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A New Approach (ANA)

Thriving through Thick and Thin: Partnerships for Our Cultural Life

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Acknowledgements

About A New Approach (ANA)

A New Approach (ANA) is Australia's national think tank focused on arts and culture. Through credible and independent public leadership, ANA helps build an ambitious and innovative policy and investment environment for arts, culture and creativity. We work to ensure Australia can be a great place for creators and audiences, whoever they are and wherever they live.

ANA acknowledges the cultures of Aboriginal and Torres Strait Islander peoples in Australia and their continuing cultural and creative practices in this land.

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About this Insight Report

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The opinions in this Insight Report do not necessarily represent the views of ANA's funding partners, the individual members involved in governance or advisory groups, or others who have provided input.

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The Insight series

This report is the 13th in ANA's Insight series. Our Insight Reports provide a deep dive into research and analysis of a particular arts and cultural policy topic or other areas of interest.

Explore our previous work at www.newapproach.org.au.

Contact us about this work via hello@newapproach.org.au.

Executive Summary

It's tough out there. It is for everyone. Cultural and creative industries are finding it as hard as anything experienced before. As in other industries, new ways of operating and collaborating are needed to remain sustainable. In this report, we explore the importance of partnering not only to get through these challenging times but also to evolve, meet future demands and drive social, cultural and economic benefits for people in Australia.¹

The creative sector exists through partnerships, collaborations, exchanges and joint ventures between individuals and organisations, government agencies, philanthropic trusts, businesses and other community organisations. At a high level, this much is known and unremarkable. However, the nature of these partnerships is undocumented and rarely studied.

Understanding and unlocking the value of effective collaboration is key to Australia securing its place as a cultural powerhouse, and this report aims to do exactly that. We already know that Australia's artistic and cultural life is made more sustainable through partnerships involving:

- Many forces 'joining together for a shared program, each bringing their expertise and resources to the task'²
- The co-investment of expertise, time, resources and shared cultural inheritance from creators, cultural organisations, creative businesses, governments and philanthropists
- The general public choosing to spend their time and money participating.³

This research provides pathways for effective collaboration between all players who make the opportunities and benefits of arts, culture and creativity possible.

To encourage sustainable collaboration, this research examines the question **What approaches can help arts, culture and creativity partnerships to thrive across operating environments?** It aims to foster important discussions about the role of arts, culture and creativity partnerships (defined below), as well as provide evidence-informed insights into the questions facing any cultural organisation, business, government or philanthropic entity considering working in partnership. Specifically, *Thriving through Thick and Thin: Partnerships for Our Cultural Life* explores:

- Why are partnerships beneficial?
- What frameworks exist to support successful partnerships?
- How can partners navigate challenges?

As stated by ANA's Chair Rupert Myer AO in a 2023 National Press Club Address,⁴ securing Australia's place as a cultural powerhouse requires collaborative effort from all levels of government, the cultural and creative industries, the business community, the philanthropic community, the media and a public already widely engaged in arts and culture.⁵

This research shows that partnerships across this wide range of stakeholders can build social capital and diffuse productivity-enhancing skills and innovation.⁶ In practical terms, partnerships can help diversify and pool finances and in-kind support, such as personnel, materials and the use of infrastructure and facilities.

To demonstrate the possibilities and benefits of working in an arts, culture and creativity partnership, the report highlights examples, such as festivals delivered through agreements between businesses, governments and creative producers; philanthropic donations to art galleries and museums over many decades or family generations; and collaborations across cultural and creative industries and within education and healthcare settings.

The cultural and creative industries are subject to many pressures experienced by other industries, including those that apply to public-facing, consumer-reliant businesses. This includes expectations from consumers, citizens and employees that entities will provide goods and services in ways that maintain their trust.⁷ Therefore, informed by these common and emerging pressures, the report outlines insights into the benefits and types of partnerships, as well as the

challenges of establishing and working in partnerships across the cultural value chain. **Exhibit 1** illustrates the key partnership considerations arising from this research.

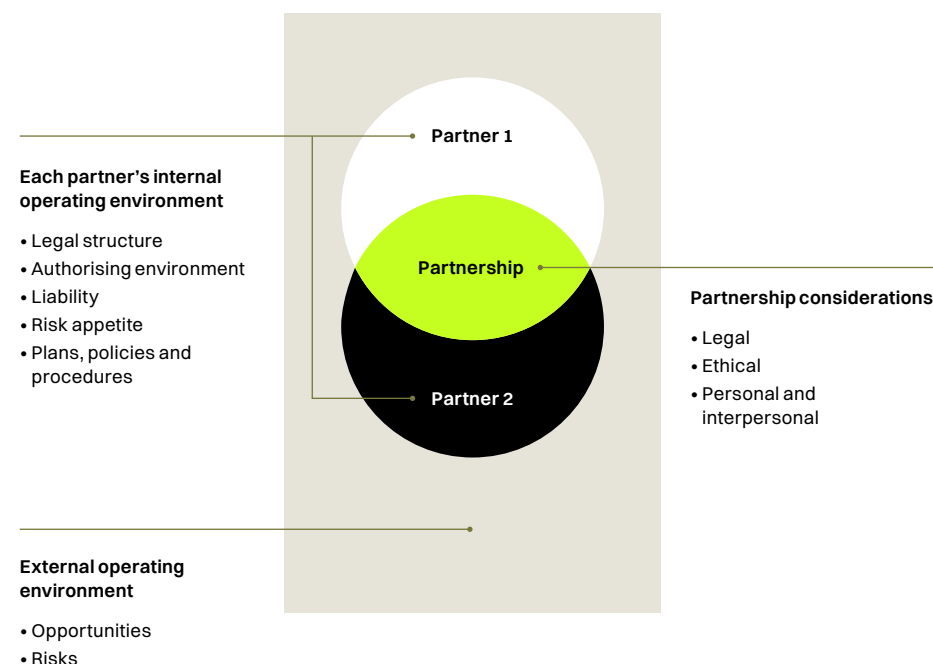
As functional partnerships are both beneficial to those involved and necessary for the public good, this research equips entities to explore partnerships with approaches to help them thrive. It offers a new framework of leading questions to structure reflection and discussion, which we have tailored to partnerships involving:

- Arts, culture and creativity⁸
- Entities of all sizes and operating environments working together
- Multiple legal, ethical and personal/interpersonal considerations.

Some of the practices in this report will be familiar. However, for those who are new to the cultural and creative industries, those who are navigating new challenges within the industries or those from outside the industries seeking to engage in arts, culture and creativity, we hope that bringing together the approaches in a publicly accessible form will simplify the task.

Australia's current economic circumstances give particular urgency to this work. Pressures on all Australian industries due to the rising costs of living and residual economic impacts of COVID-19 are well documented.⁹ Previous ANA analysis revealed that goods and services make up the vast majority (87%) of revenue flow to organisations in the cultural and creative industries. Sales from goods and services also constitute the single largest (47%) revenue source for not-for-profits (NFPs)

Exhibit 1 Partnerships occur in context and must account for each partner's internal operating environment and the external operating environment, as well as specific partnership considerations.



with a cultural purpose.¹⁰ Organisations operating in this context should rightly consider the expectations of contemporary Australian society and be rigorous in how they develop, maintain and manage their relationships with the people and organisations that make our shared cultural life possible.

As ANA releases this report, investors and industries across Australia are facing turbulent economic circumstances and polarised debates about global conflicts and reconciliation in Australia. The purpose of the report's findings and opportunities in this context is to help ensure that people in Australia continue to have access to relevant, dynamic and varied cultural and creative experiences and expressions.

Key terms in this report

In this report, ANA defines a partnership as two or more entities agreeing to work together towards a common purpose. Entities may have different operating environments, legal structures, authorising environments, governance requirements, strategic plans, liability levels and risk appetites.

An **arts, culture and creativity partnership** is any partnership that fosters and involves arts, cultural and creative activities by people, such as:

- attending cultural events
- visiting cultural venues
- creating or performing something
- engaging with arts, culture and creative content at home.

Summary of findings

Finding 1

Partnering opens new ways of delivering cultural and creative goods and services to the public.

While creative pursuits may involve people and entities operating alone, and original ideas and expressions may require protection, partnerships generally produce results beyond those that can be achieved by a single entity. These results can benefit creators, co-investors, communities, the cultural and creative industries, and nations. Collaborating produces practical resourcing benefits, improved returns on investment and more social capital benefits, including social cohesion, reduced transaction costs and cooperative behaviour.

Finding 2

Effective partnerships actively anticipate and manage the challenges that can test the resilience of entities and workforces.

As with other industries, partnerships involving cultural and creative industries require active management to prevent derailment or failure due to adverse internal and/or external conditions, as well as to negotiate known trajectories of change. If the goals are to support continued opportunities for arts, culture and creativity and to generate income and long-term sustainability, then developing strategies for meeting these challenges is necessary.

Finding 3

Effective planning is critical for sustainable arts, culture and creativity partnerships.

Partnerships can draw on general business approaches that help operations deliver goods and services, such as strategic planning, formal operational and investment agreements, risk management, communications and dispute resolution mechanisms.

Finding 4

Sustainable partnering requires developing cross-disciplinary skills and knowledge.

Entities and people in arts, culture and creativity partnerships can draw on existing laws, ethical infrastructure and personal and interpersonal approaches to support their efforts to work better together and navigate adversity. External expertise and advice can help with this task.

Finding 5

Sustainable partnering involves acquiring robust information and learning from experiences.

The most important work in any partnership begins with understanding each partner's objectives, considering how they may change over time, delineating roles and responsibilities and identifying mechanisms for dealing with disputes. Structured reflection and discussion about a partnership using the available mechanisms and at appropriate review points can help build more resilient organisations, processes and systems for delivering cultural and creative experiences and opportunities for expression. Examples of these mechanisms include board meetings, advisory committees, consultation processes, and policies and plans.

Summary of opportunities

Opportunity 1

For entities in arts, culture and creativity partnerships to leverage the available mechanisms for coordination, reflection and discussion using questions and prompts that:

- Make visible the benefits and challenges of working in partnership
- Build awareness of internal and external environments, including legal, ethical and interpersonal considerations
- Support negotiations, communications, and feedback or evaluation.

Opportunity 2

For people, including board directors and workforces, to consider applying the discussion and reflection-based questions arising from ANA's research and its review of published sources when establishing, overseeing or providing advice about arts, culture and creativity partnerships.

Opportunity 3

For entities and people to learn from each arts, culture and creativity partnership experience and share their knowledge about successes ('what works for whom in which circumstances'¹¹) as appropriate by, for example:

- Collecting data about the partnership and its impacts
- Documenting specific collaboration processes
- Publishing evaluations and audits
- Offering training, coaching and mentoring in collaborative skills and knowledge.



Introduction

Thriving through Thick and Thin:
Partnerships for Our Cultural Life

Introducing this report

Australia can be a cultural powerhouse whose compelling creativity is locally loved, nationally valued and globally influential. The term ‘cultural powerhouse’ encapsulates a vision of Australia as a forerunner in how we:

- Respect and cherish our unique cultural inheritance
- Invest in and celebrate our creators, cultural organisations and creative industries
- Enable our citizens to participate in and contribute to cultural activities
- Strategically plan and nurture our creative future in a manner that befits our standing as the world’s 12th-largest economy.¹²

This ambition drives ANA’s work to help strengthen Australia’s broad public policy settings, improve our arts and cultural investment environment and contribute to the vibrancy of Australia’s cultural and creative industries.

Partnerships matter for cultural and creative value chains¹³ – that is, for activities involving the creation, production, manufacturing, distribution, and enjoyment and consumption of culture. Previous ANA research has outlined evidence of the transformative effects of participating and engaging in arts, culture and creativity. It has shown that there are benefits for society and place, the economy, innovation, health and wellbeing, education and learning, international engagement and culture.¹⁴ Focus groups with middle Australians have illustrated many of these effects,¹⁵ as have successive national surveys of Australian arts participation.¹⁶

Partnerships also matter for elevating collaboration as Australia’s competitive advantage – across different agencies,

portfolios, industry operators, philanthropic entities and the investors required for success. Therefore, the objective of this Insight Report is to assist partnerships to succeed and thrive within and across diverse operating environments to deliver cultural and creative goods and services to people. It presents approaches, guiding principles and frameworks. Specifically, this research uses published sources to explore the question: *What approaches can help arts, culture and creativity partnerships to thrive across operating environments?*

Recognising that partnerships take various forms and that no two partnerships are the same, this research considers approaches for establishing and operating all partnership types. It focuses on some of the more common partnership types described

in published sources. We also define what we mean by 'arts, culture and creativity partnership' to encompass these different partnership forms. It is worth mentioning that our focus in this research is on entities (see **Box 1** for more details).

We examine the following sub-questions:

- Why are partnerships beneficial?
- What frameworks exist to support successful partnerships?
- How can partners navigate challenges?

ANA's reasons for embarking on this research topic are threefold.

First, rising costs of living have refocused ANA's interest in sustainable partnerships that support arts, culture and creativity. Philanthropic, government and other types of partnerships can assist this goal through lower participation costs for the general population and reduced impacts for businesses, organisations and individuals working within arts, culture and creativity.

Second, ANA wishes to assist with building the resilience of Australia's arts, culture and creativity partnerships in the face of megatrends likely to have a substantial and transformative impact on individuals, organisations and societies and under volatile, uncertain, complex and ambiguous (VUCA) circumstances.

Third, few informational resources and tools for successful partnerships target arts, culture and creativity. Fewer still capture considerations across the entire cultural and creative value chain, encompassing the creation, production, manufacturing and distribution of goods or services and people's enjoyment and consumption of such goods and services. This research seeks to bridge this gap by selecting examples of frameworks and developing our own framework of tailored questions.

Drawing on a targeted review of published sources, the report is presented in three parts:

Part 1: Defining and characterising partnerships

Part 2: A new framework for navigating partnerships through thick and thin

Part 3: Legal, ethical, and personal and interpersonal considerations of partnerships.

Box 1: Why does ANA's report focus on entities?

In this research, ANA uses the terms 'entity/entities' to refer to government and non-government structures of all sizes.

The terms may refer to:

- Companies, trusts, incorporated and unincorporated associations, and sole traders in Australia
- Bodies at all levels of government and across portfolios, including departments, agencies, government-appointed boards and/or other boards
- Organisations operating or registered in other countries and in international jurisdictions (sometimes referred to as 'parties').

While artists and cultural workers registered as business structures (e.g. sole traders) are included in this definition of the terms entity/entities, other types of individuals, such as employees (including the volunteer workforce), are not.

We have chosen this focus in the research for two main reasons:

1. Most published sources about partnerships and their definitions emphasise government and non-government structures.
2. Even published sources that refer to partnerships with civil society and social partners emphasise organisations and groups.¹⁷

How to use this report

We recommend using this report to understand the importance of arts, culture and creativity partnerships and collaborative activities in Australia, including the benefits derived; legal, ethical and interpersonal considerations; and potential solutions to the challenges entities can and do experience.

For elected members and policy advisers

Use this report to better understand the various forms that arts, culture and creativity partnerships can take, the benefits of such partnerships, and the legal, ethical and interpersonal dimensions to consider.

The information may assist in initiating strategic discussions about the role of partnerships and exploring new policy opportunities with stakeholders to harness the benefits of collaborative effort.

For organisations, individuals, philanthropists, sponsors and businesses *considering entering an arts, culture and creativity partnership*

Use this report to gain insights into the different forms a partnership can take, the benefits of arts, culture and creativity partnerships, and their legal, ethical and interpersonal considerations.

Along with the various approaches and frameworks outlined in this report, this information can assist in navigating entering or establishing a partnership.

For organisations, individuals, philanthropists, sponsors and businesses *currently involved in an arts, culture and creativity partnership*

Use this report as a resource for practical approaches and frameworks that can help enrich existing arts, culture and creativity partnerships.

This information may also assist in navigating the internal or external environments of working in partnership.

For researchers and educators

Use this report to gain insights into the practicalities of partnerships across the cultural value chain and investment environment.

This may assist in identifying productive areas of further inquiry.

For the media, content creators and platforms for creative content

Use this report to contextualise arts, culture and creativity partnerships and the role of media - including social media - in reporting on challenges.

Get in touch with ANA about media opportunities using the contact details on [page 2](#).

For the interested public

Use this report as an accessible summary of the partnerships that contribute to arts, culture and creativity in local communities.

Part 1

Defining and characterising partnerships

This section explores the many forms taken by arts, culture and creativity partnerships and establishes:

- The definition of a partnership
- The benefits of a partnership
- The challenges of a partnership.

Here, we draw our insights and illustrative examples from published sources, such as academic research, partnership guides, checklists, audits¹⁸ and government inquiries.

In this report, ANA defines a **partnership** as two or more entities agreeing to work together towards a common purpose. Entities may have different operating environments, legal structures, authorising environments, governance requirements, strategic plans, liability levels and risk appetites.

An **arts, culture and creativity partnership** is any partnership that fosters and involves arts, cultural and creative activities by people, such as:

- attending cultural events
- visiting cultural venues
- creating or performing something
- engaging with arts, culture and creative content at home.

Defining partnerships

The World Bank defines a partnership as ‘a collaborative relationship between entities to work toward shared objectives through a mutually agreed division of labor’.¹⁹ This focus on entities rather than on individual employees, including the volunteer workforce, is an important distinction in operational partnership definitions and has set the limits around this research’s scope (see **Box 1** for more details).

For arts, culture and creativity, such relationships may be referred to as alliances, joint ventures or collaborations. They may be formal or informal, and they may exist at the project level, deliver a program or involve an ongoing exchange.²⁰

ANA’s environmental scan of terminologies describing partnerships resulted in the following non-exhaustive list of relevant models:

- Public-private partnerships²¹
- Public-public partnerships²²
- Place-based partnerships²³
- Cross-sector collaborations²⁴
- Cross-cultural partnerships²⁵
- Donor-grantee collaborations²⁶
- Funder collaboratives²⁷
- Business partnerships²⁸
- Arts and business partnerships²⁹
- Corporate partnerships³⁰
- Global partnerships³¹
- Policy partnerships³²
- Civil society partnerships (between entities and/or groups).³³

This list and the examples in **Box 2** show that partnerships delivering cultural and creative goods and services to people often involve entities with varied internal operating environments. Partners may be from the cultural and creative industries, different countries or government portfolios (e.g. health, education or urban planning), philanthropic bodies, the broader industry and other NFPs. It follows that the operating environments of partners often include dissimilar legal structures, authorising environments and governance requirements, strategic plans, priorities and business objectives, liability levels and risk appetites and tolerances.

Box 2: Examples of arts, culture and creativity partnerships across operating environments

Partnerships in health settings have resulted in outputs, projects and programs for people and communities, such as:

- The Footscray Hospital Tapestry, a public art commission involving the Tapestry Foundation of Australia, State Government of Victoria and Australian Hotels Association³⁴
- The Arts in Health Program, a partnership between the Griffith Base Hospital, Murrumbidgee Local Health District, artists and communities³⁵
- Mixed-media workshops in a community-based facility in programs for people living with cancer³⁶
- An organ transplant centre partnering with an artist to increase organ donation registrations.³⁷

Examples of partnerships in Australian education and learning settings include:

- The facilitation and promotion of regional arts' sustainable growth and development across Queensland by the Regional Arts Services Network, an Arts Queensland initiative, in partnership with the Central Queensland University as a provider from 2022 to 2025³⁸
- Events, programs and experiences for school communities delivered by The Arts Unit (NSW Government)³⁹ in partnership with entities from the cultural and creative industries, government and business aiming to develop cultural awareness, as well as dance and performance skills⁴⁰
- Creative Learning Partnerships, funded by Creative Victoria, which encourage schools to collaborate with creators, such as authors, visual artists, virtual reality creatives, composers and dancers.⁴¹

Globally, for instance, cultural institutions in the United Kingdom (UK) and China partnered to deliver an overseas exhibition hosted by Nanjing Museum.⁴² International partnerships are also increasingly common in games development. For example, Australian Securities Exchange (ASX)-listed Mighty Kingdom (Australia) partnered with East Side Games Group (Canada) to develop three games,⁴³ and games developer Proudful Sloth (Australia) partnered with publisher 505 Games (Italy) to release *Grow: Song of the Evertree*.⁴⁴ In addition, Australia has entered into several treaties and memoranda of understanding (MOUs) with other countries to co-produce screen content. Screen Australia provides a list of examples, including the 2006 treaty between Australia and China that resulted in seven feature films,⁴⁵ collaborations between Australia and the UK in 51 co-productions⁴⁶ and an MOU between Australia and New Zealand on 23 co-productions.⁴⁷

Festivals commonly involve entities across operating environments. Our review of published sources identified the Bristol Light Festival, which involved 'business interests, city staff, and creative producers'.⁴⁸ Edinburgh Festival was designed by a partnership of commercial interests, the British Council and the Arts Council of Great Britain. It incorporated inputs from governments, as well as the tourism and events industries.⁴⁹ In Australia, recent research highlighted the Queenscliff Music Festival food salvage partnership with food vendors.⁵⁰ Australian cities such as Adelaide and Hobart received policymaker attention as festival cities, with Adelaide's local council noting the need for formal, active and cooperative 'partnership approaches' to be introduced.⁵¹

The act of establishing a partnership can be formal or informal. In some instances, there may be a contract (e.g. auspice agreement or consortium agreement) or an MOU.⁵² In others, two or more partners may simply agree orally to work together to achieve individual and collective goals. For example, one study described the act of collaboration among Taipei street performers through mutual accountability as 'a dense relation of trust and experience'.⁵³

Entities may establish or enter into a partnership with an understanding of:

- A shared purpose
- A shared timeframe, such as for the project or ongoing collaboration
- The scope of partnership activities
- Defined roles and responsibilities
- Other established processes, including planning documents, a communications strategy, a risk management plan, and performance measurement and reporting arrangements.

Part 2 of this report offers a new framework that can be used over the life of a partnership, with questions for entities in an arts, culture and creativity partnership to reflect on and discuss their differences.

The benefits of establishing and working in a partnership

Finding

Partnering opens new ways of delivering cultural and creative goods and services to the public.

While creative pursuits may involve people and entities operating alone, and original ideas and expressions may require protection, partnerships generally produce results beyond those that can be achieved by a single entity. These results can benefit creators, co-investors, communities, the cultural and creative industries, and nations. Collaborating produces practical resourcing benefits, improved returns on investment and more social capital benefits, including social cohesion, reduced transaction costs and cooperative behaviour.

Why work in partnership? The Organisation for Economic Co-operation and Development's (OECD's) definition of a partnership is helpful because it alludes to the inherent benefits of any partnership as 'an agreement to do something together that will benefit all involved, bringing results that could not be achieved by a single partner operating alone, and reducing duplication of efforts'.⁵⁴ Determining a partnership's unique benefits and weighing them against its costs often become part of the process of development and mutual agreement.

This section describes the benefits in practical terms through the logic of the value chain (i.e. necessity), as returns on investment for different types of investors, as enabling social capital benefits (defined

below) and through an understanding of a partnership's primary purpose.

Practical benefits may include:

- Diversifying finance sources to provide financial certainty and uninterrupted service delivery to consumers
- Pooling resources to maximise effectiveness and efficiency, including in-kind support, such as personnel, materials, or the use of infrastructure and facilities
- Diffusing knowledge, skills and innovation to drive innovation agendas
- Building trust and alliances that can advance needs, goals, interests and reputations.

The **necessity** of arts organisations working in partnership is described in research about partnerships in regional Australia:

'[Partnership] prevalence in regional communities is also a matter of practicality and necessity. With fewer arts and cultural organizations to work with, artists and arts organizations in rural, regional and remote locations collaborate with a mix of service providers, businesses, universities, community members and all levels of government to deliver arts and cultural experiences that are meaningful to their communities.'⁵⁵

This can also be understood in economic terms through gross value-added measurements by governments⁵⁶ and the cultural and creative value chain. Previous ANA research described the value chain and the cooperative activities required for creation, production, manufacturing and distribution that lead to consumption and enjoyment using a painting as an example.⁵⁷

Focusing on the investment environment for arts, culture and creativity, ANA's return on investment (ROI) framework⁵⁸ may be helpful. It shows how investment relationships can also act as partnerships that benefit consumers, governments, debt and equity financiers, and philanthropists over short, medium and long-term timeframes, illustrated by outputs, outcomes and impacts. Investors' expected ROIs can vary, including consideration and calculation of risks, costs and benefits, business growth, social impacts, values and economic spillovers.

Along with the ROI framework's classification of short-, medium- and long-term returns to help express partnership benefits for different investors, ANA's list of four cultural policy drivers can also be used. These drivers have influenced arts, culture and creativity policies in Australia and 'shape how we discuss and make decisions about arts and cultural policy, including investment'.⁵⁹ In other words, they frame the overarching aspirations for establishing or joining arts, culture and creativity partnerships with governments in Australia. The four policy drivers are:

1. *Collective identity driver* - The purpose of arts and culture is to help groups of otherwise disparate individuals unite around a collective identity that builds on the things they have (or can be argued to have) in common.
2. *Reputation-building driver* - The purpose of arts and culture is to help build the reputation of a country, region, organisation or individual, often by associating these entities or individuals with standards of excellence as defined by relevant stakeholders.
3. *Social improvement driver* - The purpose of arts and culture is to provide spillover benefits in areas of societal concern, such as education, health and disaster recovery, to the widest range of people.
4. *Economic contribution driver* - The purpose of arts and culture is to contribute to the nation's economic prosperity either directly through income and/or employment generation or indirectly by influencing innovation.

The Productivity Commission has found philanthropic partnership benefits across the Australian economy, including in arts and culture. It describes these benefits through the theory of **social capital**:

'Social capital relates to social norms, networks and trust that facilitate co-operation within or between groups and which are linked to improving social cohesion, reducing transaction costs, and promoting co-operative behaviour.'⁶⁰

That inquiry asserts that 'Philanthropic partnerships have proven successful in meeting community aspirations'. It also found that compared with conventional government funding approaches philanthropy can increase community involvement in decision making. An example is a First Nations community-led place-based model of justice reinvestment.⁶¹

Likewise, philanthropic partnerships can benefit governments by helping them respond to market failures through the 'voluntary redistribution of goods and services to people for whom access would otherwise be unaffordable or in locations that would otherwise be poorly served'.⁶² Examples include lowering the cost of art galleries and theatres, which otherwise would have only been available in metropolitan centres.

A **partnership's primary purpose** is a foundational element for understanding and, ideally, measuring and reporting the partnership's benefits. A partnership's purpose is typically but not always stipulated at the outset of an established partnership,

both for the collaboration and for each partner. As mentioned, the purpose may be found within an agreement.⁶³

Box 3 provides examples.

When considering entering or establishing a partnership, evaluating the potential benefits alongside the expected costs is useful.⁶⁴ Despite the various benefits of working in a partnership, it is not always the appropriate avenue for an entity. Partnerships need resources and may involve navigating significant challenges and adversity, as outlined in the following section.

Box 3: Two examples of arts, culture and creativity partnership primary purposes

The Young Team Members program is a partnership between the Museum of Contemporary Art (MCA), three public schools in Western Sydney as core partners, and philanthropic partners. The programs provide 'access to our creative learning experiences, as well as providing additional opportunities to diverse students and school communities across Western Sydney'.⁶⁵ Partnering with three schools over three years has created opportunities for deeper engagement, enhancing access to arts, culture and creativity, exposure to look and think in new ways, development of leadership skills and relationship building.⁶⁶

Another example of a measurable primary purpose is the Cultural and Creative Industries Large Scale Partnership's commitment to promote upskilling and reskilling of 25% of the workforce each year by 2030. The partnership is part of the European Union's Pact for Skills and involves 123 coordinators and members as of December 2023, including 'social partners, European, national and regional networks and organisations, education and VET providers, [cultural and creative industries] experts, research and industry representatives'.⁶⁷

Conceptualising the challenges and adversities of partnerships

Finding

Effective partnerships actively anticipate and manage the challenges that can test the resilience of entities and workforces.

As with other industries, partnerships involving cultural and creative industries require active management to prevent derailment or failure due to adverse internal and/or external conditions, as well as to negotiate known trajectories of change. If the goals are to support continued opportunities for arts, culture and creativity and to generate income and long-term sustainability, then developing strategies for meeting these challenges is necessary.

While partnerships can bring many benefits, their challenges and impediments may also potentially result in derailment or failure, whatever the industry or context. We describe the challenges of working in partnerships as practical (e.g. change management issues or misaligned values, interests and needs) and through emerging trends not unique to arts, culture and creativity (e.g. trust and transparency or VUCA operating conditions). As the media is a part of the external environment for many partnerships, this section offers context on high-profile occurrences and may help entities situate their partnership experiences.

Partnership guides and checklists anticipate **practical challenges** over the life of a partnership – for example, at times when the partnership members or key people are changing and when the tasks or focus

of a partnership is evolving.⁶⁸ Such change management challenges may relate to soft factors that slowly transform, including organisational culture, communication and attitudes, as well as hard factors that are measurable and result in faster transformation.⁶⁹

Research capturing the perspective of 12 Australian businesses with long-standing arts partnerships outlined some practical challenges of partnering with arts organisations. These include the partnership's costs outweighing its benefits, unrealistic budget expectations, being rushed, inadequate communication (including not informing business partners of issues), not meeting contractual obligations and unsuitable data collecting, reporting and evaluation.⁷⁰

In the Commonwealth Scientific and Industrial Research Organisation's (CSIRO's) analysis of megatrends 'that will shape the next 20 years', the human dimension megatrend stands out for its relevance to the cultural and creative value chain:

'Consumers are demanding increased transparency from organisations, governments and scientists to maintain their trust, and there are concerns around the spread of misinformation. The rapid rate of change associated with technology is also driving new considerations around ethical design and deployment. This megatrend highlights the social drivers influencing future consumer, citizen and employee behaviours.'⁷¹

Notably, this megatrend is not unique to arts, culture and creativity. Across the CSIRO megatrends for all industries, trust emerges as a central theme: 'trust in institutions, technology, supply chains and security will all be key issues over the coming two decades'.⁷²

With its attributes of **transparency and trust**, the human dimension megatrend may help situate reported occurrences of 'careful consumption',⁷³ public calling-out, cancel culture⁷⁴ and protests (e.g. boycotts), which can affect many sectors providing goods and services, such as food, fashion, transport and finance.

Another potential factor is the **perceived or actual misalignment of values, interests and needs** within a partnership or between the partnership and its stakeholders. This misalignment can emerge for different reasons, including stated or unstated views about:

- Ideology
- Injustice
- Harmful words or behaviour
- Historical events
- Freedom of expression
- Approaches taken to intercultural dialogue
- Roles and responsibilities, such as control and credit.

Perhaps the broadest way to understand partnership challenges is to consider the 'volatile, uncertain, complex, and ambiguous' nature of the world, which can affect entities and the people delivering and receiving their goods and services.⁷⁵ Research about VUCA and periods of high demand suggests that these situations pose **challenges for humans' cognitive, emotional and behavioural responses** and that even machine intelligence has limitations in adapting to novel situations.⁷⁶

One published source showed that arts managers are generally not exempt from these types of stressors at work.⁷⁷

An arts, culture and creativity partnership clearly needs approaches to prepare, cope and thrive through any type of adversity, whether it is a practical challenge in the life of a partnership, a megatrend affecting all industries or a specific occurrence due to misaligned values. The themes of this discussion highlight important focus areas for partnerships 'to develop, test and refine future strategies to ensure they are robust, whatever the future holds'.⁷⁸ The strategies can include governance and legal structures, processes for navigating new ethical expectations and scrutiny, communicating within public debates and structured reflection and discussion through appropriate mechanisms and forums, as outlined in the next section.

Part 2

A new framework for navigating partnerships through thick and thin

This section intends to enhance collaborative efforts by promoting structured reflection and discussion informed by evidence in the form of a new framework. Its carefully considered questions, which can be referred to as ‘ready reckoners’ or a rubric, aim to support:

- Setting up a partnership
- Improving an existing partnership
- Facing crises, challenges and adversity.

Versions of these questions can be used by various stakeholders and different-sized entities in arts, culture and creativity partnerships. **Part 1** and **Part 3** of this Insight Report provide more details and the sources that ANA drew upon to develop the questions.

Finding

Sustainable partnering involves acquiring robust information and learning from experiences.

The most important work in any partnership begins with understanding each partner’s objectives, considering how they may change over time, delineating roles and responsibilities and identifying mechanisms for dealing with disputes. Structured reflection and discussion about a partnership using the available mechanisms and at appropriate review points can help build more resilient organisations, processes and systems for delivering cultural and creative experiences and opportunities for expression. Examples of these mechanisms include board meetings, advisory committees, consultation processes, and policies and plans.

Information to gather and make visible

- **Define the partnership.**

- What is the purpose of the partnership?
- Describe any agreements, policies, procedures and/or plans that the partnership has considered or established, such as:
 - » The form of the agreement
 - » Dispute resolution mechanisms
 - » Other documented plans, including strategic plans, risk management plans and crisis management plans.
- What are the roles and responsibilities of each entity within the partnership at each of its phases?⁷⁹
- Classify each partner by entity type/s - for example:
 - » Business structure, such as sole trader, partnership, trust, incorporated association, unincorporated association, proprietary limited company, public company or Indigenous corporation
 - » Type of government body, considering different systems of government, such as a corporate Commonwealth entity, public entity type or other accountable authority
 - » Classifications relating to profit and purpose, such as for-profit, NFP or for-purpose.
- What type/s of partnership is it?
 - » Public-private partnership
 - » Public-public partnership
 - » Place-based partnership
 - » Cross-sector collaboration
 - » Cross-cultural partnership
 - » Donor-grantee collaboration
 - » Funder collaborative
 - » Business partnership
 - » Arts and business partnership
 - » Corporate partnership
 - » Global partnership
 - » Policy partnership
 - » Civil society partnership between entities
 - » Other.
- What activities will the partnership undertake - for example, a project, program, ongoing exchange or other output?
- What is the timeframe and expected life cycle of the partnership?

- **Define the benefits of the partnership.**

- What are the practical benefits or necessities of working in partnership instead of working alone?
- What measurable short-, medium- and long-term ROIs do we/you expect?
- What are some less obvious benefits of the partnership?
- How and when is the success - or otherwise - of the partnership evaluated and measured?

- **Describe the partnership's primary and secondary stakeholders by mapping:**

- Who needs to be kept informed?
- Who needs to be kept satisfied?
- Whose needs should we seek to meet?
- How will the partnership engage constructively with other potential partners or competitors (if any)?

- **Consider the common and emerging challenges of the partnership.**

- What are the challenges that can place the partnership at risk - for example, consumer trust, market competition, unstable material or resource supplies, key person risks and disputes between entities?
- How might the Australian megatrends affecting all industries affect the partnership?
 - » 'Adapting to a changing climate'
 - » 'Diving into digital'
 - » 'Leaner, cleaner and greener'
 - » 'Increasingly autonomous'
 - » 'The escalating health imperative'
 - » 'Unlocking the human dimension'.⁸⁰
 - » 'Geopolitical shifts'
- Which of these common challenges are unique to partnerships involving arts, culture and creativity (if any)?
- What solutions have other sectors developed or adopted to manage these challenges?
- How do the partner entities, including investors and sponsors, align with:
 - » The partnership's activities (aligned actions)
 - » The partnership's stakeholders (aligned values, interests or desired outcomes)?
- What are the partnership's established processes, such as planning, risk management and communications?
- If the partnership appears to be failing, what actions will we/you take? These may include:
 - » Referring to existing agreements, policies, procedures or plans
 - » Considering winding up the partnership
 - » Accounting for any legal, ethical, and personal/interpersonal factors.

Contextual awareness to build

- **What is the partnership's legal structure?**
 - Formalised legal entity
 - Legally autonomous partners.
- **What are the levels of liability of each entity and the partnership?**
- **What areas of law enable or constrain the partnership's responsibilities and obligations?**
 - Corporations law
 - Charities and NFPs law
 - Taxation law
 - The human rights-based framework used in international and Australian law
 - Consumer and competition law
 - Employment law
 - Discrimination law
 - Intellectual property law
 - Other laws relevant to the specific activities of the partnership.
- **Which ethical infrastructure is available to the partnership?**
 - Formal arrangements, such as government regulators, integrity commissions, ombudsmen and the judicial system
 - Standards, guidelines and principles, including the ASX Corporate Governance Principles and Recommendations
 - Structures within organisations, such as codes of conduct, whistleblowing systems and specific ethics committees/roles/codes/training
 - Risk management plan
 - Other systems, policies and procedures for employees, customers and the quality of products or services
 - Professional codes of practice
 - Industry bodies
 - Other ethics-related knowledge, expertise and experience.
- **Consider the personal and interpersonal context of the partnership.**
 - Who are the key staff members and positions involved in decisions about the partnership?
 - Who are the advocates for the partnership?
 - What insights are available about the people and relationships involved - for instance, governance principles, conventions, norms and preferences?

Negotiating challenges and adversity

- **What has happened?**
 - Briefly consider the features of the environment:
 - » Each partner's internal operating environment
 - » The external operating environment
 - » Legal considerations
 - » Ethical considerations
 - » Personal or interpersonal considerations.
 - Who does the problem affect and how?
 - What external expertise can help? This may include lawyers, accountants, financial advisors, communications specialists, external facilitation and people from other sectors navigating similar challenges.
- **If considered helpful to the partnership, articulate the thoughts, perspectives and experiences being used to consider, analyse and solve the problem.**
 - What evidence supports this position?
- **What do the partners agree on?**
 - What things are there mixed views on?
 - What are the relevant 'red lines' (if any)?
- **How will we/you communicate during a crisis?**
 - What information about the partnership will be communicated to the affected stakeholders?
 - Who else should be informed about the problem on legal, ethical or personal/interpersonal grounds?
 - Who will be our/your spokesperson?
 - What channels will we/you use?
- **How will we/you follow up?**
 - What feedback have we/you received?
 - Who can we/you ask for feedback?
 - What additional information and contextual awareness has this made visible?

Part 3

Legal, ethical, and personal and interpersonal considerations of partnerships

This section explores the contexts of partnerships. We provide additional details that underscore the questions found in **Part 2** about:

- Relevant areas of law
- Ethical infrastructures
- Personal and interpersonal contexts.

Each of these contexts has a different scope and impact, encompassing the wide-ranging scope of laws and the specific scope of personal considerations. In addressing each of these, we acknowledge their interconnected nature and that there can be substantial boundary-crossing between them in times of conflict. Our purpose is to assist all partners to better navigate these contexts together.

Two main findings arose from exploring these contexts:

Finding

Effective planning is critical for sustainable arts, culture and creativity partnerships.

Partnerships can draw on general business approaches that help operations deliver goods and services, such as strategic planning, formal operational and investment agreements, risk management, communications and dispute resolution mechanisms.

Finding

Sustainable partnering requires developing cross-disciplinary skills and knowledge.

Entities and people in arts, culture and creativity partnerships can draw on existing laws, ethical infrastructure and personal and interpersonal approaches to support their efforts to work better together and navigate adversity. External expertise and advice can help with this task.

Relevant areas of law

Law is ‘a system of rules that is recognised by a particular country, society or community as regulating the actions of its members with enforceability mechanisms such as the imposition of penalties.’⁸¹ The legal system can either enable or constrain collaborative action and ‘may be crucial to the setting up of a partnership and establishing its range of possibilities’.⁸²

In Australia, the written law created by parliaments is codified and referred to as legislation, statutes or acts of parliament.⁸³ Published case law provides examples of court judge interpretations of codified law in operation.⁸⁴ All entities operating within Australia are required to abide by Australian law and international conventions to which Australia is a signatory. These provide the legal context for all activities in Australia, including within arts, culture and creativity.

For arts, culture and creativity partnerships, it is also important to remember that Australia is a party to seven core human rights agreements that have shaped our laws:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of Persons with Disabilities.

In some instances, a partnership is formalised as a legal entity. Australian examples include a business partnership structure that consists of two or more people who distribute income and losses between themselves.⁸⁵ Another is the joint venture, which consists of two or more individuals, organisations or companies who ‘work together for a specific purpose or project, rather than as an ongoing business.’⁸⁶

More commonly, partners remain legally autonomous while engaging in ‘collective action to achieve outcomes that none of them could achieve on their own.’⁸⁷ It follows that the relevant laws for each partner may vary. However, depending on the activities of the partnership, such as fundraising, specific laws may apply to the entire partnership.

As we described in **Part 1**, a potential challenge in arts, culture and creativity partnerships is the actual or perceived misalignment of values, interests and needs as it relates to suppressed freedom of expression. Australian laws regarding freedom of expression provide a legal perspective on this challenge, which Arts Law succinctly explained as follows:

‘The Australian Constitution does not expressly protect the freedom of expression and there are also limitations that can inhibit creative freedom in some situations, including defamation, anti-vilification, classification and censorship laws and the treason and urging violence offences.’⁸⁸

ANA’s policy work has also previously noted the right to freedom of expression as essential to arts and culture but not absolute.⁸⁹

Contractual arrangements may impose obligations on entities. In addition, following and remembering the legal requirements below may affect the people and entities overseeing partnerships:

- Company directors may be held personally liable if found to be in breach of their legal obligations (refer to the *Corporations Act 2001 [Cth]*).
- Individuals registered as sole traders or individuals in a business partnership are personally liable to meet all legal obligations, including being personally liable for debt.⁹⁰

- Government bodies have different enabling legislation, accountable authorities and governing boards (refer to the *Public Governance, Performance and Accountability Act 2013* across Commonwealth entities).
- Profit classifications, such as for-profit or NFP, may affect tax arrangements. For instance, charities⁹¹ are subject to oversight from multiple national, state and territory regulators, each with its own institutional arrangements, responsibilities, powers, priorities and resources.

Appendix 1 lists other relevant laws identified in the course of this research, which can support an understanding of the legal considerations of arts, culture and creativity partnerships. While this list can prompt further consideration by partners, understanding how they apply may require seeking legal advice.

Ethical infrastructure

In this research, we define ethics as a standard of right and wrong within a specific community or social context.⁹² In contrast to laws, which are widespread and standardised, ethics are not always codified in a unified system. Therefore, the available ethical frameworks may or may not be deemed to have a bearing on certain partnerships, an entity's internal operating environment or other institutional arrangements. Nevertheless, all arts, culture and creativity partnerships will need to consider the ethical infrastructure of each partner entity.

Deloitte describes the ethical infrastructure in Australia as follows:

'Society's ethical infrastructure includes formal arrangements, such as: government regulators, integrity commissions, ombudsmen, and the judicial system. It also includes standards, guidelines and principles (such as the ASX Corporate [Governance] Principles and Recommendations). [...] Within organisations, ethical infrastructure can include codes of conduct, whistleblowing systems, specific ethics committees/roles/codes/training, but also more general risk management systems, performance and reward systems, and hiring, promoting and firing policies. It can also include operational procedures for dealing with customer complaints, or for ensuring the quality of products or services. Across industries, ethical decision-making can be supported by professional codes of practice or industry bodies.'⁹³

Elements within Deloitte's list - for instance, the judicial system - provide good examples of the boundary-crossing and interconnected nature of law and ethics.

Certain industries have recently experienced heightened ethical scrutiny, such as the health, policing and legal professions, finance sectors, government and the research community.⁹⁴ Moreover, the human dimension megatrend in

Australia described in **Part 1** has traced a rise in ethical consumerism across this country's industries. Indeed, as the CSIRO noted, 'Philosophers, academics, political leaders and ethicists have spent centuries developing ethical concepts [...]'.⁹⁵

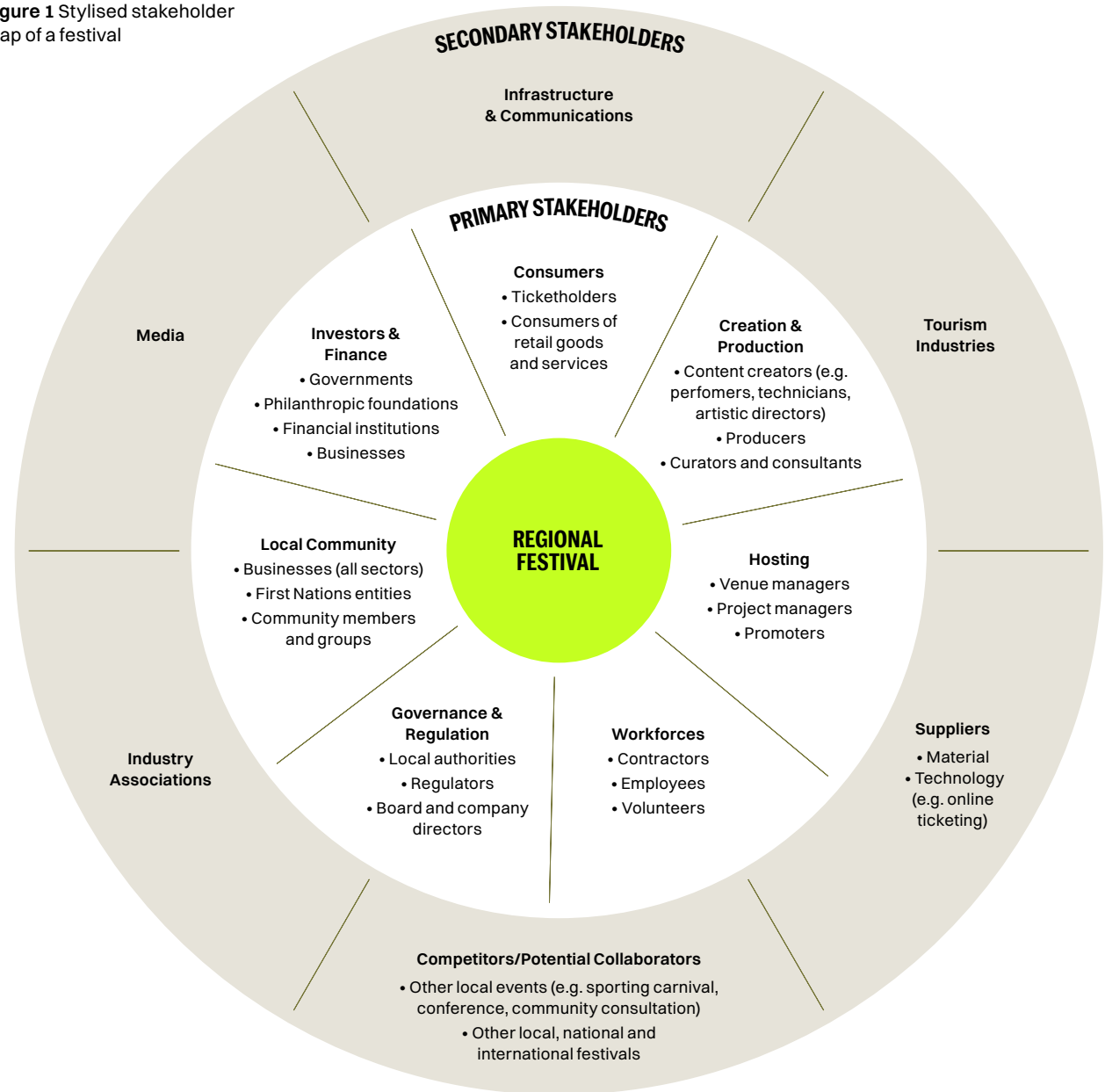
Ethics can also affect arts, culture and creativity partnerships to the extent that they play a role in everyday decision-making and operations. A **social licence to operate**, for instance, is an informal type of licence based on trust and confidence, which is 'hard to win and easy to lose'.⁹⁶ In theory, a social license is granted by stakeholders that could be impacted by the activities. Traditionally, it relates to corporations' activities to increase legitimacy, credibility and trust.⁹⁷ The three typical considerations are:

- Defining the community - that is, the relevant stakeholder groups (for further information about this step, refer to the stakeholder mapping tools in **Appendix 2** and the example provided in **Box 5**)
- Understanding the decision-making processes in the community, which is particularly relevant if there is a lack of community consensus
- Establishing what would represent an adequate level of consent.⁹⁸

Box 5: Stakeholder mapping

Stakeholders are ‘any individual, group, organization, institution that can affect as well as be affected by an individual’s, group’s, organization’s, or institution’s policy or policies’.⁹⁹ Stakeholder mapping is a helpful tool used broadly across governments, NFP organisations and community groups to identify primary and secondary stakeholders. Primary stakeholders are those directly affected by partnership activities, as illustrated in **Figure 1**.

Figure 1 Stylised stakeholder map of a festival



Adapted from Edward R. Freeman, Jeffrey S. Harrison, and Stelios Zyglidopoulos, *Stakeholder Theory: Concepts and Strategies* (Cambridge University Press, 2018).

In other Australian industry sectors in which community concerns strongly influence the way they operate, governments may create regulations, and governments or industry bodies may create guidelines or benchmarks related to seeking or demonstrating social licence. For example, in the minerals industry, the CSIRO has helped it define benchmarks for social performance, finding that trust plays a critical role in facilitating a social licence to operate in that industry.¹⁰⁰

In any partnership, there may be several shared or common risks that entities need to articulate, register and mitigate together.¹⁰¹ As ethical infrastructures may include risk management systems and risk appetites (or risk tolerances), **Appendix 2** provides information that can help articulate a risk appetite and risk management plan. Risk tolerance refers to people's established limits, which 'aims to provide a safeguard that companies must not bite off more than they can chew and stomach (that is, the amount and type of risk to take to achieve the appropriate returns)'.¹⁰²

Taken together with the examples described in **Box 6**, the elements mentioned above suggest that structured reflections and discussions about ethics and its infrastructure can help partnerships thrive through various types of adversity. Therefore, the new framework in **Part 2** includes a prompt to assist partners in navigating this varied context.

Box 6: Additional examples of formal ethical frameworks and arrangements available to entities in arts, culture and creativity partnerships

We have identified examples of **institutional and organisational ethical frameworks, principles and declarations** in the published sources. One example is iDARE – Developing New Approaches to Ethics and Research Integrity Training through Challenges Presented by Creative Practice Research, a toolkit of policies and protocols.¹⁰³ The Australian Institute of Aboriginal and Torres Strait Islander Studies Code of Ethics for Aboriginal and Torres Strait Islander Research provides additional principles that are national in scope and can support ethical relationships in some partnerships, such as the principle of self-determination.¹⁰⁴

Outside arts, culture and creativity partnerships involving research entities, there is the Media Entertainment and Arts Alliance Journalist Code of Ethics, which is registered with the Fair Work Commission.¹⁰⁵ Ethical infrastructure for media includes the Australian Communications and Media Authority, an independent Commonwealth statutory authority, which 'look into complaints and problems and take action when rules aren't being followed'.¹⁰⁶

Australia's Artificial Intelligence Ethics Framework is an example of an **ethical framework intended to be national in scope**.¹⁰⁷ Its eight voluntary principles are:

- Human, societal and environmental wellbeing
- Human-centred values
- Fairness
- Privacy protection and security
- Reliability and safety
- Transparency and explainability
- Contestability
- Accountability.

This framework may have a bearing on a range of industries, including the cultural and creative industries, as previously explored by ANA.¹⁰⁸

According to Deloitte, three main **Western theories of ethics** emphasise either the consequences of actions, the intent behind actions or the character developed by acting a certain way. Notably, Deloitte draws distinctions and highlights some **Indigenous Australian perspectives** on ethics and ethical infrastructure broadly.¹⁰⁹

Personal and interpersonal context(s) of partnerships

*'A collaborative runs on the power of its relationships.'*¹¹⁰

*'People are central to finding, deciding and sustaining partnerships.'*¹¹¹

Partnerships operate in multifaceted personal and interpersonal contexts characterised by individuals and relationships. They require judgement and reasoning and may involve conventions, identity, norms and rituals. While this research focuses on entities, entities are made up of people who provide services and goods to people, and they represent entities in partnerships.

The personal and interpersonal considerations of partnerships we describe in this section are not substitutes for laws or ethical frameworks but can complement them. Such approaches across published sources largely fall within two thematic areas: 1) relationships and 2) individual judgement and reasoning.

Relationships

Relationships between entities evolve through collaborative decision making and problem solving by people.¹¹² Understanding the relationships within arts, culture and creativity partnerships may be helpful because of:

- The importance of arts organisations finding advocates for partnerships across businesses, which include the staff and layers of management¹¹³
- Disparate formal mechanisms of coordinating relationships relating to arts, culture and creativity across industries (e.g. advisory committees, working groups and intergovernmental meetings of Cultural Ministers; National Cabinet)
- The importance of NFPs developing relationships over time with existing and potential partners for a donor-grantee collaboration¹¹⁴
- The less-transactional aspect of philanthropic partnerships in cultural institutions, 'sometimes over many decades or family generations', which can contribute to social capital benefits.¹¹⁵

In the context of organisations working on behalf of or in collaboration with specific communities – which may be referred to as cross-cultural dialogue – practice-based insights may be useful in building relationships.¹¹⁶ For instance, research on a cross-cultural collaboration at the Nanjing Museum between China and the UK illustrated that a personal relational network and a culture of mutual understanding

was central to the successful creation, development and delivery of the exhibition and the research project itself.¹¹⁷

In general, effective communication is a component of strong relationships.¹¹⁸ Internally and at the outset of any partnership, this may include establishing ground rules, clarifying processes to help mitigate any problems and promoting open honest communication, including the possibility of open forums for reasoned discussions.¹¹⁹ For some partnerships, internal communication can be strengthened by having a dedicated person overseeing the collaboration¹²⁰ and using agreed dispute resolution mechanisms. Such dispute resolution methods can range from a direct negotiation to a court trial.¹²¹

Research on arts and business partnerships across four key sectors with long-standing relationships with arts across Australia, namely higher education, financial services, legal services and energy, recommend that arts organisations tailor communications (e.g. proposals) to businesses and not fear difficult conversations.¹²² A difficult conversation may include negotiating red lines (if any) in a contract or at key points in the life of a partnership, including during a crisis. Red lines imply being inflexible, leaving or ending the partnership, or negotiating a compromise that avoids the red line.

Using good communication strategies to maintain relationships with external stakeholders, such as consumers of goods and services, is also important. Given the

growing significance of trust and transparency for consumers in all industries, further general information about developing communication strategies is provided in **Appendix 2**.

Governance is another important aspect of relationships. As noted by the Australian Institute of Company Directors (AICD), governance is 'about relationships [...] of the people involved with an organisation, both between each other and with the organisation itself, and the ways that the expectations of these relationships are understood and met'.¹²³ Thus, building governance knowledge and experience can support arts, culture and creativity partnerships.

Governance knowledge for arts, culture and creativity partnerships may include understanding decision-making structures, namely the committees, meetings and coordination mechanisms described earlier in this section. This may also include relying on knowledge about the principles and objectives of partner entities. The AICD's good governance principles¹²⁴ provide a helpful starting point for understanding Australia's leading governance approaches. Increasingly, environmental, social and corporate governance (ESG) and corporate social responsibility (CSR) metrics may sit alongside traditional economic measures and objectives and be available in annual reports. Research notes that many business partnerships between arts organisations and commercial entities in Australia are driven by these CSR/ESG objectives.¹²⁵

Individual judgement, reasoning and behaviour

Independent judgement is Principle 3 of the AICD good governance principles, which notes that 'all [company] directors should exercise independent judgment and provide independent oversight of management'.¹²⁶ In **Part 1**, we described VUCA and the high demands that can put pressure on people's cognitive, emotional and behavioural responses. One study found that emotional strategies in conjunction with other creative and financial resilience strategies helped the UK's arts and cultural sector sustain its long-standing partnerships with EU countries under the adverse conditions of the external environment resulting from the Brexit referendum.¹²⁷ This has raised an important question: what approaches can build and maintain the independent judgement of people who oversee partnerships?

For starters, self-inquiry and the organisational interventions that support this inquiry may help people develop judgement when working with others. Self-assessment tools are available for this purpose and can assist in building individual judgement and reasoning. Examples are the Thomas Kilmann Questionnaire for negotiation situations and conflict management¹²⁸ and the AICD Self-Assessment Tool aimed at developing directors in an ever-evolving governance environment across industries.¹²⁹

Social domain theory can provide people in entities with further insights about their own and others' individual reasoning. The theory lists three domains of reasoning that coexist throughout a person's lifespan.

- The **moral** domain involves reasoning through fairness, equality, justice, rights and the welfare of others. This interpretation of morality contrasts with common interpretations of ethics that relate to a broader concept of right and wrong.
- The **societal** domain of reasoning consists of concerns about conventions, group functioning, social institutions, group norms, traditions and cultural rituals.
- The **psychological** domain of reasoning relates to personal goals, autonomy, identity and individual prerogatives.¹³⁰

Naturally, different people will have different capacities and skills at different times, which they bring to work and to represent their entities in partnerships. A personal turn in organisational and work interventions offers insight into these skills through themes such as:

- **Neuroplasticity** - 'how the brain can reform or reorganise itself, depending on the input it receives and the processes it engages in with regularity'.¹³¹
- **Meta-cognition** - 'thoughts about how you think. It's knowing that you have certain mental tendencies. Metacognition is, in part, self-awareness'.¹³²

- **Meta-awareness** - 'the ability to take explicit note of and monitor the current contents or processes of your conscious experience. Basically, it's an awareness of your awareness'.¹³³
- **Change readiness** - 'the extent to which an individual or individuals are cognitively and emotionally inclined to accept, embrace, and adopt a particular plan to purposefully alter the status quo'.¹³⁴
- **Ambiguity tolerance** - 'one's ability to manage novel, complex, and insoluble situations and has important implications on learning, intrapersonal behaviour, and decision making'.¹³⁵

Human resource and occupational professionals are interested in specific mindfulness interventions for these skills and capacities to support people's mental health, organisational resilience and work-related outcomes. Popularised to cultivate these skills at the personal, interpersonal and collective levels, mindfulness¹³⁶ and mindful approaches are typically opposed to mindless states in which information is processed automatically and rigidly. For example, mindful people are said to be 'more likely to foresee opportunities rather than threats in change, as are organisational cultures characterised by learning, open communication and supportive working relationships'.¹³⁷ The World Health Organization¹³⁸ guidelines on mental health at work appear to agree, with a recommendation stating that:

'Universally delivered psychosocial interventions that aim to build workers' skills in stress management – such as interventions based on mindfulness or cognitive behavioural approaches – may be considered for workers to promote positive mental health, reduce emotional distress and improve work effectiveness.'

Published examples of arts, culture and creativity partnerships embedding these various personal skills and concepts are limited. Importantly, none of the published sources were explicit in their link to mindfulness as a partnership process. However, one arts and early childhood education and care (ECEC) collaboration noted the significance of its partnership's culture of learning, of an advisor as a pedagogical mentor and of including planning sessions for artists, ECEC practitioners, pedagogic mentors and arts organisation leaders at the beginning, midpoint and end of the collaboration.¹³⁹



Concluding thoughts

In response to ANA's overarching research question – **What approaches can help arts, culture and creativity partnerships to thrive across operating environments?** – this report distilled a range of general business and planning approaches. It also outlined the legal, ethical and personal and interpersonal considerations that can help these partnerships navigate internal and external operating environments.

The approaches and illustrative examples selected by ANA target those who are new to the cultural and creative industries, those who are navigating new challenges within these industries and those from outside these industries who are seeking to engage people and places in arts, culture and creativity.

To advance the broader purpose of the research, which is to support sustainable arts, culture and creativity partnerships that enable opportunities and access to relevant, dynamic and varied arts, culture and creativity with all its benefits, this Insight Report identified three key opportunities:

- Leveraging the available mechanisms for coordination
- Using the evidence-led discussion and reflection-based questions arising from this research
- Learning from each partnership experience and sharing knowledge about successes as appropriate.

Undeniably, working in partnership to promote creative and cultural activities is both beneficial and inevitable. No cultural activity occurs in a vacuum. Intentional and informed efforts to strengthen people's and organisations' capacities to work in partnerships using a constructive, purpose-focused approach are essential to securing Australia's place as a cultural powerhouse. This will also ensure that the public can continue to benefit from and contribute to a rich cultural and creative life with all its benefits.



Appendices and Endnotes

Appendix 1: Legal context

Common legal structures for separate legal entities involved in partnerships¹⁴⁰ include:

- **Companies**, such as proprietary companies, public companies and companies limited by guarantee, follow the *Corporations Act 2001 (Cth)* and are regulated by the Australian Securities and Investments Commission.¹⁴¹
- **Indigenous corporations** are registered as corporations under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)* and are regulated by the Office of the Registrar of Indigenous Corporations.
- **Incorporated associations** are incorporated under state or territory law. These types of organisations are typically NFPs.¹⁴²
- **Trusts**, including private and public ancillary funds, are unincorporated legal structures largely regulated by the Australian Taxation Office. Trusts can be either for-profit or NFP.¹⁴³
- **Sole traders** are set up by individuals with no legal separation between the individual and the business structure.¹⁴⁴ There is no overarching governing legislation; instead, sole traders are regulated by general laws.¹⁴⁵

The legal structure of each partner will determine which legislation is relevant for the individual partners. However, if the partnership jointly conducts coordinated activities, additional legislation may have to be considered. **Table 1** provides an overview of legislation relevant to each legal structure and a non-exhaustive selection of legislation pertinent to partnership activities.

Table 1 Selected legislation relevant to a variety of legal entity structures and partnership activities

	Relevant for	Legislation
Selection of governing legislation	Companies (e.g. proprietary companies, public companies and companies limited by guarantee)	<i>Corporations Act 2001 (Cth)</i>
	Not-for-profits	<i>Australian Charities and Not-for-profits Commission Act 2012; Charities Act 2013 (Cth)</i>
	Indigenous corporations	<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)</i>
	Commonwealth bodies	<i>Public Governance, Performance and Accountability Act 2013 (Cth)</i>
Selection of legislation relevant for partnerships that form a legal structure	State, territory and local governments	Governance and accountability regulations for government bodies (e.g. <i>Financial and Performance Management Standard 2029 [QLD]; Public Administration Act [VIC]; Local Government Act 1995 (WA)</i>)
	Business partnerships	State and territory partnership acts (e.g. <i>Partnership Act 1891 [QLD]</i>)
	Joint ventures	Legally binding agreement
Selection of legislation relevant to partnership activities	Partnerships that fundraise	<i>Competition and Consumer Act 2010 (Cth)</i> (including the <i>Australian Consumer Law</i> ; state and territory laws except for the Northern Territory). For example, legislation in New South Wales includes the <i>Charitable Fundraising Act 1991 (NSW)</i> and the <i>Charitable Fundraising Regulation 2021 [NSW]</i>
	Partnerships involved in creating, presenting or reproducing copyright material	<i>Copyright Act 1968 (Cth)</i>
	All partnerships	<i>Age Discrimination Act 2004 (Cth); Disability Discrimination Act 1992 (Cth); Racial Discrimination Act 1975 (Cth); Sex Discrimination Act 1984 (Cth)</i>
	All partner entities (including partnerships that form a legal structure)	<i>Income Tax Assessment Act 1936 (Cth); Income Tax Assessment Act 1997 (Cth)</i>

Furthermore, the OECD noted that if a partnership establishes its own legal entity, then that legal entity can be an employer that hires professional staff to run the organisation and support the execution of work programs. In such instances, it will be responsible for 'creating a clearly defined workplace for any employees. If there is no such legal framework, the employment of staff members will be done by one (or even more) of the individual partners of the partnership.'¹⁴⁶

At a broader level, the operating environment of a cultural partnership may be affected by the partnership's profit classification and whether the entity or entities are defined as for-purpose. **Box 7** summarises these considerations.

Box 6: Defining features of for-profit, not-for-profit (NFP) and for-purpose entities

Many arts, culture and creativity partnerships include a combination of partners that are classified as either **for-profit** or **NFP**.

The profits of a for-profit business can be distributed to shareholders.¹⁴⁷ By contrast, a NFP provides services that benefit the community and 'do not operate to make a profit for its members (or shareholders, if applicable).'¹⁴⁸ Charities are defined as a subset of NFPs.¹⁴⁹

Regardless of their profit classifications, entities have a variety of legal structure options.

Common legal structures of for-profits include sole traders, business partnerships, proprietary limited companies, public companies and trusts. Common legal structures for NFPs include incorporated associations, companies limited by guarantee, non-distributing or non-trading cooperatives, Indigenous corporations and trusts.

Along with the legal structure, the profit classification determines:

- The relevant overarching legislation
- How a partner or the partnership is regulated and by whom
- Differences in how the taxation system is applied.

Another useful distinction is whether a partner is defined as **for-purpose**. While NFPs are generally understood as existing for community benefits – to illustrate, the central purpose of 1,420 NFPs registered with the Australian Charities and Not-for-Profits Commission is to 'advance culture' – a growing wave of businesses are being referred to as part of the **profit-for-purpose** sector.

Examples of for-purpose businesses include those with **B Corp certifications** ('B' stands for 'benefit for all'). Globally, 8,073 companies across 162 industries in 95 countries have B Corp certifications and 'meet high standards of social and environmental performance, accountability, and transparency.'¹⁵⁰

The certification is granted by B Lab, a NFP that works in partnership with philanthropic funders, governmental agencies, individuals and corporations to achieve a positive impact by helping businesses balance profits with purpose. Certification takes into account five categories of metrics: governance, workers, community, environment and customers. All certified businesses receive an overall B impact score outlining how they scored for each metric.¹⁵¹

Examples of B Corps in the cultural and creative industries include **Clothing The Gaps**¹⁵² and **Culture, Art and Nature**.¹⁵³

The profit-for-purpose sector also includes **social enterprises**, which are defined as 'businesses guided by a social purpose. They exist to benefit the public, community and environment rather than just shareholders and owners, reinvesting most of their profits for this purpose'. A substantial number of Australian social enterprises are related to arts and culture. For example, 13% of social enterprises in Queensland operate within the arts and recreation services sector.¹⁵⁴ Many businesses with B Corp certifications operate with a social enterprise model.

Appendix 2: Strategic management tools

This section discusses common strategic management tools, including strategic plans and risk management plans.

Strategic plan

A strategic plan is a roadmap or tool that guides the management and board of an organisation to make strategic decisions and build a positive culture. Ideally, the strategic plan is an agile document that is revisited periodically and adjusted as needed.

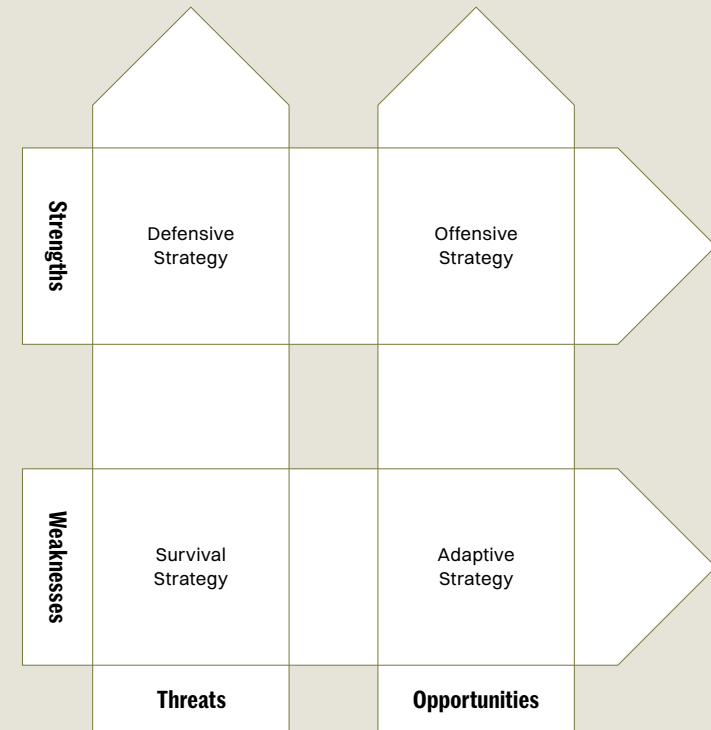
The planning process entails 'building consensus across your board, staff, and other stakeholders, so that your team is focused, driven and ready to increase impact'.¹⁵⁵ Such a process seeks to:

- Identify strategies that enable the advancement of purpose
- Provide a process for the staff and board to commit to measurable goals, approve implementation priorities, identify agreed core values and commit to regularly revisiting the document.¹⁵⁶

A useful strategic planning framework and a common starting point for many organisations is a strengths, weaknesses, opportunities and threats (SWOT) analysis. It can help an organisation develop or fine-tune its strategy and prioritise areas of growth.¹⁵⁷ While strengths and weaknesses are internal attributes, opportunities and threats relate to external environments.¹⁵⁸

Figure 2 provides an example of using the SWOT matrix to develop specific strategies for various potential scenarios. Here, the combination of strengths and threats indicates developing a defensive strategy, the combination of strengths and opportunities relates to developing an offensive strategy, weaknesses and threats combined require a survival strategy, and the pairing of weaknesses and opportunities indicates the need for an adaptive strategy.

Figure 2 Strengths, weaknesses, opportunities and threats matrix for prompting the development of specific strategies



Source: Guadalupe González-Sánchez, María Isabel Olmo-Sánchez and Elvira Maeso-González, "Challenges and Strategies for Post-COVID-19 Gender Equity and Sustainable Mobility," *Sustainability* 13, no. 5 (2021): 1-19. 8.

Risk management plan

Assessing and managing risk helps partnership members develop and understand their risk appetite to inform their activities. A person's risk appetite is their established limit and 'aims to provide a safeguard that companies must not bite off more than they can chew and stomach (that is, the amount and type of risk to take to achieve the appropriate returns).'¹⁵⁹

The following steps can help articulate and evaluate the types of relevant risks and risk appetites within a partnership:

1. Decide what matters most in terms of specific areas the plan relates to.
2. Consult with stakeholders.
3. Identify the risks.
4. Analyse the risks.
5. Evaluate the risks.
6. Treat risks to your business.
7. Commit to reducing risks.¹⁶⁰

Alongside these steps, a defined crisis management plan can provide clarity to better handle potential future tensions. This may include a communication strategy identifying a spokesperson, the channels to be used, how and when to respond, what types of information to express and who should handle the responses.¹⁶¹

Crisis management advisors recommend always communicating with 'purpose and share with care' when communicating publicly, including posting online.¹⁶² The goal is to counteract negative comments with positive content to minimise reputational damage. This may take extra measures, such as 'creating new content geared toward addressing the situation', demonstrating empathy and, depending on the context, addressing negative feedback by demonstrating actionable steps that will be taken to regain trust.¹⁶³ Moreover, demonstrating transparency (i.e. honesty) and accountability in external communications can help regain stakeholders' trust.

Actively assessing and managing risks can be an incredibly valuable step for partners to undertake, as this provides a way to understand the risk appetites of the organisations and people involved in the partnership.

Stakeholder mapping

As with all businesses, partnerships should consider their activities' impacts on a range of stakeholders, as well as those stakeholders' impacts on the partnership.

Stakeholder terminology gained attention with the introduction of **stakeholder theory** in 1984,¹⁶⁴ which emphasises that companies should consider an array of stakeholders in their operations and decision making rather than solely focusing on profits for their shareholders. It is now also used broadly across governments, NFP organisations and community groups.

As illustrated by the regional festival example in **Part 3 (Box 5)**, stakeholders can be mapped as primary or secondary stakeholders. Building on an understanding of primary and secondary stakeholders that

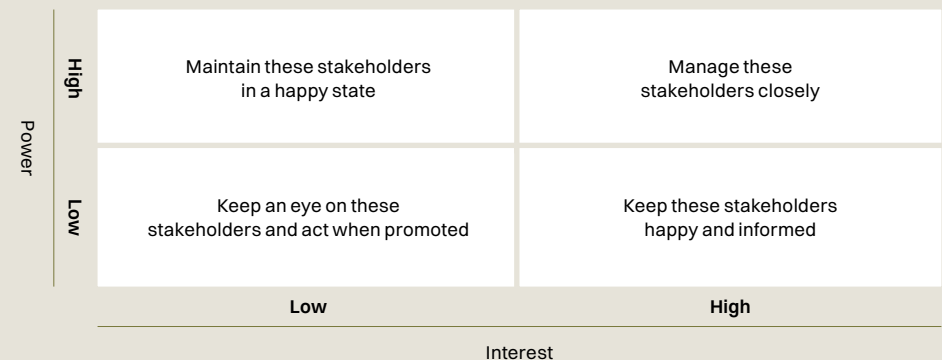
may be impacted by or have impacts on partnership activities, the power-interest matrix¹⁶⁵ can help refine where and how to give stakeholders attention, including monitoring stakeholders, keeping them well informed and satisfied, anticipating and meeting their needs, and managing them closely.

The matrix categorises stakeholders based on three features:

- Levels of power
- Influence and interest
- Importance.

This approach 'addresses the task of identifying those who will, or can be persuaded to, actively support the strategy of the organisation'.¹⁶⁶ **Figure 3** illustrates how the power-interest matrix can be visualised.

Figure 3 Power-interest matrix



Source: Kanchana Ginige, Dilanthi Amaratunga and Richard Haigh, "Mapping Stakeholders Associated with Societal Challenges: A Methodological Framework," *Procedia Engineering* 212 (2018): 1195-1202. 1200.

Appendix 3: Methodology and limitations

The overarching themes of this research were identified after an initial search of published sources from various disciplines and further developed through an internal staff workshop. Along with an environmental scan of existing partnership models, a targeted review of the sources was conducted based on the identified themes. The themes were then confirmed and refined through discussions and draft feedback from within the ANA network, including the ANA Board, Associates and Reference Group members, and with external advisors.

Considering our purpose to foster effective collaboration and assist in constructive discussions about partnerships, we selected frameworks, approaches, principles and illustrative examples found in published sources that may be relevant to arts, culture and creativity partnerships. However, the resources presented in this research may vary in their relevance, as each partnership is unique. Furthermore, the resources provided in this report do not seek to solve specific challenges, and the solutions discussed will not be useful for every context.

Endnotes

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Volatility is the liability of something to change rapidly and unpredictably. [...] Uncertainty relates to the quality of information one has [...]. Complexity increases when there is a greater number of relevant variables or interrelationships [...]. Ambiguity occurs when an event, situation, or context is unclear, either because information is missing, inconsistent, contradictory, or obscured in some way.
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