

ORCHESTRA & CONCERT MANAGERS MEETING

Wednesday 13 June 2007, 10.30am – 4.00pm
MOUNTBATTEN ROOM, ROYAL OVERSEAS LEAGUE, LONDON



Chaired by Hazel Province, *Orchestra Director, Royal Opera House*

R E P O R T

Hazel Province, *Orchestra Director, Royal Opera House* welcomed members to the meeting. Apologies were given for Naomi Faulkner, who was ill and unable to attend the meeting.

Musicians Hearing Passport

Pauline Dalby, *Safety & Learning Official, Musicians' Union* introduced the Musicians Hearing Passport (MHP). This was an initiative from the Musicians Union (MU) that would be launched with the MU magazine in September in partnership with the Musicians Hearing Services (MHS) and the British Association for Performing Arts Medicine (BAPAM). Pauline then distributed a copy of the 'Passport' documentation (see attached separately) and discussed in detail. The aspiration was to run this scheme for two years and then a review would be undertaken.

The procedure would be that the musician calls BAPAM/MU/MHS to arrange an appointment. The training would then be undertaken and a MHP given when the MHS was satisfied that the musician would adhere to the scheme.

Questions were then welcomed. Elaine Baines Robins, *City of London Sinfonia*, was impressed with the document and asked how this would be enforced. Elaine would want to see all freelancers with a MHP, but enquired about non-MU members. Pauline answered that access to the scheme would also be allowed by non-MU members. The BBC asked if the MU expected freelancers to turn down work. Pauline did not expect that to happen, but the MU wanted to ensure that musicians were covered by Health & Safety legislation. Elaine, CLS, pointed out that if employers adhered to their best practice policies then the musician would be responsible for their own health.

This information should be available on the Sound Advice website – see <http://www.soundadviceconsultation.info/>. The MU also hoped to be involved in the development of a database for noise readings, after collecting data for ten years.

Orchestral Foreign Touring – Code of Practice

Diane Baxter, *National Organiser – Live Performance and Teaching, Musicians Union* introduced the Code of Practice and explained that this was intended to be guidelines for use by MU members.

The draft copy of the guidelines was distributed and discussed. Some amendments suggested included:

- General (2) – accommodation should be in single rooms
- General (3) – should be required inoculations
- General (5) – not all orchestras arranged instrument insurance, some players had their own
- General (7) – this break should be flexible, as it differed between 7 and 11 hours
- 4 weeks prior (1) – Diane was able to provide clearance from MU
- Return travel day (1) – should be to point of departure not arrival in UK
- Freelance General (8) – clarify that employer for 2nd concert covered cost of providing 2nd passport

Hazel Province, *Royal Opera House* asked Diane what were the key issues she encounters. Diane reported that it was the per diems, long travel days, insufficient breaks between concerts and the lack of a break when back in the UK before the next concert.

Action : *Elaine/Nicola to re-draft Code of Practice and obtain sign off from ABO members before emailing the Code to Diane at the MU. A copy should then be made available on the ABO and MU websites.*

ABO/MU Casual concert/freelance orchestral agreement

Elaine Baines Robins, *City of London Sinfonia*, updated the meeting with news that herself/Timothy Walker (LPO) and Russell Jones (ABO) had met with the MU twice to discuss the agreement from April 2007 onwards. Historically the MU had taken the Retail Price Index (RPI) in the February/March of that year as the figure to increase the agreement by. In February 2007 this figure was 4.2% and March even higher. The ABO had planned an increase of 3% but the MU requested 3.5% which the ABO refused.

The discussions with the MU would continue when the ABO's new director Mark Pemberton was in place at the end of July.

There would also be two new clauses in the agreement :

- Learning Agreement
- Health & Safety regarding travel – the MU wanted a cut-off of 1am, not 2am as at present.

There was also a decision to review portage and the categories, especially with relation to harps/percussion, etc. The MU also wanted the congestion charge payable by the orchestra.

There then followed an open discussion about the agreement and problems encountered with it. Brighton Philharmonic asked if the Consumer Rate Index could be used for inflation rather than the RPI. Elaine explained that they had tried that in the past, to no avail. The Orchestra of St. John's asked if there could be a standard education rate. Thorben Dittes, ABO informed the meeting that a flat rate of £50 for each player to attend a Noise training workshop had been agreed with the MU. No standard education rate had been discussed.

Open clinic on current issues

David Curtis, *Orchestra of the Swan*, spoke about an issue he was currently experiencing with the MU regarding a complaint from a musician. The issue regarded their availability check sheet with players versus the actual written contract. He wanted advice about disciplinary procedures. Elaine, CLS, warned that it should be made very clear that the availability check sheet was not a binding contract. A disciplinary procedure should firstly include a verbal warning stating clearly what the issue was. If the behaviour was repeated another verbal or written warning should be given. This time you should clearly state what the issue is and when it would get reviewed (i.e. 3 months). When the timeframe was reached if the problem was not resolved then a termination of employment could be given. For incidences of gross misconduct an employer can implement instant dismissal.

Another question was raised regarding the new Age Legislation, whereby a musician could request that they wanted to continue working after the retirement age. Elaine confirmed that it was not necessary to state a reason if the orchestra did not want to continue employment after retirement age was reached.

ABO conference

Thorben Dittes, *Projects Manager*, ABO announced that the 2008 ABO conference would take place from 17th to 19th January 2008 in Brighton. Key themes would be Community Engagement, New Technologies and Noise (as part of the Healthy Orchestra sessions). The ABO was also planning to launch A Sound Ear Volume 2 during the conference.

Action : *Any ideas for speakers or agenda items should be forwarded to Thorben on thorben@abo.org.uk.*

OPAS users

Nicola asked if there were any issues for those orchestras currently using the OPAS system. Those using OPAS fully found it ran very efficiently but did accept that it was an overhead to set up the system with data initially.

Those orchestras that did not use OPAS had issues with the initial start-up cost, some £15,000. Questions were raised regarding the flexibility of Artifax to (1) sell the scheduling software without the finance package, (2) allow two users to buy and share the same version to save money (i.e. The Sixteen/Academy of Saint Martin's in the Field, Orchestra of the Age of Enlightenment/London Sinfonietta), and (3) would there be a facility to add Noise data on the repertoire section.

Action : Nicola to contact Artifax with these queries.

Noise

Thorben Dittes, ABO updated the group regarding the Health and Safety Executive (HSE) Working Group that met every two weeks. They were preparing a guidance document as an online web resource. This would outline measures that could be taken to adhere to the Noise regulations. The website would be launched at the end of July (<http://www.soundadviceconsultation.info/>) when a consultation period would commence. The HSE would then consider feedback over the autumn and publish the final copy of the guidelines at the beginning of 2008. The regulations would finally come in to force in April 2008.

Hazel Province, *Royal Opera House*, presented an example of a draft Hearing Conservation Programme. At the Opera House, from April 2008, all permanent musicians would be having hearing tests at two year intervals. ARUP had been employed to take readings at eight positions in the orchestra pit, including the conductor's rostrum, to provide baseline readings. Data was being shared with the Sydney Opera House too. ARUP were producing data over eight hour days and collating ROH repertoire, together with estimates based on the Sydney Opera House data. The ROH was not taking into consideration any external work that their musicians were involved in. Hazel emphasised the value in having a policy document for each orchestra. So far no change in artistic programming had been made.

Thorben confirmed that training would be available in the autumn for chamber orchestra musicians. He also informed the group that the Royal College of Music (RCM) were involved in a long term research project which aimed to plot musicians hearing loss over their entire career and had separately collated worrying noise levels in a standard concert programme.

The LPO asked about the cost of the DOSE meters. It was possible to purchase three second hand meters for £2000. Hazel confirmed that the ROH were using eight meters and the RCM were using ten. The regulations had been vague about how to take the readings.

Action : ABO to inform Chief Executives regarding a sector wide approach to collecting comparable data.

AOB

A question was raised regarding the E101 process, now that each person needed a form and each person is checked. There was also the question of whether the E101 form would be available online.

Action : ABO to check new process and email guidelines to all.

Date of Next Meeting : Wednesday 31 October 2007