

Our Ref: 124700

Dear Mr Simpson

Thank you for your request for information on our work with regards to national identity.

I am dealing with your request under the Freedom of Information Act 2000 ('the Act'). The Act gives you the right to:

- know whether we hold the information specified in your request and, if that is the case,
- to have that information communicated to you, subject to the provisions of the Act.

Please see below for the answers to your request:

Q1 Is there a full list or detailed breakdown available of what this department spends its money on, what organisations/events it promotes each year? If not, any available information held on what this department did to celebrate or promote the following events, organisations and institutions and how much was spent on it (if anything):

- The 300th anniversary of the Acts of Union which united Scotland and England.
- Trooping the colour to honour the Queens Official birthday
- The Royal Family / Monarchy in general
- Last night of the BBC Proms
- Lord Mayor of London's show (to be held 14th of November this year)

I should firstly explain that the vast majority of DCMS funding is channelled through a variety of Non Departmental Public Bodies, who operate on an "arm's length" basis from the Department. This is a really fundamental issue, and you may wish to apply to a number of these bodies if there are particular events that are interest (eg Arts Council England for cultural events). These organisation are in the main are covered themselves under the principles of FOI. A list of the organisations can be found at: http://www.culture.gov.uk/about_us/our_sponsored_bodies/default.aspx

You may also find it helpful to read the Department's latest Annual Report, which will provide helpful contextual details. The Report reviews the Department's activities over the past year and comprises: Highlights (of key projects and initiatives), Performance and Delivery - progress towards meeting Departmental Strategic Objectives and Public Service Agreement (PSA) targets (with an annex on older PSAs), Value for Money - progress towards meeting our efficiency target, Managing Resources - including our organisational structure and how we relate to our public bodies, key tables relating to our budget and expenditure, and responses to PAC recommendations (second annex). The DCMS Annual Reports since 1999 can be found at the following link:
http://www.culture.gov.uk/reference_library/annual_reports

As you may appreciate, it is theoretically possible that the Department may hold correspondence on any of the issues above, but taken together these issues will most definitely exceed the £600 costs limit imposed under the Act. If you wished to narrow your request further (perhaps applying some time limits around the information held – your request could, amongst other things, capture any information held in this Department on the Royal Family at any point in the history of DCMS or its predecessor Departments).

I am sorry to ask you to clarify your request once again, but the Act requires strict interpretation parameters that must be followed if the Department is not to be in breach of its statutory obligations.

Q2 How this department was handling the separatist (Nationalist) threat rather than the extremist one. This is the only department which must promote British culture, therefore what is it doing to combat separatism and promote unity in Scotland, Wales and sadly even England itself.

DCMS works to support and promote the widest access to excellence in culture - in the arts, in museums and galleries, in architecture and in the built and the historic environment, and libraries. We work closely with the Scottish, Welsh and Northern Ireland governments in many areas of common interest, for example, on the recently announced UK City of Culture (link to CofC website). Arts Council England also funds many cultural activities that tour to Scotland, Wales and Northern Ireland, and around the world (link to ACE website) and provide funding to artists that collaborate with others around the UK. Likewise, the Scottish, Welsh and Northern Ireland counterparts do exactly the same. It is artists and cultural organisations themselves, often funded by governments in all four nations, that use culture to help to promote unity across national boundaries.

Q3 Whilst devolution is a matter for the Ministry of Justice this department should have some information on what powers, authority and tasks it has in relation to Scotland and Wales.

This Department only holds information relating to devolution in the areas of culture, media and sport. As explained above, the UK's main spending on culture operates on an "arm's length" basis, through a number of Non-Departmental Public Bodies (NDPBs). These include organisations responsible for the arts, sport, film and heritage in England and their counterparts in Scotland, Wales and Northern Ireland. Many museums and galleries are also run as NDPBs, including the Victoria and Albert Museum, the Natural History Museum and the Tate Galleries. Some "public bodies", including the four Arts Councils and the UK Film Council (which has a UK-wide remit), also act as distributors of National Lottery funds.

The UK Parliament and Government retain both legislative and policy responsibility for the whole of the UK in the following areas:

- acceptance in lieu of tax (e.g. the acquisition of works of art and heritage for the nation instead of payment of death duties);
- broadcasting;
- export controls on cultural objects;
- government indemnity scheme (i.e. insurance for works of art publicly exhibited);
- legislative responsibility for the national lottery (but responsibility for policy direction is shared with devolved administrations);
- public lending rights (except for Northern Ireland).

DCMS also retains legislative and policy responsibility for film, and for alcohol and public entertainment licensing, in Wales. Responsibility for Gambling law and regulation is shared between the UK Parliament and the devolved administrations. All other subject areas are the responsibility of the devolved administrations in Scotland, Wales and Northern Ireland.

For further information on devolution I would recommend that you contact the Ministry of Justice (MoJ) as the MoJ is the lead Department on devolution. Again you may wish to contact their FOI team directly via <http://www.justice.gov.uk/requestinginformation.htm>.

Q4 Please release all documents available on discussions about which department should take responsibility for the possibility of introducing a day to celebrate Britain.

Section 35(1)(a) of the Act

The Department does hold certain information that falls within the scope of your request. However, after careful consideration, we have come to the view that some of the information you have requested should not be disclosed because it is exempt under section 35(1)(a) of the Act.

The exemption under section 35(1)(a) (formulation of development of government policy) is a qualified exemption and requires us to carry out the public interest test to determine whether the public interest in disclosing the information is outweighed by the public interest in maintaining the exemptions.

The factors we considered in carrying out the public interest test are as follows -

Public Interest Considerations in favour of disclosure

We consider that the factors in favour of the disclosure of the information in this case are as follows:

- There is a public interest in the release of information where this leads to a better understanding of how Government formulates policy. This can help to inform public debate and to increase public confidence that decisions are properly made.

Public Interest Considerations in favour of maintaining the exemptions

- Good government and the development and formulation of government policy depends on good decision making and this needs to be based on the best advice available and a full consideration of all the options without fear of premature disclosure. In this case, the DCMS has been involved in discussions with other government departments over the possibility of a national British day. This process of discussions and formulation and development of government policy is still ongoing and disclosure of information now would be considered premature as defined in this exemption. Therefore there is a risk that decision making and policy formulation would be poorer.

In the light of the above points, the Department has determined that the public interest in favour of maintaining the exemptions outweighs the public interest in disclosure and accordingly, that the information will not be subject to release.

If you would like any more information on the section 35 exemption, please follow the link below to the Information Commissioner's guidance.

http://www.ico.gov.uk/what_we_cover/freedom_of_information/guidance.aspx

If you have any questions or queries about any of the above, please do not hesitate to contact me.

Yours sincerely,



Stephen Bell
Freedom of Information Team
Public Engagement and Recognition Unit

Complaints Procedure

If you are unhappy with the way DCMS has handled your request you are entitled to ask for an internal review of its handling within two calendar months of the date of this letter. If you wish to make a complaint you should contact:

FOI Complaints
Public Engagement and Recognition Unit
Department for Culture, Media and Sport
2-4 Cockspur Street
London, SW1Y 5DH

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

