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Our Ref SG/SN
Your Ref
Date 23 February 2005

Dear James

I am pleased to enclose a submission to the Cultural Commission which represents the views of Dundee City Council, following consideration by the full Council on 21 February.

I look forward to the opportunity for the Citizens of Dundee and the City Council to engage further with the developing Commission's thinking over the coming weeks and months.

Yours sincerely

Steve Grimmond
Director of Leisure and Arts

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DUNDEE CITY COUNCIL

REPORT TO: Leisure and Arts Services Committee – 21 February 2005

REPORT ON: Cultural Commission Response

REPORT BY: Director of Leisure and Arts

REPORT NO: 90-2005

1.0 PURPOSE OF REPORT

1.1 To consider a response to the Cultural Commission.

2.0 RECOMMENDATIONS

It is recommended that members:-

2.1 Agree the attached response to the Cultural Commission.

3.0 FINANCIAL IMPLICATIONS

3.1 None.

4.0 LOCAL AGENDA 21 IMPLICATIONS

4.1 The proposals contained within this response emphasise the importance of local cultural provision being defined and delivered locally for the benefit of all citizens.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 The proposals in this response would ensure equality of access for all citizens.

6.0 BACKGROUND

6.1 A National Review of Culture was launched in April 2004. An independent Cultural Commission, chaired by James Boyle, formerly chair of the Scottish Arts Council, has been established to undertake a year long review of all existing cultural provision in Scotland. The Commission is made up of members drawn from across Scottish society and including 2 local government professionals. The scope of the Commission's work includes the arts, creative industries, museums and heritage, galleries, libraries, archives, architecture and relationships to events, festivals and sports. The Commission will complete this work by June 2005 following the publication of an interim report in November 2004. One of the key challenges for the Commission is to produce a meaningful definition of cultural rights. The Commission is expected to describe a scheme of entitlements and identify how these entitlements can be produced at regional and local level. The Commission has also been asked to make recommendations for redefining the infrastructure and governance of the cultural sector to enable it to deliver cultural rights. Themes already established by the Culture Ministers original establishing the Commission included Best Value; Trimming Unnecessary Bureaucracy in order to release resources; Maximising Resources through Collaboration, Co-ordination and Co-operation; and Integration with Education.

- 6.2 As part of the consultation exercise, the Commission has sought the views of local authorities on a wide range of key issues.

Rights and Entitlements
 Pan-sectoral Planning
 Funding Arrangements
 Cultural Leadership
 Standards and Evaluations
 Operation and Administration
 Local Authorities
 Regional Bodies
 National and Cross-Cutting Issues

COSLA has responded to the establishment of the Cultural Commission by establishing an Officer Member Task Group in partnership with VOCAL (Voice of Chief Officers of Cultural, Community and Leisure Services in Scotland) tasked with developing a coherent, well-evidenced, local government view of the issues that the Commission has been remitted to consider. The Task Group hopes to report to the COSLA leaders Group in February 2005 prior to making a detailed submission to the Commission. The Director of Leisure and Arts is a member of the Task Group.

- 6.3 In considering Dundee City Council's response to the Cultural Commission cognisance has been taken of the emerging themes and issues being considered by the COSLA Task Group. While ensuring that these issues are considered primarily from a Dundee perspective it is envisaged that there will be a strong degree of synergy with the likely COSLA response.

7.0 DUNDEE CITY COUNCIL - CULTURAL COMMISSION SUBMISSION

Local authorities remain easily the largest providers of resources to culture in Scotland collectively spending over £500m on cultural provision (according to the CIPFA Ratings Review 2004-2005). The national cultural strategy, 'Creating Our Future, Minding Our Past', states: "local authorities are responsible for the majority of public support for cultural provision and access".

The overdue recognition of the central role of Scottish local authorities in cultural matters was a significant outcome of the 1993 Arts Charter process. It stated: "Local authorities are the structural pivot of cultural life in Scotland." Historically too they have adopted a broad definition of arts and culture.

In addition, over the past decade, Dundee City Council, along with a number of Scottish local authorities have been at the forefront of developing cultural policies and services which have sought to reflect wider community interests and needs. A result was to increase access, challenge narrow definitions of arts and culture, enhance the role of the voluntary sector, develop new partnerships between sectors such as education, economic development and health, and to nurture personal and community confidence as well as pride in local traditions, achievements and abilities.

Crucial too has been Local Government's role in developing overarching cultural policies which reflect and support voluntary, independent and private sector roles. This has encouraged an integrated approach across all council services from education to social work, housing, economic development, planning, parks, transport and culture and leisure services themselves. This has helped embed cultural thinking and cultural perspectives in corporate plans and objectives. This partnership approach has secured the place of cultural services and policy within local and national social, education and regeneration strategies.

Local authorities give substantial and sustained support to culture from investment in national institutions to local arts activity. In Dundee these include:-

- Arts and sports education and activities in and out of school
- Arts and sports opportunities for young people and adults through community learning and development
- Libraries
- Museums and galleries
- Theatres and arts venues
- Public halls and community centres
- Cultural events
- Work to promote and develop the arts
- Leisure facilities
- Sports development
- Parks and public open space
- Financial support to independent cultural and sporting organisations and talented individuals

These resources amount to more than all the other cultural funding regimes put together. In providing Dundee's significant support, we encourage the organisations we fund to align some of their activities to broader government and local objectives. In large measure this has been a fruitful synergy of mutual benefit. It also means that cultural and sporting activities help support policies for economic regeneration, community empowerment and development, participation, learning, diversity, social justice and crime reduction.

7.1 Cultural Rights and Entitlements

7.1.1 The concept of Cultural Rights has emerged as a global issue through both work that the United Nations undertook in 2002 (defining Cultural Rights as an integral part of human rights) and the development of a European Agenda 21 for Culture, which recognises cultural identity as a basic dimension of social inclusion. Consistent with this and Scotland's devolved settlement, we believe culture should play a crucial role in defining, preserving and developing the cultural identity of the individual, of communities and of the nation as a whole.

7.1.2 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. We believe 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.

Cultural rights should be based on the principles of every citizen in Scotland having the right to access an extensive range of local cultural provision and everyone having the means of understanding and accessing a wide range of cultural experiences.

We would propose that the following broad cultural rights are defined.

The right to health and wellbeing

Every citizen in Scotland should have the right to participate in cultural, sporting, recreational and social activities to contribute to a general sense of balanced health and wellbeing.

The right to explore, express and extend your cultural identity

Every citizen in Scotland should have the right to experience the diversity of Scotland's culture.

The right to develop cultural talents

Every citizen in Scotland should have the right to fulfill their creative potential.

The right to literacy

Every citizen in Scotland should have the right to opportunities which will ensure literacy.

The right to an aesthetically satisfying environment

Every citizen in Scotland should have the right to experience an environment which demonstrates local distinctiveness, variety and beauty.

The right to help shape and design cultural policy and provisions

Every citizen in Scotland should have the opportunity to be involved in helping shape local cultural policies and provision.

7.2 **A New National Culture Bill**

7.2.1 If cultural rights are to be promoted effectively and providers are to be able to meet rights and entitlements changes will need to be made in the governance and management of the cultural sector. A new framework is required for developing and implementing cultural policies and strategies at both national and local levels. There is a case for underpinning such arrangements with new legislation. We propose a National Culture Bill to be brought forward to both enshrine and ensure the realisation of cultural rights.

The bill should:-

- Enshrine the key cultural rights outlined above
- Enshrine a number of existing national entitlements, including those which local authorities have statutory responsibility for, such as: Ensuring the adequate provision of facilities for sporting, recreational, cultural and social activities and of libraries including free access to borrowing books via the National Library Network.
- Consider the establishment of other new national entitlements. These would largely be the responsibility of public bodies such as local authorities to ensure they are met – and would require adequate resources from the Executive to do so - but could include free music tuition in schools.

- Require the production of a Local Cultural Strategy for each local authority area in Scotland as a core part of the Community Planning process.

A legislative requirement to produce a Local Cultural Strategy will help ensure that a comprehensive approach to the local development of culture is pursued.

7.3 **Governance of the Cultural and Sporting Sector**

This new Agenda for cultural rights and entitlements has to be under-pinned by a modernised structure for the governance of the cultural and sporting sector. This should be a structure that reinforces those principles that are at the heart of The Agenda 21 for Culture, i.e. supporting democracy, and democratic accountability, and widening access to cultural rights as part of the development of sustainable communities. It needs to be a structure supported by legislation that gives "teeth" and obligations for the planning and delivery of cultural entitlements and appropriate cultural provision to support the citizens of Scotland in exercising their cultural rights. It also needs to reinforce the principles of devolved decision-making and development of the crosscutting agenda if widening cultural access at the community level is to become a reality. A modernised structure will also need to address some of the issues of complexity, duplication and lack of clarity in respect of roles and responsibilities which are prevalent in Scotland's institutional landscape for culture and sport. This is particularly pertinent at a time when there will be increasing pressures on public spending, and a requirement to demonstrate how the public sector is meeting the policy agenda for efficient government.

7.4 **Governance at National Level**

- 7.4.1 At the national level, there should be a clearer line of responsibility for strategic policy and funding decisions at national level to the Minister and his or her Scottish Executive department, while, at the same time, 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 NDPBs (Non Departmental Public Bodies) responsible for culture and sport, and their respective roles. It must be remembered that the single focus NDPBs were set up in the period after the war for a particular purpose and significant change has taken place since then including a more "joined up" approach to Government policy. It should also be consistent with a desire to reduce bureaucracy and the extent of public quangos.

Devolution requires a reassessment of that relationship. The remit of the Cultural Commission, and the potential for a future Scottish Culture Bill provides that opportunity.

- 7.4.2 At present, the NDPBs act as advisers to the Scottish Executive, advocates to the Scottish Parliament and the general public about the importance of their subject area, and service deliverer in their own fields including the distribution of government and Lottery funding. However, their ability to act as independent advisors and advocates for their sector is arguably seriously compromised by the perception that they are seen as arms of government with little ability to operate outside government policy and constraints particularly when they are responsible for coordinating national policy and distributing significant funding streams to the sector. At the same time, there is growing recognition within Scottish Executive policy of the potential significance and role that culture, sport and heritage can play within an integrated and joined up approach to Scottish Executive policy. This requires a more joined-up response from the cultural and sporting sector. This type of response is more likely to come by strengthening the policy and funding roles of culture, heritage and sport within the Scottish Executive as opposed to relying so heavily on the single focus NDPBs. This would at the same time provide the opportunity to provide a much more independent role for the NDPBs as advocates and advisors to the Scottish Parliament and the Executive or some future successor body without being compromised by the perception of being an arm of government.

7.4.3 New Ministry for Tourism, Culture and Sport

One way of achieving this would be to transfer policymaking and funding responsibilities from the NDPBs responsible for culture and sport, to a separate Ministry for Tourism, Culture and Sport within the Scottish Executive. This adheres to the principle of democratic accountability and would support the recent elevation of the status for the Minister of Tourism, Culture and Sport to full senior cabinet status. This Ministry would be responsible for the full development, monitoring and sustainability of Scotland's National Cultural Strategy and Sports Strategy with appropriate levels of policy, technical and research support. The new department would be responsible for funding the national companies and national programmes such as the Cultural Coordinator and Active School Coordinator programmes directly, as opposed to indirectly via arms-length NDPBs. As a consequence democratically – elected Ministers would be directly responsible for such decisions. Equally, for public sector spending programmes, a direct link with local authorities and community planning structures should again ensure greater democratic accountability, a more flexible and targeted approach in respect of community needs, and the avoidance of national funding streams having to be dispersed via a national agency.

Also, the new Ministry could house a strengthened Research Unit for Culture and Sport which could assist with improving the evidence-base, linking this with Scottish Executive's other policy priorities and informing future Spending Reviews. To succeed, will require experts in their fields to be drawn into the Scottish Executive, and the establishment of the new Ministry would hopefully create opportunities for career development within the sector.

7.4.4 Government spending

The new ministry would be responsible for grant funding the National Companies, Museums Galleries and Library and in sport, for funding the National Sporting Institute, and sports governing bodies. It would also be responsible for funding and monitoring national cultural development programmes such as The Active Schools, and Cultural Coordinators' programmes, and other national revenue programmes currently managed by the NDPB's. Furthermore it would be responsible for core, funding for those arts companies that are designated as having a national remit or acting as a national centre of excellence, with annual development and programme funding for these companies being devolved to local authorities on some form of ring-fenced basis.

It would also be appropriate for any new spending programmes such as the 'Significance Scheme for Collections of National and International Importance' being proposed by the museums sector or any new non-lottery capital investment funding based on a national capital investment strategy, to be managed by the Ministry

- 7.4.5 In this suggested model, truly independent advisory boards for museums, libraries, arts and creative industries, sport, and heritage and parks 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 a small *strategic agency function* and policy executive. This could be from existing organisations such as Scottish Museums Council, Scottish Libraries and Information Council, and a stream-lined and reorganised **sportscotland** and 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 the 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. In this respect, this proposal may not be too dissimilar to the “*National Cultural Partnership*” being called for by the Scottish Arts Council which states in its response to the Cultural Commission that a new National Cultural Partnership whose members represent national cultural interests could be an approach to the structural concerns. With policy direction set by the Minister for culture, this new body would have an arms length relationship with government. The arms length status is essential for its success as advocates for culture, which cannot be inhibited by political intervention”.

The strength of such a body in terms of its arms lengths status, and the range of expertise it could bring together on its Council Board would however be compromised by giving it powers to establish government policy and distribute government funding as with the current NDPBs. A ‘*Scottish Cultural Council*’ or ‘*National Cultural Partnership*’ should not be seen as an enlarged version or amalgamation of the current NBDs but a strategic and powerful advocacy body supported by a lean and streamlined policy executive and administrative function.

To give this body more “teeth”, independent reporting links to Parliament via Select Committee could be established as well as the ability to perform a scrutiny role on behalf of Parliament regarding matters of strategic significance at both national and local level. This body would also be able to provide an independent overview of culture and sport, and support and advise on areas such as research and continuing professional development.

7.5 **National Companies; National Library; National Galleries; National Museums**

- 7.5.1 It is suggested that funding for the National Companies as with the National Library, National Galleries and National Museums comes directly from the Scottish Executive.

7.5.2 Organisation and Administration

Local Government across Scotland and the UK in addressing the “*Efficient Government*” agenda is beginning to realise significant cost savings from the introduction of more efficient back-office operations under-pinned by changes in work practices, new IT systems, and economies of scale. It is reasonable to assume that if collectively, whilst retaining individual identity and Members Boards, a similar approach was taken by the National Companies and similarly by the National Library, National Galleries, National Museums and Public Records Office, comparable cost savings should be possible, particularly in areas such as human resource management, financial administration, and procurement.

7.5.3 Priorities

Reaching a wider and more socially inclusive audience through outreach and partnership work on a truly national basis should be a core part of the programme for the National Companies. This may be assisted by some degree of redirection of the type of efficiency savings described earlier. Also, there is a key role for the National Companies in supporting Scotland's tourism and cultural profile on an international stage through support to trade delegations/exhibitions and presence at international festivals.

7.6 Governance at Local Level

At a local level local authorities play a pivotal role both in the delivery of cultural opportunities and in planning for culture. Local authorities will continue to play a vital role in ensuring that cultural rights and entitlements are met.

Local authorities have a statutory responsibility for community planning. It is important that the role of culture is properly covered in community planning. The most effective way of doing so is through the production of Local Cultural Strategies that would sit within the Community Planning Framework. Local authorities should have responsibility for ensuring these strategies are drawn up and implemented, but they would do so in partnership with appropriate national and local bodies.

Local authorities have the resources, experience and expertise to lead the development and implementation of Local Cultural Strategies. They are also democratically accountable for what is planned and delivered.

Local Cultural Strategies could be expected to:-

Show how cultural rights will be met at local level

- Show how other national policies and priorities will be met including culture's contribution to cross-cutting policies on regeneration, social justice and inclusion, health and education
- Priorities for action and targets set within specified timescales
- Identify the resources required to deliver the strategy and how they will be secured
- Identify the roles of partners in delivering the strategy and how they will be secured
- Set out arrangements for monitoring and reviewing progress and updating strategies

Local Cultural Strategies should cover a three year period and that some kind of inspection or guidance regime is instituted to ensure they benefit from good practice lessons.

Local Cultural Partnerships should be formed to draw up and deliver Local Cultural Strategies. Partnership would be supported by local authorities.

Each strategy will need to consider how to address the barriers which restrict cultural access for many citizens. These include: poverty and exclusion; equalities issues; rurality; and educational under-achievement. Crucial to addressing these barriers will be co-ordination with other key strategies such as Community Learning and Development, Children's Services planning and school and public spaces strategies and physical planning policies. Here the role of cultural provision within partnership strategies should be recognised. These can build capacity, improve basic skills, address the needs of children, young people and families at risk, improve health and mental well-being and planning and design.

Partners could make pledges to ensure cultural rights are met. These pledges could be supported by setting out a number of entitlements for citizens generally, artists, arts organisations, particular age groups or sections of the community. These entitlements could include:-

- access to community facilities (such as halls, community centres or schools) which can provide opportunities to take part in cultural sporting recreational and social activities.
- access to provision for children's play
- access to public parks and quality open spaces
- the ability to participate in sport and physical activity through the local provision of indoor and outdoor sports facilities
- the possibility to experience local and national heritage including museums, heritage sites and attractions, natural heritage, townscapes and built heritage, literary heritage, local history and archaeology
- access to experience events that reflect local cultural heritage and the diversity of Scotland's cultures, traditions and languages
- the ability to experience the arts in Scotland including; performing arts, visual arts and crafts, literature, community arts, cultural traditions and the moving image. These should be provided through local provision of arts venues (such as theatres, galleries, art centres) and the inclusion of arts activities in multi-purpose facilities and through access to projects, performances, workshops, festivals and information
- having access to libraries and information resources including manuscript, printed, electronic, and multi-media material and community information and a right to literacy support and learning opportunities
- being involved in helping shape local cultural policies and provision through democratic processes including the development of Local Cultural Strategies and other ongoing dialogue
- being able to experience a physical environment that demonstrates local distinctiveness, variety and beauty and to be involved in key decision involving the development of their physical environment

Local circumstances and distinctiveness are at the heart of the richness of cultural life. Traditions in rural communities may be different from cities, musical and literary traditions differ across Scotland, and diversity is the defining characteristic of Scotland's rich cultural life. Decisions, therefore, on how entitlements are made manifest in different part of the Country should be the responsibility of local authorities and agencies.

7.7 Regional Structures

In this suggested model, there would be a far more direct and stronger relationship between the Scottish Executive, and local government and the evolving community planning structures. Where regional community planning structures evolve such as these, they could become the focus for addressing cultural issues of strategic regional importance and undertaking specific work in respect of the management and planning of cultural services. However, we would not support the artificial creation of separate formal regional structures for culture and sport as this would only add another layer of bureaucracy and proliferate the democratic deficit.

7.8 Education and Young People

7.8.1 In achieving a generational step change in creating a confident cultured Scotland, there is a strong argument that it must start with a new generation of children and young people.

7.8.2 It is also important that, for children and young people of school age, cultural entitlement must be viewed as an issue, which equally affects curriculum, and out of school time. This should become part of a strategy for developing the pathways and links between the curriculum and cultural opportunities outside of school time and within the wider community.

7.8.3 In all of this the importance of culture and creativity in an Educational context is paramount. The Development of a creative informed child leads to a life-long process of learning, creativity and development. There is clear evidence of the benefits of creative and cultural activity to raising attainment and aspiration, of supporting social inclusion and of aiding regeneration efforts. There is a clear opportunity, particularly in the primary school sector, to better recognise these potential benefits of a greater focus on creativity. There is a need to 'declutter' the curriculum and provide a more holistic approach; using culture and the arts to engage in creativity, support personal development and citizenship and develop multi intelligences and different forms of learning.

The current Curriculum Review provides an opportunity to address this. The potential for learning for creativity is also acknowledged within "A Curriculum for Excellence" and "Ambitious Excellent Schools". The National priorities in Education document: Priority 5 "Learning for Life" provides further guidance on this. A focus on creativity should be at the heart of delivering ambitious, excellent schools.

7.8.4 The characteristics of an excellent school would include among others:-

- A balanced curriculum which offers opportunities to develop all of the multiple intelligences
- An ethos where the innate creativity of all children and young people is recognised, acknowledged and nurtured
- A commitment to the importance of the arts, creativity, and sport and PE to the education of all pupils
- Contemporary cultural practice in the expressive arts
- Opportunity to learn Scottish history and culture within a multi-cultural approach which fosters ownership, respect and pride in our diverse culture
- An active and ongoing engagement with local and professional artists and arts and sports organisations which deep pathways from school into the community.

To translate these characteristics into meaningful activity, each Council should develop, in partnership with its schools, arts organisations and leisure facilities a range of experiences to which children and young people would be entitled over their school life. These could include opportunities for every child to:-

- Learn a musical instrument
- Participate in a range of musical and other artistic experiences
- Attend a public performance of an artistic nature
- Learn to Swim

- Participate in a range of physical activities
- Develop his/her talent in a particular aspect of the expressive arts or sport
- Participate in team sports
- Participate in a range of school activities such as shows, concerns, trips, Duke of Edinburgh Award Schemes and outward bound experiences

Integrated community schools provide a model of this type of cross-departmental/organisation activity where such experiences are full integrated rather than an 'add on' element and therefore provide a helpful model.

By integrating creativity into the life of an excellent school in the ways suggested, a framework for culture would become embedded in the curriculum and in out of school learning. Just as HMIE (Her Majesty's Inspectorate for Education) will inspect schools and councils against the expectations of integrated community schools, cultural and creative opportunities could be evaluated as part of HMIE inspections and Scottish Executive benchmarking.

- 7.8.5 The success of creative schools' will be dependent upon the creation of a successful creative cultural infrastructure within local authorities, which builds cultural links in, through and beyond schools. One way of assisting this process is through the further development of Cultural Co-ordinator and Creative Links posts across Scotland. A broad definition and interpretation of culture should be a core part of the strategy for creativity in schools. This should be recognised as adding value and be a key bridge between Education and the wider cultural milieu.

8.0 CONSULTATION

- 8.1 The Chief Executive, Depute Chief Executive (Finance), Depute Chief Executive (Support Services), Assistant Chief Executive (Community Planning) Director of Education, Director of Planning and Transportation and Head of Communities have been consulted on this report.

9.0 BACKGROUND PAPERS

- 9.1 None.

**STEVE GRIMMOND
DIRECTOR OF LEISURE AND ARTS
31 JANUARY 2005**