

**RESPONSE TO CULTURAL COMMISSION QUESTIONNAIRE****PRIORITY QUESTIONS**

- 1 MAR 2005

- 1. How should cultural rights and accompanying entitlements and responsibilities be used to develop both cultural policy and appropriate standards for the provision/delivery of culture in Scotland?**

Cultural rights are not only important in relation to personal development and community and national identity. The provision that would be made to enable people to exercise these rights would make a significant contribution to regeneration and community development and there is an increasing body of evidence to support this. It is believed that the establishment of basic cultural rights supported by a set of entitlements would be an important step towards achieving the Scottish Executive's objectives of widening access to cultural opportunities and enabling people to develop their talents.

The establishment of such rights and entitlements is no guarantee that people will take them up. Much needs to be done to extend awareness of and increase interest in our rich and diverse culture. There is also an urgent need to take stock of the resources required to support a proper infrastructure of cultural facilities and provide adequate support for cultural organisations both nationally and locally.

The development of appropriate standards of provision should be addressed at national level. However, these need to be realistic and attainable as well as aspirational, and should be developed in consultation with providers and deliverers of cultural activity.

- 2. Should cultural rights be enshrined in law?**

While it is tempting to answer "yes" to this, as a way to ensure the provision of cultural rights, there must be a suspicion that a Scottish Parliament Act would contain the usual vague and non-specific terms such as "adequate", "reasonable", etc, which would inevitably be open to interpretation. It would be better to concentrate on pushing up cultural standards through strong policies, both nationally and locally, and by providing a good framework for the future.

- 3. Should cultural rights, entitlements and responsibilities reflect or link to other areas of social policy, such as inclusion or social justice and, if so, how?**

Not necessarily. Social policies, or their emphasis, tend to change fairly rapidly, and cultural rights and entitlements should stand on their own as desirable and necessary in a civilised society.

**4. Who should have guardianship over cultural rights, entitlements and responsibilities and how should they exercise their authority, particularly in relation to non-conformance?**

There has to be a national framework to monitor this, whether directly by the Scottish Executive or by an independent body.

**7. What role should the Scottish Executive play in cultural leadership, how should it interface with the cultural sector and what influence should it have, if any, over cultural policies and priorities?**

There is a need for the Scottish Executive to demonstrate a clear commitment to cultural development.

There should be a clearer line of responsibility for strategic policy and funding decisions at national level to the Minister and their Scottish Executive department with potential implications for the future role of civil servants. At the same time, it is advocated strengthening the position, role and power of independent advocacy, expert advice, and public scrutiny within the sector. This requires a fundamental realignment of the relationship between the Scottish Executive and the national body responsible for culture.

**9. Who should appoint the leadership of the cultural sector and to whom the leadership be answerable?**

Independent advisory boards for museums, libraries, arts and creative industries and heritage would serve as powerful advocates, and policy advisors for these sectors. They could have direct links to, but independent from, the Scottish Executive and would be free from direct responsibility for national policy and funding distribution. These Boards would comprise a mix of appointed specialists and experts from across the public, private and voluntary sectors. Each of the Advisory Boards would have the support of small strategic agency function and policy executive. This could be from existing organisations such as Scottish Museums Council, Scottish Library and Information Council, and a stream-lined and reorganised Scottish Arts Council. For Museums, the make up of the Board and its constitution, could reflect the type of "Scottish Museums Partnership" being called for by bodies such as SLAM and SMC and could be the model followed by other sectors. However the preferred model would be to bring the sectors together under a newly created umbrella organisation say the "Scottish Cultural Council" possibly with sector specific sub-committees.

- 13. How do we give artists a stronger voice in the decision-making (planning and funding) processes at national level and how should artists be effectively represented and consulted?**

Via the kind of advisory bodies mentioned in 9. above. All sectors should be able to vote representatives on to such bodies.

- 15. How can we ensure the appropriate strategic and operational alignment between Scottish cultural agencies/organisations and UK cultural agencies operating in Scotland?**

There is a need to avoid operational barriers, so appropriate mechanisms require to be put in place to ensure good communication among the organisations concerned.

- 17. What should be the scope (timeframe, level of detail, etc.) and authority of any new pan-sectoral planning regime?**

This is difficult to answer at this stage. It will take considerable discussion across the sectors.

- 18. What should be the governance (representation, etc.) of any new pan-sectoral planning regime and what role should the Scottish Executive and local authorities play in the process?**

This is difficult to answer at this stage. It will take considerable discussion across the sectors.

- 19. Who should represent the individual cultural sectors in any new pan-sectoral planning process?**

This is difficult to answer at this stage. It will take considerable discussion across the sectors.

20. **How should any new planning regime reflect the differing needs, priorities and traditions of artists and communities across Scotland?**

This is difficult to answer at this stage. It will take considerable discussion across the sectors.

23. **How and by whom should the division of funds between the individual cultural sectors be decided and how should we establish appropriate pan-sectoral evaluation criteria?**

The division of funds between cultural sectors has to be decided by a national cultural umbrella organisation, independent of the Scottish Executive. How that is done would be one of the main priority tasks of that body.

24. **How and by whom should the division of funds within individual cultural sectors be decided and how do we ensure that these funding arrangements support the achievement of pan-sectoral and inter-sectoral objectives?**

Division of funds within individual sectors could be devolved to the advisory boards mentioned in 9.

25. **How and by whom should the funding awarded to national companies be decided and what sort of funding arrangements should be in place?**

Funding for national companies should come directly from the Scottish Executive. An assessment of the purpose, remit and financial requirements of each national company should be carried out, with agreed standards and criteria for future funding then put in place.

26. **What influence, if any, should national agencies have over local authority spending decisions?**

While the role of national agencies will inevitably influence local authority strategies, there should be no direct link to local authority spending decisions.

29. **What are the opportunities to move to a more co-ordinated approach to capital planning and corresponding grant allocation (including lottery funding) in Scotland and how should such an approach be organised and managed?**

It would be an opportunity to develop a national capital investment strategy, managed by the Scottish Executive. However, lottery funding should continue to be kept at arms length from the Scottish Executive.

- 30. Should a certain amount of state money be 'guaranteed' for the traditional and indigenous arts or should all cultural output be judged strictly on its artistic merit?**

This is a difficult area. Generally speaking, cultural output should be judged purely on merit, but there is a strong feeling that certain traditional art forms, e.g. folk music, have received less than their fair share of funding in recent years. It should be the aim of future funding bodies to ensure that indigenous cultures receive an appropriate share of money, without the need for guarantees.

- 31. How can we improve the process for awarding 'initiative-based' funding to cultural organisations, particularly monies linked to other governmental initiatives (social inclusion, health, etc)?**

As government initiatives tend to be time limited, and loss of funds then often makes projects unsustainable, 'initiative-based' funding should be discouraged.

- 35. How do you establish proper standards of outcome, output, process and governance without compromising artistic integrity and/or local empowerment to meet local needs?**

With great difficulty. The cultural environment is not one which sits easily alongside targets, attainment outcomes and boxes to be ticked. While standards have to be in place, there needs to be sufficient flexibility to avoid stifling artistic expression.

- 37. How do we achieve appropriate quality and consistency of evaluation within and across the cultural sectors?**

So much cultural activity is evaluated subjectively, even by 'experts', that consistency will never be easy to establish.

- 38. What sanctions should a funding body have against a funded organisation that does not meet the required standards and what rights of appeal should funded organisations have if they feel they have been incorrectly or unfairly adjudged to have not met the standards defined by their funders?**

The ultimate sanction is withdrawal of funds, but it would be sensible for funders to have an agreed and open process in place to discuss performance with funded organisations on a regular basis.