

Other options were worked out but not referred back to the consideration of the Board. If the original proposal was of such a nature that it required the Board approval, and given that the Board refused to endorse it, the Committee is of the opinion that a revised proposal or options should have been referred to the Board unless management is directed otherwise. From the evidence, management was not directed otherwise. Furthermore, testimony shows that displacing a resident orchestra for that length of time is unusual in the world of music.

During his testimony, Mr. Allan Wood, Vice-President for Canada, *American Federation of Musicians*, recalled that "to the best of my knowledge, this is the only orchestra in this country and probably the only orchestra in North America that is requested to be away from their home for 10 weeks."<sup>(13)</sup>

For most of that period of time, the Orchestra would tour in Canada as part of Canada's 125th anniversary celebrations. It should be remembered that successful tours require long range planning, including coordination with local and provincial arts councils and the selfless involvement of private individuals who volunteer their services in the raising of funds and the preparation of special performances. It should also be remembered that touring the Orchestra will seriously disrupt the regular Orchestra touring cycle and market for years to come.

Programming decisions, guided by the programming principles and guidelines edicted by the Board, are the responsibility of management. However, major programming decisions which require an exception to the programming principles and guidelines should be referred to the Board for approval. The arrangement for Phantom of the Opera is contrary to the programming principles and guidelines. As trustees, Board members must uphold the policies they or their predecessors have edicted for the guidance of management. It is their responsibility to overturn decisions taken by senior management and or the Chairman if these are contrary to the policies adopted by the Board. Also, if management does not ask for approval of a major departure from an approved policy, management has disregarded the authority of the Board and defaulted in its responsibility to the Board. While the following recommendation deals only with the programming and principles relevant to the Phantom of the Opera decision, the Committee will address in recommendation No. 11 the need for the Board to reaffirm its adherence to all the programming principles and guidelines.

#### **Recommendation 6**

**That the Board of Trustees of the National Arts Centre evaluate the impact of the derogation from its approved programming principles and guidelines inherent in the showcasing of the Phantom of the Opera will have on its resident Orchestra and that it take appropriate action.**