

Response to OIA Question Referred by CNZ

Thank you for the opportunity to address these questions which have been passed on to Foundation North by Creative New Zealand (CNZ).

1-What has Foundation North put in place to protect the creative copyright/IP of the applicants to this fund?

All Outreach Advisors and Assessors are required to declare any perceived and/or direct conflicts they have against all applications received. Assessors also agree to keep confidential all confidential information provided to them as part of the applications that are received.

This year's (2023) process will be the same as last year, except that some external Assessors will be contracted by Foundation North.

2-If they have why was it not explicitly mentioned to the applicants by Foundation North (that their copyright/IP will be protected), on their website and by the outreach team contracted to answer questions?

We have not had any issues previously which would have led to mentioning these matters on our website.

We will ensure that in future rounds, the extent of the steps to protect IP are drawn to the attention of applicants as part of the process; on the website or in guidance documentation or both. We will seek advice on best practice for what protections should be provided and how best to communicate the scope of protection.

3-What process was put in place to ensure the outreach team and the assessors respect the copyright/IP of the applicants?

As explained above in relation to question 1, Outreach Advisor contracts have conflict of interest clauses and Assessor contracts have confidentiality clauses modelled on guidance from Creative New Zealand.

For both groups, the importance of confidentiality was, and will be, stressed in briefing meetings.

4-Did the outreach team read all the applications and did they sit at the decision-making table?

No. Outreach Advisors do not get access to any application, nor are they part of the recommendation meeting; their core support is during the pre-application stage to those that request it, or from their outreach. Applicants are not required to use Outreach Advisors.

5-What process was put in place to manage conflict of interest of the outreach team with any applications/applicants?

As explained in relation to questions 1 and 3, Outreach Advisors are required to sign contracts including conflict of interest clauses. We therefore require them to treat information they receive confidentially and expect them to treat that information in a manner they would wish their own confidential information to be treated.

6-What has Foundation North done to inform and educate the applicants, the outreach team and the assessors about creative copyright and IP to ensure openness and transparency in the funding process?

Foundation North's role is to distribute grant monies to applicants who demonstrate they have met or exceeded the criteria set for their granting programmes. We do not regard ourselves as being experts in copyright and IP matters; and since this matter arose, we have relied on external advice to respond to it. Accordingly, we do not believe we are best placed to educate programme participants in copyright and IP.

We will seek advice on whether training of this sort is desirable for future funding rounds or what resources are available and can be provided to help applicants, the Outreach Team and Assessors.