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Scottish Government Consultation: [Wellbeing and Sustainable Development \(Scotland\) Bill](#)

Submitted: February 2024

Consultation Questions

Defining wellbeing

1. *Is a statutory definition of 'wellbeing' required?*

Yes

2. *Do you have any views on how 'wellbeing' can be clearly defined in legislation?*

Creative Scotland is the funding, development and advocacy body for the arts, screen and creative industries in Scotland. As such, we understand the crucial role which culture and creativity can play in developing and sustaining people's wellbeing. Access to and participation in culture should be a central part of maintaining people's wellbeing and definitions need to include culture as a central pillar, and not focus solely on health or the environment. We would also encourage that any definition of wellbeing should acknowledge that wellbeing means different things to different people, depending on many factors. Considerations around diversity of experience, and the variety of impacts on wellbeing should be included in the definition.

There has been much research undertaken in this area to demonstrate this impact, including Creative Scotland's mapping

(https://www.creativescotland.com/__data/assets/pdf_file/0004/89986/Creative-Scotland-Arts-and-Health-Mapping-Report.pdf) of arts, health and wellbeing activity in Scotland, and the report of the Inquiry of the All Party UK Parliamentary Group on Arts and Health and Wellbeing, which provides useful discussions on defining wellbeing. Further examples of the impact of culture on wellbeing have been included in the response to question 6 below.

A definition of wellbeing has been provided by the What Works for Wellbeing Centre, which is funded by the Economic and Social Research Council, Public Health England and other partners, including UK Government departments. They set out the dimensions of wellbeing as follows: a personal dimension including confidence, self-esteem, reduced anxiety, meaning, purpose and optimism; a cultural dimension, including coping, resilience, achievement, capability, personal identity, creative skills and expression and life skills, and; a social dimension including sociability and connections, social capital and reducing social inequalities.

Creative Scotland, in its Scottish Government defined role as the body responsible for research, advocacy, and coordination of Scotland's creative industries, recognises that the creative and cultural economy produces value in many different ways. This value corresponds well with notion of the 'wellbeing economy' as set out in the National Strategy for Economic Transformation (NSET), with

businesses in this area operating in ways that create cultural, social and economic value in a balanced and progressive way. In this context, the notion of wellbeing is one that is intrinsic to the sector and provides an effective model for how the wider notion of the Wellbeing Economy can be understood and implemented. As stated in NSET 'The principles of a wellbeing economy can't be achieved through simply redistributing wealth, they need to be hard-wired into everything we do in this strategy' and it is clear that the work of those in the creative and cultural economy is already manifesting this approach.

Defining sustainable development

3. Is a statutory definition of 'sustainable development' required?

Yes

4. Do you agree with our proposal that any definition of sustainable development should be aligned with the common definition: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs"?

Yes

5. Do you have other views on how 'sustainable development' can be clearly defined in legislation?

The definition of sustainable development as 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs' is a widely accepted definition in the UN Sustainable Development Goals, the Wellbeing Economy Monitor, Scotland's Biodiversity Strategy, and the Climate Change (Scotland) Act.

Within Creative Scotland, sustainable development is one of our four Strategic Priorities. Our definition is tailored to the sectors we support and focuses both on reducing the environmental impact of our work and supporting the sustainability of creative businesses across all parts of Scotland. The definition links these two dimensions, proceeding from an assertion that there can be no economic sustainability without environmental sustainability.

Our Funding Criteria expand on our understanding of Environmental Sustainability, identifying 6 themes: mitigation, adaptation, residual emissions, climate justice, influence, and a nature positive economy.

While the general definition is quite clear, indicative measures of success (or KPIs) for organisations to successfully interpret the intent within their remit and operations would be beneficial to eradicate ambiguity.

6. What future wellbeing issues or challenges do you think legislation could help ensure we address?

Links between improved health outcomes and engagement in art and cultural activities have been long-established in the academic world and have been increasingly recognised in the policy world since the Windsor Declaration of 1998 for the Arts, Health and Wellbeing.

The Scottish Government study "Healthy Attendance? The Impact of Cultural Engagement and Sports Participation on Health and Satisfaction with Life in Scotland" analysed data from Scottish Household Survey questions about participation in culture and sport and questions about health and quality of life.

The study found consistent evidence that those who participated in sport and culture reported better health and quality of life. This was true, even when other factors such as age, economic status,

income, area deprivation, educational qualification, disability and/or long-standing illness and smoking were accounted for. Those who regularly attended cultural places or events were 60% more likely to report good health compared to those who did not attend.

The study also found that increased engagement in arts activities is also believed to decrease health inequalities. Arts engagement is believed to reduce chronic stress, aid childhood development, overcome social isolation and tackle perinatal mental health, all of which disproportionately affect people from the most deprived areas of Scotland.

Creative Scotland undertook a series of surveys of the public (https://www.creativescotland.com/__data/assets/pdf_file/0007/90376/Covid-19-Population-Survey-Wave-4.pdf) during the Covid-19 pandemic, where, in the final wave of the survey, 69% of respondents stated that arts and culture remained as important as before the pandemic, and 16% stated they had become more important. When asked why this was, responses clearly referenced the wellbeing and mental health benefits of arts and culture.

As mentioned above, an All-Party Parliamentary Group (APPG) Inquiry was set up by the UK Government into the role of the arts in health and wellbeing. The report from this Inquiry was published in July 2017 and found that, while there is evidence of the benefits of arts engagement to health and wellbeing at every stage of life, this is not necessarily reflected in the training and practice of health and social care practitioners, or health and social care policy, meaning that the practice is not as widespread as it has the potential to be. The report also states that “Funding aside, the greatest challenges to the health and social care systems are posed by an ageing population and a prevalence of chronic conditions”. To this end, the Inquiry included a set of recommendations for policy makers, public agencies, the health and social care sector and practitioners. The report emphasised three key messages:

1. The arts aid recovery and help people to live longer and better lives
2. The arts can help to tackle major problems in health and social care such as ageing, long-term conditions, loneliness and mental health
3. The arts can save money in health and social care.

There is no equivalent Cross-Party Group within the Scottish Parliament, although there is a Committee on Health, Social Care and Sport.

Including arts activities in healthcare has also been found to save health services money, with an estimated SROI of between £4 and £11 for every £1 invested in arts on prescription. This is a result of significant reductions in hospital admissions and GP consultations (one arts-on-prescription project showed a 27% and 37% decrease respectively). These cost benefits are becoming increasingly important as research is suggesting that the costs associated with the common mental health conditions (that arts activities can be shown to alleviate) may become unsustainable by 2026.

- In 2020, University College London announced the beginning of a study into the impact of the arts on physical and mental health, called SHAPER – Scaling-up Health-Arts Programmes: Implementation and Effectiveness Research. It sought to embed interventions focussing on Postnatal depression, Parkinson’s disease and stroke victims, in NHS hospitals and trusts around London and will measure their effectiveness. This programme was completed in September 2022.
- Imperial College London and the Royal College of Music are running a research project called HeARTs, looking at the Health, Economic and Social impact of the ARTs. The project is undertaking research into the impact of arts and culture on health and wellbeing, focussing

on the individual, social and economic. The study will run over three years and will work with partners across the UK.

- There have been several research pieces presented within the Scottish Health and Music Network (SHMN), a group which was hosted by Edinburgh University and funded by the Carnegie Trust. Research undertaken covered topics around the physical and physiological effects of music and music therapy. These included how music might enhance motor learning, measuring the effects of listening to music on stroke sufferers and music for those living with dementia.
- The MARCH network examines the impact of community assets, ranging from libraries and parks through to museums and galleries, on mental health. The network undertakes research as well as allocating funding for projects working in the area.
- Culture for Health is a project which ran from 2022-2023. A report was published in June 2023. The research included roundtables across Europe, six pilot projects and desk-based research. The report included policy recommendations for the EU commission. It brings together evidence to support the arts' contribution to preventative health and wellbeing measures.
- Research digest: Training and development of healthcare students – this summarises the research, provides examples and identifies gaps of where cultural practitioners are working with healthcare students to help them develop their practice beyond core clinical skills
- What is the evidence on the role of the arts in improving health and well-being? This report from the WHO published in 2019 synthesizes the global evidence on the role of the arts in improving health and well-being, with a specific focus on the WHO European Region
- WHO and Jameel Arts and Health Lab have recently announced a Lancet Global Series on the health benefits of the arts.

All of this research has clearly demonstrated the benefits of participation in the arts and culture for health and wellbeing. A co-ordinated approach between the health sector and the culture and creative sectors can be of benefit, both in treatment and preventative measures. Social prescribing is one example of how this can work in practice. However, developing and delivering training for practitioners in both sectors has proved very difficult, as has finding ways of working together on a strategic level.

Whilst there is a body of practice in Scotland, as evidenced by Creative Scotland's mapping work, concrete barriers still exist to developing this area further. Co-ordination between the sectors is crucial to realising the full benefits of creative participation and this can be achieved in a number of ways.

We would look to Wales as an example, where every Health Board has an arts co-ordinator who can facilitate connections and partnerships to develop beneficial work. Creative Scotland currently funds work which supports arts and mental health work, but a more strategic approach would realise long-term benefits and impact and could make a significant contribution to improving the nation's wellbeing.

7. We are aware that the term 'sustainable development' has been set out in various legislation of the Scottish Parliament since devolution in 1999, and that careful consideration will need to be given to how any new definition will impact on these. What impact, if any, would the proposed definition have on other areas of legislation?

Clarity on the use of sustainable development instead of 'growth' or 'capital cost' as a measure of success would be helpful. We need to acknowledge the challenge of perpetual growth as a measure of success in conflict with the need for decision making to consider impact on future generations.

The impact of a wholesale shift from sustainable growth to sustainable development will impact all legislation from the Culture Strategy to the Net Zero Public Sector Building Standard and the framing of business cases for investment. Shifting the measures of success nationally, regionally and locally will be significant and require the application of a different perspective to decision making by everyone.

It may aid with the task around valuing intangible heritage. Placing culture at the heart of sustainable development may be a way of ensuring human centred, inclusive and equitable development as highlighted by UNESCO Culture: at the heart of Sustainable Development Goals | UNESCO. Cultural heritage both tangible and intangible and creativity are resources that need to be protected and carefully managed. They can serve as both drivers for achieving the SDG's as well as enablers.

Strengthening duties for the National Outcomes and sustainable development

8. How should a legal duty be defined to ensure that public authorities uphold sustainable development and the interests of future generations?

While we acknowledge that the requirement to work across the National Outcomes and to do so collaboratively is currently limited, we also realise that mandating all public bodies to work together would be a significant undertaking and require additional investment.

In the context of a clear duty, we would welcome language which is flexible enough to emphasise that working to the National Outcomes and upholding sustainable development should be central to the work of public bodies, but within each body's capabilities and resources. We would welcome the explicit inclusion of the Cultural dimensions of Wellbeing and mechanisms to ensure that relevant cultural organisations are consulted as part of delivery of any duty (as a requirement rather than an optional step).

We would also note that our funding programmes are largely dependent on the settlement that we receive in the Scottish Government budget. While we do agree multi-year funding terms with some organisations, most funding is project based and our ability to commit to long term partnership working is limited due annual budgeting horizons. Having longer term financial planning confidence would be a key enabler to unlock maximum opportunities and deliver shared outcomes.

9. Are there specific areas of decision making that should be included or excluded from the Bill?

Areas of decision making to include: Not answered

Areas of decision making to exclude:

For those public bodies which administer funding to their sectors, we would recommend that third parties receiving funding be excluded. While the public body's decisions can be subject to the duty, funding decisions are reliant on the applications which are submitted and reflect the needs of the sector. This funding is usually short term in duration and from organisations and individuals which are often small and with limited resources. While many do work across policy areas, it would be difficult to ask them to deliver directly against sustainable development and the National Outcomes, and for those funding decisions to be subject to the duties outlined.

10. What issues, if any, may result from strengthening the requirement to have regard to the National Outcomes?

We anticipate that there would be resourcing issues for organisations. Reductions in Public sector Operational budgets make it difficult to create capacity within organisations to work differently, take on further statutory duties, especially those which require fundamental changes to delivery.

Any legislation should also read across to duties required by other proposed Bills and legislation, such as the UNCRC Bill, the proposed Human Rights for Scotland Bill and the Learning Diversity, Autism and Neurodivergence Bill.

Support must be in place for organisations to be able to deliver National Outcomes, especially around collaborative working. This would apply to both Scottish Government working across directorates and facilitating public bodies to work with each other, with Scottish Government and other organisations across the third sector and civil society.

Clarifying to whom the duties apply

11. Should any duty apply to the Scottish Government?

Not answered.

12. Do you have any views on the range and type of organisations that any duty should apply to?

As above, acknowledgement needs to be given to the resource and capacity of public sector bodies to deliver.

Defining ways of working

13. Do you have any views on how we can better report the achievement of wellbeing objectives which supports clear accountability and scrutiny of public bodies in Scotland?

Once the definition of wellbeing is clear, it will be more possible to address how best to monitor and report on the delivery of wellbeing objectives. Given the suggestions around the Welsh way of working in this area, perhaps it would be useful to understand how their public bodies are asked to report, to inform the development of a Scotland based approach.

14. What additional steps are needed to ensure collaboration and working across boundaries?

Creative Scotland is keen to work on key areas where the arts, creativity and culture can make significant contributions to wider policy objectives. To achieve the most effective partnership working and delivery of outcomes, there is a need to develop a mutual understanding of different sectors, operating environments, capacity and resources. We work tactically across policy areas where we see opportunity, but this would benefit from enhanced strategic direction from Scottish Government to all parties involved. We understand the impact and the potential that co-creation can achieve across policy objectives, but as a small organisation, Creative Scotland can often lack the means and resources to make those connections easily. We would welcome leadership from Scottish Government to co-ordinate and facilitate working across directorates and policy areas, along with Scottish Government itself working collaboratively and across boundaries internally.

Facilitation from Scottish Government, dedicated staff and financial resource can help to develop collaborative projects, which can better deliver the National Outcomes and help to develop long lasting partnerships. This could take the shape of a framework to enable resources to be developed to facilitate networks and enable connections, partnerships and true co-creation to be delivered.

Collaborative working, especially across policy areas, takes a long time to develop, but the dividends which it can deliver can be significant, so a long term view and investment are crucial to allow working relationships to develop and ensure successful collaboration.

True co-creation across policy areas should also include co-funding and there should be the facility for this to happen between public bodies and Scottish Government. There are many projects and initiatives which would benefit from funding from a number of portfolios to achieve common goals. Whilst collaboration is a useful first step, co-funding would be a further step and could achieve many of the outcomes of the National Performance Framework.

15. Do you have any views on whether any duty related to ways of working could create conflicts with duties currently placed on you?

This might affect the duties which have been set out in our founding legislation. This states that Creative Scotland's general functions are the following:

“(a) identifying, supporting and developing quality and excellence in the arts and culture from those engaged in artistic and other creative endeavours,

(b) promoting understanding, appreciation and enjoyment of the arts and culture,

(c) encouraging as many people as possible to access and participate in the arts and culture,

(d) realising, as far as reasonably practicable to do so, the value and benefits (in particular, the national and international value and benefits) of the arts and culture,

(e) encouraging and supporting artistic and other creative endeavours which contribute to an understanding of Scotland's national culture in its broad sense as a way of life,

(f) promoting and supporting industries and other commercial activity the primary focus of which is the application of creative skills.”

Much of this aligns with the proposed definition of sustainable development, but our required emphasis on international working, underpinned by the recently published Scotland's International Strategy and the upcoming International Cultural Strategy, create a tension with environmental impact. This is also applicable to our remit from Scottish Government to grow the Screen industries and to attract international productions to Scotland.

16. Do you have any views on the additional resource implications necessary to discharge any wellbeing duty in your organisation?

While we already undertake wellbeing initiatives across many aspects of our work, any extra duties relating to this would likely have resource implications. We are subject to several new duties, such as those under the Consumer Scotland Act, conditions relating Fair Work, reporting against Net Zero, and the UNCRC Act, and there may be further potential requirements such as any related to the forthcoming Human Rights Bill. Any additional duties would stretch our organisation further. We would almost certainly require additional resource, both in terms of staffing and financially, to be able to discharge such duties. An integrated model of reporting across these duties might help to alleviate capacity challenges.

Determining an approach to future generations

17. Should Scotland establish an independent Commissioner for Future Generations?

Yes

18. In what ways could an independent Commissioner for Future Generations increase the accountability, scrutiny and support for decision making?

An independent Commissioner has the potential to work on a strategic level and on a platform outside of Government. The post could provide support in facilitating collaborative working, both inside Government, across public bodies and with Government and public bodies, and could hold these bodies to account for progress against ambitions in this area. It would be positive to have a central team to work as a broker to help develop relationships. In the first instance, support for policy development and decision making would be crucial to enable working practices and partnerships to develop, before focussing on accountability and scrutiny.

The voices of young people have not been mentioned in this consultation, but we would expect a Commissioner for Future Generations to either have a role to play in ensuring those voices were heard, or to support public bodies to better include the voices of young people in meaningful and participatory decision making. At Creative Scotland, we established the National Youth Advisory Arts Group (NYAAG), which has made many valuable contributions across all levels of Creative Scotland, as well as taking part in participatory grant making through running funding programmes. We would be happy to share our experiences, if it were helpful.

19. Are there alternative ways we can increase the accountability, scrutiny and support for decision making?

There may be potential to look at the role of the Scottish Public Services Ombudsman in this respect.