

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'), for people in the role of a peer assessor on grant 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 as 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.

People interested in becoming a peer should visit the [Australia Council website](#) for more information on how to nominate.

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 grant funding for arts organisations and individual artists across the country. Peer assessors bring expertise, knowledge of the arts, and independence from Government to grant decision making. Peer assessment and arm's length funding have been guiding principles of the Council for more than 40 years. It ensures 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.

Pool of Peers

The Council maintains a register of the details of all artists, artworkers and industry experts who have nominated their interest in peer assessment. Council staff usually review the nominations every three years, and shortlist a Pool of Peers with the skills and knowledge to assess applications to Council's grant programs. The Pool of Peers is formally approved by the Australia Council Board.

The Council receives many more nominations than there are opportunities for peers to assess. The balance of representation across all areas is a key consideration in the shortlisting process. For areas of arts practice or locations we receive the most nominations from, there will be many more experienced people than we can utilise.

The following guidelines ensure that the Pool of Peers leads to greater diversity in the assessment of Council's grants program:

- 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 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 names of peers appointed to the Pool will be published on Council’s website.

Panel Selection

The Council has established ten peer assessment panels: Aboriginal and Torres Strait Islander, Arts and Disability, Community Arts and Cultural Development, Dance, Emerging and Experimental Arts, Literature, Multi-artform, Music, Theatre and Visual Arts. The membership of these panels rotates, with peers selected from the Pool in response to the categories being assessed.

We select 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 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.

The names of all peers participating in an assessment meeting are published on Council’s website, along with the list of successful applications.

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

A conflict of interest occurs when a connection that a peer may have with an application or applicant stops them being fair and impartial. The connections could be direct (relating to the peers themselves) or indirect (relating to a family member or work colleague). These connections could lead to an actual benefit for the peer (e.g. a fee in the grant application) or could lead to a perceived benefit (e.g. could lead to work in the future, or benefit their reputation).

Managing conflicts of interest in peer assessment is critical to the credibility and transparency of Council's processes. In selecting peers for a particular round, the Council makes a conscious effort to identify connections between peers and applicants or applications, to avoid conflicts in the first place. However, some connections may not be readily identifiable – for example, when someone close to the peer is connected to the applicant or application.

We rely on each peer to acknowledge all connections they have with applicants and applications prior to each assessment meeting. Council staff will determine what action to take on a case by case basis, depending on the context and nature of the connection. 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.

Council staff keep a memo of connections declared by the peers, and how they have been managed in the assessment process. This memo provides an audit trail should an applicant question the impartiality of a peer panel or particular peer.

See [Attachment 1](#) for examples of the most common connections and interests identified by peers.

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 Council staff, 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, or interested party, 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 relevant documentation and support material received prior to 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;

- reach consensus on the order of priority for applications to receive funding).

Council Staff Responsibilities

Council staff will:

- review the respective applications for each funding program and determine eligibility, complying with the Council's policies at all times;
- determine whether the connections that a peer identifies with applications or applicants are a conflict of interest, and how they should be managed;
- facilitate each meeting of the assessment panel, ensuring that meeting protocols are maintained and the panel makes fair and accountable decisions;
- provide factual or background information during the assessment meeting to help peers deliberate.

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 how well the applicants respond to the published selection criteria;
- The decision making *method* is mutual agreement of the panel, based on reasoned arguments put forward by the peer assessors.

Each assessment panel follows a similar process:

- Individuals are contracted as peers for a specific meeting;
- Peers will receive an induction to the role 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 against the criteria;
- 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 their recommendations in light of the panel's discussion; and
- The panel agrees the final 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 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.

The Council is committed to ensuring our website and online system complies with the Web Content Accessibility Guidelines developed by W3C. Our website and online system currently meet the Level AA Success Criteria.

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. For example, audio description or captioning of video support material.

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

Assessment of applications will usually take place via the [Australia Council for the Arts online system](#). Peers score the degree to which applications meet 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, allowing peers to quickly establish which applications are in contention for funding from those that aren't. A numerical system of 1-7 is used as follows:

- 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 grant category 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. The scoring guide lists the benchmark score for each criteria.

- If peers score an application below one of the benchmarks, but want to recommend it be funded, they **must** increase their score/s to the benchmark in order to recommend it.
- If peers score an application at or above the benchmark, but do not want to recommend it be funded, 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 total number of peers that recommended the application 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 only 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 manages the meeting process, ensuring the peer deliberations are focused, on time, and the code of conduct is observed.

Another Council officer, usually the relevant Arts Practice Director, will provide subject matter expertise, context and advice to the peers to help their deliberations.

Peers will be asked to declare any additional connections or relationships to applications or applicants at this time. If staff determine there is a conflict of interest, peers may be asked to leave during the discussion of the relevant item and have their score/s removed from the online 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 order of applications, for that grant 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 any other applications they want to advocate for. Peers will be encouraged to deliberate, by:

- sharing their experience, expertise and reasons for their views;
- acknowledging that other views are legitimate and decision-makers are equal; and
- developing 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 by all peers and the meeting facilitator that the ranking is a true record;
- a memo summarising any conflicts of interest identified, and the action taken.

Once the ranked lists of applications for all panels and grant categories have been confirmed, Council staff will allocate funds to the top ranking applications across each panel.

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, peers will receive an email asking them to log onto the online system and view the applications that have received funding. A day or two later, applicants will be notified of the decision by email or letter.

Council staff will 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	\$721.00	\$432.60	\$288.40

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

Peers who travel to the assessment meeting and stay overnight will receive a travelling allowance. The allowance is based on the times when peers are travelling, the number of overnight stays, and the meals provided by the Council during the assessment meeting. The allowance is provided to cover meals and incidental expenses incurred while travelling.

Any allowance due will be paid after the assessment panel meeting, and the Council will advise you of the amount to include in your invoice.

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

The travelling allowances below are effective from July 2017:

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

Per overnight stay (location)	Maximum Travel Allowance *
Sydney	\$405
Adelaide	\$366
Brisbane	\$415
Canberra	\$404
Darwin	\$445
Hobart	\$342
Melbourne	\$386
Perth	\$403

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	\$30	\$28
Lunch	\$42	\$28
Dinner	\$59	\$54
Incidentals	\$28	\$28
TOTAL	\$159	\$138

* 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.

Peers receive an email telling them a contract is ready to view via the online system. They must log on and accept the contract in order to access the applications and support material.

Accessibility

The Council works closely with peers to ensure the assessment process is accessible for them. Staff can coordinate a range of services and support, including (but not limited to):

- providing Auslan interpreters;
- having application material captioned or audio described;
- accommodating childcare or other carer responsibilities;
- helping the peer to participate in the meeting remotely.

The Council will usually organise these services once they have been discussed and agreed with peers. In some cases, peers may choose to arrange these services themselves with the agreement of the Council, and be reimbursed for the costs following the assessment meeting.

Travel and Accommodation

Council staff will normally 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.

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.

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.

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.

Payment Method

Fees are generally paid by electronic funds transfer.

Council staff will confirm any travel allowance or other costs to be reimbursed with peers following the assessment meeting.

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

ATTACHMENT 1: CONFLICTS OF INTEREST

This appendix contains examples of the most common relationships or connections that could lead to a conflict of interest for a peer. Peers should inform Council staff of these relationships, or any other similar relationships, prior to the assessment meeting so we can determine the appropriate action to take.

Conflicts with an application

You, someone close to you, or an organisation you work for or are associated with:

- are named in the application, and will receive a financial benefit from the grant;
- are named in the application, but will receive no financial benefit from the grant;
- provided a letter of support for the application / applicant, but are not involved in the project;
- are in a contractual dispute with someone mentioned in the application;
- have worked or collaborated with someone mentioned in the application in the previous two years, work with them currently, or will work with them in the near future.

Conflicts with an applicant

- The applicant is someone close to you (this could be a personal and/or professional relationship);
- You (or someone close to you) are employed by the applicant, were employed by them in the previous two years, or will be employed by them in the near future;
- You (or someone close to you) is on the Board, steering committee or advisory group of the applicant;
- You (or someone close to you) have worked or collaborated with the applicant in the previous two years, work with them currently, or will work with them in the near future;
- You (or someone close to you) is in a contractual dispute with the applicant.

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.

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 (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

Arts Organisation Pty Ltd
15 Burshag Rd
Festler NSW 2755

ABN: 32 123 456 789

Date: 14 March 2017

To: Australia Council for the Arts
372 Elizabeth St
Surry Hills NSW 2010

Reference: Music 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			n/a
Total	\$ 970.00	\$ 97.00	\$ 1067.00
Total excl GST			
			\$ 970.00
Total GST amount payable			
			\$ 97.00
Total Amount Payable inclGST			
			\$ 1067.00

Bank Account Name: Arts Organisation Pty Ltd
Bank: Commonwealth Bank
BSB No: 123 456 Account No: 1100 2200