Museums Galleries Scotland response to the Call for Written Evidence on the Community Empowerment (Scotland) Bill

Museums Galleries Scotland (MGS), the national development body for museums and galleries in Scotland, welcomes the opportunity to respond to the Local Government and Regeneration Committee’s call for written evidence on the Community Empowerment (Scotland) Bill.

1. To what extent do you consider the Bill will empower communities, please give reasons for your answer?
   - The legislation is timely as Local Authorities are working with more community / volunteer run museums. The draft Bill provides a process for those activities which are already taking place.
   - It improves community engagement and involvement in decision-making and identifying outcomes. The processes included in the Bill are supported by clear mechanisms and appropriate policy frameworks. There is a stronger voice for communities regarding service provision and the outcomes that affect them.
   - The Bill should enable Local Authorities to work closely with independent community and volunteer run museums in delivering improved outcomes for the communities in which they operate. It should be of benefit for museums as they will be able to contribute to Single Outcome Agreements and the National Performance Framework through involvement with the Community Planning Partnerships.
   - The Bill should ensure improved relationships between museums and communities, enabling stronger support through shared ownership and responsibility for heritage and culture.
   - The Bill allows for improved transparency of process and decision making about assets management and transfer, particularly in relation to Common Good.
   - Extending the legal entities that can use the community right to buy provisions to include SCIOs will be good for those museum organisations which are using this governance model and may wish to acquire land or property for their museum activities.

2. What will be the benefits and disadvantages for public sector organisations as a consequence of the provisions in the Bill?
   - Benefits
     - The main benefit we see is that of vacant or under-utilised public buildings and land being made more use of for purposes relevant to / required by communities.
Another benefit is the clear structure, roles and responsibilities of the Community Planning Partnerships as laid out in the Bill. This will enable communities to see how they can engage with the various community planning processes. It will also help to convey that those organisations involved in the Community Planning Partnerships have a shared responsibility and accountability.

- Disadvantages
  - A current disadvantage is the lack of clarity regarding the Ministerial role in the appeals process. It is very important that we have more information about how this would work. There is a need to ensure transparency and to have an understanding of how decisions would be made.

3. Do you consider communities across Scotland have the capabilities to take advantage of the provisions in the Bill? If not, what requires to be done to the Bill, or to assist communities, to ensure this happens?
- The capabilities and confidence about taking advantage of the provisions in the Bill will vary both across Scotland and across different community groups. There could be a role for public sector organisations in providing support for some areas, whether this is for a geographic area or relating to a specific sector.

4. Are you content with the specific provisions in the Bill, if not what changes would you like to see, to which part of the Bill and why?
- The current section relating to the Ministerial role in the appeals process does not provide sufficient information about how this element would work. There is a need to ensure transparency and for all parties to have an understanding of how decisions would be made.
- Common good
  - Local Authority museums can request the common good register from their Local Authority and extract relevant information when required. It should be possible for museums to include this information in their Accession register and in their Content Management System.
  - In relation to disposal of common good items it might be helpful to refer to any ethical guidance from a relevant body, eg Museums Association disposal toolkit and the Code of Ethics. The Disposal toolkit only has to apply to accessioned collections (it represents best practice which may not be followed for non-accessioned items.)
  - Museums should have a policy on assets and asset (both tangible and intangible) transfer to be published and made available on request. See FRS IPAC policy process for Accounting for Heritage Assets: IPAS 31 and FRS 30.
- Overall, we are content with specific provisions in the Bill.

5. What are your views on the assessment of equal rights, impacts on island communities and sustainable development as set out in the Policy memorandum?
- We are content with the assessment of equal rights, impacts on island communities and sustainable development as set out in the Policy memorandum.