

# Eligibility: Organisations

## Governance

We have a responsibility to ensure that public funds are managed and spent properly. One of the ways we do this by ensuring organisations we fund are set up appropriately.

Some of our funding programmes are only open to certain types of organisations or have additional eligibility criteria. This will be clearly outlined within the guidance notes in each instance. However, all organisations must meet our minimum eligibility criteria.

Organisations can apply to us if they're based in Wales or another UK nation and formally constituted as one of the following:

- Company Limited by Guarantee
- Registered charity (including charitable trusts)
- Charitable Incorporated Organisation (CIO)
- Community Interest Company (CIC)
- Company Limited by Shares (see public benefit criteria)
- Unincorporated Association
- Partnership, including a Limited Liability Partnership (where Directors are not at the same address)
- Local Authority, University, Health Board or other Public Body.

Appendix 1 includes a table that outlines what we'll need to see included within your governing documents. Please read this carefully.

### If you've never applied to us for funding before:

- you'll need to upload a signed copy of your governing document on our online portal before you can apply.

### If you've applied to us for funding in the past:

- if you haven't submitted your governing documents to us during the last two years, or if it's been updated since you last provided us with your governing documents, you'll need to upload a signed copy of your governing document on our online portal before you can apply.

### Organisations that aren't eligible to apply to us for organisations funding include:

- Government departments
- Schools (take a look at our [Creative learning through the arts programmes](#) instead)
- Organisations based outside the UK

## Additional Criteria

### Organisations that apply to us must:

- have a bank account that meets our eligibility criteria ([see bank account page](#))
- have an Equal Opportunities Policy that's been reviewed by your governing body within the last three years and complies with current legislation
- not be in default of any financial agreement with the Arts Council of Wales
- not have any overdue requirements on any other Arts Council of Wales funding.

You can make, or be part of, more than one application. However, you'll need to make sure that your organisation has the capacity to deliver multiple projects effectively. You should make this clear in your application.

If your project involves working with children, young people, or vulnerable adults you must also have a Safeguarding/ Child Protection Policy that's been reviewed by your governing body within the last three years and complies with current legislation.

If other partner organisations or individuals will be delivering participatory activity as part of the project, such as workshops with children, young people or vulnerable adults, it's your responsibility as the applicant to make sure that there's an appropriate Safeguarding Policy in place.

# Eligibility and Governance: Appendix

The table below outlines the types of organisations we can fund, and what we will want to see included within your governing documents.

If you can't see your type of organisation in the list, or if you're not sure whether your organisation is eligible, please get in touch with our [Grants and Information Team](#).

Organisation Structure	Governance Requirements
Company Limited by Guarantee Charitable Incorporated Organisation Community Interest Company Charitable Trust	<p>The organisation must have a minimum of 2 trustees/directors who are not related or do not live at the same address.</p> <p>Governing documents must:</p> <ul style="list-style-type: none"> <li>• be signed by at least two trustees/directors</li> <li>• be registered with Companies House and/or Charity Commission</li> <li>• specify that regular board meetings are to be held</li> <li>• include an appropriate quorum for decision making</li> <li>• include an appropriate Dissolution clause or Asset Lock (see below for guidance).</li> </ul>
Company Limited by Shares	<p>The organisation must have a minimum of 2 trustees/directors who are not related or do not live at the same address.</p> <p>Governing documents must:</p> <ul style="list-style-type: none"> <li>• be signed by at least two trustees/directors</li> <li>• be registered with Companies House and/or Charity Commission.</li> <li>• specify that regular board meetings are to be held</li> <li>• include an appropriate quorum for decision making.</li> </ul>

Organisation Structure	Governance Requirements
Unincorporated Association	<p>The organisation must have a minimum of 2 trustees/ directors who are not related or do not live at the same address.</p> <p>Governing documents must:</p> <ul style="list-style-type: none"> <li>• be signed by at least two trustees/directors</li> <li>• specify that regular meetings are held by a board or governing body</li> <li>• include an appropriate quorum for decision making</li> <li>• include an appropriate Dissolution clause or Asset Lock (see below for guidance).</li> </ul>
<p>Health Boards, Universities, Local Authorities</p> <p>Organisations without an independent board, but governed by the above</p>	<p>Governing documents are not required for these organisations, but we will need to see letters of support for your application from two senior personnel.</p>
Limited Liability Partnership	<p>The organisation must have a minimum of 2 trustees/ directors who are not related or do not live at the same address.</p> <p>Partnership agreement must:</p> <ul style="list-style-type: none"> <li>• be signed by all partners</li> <li>• specify that regular partnership meetings are to be held</li> <li>• include an appropriate quorum for decision making</li> <li>• include an appropriate Dissolution clause.</li> </ul>
Statutory Corporations	Please speak to an Arts Council Officer before applying.
Housing Associations	Please use the table above to identify your structure.
<p>Members of the Arts Portfolio Wales are eligible to apply. However, we'd encourage you to discuss your proposal with your 'lead' officer ahead of making an application so that we're aware of how your projects fits with your other funded activity.</p>	

## Definitions

We define *related trustees* as:

- family members extending to mother, father, brother, sister, son, daughter, grandmother or grandfather.
- marriage relations extending to spouse, son or daughter in-law, and mother or father in-law.

A *dissolution clause* specifies what will happen to the remaining assets of an organisation (which includes cash and other assets) if the organisation is wound up or dissolved.

We require a dissolution clause that specifies that any remaining assets will be transferred to an organisation with similar objectives. This ensures that the investment of public money in the arts is protected.

An *Asset Lock* ensures that the assets of an organisation (including any profits or other surpluses generated by its activities) are used for the benefit of the community.

Your organisation doesn't have to have arts noted within its objectives as part of its governing document, but we would strongly encourage this. Its inclusion may provide us with additional assurance of the artistic aims of your project.