor for that grant category.

CONTRACTUAL DISPUTE

If you are in a contractual dispute with any of the applicants or beneficiaries of a grant, this could potentially be a conflict of interest. You must declare any legal matters involving you and any person/s involved in the grant applications.

LETTERS OF SUPPORT AND REFERENCES

If you or your organisation supplied a letter of support or reference for an application you should declare this. This will be a perceived conflict of interest and you will be removed as an assessor of that application.

MINOR OR MAJOR BENEFICIARIES

If you are a paid or non-paid participant in an application, this will be a conflict of interest.

If your component of the grant is less than 20%, you are considered a minor beneficiary. If however, your component is more than 20%, you are considered to be a major beneficiary. You cannot be a peer at the assessment meeting if you are a major beneficiary.

RELATIONSHIPS

If you have a personal relationship with an applicant i.e. if they are a significant other or related to you, this is considered a potential conflict of interest. If you have a working relationship with an applicant that is current, recent (less than 2 years ago) or will occur in the near future (in the next 2 years), this is considered a perceived conflict of interest and you may be removed as a scorer of that application.

SUBMITTING AN APPLICATION

If you submitted an application under your own name to the round you will be assessing, this is a conflict of interest and you are not allowed to be a peer for that round.

Again, having a conflict of interest does not necessarily mean you are disqualified from being a peer at the assessment meeting. It is important, however, that you declare any actual or perceived conflicts of interest before the meeting and any you may discover during the meeting. Council staff are happy to discuss any concerns/questions you may have before, during or after the meeting.

ATTACHMENT 2: THE LEGISLATIVE DECISION MAKING FRAMEWORK

RIGHTS AND RESPONSIBILITIES

The Australia Council Act 2013 upholds the right of persons to express freedom in the practise of the arts. In meeting this obligation, grants are given to a large number of individuals, groups and organisations working in, and with, a range of communities. Council support does not imply or determine that the Council endorses the views of the artists or participants involved in a funded activity. In accepting a grant from the Council, recipients are expected to undertake the agreed activity within the Australian legislative framework.

PUBLIC ACCOUNTABILITY FOR DECISION MAKING

The principal responsibilities of peers as decision makers include:

- **Observation of appropriate legal requirements**
Before making a decision a peer must ensure that they have the authority to do so and that they have followed established procedures.
- **Affording natural justice and procedural fairness**
A peer making a funding recommendation must afford procedural fairness to an applicant. For example, published criteria for eligibility should not be changed without due notice, or letting a conflict of interest influence the decision on funding.
- **Establishing the facts**
Peers must ensure that evidence supporting the decision is both sufficient and correct and that any pre-conditions are met.
- **Avoiding any improper exercise of authority**
Peers must ensure they are not taking irrelevant considerations into account and are only considering the merits of a particular application or case.
- **Fairness**
Peers must avoid acting in a way that is unreasonable, unjust, oppressive or discriminatory.

DUE PROCESS AND NATURAL JUSTICE

Administrative law gives applicants an important right that decision making must be objective and done without bias. Relevant legislation includes the *Ombudsman Act (1976)*; *Administrative Decisions (Judicial Review) Act (1977)*; *Freedom of Information Act (1982)*; *Sex Discrimination Act (1984)*; and the *Privacy Act (1988)*.

A complaint or challenge can be taken to a Federal court, the Office of the Australian Information Commissioner, or a human rights or anti-discrimination Commissioner. There is no statutory right of review on the artistic merits of an application. For a challenge to succeed it must be on the basis that due process was not followed. An applicant is also entitled to seek an internal review of the decision from the Council's Decisions Review Committee where the applicant can demonstrate that one of the following two published grounds for review of a decision was not followed:

1. The preparation of your application was adversely affected by incorrect advice or information given to you by an Australia Council official prior to submitting your application; or
2. Based on publicly available information, or feedback we provide you after your application has been assessed, you believe the outcome of your application has been adversely affected by matters other than the artistic merit of the application or proposal.

1.

DUTY OF CARE AND DILIGENCE

Peers should be aware that they have a "duty of care" to avoid causing harm or injury to others when communicating with applicants and members of the public on matters relating to their involvement with the Council.

The Council may be financially liable for losses sustained by applicants who act on incorrect advice given by peers. Peers must therefore refer details or applicant specific matters to relevant Council staff to provide advice.

ANTI-DISCRIMINATION LEGISLATION AND POLICIES

By law, the Australian Government affords equal opportunity to all eligible applicants and prohibits discrimination against any applicant because of political affiliation, religion, gender, class, ethnicity, sexual preference, marital status, pregnancy, age, physical or mental disability.

The Council's [Cultural Engagement Framework](http://www.australiacouncil.gov.au/about/cultural-engagement-framework/) (CEF) at <http://www.australiacouncil.gov.au/about/cultural-engagement-framework/> also provides an umbrella for a range of policies, strategies and programs aimed to ensure equity of access to the Council's grants and initiatives.

The CEF encompasses a number of specific demographic communities including Indigenous Australia, people with disability, multicultural Australia, young people, and regional or marginalised communities. Strategies for giving these communities greater access to funding and participation in peer assessment are embedded in Council's action plans.

ATTACHMENT 3: TAX INVOICE SAMPLE

TAX INVOICE

Window Pty Ltd

15 Burshag Rd

Festler NSW 2755

ABN: 32 123 456 789

Date: 14 March 2016

To: Australia Council for the Arts

372 Elizabeth St

Surry Hills NSW 2210

Reference: (ATSIA Assessment Meeting)

Peer Assessor: John Smith

Description	Base Amount	GST	Total
1 x Day Sitting Fee	\$ 641.82	\$ 64.18	\$ 706.00
Travel allowance	\$ 228.18	\$ 22.82	\$ 251.00
Reimbursements:			
Total	\$ 970.00	\$ 97.00	\$ 1067.00
Total excl GST			\$ 970.00

Total GST amount payable			\$ 97.00
Total Amount Payable incl GST			\$ 1067.00

Bank Account Name: Window Pty Ltd

Bank: Commonwealth Bank

BSB No: 123 456 Account No: 1100 2200