

Partial BRIA for Culture Strategy

June 2018

Partial Business and Regulatory Impact Assessment (BRIA)

Title of Proposal

Consultation paper for “A Culture Strategy for Scotland” .

Purpose and intended effect

Background

This partial BRIA has been prepared to accompany the consultation document seeking views on a draft Culture Strategy for Scotland.

The Scottish Government committed to developing “A Culture Strategy for Scotland” in the Programme for Government 2016-17, initially proposed “on the principles of access, equity and excellence.”

The Programme for Government 2017-18 underlined this commitment. It set out that “the strategy will ensure that everyone has the opportunity to take part in or contribute to cultural life in Scotland and that the inequalities experienced in the sector itself, and in participation, are tackled.”

This is the first culture strategy for Scotland in more than a decade. It is the third culture strategy since the Scottish Parliament was established in 1999. A Culture Strategy for Scotland builds on these and existing national and sector specific strategies which are already operating successfully across Scotland including those aimed specifically at Scotland’s museums and galleries; historic environment; public libraries; creative industries, film, arts and youth arts.

Objective

The consultation responses and feedback will assist in shaping and refining the final Strategy. This will ensure that their views and expertise is taken into consideration to ensure that the Strategy is practical, reflects aspirations and the vision of Ministers and stakeholders, and all parties involved in the creation, production, management and consumption of culture in Scotland.

The draft Strategy is a high level strategy with the central ambition to achieve greater strategic recognition of the crucial role that culture has across society, setting out how important culture is to Scotland’s future and aiming for everyone to have the opportunity to take part in or contribute to cultural life in Scotland.

The overarching Vision is:

Culture in Scotland is innovative, inclusive and open to the wider world. Cultural excellence – past, present and emerging – is celebrated and is fundamental to future prosperity and wellbeing. Culture’s empowering and transformative power is

experienced by everyone.

It has three underlying ambitions: **transforming through culture; empowering through culture; and sustaining culture**. It sets out how the strategy proposes to realise the Vision and make the necessary shifts to achieve the aims which will support culture to meet current and future opportunities and challenges.

The vision, ambitions, aims and proposed actions set out in the strategy respond to feedback received throughout extensive early engagement with the culture sector and wider public about what matters to people about culture and what people want the future for culture in Scotland to be like. The main issues and ideas raised throughout the Engagement Phase included: valuing artists; creativity and innovation; extending the view of culture; establishing culture as a fundamental part of society; recognising the role that culture has in other areas like health and wellbeing, education, energy and community empowerment; promoting diversity and inclusion; recognising the importance of young people, lifelong formal and informal education and skills development; strengthening international working; sustaining funding for culture; empowering communities to have a greater say in how culture is delivered locally; supporting cultural leadership; articulating the impact and benefits of culture; joining up across government and sectors.

The Vision, ambitions and aims of the strategy, underpinned by an initial set of proposed actions which will evolve throughout the lifecycle of the strategy seek to address the main issues raised throughout early engagement and ultimately support delivery of the new National Outcome for culture: **We are creative and our vibrant and diverse cultures are expressed and enjoyed widely**.

Rationale for Government intervention

The Scottish Government recognises the importance of culture to Scotland and the significant contribution it makes to the lives of individuals, communities as well as to regional identity and the country as a whole. Culture is valued both for and of itself as well as in terms of the social, economic, environmental and cultural benefits it brings.

Ministers also consider that culture has an important part to play in the Scotland's future, and in enabling Scotland to flourish. They consider that culture is at the heart of a fair, democratic, healthy, innovative and socially just society that offers opportunities for all to prosper, where the potential of each individual is realised; where communities are empowered to shape their own futures; where people and organisations work together to share resources and knowledge and where the benefits from economic growth are shared widely. Culture shapes and reflects how we live as individuals, as communities, and influences how we are received in the wider world. It is the means by which we understand the past, make sense of the present and progress towards the future.

However, given the central role that culture can play, there is a need to develop a culture strategy that is integrated across policy development. There is also a need to ensure equity of opportunity for everyone to access and participate in culture across Scotland.

The Strategy sits within the Scottish Government's wider, high-level vision for culture and its overall purpose to "focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth."

It contributes to its strategic objectives including: we have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others; we take pride in a strong, fair and inclusive national identity and our public services are high quality, continually improving, efficient and responsive to local people's needs.

It will also contribute to the new national outcome for culture, "We are creative and our vibrant and diverse cultures are expressed and enjoyed widely". This outcome will improve the strategic visibility of culture and enable progress towards this outcome to be monitored more robustly; demonstrate increased commitment of Ministers to the culture sectors. It will foster better cross government working and help to ensure that culture is included in policy development across other areas. It will continue to foster an outcomes focused approach across the sectors. It will help other policy areas to consider culture in the development and delivery of their policies and strategies.

The Strategy also supports the targets to increase cultural engagement as well as touching on and shaping, both directly and indirectly, a number of the Scottish Government's other purpose targets such as: improve Scotland's reputation; improve the skill profile of the population; improve mental well-being, improve people's perceptions of the quality of public services, improve the responsiveness of public services, widen use of the internet, and increase people's use of Scotland's outdoors.

The Strategy will lead to a clearer understanding of the Scottish Government's ambition for culture, its ambitions and aims, how the people of Scotland can more fully participate in culture and the importance of culture to the future of individuals, communities, regions and Scotland as a whole. The Strategy also aims to give strong, connected and confident voice to the culture sectors in Scotland, an ambition expressed widely by stakeholders throughout the engagement phase.

It also recognises that in Scotland should be a country where culture is a way of life for everyone and that the country supports culture to thrive so that citizens and visitors prosper from all that culture offers.

Consultation

The draft Strategy has been developed in collaboration with individuals, communities, artists, practitioners, cultural organisations, other sector bodies and across the Scottish Government.

Engagement phase

Within Government

Within Government consultations took place with a wide range of directorates, agencies and NDPBs from July 2016 until the draft of the strategy was produced for public consultation. Within the Scottish Government they included human rights, equalities, justice (prisons, violence reduction and reintegration), mental health, children's rights and wellbeing, children and families, social policy, social security and welfare, homelessness, culture, languages (including Gaelic and Scots), architecture and place, education and learning, including Curriculum for Excellence, attainment, learning disabilities, Procurement, digital, third sector, social enterprise, local government, universal basic income, economic development, regeneration, inclusive growth, rural communities, better regulation and industry management, energy and climate change, external affairs, and Scottish affairs. **Stakeholders** The strategy development involved mapping all existing sector strategies and included seeking the views of agencies and NDPBs including Creative Scotland, HES, Museums Galleries Scotland, National Collections and Companies, Highlands and Islands Enterprise and Scottish Enterprise. Their input supported the development of the policy proposals by ensuring that there was full understanding of the impact and reach of culture throughout policy areas; that these policy areas also had a better understanding of culture and its impact; that there was an awareness of key policies that had an impact on culture, and where we could use them to support culture; reaching a broad consensus for proposals across a broad area is important in achieving the ambitions and aims and in delivering them.

Public Engagement

Between June and December 2017 a series of "Culture Conversations" were carried out to stimulate debate and discussion about themes and priorities for the strategy. Initial feedback from a launch event hosted by the Cabinet Secretary for Culture, Tourism, and External Affairs, on 26 June 2017, and other early discussions with stakeholders, wanted a much broader and wide-ranging debated that would be open to the inclusion of as many ideas as possible.

As a result, a Culture Conversation Resource Pack was produced and developed to support Scotland-wide culture conversations. These were based around three key questions:

- Why is culture important to you, your community?
- What is good about culture in Scotland and what needs to change?
- What do you want the future of culture in Scotland to be like?

The Scottish Government hosted a series of nine Scotland-wide public events which attracted nearly 400 contributions in total (Dundee; Inverness; Paisley; Dumfries; Galashiels; Aberdeen; Skye; Edinburgh; Dunfermline) and more than 50 events were also held by partners and stakeholders. Written submissions were also made by organisations and individuals. More than 30 contributions were received via the online ideas forum.

A detailed record of the events was published in March 2018 in a summarised feedback gathered during the engagement phase. The document can be read at: <https://beta.gov.scot/policies/arts-culture-heritage/culture-strategy-for-scotland/>. It is also attached to the consultation on A Culture Strategy for Scotland.

Business

The Strategy sits at a high level, setting a strategic vision across the culture sector. It is intended as an empowering and connecting strategy which builds upon, rather than, replaces the excellent strategic work already underway across the sector. It encourages better partnership working across the sector, between sectors and across National and Local Government. It aims to create the conditions for culture to thrive now and in the future by facing the social, economic and environmental challenges and ensuring that opportunities are taken to open up culture for all, promoting the value of those who create and developing the skills necessary to sustain culture in the future.

During the “Culture Conversations” that took place between June and December 2017, the Scottish Government discussed the proposals with a wide range of stakeholders, including businesses. These included agencies that support businesses and business growth (e.g. Highlands and Islands Enterprise) as well as organisations that fund, sponsor, support and represent businesses, and arts cultural practitioners (including Federation of Scottish Theatre, BIG Lottery Fund Scotland, Arts and Business Scotland and Highland Print Studio). The engagement phase attracted nearly 400 contributors.

A detailed list of the participants is found at: <https://beta.gov.scot/policies/arts-culture-heritage/culture-strategy-for-scotland/>.

The list of participants includes key organisations that support different sectors within culture, and who are able to provide the views of their sector and businesses within them. These organisations were from the main sectors of culture and provide a broad and representative body of stakeholders. They also include a number of businesses that deliver culture in Scotland; a number of individuals also held meetings outwith these creative conversation events.

During these “Culture Conversations” there were a number of issues raised which relate to businesses (the culture sector, which includes creative industries, comprises a significant number of sole traders and small businesses of less than five persons). Some of the main points raised which are directly relevant to business included:

- A key point relating to the theme of valuing the artist and creativity was the financial challenges facing artists and creative producers who are often freelancers. They noted the need to address the challenges facing the sector, including unpredictable, uneven, short term funded and poorly paid work; lack of employment security, with a high level of freelance work being undertaken; and working across more than one job to make ends meet. Many of the issues affecting the cultural workforce, artists and those working in creativity, also link more generally to issues of inequality and a lack of diversity, another key theme that was raised by stakeholders.
- There was also recognition that creative learning and the

gaining of skills was key to supporting the future of culture in Scotland, as well as ensuring that Scotland is preparing for a future in which automation will dominate and where creativity and innovation will be essential skills. It was recognised that digital skills need to be continually updated and support should be available for lifelong learning. There was also an acknowledgement that broader skills were needed to support the culture sector. These included administration, finance and business skills.

- There was significant discussion and debate about public sector funding and other forms of investment in culture to ensure that they are equitable and sustainable, and that the overall funding model was fit for purpose in the 21st century. Recipients of public sector funding include businesses and third sector organisations as well as individuals. Many contributors called for more sustainable and flexible funding and investment (funding being more responsive to the needs of individual artists and communities; funding being more flexible and less risk averse; and more longer term, diverse and sustainable funding models).
- There was a perceived need for leadership and joined up working, which would bring with it a number of benefits including raising the profile and value of culture; aligning synergies; making cultural considerations a normal part of decision-making; avoiding duplication; information and resource sharing; mentoring and skills sharing; and improved communication. These could have the potential to positively affect businesses and their work.

The public consultation on A Culture Strategy for Scotland will last for 12 weeks, during which time stakeholders, including business representatives, funders and third sector organisations will be encouraged to consider how the strategy might impact on business and the third sector and whether they support the proposed Vision, ambitions, aims and actions.

Options

There are two options:

Option 1: Do nothing.

The Scottish Government could decide not to publish A Cultural Strategy for Scotland.

However, given that culture plays an important role in Scotland's social, economic and cultural life, as well as that of individuals, communities, regions, and across the country as a whole, and also in how Scotland develops and is perceived as a country. It is important that the Scottish Government recognises the intrinsic value of culture and affirms the role and potential role that culture has as central to progress in health and wellbeing; economy; education; reducing inequality; and realising a greener and more innovative future for Scotland.. Not to publish a strategy would suggest that the Scottish Government is not

committed to culture nor the culture sector and does not have a significant role to play in sustaining it for future generations. As there is a commitment from the Scottish Government to publish a strategy and an expectation that there will be one following extensive early engagement, this approach will not be a viable option.

Option 2: Publish a Culture Strategy for Scotland.

The Scottish Government could publish a strategy which sets out a Vision for culture in Scotland, underpinned by a set of ambitions, aims and actions developed with stakeholders which can be shared across the sector and which integrate culture strategically across policy development. This would allow for meaningful alignment of agenda and priorities across the sector which would apply and support the current and future development of culture over the next 10 years at least.

Sectors and groups affected

Culture impacts all people in Scotland, whether residents or visitors to the country. The culture sector is broad and includes central and local government, the wider public sector, arts organisations, heritage and arts trusts, businesses and individual practitioners, as well as those who create, managers and promoters, audiences and consumers, the voluntary sector and those working in other sectors, for example education and tourism.

The culture strategy commits to placing culture as central across policy development, it has the potential to affect a very broad range of sectors and groups.

Benefits

Option 1: Do nothing.

No associated costs or staffing resources would be required.

However, there is a wide consensus that A Culture Strategy for Scotland is an exciting opportunity to provide a cohesive overarching strategy to help the culture sector address current and future challenges, and ensure that the sector can flourish and grow and maximise its significant potential in a modern Scotland.

Option 2: Publish a Culture Strategy for Scotland.

A Culture Strategy for Scotland will provide an overarching strategic framework and vision for culture in Scotland over the next decade or so. This could have a number of significant benefits for the sector. These include:

Transforming through culture – recognising that culture and creativity are central to Scotland’s cultural, social and economic prosperity, which aims to:

- Place culture as a central consideration across all policy areas;
- Open up the potential of culture as a transformative opportunity across society;
- Position culture as central to progress in health & well-being, economy, education, reducing inequality and realising a greener and more innovative future.

Empowering through culture – opening up and extending culture so that it is of and for every community and everyone, which aims to:

- Extend the view of culture to include the everyday and emerging, the established and more formal;
- Develop opportunities for people to take part in culture throughout their lives;
- Recognise each community's own local culture in generating a distinct sense of place, identity and confidence.

Sustaining culture – sustaining and nurturing culture to flourish and to evolve as a diverse, positive force in society, across all of Scotland, which aims to:

- Develop the conditions and skills for culture to thrive, so it is cared for, protected and produced for the enjoyment of all present and future generations;
- Value, trust and support creative people – for their unique and vital contribution to society and the economy;
- Encourage greater openness and diverse cultures to reflect a changing Scotland in the 21st century.

Given the sheer breadth, complexity and cross-cutting nature of the culture sector, a culture strategy will allow for the delivery of a host of benefits across a wide range of policy and delivery areas. It will provide direction and focus for the sector to enable benefits to be identified and fully realised. The strategy will allow the sector to build on its already significant contribution to delivering national incomes, including the new national outcome relating to culture in Scotland.

Costs

Option 1: Do nothing.

In the short term, the cost is neutral. However, there is a risk that failing to provide the sector with a cohesive strategy to focus its activities could have a detrimental effect on its future growth and development and that its potential could not be fully recognised or delivered. This would not be in alignment with the Scottish Government's aspirations to have a flourishing culture sector, or its broader aspiration for all of Scotland to flourish, through increasing sustainable economic growth.

Option 2: Publish a Culture Strategy for Scotland.

The purpose of the strategy is to achieve greater strategic recognition of the crucial role that culture has across society, setting out how important culture is to Scotland's future and aiming to enable everyone to have the opportunity to take part in or contribute to cultural life in Scotland.

It has a vision that culture in Scotland is innovative, inclusive and open to the wider world; cultural excellence – past, present and emerging – is celebrated and is fundamental to future prosperity and social change; and culture's empowering and transformative power is experienced by everyone.

The Strategy is centred on the fundamental value of culture and its empowering and transformative potential. It is committed to long term change through greater

collaboration and integration across culture, communities and policy development. It sets out ambitions, and within these ambitions, aims and actions to be undertaken.

As the Strategy is further developed, associated costs will be carefully considered.

The strategy is high level and will not affect business operations. The strategy does not impose any additional burdens or duties on the sector. A full BRIA will be developed following the public consultation which will assess the costs and benefits of the proposed final strategy.

Legal Aid Impact Test

As no new criminal penalties are being introduced by the Strategy, it is not anticipated that there will be any effect on individuals' rights of access to justice through availability of legal aid or on possible expenditure from the legal aid fund.

Enforcement, sanctions and monitoring

In developing the draft Strategy, stakeholder discussion recognised the difficulty in measuring and presenting information that fully articulates the benefit of culture to society. They suggested that the intangible aspects of culture and the intrinsic value of culture are difficult to measure. They also recognised that the perceived need for measurement should not impact the artistic freedom of expression or development.

The Strategy recognises the importance of monitoring the progress with realising the Vision, the ambitions, aims and actions set out in the strategy. The strategy proposes that the Scottish Government establishes a Measuring Change Group consisting of key stakeholders from across the sectors, academics from the Academic Roundtable set up to advise on the development of the strategy, analytical leads from relevant stakeholder organisations and Scottish Government analysts. The group would be responsible for developing an appropriate approach to monitoring and evaluation. This will be done in collaboration with key partners across the sector. The work will be aligned with the new national outcome for culture and indicators on the refreshed National Performance Framework.

Implementation and delivery plan

Based on the analysis above, and the analysis of the discussions in the "Culture Conversations" and subsequent stakeholder discussions, the Scottish Government recommends the adoption of Option 2.

A full 12 week consultation on the draft strategy is taking place to allow stakeholders adequate time to provide their views and feedback on the draft Strategy. Feedback gathered during the consultation will inform the final Strategy and full Business and Regulatory Impact Assessment.

Summary and recommendation

- **Summary costs and benefits table**

Option	Total benefit per annum: - economic, environmental, social	Total cost per annum: - economic, environmental, social - policy and administrative
1.	<p>Not to publish a strategy would suggest that the Scottish Government was not committed to sustaining culture or the culture sector in Scotland</p> <p>Benefits will remain the same. Growth will not be actively managed and the sector will not be developed to its fullest potential nor will it be fully realised.</p>	<p>No additional economic, environmental, social, policy and administrative costs per annum on top of those already incurred by policy and delivery.</p>
2	<p>While the benefits for the Culture Strategy are primarily cultural, they also have wider impacts to economic, environmental and social benefits. It will benefit:</p> <p>Economic benefits include: benefits to individuals, community and wider social level, in the different regions and throughout Scotland. Essential to personal and social growth, allowing people to live plural and multi-faceted lives. Also important in showing to the world Scotland's values as culture is part of Scotland's identity as an open and diverse nation. Significant economic benefits through the creation, production and consumption of culture (creative industries are one of the Scottish Government's seven growth sectors and tourism, including cultural tourism, plays an important part to the Scottish economy).</p> <p>Environmental benefits include: valuing the artist and creativity allows Scotland to think more creatively about the environment, reimagining new futures where environmental resources are managed differently To meet low carbon aspirations, for example, and modelling those behaviours across the culture sector to effect societal change.</p> <p>Social benefits include: benefits to individuals and communities: culture is</p>	<p>Costs will be considered as the Strategy develops.</p> <p>The Strategy will ensure that public funding and other forms of investment in culture are equitable and sustainable and are properly targeted in a funding environment where there is less money available. This will bring significant benefits in the way that resources are used.</p> <p>For example, better use of funding resources will offer long term stability, allow greater flexibility and support risk taking, innovation and experimentation, including supporting the emerging, not yet established, artists and organisations, and creative industries and technologies that support culture.</p>

essential to personal and social growth, allowing people to be plural and multi-faceted; it is part of Scotland's identity and demonstrates its openness and diversity. It is at the heart of what coming from a place means. It is essential to how we develop and manifest human experiences. The Strategy will ensure greater social benefits through its central ambition of enabling everyone to have an equal opportunity to take part in and contribute to culture in Scotland. This will ensure that benefits of culture are more evenly spread throughout Scotland, and in areas where there is lower participation levels that this increased participation will lead to greater benefits (these areas include people from lower socio-economic backgrounds, deprived areas, other minority groups, disabled people and those with multiple and complex needs). It will also support diversity of employment across the sector itself.

Cultural benefits – the strategy, its vision, aims and ambitions, will be an important driver in meeting the aspiration of the new culture outcome “we are creative and our vibrant and diverse cultures are expressed and enjoyed widely”.

Declaration and publication

The Cabinet Secretary or Minister responsible for the policy (or the Chief Executive of non-departmental public bodies and other agencies if appropriate) is required to sign off all BRIAs prior to publication.

- Sign-off for Partial BRIAs:

I have read the Business and Regulatory Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

Signed:**Date: 19 June 2018****Minister's name: Fiona Hyslop, MSP****Minister's title: Cabinet Secretary for Culture, Tourism and External Affairs****Scottish Government Contact point: Heather Holmes, Creative Industries,
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