

Operating Grant Program Appeals Policy

This policy has been updated as of January 1, 2021

The Appeals Policy outlines the process for organizations to appeal changes to their Operating Grant funding levels.

Calgary Arts Development will hear a case for appeal and follow the appeals process only in the below circumstances:

Eligible Appeal Cases

- Organizations who received an assessor flag through the **Fair Notice Policy** resulting in a reduction over 25% to their total grant (please see the reduction of grant process below).
- Organizations who were recommended to be removed from the Operating Grant Program through the Fair Notice Policy (please see the removal of grant process below).

Ineligible Appeal Cases

- Changes made to Operating Grant amounts resulting from a decrease in Calgary Arts Development's total budget from The City of Calgary.

Reduction of Grant – Appeals Process

Eligible Reasons for Appeal

Appeals will be heard in cases only where it can be demonstrated that:

- The reduction to the grant amount was over 25%.
- The special assessment committee materially and fundamentally misunderstood the flag conditions and information provided by the organization such that recommendations were made in error.
- Due process as outlined by the Fair Notice Policy was not followed.

Ineligible Reasons for Appeal

The following matters will not be considered grounds for appeal:

- The reduction to the grant amount was under 25%.

- The appeal must be limited to the content of the original information supplied to the special assessment committee, not facts or circumstances occurring after the date of submission. These include but are not limited to:
 - External circumstances or variables that have affected the organization's ability to achieve their mandate.
 - Changes in the information since it was provided.
 - Information not originally included.

Appeal Procedures

- Applicants will have 10 working days from the date that special assessment notification letters are emailed to notify Calgary Arts Development in writing of their intent to appeal the assessment committee's decision.
- The organization will be given the opportunity to respond to the recommendation and comments in writing, stating the basis of their appeal.
- Staff will review the written case for appeal, and determine if the organization has made an eligible case.
- If the case is eligible, staff will convene a secondary peer assessment panel comprising members of the previous assessment committee and new members, who will review in full the interim report, response from the organization, and case for appeal and make a final recommendation:
 - Uphold the decision to reduce the grant amount.
 - Recommend an alternate reduction to the grant amount.
 - Restore the grant amount in full.

Removal of Grant – Secondary Peer Assessment

If the special assessment committee recommends complete removal of a grant amount after three years or more of consecutive flagging, the following process will automatically be applied. Organizations do not need to request an appeal.

- The organization will receive a written notice of the recommendation in addition to the compiled feedback and comments from the assessment committee.
- The organization will be given the opportunity to respond to the recommendation and comments in writing, outlining the conditions contributing to the flag and plans to mitigate those conditions.

- If appropriate, the organization may provide evidence demonstrating that the assessment committee fundamentally and materially misunderstood the content of the application such that the recommendation to remove funding was made in error.
- Staff will convene a secondary peer assessment panel comprising members of the previous assessment committee and new members, who will review in full the interim report, application, and response from the organization and make a final recommendation:
 - Uphold the decision to remove funding entirely.
 - Suspend the grant for one year.
 - Recommend a reduction of the grant
 - Restore the organization to their funding level in full.
- Calgary Arts Development's suspension or withdrawal of an organization's grant requires majority approval by Calgary Arts Development's board of directors.
- Decisions made through the secondary peer assessment process and approved by Calgary Arts Development's board of directors cannot be appealed.