

HET KUNSTENLOKET v.z.w [THE ARTS OFFICE npo]

1. History

Commissioned with the task of providing information and promoting expertise the five arts policy bureaus decided to issue an effective response to the pressing need for business information in the arts sector. In 2002 they set up the pilot project HELPDESKKUNSTEN [ARTS HELPDESK].

In early 2004 the policy bureaus and social partners (employers and employees) agreed to set up **KUNSTENLOKET vzw**. The npo was set up by 7 representatives from employer organisations, 7 representatives from trade associations and 7 members to be appointed by the Flemish Community, thereby guaranteeing expert input from the policy bureaus. The Flemish Minister for Culture appoints an independent chairman.

On the 5th of March 2004 the articles were signed and the directors appointed.

The npo has been subsidised by the Flemish Community since its inception.

2. Mission and task of the Kunstenloket

Mission:

The Kunstenloket is a neutral point of contact offering business and legal advice for anyone involved in the artistic professions.

Professional artists, semi-professionals, amateurs and trainee artists can call on the Kunstenloket for information and personal advice. Managers and producers can find information on how to organise artistic activities.

The task of the Kunstenloket is written into its articles and includes:

- Information provision and first line help on the business and legal aspects of artistic activity
- Guiding and monitoring implementation of the new social status of the artist
- Data collection, analysis and preliminary recommendations on employment, education and training policy in the artistic sector
- Coordinating the expansion of social dialogue in the artistic sector
- Organising and stimulating training and educational projects designed to facilitate the transition from education to labour market, promote sustainable independent enterprise, and stimulate the culture of lifelong learning and competence management.

Information provision and first line help

Characteristics

- **Unique office counter:** one neutral and supra-sectoral point of contact providing basic information and first line help on the legal, administrative and business aspects of artistic activity.
- **Low threshold:** the information provided must be easily understood by the target group and available via easily accessible channels.
- **Interaction:** the cultural field is a highly diverse and continually changing environment. New developments have an immediate impact on the need for information. Good interactions between the Kunstenloket and the field are therefore essential.
- **Quality:** the information must be correct and up to date.
- **Complementarity:** pursuit of cooperation and networking with existing information providers and service organisations (such as administrations, social partners, policy bureaus, professional associations, etc.) to achieve a complementary and diversified information offer.

Which information?

The Kunstenloket responds to the need for information in the artistic sector and to do so monitors trends in areas such as social security status, taxation, npo legislation, royalties, residency, contracts and management, ... It aims to take a pragmatic approach in all areas and assess the implications for everyday practice.

Target group

The Kunstenloket is open to anyone requiring basic information on the legal, business and administrative aspects of artistic life.

It is accessible to everyone, irrespective of artistic discipline: from students and beginners to producers and experienced business leaders; artists and patrons, professionals and amateurs.

Activities

- **Collection**
 - Active search for and collection of documentation, useful addresses;
 - Development of a database for structuring and disseminating the information collected, and recording incoming questions and provided solutions;
 - Monitoring developments on the ground and keeping information up to date.
- **Dissemination:**
 - Website offering good documentation;
 - General publications, e.g. folders, own information brochures, co-publication;
 - Practical information packages, e.g. checklists for organisers, manual for beginning artists, step-by-step plan for starting up a cultural organisation, standard contracts, etc.
- **Facilitation of understanding:**
 - Retranslating basic information into an intelligible, practical language;
 - Facilitating an exchange of experience between colleagues;
 - First line help: initial guidance in applying the information in concrete situations; first line help offered by the phone, email and consultancy days (by arrangement).

Guiding and monitoring implementation of the status of artistic performer

The new social status, which came into effect on 1st July 2003, is throwing up all kinds of legal and practical questions in the sector. Its implementation by the various authorities involved requires constant monitoring and adjustment from the cultural field. As an expert in this area the Kunstenloket is monitoring implementation and giving its recommendations where necessary.

Collection of statistics, analyses and policy recommendations

To develop a policy anticipating current needs on the artists' labour market it is important to have a clear understanding of the sector and its needs. A systematic collection of employment data in the artistic sector is crucial to this.

Several (government) authorities are collecting data on employment in the artistic sector through their own registration procedures. These different means of registration are leading to overlapping, incomplete and fragmented information.

The Kunstenloket is getting to grips with these registration procedures and attempting to make an analysis of them.

Coordinating the expansion of social dialogue

To guarantee participation by all artistic disciplines (profit and non-profit) in social dialogue the sector's social partners will need to commit themselves to an examination of how the various artistic disciplines can be represented in joint consultation structures. They will also need to look at how the existing consultation structures (e.g. the various joint committees involving the employers of artists) can be better tuned to each other. Wherever possible the social partners aim to take real steps by enlarging their target group or field of operation, for example, or setting up cooperative links with organisations not yet represented in the joint bodies (particularly in language and literature and visual arts).

The Kunstenloket will monitor and coordinate this examination of the expansion and reorganisation of social dialogue in the artistic sector by setting up a dialogue structure between all the interested parties.

Organisation and stimulation of training and educational projects

As a platform for information and advice the Kunstenloket organises information and training sessions on the legal, business and administrative aspects of artistic practice.

We aim to use the Kunstenloket to gain a clear picture of training offered in the artistic sector, including higher education, postgraduate training and in service training courses. We will then look for gaps and obstacles and collaborate with the Sociaal Fonds voor de Podiumkunsten [Social Fund for Performing Artists] to set up appropriate training projects. The Kunstenloket will be especially attentive to projects addressing business aspects of the artistic profession.

3. Practical activities

Legal and business aspects

□ INFO SESSIONS 'THE SOCIAL AND TAX STATUS OF THE ARTISTIC PERFORMER'

Every year the Kunstenloket organises about 40 information sessions on: 'The Social and Tax status of the Artist.' At these sessions the Kunstenloket's legal expert gives information on the social status of the artistic performer, combining an artistic activity with unemployment benefit, the small fees for artists scheme, employment, VAT and income tax. The info sessions are designed for artists from all disciplines and organisers from the artistic sector.

In collaboration with the arts policy bureaus and other organisations there are also a number of info sessions geared towards particular disciplines and the situations and problems particular to certain sectoral niches. These are: visual arts, music, amateur arts, language and literature, theatre and audiovisual arts.

Schools of higher education will be given special attention. To give trainee artists information on actual professional practice before they graduate, we get in touch with all of the schools of higher education to offer info sessions for final year students.

□ PARTICIPATION IN CULTURAL EVENTS

Every year we attend a number of cultural events (7 to 10). We select events that target young artists or students and organisers as well as the ordinary public.

□ WORKSHOP

Once a year we organise a workshop on a particular aspect of artistic activity. Guest speakers are invited.

- 2005: The Status of the Artistic Performer – how does it work in the Netherlands and France?
- 2006: Artistic activity and the tax rules.

□ ROUND TABLE CONFERENCES

On our 'initiative' these conferences involve an exchange of information. This allows the Kunstenloket to test what the consultants take from individual interviews against a wider group. They are also points at which information can be gathered.

At the Kunstenloket we try to process the information tested and gathered into a document, which can then be put before the competent authorities for discussion (preliminary work in policy making).

Examples:

- The status of the artistic performer – an evaluation
- The activities of the Social Bureaus for Artists
- The development and value of 'immaterial capital'

□ INDIVIDUAL ADVICE

Advice on the telephone

The consultants can be contacted by phone on Monday and Thursday afternoons and will answer short and practical questions.

Consultations

If artists and organisers have complex queries and problems they can make an appointment, during which they will have an hour to examine their personal situation with the consultant. Consultations are available every Tuesday and Wednesday, alternating between Ghent, Antwerp and Brussels.

□ **THE WEBSITE**

The www.kunstenloket.be site offers much in the way of documentation. This is the first source to which the Kunstenloket refers artists and organisers for clear answers to frequently asked questions on:

- The status of the artistic performer
- Income tax
- VAT
- Combination of an artistic activity with state benefits
- Royalties
- Organisation of artistic productions
- Insurance
- Foreign artists working in Belgium.
- ...

Visitors can also download specimen contracts and a variety of administrative documents.

The Kunstenloket has commissioned experts to write several of the texts. These experts keep a close eye on the legislation and developments in their areas of expertise and make sure the content is always up to date.

To make the large quantity of information more accessible and easy to search we have split it into subjects under the headings 'legal aspects' and 'business aspects'. We have also divided it into information 'for artists and other employees' and 'managers and organisers'. On the 'search the site' page visitors can search for a term, subject or subject class on which they require information quickly.

Training and education

The Kunstenloket organises its own training and education projects on items specific to particular artistic disciplines or so embedded in artistic practice that they are given little or no coverage in the 'regular' training circuit. The themed afternoon is the instrument used to do this.

We stimulate training and educational projects by encouraging schools (schools of higher education and grammar schools) and accredited training organisations to include legal aspects (adapted to artistic practice and the artistic social environment) in their offer for students and artists. We consult with schools and lecturers, approach students and work with Syntra Vlaanderen.

□ **THEMED AFTERNOONS**

The themed afternoons are designed to take an in depth look at a number of business and legal aspects of artistic activity. The Kunstenloket attracts experts to these. Examples:

- Formation and management of a non-profit organisation
- Personal income tax for artists
- VAT in the artistic sector
- Royalties and associated rights
- Employment of personnel

□ **COOPERATION WITH SCHOOLS**

We have been in touch with contacts in all arts schools to organise info sessions on business and legal matters. In the process we have gauged their interest and willingness to engage in consultation.

The students in the arts schools are addressed via posters, beer mats and post cards.

We make up a list of the open days and other 'events' which the schools organise for students and graduates, and make a point of attending these with our information and possibly an information stand. If required we can also fit consultations in with this.

□ **COOPERATION WITH SYNTRA VLAANDEREN**

The Kunstenloket took the initiative to work with Syntra Vlaanderen on an annual programme entitled 'the business minded artist', which contains a section on marketing and communication, one on legal aspects, and one on financial aspects. After participating and evidencing knowledge of the subject matter the course participant (= the artist) will be issued with a certificate enabling him to set up on a self-employed basis.

The SYNTRA Vlaanderen training network is recognised and subsidised by the Vlaams Agentschap voor Ondernemersvorming [Flemish Business Training Agency] and assures the quality of the learning programme.

At a later stage all or a part of this course can be offered in arts schools, possibly as part of the regular curriculum.

Inventory of the labour market

One of the Kunstenloket's objectives is data collection, analysis and the giving of recommendations on employment, education and training policy in the artistic sector.

To ensure quality in the fulfilment of this task there is a need to gather periodic figures on employment, employment opportunities, education and training in the artistic sector in a systematic way. To identify trends and make forecasts these data will need to be collected recurrently and statistically processed.

We have asked the Hoger instituut voor de arbeid [Higher Institute for Labour Studies] to develop a 'monitoring instrument' of this type, or at least to make a start on it.

At the present time an initial count is being made on the basis of data from government databanks.

Coordinating the expansion of social dialogue

The ultimate goal is to guarantee the participation of all artistic disciplines in social dialogue. The area we have in mind includes: music, performance arts, visual arts, language and literature, audiovisual arts, for both the commercial and non-profit sector.

Various 'players' have been contacted with a view to starting a dialogue. The following items will serve as the theme:

- How do we work with artists and are there any problems with the status?
- Are there job classifications and/or wage brackets and do these take artists into account?
- What are the latest trends and developments in working with artists?
- What is our experience of social dialogue, and where can this be expanded?

Networking

The Kunstenloket maintains a variety of contacts in relation to its area of operations. In the first place there are occasional contacts with cabinets and administrations for culture and employment and education.

We have contacts with the arts policy bureaus and 'transversal' policy bureaus (e.g. Cultuur Lokaal) and other cultural organisations (e.g. Part-time Art Education, Association of Flemish Cities and Municipalities). The aim here is to exchange information and test for willingness to cooperate and incorporate our activities in their communication.

The Kunstenloket has a special relationship with the Sociaal Fonds voor de Podiumkunsten. Together we have signed a second covenant with the Flemish Community, with effect from 1 April 2005 and a life of two years.

Under the terms of the covenant the SFP and the Kunstenloket agree to undertake a number of activities together: bridging the gap between learning and work, a number of specific modules (pathway to work, safety, coordinating the expansion of social dialogue), and diversity. Both parties have agreed the sharing of tasks and consult regularly to assess progress, discuss each other's initiatives and work out what can best be done together.

Projects and publications

Alongside a general folder on the Kunstenloket's activities, we made a brochure entitled 'The Status of Artistic Performer' in October of 2005. This brochure briefly outlines the principles behind the social status of the artist. It also deals with the regulations on combining artistic activities with state benefits.

The Kunstenloket's consultants have been asked to provide a number of services for third parties:

- Editing of *Help! I organise an event*, a publication by Politea in conjunction with Cultuur Lokaal
- Co-authorship of *Pocketbook for the artist*, Kluwer
- Editing of culture/art codex, a publication by Politea in conjunction with Cultuur Lokaal
- Collaboration on *Arts and Law*, a series of lectures and publication by the University of Antwerp

4. Staff and finances

Employees: 5 full-time:

- 3 consultants + 1 administrator + 1 manager

Resources:

- Culture subsidies: 245,000 Euros/annum
- Work and Employment subsidies: 102,000 Euros/annum

SUMMARY

Artists are not immediately concerned with business organisation and administration. They want to set about their work with inspiration, and without inhibition. They prefer not to be weighed down by the everyday worries of the artist's existence.

And yet it is this very attention to the legal and business aspects which provides the stability and security they need to develop their artistic talents. Artists can turn to the Kunstenloket for advice on legal and business matters. We are a neutral point of contact for anyone and everyone involved in artistic activity. At the Kunstenloket professional artists, trainee artists and amateurs can find clear information and personal advice. Managers, producers and business leaders will find expert information on how to organise artistic activities.

Artists have had a new social status since July 2003. The Kunstenloket disseminates clear information about this status via www.kunstenloket.be.

Our website is packed with up-to-date information on taxation, royalties and organising artistic productions. Specimen contracts and examples of administrative documents are available for downloading.

In addition, the Kunstenloket organises monthly info sessions on the social and tax aspects of artistic activity and themed afternoons on topics from artistic practice.

Since every discipline (and everyone's personal situation) is unique we offer tailor made advice. Our consultants answer questions via our telephone help line. Their answers are clear and concise.

Appointments can be made in more complex situations. We hold these consultations weekly, alternating between Antwerp, Brussels and Ghent.

In addition to info sessions and themed afternoons the Kunstenloket sets up training projects, autonomously or in conjunction with other organisations. A key point for attention here is the business side of the artistic profession.

But the Kunstenloket does more.

Taxation, legislation and management practices are constantly evolving, and this is true of the artistic sector. The status of the artist is still in its infancy and its implementation is still very much under development. As a neutral platform the Kunstenloket identifies obstacles, gaps and interpretation problems. It communicates with the relevant authorities to monitor and adjust the process.

The Kunstenloket also aims to examine organisational models of social consultation and the possibilities of expanding this dialogue within the artistic sector.

To gain a clear picture of the artistic sector the Kunstenloket works with sectoral players to highlight developments in the artists' labour market. It formulates policy recommendations on the basis of needs analysis, with the aim of developing a policy that meets the needs of artistic practice.