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**To:** Cultural Bill Consultation  
**Subject:** Response from Inverclyde Council



Draft Bill



Draft Culture

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I attach a copy of Inverclyde Council's response to the Draft Culture Bill and Guidance.

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(See attached file: Draft Bill Consultation Questions final.doc)(See attached file: Draft Culture Consultation Document.pdf)

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## **Cultural planning**

- **Before answering the specific question in relation to the Bill we don't understand why the term 'entitlement ' has been used. Most people would understand this term to imply a right to a cultural service, whereas the draft bill states categorically that no such right is guaranteed.**

## **Consultation Questions**

### **Cultural Planning**

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

**Yes – entitlements should create a positive more focused approach to services and promote synergy, publicity and activity. However, without additional resources it will be difficult for local authorities to undertake the consultation process needed to identify and deliver these entitlements. Quality Assurance frameworks will be essential to demonstrate what we do – and how well we do it.**

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

**There needs to be a stronger approach to cultural planning i.e. a local Cultural Strategy should be an essential requirement – with appropriate resources to allow the necessary planning and consultation to be carried out. Having a strategy makes it easier to get Culture embedded in the Community Plan and is essential for bringing local communities on board.**

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

**By showing how culture can be used to demonstrate the delivery of other outcomes relating to fields such as education, social care and economic development. Need to ensure that culture feeds in to other strategies and the Community Planning process. Cyclic planning is essential with local authority and community involvement in developing and implementing Scottish Executive policy. Great benefits and strength in these partnerships brought together by the Bill as a cultural sector. Reporting to the Scottish Executive under the Quality Assurance Framework will provide the evidence for the impact of cultural activities in each local authority area.**

**In Inverclyde a group called the Arts Implementation Team has been set up. Officers from different directorates in the Inverclyde Council meet to discuss arts and culture issues with representatives**

**of arts bodies in the community. Education, Social Care, Community Planning and Economic Development are represented along with Libraries, Museums and Arts Development. These Council services have developed a partnership approach to working with community organisations such as the Greenock Arts Guild, the Inverclyde Tourist Group, Magic Torch and various voluntary organisations. The Team meets in order to share information and resources and deliver quality joint projects which can increase arts involvement in target sectors of the community.**

- *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 draft guidance was not as clear as it could have been. The guidance is essential to the process so it is very important for it to be clear. There needs to be better definitions and more detail in the guidance to clarify the Bill e.g. there was no mention on incentivised funding in the guidance. It would also be helpful if there were examples of good practice in the guidance.**

### **Creative Scotland**

- *Do you agree that there should be a single national cultural development body?*

**Yes. However, since the new organisation will not be funding national companies, it is important that its role in developing grass-roots organisations is made clear. This would argue for a more federated approach to developing culture in Scotland.**

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

**The remit for this body needs more clarity – e.g. roles and responsibilities. Helpful to have a National Cultural Forum to get consensus and co-ordination at the national level. The name suggests that if you are not creative you are not involved.**

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

**Yes – but there needs to be greater clarification of its roles and responsibilities – and it should be a consultative and accountable body.**

## National Collections

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

**Yes – but there needs to be a shared service agenda where it adds value – with over-arching standards.**

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

**Need advice and assistance in relation to functions – also need preservation standards. The National Collections need to provide support and advice to help local collections meet national standards particularly in specialist fields such as ethnography where relevant expertise is concentrated in the National Museums. Extra resources in terms of staff and budgets for the National Collections would be required for the additional advisory roles proposed. The promotion of exhibition of significant objects from National Collections throughout Scotland would be welcomed.**

**The Bill should recognise the distributed national collections held in local authority and independent museums throughout Scotland.**

**Although the National Archives of Scotland already has a statutory role in offering advice and guidance to local authorities it would be sensible to harmonise this contribution with that of the National Library and National Museums and develop a quality assurance framework that took all of these subject areas into account.**

- *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?*

**No comment**

- *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?*

**Need to establish an Access Agreement for National and local collections. If the standards for storage and display change later on – how does an authority get the items back ? Should there be an agreement for exchange ?**

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

**The National Record of Scotland could be confused with the National Archives of Scotland. Also the name could be seen as**

**stuffy or old fashioned. A more modern name might be more appropriate.**

### **Tainted Cultural Objects**

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

**Need further explanation/definition/ qualification on the definition and might need a period of grace for people to comply. It would be essential to circulate guidance on the matter to relevant bodies before a similar Act in Scotland was enforced. It makes sense to bring Scotland into line with other countries but the consequences of the separate laws in Scotland and England with regard to Treasure Trove finds must be taken into account in the legislation.**

### **Broadcasting**

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

**Yes – essential to be able to market services and for public information**

- *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?*

**Lack of clarity if left to wording in the Local Government in Scotland Act 2003 – e.g. need to have guidance on podcasting and local authority area broadcasting using the airwaves so initiatives like Login to Learn and Prime Space TV are legal**