

Matthews B (Barry)

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From: Miller G (Gillian) (Culture)
Sent: 28 March 2007 13:29
To: Matthews B (Barry)
Subject: FW: Draft Culture (Scotland) Bill Response



SAC-Response-DraftCultBill.doc...

Barry,

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Gillian Miller
Cultural Strategy and Delivery Unit
ext: 40346
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-----Original Message-----

From: Andy Robinson [mailto:Andy.Robinson@south-ayrshire.gov.uk]
Sent: 26 March 2007 10:43
To: Miller G (Gillian) (Culture)
Cc: Louise Blaney
Subject: Draft Culture (Scotland) Bill Response

This email has been received from an external party and has been swept for the presence of computer viruses.

Gillian,

Please find attached South Ayrshire Council's response to the above. The paper was approved by the Councils Lifelong Learning Committee of 21 March 2007.

If I require to send a hard copy of the response please advise, or if there is anything which requires further clarification please do contact me.

Regards.

Andy

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SOUTH AYRSHIRE COUNCIL

A RESPONSE TO:-

DRAFT CULTURE (SCOTLAND) BILL AND GUIDANCE CONSULTATION DOCUMENT

INTRODUCTION

South Ayrshire Council welcomes the opportunity to participate in the Scottish Executives consultation on the Draft (Scotland) Bill and accompanying Statutory Guidance. South Ayrshire Council broadly welcomes the model of entitlements, cultural planning and the overarching quality assurance framework for culture. Against the background of support in principle for the Bill and Guidance, we would highlight.

- A clear need for additional resources to be made available to support cultural planning and delivery, as well as additional burdens on local authorities for collation and submission of cultural information to Ministers.
- The model for self-evaluation and quality assurance adopted should be based on the excellence model of the European Foundation for Quality Management (EFQM) and should be devised in a manner which allows it to be supportive of and integrated seamlessly with a range of local authority quality assurances frameworks including;

'Quality Management in Education 2 – Self Evaluation for Quality Improvement' 2006.

'How Good is our Community Learning and Development 2 – Self Evaluation for Quality Improvement' 2006.

'A Guide to Evaluating Services for Children and Young People using Quality Indicators'.

- Local authorities as key planners and resourcers of cultural delivery should have representation on the Creative Scotland Board.
- A provision enabling local government to ensure commitment from community planning partners and national bodies towards cultural planning and entitlements would strengthen the Culture (Scotland) Bill.
- It would be helpful within the guidance notes to outline how the cultural information collected by Ministers would be digested, and in what form, if any, it would be publicly presented.

Q1 Do you think that developing local cultural entitlements will help to increase participation in cultural activities?

South Ayrshire Council recognises the additional value and benefit of culture to learning, enterprise, the economy, health and well being, tourism and community renewal. It recognises that:

- Cultural entitlements carefully defined for each of these sectors, which are designed to local need and well promoted, can offer attractive entry points to Local Authority provision, and can act as an important step into an improved quality of life.

- Engagement of local communities is key to ensuring that cultural service delivery is responsive to local need. Entitlements, therefore, will require to be organic, flexible and changeable in nature.
- The monitoring of uptake of cultural entitlements will allow the authority to better identify and direct resources towards communities where need is greatest.
- Cultural entitlements will create a platform within the authority which will help to raise the profile and value of culture, and help it to refocus resources to best meet community cultural need and expectation.
- The authority recognises that the scope of entitlements will vary, some may be universal in nature, others will be targeted to best meet the needs of specific community groups.
- It must be noted, however that the interaction of cultural entitlements inevitably places additional burdens on local authorities at a time of diminishing financial resources. The prerequisites of cultural entitlements are community engagement, community development, staff development, expanded and enhanced delivery mechanisms, as well as improved resources and transport. Whilst review and rationalisation of available resources by the authority may be capable of meeting some of these demands, it is unlikely to meet all of them. External funding may also help to meet demand, but if a short-term project based approach is to be avoided more strategic, long term funding streams are required in the form of core funding to local authorities through the Scottish Executive, Creative Scotland and National Cultural Bodies.

Q2 If you believe further or alternative measures are necessary, what are they?

Cultural funding per capita through the Arts Council, Scottish Executive and National Cultural Bodies has been historically low across the Ayrshire Councils not just in South Ayrshire Council. If the intent of the Cultural Bill through cultural planning and a quality assurance framework is to create a uniformity of quality national provision across a range of art forms, there is a strong argument to redress any imbalance of funding.

The guidance notes require Local Authorities to explain how they have considered using the framework of their Community Planning Partnership to deliver cultural planning. A specific recommendation that Cultural Planning Partnerships are established with a formal link to community planning would ensure a more formal commitment of resources, skills and knowledge by cultural partners as part of a national network.

A significant re-skilling and awareness raising for volunteers, cultural planning partners, Elected Members as well as Council Officials across community learning, enterprise, education, economic development and tourism, health and well being and community regeneration will be required. The re-skilling and encouragement of these stakeholders will be crucial if "bottom-up" cultural development approaches are to be effectively applied. This will require additional resourcing and support in the form of guidance notes or training toolkit.

The Authority recognises the important role, which National Cultural Bodies can play in helping to drive up the quality of local provision. The Authority welcomes the opportunity to work in partnership with them. A specific requirement for National Cultural Bodies to commit to local cultural planning process would strengthen the Bill.

Creative Scotland must work productively across all Local Authorities. The guidance note could recommend that Creative Scotland appoints Partnership Managers to assist and support Local Authorities in designing local cultural plans which are both consistent with local need and meet national cultural objectives. The plan once approved could act as a reference to draw down funding and engage National Cultural Bodies.

Q3 How do you think the Scottish Executive and local authorities can best utilise the influence and impact of cultural activity

The National Cultural Strategy (2000) defined culture as 'including aspects of lifestyle such as sport and leisure'. The draft Culture Bill's scope is limited to arts, heritage resources, museums, libraries and archives without reference to sport and leisure. By integrating sport within the Bill, the Executive could open further opportunities, which could include:-

- The rationalisation of the Active Schools and Cultural Co-ordination programme as part of an approach to providing more integrated services to children and young people through culture out with the school curriculum, whilst also providing opportunities for more sustainable core funding of both programmes. This could be part of an approach, which saw other culture funded programmes such as Creative Links and Youth Music Funding also down-loaded to Local Authorities to reintroduce the principle of local cultural planning being closer and more accountable to local community need.
- Cultural planning requires to permeate all Local Authority functions; and it will require to be evidenced in service plans and within an authority's corporate plan. Future national guidelines documents for community safety, health and well-being, education and economic development, lifelong learning and the environment should stress the requirement to adopt cultural planning approaches and deliver cultural outcomes.
- The Scottish Executive can assist the improvement of cultural provision, through the up-skilling of cultural workers and stakeholders by making available training plans and other tool kit resources to Local Authorities.
- Pilot programmes such as the Cultural Pathfinder projects to explore best practice and to disseminate findings to other Local Authorities should be encouraged as part of a continual improvement approach, and to encourage partnership working between neighbouring authorities.

Q4 Do you think the initial draft Guidance under this part of the Culture Bill is clear and helpful. Is there anything else it should contain?

The suggestion of trust status for libraries and museums within the legislation would require further consideration by the Authority. There may be potential benefits for Local Authorities to manage their services through charitable trusts. It may provide a way forward for different types of service provision, and there may be benefits in relation to domestic rates, VAT and property assets, which could be reinvested back into the service. These claims require to be carefully considered and weighed against the 'arms-length' principle which could distance libraries and museums from Local Authority controlled processes including community, as well as corporate and departmental service planning.

The Authority generally considers the draft Guidance to be clear and helpful, and welcomes the collaborative approach being employed by the Scottish Executive in the development of the finalised Bill.

Q5 Do you agree that there should be single national cultural development body.

The authority agrees with the principle of a single national cultural development body.

Q6 Do you agree with the remit proposed for Creative Scotland? Has it the right powers and functions?

The functions identified for Creative Scotland in the Bill include:

- Promoting an understanding, appreciation and enjoyment of the arts and culture.
- Identifying and developing talent.
- Supporting and developing excellence.
- Realising the value and benefits (in particular economic value and benefits) of the arts and culture.
- Rationalising access and participation in the arts and culture.

Clearly there is considerable room for duplication of Creative Scotland functions with Local Authority delivery. One way to avoid this is for Creative Scotland to work in partnership, with Local Authorities to produce and agree 'cultural implementation plans' which guide collaborative action and act as a mechanism for calculating and approving funding.

This approach would capitalise on the skill sets represented by both organisations in terms of artistic and cultural expertise through the National Development Body, and the enterprise and business development skills resident within Local Authorities.

Outwith the scope and function of Creative Scotland, and the Culture Bill is the requirement to integrate sport and leisure based entitlements to widen participation. If lifestyle and wellbeing are to be comprehensively enhanced through a more rounded definition of culture, it is important that this exclusion is recognised and remedied.

The Creative Scotland Board would benefit from the inclusion of a Local Authority representative. This would help to ensure that good partnership working is observed between Creative Scotland and Local Authorities, as well as recognising the role of Local Authorities as key democratic components, planners and resources in cultural delivery.

Q7 Do you agree that Creative Scotland, should work in concert with the Scottish Executive to implement national cultural policy.

The Authority believes Creative Scotland should work in concert with the Scottish Executive and Local Authorities. Creative Scotland has a unique opportunity to widen its available skill set through strong partnership plans with Local Authorities, which will ensure culture is delivered at grass roots levels within communities.

Q8 Do you agree that the National Collections should remain as constitutionally separate centres of excellence?

The authority supports the National Collections remaining constitutionally separate centres of excellence. This will ensure clarity in terms of function and policy, and preserve variation in presentation, whilst maintaining access to specialist expertise.

Q9 Do you think the powers and functions proposed for the Collections in the draft Bill are right? If not, how would you improve them?

The powers and functions are reasonably correct. The authority welcomes the role of National Collections to offer advice and assistance to local museums, galleries and libraries. Hopefully this will improve diversity of access.

Q10 What do you think of the name 'National Record of Scotland'?

The suggested name gives no indication of purpose. Perhaps "National Record of Monuments, Scotland" would be an improved title.

Q11 Do you agree that the Faculty of Advocates should be able to contribute to the board of the National Library by having at least one representative?

The Authority believes board members should add value as a consequence of the skills and expertise they hold. "Ex-officio" appointments may not necessarily bring this level of specific expertise.

Q12 Do you agree that the Collections have the appropriate powers to obtain, loan and dispose of objects for or from their collections: If not, what would you change?

The appropriate powers appear to be invested in the Collections. The Authority would like to see collections more widely dispersed, with financial support for receiving museums to achieve the appropriate standards of environment and security. The Collections could be a channel for grants for this. Perhaps the grant side of SMC could be transferred to the Collections. A move towards a "one stop shop" for advice, expertise and grant might greatly facilitate matters for time poor local museum staff and volunteers. At present, three different approaches to at least three different places are required.

Q13 Do you agree that an offence similar to that in the 2003 Act should be introduced in Scotland?

Yes. Because Criminal Law is a devolved matter the 2003 Act did not extend to Scotland. This provision will bring Scotland into line with England, Wales and Northern Ireland. This is appropriate as the offence has an international as well as national dimension.

Q14 Do you agree local authorities should have a general power to broadcast information about their activities?

Yes, Local Authorities should have a general power to broadcast information about their activities, either through third party broadcasting licence holders, or by acquiring an appropriate broadcast licence.

Q15 Do you think it is necessary to give authorities this power in this Bill, or should local authorities be left to rely on 'the power to advance well being' in section 20 of the Local Government in Scotland Act 2003?

Yes, there is more information to be provided than simply matters relating to "well being", and Authorities in Scotland, like those in England and Wales, should be able to broadcast television and radio to provide information to the people in their area about what they are doing to fulfil their responsibilities, what they would plan to do, and how they would like the people of their areas to respond and provide feedback on Local Authority matters.