



Draft Culture (Scotland) Bill and Draft Guidance on Cultural Planning and Provision of Local Cultural Entitlements

Response from SOLACE (Scotland)

- **Introduction**

SOLACE (Scotland) is pleased to have the opportunity to respond to the Draft Culture (Scotland) Bill and the Draft Guidance to local authorities on cultural planning and the provision of local cultural entitlements.

In broad terms, SOLACE (Scotland) welcomes the Draft Bill and Guidance. They position culture at the heart of policy-making within Councils, and recognise the important role that culture plays in meeting local authorities' corporate objectives. The Draft Bill represents a valuable commitment to increasing participation in culture, enhancing the quality of cultural provision, and redressing imbalances in access to culture across Scotland. In addition, it places a vital emphasis on local decision-making, encouraging local authorities to build on existing successes in responding to community needs and aspirations.

We wish to draw particular attention to the following points:

- SOLACE (Scotland) endorses cultural entitlements as a means to increasing participation in cultural activities.
- SOLACE (Scotland) does, however, have reservations about the requirement for local authorities to develop, deliver and evaluate cultural entitlements within their existing budgets. We seek reassurance that the Culture Bill will not result in financial detriment to local government in Scotland.
- The requirement to monitor and evaluate cultural entitlements without additional funding is particularly concerning, as it is well established that quantifying the instrumental benefits of cultural activity is inherently difficult and controversial. SOLACE (Scotland) therefore seeks reassurance that the proposed Quality Assurance Framework will be fit for this purpose.
- We suggest that the requirement for Ministers to request a range of information on the planning of culture is incompatible with the Scottish Executive's commitment to reducing the administrative burden of planning and performance reporting.

- As local authorities are the biggest provider of cultural resources in Scotland, representation from local government should be guaranteed on the board of Creative Scotland.

These points are further explained below, in the responses to some of the specific consultation questions.

Consultation questions

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

SOLACE (Scotland) fully supports cultural entitlements as a means to increasing participation in cultural activities. Indeed, this is an area in which we have a significant track record, having chaired the Customer First Sub-Programme Board on the National Entitlement Card. The issue of almost one million entitlement cards to older people and the disabled in the context of free bus travel was the biggest multi-application card scheme in the UK public sector: SOLACE input was crucial to that achievement.

As a result, SOLACE (Scotland) is conscious of the vital role which entitlements can play in increasing access to cultural and leisure services, by offering free, discounted and targeted services to the population at large, as well as particular 'hard to reach' groups. While, as the Draft Bill notes, entitlements are already in place in local authorities, the requirement for councils to publicise information about their entitlements, and how these can be accessed, can only increase their uptake.

We are supportive of the response to the consultation from the National Entitlement Card Scheme, which emphasises the unique opportunity which now exists in the context of the citizens account concept to exploit the services and technologies currently delivered by the NEC in order to increase cultural awareness and participation. The link with Young Scot/ Dialogue Youth/ Euro 26 is particularly important in this regard and the combination of the National Entitlement Card and the Young Scot portal, with its arts and culture information sections - jointly produced by Young Scot and the Scottish Arts Council - provide existing mechanisms which have a significant contribution to make to the delivery of a cultural entitlement to young people. It is also important to note that the National Entitlement Card Scheme is already working on the feasibility of implementing a national rewards and incentive scheme.

It should be emphasised that cultural entitlements alone cannot guarantee increased levels of participation in culture. A holistic approach is required in order to identify and overcome those structural factors which inhibit participation in culture: for example, where participation in cultural activity is inhibited by transport provision, this can only be addressed by a national approach.

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

Resourcing

SOLACE (Scotland) understands that, under the terms of the Draft Bill, local authorities will be required to map their existing cultural provision, conduct consultations and develop entitlements, publish information about those entitlements, ensure their delivery, and monitor their impact and uptake. Each part of this process is a significant undertaking, and, as outlined below, the measurement and evaluation

of the wider impacts of culture are particularly resource-intensive. While the Minister's announcement of a £20 million increase in Scottish Executive spending on culture is most welcome, there is no indication that any of this will be disbursed to local authorities. Indeed, the Draft Guidance notes that local authorities will have to work within "existing revenue and capital budgets" to develop cultural entitlements, and presupposes that these spending decisions will be able to take into account "investment from partners' budgets". As a result, we seek reassurance that there will be no financial disadvantage to local authorities as a result of the development, introduction and delivery of cultural entitlements.

Cultural Planning

The Draft Guidance indicates that each local authority will be required to: "make adequate provision of culture for the people in their area". From a management perspective, it is positive that the Draft Bill does not attempt to define what constitutes 'adequate' provision, and this will therefore be the responsibility of each local authority to determine.

The Draft Guidance, rightly, stresses the partnership approach to undertaking cultural planning. Harnessing cultural activity to help achieve strategic policy objectives will not succeed if only carried out by the cultural services departments of local councils. Rather, a collaborative approach is crucial if this is to be successful. Therefore, SOLACE (Scotland) seeks reassurance that provision can be made for securing the commitment and involvement of other community planning partners. Meeting this cross-cutting agenda requires an integrated response, with a means of ensuring the engagement of delivery partners in social work, education, housing, transport, health, economic development, amongst other areas.

Monitoring and evaluation

SOLACE (Scotland) notes that Ministers will be able to request information on how cultural provision is being used to deliver on a range of strategic "policy objectives not directly associated with culture, e.g. tackling anti-social behaviour, improving mental and physical health and building safer and more attractive communities". The Draft Guidance presupposes that "cultural entitlements can contribute to local authority objectives". The evidencing of this is a complex area, and one in which we would urge caution.

The Draft Bill and Guidance is correct in noting that research has demonstrated associations between cultural activity and other policy outcomes (e.g. in crime, regeneration, and improving health and well-being). Equally, however, the available evidence also tends to emphasise that evaluating these wider impacts is complex, time-consuming and costly¹. Thus, in collecting information from local authorities about the role of culture in achieving cross-cutting agendas, Ministers must be aware that the evidence can only demonstrate association, *not* causality. Moreover, while quantitative metrics can indicate the extent of a wider policy impact, qualitative measures are necessary to investigate the nature of that impact.² The measurement of the instrumental impacts of cultural activity in an area is an inherently complex area. As a result, SOLACE (Scotland) has reservations that evidence of the wider impacts of cultural activity can be effectively captured using a quality assurance framework.

¹ *A Literature Review of the Evidence Base for Culture, the Arts and Sports Policy*, Edinburgh: Scottish Executive Education Department, February 2004, pp. 14, 29, 61.

² *Ibid*, p.13

SOLACE (Scotland) notes that the use of the strategic Quality Assurance Framework “will be required in the version of the guidance that is issued formally”. We welcome the principle that any quality assurance framework should be outcome-focused. Equally, however, we believe that any successful quality assurance framework must:

- not stifle innovation
- be cost effective
- be compatible with other quality assurance and performance frameworks
- not result in duplication
- reflect the outcomes of the Crerar review

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

As the Draft Bill correctly recognises, cultural activity can play a significant role in contributing to a range of strategic policy objectives including regeneration, social inclusion, community safety and health and well-being. Successfully realising the impact of cultural activity requires an integrated and holistic approach: just as cultural planning cannot be confined to the cultural services departments of local authorities, so too must Scottish Executive departments beyond Tourism, Culture and Sport commit and contribute to this agenda.

3. 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?

Definition of culture

It is notable that, in concerning itself with ‘the arts, heritage resources, museums, libraries and archives’, the Draft Bill and Guidance restricts itself to a narrower definition of culture than that espoused by the 2000 National Cultural Strategy, which defined culture as ‘including aspects of lifestyle, such as sport and leisure’. Already within Scotland certain councils are developing a cultural strategy using the latter, more inclusive definition.

SOLACE (Scotland) acknowledges that the Draft Bill adopts a flexible approach to the development of cultural entitlements, with the emphasis being given to local community priorities. Nevertheless, we would seek reassurance that Councils which develop sport- and leisure-based entitlements will not be penalised for using the wider definition of culture. In addition, we would welcome consistency of approach in the two interlinked policy areas of culture and sport, allowing an integrated and effective approach to the planning, delivery and monitoring of both.

Reporting

SOLACE (Scotland) notes that Ministers will be able to request a range of information from local authorities regarding their planning and provision of culture. The purpose of this is not clear, however, and there is no indication what Ministers will then do with this information. As a result, we question its necessity and suggest that it represents an unnecessary administrative burden for local authorities. Indeed, it is incompatible with the Scottish Executive’s own stated commitment to reducing the burden of planning and performance reporting, as outlined in *Transforming Public Services*.

Creative Scotland

The relationship between Creative Scotland and local authorities is mentioned briefly in the Bill, but does not feature in the Draft Guidance. This requires further clarification. In particular, SOLACE (Scotland) calls for further information on what, if any, role Creative Scotland will play in the development of cultural entitlements at local authority level.

4. Do you agree that there should be a single national cultural development body?

The merger of Scottish Screen and the Scottish Arts Council makes sense from an economic perspective, allowing for rationalisation of resources, and increased efficiencies resulting from the combining of back office functions.

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

As yet, the role of Creative Scotland is not fully defined. In particular, its relationship with local authorities and its role in helping to develop cultural entitlements needs further elucidation. SOLACE (Scotland) would caution against any approach where local authorities are encouraged to focus on increasing participation locally, while Creative Scotland aims to enhance excellence nationally. It is vital to recognise that 'excellence vs. access' is a false dichotomy.

The remit proposed for Creative Scotland within the Draft Bill is striking in its breadth. Consideration should be given to whether supporting talent and excellence and pursuing economic development will always be mutually compatible.

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

SOLACE (Scotland) seeks clarification on which particular areas Creative Scotland will advise the Executive, given that other bodies (e.g. Scottish Museums Council; Scottish Library and Information Council) already perform an advisory function.

SOLACE (Scotland) notes, with some concern, that there will be no guaranteed nominations from local government to the Board of Creative Scotland. Given that local authorities are the largest providers of cultural resources in Scotland, it is important for local government to be represented on the Board of Creative Scotland; we would welcome reassurance that this will be the case.

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

SOLACE (Scotland) welcomes the proposal that, while the National Collections will remain as constitutionally separate centres of excellence, efforts will be made to help them work more closely together.

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

We note that the National Collections should have a statutory duty to advise and offer assistance to local museums, libraries and galleries. There is the possibility of reciprocity here, with local government perhaps being able to offer assistance to the National Collections.

Enhancing access to the National Collections should be a key objective. The prospect of nationally significant exhibits being displayed in different parts of the country is particularly gratifying in this respect: such a development would play a vital role in overcoming geographical barriers which inhibit access to museum and gallery collections

We also welcome the proposal that, consistent with the shared services agenda, the National Collections should work more closely together to increase efficiencies by rationalising common support functions, where appropriate. We also believe that efforts by the National Collections to enhance the coordination of their strategies and exhibitions, and explore possibilities for joint exhibitions, will result in significant artistic gains.

9. 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?

It is entirely appropriate that the board of the National Library should include representation from its key stakeholders.

10. 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?

Enhancing access to the Collections should be a key criterion when considering whether or not to loan objects. SOLACE (Scotland) would wish to see items in the National Collections regularly exhibited throughout Scotland.

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

This name is unlikely to convey to the public the purpose or role of the institution.

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

SOLACE (Scotland) fully endorses the proposal to introduce an offence similar to that in the Dealing in Cultural Objects (Offences) Act 2003.

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

Yes. SOLACE (Scotland) believes that it is important for local authorities to have the power to broadcast information about services in their area. The provision in the Draft Bill offers welcome rectification of a historical anomaly.

14. Do you think it is necessary to give authorities the 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?

It is important that the power is given in this Bill, as this will provide local authorities with clear, unequivocal powers to broadcast information about their services.

*[Response compiled by
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