



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Social Security Committee

**Thursday 29 June 2017**

**Session 5**



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**SOCIAL SECURITY COMMITTEE**  
**14<sup>th</sup> Meeting 2017, Session 5**

**CONVENER**

\*Sandra White (Glasgow Kelvin) (SNP)

**DEPUTY CONVENER**

\*Pauline McNeill (Glasgow) (Lab)

**COMMITTEE MEMBERS**

- \*George Adam (Paisley) (SNP)
- Mark Griffin (Central Scotland) (Lab)
- \*Alison Johnstone (Lothian) (Green)
- \*Gordon Lindhurst (Lothian) (Con)
- \*Ben Macpherson (Edinburgh Northern and Leith) (SNP)
- \*Ruth Maguire (Cunninghame South) (SNP)
- \*Adam Tomkins (Glasgow) (Con)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

- Angela Constance (Cabinet Secretary for Communities, Social Security and Equalities)
- Richard Leonard (Central Scotland) (Lab) (Committee Substitute)

**CLERK TO THE COMMITTEE**

Simon Watkins

**LOCATION**

The David Livingstone Room (CR6)



# Scottish Parliament

## Social Security Committee

Thursday 29 June 2017

[The Convener opened the meeting at 08:32]

### Child Poverty (Scotland) Bill: Stage 2

**The Convener (Sandra White):** Good morning, everyone, and welcome to the 14th meeting in 2017 of the Social Security Committee. I remind everyone to turn off their mobile phones, as they interfere with the recording system. Some people might be feeling a wee bit delicate this morning—I am not looking at anyone in particular.

Apologies have been received from Mark Griffin. Richard Leonard is attending as a substitute.

Item 1 is continued stage 2 consideration of the Child Poverty (Scotland) Bill. We concluded last week's meeting by agreeing to amendment 43 and we will continue from that point.

I welcome the Cabinet Secretary for Communities, Social Security and Equalities and accompanying officials to the meeting.

#### Section 8—Progress report

**The Convener:** Amendment 34, in the name of Pauline McNeill, is grouped with amendments 44 to 46.

**Pauline McNeill (Glasgow) (Lab):** Amendment 34 provides that a progress report must describe the effects of the measures mentioned in section 8 on persons who have one protected characteristic or more under the Equality Act 2010. That relates to a previous amendment that was moved by Jackie Baillie. I heard what the cabinet secretary said on that and I presume that she will ask me the same as she asked of Jackie Baillie, in which case I would be happy to withdraw amendment 34 if the committee agrees but, for the purposes of procedure, I have to move it.

Amendment 44 would include in the annual report

“progress towards meeting the child poverty targets in respect of children living in households that include a person who has a long-term illness or disability.”

That, too, relates to issues that I have raised previously about ensuring that there is special mention of progress on addressing child poverty for people with disabilities.

Amendment 45 would include in section 8 a requirement on ministers to describe progress

towards meeting the child poverty targets for single-parent households. That relates to an amendment already debated.

On amendment 46, it occurred to me that, when preparing the progress report on reducing child poverty, ministers might want to rectify the plan. If that situation arose, it would make sense for them to set out what measures they intended to take to rectify matters and get back on track with the targets for reducing child poverty.

I move amendment 34.

**The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance):** Good morning, convener. I hope that everyone is feeling bright and breezy.

Amendments 34, 44 and 45 set out that annual progress reports must describe the effects of the measures being taken for particular groups.

Ms McNeill is correct that, on amendment 34, which relates to the protected characteristics, I will refer the committee to the points I made during last week's committee meeting concerning Ms Baillie's amendments. The reference to

“a person who has one or more protected characteristic”

is worded problematically because every person has more than one protected characteristic—age and gender at least. As Ms McNeill highlighted, Ms Baillie did not move her amendments because, in effect, they referred to everyone rather than having a focus on people with protected characteristics as intended.

I have similar concerns on amendment 44, principally about drafting and definitions. Amendment 44 refers to

“children living in households that include a person who has a long-term illness or disability.”

As members of the committee will be aware from other pieces of work, it is important that we use the right language and are absolutely clear about the parameters of the groups that we are trying to reach. Therefore, although Ms McNeill is absolutely right to highlight the specific issues that people with a long-term illness or disability face, I ask her not to move amendment 44 with a view to discussing it further with me and officials over the summer, as the meaning of some of the terms in the amendment is not clear. For example, what would constitute

“a long-term illness or disability”?

Amendment 45 refers to measures taken in relation to single parents. Again, I agree that that is an important issue and I am supportive of the principle. I note that the drafting differs slightly from amendment 38, which also refers to single-parent households in reference to delivery plans and was agreed to last week. I reserve the right to

consider further the drafting of amendment 45 in advance of stage 3, although I am content to support it.

Amendment 46 would require the Scottish ministers to set out in a progress report what they propose to do in the event that sufficient progress towards the targets has not been made. I am supportive of that idea. The progress reports will be a key tool that will allow us to assess how ministers are doing and to evaluate ministers' policies and programmes on the basis of the evidence. Although I am content to support amendment 46 in principle, I stress that some of the interventions that ministers make to meet the targets are long-term ones and we will not see immediate results from them. In addition, I may reflect on the drafting of the amendment before stage 3, but that will not affect my acceptance of the policy intention behind it.

I support amendments 45 and 46 and oppose amendments 34 and 44 only because of the issues that I have outlined on drafting and definitions.

**Pauline McNeill:** In view of the cabinet secretary's response, I seek to withdraw amendment 34 and will not move amendment 44 but I will move amendments 45 and 46. I welcome the cabinet secretary's support for the latter two amendments.

*Amendment 34, by agreement, withdrawn.*

*Amendment 44 not moved.*

*Amendments 45 to 47 moved—[Pauline McNeill]—and agreed to.*

*Amendment 48 moved—[Ben Macpherson]—and agreed to.*

*Section 8, as amended, agreed to.*

#### After section 8

*Amendment 23 moved—[Angela Constance]—and agreed to.*

#### Section 9—Final report

*Amendments 24 and 25 moved—[Angela Constance]—and agreed to.*

*Section 9, as amended, agreed to.*

#### After section 9

**The Convener:** Amendment 49, in the name of Alison Johnstone, is in a group on its own.

**Alison Johnstone (Lothian) (Green):** The stage 1 report made a recommendation, which was unanimously supported by the committee, that, because the policy actions required by the bill will have resource important implications, budget plans

should make direct links with child poverty delivery plans and progress reports. Amendment 49 was drafted to give effect to the intention behind that recommendation. I am very pleased to see that the Child Poverty Action Group in Scotland recommends that members support it.

We know from experience—and it is obvious—that budget decisions can have a big impact on child poverty. It is recognised that some of the tax and spending decisions of new Labour in the 2000s led to historically and internationally unprecedented falls in child poverty. The amendment asks the Scottish Government to explain how the annual Scottish budgets will impact on progress made towards the bill's targets.

I draw the committee's attention to the evidence that we have heard previously on how child poverty targets and the budget process are linked. Dr Jim McCormick told us that

"The more that we can drive resource allocation decisions that are based on evidence from what has and has not worked, the more"

the delivery plan

"becomes a living, breathing, practical and useful plan, rather than something that sits to the side of what Government is doing."—[*Official Report, Social Security Committee, 27 March 2017; c 6.*]

I support it being made explicit that the Government has to make the link—with its annual budget process, in particular. Several other witnesses, including Naomi Eisenstadt, also told us about the importance of the budget process for the child poverty targets and the need for a link between the two. I suggest that a way in which that can be achieved is to require the Scottish Government to produce projections of how its tax and spending plans will impact on child poverty. That is a way of entrenching the aim of reducing child poverty against any future Government's intentions to reduce efforts to meet the targets. Any such Government that intends to reduce its budgetary commitments would certainly have to think twice about that if the projections showed a projected slowdown on progress towards meeting the targets or, indeed, a projected increase.

I move amendment 49.

**Adam Tomkins (Glasgow) (Con):** As well as sitting on this committee, I am the deputy convener of the Finance and Constitution Committee. I do not speak on behalf of that committee, but this committee should be aware that there has been a budget process review group that will report imminently. Its interim report was published three months ago. Obviously, I cannot say anything about what will be in the report of the budget process review group, but I wonder whether the wording of amendment 49 will

be compatible with what the review group recommends on what are likely to be quite significant changes to the budget process. I have a completely open mind about that, but I wonder whether it would be better to revisit the issue at stage 3, once we have all had the opportunity to read and digest the recommendations of the budget process review group and, if we want to do so, to report back to the Finance and Constitution Committee about our views, as the Social Security Committee, on those recommendations.

I am sorry to throw a slight spanner in the works, but the issue might be better examined at stage 3 than at stage 2, given that recommendations on the budget process are about to be published.

**The Convener:** Thank you for that update.

08:45

**Angela Constance:** I very much appreciate the rationale, purpose and intent behind amendment 49. Members want to understand the effect and impact of Government spending on making progress towards the targets, and rightly so. However, let me describe what is already in place to deliver the spirit of the amendment in relation to the Scottish budget process. In so doing, I will pick up some of the issues that Mr Tomkins raised.

The equality budget statement that is published alongside the draft budget every year contains an assessment of the impact of spending choices on low-income households with children. As members will be aware, we are considering how to expand the approach, given that the socioeconomic duty, on which I will consult shortly, will enable us to take important steps forward.

In addition, equality impact assessments are a statutory requirement for new policies and proposals, and include a focus on age. They should therefore bring out issues that affect children. I am sure that many members are aware that we are also required to conduct child rights and wellbeing impact assessments on relevant matters, which set out whether our policies, measures and legislation protect and promote the wellbeing of children and young people.

I wanted to highlight the existing frameworks and assessments that are in place around the draft budget, which reflect child poverty issues in a proportionate and sensible way.

I point members to the on-going work of the parliamentary budget process review group, to which Mr Tomkins and others referred. The group is conducting a fundamental review of the Scottish Parliament's budget process, following the devolution of further powers in the Scotland Act 2012 and the Scotland Act 2016. I understand that

the group will report its findings imminently, to ministers and—this is important—to the Finance and Constitution Committee.

I therefore respectfully suggest that it would be pre-emptive to make legislative requirements that relate to the budget process at this stage, before we have seen the outcome of the detailed work of the budget process review group, which was set up to come up with proposals for a revised budget process for consideration by the Finance and Constitution Committee and the Scottish ministers. The group published its interim report in March for consultation, as part of that process, which presented opportunities for people to suggest changes to the budget process as a whole.

I contend that such an approach is preferable to amending the bill. It would be unhelpful, at this time, if the committee agreed to amendments that would affect the budget process, when the review group has put significant time and effort into providing ministers and the Finance and Constitution Committee with a detailed and thorough review, which will be based on evidence. I hope that committee members support the recommendation that we do not agree to amendment 49 before we have given due consideration to the report. I ask members to oppose amendment 49.

**The Convener:** Thank you, cabinet secretary. You and Mr Tomkins made important points. It is important that we budget-proof all legislation in the Parliament.

**Alison Johnstone:** I want to address some of the points that my colleagues have made. Amendment 49 would not require the Scottish Government to make projections about impacts on child poverty that would in any way be experimental or require significant additional resourcing or capacity.

It is important that the Parliament strives always to improve the quality of the data on poverty that is available to the Government to inform policy making. It is also important that we do all that we can to project the impact of tax and spending proposals on poverty. That is quite a common exercise. For example, the Institute for Fiscal Studies regularly produces such projections.

Adam Tomkins spoke about the budget review process and said that we cannot say anything about what will be in the review. Therefore, I am here today at stage 2 with none of that information available to me. However, I think that it is really important that we make the link between the bill and the budget process. Colleagues suggest that a similar aim could be achieved through a replacement for the equality budget statement that the budget process review group might propose

tomorrow. That might be the case, but it might not—we do not know.

I am perfectly willing to consider whether the group's proposals meet the intentions of amendment 49, but until I see detailed proposals I wish to press ahead with the amendment. If we are going to put back into law income targets for child poverty reduction and legally require the Scottish Government to report on how it is striving to meet them, it is really no stretch to say that there should be a requirement on the Government to explain how its budget, which will inevitably have an effect on incomes, will impact on progress towards the targets. Of course, we have stage 3 to make any adjustments that may or may not be required.

I press amendment 49.

**The Convener:** The question is, that amendment 49 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

#### For

Johnstone, Alison (Lothian) (Green)  
Leonard, Richard (Central Scotland) (Lab)  
McNeill, Pauline (Glasgow) (Lab)

#### Against

Adam, George (Paisley) (SNP)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Maguire, Ruth (Cunninghame South) (SNP)  
White, Sandra (Glasgow Kelvin) (SNP)

#### Abstentions

Lindhurst, Gordon (Lothian) (Con)  
Tomkins, Adam (Glasgow) (Con)

**The Convener:** The result of the division is: For 3, Against 4, Abstentions 2.

*Amendment 49 disagreed to.*

### Section 10—Local child poverty action report

**The Convener:** Amendment 50, in the name of Richard Leonard, is grouped with amendments 51, 52 and 54.

**Richard Leonard (Central Scotland) (Lab):** The intention of amendments 50 to 52 and 54 is to ensure that the widest possible engagement with community planning partners is included when local child poverty action reports are developed. The intent of the bill is to secure as much national but also local input into the attainment of the targets that are set in the bill. Therefore, local child poverty action reports are an essential part of the process. The bodies that are involved in community planning partnerships are wider than simply local government and health boards but, actually, that is all the more reason why they

should be included as bodies that have to make a contribution to the reports.

Two press articles that have been published just this morning highlight the need for that wider rather than narrower approach. One says:

“The number of children in Scotland without a permanent home has reached a six-year high, with more than 6,000 youngsters recorded as living in temporary accommodation”,

which is a 13 per cent rise. Another article mentions a report from the University of Edinburgh that says that Scottish school leavers from poorer families

“are significantly more likely to be unemployed”.

That is why it is absolutely essential that we include bodies such as Scottish Enterprise, Highlands and Islands Enterprise, further education colleges and transport partnerships in the process of developing the local action plans.

Paragraph 23 of the financial memorandum that accompanies the bill says:

“The Scottish Government will work with local authorities and health boards to produce guidance on how the reporting should operate, and would expect Community Planning Partnerships to be a useful vehicle by which to co-ordinate this work.”

I also note that the committee received evidence on the subject. The Aberdeenshire community planning partnership suggested that CPPs should be added to the bill and described the current provision as

“a missed opportunity to ensure reporting of the fullest possible range”

of actors at a local level.

I move amendment 50.

**Ben Macpherson (Edinburgh Northern and Leith) (SNP):** Although in general terms I share Richard Leonard's overarching aim to encourage local engagement, I have concerns about the amendments for several reasons. First, I am not clear about what they would achieve, although I acknowledge the introductory remarks that were made a few moments ago. I am concerned that the amendments would place obligations on a wide variety of organisations that have no immediate role in child poverty and that those organisations have not been consulted on having a duty placed on them. For those reasons, I am not able to support the amendments in the group.

**Angela Constance:** I again state that I understand why Mr Leonard is proposing amendments 50 to 52 and 54 and what he is seeking to achieve. It was very apparent during the stage 1 discussions that there was some appetite for a local reporting duty to be placed on community planning partnerships. Indeed, at the



start of the process that is instinctively what I—as a minister—would have wanted to do, but the advice that I received from officials was very clear that we could not place duties as such directly on community planning partnerships, because they are not legal entities in their own right and they do not employ people. Nevertheless, on the points that Mr Leonard makes about—how can I put it?—not letting organisations such as enterprise agencies and other organisations off the hook and ensuring that they have to contribute, particularly around employment, to endeavours in relation to child poverty, let me say that in my view that is crucial.

I reassure members that I have considered these matters very carefully. However, I do not agree that we should mandate additional partner organisations to prepare local reports as Mr Leonard proposes in his amendments. There are three reasons for that. First, I agree with the spirit of the amendments that local authorities and health boards will want to engage with local partners in the development of their annual reports, but the duty as it stands gives a clear leadership role locally to health boards and to local authorities. In my view, that is absolutely right, as they are the key strategic players and they should take on that leadership role on child poverty. That is why they are already central to the reference group that I have set out and they have a role to develop guidance.

Secondly, on a more pragmatic level, some of the bodies that are included in the list that Mr Leonard suggests have—at best—a tangential role in tackling child poverty. Of course, I accept entirely the very obvious role of Skills Development Scotland, further education colleges and enterprise agencies, but the list of organisations that Mr Leonard proposes is extensive and includes bodies such as the Scottish Environment Protection Agency and Scottish Natural Heritage. I am not convinced that those bodies are sufficiently relevant to issues of child poverty to merit annual reporting. I should also say that, as far as I am aware, those additional bodies have not been consulted on a potential duty, and I have some concerns about that. Our approach to duties under the bill has to be both proportionate and relevant, which is why I think that it is appropriate that we limit annual reporting duties to those that have a very clear day-to-day role in dealing with children and families.

Thirdly, on a point of principle, the Community Empowerment (Scotland) Act 2015, which set up community planning partnerships, did so precisely to put power in the hands of communities. Community planning partnerships are therefore required to set out their own priorities for improvement that are agreed locally in a

collaborative way with the participation of their communities. They are required to agree the priorities based on an evidence-based understanding of local needs, circumstances and opportunities and they are required to be accountable to their communities and to report publicly to their communities on the improvements that they have made. Therefore, if the Parliament were to instruct CPPs what to do, that would seem to be contrary to the general principles of the 2015 act, which was designed specifically to put local people and communities at the heart of what we do.

09:00

I mentioned the reference group, which is developing guidance on the local reporting duty. That group has met once already, and it has two further meetings scheduled over the summer. It has made good progress thus far. I reassure Mr Leonard and others that I will ask the group to consider what more can be done to make sure that the guidance delivers at local level the kind of partnership working that he has in mind. I appreciate that he was struck by the evidence that the committee received at stage 1 on the importance of CPPs, and I understand the argument that we need to ensure that certain bodies are involved in tackling child poverty at a local level.

A possible compromise would be to put a requirement on local authorities and health boards, in preparing their annual reports, to consult those community planning partners that they consider appropriate to determine what measures they have taken during the year to meet the child poverty targets. An amendment to that effect could be lodged at stage 3. A provision on the inclusion in annual reports of a description of the measures that those community planning partners had taken would encourage local authorities and health boards to bring in appropriate partners and would avoid imposing unnecessary requirements on bodies that have less relevance when it comes to the day-to-day issues of tackling child poverty.

For those reasons, I recommend that members oppose amendments 50 to 52 and 54.

**Richard Leonard:** I wish to press amendment 50. I appreciate the final part of the cabinet secretary's response, which was helpful. By the time we get to stage 3, something robust might be in place. However, I am in a similar position to the one that Alison Johnstone was in on amendment 49. As we sit here this morning, I do not think that there is sufficient evidence that all the public agencies out there will be brought in with full force to meet the bill's aims.

I hear what the cabinet secretary says about not wishing to tell local bodies what to do, but through the bill we are telling local government what to do, so why should it not be equally acceptable to tell central Government agencies such as Scottish Enterprise what they should be doing?

The Scottish Environment Protection Agency was mentioned. There is a big environmental justice movement that says that, by and large, facilities such as incinerators, landfills and chemical plants—and even areas that are licensed for future fracking—are in areas where poorer people live. Therefore, I do not think that SEPA should be exempt from considering poverty and child poverty in its deliberations. If there are particular bodies such as SNH that have no locus whatever on child poverty—I am not persuaded that that is the case—I suppose that it would be possible to consider exemptions for them.

However, if there are to be exemptions, I do not think that bodies such as further education colleges, Scottish Enterprise, Highlands and Islands Enterprise and Skills Development Scotland should be exempt from playing a much more active part in the compilation of child poverty reports so that they are accountable. They already have a duty to act with a view to reducing socioeconomic inequalities and they are subject to the public sector equality duty, so I do not think that it is unreasonable to ask them to make a more formal contribution to the goal that we share of reducing substantially child poverty in Scotland. That would be achieved by amendment 50 and, for that reason, I wish to press it.

**The Convener:** The question is, that amendment 50 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Johnstone, Alison (Lothian) (Green)  
Leonard, Richard (Central Scotland) (Lab)  
McNeill, Pauline (Glasgow) (Lab)

**Against**

Adam, George (Paisley) (SNP)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Maguire, Ruth (Cunninghame South) (SNP)  
White, Sandra (Glasgow Kelvin) (SNP)

**Abstentions**

Lindhurst, Gordon (Lothian) (Con)  
Tomkins, Adam (Glasgow) (Con)

**The Convener:** The result of the division is: For 3, Against 4, Abstentions 2.

*Amendment 50 disagreed to.*

*Amendment 51 moved—[Richard Leonard].*

**The Convener:** The question is, that amendment 51 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Johnstone, Alison (Lothian) (Green)  
Leonard, Richard (Central Scotland) (Lab)  
McNeill, Pauline (Glasgow) (Lab)

**Against**

Adam, George (Paisley) (SNP)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Maguire, Ruth (Cunninghame South) (SNP)  
White, Sandra (Glasgow Kelvin) (SNP)

**Abstentions**

Lindhurst, Gordon (Lothian) (Con)  
Tomkins, Adam (Glasgow) (Con)

**The Convener:** The result of the division is: For 3, Against 4, Abstentions 2.

*Amendment 51 disagreed to.*

**The Convener:** Amendment 2, in the name of Adam Tomkins, is grouped with amendments 26, 53 and 55.

**Adam Tomkins:** Amendment 2 is designed to ensure that local child poverty action reports are prospective as well as retrospective. Amendment 26, in the name of the cabinet secretary, seeks to do the same thing and in more elegant terms than amendment 2. If the cabinet secretary moves amendment 26—as I hope that she will—I will withdraw amendment 2. However, it is important that the section 10 requirement on local authorities is one that requires their reports to state not only what they have done to try to tackle child poverty but what they propose to do and continue to do in order to tackle child poverty. That is the basis of amendment 2 and, if I have understood it correctly, amendment 26.

I move amendment 2.

**Angela Constance:** The committee's stage 1 report highlighted a range of evidence suggesting that a forward-looking strategic duty on local partners would help partners to plan how they go about reducing child poverty. In the view of several expert witnesses, that would strengthen the duty and make it more effective in meeting its aims. I have been persuaded on the issue and for that reason the Government has lodged an amendment to the bill to place an additional requirement on local authorities and NHS boards to set out actions that they plan to take in the future.

I appreciate Mr Tomkins's comments and his support for Government amendment 26. However, it might be useful for me to put on record some of the concerns about amendment 2 so that the committee is fully informed about our thinking.

I was not convinced that the forward look that Mr Tomkins proposes in amendment 2 should

focus specifically on the reporting year ahead. Amendment 2 would pose some practical challenges, because of the inevitable delay in reporting. For example, the report of activity covering the period April 2018 to March 2019 would not be published until after that period had ended and might not be published until June 2019, yet, according to amendment 2, the forward look should relate to the period 1 April 2019 to 31 March 2020. However, by the time the report is published in June 2019, two months of the following year would already have passed, so it would not be accurate to say that it could describe measures “intended to be taken” in April and May 2019. Thank you for bearing with me, convener.

Amendment 26 will strengthen the duty on local reporting, but it does not restrict local partners to reporting on actions only within the next reporting year and does not create a reporting gap. For those reasons I intend to move amendment 26. I appreciate Mr Tomkins’s support for amendment 26 and his intention to withdraw amendment 2.

On amendment 53, I appreciate why Alison Johnstone wants to include a reference to measures relating to income maximisation for pregnant women and families in the bill. However, the member has already received a commitment in writing from the Cabinet Secretary for Health and Sport to roll out the healthier, wealthier children programme across Scotland.

As I said earlier, I do not think that it is sensible to overload the bill with references to taking measures relating to specific matters. That would restrict the flexibility that local areas have to develop proposals as they see fit. That is a key point. Local areas will know best what works for them in terms of support in their diverse communities. That is why the reference group that I set up includes representatives from across the country. We will work with them to look at how best to disseminate good practice and share examples of positive projects such as the healthier, wealthier children programme. Indeed, we are looking to build on that programme through our programme of financial health checks, which I expect to announce in the first delivery plan. I offer to meet Alison Johnstone to discuss that further.

For those reasons—and those reasons only—I do not support amendment 53.

Amendment 55 seeks to require local authorities and health boards to set out the measures that they are taking

“in relation to persons who are either seeking or who have been recognised as having refugee, humanitarian or other form of international protection status.”

I very much agree with Ms McNeill that we must consider carefully the link between poverty and

refugees, asylum seekers and others who have or are seeking humanitarian protection.

I thank Ms McNeill for raising that important issue, as it has not been raised in the context of this bill, although members will undoubtedly be aware of the recent inquiry by the Parliament’s Equalities and Human Rights Committee, which placed a much-needed focus on the issue of destitution that is tied to asylum and insecure immigration status in Scotland. That committee made 30 recommendations, which the Scottish Government is in the process of carefully considering. I am due to respond to the Equalities and Human Rights Committee in July. In my response to the committee debate in Parliament about a month ago, I stressed that, although we cannot ignore the cause of destitution, which is, in essence, the way in which the asylum system operates, and in particular how it interacts with the welfare benefit entitlement, those are issues that are currently reserved to the United Kingdom Government. Although I am clear about the challenges that are posed by reserved matters, nonetheless I gave a commitment in Parliament and to that committee that the Scottish Government will recognise the opportunities that we have with devolved powers that could make a real difference to people’s lives.

I think that we all agree that refugees should feel welcome, safe and able to participate in society. That is why, as a Government, we developed the first new Scots immigration strategy in 2013, which encouraged innovative approaches and new ways to offer support and do more to involve refugees. As I set out in my speech at the launch of the Scottish refugee festival last week, we want to build on that progress and continue to use the distinctive new Scots approach from day 1 of arrival.

The delivery plan that I will prepare under the bill will be a cross-Government plan. I will, of course, ensure that it is aligned with the principles of other work, such as the new Scots programme.

There is a duty in the bill for local authorities and health boards to set out any measures that are taken in their area for the purpose of meeting child poverty targets. I would therefore expect that, where a local authority or health board considers it appropriate, it will report on the measures that it has taken in relation to the families that Pauline McNeill is referring to. She and others will also be well aware of the great work that has been undertaken by Glasgow City Council to support refugees and asylum seekers.

Again, I would be happy to raise the issue with our local reference group and discuss with it whether the issue might feature in the guidance that we are developing in collaboration with it.

For the reasons that I have set out, and given that our commitments for the purposes of the bill are now on the record, I hope that Ms McNeill will not move amendment 55.

09:15

**Alison Johnstone:** The bill is about defining poverty in law as it relates to income, and setting targets for boosting the incomes of poorer families. One important way of achieving that is by helping people to claim the benefits to which they are entitled. We know that a lot of benefits go unclaimed because the benefits system is simply too complex for many people to navigate, so many families do not claim everything that they could.

In our evidence session in Glasgow we heard from John Dickie of the Child Poverty Action Group that many families find themselves relying on child benefit, which is easy to access and universally available—well, not entirely now. A survey by the charity Turn2us found that 48 per cent of low-income families are not claiming the welfare benefits and tax credits to which they could be entitled. That results in about £15 billion-worth across the United Kingdom going unclaimed, which has an impact on people's ability to have any quality of life.

The cabinet secretary has recognised that when families get the advice and support that they need to make a claim they can gain significant amounts of additional income, which can have a huge impact in reducing poverty. I am delighted that the Government is going to roll out the healthier, wealthier children programme, because we know that some families have gained up to £3,000 a year from that project. That is simply about making people aware of their entitlements and enabling them to claim them.

We know that some fantastic work is already taking place across the country. There are projects here in Lothian that are making a difference, too, and great work is being done by local authorities and health boards. Amendment 53 seeks to facilitate the sharing of that work. The cabinet secretary spoke about disseminating information and sharing best practice.

For the avoidance of any doubt, I make clear that the amendment does not require local authorities or health boards to do anything that they are not doing already. It certainly does not reduce flexibility and it is absolutely not trying to set their local priorities for them. It is just trying to ensure that we all understand what great work is going on and that we can act on that. All that the amendment asks is that those bodies detail in their local child poverty action reports anything that they are doing on income maximisation.

Child poverty is an intractable problem; Governments have been trying to solve it for decades and for far longer than that, and we have not succeeded yet. Amendment 53 simply seeks to help this Government, or any future Government, to get closer to addressing child poverty.

**Pauline McNeill:** I thank the cabinet secretary for her comprehensive response on amendment 55. The amendment was suggested by the Scottish Refugee Council. I feel that there was no discussion at stage 1 about the needs of asylum seekers or anyone with international protection status. As has been noted, amendment 55 makes no specific requirement except for child poverty action reports to

“describe any measures taken ... for the purpose of contributing to the meeting of the child poverty targets”

in relation to those groups. I want to make sure that that is a consideration. It is a complex—and, I appreciate, a reserved—matter, but there are asylum seekers with children living in severe poverty. I am sure that no local authorities or others would ignore that fact, but I think that it would be remiss of the committee if it was not mentioned.

I also ask the committee to note that the amendment is not necessarily restricted to financial measures—it could relate to services for asylum seekers. In Glasgow, where excellent work has already been done, as the cabinet secretary mentioned—as, indeed, is the case in many local authorities—the provision of sheltered accommodation for homeless people includes a shelter for asylum seekers but not women, and I am not certain whether that includes children. There are issues that relate not to finances but to shelter and services that need to be addressed.

On that basis, for the time being I am content for amendment 55 to be a probing amendment that gets the issue on the record. Perhaps there can be some further discussion to ensure that the issue of asylum seekers is not forgotten when we are looking at what the Government and local authorities plan to do around the country to reduce child poverty.

I would also like to speak to amendment 53, in the name of Alison Johnstone. When discussing some of my amendments on automated benefits, which I wholly welcome, the cabinet secretary spoke about their importance, particularly to single parents and other groups. Income maximisation is a key concept that is related to automated benefits. It recognises that there may be a variety of reasons why people have not applied for all the benefits to which they are entitled. Alison Johnstone has outlined some quite worrying figures on unclaimed benefits. I do not know

whether Alison will move amendment 53, but I will be happy to support it.

I would like to be reassured that the Scottish Government is alive to the concept of income maximisation. To be fair, I know that we will probably return to the matter when considering the Social Security (Scotland) Bill. It is not a matter that can be discussed only in relation to this bill.

**The Convener:** I call Adam Tomkins to wind up.

**Adam Tomkins:** I have nothing to add, other than to say again that we will support amendment 26, in the name of the cabinet secretary. If they are moved, we will also support amendments 53 and 55.

*Amendment 2, by agreement, withdrawn.*

*Amendment 52 moved—[Richard Leonard].*

**The Convener:** The question is, that amendment 52 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**FOR**

Johnstone, Alison (Lothian) (Green)  
Leonard, Richard (Central Scotland) (Lab)  
McNeill, Pauline (Glasgow) (Lab)

**Against**

Adam, George (Paisley) (SNP)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Maguire, Ruth (Cunninghame South) (SNP)  
White, Sandra (Glasgow Kelvin) (SNP)

**Abstentions**

Lindhurst, Gordon (Lothian) (Con)  
Tomkins, Adam (Glasgow) (Con)

**The Convener:** The result of the division is: For 3, Against 4, Abstentions 2.

*Amendment 52 disagreed to.*

*Amendment 26 moved—[Angela Constance]—and agreed to.*

*Amendment 53 moved—[Alison Johnstone].*

**The Convener:** The question is, that amendment 53 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Johnstone, Alison (Lothian) (Green)  
Leonard, Richard (Central Scotland) (Lab)  
Lindhurst, Gordon (Lothian) (Con)  
McNeill, Pauline (Glasgow) (Lab)  
Tomkins, Adam (Glasgow) (Con)

**Against**

Adam, George (Paisley) (SNP)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Maguire, Ruth (Cunninghame South) (SNP)  
White, Sandra (Glasgow Kelvin) (SNP)

**The Convener:** The result of the division is: For 5, Against 4, Abstentions 0.

*Amendment 53 agreed to.*

*Amendment 55 not moved.*

*Amendment 54 moved—[Richard Leonard].*

**The Convener:** The question is, that amendment 54 be agreed to. Are we agreed?

**Members:** No.

**The Convener:** There will be a division.

**For**

Johnstone, Alison (Lothian) (Green)  
Leonard, Richard (Central Scotland) (Lab)  
McNeill, Pauline (Glasgow) (Lab)

**Against**

Adam, George (Paisley) (SNP)  
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
Maguire, Ruth (Cunninghame South) (SNP)  
White, Sandra (Glasgow Kelvin) (SNP)

**Abstentions**

Lindhurst, Gordon (Lothian) (Con)  
Tomkins, Adam (Glasgow) (Con)

**The Convener:** The result of the division is: For 3, Against 4, Abstentions 2.

*Amendment 54 disagreed to.*

*Section 10, as amended, agreed to.*

**Section 11—Meaning of “child” and “child poverty targets”**

*Amendments 28 and 29 moved—[Angela Constance]—and agreed to.*

*Section 11, as amended, agreed to.*

*Sections 12 and 13 agreed to.*

*Long title agreed to.*

**The Convener:** That ends stage 2 consideration of the bill. I thank the cabinet secretary and her officials for coming.

09:24

*Meeting continued in private until 11:19.*



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