

local  
Government Achby email  
27/1/05

(77) - Updated  
✓ Version

lan

**From:** Johnston, Alastair R [AlastairJ@dumgal.gov.uk]  
**Sent:** 27 January 2005 16:18  
**To:** info  
**Subject:** FW: DUMFRIES AND GALLOWAY COUNCIL - RESPONSE TO PHASE TWO  
CONSULTATION - FINAL VERSION[Scanned]



CultCommPhase2  
FINAL 180105.do...

At its meeting on Tuesday the above response was formally approved by the Council. Please note that the enclosed version updates the previous version and corrects some typo's and a mistake in the numbering of the questions and replies.

<<CultCommPhase2 FINAL 180105.doc>>

Alastair

> -----Original Message-----

> From: Johnston, Alastair R  
> Sent: 19 January 2005 13:20  
> To: 'info@culturalcommission.org.uk'  
> Subject: DUMFRIES AND GALLOWAY COUNCIL - RESPONSE TO PHASE TWO  
> CONSULTATION

> The Education and Community Services Committee of Dumfries and  
> Galloway Council will consider their proposed response to phase two on  
> Tuesday 25 January. In view of your deadline of 14 January I have  
> enclosed an advance copy of the draft paper and response which will  
> give you the flavour of the response and I will update you if there  
> are changes made by the Members at committee.

> Alastair R Johnston  
> Operations Manager, Cultural Services  
> [Arts; Museums; Libraries, Information and Archives; and Registration  
> of Births, Deaths and Marriages] Department for Education and  
> Community Services Dumfries and Galloway Council

> tel 01387 260292  
> fax 01387 260294

> Any email message sent or received by the Council may require to be  
> disclosed by the Council under the provisions of the Freedom of  
> Information (Scotland) Act 2002.

## **CULTURAL COMMISSION PHASE TWO STAKEHOLDER CONSULTATION :**

### **1. Reason for Report**

To agree a Council response to the Cultural Commission's phase two stakeholder consultation.

### **2. Background**

2.1 At its December 2004 meeting this committee "noted the work of the Cultural Commission" and "agreed to consider a draft Dumfries and Galloway Council submission to the Cultural Commission prior to the Cultural Commission's final deadline for comments of March 31 2005."

2.2 In the meanwhile, as phase two of its stakeholder consultation, the Cultural Commission has published a list of sixty two questions covering pan-sectoral issues on which it is seeking opinions and ideas. These opinion and ideas will be considered by the Commission during February and will form the basis of a final consultation document which will be issued in late February/early March in time to meet the Commission's final deadline of 31 March.

2.3 To provide the requested opinions and ideas a short-life task group of Council officers have met on two occasions to compile the proposed response which is attached as **Appendix 1**. Members are invited to consider these draft proposals and suggest any additions, deletions or amendments which they would like to see incorporated into the Council's submission.

### **3. Principles of the Response**

3.1 The proposed response has been predicated on the basis of the following principles:

- culture becomes a statutory function on the same basis as, for example, schools education;
- a Culture Department is established by the Scottish Executive [SE] under the control of a single function Culture Minister;
- the Department will embrace:
  - the arts, including drama, dance, literature, music, the visual arts, crafts, film, and all branches of these;
  - the creative industries, including screen and broadcasting;
  - museums and galleries;
  - libraries and archives;
  - architecture;
  - sport;
  - leisure;
  - events and festivals; and
  - tourism

- a cross-sectoral Cultural Forum or Council would be set up to act as the advisory body to the Minister and be the interface between the SE Department and the companies, agencies and local authorities;
- at community level local authorities would enable cultural activity and would be the principal delivery and development mechanism;
- local authorities would be properly funded to fulfil what would by then be a statutory function;
- national standards of assessment and monitoring would be put in place. This could be informed by the present HMIE inspection process including that for Community Learning and Development; and
- an aspirational cultural quality mark would be established based on the national standards.

#### **4. Policy Implications**

4.1 The Cultural Commission's findings and recommendations, if adopted and implemented by the Scottish Executive, could have implications for the Council's policy framework, depending on whether, and to what extent '*cultural rights and entitlements*' will have implications for local government provision.

4.2 In overall terms, however, provision of meaningful, quality cultural services can contribute significantly to the key Corporate Plan themes of Enterprising and Learning, Inclusive and Safe and Healthy Communities.

#### **5. Staffing Implications**

There are no staffing implications arising directly from this report. Staffing implications might arise as a result of the Cultural Commission's final recommendations being accepted and implemented by the Scottish Executive.

#### **6. Consultation**

The Corporate Directors of Corporate Services and Planning and Environment Services have been consulted in the preparation of this report and any comments included.

#### **7. Recommendation**

**Members are requested to:-**

- 7.1 consider the draft response to the Cultural Commission; and**
- 7.2 agree the Council response for submission to the Commission.**

Report prepared by Alastair Johnston, Operations Manager, Cultural Services  
[01387 260292]

Stewart Atkinson  
Group Manager Community Services

Tel: 01387 260431

Date of Report: 17 January 2005  
File Ref: CultCommPhase2

Fraser Sanderson  
Corporate Director of Education and  
Community Services  
Woodbank, 30 Edinburgh Road,  
DUMFRIES, DG1 1NW

#### **APPENDICES – 1**

##### **Background Papers:**

1. Cultural Commission Interim Report October 2004
2. Cultural Policy Statement Delivered to Parliament on April 22 2004 by the Minister for Tourism,

**Culture and Sport**

3. First Minister Jack McConnell's St Andrew's Day Speech - 30 November 2003
4. Report dated 13 December 2004 on "Cultural Commission - Review of Cultural Provision in Scotland" considered at Education and Community Services Committee on 21 December 2004

## APPENDIX 1

**PROPOSED RESPONSE FROM DUMFRIES AND GALLOWAY COUNCIL****Rights, Entitlements and Responsibilities**

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?

**DGC - The cultural rights should be used to underpin legislation. Cognisance to be taken of the United Nations Resolution on Cultural Rights (2002) and the Agenda 21 for Culture agreed by the Forum of Local Authorities for Social Inclusion (Barcelona 2004).**

2. Should cultural rights be enshrined in law?

**DGC – Yes, with a clear definition of ‘adequate’. It is suggested that a National Culture Bill be brought forward to both enshrine and ensure the realisation of Cultural Rights.**

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?

**DGC – Yes, Cultural rights, entitlements and responsibilities should be integral but cultural rights, entitlements and responsibilities should have an intrinsic value of their own. Culture should be an agent of change.**

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

**DGC – Scottish Executive with a Minister for Culture supported by a single function department with statutory quality assessment including self evaluation. The Ministry to be responsible for all policy making and funding responsibilities including those presently undertaken by NDPBs. The recent full senior cabinet status appointment for the Minister of Tourism, Culture and Sport is considered a positive move in this direction.**

5. Who should have responsibility for the review and potential amendment of cultural rights, entitlements and responsibilities and how should this process be conducted?

**DGC – Cultural Forum – see 19 below.**

**Cultural Leadership**

6. A number of stakeholders have bemoaned the lack of cultural leadership in Scotland but what sort of leadership is actually required?

**DGC – Cultural leadership should be integral to Scottish Executive policy, clear and focussed, inclusive and diverse, innovative and challenging, inspiring, responsive and supportive.**

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?

**DGC – Culture should be embedded within the Scottish Executive. Scottish Executive should be the champion, providing meaningful resources and drawing out policy and priorities from the ground up.**

8. Is the arms-length principle still appropriate and, if so, how should it be enforced?

**DGC – May no longer be a need for the arms-length principle based on 4 and 7 above and opportunities to strengthen partnership with local authorities to act as main service deliverer/agent to deliver national policy at local level.**

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

**DGC – First Minister at national level, local authorities at local level.**

10. What role should local government play in cultural leadership, including policy making, and how should it balance its responsibilities to the electorate with the needs of artists and citizens across Scotland?

**DGC – This is an opportunity for Local Government to become the cultural leaders at local level but this requires adequate resources to allow local authorities to meet their responsibilities across all sectors.**

11. What role should Universities, Colleges and other centres of artistic/academic excellence play in the defining of Scotland's cultural strategy and how should they be represented in the cultural leadership of Scotland?

**DGC – Yes, appropriate representation is essential. There is the opportunity for a key role in informing the present and developing the future of culture in Scotland. There could be opportunity for representation on the suggested Cultural Forum or Council (refer to Q5 and Q19)**

12. What role should the private and commercial sectors play in the cultural leadership of Scotland?

**DGC – This review provides an opportunity for the sector to play a lead role locally and nationwide, e.g. business incentives, percentage for culture, tax incentives, social responsibility.**

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?

**DGC – All cultural voices should be appropriately represented at all levels. Facilitated where necessary by local government. Greater opportunities for voluntary sector input to be provided.**

14. How do we give grassroot organisations a stronger voice in the decision-making (planning and funding) processes at national level and how should the grassroots sector be effectively represented and consulted?

**DGC – See 13 above.**

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

**DGC – This is recognised as a challenge which would have to be the subject of a Review led by the new Department.**

**Pan-Sectoral Planning**

16. What is the opportunity for more effective pan-sectoral planning and what actions are required to establish an appropriate pan-sectoral planning regime?

**DGC – The new department would be expected to take this role and needs to ensure appropriate pan-sectoral representation.** (reference also to Cultural Forum or Council)

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

**DGC – Legislation through to national policies and objectives.**

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?

**DGC – Scottish Parliament and see 19 below.**

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

**DGC – Department should set up a pan-sectoral Forum or Council which should include COSLA, Local Authorities, Professional Organisations, administrators and practitioners.**

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

**DGC – See 19 above, also the development of the National Cultural Strategy and local Cultural Strategies developed in terms of Community Planning.**

21. To what extent should the authority of any new pan-sectoral planning regime extend into decisions on funding and, if so, how should it execute these additional responsibilities?

**DGC – Cultural Forum or Council should provide advice to Department.**

**Funding arrangements**

22. Is the final decision about how much public money is allocated to the cultural sector appropriately in the hands of the Scottish Executive or is there a valid alternative method/process of calculation?

**DGC – Under arrangements outlined above culture is presently considerably under resourced in terms of the Scottish Executive's declared vision.**

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?

**DGC – National Cultural Policy and Strategy determining priorities for 3 – 5 years ahead. Decisions of the new Ministry should be informed by the proposed Cultural Forum or Council.**

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?

**DGC – See 23 above**

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

**DGC – See 23 above**

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

**DGC – Cultural policy and strategy determined at national and local level influenced by Cultural Forum or Council. This would require increased resources being made available to local authorities to determine local arrangements informed by the Cultural Strategy for the local authority area.**

27. What role, if any, should the national agencies have in the funding of non-national organisations or should the funding of locally or regionally based cultural organisations be devolved to local or regional level?

**DGC – Should be devolved and through discussion or debate at Cultural Forum or Council.**

28. How can we simplify and streamline the process for both organisations seeking funding from national agencies and for organisations seeking funding from local authorities?

**DGC – National organisations funded by Department, local organisations funded by local authorities with appropriate Service Level Agreements to ensure appropriate access on a geographical basis. Three year funding packages where appropriate and greater support for organisations meeting the objectives of strategy documents, Council Corporate Plans, service delivery on behalf of local authorities, etc. Audit Scotland guidelines in relation to "Following the Public Pound" to be applied.**

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?

**DGC – National Audit and development of local Cultural Capital Strategies. Lottery funding should be distributed to Cultural Projects through one distribution channel.**

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?

**DGC – 'Artistic' is inappropriate. Cultural output should be judged on its merit.**

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.)?

**DGC – Greater allocation of core resources should reduce need for initiative based funding and allow development and processes to be integral. A greater recognition of the value and the role that cultural can play in meeting the objectives of social policy such as the health agenda, anti-social behaviour. Should be 'challenge funding' based on additionality and should encourage creativity and an element of risk.**

32. Can we improve the current methods of funding and should we consider alternative methods such as endowment style funding or longer funding horizons (5 year agreements, etc.)?

**DGC – Yes. Five year is supported but certainly a three year minimum.**

33. How can we demonstrate prudent and effective use of public money whilst allowing funded organisations greater, and arguably more appropriate, financial autonomy?

**DGC – Through use of appropriate operational agreements including Service Level Agreements where the funding package is in excess of a particular figure (e.g. £10,000).**

---

**Standards & Evaluation**

34. What standards of outcome, output, process and governance is it appropriate for a funding body to impose on a recipient of funding?

**DGC – National agreed and accepted standards which have been identified, adopted and endorsed by the sector. ‘Excellence’ in all of the processes. Quality Mark.**

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?

**DGC – By developing agreed criteria with the sector. Local empowerment allows services to be better than minimum.**

36. How do we achieve appropriate consistency of standards within and across the cultural sectors?

**DGC – Self-evaluation with monitoring leading to a quality mark.**

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

**DGC – National standards adopted at local level backed by inspection.**

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?

**DGC – Provide support mechanism for failing body or organisation through the action plan within an agreed time frame. Eventual loss of funding and quality mark. Resources need to be available to local authorities to meet the need of the process.**

**Operations and administration**

39. What is the potential for new technology to improve the efficiency and effectiveness of cultural administration in Scotland and how should that potential be realised?

**DGC – E-normous – resources and skills need to be provided to maximise the potential.**

40. Is there an opportunity to introduce a more co-ordinated management of cultural property, particularly given the problems experienced by many cultural organisations with listed and/or high-maintenance buildings?

**DGC – This question should also recognise high-maintenance collections. ‘Listed’ status building or collections might attract an annual contribution to address high-maintenance issues.**

41. What are the merits and practicalities of assigning pan-sectoral responsibilities for matters such as advocacy and IT development to a single organisation(s)?

**DGC – Inherent within the Scotland strategy and policy is statutory provision. Cultural Forum or Council would look after advocacy. Inoperability standards would address IT development issues.**

42. Where does responsibility lie for Scotland's international cultural development and what are the opportunities for greater collaboration between Scotland and the relevant UK, EU and UN (UNESCO) policy making bodies and cultural networks?

**DGC – The National Cultural Forum or Council which is recommended. Primary responsibility would lie with the Department but Cultural Forum or Council would have links to non-governmental agencies. Also refer to Q1 and the proposed UNESCO Convention on Cultural Diversity scheduled to take place in 2005.**

43. What strategic, operational and attitudinal changes are required to ensure that there is a continual increase in the percentage of available monies spent in Scotland on performance and participation as opposed to management and administration?

**DGC – Local authorities are continually striving for efficiency and best value. It would be difficult to increase performances and participation without minimal management and administration. Also refer to Q28. Role of specific Committees in terms of local authority monitoring (e.g. Business Review and Performance Committee in Dumfries and Galloway).**

#### Local Authorities

44. What legislative requirements are necessary to clarify and enshrine the responsibilities of local authorities towards cultural provision?

**DGC – see 2 above. Cultural Charter should be enshrined in an Act of Parliament.**

45. Do we need to define the term 'adequate provision' in regard to local authorities current responsibilities, including the requirement to develop local cultural strategies within the context of community planning, and if so, how?

**DGC – Yes, but local authorities need the financial resources to deliver. A minimum standard, nationally set and locally adopted with appropriate resources, financially and other made available.**

46. What are the merits and practicalities of adopting national standards for the provision of cultural facilities and services?

**DGC – Affords opportunity for national benchmark so long as appropriate resources available.**

47. What is the justification and practicality of insisting that local authorities 'ring-fence' resources for cultural provision?

**DGC – Local authorities need to be properly resourced to meet their obligations. Given that this is achieved and that a robust Quality Assurance system is in place, there should be no need to ring-fence resources for culture.**

#### Regional Bodies

48. Is there a need for a regional aspect to cultural planning and/or the delivery of cultural services and/or the management of cultural resources?

**DGC – At the level of local authorities but some local authorities may chose to combine for this purpose, particularly in urban areas. Local circumstances and traditional local**

cultural links should be allowed to inform in this respect. Influence also from Community Planning principles.

49. How should any regional bodies be constituted, governed and managed?

**DGC – See 48 above.**

50. What remit/responsibilities should any regional bodies have and what responsibilities should be transferred from national agencies and local authorities?

**DGC – n/a**

51. How can the cost of any regional bodies be justified?

**DGC – As outlined at 48 above to provide effective and efficient services which demonstrate best value.**

### **National**

52. What should the designation 'national' mean and what criteria should be applied when awarding a company national status?

**DGC – A cultural asset which is of sufficient significance to represent the whole of Scotland and which makes its services available and accessible to the whole of Scotland. Also the ability to promote and enhance the reputation of Scotland on an international basis.**

53. What privileges/special considerations should be afforded to national companies and what responsibilities should accompany these privileges?

**DGC – Should conform to same national standards of excellence and aspire to global standards – no privileges or special consideration.**

54. To whom should the national companies report and who should be responsible for measuring their performance against agreed standards and objectives?

**DGC – Department through Quality Assurance process.**

55. What artistic expectation (standards of performance/production) should we have of our national companies and what commitment to Scottish work (both new and revised) and Scottish talent should the national companies have?

**DGC – Every aspect should be considered on its own merits.**

56. What should be the operational relationship(s) between the national companies and the local/regional authorities in whose areas they may reside or tour?

**DGC – National companies and local authorities should have working relationships for both touring and outreach no matter where they are actively based.**

57. How can we achieve greater consistency in the constitutions, governance and funding arrangements of national agencies?

**DGC – An exercise to be undertaken by the Department and it is suggested that there is a very specific and important role in this respect for the proposed Cultural Forum or Council. All aspects of service delivery to be supported by robust service level agreements.**

58. What is the scope for further co-operation, both strategically and operationally, between the national agencies (shared development, shared services, shared facilities, shared resources, etc.) and how should such co-operation be advanced?

**DGC – Rationalised through the proposed Cultural Forum or Council for Scotland, to be set up to advise and inform the Department.**

**Cross-cutting**

59. How should the cultural sector as a whole seek and arrange suitable mutually beneficial partnership with other areas of government (education, sport, tourism, etc.)?

**DGC – Through the Department's championing of culture.**

60. What are the opportunities for the Cultural Sector and the Sports Sector to work in closer strategic and operational partnership?

**DGC – Sport is part of culture. Within local authorities these sectors, in many cases, are already well integrated.**

61. How can we more effectively represent and promote (artistically and commercially) Scottish culture within Scotland, within the UK, within the EU and across the world?

**DGC – Encourage excellence. Challenge pre-conceptions. By supporting through appropriate mechanism, e.g. Scottish equivalent of British Council or Scottish Consuls.**

62. How can we achieve the maximum practical co-operation between artists, cultural promoters and the tourist agencies (visitscotland.com, etc.) in the fields of marketing, promotion and customer management?

**DGC – Tourism would be an integral part of the Cultural Department of the Scottish Executive. The proposed Cultural Forum or Council would provide the mechanism by including pan-sectoral representation and ensure that plans and strategies were aligned.**