



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Tuesday 12 March 2019

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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Scottish Parliament

Tuesday 12 March 2019

*[The Presiding Officer opened the meeting at
14:00]*

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. The first item of business today is time for reflection. Our time for reflection leader is Mr Joe Livingston, parishioner at St Columbkille's Catholic church, in Rutherglen.

Joe Livingston (St Columbkille's Catholic Church, Rutherglen): Presiding Officer and members of the Scottish Parliament, thank you for this opportunity to address you this afternoon. It is truly an honour for me to be invited here to speak on behalf of my association, which is called the Foundation of Truth.

The daily help that I give in the parish sometimes involves reading from a pulpit or helping out with general parish duties, including fundraising events.

The world today needs love and peace. That is so needed. Today, there seems to be a lack of true love in hearts.

When true love is present, peace automatically ensues. The world tends to ignore that powerful fact. If leaders everywhere brought true love in their hearts to each negotiating table, there would be no suspicion or distrust.

Lack of empathy cancels out forgiveness. But what about truth? Pontius Pilate did not even know that he was speaking to the truth. Does it matter? Of course it does. Without truth, there is a distortion of reality, especially at the negotiating table.

I ask you—everyone who is listening to this short reflection, around the world—will you help me? Will you look deep into your heart and at least try to put love—the true essence of love—into all your actions, negotiations and meetings? Then and only then, a new attitude will begin to permeate your very being, which will be noticeable to others. It will produce peace and happiness.

At the moment, the world says, "I haven't time for people. Let's move at a high pace and fulfil the schedule." Do we—can we—look at people with patience and compassion? If we can achieve that, something inside us will come to the surface. People around you will sense the change in you. It will take you to another level of empathy, which in turn will change your very being.

Love sometimes means "putting the other person first". This is the challenge. Let us all try to make this a better world.

Topical Question Time

14:05

Queen Elizabeth University Hospital

1. Annie Wells (Glasgow) (Con): To ask the Scottish Government what its response is to reports that the Queen Elizabeth university hospital faces a repair bill of up to £50 million. (S5T-01544)

The Cabinet Secretary for Health and Sport (Jeane Freeman): Reports that the hospital requires repairs of around £50 million are inaccurate and the board does not recognise that figure, as it has made clear in public statements.

The board is investing £2.75 million in a water treatment plant and upgrades to the haemato-oncology ward at the Royal hospital for children. No other significant investments are required in the two new hospitals.

However, the Queen Elizabeth university hospital is part of the wider Queen Elizabeth campus, which includes older buildings. As with all estates, maintenance is an on-going process and the board continues to work through the required maintenance in the older parts of the campus.

Annie Wells: I appreciate that the £50 million is not an official figure, although it is understood to have been given by NHS Greater Glasgow and Clyde's estates and facilities manager to the corporate management team in January. NHS Greater Glasgow and Clyde also admitted that the problems with older buildings on the campus that the cabinet secretary mentioned would require "significant investment".

There is undoubtedly a growing list of problems at the Queen Elizabeth university hospital—we hear of new issues every week. Only last week, Healthcare Improvement Scotland's report highlighted that there were more than 300 outstanding maintenance jobs, as well as the fact that there is currently no clear ventilation structure.

How much does the Scottish Government expect that it will cost to fix the infrastructure issues at the hospital? Can the cabinet secretary reassure patients in Glasgow that that will not have a knock-on effect on other services?

Jeane Freeman: I repeat that the £50 million is not a figure that is recognised by the board. It is not recognised by the board because it is not an accurate figure. It does not apply to the two new hospitals—the Queen Elizabeth university hospital and the Royal hospital for children.

The campus has a number of older buildings, including the buildings of neurology and

neurosciences, physical disability rehabilitation, clinical genetics and pathology. The board is working through what the maintenance requirements of those buildings are, as we would expect it to do, and where the priority should lie, according to which of those buildings provide patient care. Again, that is what we would expect it to do.

The 300 outstanding jobs range from basic, small-scale maintenance that should be part and parcel of a normal programme of on-going maintenance—I am talking about everything from fixing taps to replacing light bulbs—to jobs that are about ensuring infection prevention and control. The board has produced a detailed plan in response to the Healthcare Environment Inspectorate's unannounced inspection, which I commissioned. I have made clear my view of the report on that inspection. It is important to put on the record here in Parliament that the inspection report made it clear that front-line staff were doing all that they possibly could to prevent infection and to control it where it arose, that they understood their role and that they were following all the right patient safety protocols. What was wrong was that, when staff raised issues, they were not properly heard and addressed.

At yesterday's annual review of NHS Greater Glasgow and Clyde, we went through the detail of the board's plan. We will continue to monitor closely what it is doing. When it produces what it believes to be its maintenance requirement for the older buildings, that will be part and parcel of the conversation that we have with the board, as is the case with the conversations that we have with other boards. The key factor with regard to whether the issue will affect other areas is whether the maintenance that is required is required for patient safety and patient care, in which case it will obviously be priority maintenance.

Annie Wells: I have seen the cabinet secretary's comments on the Healthcare Improvement Scotland report, and I appreciate what she said. However, the same HIS report also highlighted staff shortages for cleaners—we know that there is a 10 per cent vacancy rate for domestic staff—and for infection control doctors, who play a crucial role in assessing infection risks presented by the built environment. What urgent action is the Scottish Government taking to recruit cleaning staff so that this flagship hospital is fully resourced?

Jeane Freeman: As part of the annual reviews, as I am sure Ms Wells knows, one of the groups that my ministerial colleagues and I meet is the area partnership forum, on which all the staff-side trade unions are represented, including the Royal College of Nursing. I also meet the area clinical forum, which brings together senior clinicians from

across all the board's areas of work. In meetings with both those forums yesterday, we discussed the inspection report.

It is clear that NHS Greater Glasgow and Clyde carries a higher than acceptable level of unfilled domestic posts. There is a much higher than acceptable level of sickness absence among domestic staff—it is not too hard to work out why that is the case—and among maintenance staff.

As the employer, NHS Greater Glasgow and Clyde has to take action to fill those posts, and it has had a clear message from me that I expect it to take that action and fill those posts. We will be monitoring that closely, as well as the board's review of a decision that predates all this by some years to move to having a generic maintenance role as opposed to specific maintenance roles for plumbers, joiners and so on. The board is considering whether that generic role works for it and whether it hampers recruitment in ways that we would not otherwise expect. The board is engaged in all that activity; I have discussed it with the board and we will be monitoring it closely. Also, through the director-general for health and social care, we will be looking at all our other boards to assure ourselves that they do not have similar issues.

The Presiding Officer (Ken Macintosh): There are three more supplementaries. I would like succinct questions and answers.

Monica Lennon (Central Scotland) (Lab): If not £50 million, can the cabinet secretary say what repair bill figure the health board does recognise?

In response to the damning report on the Queen Elizabeth university hospital, Dr Lewis Morrison, the chair of the British Medical Association in Scotland, said:

“Without the right staff in place, it is hard to see how real improvements can be made.”

Does the cabinet secretary agree with Dr Morrison?

With staffing levels, building maintenance, cleanliness and infection control causing concern at Scotland's flagship hospital, the cabinet secretary will know that people right across Scotland are worried about the rest of our hospitals. Should they be worried?

Jeane Freeman: As I think I have already explained, I cannot give the exact figure for the repair bill to Ms Lennon because the health board is working through what is required for the older buildings, exactly how much that will cost and where the priority areas should lie. I am happy to make that figure available. The board will make it public once it has reached that final figure.

Of course I agree with Dr Morrison; it is self-evident that we need to have the right staff in place with the right skills mix in order to do the job that we require them to do. We have had discussions with the BMA. As I said to Ms Wells, the health board is working on that in the particular areas of maintenance and domestic staff, and we will be monitoring that closely.

Our interim director-general for health and chief executive of NHS Scotland, Malcolm Wright, who is a former NHS board chief executive, is working directly, along with our chief nursing officer for Scotland, with the chief executives of all our other health boards to ensure that in the specific areas highlighted by the inspection report, which I commissioned, we have answers from all the other boards on where they sit against those recommendations and against our expectations of them, including their statutory responsibilities.

Emma Harper (South Scotland) (SNP): What progress has been made in recent years on reducing hospital-acquired infections?

Jeane Freeman: Since 2007, there has been an 88 per cent fall across Scotland in cases of *Clostridium difficile* in patients aged 65 and over and a 93 per cent fall in levels of MRSA.

Given that we are talking about NHS Greater Glasgow and Clyde, I point out that figures for it that were published on 8 January show that C diff infection rates have been reduced by 85 per cent and MRSA rates have been reduced by 94 per cent, which is in line with national figures. As we have made clear, notwithstanding the serious difficulties with infections in NHS Greater Glasgow and Clyde that have been recounted in the Parliament, and the very great seriousness with which I take them, the Queen Elizabeth hospital remains on a par with the rest of Scotland on infection rates. The rate is running at about 4 per cent overall, whereas the Scottish average is 4.2 per cent. *[Jeane Freeman has corrected this contribution. See end of report.]* It is important to set out that context of the discussion.

Daniel Johnson (Edinburgh Southern) (Lab): The much-needed new Edinburgh children's hospital now has a completion date of July, but that comes seven years after the original scheduled date and with a £16 million bill over and above the £150 million budget to complete it. Does that issue, coupled with the issues at the Queen Elizabeth hospital, point to wider problems regarding hospital building and procurement in the national health service in Scotland?

The Presiding Officer: That is a bit wide of the mark, so be brief, cabinet secretary.

Jeane Freeman: It is indeed a wee bit wide of the mark, Presiding Officer, but I will do my best to answer it.

On the member's principal question, I do not think that the issues point to wider problems. As he will know, and as we would expect NHS Lothian to do, the board ensured that some of the lessons from the issues at the Queen Elizabeth were addressed with the new sick kids hospital in advance of the board accepting the handover of that new build. I would absolutely expect the board to do that. It takes time for those matters to work through, which at least in part explains some of the additional length in the process. It is excellent news that the board will take over the hospital from July and that patients will be in it from then. I am happy to provide the member with additional information if he cares to ask me specific additional questions.

Fisheries

The Presiding Officer (Ken Macintosh): The next item of business is a statement by Fergus Ewing on managing Scotland's fisheries in the future. The cabinet secretary will take questions after his statement.

14:17

The Cabinet Secretary for the Rural Economy (Fergus Ewing): I am pleased to have the opportunity to set out to Parliament the Scottish Government's proposals for the future management of fisheries in Scotland. Crucially, I want to invite members from across the parties to get involved in the national discussion on the proposals, which I launched on Monday 4 March at the convention of the Highlands and Islands in Orkney.

At a time when very little is certain in the wider policy landscape for fisheries and our coastal communities, the Government is determined to provide as much clarity as we can about what the future holds for key sectors that are affected by the prospect of disruptive change. Put simply, we want to make the most of our waters and encourage long-term sustainable economic growth for Scotland's rural economy. To achieve that, we will ensure that our management approach is underpinned by our commitment to meeting international obligations.

Scotland's relationship with the sea is a long and productive one. From the largest port to the smallest quayside, our fishers and fishing communities take pride in delivering high-quality produce in a sustainable way. We must work together to build on that sustainably for the future. I want a truly nationwide discussion on the proposals, so that everyone involved in fishing has their say and we can agree on the way forward.

The uncertainty around Brexit makes for challenging times for our fishing communities and for the families whose livelihoods depend on fishing activity, either far out at sea or in inshore waters, or onshore, in processing or other supply chain industries. Of course, I will continue to fight to get the best deal for our fishing interests from Brexit but, whatever form Brexit eventually takes, I remain committed to continuing to fight to champion Scotland's fishing interests at home and internationally. I am determined that, whatever the future holds, Scotland's role as a world-leading fisheries nation and as a responsible and sustainable fisheries manager will continue.

The Scottish Government has set out eight key principles that will underpin our future approach and inform our priorities.

First, we will ensure that access to Scottish waters and fishing opportunities is not traded away by the United Kingdom Government. Let me be absolutely clear: Scotland's rich fishing grounds should not be used as a bargaining chip in Brexit negotiations. We will seek to maximise the economic and social benefits of this valuable natural resource for our coastal communities, so we will hold the UK Government to account on its promise to negotiate future access arrangements and fishing opportunities annually.

Secondly, we will expect our industry to continue to fish sustainably, in line with scientific advice, to secure the long-term future of our stocks. As part of that, we will continue to use total allowable catch limits to manage most fish stocks in the future, and might consider introducing quotas for non-TAC species such as shellfish.

Thirdly, we will seek to ensure that quota is distributed and used effectively. Our discussion paper outlines our continued support for the fixed quota allocation system, but also sets out our commitment to ending quota speculation. In the future, where we have additional quota to allocate, our priority will be to incentivise new entrants so as to increase the number of people involved in fishing and develop additional inshore activity that supports the economic growth of coastal communities.

Fourthly, we want to maximise the use of technology and to encourage innovation. That will include work to modernise monitoring and data collection for the inshore fleet, and proportionate and appropriate use of remote electronic monitoring for both compliance and scientific purposes.

Fifthly, our approach will treat fish and our fishing waters as national assets that Governments must steward and enhance for everyone's benefit. Therefore, we will seek to create and sustain jobs and income for the wider fisheries sector and to strengthen economic links between fishing vessels and local communities. We want to see the fair work first principle applied in the fisheries sector and for more of the catching sector to sign up to the Scottish living wage. The aim is to enable more young people to see fishing as a career of choice. However, we also know that the sector depends significantly on skilled labour from the European Union and beyond, so we will press the UK Government to introduce a new work permit system, and will ensure that cases of exploitation in the fishing workforce are investigated and prosecuted.

Sixthly, our future approach will combine continuity where that makes sense, and change where a more workable approach is necessary. That means that we will take a sensible and proportionate approach to minimising discards, so

that fishers can live within the rules and fish sustainably. Therefore, we will develop a workable future catching policy that takes account of the different parts of our fleet and avoids imposing a one-size-fits-all approach.

Seventhly, we will play our part in managing fish stocks sustainably by continuing to contribute to the gathering of data on and analysis of such stocks.

Finally, I believe that the future of Scottish fisheries management lies in increased delegation of local fisheries management functions, and I want to explore how we can give greater responsibility and power to local groups to improve community outcomes. As part of that, I want to consider expanding the role of regional inshore fisheries groups to help deliver more effective inshore fisheries management.

The Scottish Government's discussion paper sets out our proposals for the future management of Scotland's fisheries within current devolved responsibilities. I expect the UK Government to respect that and, as it develops its own future management plans, to do nothing to undermine it. Moreover, I expect the UK Government to deliver on its promises that our competence will only increase over time, along with our enhanced responsibilities. I will continue to fight for that to happen and, given the importance of Scotland's fisheries to the UK as a whole, for Scotland to play its rightful role at the forefront of UK fisheries policy and dealings. I hope that the Scottish Parliament will support our endeavours in that regard.

However, with power comes responsibility. I am clear that although much might change, how we conduct ourselves in the future—particularly in relation to our friends and colleagues from other seafaring nations—will remain constant. We will continue to behave responsibly, we will continue to manage our natural resources sustainably, we will continue to support and work closely with local communities and we will seek to secure the future of our fishing industry and assets for future generations.

The Presiding Officer: Thank you, cabinet secretary. We turn to questions. I call Peter Chapman.

Peter Chapman (North East Scotland) (Con): I welcome the discussion paper. It is, I think, the first time that the Scottish National Party Government has had anything positive to say about leaving the EU and the common fisheries policy. I absolutely endorse the statement that we will not trade away access to our waters for access to the EU market.

Many important questions are raised in the paper. I will highlight two, which I ask the cabinet

secretary to comment on. First, there is a stated aim to end speculation in quota. That may or may not be a useful aim, but I wonder how he proposes to achieve it. Secondly, one of the biggest threats to our fishermen's future is the discard ban, with choke species tying the fleet up. What new initiatives and management structures does he plan to put in place to make the discard ban both effective and workable?

Alongside those important questions, there is much to welcome in the paper, as I said, but the proposals can come into effect only if we leave the EU in a managed manner. Unless we leave, none of the initiatives in the paper will be able to take place, and we will remain in the hated CFP. Therefore, does the cabinet secretary now support the only deal on the table, and will he encourage his SNP MPs to vote for Theresa May's deal tonight?

Fergus Ewing: I thought that Mr Chapman started off extremely well. [*Laughter.*] I welcome the support that he has given the measures.

I will take Mr Chapman's last question first. We still believe that the proposals that are on offer from the Prime Minister raise very serious questions for fishing communities. For example, page 38 of the discussion paper, which Mr Chapman has praised, details the value to Scotland of the European maritime and fisheries fund, which could be £150 million between 2014 and 2020, with £10 million for ports, £14 million or £15 million for the processing sector and £20 million for the collection of fish stock data—I have not mentioned everything because I do not have time. There have been so many benefits from the EMFF for fishing communities in Scotland that it is difficult to enumerate them, but there is no clarity on what, if anything, would replace it, other than that it is to be called a "shared prosperity fund". Beyond those three words, we do not have much clarity.

I turn to Mr Chapman's question about having fishing quotas held by active skippers. The incidence has reduced pretty substantially of so-called slipper skippers—that is, skippers who possess quota but no longer fish and, through producer organisations, lease their quota to others. As Mr Chapman identified, we say in the paper that we believe that measures can be taken to tackle that through the use of licensing powers, with licences requiring the quota to be actively fished and managed. In addition, there would be provision for new entrants in the event of additional quota becoming available. As far as I can see, that has been welcomed across the spectrum.

I want to answer all three of the questions that Mr Chapman asked. We think that the discard ban, as it is applied by the EU and the CFP, is

inflexible because it takes a one-size-fits-all approach. We believe that it is important not to throw away dead fish into the sea. That is an incredible waste, and the public are rightly concerned about it. There are better approaches, such as using more discretion and flexibility. Indeed, we have the technological wisdom of skippers such as Jimmy Buchan, who has explained to me a particular device that he has developed—a type of fishing net that catches those fish that he wishes to catch and lets others escape. I believe that, using all those measures, with more flexibility and less of a top-down approach, we can develop a better discard policy.

However, I welcome the overall approach that Mr Chapman has taken this afternoon.

Rhoda Grant (Highlands and Islands) (Lab): I thank the cabinet secretary for prior sight of his statement. He is aware that quota speculation is a barrier to entry to fishing, with quotas changing hands at incredible prices that are way out of the reach of new entrants. What action does he propose to take to end quota speculation? Will he consider looking at community ownership of existing and new quotas, which would ensure that they remain rooted in the communities that fishing supports? That would not only stop speculation, but make quotas available to the local fishing industry and new entrants to the industry.

Fergus Ewing: Those are very reasonable questions. In respect of steps that we are taking to reduce speculation, it should be clear that, currently, the holders of fishing licences—the right to fish—have invested substantially in new vessels. They have a legitimate expectation—I think that that is the legal expression—that their investment is secure and will continue to be recognised. We are on record as stating that any change to that system—if there was a wish to introduce such a change—would take at least seven years; advice has been received to that effect. We are dealing with property assets that have been built up over time by the efforts of individuals in a risky, dangerous venture.

That said, as I set out to Mr Chapman a minute ago, we believe that, by using the powers in respect of licences and future quotas, we are able to do several things. The first is to facilitate new entrants to the industry; the second is to consider the possibility of having quotas that attach to local communities rather than to individuals; and the third is to deal further with the issue of requiring quotas to be held and used by people who are actively fishing. I hope that, in all three respects, Rhoda Grant and her colleagues will support those measures.

I hope that I have answered all Rhoda Grant's questions, but I will check later.

John Finnie (Highlands and Islands) (Green):

I thank the cabinet secretary for early sight of the document, which I welcome, and, in particular, for his references to having a career in fishing and the role that that could play in stewardship of the sea.

Will the cabinet secretary clarify one point? Following a debate that took place in the chamber on 11 December, the Parliament supported an amendment from my colleague Mark Ruskell with regard to alleged illegal fishing and agreed to call for

“robust vessel tracking and monitoring technology on all Scottish fishing vessels.”—[*Official Report*, 11 December 2018; c 74.]

However, in his statement, the cabinet secretary stressed the phrase

“proportionate and appropriate use of”

remote electronic monitoring. Will he confirm that he is not reining back on the monitoring of all fishing vessels, as was agreed by the Parliament fairly recently?

Fergus Ewing: There is no reining back. On the contrary, many vessels already have the equipment fitted and it is in use. Without going too much into the technicalities, there are different types of equipment that do various things, but the general idea is to have a record of where a vessel is fishing at any point and to pinpoint the location of the vessel so that, if there is a dispute about the whereabouts of a vessel, for example, because it has impinged on a particular feature in a marine protected area, and the skipper says that he was not there, he can prove that by reference to the digital equipment. That is a benefit for everybody—for compliance and for individual fishermen.

I met representatives of the scallop sector in January and there was resounding support for our proposals to deploy enhanced monitoring and tracking technology throughout the entire scallop dredge fleet. That will put Scotland at the forefront of enabling such technologies to do their job. We will consult on the details of the scheme shortly and we intend to help to pay the costs that are associated with it, using, I believe, our funds from Europe.

Mike Rumbles (North East Scotland) (LD): On page 11, the cabinet secretary’s discussion paper says:

“Scottish Ministers want the power to raise a Scottish seafood levy”.

Will the cabinet secretary confirm that that would be instead of the existing UK seafish levy and not an additional levy?

Fergus Ewing: We need to discuss the detail of the quantum of any levy in the sector, but what

matters is that there is a fair contribution from the fishing sector. Why? Because the levy is then used to market the fishing sector, and I have detected a sense that a lot more could be done to market high-quality Scottish seafood in certain foreign markets, such as in Japan.

We are talking about a discussion document; it is not a formal consultation paper in which we put forward specific Government proposals. We need a wide discussion about how much the levy should be, by whom it should be paid and what purposes it should achieve. I have tried to answer the member’s question in principle, and I am sure that we will discuss the issue further.

John Mason (Glasgow Shettleston) (SNP):

The Government has often suggested that we want to remain a good global citizen. In his statement, the cabinet secretary mentioned relationships with friends and colleagues from other seafaring nations. Will he expand on that?

Fergus Ewing: The way in which fishing operates in the pelagic and demersal sectors in the North Sea and the west of Scotland is that TACs become quotas. Producer organisations deal with the administration of that system. However, there are also quota swaps between countries, so that practical, business-like arrangements can be made. Such arrangements depend on good will between fishing leaders in those various countries and between the Governments of those countries.

No Scottish fisherman would wish to see his Spanish, French, Portuguese, Dutch or Norwegian counterparts become bankrupt because all their quotas are taken away in the event of Brexit. One must recognise that any arrangements need to be practicable. That is why, in my statement, I emphasised that we should continue to carry ourselves in a certain way and to recognise that we must work with other countries, while focusing on the paramount need to get the best possible deal for our fishermen and fishing communities.

Donald Cameron (Highlands and Islands) (Con):

Like Peter Chapman, I commend the constructive and positive tone of the statement. Chapter 6 of the discussion paper gives justifiable focus to inshore fisheries, which is a principal sector on the west coast and in the Highlands and Islands. The paper rightly identifies the competing priorities within the sector. How does the cabinet secretary foresee the tensions between mobile and static interests being resolved? Can he reassure the chamber that the possibility of suspending or removing licences in cases of conflict will be given careful consideration, given the potential for such a power to operate disproportionately and in a draconian manner?

Fergus Ewing: Mr Cameron raises a very relevant point. I am aware that, from time to time, there are tensions and conflicts between certain inshore fisheries' interests—for example, between the scallop and creel sectors. There can also be conflicts about gear damage and other matters.

First, I believe—I certainly hope—that, in most instances, there is local agreement about such matters, and that conflicts or difficulties arise only in a minority of cases. Secondly, when such cases arise, remote electronic monitoring equipment, which I have mentioned, can be used to provide an evidential basis on who was right and who was where and when. As Mr Cameron is well aware, at the moment, if there is conflict in relation to specific episodes, it is very hard to provide clear, ascertainable evidence that would stand up in a court of law about what happened and who was where, when. Remote electronic monitoring equipment will deal with that issue.

We are looking at a more localised approach to fisheries management and at whether a greater use of spatial management could yield greater benefits. Those measures, along with research on the optimal allocation of nephrops fishing grounds, will help to inform us on how to make the most of our inshore waters.

There are many things that we can do, some of which are set out in chapter 6 of the paper. I welcome Mr Cameron's positive approach to the matter.

The Presiding Officer: We have seven questioners, and five minutes left.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): The discussion paper sets out starkly the importance and value of the European maritime fisheries fund to Scottish fishing, but also shows how Scotland has been short-changed by the Westminster Government. Through Westminster's inept negotiation, Scotland has received less than 2 per cent of available EU funding, despite having the fourth-largest EU sea area to manage. What guarantees has the Scottish Government received that the funding will continue, and how will it ensure that Scottish fishing interests do not lose out in the allocation of future funding in the UK?

Fergus Ewing: Maureen Watt is factually correct. The statistic on page 38 of the paper is that the assistance from the EMFF to Scotland is

"less than 2% of the funding available across the EU, despite Scotland having 9% of the EU's sea fisheries landings and the 4th largest EU sea area to manage."

She raises a point that is incontrovertibly true. Although the funding of £150 million between 2014 and 2020 has been valuable, it is only about a quarter of the pro-rata share to which we would have been entitled, had we negotiated it ourselves

on our own account. That illustrates how high the stakes are.

My job is to get the best deal for Scotland. I do so by working constructively with my UK counterparts. I have a high regard for George Eustice, who has resigned. This morning, I had a pleasant introductory discussion with his replacement Robert Goodwill, and I will deploy the same approach. I can tell the chamber, however, that it is very hard to get a fair deal out of the London Treasury.

Claudia Beamish (South Scotland) (Lab): The cabinet secretary and others have already touched on the European maritime fisheries fund—and the proposed shared prosperity fund—which has been instrumental in delivering targeted funding for coastal communities. If the UK Government fails to match the current levels of funding in the longer term, how will the Scottish Government replace that support and enable smaller fleets to innovate and fragile communities to adapt to a sustainable, climate-friendly fishing industry—

The Presiding Officer: Could we have a question, please?

Claudia Beamish: —and, equally importantly, support the processing sector?

Fergus Ewing: We need clarity. As the discussion paper notes at page 39,

"No decisions have been made on any successor arrangements"

to the EMFF and we need more clarity on the period post 2020. I emphasise the positive role that our fishermen take in fishing in a sustainable fashion. It is important that we have a "son of EMFF" in order to deal with the safety issues. It is imperative that we look carefully at the Maritime and Coastguard Agency's recommendations on marine safety, especially of smaller vessels. That can only really be done if there is some financial assistance to enable us to deal with the task.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Is the cabinet secretary aware that, with much benefit deriving to the catching sector from leaving the CFP, the processing sector is where the real benefits are delivered for communities? In the north-east, 70 per cent of people employed in the industry are non-UK nationals. How can he help to ensure that people from across Europe and elsewhere continue to be able to come and work in our industry and make the immense contributions that they make to our communities and economy?

Fergus Ewing: Mr Stevenson makes an extremely valid point. We can achieve that by having a new work permit system or, at the very least, restoring the previous visa extension system. We wish to enable the legal employment

of non-European Economic Area nationals, such as people from the Philippines, in the fishing fleet and to ensure that they have the same employment rights and legal protections as onshore workers. That would be a significant advantage in combating the alleged maltreatment of workers.

The fishing fleet must continue to access the labour that it needs. This very sad and bureaucratic morass of a chapter in our fishing history must be solved. I note that Mr Eustice—who, as I said, left his post this morning—has criticised the UK's immigration policy for the rural economy as a whole. I hope that his successor, Mr Goodwill, with whom I spoke this morning, will take that as an early piece of work in his in-tray, because it is absolutely essential.

This morning, I spoke with leaders in the food and drink sector about preparing for a no-deal Brexit. One of them was Ryan Scatterty who, as Mr Stevenson knows, runs a major processing plant. He is on record as saying that

"We could have all the fish in the world",

but that if we don't have the workers to process them, it will be of little avail.

Edward Mountain (Highlands and Islands) (Con): I, too, welcome the discussion document and the cabinet secretary's statement this afternoon. I understand that the Scottish Government's proposal is to pass all fisheries legislation together, including legislation concerning inshore fisheries. Will the cabinet secretary confirm that he wishes to lay all the proposed legislation before the Parliament during this session?

Fergus Ewing: I do not want to be picky, but we have to be careful about the definition of "all". It is certainly our desire to legislate in this session for a number of purposes. The paper includes the need to update the inshore fisheries strategy of 2015, for example. However, there are other uncertainties in relation to Brexit, because the UK Fisheries Bill, with which we have some issues that have not been resolved, is unlikely to become law prior to 29 March. It is still the subject of discussion between the UK Government and ourselves, and that issue needs to be resolved before we can start to be definitive about the future. It is safe to say that any legislation that we require to deal with simply to enable the mechanics of fishing to continue we will certainly legislate on here, using our devolved powers, should that be necessary.

The Presiding Officer: Thank you. My apologies to Emma Harper, Lewis Macdonald and Richard Lyle that we were not able to reach their questions.

Fair Work

The Presiding Officer (Ken Macintosh): The next item of business is a debate on motion S5M-16257, in the name of Jamie Hepburn, on working to make Scotland a fair work nation by 2025. I encourage all members who wish to contribute to press their request-to-speak buttons as soon as possible. I call Jamie Hepburn to speak to and move the motion.

14:47

The Minister for Business, Fair Work and Skills (Jamie Hepburn): Almost a year ago, the Parliament was able to affirm, by backing a motion in my name, its support for the independent fair work convention's ambition to make Scotland a fair work nation by 2025. Today provides us with an opportunity to reassert our support for that ambition.

In the debate a year ago, I committed to leading the publication of a "Fair Work Action Plan", which sets out how the Government and our partners will take forward a range of measures to embed the principles of fair work in our society. I am pleased to confirm to Parliament that our action plan was published on 27 February. In pulling together our "Fair Work Action Plan", we sought to work with others including the fair work convention, the Scottish Trades Union Congress, Business in the Community Scotland and individual businesses and organisations. I thank them for their support and assistance.

The evidence is clear that fair work is good for workers, good for business and good for Scotland. For workers, fair work brings increased security, better physical health and greater psychological wellbeing. For business, it provides the platform for a more engaged and committed workforce—workers who spot challenges and opportunities, solve problems, offer insight and ideas for business improvement and create value. Fair work can also drive productivity gains, release untapped potential and inspire innovation. It adds value to jobs and business, and it creates a stronger, more sustainable and inclusive economy.

Today's debate offers us the opportunity to reflect on not only the progress that we have made on our journey, but the distance we must yet travel. We established the fair work convention in 2015 to offer us independent advice. We have endorsed the vision that is set out in its framework to embed fair work in workplaces across Scotland by 2025, which is built on the five dimensions that it identified, with fair work offering an effective voice, opportunity, security, fulfilment and respect.

Willie Rennie (North East Fife) (LD): I agree with all of the minister's ambitions on this subject,

but can he tell us why progress to get businesses to sign up to the business pledge has been so slow? A pathetically small number have signed up. Why is that?

Jamie Hepburn: I recognise that not enough businesses have signed up to the business pledge, which is why we have committed to refreshing it. I will come to that later, because that was part of the work of the action plan.

Fair work is work that balances the rights and responsibilities of employers and workers and that generates benefits for individuals, organisations and society.

Decent pay is fundamental to fair work. We were the first Government in the United Kingdom to become an accredited living wage employer. Our support in promoting the real living wage—funding the Poverty Alliance to take forward a range of activities—has seen the pay of more than 25,000 people in Scotland increase to at least the living wage through the living wage accreditation scheme. It has also seen us achieve our ambition of having 1,000 Scotland-based accredited living wage employers—there are currently more than 1,300—and it has seen us be the best performing of all four UK countries in terms of the proportion of the workforce that is paid at least the real living wage.

Still, we must do more. There remain too many in our working population who are paid below that level. We will continue to work with and fund the Poverty Alliance to increase by at least a further 25,000, over the period to 2021, the number of employed people who are paid at least the real living wage. We will target low-paid sectors, and we will work to create more living wage places—following the lead of Dundee, which is our first living wage city, as was announced just last week. We have also provided funding to enable adult social care workers to be paid the real living wage.

The fair work convention continues to provide the Scottish ministers with expert advice and recommendations, most recently through its report “Fair Work in Scotland’s Social Care Sector 2019”. The Government welcomes the convention’s activity and its report. Our action plan sets out that we will work with partners to consider and respond to the recommendations that the report lays out, to ensure that fair work is embedded in the delivery of social care services, including in the procurement process.

We are also making progress in other areas. We collaborated with the STUC to publish the severe weather charter; we have developed statutory guidance and best practice on fair work in public procurement; we have developed a fair work agreement between the Scottish ministers and the civil service trade unions; and 22 projects have

received support through our workplace equality fund, which delivers employer-led innovative solutions to overcome workforce inequality. We will expand that fund in the coming year to enable businesses with innovative ideas to embed the dimensions of the fair work framework in their workplaces.

We will continue to call on the UK Government to respond to the challenge of creating a fair work environment. From introducing the Trade Union Act 2016 to blocking the private members’ bill that Stewart McDonald MP introduced, which sought to ban unpaid work trials, the UK Government has demonstrated that we cannot rely on it in relation to the fair work agenda. As we lay out in our action plan, we will continue to make the strong case that the UK Government needs to go further and put fair work at the centre of labour market policy.

Just as I recognise that we have made progress but face challenges, I recognise that we must work with others to listen and learn. Along with the fair work convention, I will host an international fair work summit later this year. I want that to be an opportunity not just to spotlight what Scotland is achieving but to learn from elsewhere and to share best practice. In the coming weeks, I will invite all parties in the Parliament to participate in a fair work round table so that we can collectively identify actions to embed fair work in Scotland’s workplaces by 2025.

Our fair work action plan will not be fixed in time; it will evolve in response to changes in our economy and society. I want to hear from others in that process of development, and I commit to Parliament that we will pursue the fair work agenda in an inclusive way.

Many employers already demonstrate fair work. We must build on that and convey the compelling case for fair work, getting every employer in Scotland fully behind our effort. To help employers, the Scottish Government will introduce a new benchmarking tool that will identify practical steps to progress employers’ fair work journey. We will also work with small employers and microemployers to develop a new online service offering access to guidance, support and tools to help employers to adopt fairer practices.

Over the past year, in drawing together our action plan, we have engaged extensively with employers, including to review the Scottish business pledge. We have responded to business feedback and have more clearly aligned the pledge with our fair work agenda. It retains payment of the real living wage as a core commitment and includes environmental impact for the first time.

As I said in response to Willie Rennie’s question, I want to see more businesses taking

our pledge. That is why we are creating a new business-led learning network to better support businesses to sign up to the business pledge.

Through our action plan, we have set out our determination that all public investment will promote fair work. Through our new fair work first approach, which the First Minister announced in October, we will make full use of the Scottish Government's financial powers. By the end of the parliamentary session, we will attach fair work criteria to as many funding streams, business support grants and public contracts as we can. That will drive investment in skills and training; the ending of the inappropriate use of zero-hours contracts; action to tackle the gender pay gap; genuine workforce engagement, including with trade unions; and payment of the real living wage. We will also work with Scottish Enterprise to pilot our fair work first approach, starting with the regional selective assistance grants that are awarded from next month.

Neil Findlay (Lothian) (Lab): I welcome what the minister has said, but why did the Government reject such proposals when they were put forward by Labour during the progress of the Procurement Reform (Scotland) Bill?

Jamie Hepburn: I find that an extraordinary intervention from a party whose leader just this weekend said that he now supports the devolution of employment law to the Scottish Parliament, which the Scottish National Party has long campaigned for. He now makes a virtue of the fact that his party is calling for that, although it stood squarely against it during the Smith commission process. We all have records that we can stand behind, but I hope that we can work on moving forward on a collective and inclusive basis. In that regard, I welcome the Labour Party's movement on the devolution of employment law.

Those are some of the actions that we will take as we continue to promote our fair work agenda. We will work with business organisations, individual employers and workers, the fair work convention, our trade union partners and all parties in the Parliament to keep Scotland at the forefront of progressive policy thinking and action. We will continue to listen to, respond to and support organisations at various stages of their fair work journey, and we will work to build a fair work movement and to put fair work at the heart of the Scottish approach to growing the economy. That is the aim of our fair work action plan, which I commend to the Parliament and beyond.

I move,

That the Parliament welcomes the publication of the Fair Work Action Plan and endorses the actions that it commits the Scottish Government to; shares the vision for Scotland to be a fair work nation by 2025; continues to recognise the vital role that employers and trade unions have in creating

fairer workplaces, and acknowledges the crucial role of fair work in delivering sustainable and inclusive growth.

14:58

Jamie Halcro Johnston (Highlands and Islands) (Con): People should be treated fairly in the workplace. Our laws recognise that, in taking up a job, employees have certain rights that are inalienable and which cannot be waived or simply signed away in an agreement that has been brought about by unfair or unequal bargaining positions.

We have long recognised the need to enforce employment rights, and they have often reflected some of the most fundamental rights that individuals have in our society. In the past, those battles were often fought about indentured servitude, conditions in the factories, equal pay and disability discrimination. For some, the question was about the most basic right of all: the right to come home safely from work at the end of the day. Across many areas, there are still examples of bad practice to be found. There is still progress to be made.

As the labour market and working practices have changed, there are new challenges for building fairness in the workplace. We must translate the principles behind our employment rights into circumstances that are quite different from the circumstances when those principles were first envisaged.

Members will be aware that the UK Government has been looking into that area and that, at the end of last year, it published the similarly named "Good Work Plan". I hope that ministers in the Scottish Parliament will have had discussions with the UK Government on the potential for co-operation. As the Scottish Government's action plan acknowledges, "collaboration, engagement ... and ... influence" will be key to furthering its objectives. It is also important to build solid links with business and for the Scottish Government to use its influence to persuade employers of the benefits that fair working conditions provide.

As we recently marked international women's day, it is worth reflecting on issues that persist in relation to gender in the workplace. Across the UK, the gender pay gap is at its lowest level in decades. However, despite achievements, the present position is simply and straightforwardly not good enough. It is important for Governments at all levels to continue to encourage employers to look at pay differentials and take action against gender-based disadvantage.

However, we still see occupational segregation in too many occupations, including highly paid science, technology, engineering and mathematics jobs. Unfortunately, gender segregation in

employment begins at an early age. We see stark contrasts in subject choices that continue through education. In colleges, apprenticeships and universities, and even in new schemes such as foundation apprenticeships, the old gendered subject choices have been allowed to filter through.

Another area that we must tackle is barriers to returning to work following a pregnancy. As the fair work action plan recognises, the Scottish Government has introduced its women returners programme. On that programme, as with others, evidence and data gathering will be vital. We should be able to say clearly what impact Government interventions are having on the labour market and to see as clearly as possible where those interventions are working.

In publishing the "Fair Work Action Plan", the Scottish Government acknowledged that it will form part of a suite of labour market action plans that include the disability employment delivery plan, the gender pay gap action plan and the future skills action plan. I have spoken a little about the gender pay gap, but it is worth considering the other areas, too.

As our economy changes more rapidly, a proper focus on reskilling and lifelong learning will be essential. For some years, there has been good progress across the UK on employment for people with disabilities, but our ambition should be nothing short of transformative. For far too long, far too many people with disabilities have found themselves excluded from the labour market and from fulfilling their ambitions.

There is certainly a large body of strategic direction, but we must be sure that we can judge its effectiveness. The fair work action plan suggests that a set of indicators will be crafted and that annual reports on progress will be provided from March 2020. That is all positive, but the indicators must be carefully crafted, thorough and useful to determine the success or failure of individual interventions.

Neil Findlay: Mr Halcro Johnston talks about disabled people's rights. Will he reflect on his Government's treatment of disabled people, particularly through the benefits system, given the horrific impact on people who claim universal credit and other benefits?

Jamie Halcro Johnston: As the member knows, there are more disabled people working now than there were before. When we have such conversations, the same questions come from Labour members every time, and the same answers are given.

We can certainly monitor effectively the considerable increase in employment levels here in Scotland and across the UK to unprecedented

and historic highs. By necessity, fair work must start with work. Access to employment should underpin the Scottish Government's commitment to building a fair work nation if it is to be successful. With that in mind, skills and employability are key, as are specific schemes such as fair start Scotland. Monitoring the effectiveness and impact of such schemes is no less important.

Another welcome feature of our labour market has been the increase in pay in the past year, which is firmly ahead of inflation. After disappointing growth following the 2008 financial crash, there are now good signs that we are re-entering positive real-terms growth on a consistent basis. At the lower end of the pay spectrum, the national living wage has been significant. The Institute for Fiscal Studies recognised in its report last year that hourly wage growth had been 10 per cent for the lowest-paid workers, in comparison with lower growth at the median.

However, at its core, the basis for sustainable growth in earnings must be an increase in productivity. The action plan notes that fair work can play a role in that. The Fraser of Allander institute's conclusions in 2016 on fair work and productivity cover much of that territory.

Equally, such measures must be coupled with actions to encourage business growth, entrepreneurship and innovation. How the fair work agenda translates to small and medium-sized enterprises will be important.

The Deputy Presiding Officer (Linda Fabiani): Please draw to a close.

Jamie Halcro Johnston: It is often in that sector that we have seen the slowest response to change, given the increased pressures.

I am sure that encouraging fairness at work will be welcomed across the chamber, but it must keep pace with developments in the labour market and the workplace. Interventions that the Scottish Government makes in the labour market need to be effective and seen to be effective.

I move amendment S5M-16257.3, to insert at end:

“; welcomes the publication of the UK Government's Good Work Plan and the steps that it outlines to extend employment rights; believes that the principles of fair work should be reflected in changing employment practices, and recognises the need for effective monitoring of progress towards fair work objectives and related programmes such as Fair Start Scotland.”

15:04

Richard Leonard (Central Scotland) (Lab): I remind members of my entry in the register of members' interests. I commend the Scottish

Government on its recent agreement with the three civil service unions. The agreement recognises the role of collective bargaining, and it offers a commitment to the living wage, to the principles of flexible working and to a diverse workforce; it also commits the Government to check-off and the protection of trade union facility time. That fair work agreement is welcome. However, the overall fair work action plan, which we are debating this afternoon, is, by comparison, timid; it lacks ambition and a sense of urgency.

Of course, I am sure that those working women and men on building sites across Scotland, all those industrious people working long hours in factories and offices the length and breadth of the country, and the workers—especially young workers—who are contracted on zero hours in shops and bars on every high street in the land will have rejoiced when they heard the news in the minister's press release that, as a result of his action plan, "a new benchmarking tool" is now available, that a "refreshed ... Business Pledge" is to be adopted and that "a more tailored approach" is the new norm. I bet that those workers cannot wait for the real living wage to be rolled out to another 25,000 people over the next three years, which would still leave 450,000 working people on poverty pay in Scotland.

It was also claimed in the minister's press release—these words are attributed to him, so I assume that they are the words that he spoke—that

"There are many employers already championing the dimensions of Fair Work."

How many have signed up to the Scottish Government's business pledge? When I checked last night, it was 601. There are more than 108,380 private sector employers in Scotland. In other words, only 0.55 per cent of Scotland's employers have signed up to the Government's business pledge. That is not a mark of success; it is a 99 per cent rate of failure.

Michelle Ballantyne (South Scotland) (Con): Does the member agree that the fact that a business has not signed up to the pledge does not mean that it is not enacting its contents?

Richard Leonard: Yes, but getting businesses to sign up to the pledge is a specific Government goal, and the fact that only half a percentage point have done so is, in my view, a sign of failure.

Worse than that, the Scottish Government makes clear in the "Fair Work Action Plan" that it wants to stick with the current approach and "retain the light touch". When it comes to employment standards, the working women and men of Scotland are not looking for a Scottish Government with a light touch; they are looking for one with a firm and principled touch. They want a

Government that is prepared to use the leverage that it has and that is prepared to say that those who are not a living wage employer, who operate exploitative zero-hours contracts and who deploy tax avoidance, such as those umbrella companies that are rife in the construction industry, will not win public procurement contracts or receive governmental support.

We recognise that the action plan promises to make awards of regional selective assistance dependent on adherence to a set of fair work measures from the start of the next financial year. Of course we welcome that—we have been calling for that for years. The corollary of that is this: why is the Government prepared to continue to offer other funds and other business support to employers across Scotland that pay below the living wage, that continue to operate zero-hours contracts, and that do not fulfil their legal duties under the Equality Act 2010? Why is it prepared to keep on paying those companies for up to two more years?

Jamie Hepburn: As much as I am thoroughly enjoying Richard Leonard's dissemination of all the woes and strife that exist in Scotland right now, each and every party in this Parliament was invited to come together to discuss the basis of what we have set out in the action plan and to further the fair work agenda. I have not had one idea yet. Will the member have any by the time that he accepts that invitation?

Richard Leonard: I hope that my remarks are a contribution to the discussion about how we progress this issue. In truth, the landscape of public procurement under the SNP's watch is scarred with unfair work practices. Look at the care sector. Just a few weeks ago, Silverline Care, which has six care homes in Scotland and is funded largely from the public purse, moved to derecognise the GMB.

Further, look at the building of the new Dumfries and Galloway Royal infirmary, where Laing O'Rourke refused to allow trade union organisation on the site, let alone any kind of collective agreement. The same company is following the same practices on Edinburgh's St James development, which the First Minister, when she was the Cabinet Secretary for Infrastructure, Investment and Cities, hailed as "innovative" and as something that would

"stimulate growth in the short term and lay the foundations for long term success."

However, that is not quite the picture that Unite has painted for me. It says that, on the basis of the contract, Laing O'Rourke

"do not support the policy of the Scottish Government's Fair Work vision of 'effective voice'".

It says that the company

“steadfastly refuse to allow the union to speak to members freely within the welfare facilities on the site. Equally they do not recognise collective bargaining arrangements or trade union organisation through stewards, reps et cetera.”

I stress that this is a publicly funded project with Scottish Government money in it.

I will end where I began. It is to the Scottish Government's credit that it has struck a fair work agreement with civil service trade unions. However, if, on a construction site just a few yards from its St Andrew's house headquarters, on a Government-funded public project, there is a denial of basic employment rights—basic human rights, I would argue—the Scottish Government is clearly failing in its duty to the people and in its obligation to use all the powers that are open to it. That is why I move amendment S5M-16257.1, to leave out from “welcomes” to “2025” and insert:

“notes the publication of the Fair Work Action Plan; believes that this plan is not bold enough in its ambitions, particularly on targets for reducing the number of people in Scotland paid less than the living wage; calls on the Scottish Government to use its procurement processes to ensure that all contractors pay at least the real living wage and adhere to collective bargaining, and that all contracts issued by the Scottish Futures Trust comply with Unite the Union's construction charter”.

15:11

Alison Johnstone (Lothian) (Green): The Fraser of Allander institute defines fair work as

“work that offers effective voice, opportunity, security, fulfilment and respect.”

Those benefits underpin one another. Employees who can make their voice heard are more likely to feel fulfilled by their work and respected in the workplace. The institute is clear that

“fair work leads to better quality and more fulfilling jobs.”

That is why I am pleased to welcome the publication of the Government's “Fair Work Action Plan” as the next step in the process of creating fair working conditions for everyone in Scotland. We must certainly continue to move forward on the matter at this time, when zero-hours contracts are prevalent among the jobs of the younger generation—although they are not exclusively found among our young people's jobs—and when some employers remain resistant to paying the real living wage.

Further, it remains the case that a woman's earnings over her lifetime are likely to be lower than those of her male colleagues. The UK has the ninth-highest gender pay gap of Organisation for Economic Co-operation and Development countries—the gap between the average earnings of women and the average earnings of men is a shocking 16.5 per cent. We can do better. The gap in Denmark is just 5.7 per cent and, in New Zealand, it is 7.2 per cent.

It is clear that the Government is making progress on the fair work agenda, but I am sure that we would all agree that much more remains to be done. Everyone deserves to be paid a wage that lifts them out of poverty, and no one should be paid less because of their gender.

The Greens have persistently called for Government business support services—including grants and loans—to apply ethical criteria including payment of the real living wage, no use of exploitative contracts, union recognition and no tax avoidance or use of tax havens. Our 2016 manifesto pledged that the Greens would campaign to make Government business support available only to companies that plan to pay the real living wage, to avoid zero-hours contracts, to recognise trade unions, to reduce the gap between the highest and lowest paid, to pay women and men equally and to be environmentally responsible. Indeed, we were pleased that the Government backed our amendment calling for such conditions to be set during a similar debate in May 2017. I am pleased that those have been incorporated into the fair work action plan.

The fair work first programme will impose a new set of criteria for businesses to meet when applying for Government grants and business support. The plan states that, for an employer to be eligible for Government business support, it must commit to investing in skills and training, taking action to close the gender pay gap, paying the real living wage and enhancing workforce engagement.

In the past, the Scottish Government has been resistant to our calls to place additional ethical criteria on business grants and loans, and has preferred the approach of paving the high road by rewarding the good behaviour of businesses rather than by blocking the low road that is taken by poorly behaving businesses.

However, that approach is limited. Yes, there will always be businesses that genuinely want to do the right thing but might just need a bit of help to make it financially viable—for example, by building the initial costs of a living wage policy into their financial planning, but there will also always be businesses that find it beneficial to push exploitation as far as they can get away with, and regulation and enforcement will be needed to steer such businesses on to the high path. I like to think that when those businesses are steered on to that high path they, too, will become convinced of the benefits of such practice.

Limiting our focus to incentivising good behaviour by employers will not help us to create the conditions for fair work across our economy. We recognise that the Scottish Government does not have control over all the policy levers, given

that regulation of employment remains reserved. The attachment of fair work standards to Government-funded grants, loans and businesses is, however, an important step, for which we have been calling for years. The Green amendment welcomes progress in that regard and goes further by asking—again—that we take a wider look at our economy and move beyond the ideological fixation on delivering economic growth. We must look at non-growth wellbeing factors, including health and job security. I will expand on that in my closing speech.

On the other amendments, I welcome Labour's call to look at how fair work conditions can be improved through procurement processes. However, for as long as we do not have full control over Scotland's economy, we cannot progress that. Also, it is unreasonable not to acknowledge the positive steps that have been taken to strengthen the fair work agenda in the most recent action plan. We agree with Labour on the need to go further and faster, but we want the commitment to achieving fair work standards by 2025 to remain in the motion that is agreed to.

The Conservatives cite the UK's "Good Work Plan" in their amendment. There are positive developments in that plan, but it represents a failure to use the powers of regulation and enforcement that are available to the UK Government but not to the Scottish Government. The plan also comes from a Government that introduced a scam national living wage—

Jamie Halcro Johnston: Will the member take an intervention?

The Deputy Presiding Officer: Ms Johnstone is closing.

Alison Johnstone: I have 20 seconds left.

The scam living wage is significantly below the real living wage and applies only to older workers, thus increasing exploitation of younger workers. The Greens will not support the Conservative amendment.

I look forward to hearing from members of all parties as the debate progresses.

I move amendment S5M-16257.2, to leave out from "sustainable" to end and insert:

"a sustainable and inclusive economy; welcomes in particular the commitment to extend fair work criteria to every type of grant, funding stream and business support budget, and the commitment to add environmental impact as an element of the Business Pledge; recognises that the case for these actions has been made for several years by political parties and others, and believes that the Scottish Government should publish detailed proposals on the implementation of these actions before summer 2019."

15:17

Willie Rennie (North East Fife) (LD): I find it difficult to concentrate on the debate this afternoon, while the UK Parliament is utterly paralysed, the Prime Minister's deal is clearly stone dead and uncertainty continues to damage our economy, with no end to that uncertainty in sight. The case for giving the British people the final say on a Brexit deal could hardly be stronger.

Neil Findlay: I understand that Willie Rennie's thoughts are elsewhere. Would not it be great if the people of the UK had a say in a general election, with a Labour Government coming in that would implement an agenda that would address many of the issues that we are debating today?

Willie Rennie: I commend Neil Findlay for his cheek in that intervention.

We support the general aims of the Scottish Government's fair work agenda. Who can be against greater security for workers, decent wages and a greater voice for workers?

Liberal Democrats believe that the workers are key to the success of any business: if they are treated well they will treat businesses well. Maximising the talents of our people and ensuring that everyone participates in our country's economic success is the route to greater success.

We support the real living wage. The pressure on companies to pay it has created a virtuous circle of decent wages among competitors for a limited pool of good workers. Members will be aware that I have been encouraging Amazon to pay the proper living wage for some time. I have communicated with Amazon through the media and in person, having visited the fulfilment centre in Dunfermline on a number of occasions. I am pleased that Amazon has responded and is paying increased wages, and I have received reports of knock-on effects, with businesses in Fife that compete for good workers responding by paying increased wages rather than lose workers to Amazon.

I have also pressured the Scottish Government on the issue. I have argued that Amazon and companies like it should not receive Government grants if they fail to pay the real living wage. I am pleased that the Government has responded to that, too: the First Minister recently commented on the matter. The minister talked about some of the detail of implementation, but I am disappointed that what is proposed is just a pilot, and I am concerned that it might affect just a limited pool of companies. When the minister sums up the debate, I would like him to tell us exactly what the extent of the pilot will be.

Jamie Hepburn: I want to provide absolute clarity. We are talking about the beginning of the

rolling out of the fair work first principles, not a pilot. We have said that we will start with regional selective assistance and work forward from there. What is proposed is not a pilot.

Willie Rennie: I stand corrected; I thought that the minister had referred to a pilot. He still did not say, however, how many businesses will be covered in the first instance. The fear is that implementation will take some time, so I am concerned about the minister not moving fast enough. For some time, we have plagued the Government to make progress in the matter, and it has resisted doing so, so Mr Hepburn must forgive me for being a bit sceptical about how fast the Government will move.

The House of Commons Work and Pensions Committee found that although employment

“significantly reduces the chances of reoffending”,

only 50 per cent of employers would consider employing someone who has come out of prison. I encourage the minister to include, in the future, something for ex-prisoners in the business pledge, so that we make sure that we maximise the potential contribution of ex-prisoners to our economy.

The business pledge is commendable, but I question its impact on business practice. Given that only 500 businesses have signed up, its impact is pretty limited. The minister has failed to persuade more than 99 per cent of Scottish businesses to sign up, and most of the 25 largest businesses in Scotland have not been convinced of its worth.

I will list some of the companies that the Government has not got on board. They include Scottish Widows, RBS, Bank of Scotland, Scottish Power, Aegon UK, William Grant & Sons, Chivas Brothers, the Weir Group, Aggreko, Life Technologies, Arnold Clark, Chevron North Sea, Stagecoach, and Tesco Bank. The list of major businesses in Scotland that have not been convinced by Jamie Hepburn and his business pledge goes on and on. I want to know why the minister has been incapable of getting the top 25 businesses to sign up to the business pledge. *Scottish Business Insider* has set out the top 25 companies. Has the minister been to see those businesses? Has he encouraged them to sign up? Why have they not signed up to the pledge?

The business pledge has been around for some years now, so the Government has very few excuses. Having a conference and holding cross-party talks is no cover for the Government's inability to find a solution. The business pledge needs to be much more successful if we are to make sure that businesses across Scotland engage with the fair work action plan and the worthy principles that the minister set out at the

beginning of the debate. There is no point in having a fair work action plan if no one takes part in the action plan and no one steps up and says, “We’re going to improve the conditions of our workers in our companies.” The biggest 25 companies in Scotland have not signed up to the pledge. The minister needs to explain why in his summing up.

The Deputy Presiding Officer: We move to the open debate. Speeches should be of absolutely no more than six minutes, because we have very little time in hand.

15:23

Annabelle Ewing (Cowdenbeath) (SNP): I am pleased to be called to speak in this afternoon's debate on the important subject of fair work and, more specifically, on the Scottish Government's recently published “Fair Work Action Plan”.

As we have heard, the plan sets forth a number of key action points that must be implemented to ensure that the goal of Scotland being a fair work nation by 2025 is achieved. Quite rightly, the plan envisages close collaboration with employers, employees and trade unions, all of whose input and collaboration will be vital in ensuring that Scotland becomes a fair work nation.

The genesis of that ambition can be seen in the Scottish Government's establishment of the fair work convention back in April 2015. The convention is independent of Government, to which it acts as an advisory body. It is co-chaired by Professor Patricia Findlay and the general secretary of the Scottish Trades Union Congress, Grahame Smith.

The convention has already done a power of work in pushing forward the fair work agenda. It published its fair work framework in 2016, in which it set forth its vision that, by 2025, people in Scotland would have a world-leading working life, where fair work would drive success, ensure wellbeing and prosperity for individual workers and benefit employers and organisations—and, indeed, society as a whole.

James Kelly (Glasgow) (Lab): On the aspiration to be a fair work nation, how does Annabelle Ewing feel about the prospect of achieving the Scottish Government's target of 30,000 more people earning the living wage when there will still be 450,000 people not being paid the living wage? Surely that is not consistent with the ideal of having a fair work nation.

Annabelle Ewing: If the Labour Party had not blocked the devolution of employment powers to this Parliament, the workers who lost out as a direct result of that intransigence would already have seen their position improved.

More recently, the fair work convention undertook an inquiry into fair work in the social care sector. Its report, which was published towards the end of February this year, raised important concerns about working terms and conditions and made recommendations to ensure that our vital workers in the care sector are treated properly. *[Interruption.]*

The Deputy Presiding Officer: Excuse me, Ms Ewing. I say to members that it is very rude to have cross-bench conversations when someone is speaking.

Annabelle Ewing: The minister is currently reflecting on that report, and I look forward to getting his response in early course. I hope that it is a positive response because I say to our social care workers that they are heroines—and to men in the care sector that they are heroes—and they deserve to be treated better. Social care workers in my constituency of Cowdenbeath and across Scotland will wish to know that the Scottish Government continues to have their back, just as it did when it ensured the payment of the living wage to care workers who have a relationship with local authorities.

Important action points in the action plan include a commitment to increase the number of people who are paid the real living wage through the powers that we have—basically, through encouragement, collaboration and partnership working. We do not have the substantial powers over employment that all other normal countries take for granted and with which they can do so much more for the benefit of the workforce.

A lot of good work has been done in Scotland. Of course, there is always more to do, and the Scottish Government will continue its important partnership working with the Poverty Alliance to boost the number of people receiving the real living wage in Scotland.

Other commitments include the development of a fair work framework benchmarking tool, which will help to guide employers to assess their current practices and see what more they can do.

Another important action point concerns the Scottish business pledge, which has already been mentioned. A review of the pledge was carried out in 2018, with recommendations that reflect how it was operating in practice. It is obvious that more needs to be done, but I gently suggest that it is incumbent on all of us as individual MSPs to do what we can to advance the fair work agenda for workers in our constituencies and across Scotland. The number of signatories to the pledge stands at around 600, and I am sure that, if we all put our shoulders to the wheel, that figure could rise considerably.

At the end of the day, the message to get across to businesses is that treating their workforces properly is not only the right thing to do but the smart thing to do, as it enables businesses to achieve their potential. That message is starting to get across, but we can all do so much more.

Other key action points include creating a new online fair work service for small and micro employers so that they can access more easily the support and guidance that they may need; supporting trade unions to embed fair work in the workplace; and encouraging the inclusion of a collective disputes procedure in construction contracts.

Alongside the fair work action plan, it is important to mention the gender pay gap action plan, which has some 50 recommendations. They include the establishment of a women returners programme to help those who have had a career break, which is an innovative approach to trying to get those women back into work. Flexible working practices, which are particularly important for women in the workplace, are also being looked at.

A lot of work is going on across the piece and I give credit to the Scottish Government for driving forward this important agenda. That work is being done in the main through collaboration and encouragement because this Parliament does not have powers over employment law. Just imagine how much more progress could be made over a much shorter period if it had such powers.

The Deputy Presiding Officer: Just imagine how much easier my job would be if everyone would keep to six minutes, as you have done, Ms Ewing.

15:30

Bill Bowman (North East Scotland) (Con): I welcome the chance to speak in the debate. I am sure that there is broad consensus across the chamber on the importance of fair work, although we may not all agree that the “Fair Work Action Plan” is precisely the right way in which to do that.

Nicola Sturgeon has announced that,

“by the end of this Parliament the Scottish Government will extend the application of fair work criteria, including:

- investment in skills and training
- no exploitative zero hours contracts.
- action on gender pay.
- genuine workforce engagement, including with trade unions, and
- payment of the Real Living Wage.”

The fair work framework defines fair work as work that offers effective voice, respect, security, opportunity and fulfilment and which

“balances the rights and responsibilities of employers and workers, and can generate benefits for individuals, organisations and society.”

However, there is no single accreditation that reflects fair work in its entirety, and public bodies and suppliers can support effective fair work practices without being accredited to any of the schemes.

Over the past three years, about 600 businesses—I think that that is the highest number in that regard that has been mentioned in the chamber today—have committed to the business pledge, which celebrates companies that boost productivity and competitiveness through fair work values. In response to feedback from businesses, the reinvigorated business pledge retains payment of the living wage as a core commitment while offering a more tailored approach to meet individual business needs.

As the minister mentioned, Dundee has become the first city in the UK to be awarded recognition for its plan to become a living wage city. More than 50 Dundee employers, including Dundee City Council, Xplore Dundee, DC Thomson and the Dundee and Angus Chamber of Commerce, have voluntarily committed to ensure that all their staff and subcontracted staff receive a real living wage. I agree that, as responsible employers, we need to look at the impact of the living wage and do all that we can to assess the implications and solutions.

As members are aware, many industrial and construction-based employers are based in the city of Dundee, and they are affected by issues of fair work, procurement and competitive supply.

The Scottish Government believes that

“contractors who go beyond minimum legal requirements by adopting Fair Work practices will increase innovation, improve workplace outcomes and business performance, and can positively impact on the delivery of a public contract.”

However, it is important to keep in mind that there may still be those who seek the cheapest solutions to problems. Those solutions can include cutting costs at the procurement stage of construction, which can cause problems that last for the lifetime of the building. That could have an adverse effect on companies in Dundee if, for example, they miss out on contracts as a result of having to charge slightly more in order to comply and pay the living wage.

Dundee’s ambition to be a living wage city is very much a statement of intent. It is looking to double the number of workers who are covered by the Scottish living wage over the next three years. The economic benefits of change must make a difference to everyone, but that is not necessarily the case here. Only last week, I exposed the Scottish National Party for failing to help get older

Dundee workers into new jobs following the collapse of large local employers such as Michelin and McGill’s. I questioned the fairness of the Scottish Government’s plans to offer job grants only to people aged 16 to 24 following such large job losses in Dundee.

Dundee has the highest proportion of residents aged over 50 who are claiming out-of-work benefits and the lowest employment rate in Scotland overall. A living wage is all well and good but, when there are so many people who are out of work and who therefore would not qualify for a living wage, there needs to be an emphasis on helping people to get back into work and not solely on improving conditions for those who have a job already. The living wage employers that are already accredited in Dundee cover the equivalent of a quarter of all the workers in the city but, as the SNP administration leader has admitted, there is still more work to be done to encourage more employers to sign up.

I welcome the general principles underpinning the fair work action plan. However, as a stand-alone plan, it is not enough to fix the underlying problems with getting people into work.

The UK unemployment rate has not been lower than it is now since December 1974. In addition, since 2010, more than 4 million of the lowest-paid workers in the UK have received a higher and fairer share of their take-home pay by being lifted out of tax altogether and having the right to keep more of their hard-earned money, thanks to Conservative Governments. That is not the case in Scotland, where workers have the lowest wage growth and the lowest disposable incomes but pay the highest levels of income tax in the UK. The SNP is also increasing the council tax and trying to hit our hard-working population with additional taxes such as the workplace parking levy.

In the foreword to the “Fair Work Action Plan”, the minister states:

“We want Scotland to be the best place to live, work, invest and do business.”

If that is the case, a starting point would be to take what would be an illegal indyref 2 off the table, stick with the internationally recognised currency of the pound and address the hard economic realities that the country faces.

15:35

John Mason (Glasgow Shettleston) (SNP): I am delighted to speak on the fair work action plan. It seems to me that there is a clear link between that topic and the subject of last Thursday’s debate on international women’s day. Last week, we focused on fairer treatment of women; today, we are focusing on fairer treatment of all staff.

On Friday, as part of Scottish apprenticeship week, I had the opportunity to visit a local business, where we discussed the lack of women in a number of trades. Yesterday, I was at Glasgow Caledonian University, which is having a big push to change gender stereotypes—for example, by encouraging more men into nursing with its #GCUMenRnurses2 social media campaign.

The focus of the debate is not on the gender pay gap, but I am glad to see that it is mentioned in the action plan's summary. Requiring employers to publish such information has been a step in the right direction, but requiring them to publish gender pay gap action plans would definitely be a further step forward. We are seeing the gentler side of the Conservatives today, but we know the reality is that they have resisted such change. I do not believe that we can achieve real progress on fair work generally if we do not deal with the unfair treatment of women in the workplace.

Another point that we discussed at Glasgow Caley, and which it is keen to stress, is the importance of ethos both to the university as an organisation and also, for example, to Social Security Scotland, which it was felt should have a different ethos to that of the Department for Work and Pensions. Such an approach could have huge ramifications for wider society and could also apply to other organisations. I note that the action plan's overview of actions contains a point about instilling a fair work ethos in our future workforce and business leaders. Ethos is not an easy commodity to create or even to measure, but I believe that it is hugely important. If we had the right ethos, we would not need to worry so much about the detailed rules and regulations.

It is important that organisations have a flexible mindset. Small employers can often be nervous about increased regulation—for example, on flexibility. A small shop or office, such as the office of an MSP, that needs to open from, say, 9 to 5 for the sake of its customers, may feel that it has little room to be flexible on staff working hours. We have discussed the matter in my office and have found that, if there is willingness to come and go on both sides, we can come up with solutions—such as staff having shorter lunch breaks or leaving early on one day each week—while constituents still receive the service that they need, which is the maximum available opening hours for my office.

We have to get the balance right between being fair to the customers or constituents who provide our income, on the one hand, and being fair to the staff who work for us, on the other hand. Therefore, I very much welcome the action plan's commitment to developing support for small and micro employers during 2019.

It seems to me that, just as the Government and the public sector should set a good example, so should we, as a Parliament and as MSPs. There sometimes seems to be a rigid, top-down approach in the Parliament. Even though MSPs are individual employers, albeit with very different constituencies, a one-size-fits-all approach seems to be imposed. For example, the maximum working hours for a full-time employee have been set at 35. I am sure that that rule was imposed for good reasons and should protect MSPs' staff from exploitation. However, there needs to be a balance between imposing rigid rules and encouraging the positive ethos that I mentioned. We should allow both employers and employees a bit of flexibility and encourage them to discuss what is best for their individual situations. Another example is holidays, as the Parliament contract suggests when holidays have to be taken.

I note the Labour amendment, and particularly its emphasis on the real living wage, which Labour members have mentioned. I think that most of us support a real living wage—a wage that ordinary people can actually live on—but it strikes me that Labour is being indirect in its approach in that it is looking for all sorts of devices that we might use to ensure that a real living wage is paid without actually enforcing it. Such examples include use of the procurement process and the Scottish Futures Trust. I am broadly supportive of using them, but we have debated the approach at length before, and there is clearly a legal tightrope to walk, with European competition rules not allowing the mandating of such a non-statutory wage level in the procurement process.

I wonder why Labour members will not just support full devolution of the statutory minimum wage. They must know that, in all probability, there would be agreement in this Parliament for the statutory minimum wage being brought up to the level of the living wage.

Neil Findlay: Will John Mason take an intervention?

The Deputy Presiding Officer: The member is in his last minute. He is just closing.

John Mason: Sorry—I cannot take an intervention.

Why does Labour want the real powers to stay in London while we just mitigate around the edges?

I welcome the commitment that grants from Scottish Enterprise will have fair work criteria attached. In the Economy, Energy and Fair Work Committee, we have felt that Scottish Enterprise and others have been focused on attracting investment and jobs but have not placed enough emphasis on wage levels, inclusive employment and so on.

I very much support the action plan. We need to realise that we are in a long-term battle for fair work and there are few easy solutions, but I hope that we are all committed to making progress.

15:41

Neil Findlay (Lothian) (Lab): I declare an interest as a member of Unite the union and the Educational Institute of Scotland.

Across Scotland, social division is growing. We see poverty increasing, the gap between the rich and poor expanding and, for the first time in decades, life expectancy falling. Those social divides are the consequence of economic inequality—an imbalance of power between workers, whose labour creates the wealth of the nation, and those who hold shares and/or speculate on the businesses that employ them, or who own them.

At the weekend, Richard Leonard rightly called for the devolution of employment law, but with the key caveat that we deploy a floor that means that no Scottish Government could fall below what the UK Government did. That is exactly right. It would protect Scottish workers from any Scottish Government that sought to downgrade workers' rights.

However, we do not have to wait for devolution of further powers to act. In many areas, we can act now. Mr Hepburn asked if we would provide some choices or some ideas. Let me run through a few for him. We could implement a living wage for all public contracts, including those that are run by arm's-length companies, because contract law is devolved, although it would require political will to do so. I asked the minister why the Government opposed that during the progress of the Procurement Reform (Scotland) Bill, but, as in the famous "The Two Ronnies" sketch, he answered a different question. Maybe he will answer that question now. Apparently not.

Mr Mason said—

Jamie Hepburn rose—

Neil Findlay: I will take an intervention. Why did the Government oppose that?

Jamie Hepburn: The point has been made that there are strict confines within which we must operate under EU law. However, Mr Findlay will understand and recognise that we have laid down significant statutory guidance and regulations to embed fair work in procurement. No other Government has done that. Surely he must welcome that.

Neil Findlay: The minister says that the Government cannot do it because of EU law, yet the Government claims that it can do it when it

implements it in social care. If we can do it in social care, why can we not do it across the piece?

We could refuse to give contracts to companies that fail to recognise trade unions, because unionised workplaces are happier, safer and more productive, and they are fairer. We could end the use of umbrella companies on public sector contracts and those involving the Scottish Futures Trust, because umbrella companies rip off workers and the taxpayer. We should insist on direct employment rather than bogus self-employment. The Government has done little, if anything, on that, including on its own projects.

We could stop main contractors ripping off subcontractors on public sector contracts, such as in the case of Vaughan Engineering in my region, which was forced to close after 60 years, with the loss of 300 jobs, because of the outrageous behaviour of a main contractor. We could insist on trade union access to organise on projects that are financed by public money—that could have happened for the Dumfries hospital, but the trade unions were told to stay off. We could refuse to give contracts to employers that have blacklisted workers—we could have done that for the V&A in Dundee had the Government followed its own guidance, but it ignored the guidance on that contract.

We could end the outsourcing and privatisation racket that saw the likes of Carillion fail, leaving jobs unfinished and thousands out of work. We could insist that apprenticeships and training be a condition of contracts and that a training officer be employed on major contracts. That was offered on the Queensferry crossing but was not implemented. We could regulate electricians—I have had discussions with Mr Hepburn about that, which were positive. I think that that would protect the trade, avoid consumers being ripped off and promote good health and safety. I look forward to significant progress on that issue.

We could put fair work conditions on the award of all grants to companies such as Kaiam and introduce conditionality for the small business bonus, rewarding employers who advance the fair work agenda. We could legislate for collective bargaining, not just promote it. We could end the use of zero-hours contracts in public contracts and in the public sector, including in colleges and universities. We could increase the number of employers that are registered as living wage employers. Out of 340,000 registered business, only 1,300 are living wage employers and only 600 have signed the business pledge. We have a massive way to go; we are only scratching the surface.

We could accept the request from Scottish Care and Unison to implement collective bargaining.

When I chaired the Health and Sport Committee, both sides of the social care sector asked that collective bargaining be implemented. When I asked the then health secretary, Shona Robison, why the Government would not do that, she said that it had never been asked. That is pretty pathetic. We should do that, because there is an employment crisis in social care and both sides believe that collective bargaining is a way to resolve it.

We could end the cuts to Scotland's councils that have seen the loss of 40,000 jobs. We could end the cuts to Scotland's colleges and deliver on promises on lecturers' pay. We could bring the railways back into public ownership and ban the dumping of human waste on tracks, which workers have to deal with.

Richard Lyle (Uddingston and Bellshill) (SNP): What is the cost?

Neil Findlay: There is no cost. I say to Mr Lyle that the Government should let the ScotRail contract expire and then break it—the contract is an absolute disaster.

The Parliament could unanimously support Claire Baker's corporate homicide bill, which would hold directors to account for decisions that cause the death of their employees. We could stop giving public money to companies that systematically avoid paying their taxes. We could recognise and act on the mental health crisis, especially in services and jobs in which stress levels are high, and provide access to counselling.

The Deputy Presiding Officer: Draw to a close, please.

Neil Findlay: We could end the exploitation of workers, especially young workers, if the Government exposed those who are exploiting staff, as in the cases that have been unearthed by the better than zero campaign.

The Deputy Presiding Officer: Come to a close, please.

Neil Findlay: Those are all things that we could do and that we should do. I hope that I have given the minister enough ideas to take forward.

15:48

Stuart McMillan (Greenock and Inverclyde) (SNP): I welcome the debate and the actions that are included in the "Fair Work Action Plan". I also welcome the Scottish Government's decision to instigate the plan and—more important—the collaborative approach that has been taken in delivering it.

The amendment in Richard Leonard's name states that the plan

"is not bold enough in its ambitions".

The Labour Party in Scotland is perfectly entitled to hold that view, but it is a bit rich for a party that was in power in Scotland for eight years, in power in Westminster for 13 years and that led various councils for decades—which led to equal pay claims aplenty—to cry crocodile tears, at this stage.

However, I suppose that the first stage in redemption is for an organisation to admit that it has a problem, so if that is Labour's admission, it might manage to put together a coherent message at some point in the distant future.

Neil Findlay: As he is on that theme, maybe Stuart McMillan will apologise for his own party's MPs not turning up when the UK Parliament voted to introduce the minimum wage. Will he take the opportunity to apologise for that?

Stuart McMillan: Neil Findlay needs first to look at his own party. Clearly, he does not want to admit that his party has had—and still has—many problems. That is why the Labour Party will no doubt be in third place in this Parliament for many decades to come.

Although more can always be done—whether it is on fair work, health services, human rights or any other aspect of life—it is important to acknowledge the hard work and the steps that have been deployed to deliver the plan. As the minister said, it is important to recognise that employment law is still reserved to the Westminster Parliament, so the Scottish Government is trying to do the job with one hand tied behind its back.

I want Scotland to be the best place to live, to work, to invest in and to do business in, and to be the best in terms of leisure activities. We live in a wonderful country, but the full potential of our outputs has still to be achieved. That is why continuous improvement is important.

I welcome the Scottish Government's motion, particularly the part that says that

"the Parliament ... endorses the actions that"

the plan

"commits the Scottish Government to".

It is crucial to appreciate that in order for the action plan to be successful the full range of partners need to play their parts. That is why the fair work convention—the partnership between businesses, trade unions, the public sector and academics—was so important. The Government's "Fair Work Framework 2016" created the definition of fair work as work that offers all individuals an

"effective voice, opportunity, security, fulfilment and respect",

I do not imagine that any member in the chamber or anyone in Scotland will be against that definition.

Scotland is making strides in fair work. That will underpin our economic success, as well as the wellbeing and prosperity of our people, our communities and our businesses. What is not to like about that?

Many MSPs are already living wage accredited employers. There are 14 such employers in my constituency, but I am sure that many more are delivering on what being a living wage employer means, despite their not yet having obtained accreditation. Of the 14 accredited employers in the Inverclyde Council area, three are in the private sector, three are charities, two are in transport, two are in housing, two are in care, one is the local authority and one is in the arts and culture.

I am pleased that Inverclyde is playing its part in accreditation. Given that the target of 1,000 living wage accredited employers in Scotland has already been exceeded—there are now more than 1,300 such employers—it is clear that businesses recognise the importance of being a living wage employer. Some MSPs have criticised the fact that there are only 1,300 such employers, but that is a third of the number in the UK, and the Living Wage Foundation has praised the work that is going on in Scotland. Therefore, it is a bit rich for MSPs to talk Scotland down, when Scotland is delivering way more, in percentage terms, than other parts of the UK are. It is surely incumbent on all of us to encourage more businesses in our areas to sign up to becoming living wage employers.

I am delighted that 601 businesses have signed up to the Scottish business pledge, although I acknowledge that more needs to be done in that respect. Once again, MSPs have a role to play in encouraging businesses in their constituencies and regions to play their parts in making their communities better.

I am equally delighted that the Scottish Government has introduced statutory guidance—including on the real living wage, on procurement, on supporting best practice and on the toolkit—to address fair work practices.

Close the Gap sent MSPs a briefing that highlights some aspects of the debate. I found the part on unpaid care really enlightening. The briefing states:

“The Action Plan states ‘one in seven Scots are unpaid carers’ and ‘many carers give up work because the job of juggling their work and caring responsibilities simply becomes too much’.”

In his opening speech, the minister talked about learning lessons, with regard to the fair work summit that will take place. I am sure that he will

have been interested in reports in the media this morning regarding implementation of the provisions of the Carers (Scotland) Act 2016. Apparently, councils have been spending money inconsistently since the act came into force last year.

The Deputy Presiding Officer: You must close, please.

Stuart McMillan: Clearly, carers have enough challenges to contend with. I will conclude on that point.

15:54

Michelle Ballantyne (South Scotland) (Con): I refer members to my entry in the register of members’ interests as a business owner and employer.

I have no doubt that everyone who is participating in the debate accepts that fair work helps to deliver sustainable and inclusive growth. As an employer, I commend absolutely some of the proposals in the action plan.

Businesses could, however, be forgiven for disengaging when they listen to this kind of debate. It is not about whether a business has a sign on the door that accredits the firm in some scheme: it is about how firms treat their employees and operate their businesses and, in doing so, how they improve their position in their marketplaces. We need to be careful to remember that it is businesses themselves that drive what they do, not the labels that the Government puts on them. We have already heard contributions to that effect, so I will try not to repeat what we have already heard.

I want to explore a couple of areas that have come up for me in recent weeks. I start by saying that I welcome the plan. There is a lot in there—although a lot of it is words that need to be padded out with actions. I want to hear the minister’s thoughts on a couple of things that I will mention now.

First, we learned at the start of this month that the Scottish Government’s flagship work programme—fair start Scotland—is failing to meet the Scottish Government’s targets. The work programme was devolved to the Scottish Parliament in 2016. That was a chance to create a bold new tailored programme that was optimised for Scotland. I hope, therefore, that the minister will share my concern that almost half of referred job seekers are not accessing fair start Scotland. Although I accept that those individuals are often people who struggle to engage with the world of work and to take steps to enter the workforce, that compares poorly with the current reserved UK

programme, in which 75 per cent of individuals who have been referred have started the scheme.

The Government has set a target of 38,000 people passing through fair start Scotland in three years. If numbers continue on the current trajectory, the Government will fall short of the target by 10,000 participants. Clearly, to develop a fair work economy, there needs to be active engagement among employers and employees with Government policy. I will look forward to a retort on that point.

Jamie Hepburn: Will the member give way?

Michelle Ballantyne: The minister can give his reply now, if he would like to.

Jamie Hepburn: Does Michelle Ballantyne think that part of a fair work agenda should be to compel people to take part in a programme under threat of being sanctioned and losing benefits entitlement if they do not, as was the case under the watch of the Department of Work and Pensions?

Michelle Ballantyne: That is a slightly conflated question. The Government is trying to get people to engage proactively with the fair start Scotland programme, and clearly has only a 50 per cent success rate. What I am looking for from the minister is views on how that can be improved. That is the important thing.

Government policy impacts on the quality of the workforce that comes to employers. This is the second matter on which I want the minister's thoughts today. As employers, we look for good-quality employees who can contribute to the business and improve its output, which in turn allows the business to afford better conditions, wages and so on. Today, we see again in the news, and in evidence that was given to the Education and Skills Committee by Professor Jim Scott, that Scottish Government figures show that the proportion of school leavers with no exam passes rose from 1.5 per cent in 2012-13, the year before the current curriculum was brought in, to 2.3 per cent last year. The figure more than quadrupled, from 1 per cent to 4.5 per cent, in Dumfries and Galloway and has surged to 3.7 per cent in Midlothian.

I am concerned, because if the SNP wants Scotland to be a prosperous world-leading country—it is not just the SNP that wants that; everyone in the chamber does—it must revitalise the economy. The first step on that road is to ensure that we have the workforce that Scotland needs. I would like to know the minister's thoughts on that point. If we do not start with a good baseline of youngsters coming out of school with decent qualifications—or any qualifications, which is what seems to be the problem at the moment—it is difficult for businesses to pay more and offer

better conditions. They will look outside, and our youngsters will lose out.

My third big point is the role of older people in breathing life into Scotland's economy. We learned yesterday from Censuswide that one in three Scots fears that they will have to continue working after 65 to make ends meet. More than half of Scots do not have any plans to support themselves financially in retirement, and will rely on the state pension.

Many people will have to keep working after 65; in fact, half of older people over that age are still working, and we need to support and utilise their skills. Scotland has a huge wealth of older talent ready to be unlocked, but it seems to be underutilised. My colleague Bill Bowman touched on that earlier today, and in recent weeks I have heard it from employment professionals across the Borders. Many older people want to work, but they struggle sometimes to find a place in a labour market that is increasingly youth oriented but which would benefit from their experience. There are many projects in place to help young people to develop and get into work, such as the job grant or the modern apprenticeship scheme, but has the minister given any thought to offering the same opportunities to older people?

The Deputy Presiding Officer: Draw to a close, please.

Michelle Ballantyne: I will wind up by saying that those are the three things on which I would be grateful for the minister's answers.

16:01

Richard Lyle (Uddingston and Bellshill) (SNP): I welcome the opportunity to contribute to this Scottish Government debate on the fair work action plan. My campaign for election as the constituency MSP for Uddingston and Bellshill focused on jobs, jobs, jobs. I recognised the absolute need to work in support of an environment in my local area that created jobs, brought in investment and delivered opportunities to develop skills for our young people, in particular.

An example of a business that is doing that is Saltire Facilities Management Ltd in my constituency. I visited them last week for apprenticeship week and had the chance to hear from young workers about their plans for the future, what they thought about their opportunities and their vision. Naturally, "jobs, jobs, jobs" is only one element of ensuring that good working practice is created. With "jobs, jobs, jobs" should always come fairness and equality, and that is what this SNP Government is working hard to deliver.

I welcome the publication of the “Fair Work Action Plan” and endorse the actions that it commits the Scottish Government to. I recognise and share the vision for Scotland to be a fair work nation by 2025. We will do so by recognising the important and vital role of employers and trade unions in creating fairer workplaces and by acknowledging the crucial role of fair work in delivering sustainable and inclusive growth.

The SNP and this Scottish Government are clear that we want Scotland to be the best place to live, work, invest and do business. Our plan delivers on that ambition. Fair work is the foundation of the plan, and indeed, a prerequisite for it to happen in a sustainable way. “What is fair work?” is a question that many ask and, in order to deliver it, we must establish what it looks like. The fair work convention, which is a partnership of businesses, trade unions, the public sector and academics based at the University of Strathclyde, published its fair work framework in 2016 and defined fair work as

“work that offers all individuals an effective voice, opportunity, security, fulfilment and respect.”

That is fair work in a nutshell.

We on the SNP benches believe that Scotland can make strides in fair work that will underpin our economic success and the wellbeing and prosperity of our people, communities and businesses. Fair work has been an important part of the Scottish Government’s inclusive growth agenda. On 27 February, the Scottish Government published its fair work action plan, which sets out the Government’s plans for Scotland to be a world-leading fair work nation by 2025, as I have highlighted. The plan rightly includes a range of measures to support employers to embed fairer working practices. Although more can be done, we should recognise the fantastic progress that has been made so far, including the fact that we have met and exceeded our target of 1,000 Scots-based living wage accredited employers—the number is now more than 1,300.

I am proud that I and many of my colleagues in Parliament are showing leadership on this issue. We have introduced statutory guidance on addressing fair work practices—including the real living wage—in procurement and supported the best practice guidance and toolkit. We have introduced the workplace equality fund to deliver employer-led innovative solutions to overcome workforce inequality. We have introduced the women returners programme to assist women to re-enter the workplace following a career break. We have established the carer positive scheme to encourage flexible, fair and supportive policies to support carers in the workplace, and we have promoted the development of flexible workplaces

through continued funding of family friendly working Scotland.

I could go on, but that short list demonstrates quite effectively our record on working to create a fairer and more equitable approach to work. It is important to recognise that all of that is being done within the context of employment law being reserved to the UK Government. The SNP Government is doing all that it can, with the powers available to it, to promote fair working practices. As with so many issues, that is our record with devolution. Imagine the potential that we would have to deliver for our great nation with the powers of independence.

Willie Rennie: Will Richard Lyle take an intervention?

Richard Lyle: No, I do not have time.

The SNP Government is not one for resting on its laurels, and more can and will be done. I note that there are plans to collaborate with the fair work convention to organise and host an international fair work summit in 2019-20. The summit

“will showcase Scotland’s approach to Fair Work on an international stage, making connections across the Fair Work movement in Scotland, the UK and Europe.”

In Government, our approach to delivering fair work is built on collaboration, engagement and using our wider powers and policies to exert strategic influence. The Government’s action plan seeks to deliver fair work to a diverse and inclusive workforce, and the many proposed actions highlight current and planned work of the Scottish Government and stakeholders, including the STUC, the fair work convention and the Poverty Alliance, to address challenges in delivering fair work in specific sectors.

The Scottish Government will extend the workplace equality fund to align with the fair work first commitment, continue to support strong trade unions, promote collective bargaining and fair work in the collaborative economy, take forward actions related to the fair work convention’s social care report, and increase the number of people employed who are paid the real living wage and are in secure work.

I commend the motion to the chamber.

16:07

James Kelly (Glasgow) (Lab): The debate is timely. It is nearly five years since the Procurement Reform (Scotland) Bill was passed by Parliament, and one of the big debates during the passage of the bill was on mandating the payment of the living wage in public procurement contracts. It is worth reflecting on that debate and

looking five years down the line at what progress has been made.

In 2014, Labour argued for mandating the payment of the living wage in all public contracts. As we have heard this afternoon, the Government was very keen on that at the time, but just could not do it: it would be breaking EU law and was all very difficult. As Mr Findlay pointed out in relation to the care sector, that was clearly a red herring.

The Government said that it was really keen on payment of the living wage and would make sure that the guidelines were really strong. When public contracts were being set out, it would be made clear to people that it was expected that the living wage would be paid. How has that gone? In 2015, 460,000 people in Scotland were not being paid the real living wage. Today, that figure is 480,000. Sadly, the situation has deteriorated.

Jamie Hepburn: To put that into the proper context, the figures that the member has provided are not inaccurate, and we must do more, but he would accept that, as a proportion, the figure has fallen, because there are more people in employment today, so there are also more people earning above the living wage.

James Kelly: The minister is dancing on the head of a pin. The reality is that 20,000 more people are on poverty wages and are not being paid the real living wage than were in that situation in 2015. I simply say that in five years the Parliament and the Government have not made the progress that we should have made in light of some of the speeches that were made back in 2014.

That is backed up by examining the fair work action plan. As many have said, only 601 employers—or 0.55 per cent—have signed up to the business pledge.

Stuart McMillan: Will the member take an intervention?

James Kelly: No. I want to make some progress. I will let Stuart McMillan in later on if I get a chance to do so.

Nowhere else is the situation more stark than it is in the city of Glasgow, which I represent. Some 150,000 people in Glasgow are not paid the real living wage. As the Poverty Alliance pointed out in its briefing for the debate, even if we were able to make some progress on that with a quarter—37,500—of those people, that would boost the Glasgow economy by £27 million, and it would also increase the Scottish Government's tax revenues by £16 million. There would be real advantages in that.

As well as the poverty wages in Glasgow, there is, sadly, a tie-in to exploitation. I am aware of two examples of that in retail stores in Glasgow. One

runs relatively short fixed-term contracts and changes the hours in order to suit the flow of business. That can sometimes mean people working full-time hours and then getting their hours cut to 25 hours. That is a real problem if the person has to pay bills, run a house and so on.

I am also aware of a large retail store in which someone was on a so-called probationary contract. That person knew that that contract was not being continued only when they got a P45 through the post.

Those stores are main organisations.

Stuart McMillan: Will the member take an intervention?

James Kelly: No. I have only a minute to speak, and I want to make some points.

Richard Lyle: Calm down.

James Kelly: I say to Mr Lyle that I am very calm. [*Interruption.*] If Mr Doris thinks that it is funny to ignore the fact that 150,000 people in the city that he represents are not being paid the real living wage, that is treating a lot of his constituents with contempt.

There are two specific things that the Scottish Government should do in order to move the issue forward. First, five years down the line, it should make payment of the living wage mandatory in all public procurement contracts. That should have been done five years ago. Let us do that now.

Secondly, we have talked about fair work in this debate, but let us also have fair taxation. We have just passed a taxation policy that hands tax cuts to lawyers and P45s to librarians. If we are really talking about tackling poverty, we cannot have a taxation policy that gives 99 per cent of taxpayers—including all those who earn up to £124,430—a tax cut. A fundamental rethink of the Government's approach is needed in both areas.

16:13

Bill Kidd (Glasgow Anniesland) (SNP): I thank the minister for outlining the fair work action plan and for highlighting the importance of centring fair work at the core of the Scottish economy. As the plan points out, fair work drives success, wellbeing and prosperity for individuals, businesses, organisations and everyone in society. Fair work means treating people with dignity and respect, the effect of which is to improve staff motivation and retention. Moreover, that core value underpins sustainable and successful businesses.

I will focus on the opportunities dimension of the fair work framework. In particular, I want to look at how refugees have the opportunity to access fair work. The opportunities dimension says:

“It is a reasonable aspiration to want work that is fair—and for fair work to be available to everyone.”

Fair opportunity allows people to access good work and employment and is a crucial dimension of fair work.

I emphasise the role that employers can play in providing fair opportunities to refugees. We in Scotland have made it our prerogative to welcome refugees. We have offered them a new place in which to start over and invited them to make beautiful Scotland their new home. For new Scots, a priority is finding community and integrating into Scottish life. Integration through getting into work is relevant to today’s debate.

Refugees often face unique barriers to accessing work that councils, employers, the Scottish Government and the Parliament should all be aware of. The fair work action plan offers an opportunity for employers to consider those unique challenges and how they can create fair opportunities. I urge the Government to assess how the challenges that refugees face can be incorporated into the benchmarking tool to benefit refugees’ needs.

Charities such as the Scottish Refugee Council, the Refugee Survival Trust, the Bridges Programmes and others are doing incredible work. Refugee charities can provide greater expertise, but I will do my best to reflect on three barriers. The first concerns an obvious but nonetheless significant point. A key factor that helps refugees to get a job is having the appropriate mastery of the English language. Refugees are offered free English for speakers of other languages lessons, but opportunities to learn out of the classroom are extremely valuable.

Research that the University of Edinburgh is conducting suggests that short-term placements, such as volunteering one day a week, can make a tremendous impact. Such experience could accelerate learning while building connections with the community. Councils could encourage local employers or public services, such as libraries, to help.

Many refugees have the language skills that are required to work, and they need to be offered the opportunity to work—that is my second point. An excellent example of local employers offering fair opportunities comes through the Bridges Programmes, which is located in Glasgow. The Bridges Programmes helps refugees through its equipped for the future course, which helps refugees with understanding their skills from their experience and translating that into a CV, completing applications and preparing for interviews. Among other things, the charity offers short work experience opportunities with Glasgow-based companies. The opportunities normally last

for 12 days, spread over a couple of months, and often lead to a job offer.

That second point weaves into my third. When refugees apply for work, their qualifications and experience are often not recognised. That may be because paperwork has been lost that could prove their ability and proficiency to work in a specific field. People who have had 30-year-long careers are often required to retrain before they can re-enter the same field or go into a related field. Many refugees face such challenges. In such circumstances—particularly in regulated fields that require qualifications in Scotland—it would be helpful to have accelerated programmes that would assist refugees to re-enter their professions. That would benefit us all, as it would enrich our workforce and use people’s skills and expertise. At the same time, it would provide fair access to work for a group of new Scots who face unique challenges.

The Scottish Government has funded the new refugee doctors project with NHS Education for Scotland, the Bridges Programmes, the British Medical Association, Glasgow Clyde College, which is in my Glasgow Anniesland constituency, and City of Glasgow College. Refugee doctors are supported to obtain a level 7.5 IELTS English language proficiency qualification at Clyde College’s Anniesland campus. The project then assists refugees with steps to obtain a licence to work as a doctor in the UK. Last year, because of the project, NHS Scotland started four refugee doctors working here.

That comprehensive programme shows how tailored support can address the unique challenges that refugees face in returning to their professions. Each industry has different requirements, but the programme shows that fair opportunities—even in the most difficult circumstances—can be provided. Whether they are a farmer, pilot, engineer, teacher or nurse, new Scots share a desire to contribute to Scottish life and build a home for themselves here.

Aligning the fair work framework to help employers consider refugees and recognise their previous work experience would be highly valuable, and I hope that the Scottish Government will pursue that.

The Deputy Presiding Officer (Christine Grahame): I was beginning to wonder—worthy though that speech was—what the connection was with the motion, but there was one.

16:20

Jeremy Balfour (Lothian) (Con): I, too, thank the minister for bringing this important debate to the chamber today. I will touch on some of the actions in the disability employment delivery plan,

which is one of a suite of labour market plans that forms the fair work action plan. I will also refer to some of my observations having met disabled people, disability organisations and employers to discuss disability employment.

It is estimated that there are 284,000 disabled workers in Scotland. Despite the employment rate improving and the advent of the Equality Act 2010, there is still a significant difference in employment rates—the figure for disabled people is 42 per cent, compared with the overall figure of 73.4 per cent. Disabled people, like most people, see the importance of work as a source of income, something to do for their wellbeing and as a way to feel that they are contributing to society. Yet many disabled people and those with long-term health conditions, learning disabilities or mental health issues still face particular and complex barriers to sustained employment, such as societal and employer attitudes, lack of confidence and even low expectations from their family members and society as a whole.

I have found unanimous support for the recruitment of disabled people in the business community. Rather than viewing the employment of disabled people as a diversity box-ticking exercise, employers see an opportunity to increase the pool of candidates in a business. They recognise that reflecting the diversity of a customer base in the workforce can help to maintain a long-term offer that people buy into more easily. However, all accept that much more needs to be done in order to narrow the disability employment gap. Employers acknowledge that, although there is support for the business to be more inclusive at leadership level, more steps need to be taken to embed that aspiration into the mindset of line managers and others who do the day-to-day recruiting.

I found agreement among employers that the diversity and the language surrounding disability can be intimidating for hiring managers, who are concerned that they may offend. That view is supported by recent research conducted by Leonard Cheshire Disability, which found that 24 per cent of employers said that they would be less likely to employ someone with a disability. Employers agree that that reluctance identifies a need to improve education and training in the workforce and to promote role models with disabilities in it.

Disability organisations tell me that better support needs to be provided for disabled people looking for employment, and for employers. One disability charity spoke about employer ability, suggesting that we need to consider how we support and mainstream businesses' approach to recruitment so that it is more inclusive and fairer,

rather than seeing the disabled person as the problem.

Employers tell me that the split in employment legislation between Westminster and the Scottish Government creates complexity. Employers refer to a crowded landscape. I hope that the Scottish Government will work closely with Westminster. For example, why not have one website with all the information from the UK and Scottish Governments on it rather than having separate websites, which causes confusion?

I encourage the Scottish Government, as outlined in the disability employment action plan, to promote the DWP's access to work scheme to employers and disabled people. Through the scheme, disabled people can claim up to almost £60,000 a year to help pay for additional support that they may need in the workplace. That can include workplace adaptations, assistive technology, transport and interpreters, all of which can make a difference with regard to disabled people's ability to remain in employment.

Disability charities have also stressed the need for appropriate in-work support to enable a disabled person to carry out their job. I was, therefore, extremely concerned when I recently saw figures revealing that 45 per cent of jobless individuals who were referred to fair start Scotland did not take part in the back-to-work scheme. The Scottish Government took charge of the employment support service in April 2017, claiming that the service would offer high-quality in-work support to those who require it to help them find work. I am concerned that disabled people are being let down due to a lack of support. The SNP must pick up the pace and make sure that people who are getting back to work have the support and the opportunities that they need. A young disabled woman told me recently that she was desperate to get real work, as she described it, rather than a job designed for a disabled person. She wanted a job with flexible hours, working for an employer who understood her needs.

Government leadership is important to ensure that disabled people can expect the same opportunities for career progression as non-disabled people. Until we see the 20 per cent figure being reached among disabled people, we should never rest, and we should continue to work hard to achieve it.

16:26

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I will highlight an aspect of fair work that I believe has recently been addressed successfully in Glasgow. As members will know, Glasgow City Council has ended long-

standing injustices since the SNP took over the council administration in 2017. I will outline what is being done and draw it back to the issue of fair work across Scotland and the Government's policy to secure that.

Women who were structurally discriminated against for far too long by a previous Labour administration—women who did a fair day's work but, quite simply, did not get a fair day's pay—were discriminated against on two fronts. First, they were denied equal pay by the previous administration; secondly, for years, they were forced to fight through the courts and were denied justice and the money that they were owed. That is not fair work.

The situation has been rectified by Glasgow City Council agreeing to pay £500 million to settle the long-running equal pay dispute involving thousands of historically low-paid women. Those women are now in line for an average payout of £35,000. I pay tribute to the women who won that fight and to Councillor Susan Aitken for the leadership that was shown. I also acknowledge Richard Leonard's contribution. He said last year that there was too much legal obstruction in relation to the fight for equal pay in Glasgow, effectively admitting that Labour was on the wrong side of the argument and saying that Labour owed those women an apology for that. That was gracious. To be honest, I suspect that the previous Labour administration found the equal pay issue too challenging to tackle. However, the equal pay settlement shows that even the most intractable challenges regarding fair work can be solved and that we can end discrimination with will and determination. It is vital that, when we talk about fair work, we try, where possible, to come together outwith party political boundaries.

At this point, I will name check James Kelly. We had a to-and-fro during his speech. To show him that I am taking the issue seriously, I promise that I will return to the issue of low-paid workers in Glasgow.

It is vital that we try to do things on a cross-party basis where possible. In that spirit, I will refer to some of the issues that Mr Rennie raised around what we can do to encourage more companies to sign the Scottish business pledge. It was a reasonable question to ask, even though Mr Rennie's choice of language might not have been aimed at getting a consensus. I want more businesses to sign the pledge. Mr Rennie focused on the largest companies in Scotland, but I would like to focus on smaller businesses. The majority—65.7 per cent—of signatory businesses are small, employing fewer than 50 people. However, small firms make up 96.3 per cent of firms in the Scottish economy. Proportionally, more medium-sized and large firms have signed

up to the pledge than would be suggested by their share of the Scottish business base, which means that a disproportionate number of small businesses are not signing up.

I am therefore keen to learn how the Scottish Government will encourage small businesses to work towards signing the Scottish business pledge. Time is precious for the small businesses in the Glasgow Maryhill and Springburn constituency that I represent, and they do not have personnel they can free up to work on aligning the business to the pledge. However, those businesses might well be willing to sign the pledge if it is made more convenient for them to do so and they are given support to meet the criteria.

For that reason, I am keen to identify fair work champions, who not only would publicise the scheme but would offer practical and business support to small businesses, to assist them in paying the real living wage and complying with the requirements of the Scottish business pledge. To be frank, businesses might have to review, revise and adapt their medium-term business plans if they are to sign up to the pledge, and that is particularly challenging for small businesses.

If members go online and try to sign up to the business pledge by clicking on the correct icon, they will see a message that thanks the business for its interest in the Scottish business pledge and says that, if the company is to make that commitment, it must have offices and staff based in Scotland and pay the real living wage. It goes on to say that the business must commit to two of another eight outcomes and work towards achieving the other six. That could be quite burdensome for a small company that wants to do the right thing but that employs only five or six people and is just making ends meet. We must get companies into a financial position in which they can work towards signing the pledge, which, in turn, will make them more financially stable.

In that regard, I say to Mr Kelly that it would be good to have fair work champions in Glasgow, who would support the small businesses that we both want to support and that we would like to see paying the living wage.

The time that I have left is very short, so I will talk about two of the business pledge elements that a company might really value—the pledge is not as intimidating as it might look at first. Under the heading "Invest in Youth", there are practical examples, such as:

"enter into partnerships with local schools/regional colleges",

"influence the development of young people in education"

and

"input to careers guidance".

Those are just three examples, and they are doable with a little help and a nudge in the right direction.

Under the heading “Community”, there is information about how to meet the outcome by, for example,

“Supporting formal community activities”

and

“Supporting volunteering by your employees”.

Most businesses could comply in that regard, with a little help, and get themselves into a position to sign the Scottish business pledge.

If we work across all parties in this Parliament, we can do much more to bring about the fair work that we all want to see.

16:32

Alison Johnstone: This has been a broad debate that has touched on key issues that impact people who are working.

Richard Leonard welcomed the fair work agreement—and probably not a lot else, it is fair to say.

Willie Rennie gave a thoughtful speech in which he highlighted the important role of employment in addressing and reducing offending, talking about how we might tie that into the fair work agenda. In focusing on the business pledge, he demonstrated why a voluntary approach alone cannot deliver fair work.

John Mason talked about the need to close the gender pay gap and to require employers to publish their plans to address the issue.

Bill Kidd highlighted the barriers that refugees face, and he talked about the organisations that work to address those barriers.

Neil Findlay was right to highlight dwindling life expectancy.

Stuart McMillan talked about the excellent briefing from Close the Gap. That was very welcome, as was his focus on unpaid care. There is no doubt that women remain the primary carers and that there are difficulties in balancing unpaid care with work. It is perhaps not surprising that 50 per cent of employees on zero-hours contracts are women. We need to consider how flexible employment can be fair work. Only 6 per cent of jobs that pay £20,000 or more are advertised on a flexible basis according to the Close the Gap briefing.

Michelle Ballantyne said—I am paraphrasing—that there is more to fair work than sticking a living wage sticker on our windows. Of course there is. By all means, employers should do those other

important things, but let us all get to a situation in which we can claim the right to put that living wage employer sticker on our windows. I am very pleased to have one.

The Government’s fair work action plan marks important progress. More employers pay the living wage in Scotland than anywhere else in the UK—the figure here is 80.6 per cent compared with 77.1 per cent south of the border. Bill Bowman spent some time highlighting fair work action in Dundee, which is set to become the first real living wage city in the UK, with 50 employers increasing their hourly wages. I hope that many employers across Scotland will follow their lead, including here, in Edinburgh.

The fair work action plan also commits the Government to pursuing a series of initiatives that will put pressure on many businesses to adopt ethical employment standards. Greens welcome the fact that fair work first criteria will be applied to Government business support, including grants and loans, by the end of the current parliamentary session. I would be grateful if the minister could give an indication of the timeline for that work when he closes the debate, because that certainly represents progress. In 2013, when I was a member of the Economy, Energy and Tourism Committee, I asked John Swinney whether there was any scope for Scottish Enterprise to tie the award of such funding—I was referring to regional selective assistance—to criteria that stated that the company had to abide by taxation rules. It is fair to say that the response that I received was not as positive as the progress that we are seeing today, which I welcome.

The Scottish Government is using some of its powers to improve the livelihoods and working conditions of the workforce. That is why we have a Scottish Parliament, and I fully support the further devolution of powers over the regulation of employment. However, much remains to be done, including ensuring that our next generation of workers are fully trained in the skills that they will need to work in a low-carbon economy; removing the barriers that too many women face when juggling career progression with bringing up children—as I said, women are still the primary carers; and creating jobs that have real value and fulfil people’s ambitions.

In addition, we still need to challenge the central assumption. Unamended, the Government’s motion would conclude by backing economic growth, as though the only reason to strive for fair work is to make the country—or a few people in the country—ever richer. The goal is seen in purely financial terms, but that model is defunct and profoundly self-destructive.

The pursuit of economic growth is hurtling us towards a climate and ecological breakdown. Last

year's report by the Intergovernmental Panel on Climate Change starkly laid out the consequences that that approach will have for people and planet unless we rapidly transition to a low-carbon economy. A report by WWF that involved 59 scientists from around the world found that we have wiped out 60 per cent of the world's animal population since 1960. The natural environment is the basis of our economy, but we are destroying that life-support system under our current economic model. Let me be clear: there cannot be fair work unless our economic model is fair to the planet. This Friday, hundreds of our young people will gather outside the Parliament to ask us to take action to address climate change, which is not an unconnected issue—all these issues are very much interconnected.

Scotland can and must do everything that it can to make work fairer for all, but being a fair work nation means being fair to workers, to the environment that our livelihoods and our very existence depend on, and to future generations. It means restructuring our economy.

As far back as 2015, Greens commissioned the "Jobs in Scotland's New Economy" report, which found that investing in the transferable skills of the offshore workers who are currently employed in the oil and gas sector could create more than 200,000 jobs in the renewables industry by 2035 compared with the 156,000 jobs that are currently provided by fossil-fuel extraction. That is just one little example of the enormous rewards that are on offer to Scotland if we build a sustainable and inclusive economy in which fair work is the norm.

16:38

Rhoda Grant (Highlands and Islands) (Lab): Sadly, workers' hard-fought-for rights are being eroded. The gig economy, zero-hours contracts and a lack of collective bargaining have led to that, and young people and women are bearing the brunt. Careers that are gendered and predominantly female suffer disproportionately. Alison Johnstone pointed out that, at 16.5 per cent, Scotland has the ninth-highest gender pay gap of OECD countries.

During the debate, the nationalists have said that they do not have the devolved powers over employment law that would enable them to do something about the situation, but instead of complaining about what they do not have, they should use the substantial powers that they do have to make a difference.

John Mason questioned whether we can use contracts and procurement to make a difference, and of course we can. As Neil Findlay and James Kelly pointed out, the SNP voted down amendments to the Procurement Reform

(Scotland) Bill not because it was illegal to use contracts in that way but because the SNP did not want to do so.

The Scottish Government and its agencies have enormous buying power but they do not use it to push for higher standards in all contracts. It is not enough to say that the Scottish Government will extend the fair work first approach to as many contractors as it can, possibly within six years. It should do that now for all procurement and all contracts. However, it voted against doing that in Procurement Reform (Scotland) Bill and, as Richard Leonard pointed out, the Scottish Government is actively involving companies in its contracts that do not recognise trade unions.

Have the Scottish Futures Trust and the Scottish Government signed up to Unite the union's construction charter? Fair work must be extended to Government departments and agencies.

The minister said that the Government is starting to roll out fair work first with regional selective assistance. Although any move in the right direction is welcome, the Government will be signing contracts that will run for many years hence that do not have fair work principles at their core.

James Kelly pointed out that the Scottish Government could have put a living wage provision into the Procurement Reform (Scotland) Bill in 2014; 20,000 more people are now earning poverty wages.

Annabelle Ewing talked about the heroes and heroines of the care sector—I absolutely agree with her on that. However, on 26 February this year, the fair work convention published its inquiry report, "Fair Work in Scotland's Social Care Sector 2019". I apologise for quoting the press release at some length, but the inquiry found:

- the social care sector is not consistently delivering fair work;
- the existing funding and commissioning systems are making it difficult for some providers to offer fair work; and
- the social care workforce does not have a mechanism for workers to have an effective voice in influencing work and employment in the sector.

In addition, given the predominance of women workers in the sector, the report also highlights that failure to address issues such as voice deficit and low pay will significantly contribute to women's poorer quality of work and Scotland's gender pay gap ... The burden of variations in demand for social care is falling heavily on front line staff, who can face zero hour, sessional contracts, working beyond contracted hours and working unpaid overtime to meet the needs of care service users."

This is a sector in which almost all services are delivered through Government contracts, so the situation is a disgrace.

Bob Doris: Does the member appreciate that there has been success in the social care sector? For example, a deal between the Scottish Government and local authorities means that the living wage is now paid to care staff in care homes across the country. In Glasgow, services that were delivered by Cordia have been taken back in-house by Glasgow City Council, which means pay increases for female workers who were lower paid under Cordia until the SNP changed things.

Rhoda Grant: Any improvement in working conditions for care staff is welcome but some of the changes that are being made to care contracts mean that people are getting their hours cut. They are not being paid for sleep-ins, for example. We need to look at the whole thing and make sure that when people work, they are paid a fair wage for that work and do not have their overall pay cut just because sleep-ins are part of their contract.

We would pay a living wage of £10 per hour for all, while the SNP wants a 5 per cent reduction in poverty pay over the next three years. It is timid to aim for an additional 25,000 people to be paid a real living wage over the next three years when 480,000 people are paid less than the real living wage in Scotland—it is a drop in the ocean.

Bill Bowman talked about high rates of unemployment in Dundee and seemed to be saying that that was a reason for not paying a real living wage. That makes no sense to me at all. Why should people on poverty pay have to pay for the misfortune of those who cannot find work? Surely we should be looking to the higher-paid people to fill the gap rather than those who are already on low pay?

James Kelly made the point that the Scottish Government should have used fairer taxation rather than consigning 20,000 more people to poverty pay.

We can do so much more to create a fair work environment. The Scottish Government and its agencies have vast procurement powers, and the Government must lead by example and force up standards across all sectors of procurement and contracting. Neil Findlay said that it is simply wrong that companies that operate a blacklist receive Government contracts. I declare an interest, as my husband was blacklisted from the North Sea for demanding better health and safety protection. Rather than make progress in six years' time, we need fair work for all workers today.

16:45

Gordon Lindhurst (Lothian) (Con): In closing the debate on behalf of the Scottish Conservatives, I will not be able to namecheck all those who have spoken, all of whom have had

something worthwhile to say. The debate has shown clearly that we all agree that supporting people fairly in the workplace is beneficial, and not just for the employees, as happier workers create more productive and better working environments, which in turn benefit employers, the economy and society as a whole.

We have heard about new and updated commitments from the Government, including the refreshed Scottish business pledge, which has the living wage at its core but which aims to maintain a light-touch approach. Bill Bowman talked in his dulcet tones about Dundee, which was recently given recognition for its plans to become the first living wage city in the UK. That is of course an admirable goal, but it is one that needs to be developed across sectors to ensure that businesses buy into it while maintaining high standards and competitiveness.

Other interesting initiatives in the action plan include the development of an online assistance tool for small and micro enterprises. Such enterprises make up more than 99 per cent of private sector businesses, and the majority of them are unlikely to have large and complex human resource departments. In a business support environment that is already described as “cluttered”, it is essential that the tool is visible and accessible so that the smallest of employers and their employees can benefit from it. Perhaps in closing, the minister can comment on how the tool will be rolled out within the wider business support system.

As part of the United Kingdom, Scotland is perfectly aligned to benefit from the opportunities that exist in the modern technology-driven era. Those rapid changes throw up their own challenges, for which we must be prepared. The Scottish Conservative amendment highlights the “Good Work Plan”, which follows the Taylor review on modern working practices. Employees can now benefit from the increase in more flexible and varied ways of working, with working patterns offered that allow families to mould working hours according to their lives and to suit them. Of course, that should not mean that the protections that British people have relied on, through our strong track record on workers' rights, should be eroded.

We therefore welcome the extension of workers' rights that has been brought about by the “Good Work Plan”, which includes legislating to give all workers the right to request a more stable contract; making it easier for employees to access employment rights by extending the time required to break a period of continuous service; and increasing the rights of agency workers. Those are just some of the commitments that will allow

people to make the most of the opportunities that a modern economy affords them.

However, as we have heard, we can and need to do much more if we want to bring everyone with us on this journey, including those who are currently without work. In discussing the benefits of the living wage for Dundee, Bill Bowman reminded us that the city also has the lowest employment rate in Scotland overall, so there is much to be done on that. Michelle Ballantyne reminded us that only 55 per cent of jobseekers are accessing the fair start Scotland programme, compared with a figure of 75 per cent for the reserved UK programme.

We have heard about the importance of the older workforce, whose experience and skills are immensely valuable, even in this technology-driven era. Indeed, when I met with apprentices last week, some of them told me just that—that they very much value the wisdom, experience and assistance of older members of the workforce. Greater reskilling and lifelong learning opportunities, which were highlighted by Jamie Halcro Johnston, would help older people to find a place in the modern economy and allow businesses to access the wealth of knowledge and expertise that I have just mentioned.

We heard from Jeremy Balfour about the barriers that, unfairly, continue to stand in the way of people with disabilities. He spoke about the need for greater support not only for disabled people who are looking for employment but for employers to make the recruitment process fairer and more inclusive. Some 4 per cent of employers currently admit that they would be less likely to employ someone who has a disability.

It has been evident from the debate that both the Scottish and UK Governments are making commitments to our workforce to ensure that it can thrive in the modern economy. It is essential that they work together in that endeavour. However, as they realign policy to fit with modern working practices, they must take everyone on that journey. As the minister himself said in the foreword to the action plan:

“Fair Work is an investment in everyone for everyone.”

The Deputy Presiding Officer: I call Jamie Hepburn to close the debate on behalf of the Government. You have until decision time, minister.

16:51

Jamie Hepburn: I thank all members who have spoken in the debate. I consider some contributions to have been more constructive than others, but overall the debate has been very worth while. At the outset of my closing remarks, I

emphasise that the achievement of fair work is a collective endeavour. Across the parties, much has been said that highlights our collective support for it, so I hope that all parties will support the motion this evening and afterwards will get involved in the round-table discussion that I have undertaken to hold.

I do not pretend that “Fair Work Action Plan” has all the answers—far from it. I do not, for a moment, say that everything that is contained in it will necessarily lead to our becoming a fair work nation, so I want to hear what others have to say.

I turn to the second speech in the debate, after my opening speech—that of Jamie Halcro Johnston, which I found constructive. Therefore, it is with regret that I say that I will not support his amendment at decision time this evening. I understand why he would choose to trumpet the UK Government’s good work plan, but the Scottish Government has reservations about the efficacy of the approach. The fair work convention has expressed concern about the lack of consultation and involvement in the Taylor review and the good work plan, and that any measurement of quality of work would fall short of its expectations—a concern that the Scottish Government shares—of what should be defined as fair work.

Jamie Halcro Johnston talked about other action plans that we are progressing, and on which I am happy to update members. In the context of international women’s day, he spoke about the gender pay gap action plan which, I am delighted to announce, the First Minister—who has just arrived in the chamber—launched on Friday, and which has been welcomed by a wide range of bodies. In it we set out a series of actions to breach the gender pay gap that persists in Scotland, including supporting 2,000 women to return to work after career breaks, through our new women returners programme, which is worth £5 million. It also seeks to improve workplace practices for victims of domestic abuse; to support women through the menopause; to expand the workplace equality fund, which I mentioned earlier; and to demonstrate the Government’s leadership as an employer by undertaking our own equal pay audit and researching ways in which businesses can reduce their gender pay gaps.

The future skills action plan, which was mentioned by some members and will be published in due course, is of the utmost importance. We know that our economy is changing and that our workforce needs to be adaptable and ready to respond to new circumstances.

The disability employment gap was mentioned by a number of members, including Jamie Halcro Johnston. We published our “A Fairer Scotland for Disabled People: employment action plan” on 11

December 2018. We have set an ambition at least to halve the disability employment gap. The most optimistic projection suggests that on the current trajectory it would take some 200 years to do that. We have set ourselves a target to achieve it within a tenth of that time, and we have laid out the range of activity that we will progress, to that end.

Jeremy Balfour spoke of the need for Government leadership, and I absolutely concur. We have made a commitment to publish a recruitment and retention plan this spring, which will set a target for employment of disabled people in our workforce. We will encourage other public sector organisations to follow that example.

Jeremy Balfour: I am grateful to the minister for that. Does he agree that we also need to do more here at the Scottish Parliament to encourage people who have disabilities to come and work for us?

Jamie Hepburn: Yes. That point is well made and I endorse it entirely.

Willie Rennie asked questions about the fair work first initiative that we have laid out. I accused him of misquoting me when he said that I had referred to it as “a pilot”. I apologise to him: I have looked back at my speech and I did use that term, but what I meant was not that it is a time-limited initiative but that we will lead the way by rolling out our fair work first agenda through Scottish Enterprise regional selective assistance grants. That will be the first phase of our activity. Mr Rennie wondered whether we will be moving quickly enough. I can say that that activity will happen from next month. I hope he will accept that that is moving pretty swiftly.

Willie Rennie: I thank the minister for telling me that I was right, which is always welcome. How many businesses will the work cover? How much money will be involved in the initial pilot?

Jamie Hepburn: I think that I was saying that I was wrong, more than that Mr Rennie was correct, but we will let it slide.

The activity will happen from April onwards and it will apply to businesses to which regional selective assistance is awarded, so I cannot say how many, at this stage. It would be disingenuous of me to suggest that I could. Nonetheless, we will begin that work.

Alison Johnstone looked for the timetable for the wider work. That is the first element; we will thereafter engage with others on our wider work. We will publish an implementation plan this summer and look to roll out the entirety—

The Deputy Presiding Officer: Just a minute, minister.

There is too much chitchat. Members can talk to one another outside the chamber. I want to hear the minister summing up, as do the members who took part in the debate.

Jamie Hepburn: We will then look to roll out the rest of the fair work first principles over the remainder of the current session of Parliament.

Willie Rennie also spoke about the business pledge not having enough signatories; Bob Doris made that point, as well. I agree, which is why we have refreshed the business pledge and why we want more people to sign up to it. Bob Doris in particular talked about the need for small businesses to engage—

The Deputy Presiding Officer: I am sorry, minister. I think that I was speaking to myself. I said that I want to hear the minister, and I see members just ignoring me. Do not do it.

Jamie Hepburn: I greatly appreciate that, Presiding Officer. Thank you.

I agree that we need to do more to get small businesses, in particular, to sign up to the business pledge. That is why we have tried to reduce the complexity of signing up, and are creating a business learning network and a leadership group with the aim of increasing take-up, along with our new service for small employers and microemployers to adopt fair work practices.

I turn to Richard Leonard’s remarks. He set out by traducing our fair work action plan, as is his wont. He failed to mention that the Poverty Alliance and the general secretary of the Scottish Trades Union Congress have welcomed the action plan, as have many others.

Richard Leonard went on to talk about our ambition to have 25,000 more workers being paid at least the real living wage not being good enough, which James Kelly and Rhoda Grant also mentioned. I agree—it is not good enough. That is not our ambition. The point about the 25,000 extra people being paid the real living wage is that it is as a consequence of our funding of Poverty Alliance activity. Of course, I want to go further: one thing that we could have been doing today, if we had powers over employment law, would have been to make it a statutory minimum wage. We set out that we would do that in “Fair Work Action Plan”.

I love the zeal of the convert, so it was welcome to hear Richard Leonard set out that the Labour Party now believes in devolution of employment law. I welcome that and I look forward to Labour working with us to ensure that the Scottish Parliament has responsibility for it, in due course.

Annabelle Ewing spoke about the social care sector. I welcome the fair work convention’s inquiry report “Fair Work in Scotland’s Social Care

Sector 2019". We must do all that we can. We are committed to funding payment of the real living wage and we will respond to that report, in due course.

John Mason mentioned the flexible work agenda, which is very important and is why we have committed £159,000 to the family friendly working Scotland partnership for this coming year.

Stuart McMillan mentioned the Carers (Scotland) Act 2016 and asked whether I had seen the news this morning. I am aware of it and think that it is an excellent piece of legislation. I know that because I took it through Parliament. Of course, the Minister for Public Health, Sport and Wellbeing will respond, but I agree that it must be implemented. I can say that, through the fair work action plan, we will better promote the carer positive scheme that Dick Lyle mentioned.

Bill Kidd talked about support for refugees to get into employment. The Scottish Government funds and supports the scheme for recognition of prior qualifications that Glasgow Caledonian University and the Bridges Programmes use, but we are willing to consider what more we can do.

Alison Johnstone, in welcoming the action plan, said that there is still much more to be done. I agree with that sentiment entirely. Much has been achieved, but there is still much to be done, as I said at the outset. That is why we have published "Fair Work Action Plan", it is why we are having the debate and it is why I want to bring people together to discuss how we can collectively do what is needed. We should all back the motion and commit to working together to that end.

Decision Time

17:01

The Presiding Officer (Ken Macintosh): The first question is, that amendment S5M-16257.3, in the name of Jamie Halcro Johnston, which seeks to amend motion S5M-16257, in the name of Jamie Hepburn, on working to make Scotland a fair work nation by 2025, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)

Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 31, Against 83, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-16257.1, in the name of Richard Leonard, which seeks to amend the motion in the name of Jamie Hepburn, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)

Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 24, Against 90, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-16257.2, in the name of Alison Johnstone, which seeks to amend the

motion in the name of Jamie Hepburn, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Linlithgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Smith, Liz (Mid Scotland and Fife) (Con)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Adam, George (Paisley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Finnie, John (Highlands and Islands) (Green)
 Johnstone, Alison (Lothian) (Green)
 Torrance, David (Kirkcaldy) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (Ind)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Mundell, Oliver (Dumfriesshire) (Con)
 Arthur, Tom (Renfrewshire South) (SNP)

Carson, Finlay (Galloway and West Dumfries) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Briggs, Miles (Lothian) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Balfour, Jeremy (Lothian) (Con)
 Wightman, Andy (Lothian) (Green)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Greene, Jamie (West Scotland) (Con)
 Golden, Maurice (West Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Mountain, Edward (Highlands and Islands) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Todd, Maree (Highlands and Islands) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Harper, Emma (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Bowman, Bill (North East Scotland) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Mason, Tom (North East Scotland) (Con)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Kelly, James (Glasgow) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)

The Presiding Officer: The result of the division is: For 94, Against 20, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The final question is, that motion S5M-16257, in the name of Jamie Hepburn, on working to make Scotland a fair work nation by 2025, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)

McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 93, Against 21, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament welcomes the publication of the Fair Work Action Plan and endorses the actions that it commits the Scottish Government to; shares the vision for Scotland to be a fair work nation by 2025; continues to recognise the vital role that employers and trade unions have in creating fairer workplaces; acknowledges the crucial role of fair work in delivering a sustainable and inclusive economy; welcomes in particular the commitment to extend fair work criteria to every type of grant, funding stream and business support budget, and the commitment to add environmental impact as an element of the Business Pledge; recognises that the case for these actions has been made for several years by political parties and others, and believes that the

Scottish Government should publish detailed proposals on the implementation of these actions before summer 2019.

Land Ownership Information

The Deputy Presiding Officer (Linda Fabiani): The final item of business is a members' business debate on motion S5M-16015, in the name of Andy Wightman, on who owns Scotland. The debate will be concluded without any question being put.

Motion debated,

That the Parliament believes that a modern, democratic society requires open and transparent information on the ownership, use and value of land; commends the report published by Community Land Scotland (Towards Land Ownership Transparency); notes the ambition to create a Scottish Land Information System (SCOTLIS) to provide comprehensive information about land and property; understands that the target to register all land owned by Scotland's public bodies by 2019 is unlikely to be achieved; regrets that it remains difficult, time-consuming and expensive for citizens in Lothian and across Scotland to obtain land information, and notes the view that information about the ownership, use and value of land should be made freely available to the people of Scotland.

17:08

Andy Wightman (Lothian) (Green): I refer members to my entry in the register of members' interests, particularly to my on-going administration of the Who Owns Scotland website.

I am pleased to open the debate, and I thank all members who signed the motion and who will speak this afternoon. The debate is intended to highlight the need for a wide range of information—not just information on the ownership of land—to be more easily and freely available. It is something of a contradiction that Scotland has the oldest national public register of land—the 1617 register of sasines—and yet, today, Scotland has a system of land registration and information that is poor by international standards, and one in which it is next to impossible to obtain critical information easily and quickly.

In 2018, Transparency International published a framework for assessing the transparency of land ownership information, and Scotland was one of the case studies. The authors of Community Land Scotland's report, "Towards Land Ownership Transparency in Scotland", concluded:

"There is currently a gap between the desire for a 'publicly accessible' land registry and the reality. Access for citizens to anything other than the most basic information is fragmented, expensive and complicated."

I emphasise, at the outset, that the land information system involves much more than just information on ownership. Of course, it includes information on ownership and associated legal entities, but it also includes valuation data, information on non-domestic rates and council tax, planning permissions, environmental and heritage designations, energy performance certificate

ratings, information on flood risks and contaminated land, utilities data, coastal and marine data—the list goes on.

In Scotland today, all that information is available in theory, but it is difficult, time-consuming and expensive to obtain. For example, a constituent of mine was concerned about short-term lets in her tenement in Edinburgh. There were five in all, and she wanted to know who owned them, whether the owners had planning consent and whether they were paying their local taxes. Such a task should be straightforward with a modern land information system. Not only must she look in three different places, however, but the ownership information alone would have cost her £150 plus VAT—money that she did not have.

It is worth noting that we were far better informed historically. In 1872, the Government conducted a survey and published a full return of the owners of lands and heritages. I have a copy here if anyone is interested in perusing it. It is an odd state of affairs that it is easier to find out the ownership, value and use of land in 1915 than it is to find out that information on land in 2018. The Finance Act 1910, Lloyd George's famous people's budget, proposed a levy on the value of land. In order to establish a baseline, surveyors mapped out in intricate detail the ownership, occupation, value and use of virtually all of Great Britain and the whole of the island of Ireland, covering 99.7 per cent of the land area of Scotland. Nothing comparable has been produced since.

Countries such as Singapore, states in the United States, and European countries such as Norway, Sweden, the Netherlands and Estonia are well ahead of us. Indeed, in a ranking of countries by the ease of registering property, for example, the World Bank ranks the United Kingdom as number 42 in the world. Above us are Rwanda, Belarus, Slovakia, Latvia, Finland and Kosovo. One of the best examples of information is the cadastral service of the US state of Montana. Someone can go online—members can do it now, if they fancy—from a computer or smart phone in Edinburgh and examine a wide range of information relating to every parcel of land in Montana. Members could even find out how many bathrooms folk have and the type of heating systems that they use.

England and Wales are making greater progress. For example, with the online land registry of England and Wales, a person can enter a postcode, pay a fee of £6 and download the information. In Scotland, it will cost £30 and cannot be done online by the user. More widely, the UK geospatial commission has been set up and is running with a mission to make geospatial data available free and without restriction.

My motion notes another issue of relevance to the debate. In 2014, following the publication of the final report of the land reform review group, the Government committed to complete the land register by 2024 and to have all public land registered by 2019. As revealed in correspondence with the Environment, Climate Change and Land Reform Committee towards the end of last year, however, the public land target will not be achieved. The City of Edinburgh Council said that it

“has neither the resources nor the budget to accomplish the task in the envisaged timescale”.

Stirling Council said that it would not complete it and Highland Council said that it would cost them £8.5 million to do so. All of that begs the question of who is accountable for the policy. In discussions with the Economy, Energy and Fair Work Committee in January, the keeper of the registers of Scotland claimed that she is doing all that she can. Local authorities in particular cannot afford to provide the information, and they appear never to have been consulted about the target in the first place.

Regardless of how complete the land register is—and latest data shows that 66 per cent of the 2 million units of property are on it, representing 33 per cent of the land area—it remains impossible easily and quickly to identify and secure access to this and a wide range of other information.

All of that looked as if it might change in 2015. Following a report in July 2015, John Swinney announced in October 2015 the establishment of the Scottish land information system, an online portal that would enable

“citizens, communities, professionals and business to access comprehensive information about any piece of land or property in Scotland.”

ScotLIS was delivered in November 2017, but it did not and does not deliver on the commitment made by the Scottish ministers in 2015. Indeed, it is next to useless. Members can see for themselves online. Most particularly, it is not comprehensive—it includes only some of the information held by the Registers of Scotland, and the user has to pay for it. The public receives a much inferior offering than do business users, who not only enjoy easier and better access but are charged 10 per cent of the fees that the public are.

Like the completion target, Government policy is not being delivered. I would welcome the minister’s views on why that is the case and who is responsible. From what I can tell, governance is the key failing. The system should never have been placed under the control of Registers of Scotland. Such an ambitious project requires a broad governance structure that includes the Convention of Scottish Local Authorities, public

agencies such as the Scottish Environment Protection Agency and Scottish Natural Heritage, the voluntary and community sectors, valuation boards and others. Most importantly, it requires leadership by Government, a broad governing delivery board, an agreed designed delivery plan and timetable, and accountability for its delivery, and it requires to be developed to match the best in the world.

None of that is difficult, but for far too long, the people of Scotland have been unable to find out information about who owns the country and about the value and use of land and property. In my view, citizens have the right to openness and transparency with regard to information that is held by public authorities about land. It is their right and it is the responsibility of this Parliament and Scottish ministers to ensure that its stated policy goals are delivered on time and in full. In particular, we need a new work programme and a governance framework to deliver the ambitions of the Scottish land information system as a matter of urgency.

17:15

Gillian Martin (Aberdeenshire East) (SNP): I thank Andy Wightman for bringing his well-documented specialism to the chamber, and, indeed, for all his work over the years to bring the issues of the lack of transparency around land ownership into a mainstream discussion—a discussion that fuelled a lot of debate in the independence campaign when we, more than at any other time, started to compare our country to other northern European countries where people’s ownership of those lands is seen more as a right, rather than a privilege that is reserved to a wealthy few.

The availability of accessible and free information on who owns and controls every piece of Scotland is also a right, and one of my first duties as convener of the Environment, Climate Change and Land Reform Committee was to oversee the report that Andy Wightman has mentioned, on how the register of persons with a controlling interest in land will work. The creation of that register will go a long way towards addressing issues of transparency and fulfilling the right of ordinary Scots to get information on who owns and controls the land around them.

The issues that are raised in Mr Wightman’s motion about ease of access to information were in the forefront of our minds as we questioned stakeholders and the keeper of the registers of Scotland. The resource should make it easy to locate and contact anyone with a controlling interest in a piece of land, particularly as one of the issues has been that people have been fronting up for those who really have the

controlling interest; they will no longer be able to hide behind any front person who cannot actually answer questions.

Information should be easy to locate, and my understanding of the evidence that the keeper gave us is that the process is under way to make the website to the standard that Mr Wightman has said that it should have. I thought that making the website was under way, from her evidence.

There was debate about the penalties that should be in place for the people who do not put their information on that resource. The committee was upfront in recommending that the penalty should not look like a cost for people to hide what they own; the penalty should be meaningful.

Mr Wightman brought up the issue of having every piece of information in one place. The keeper of the register of persons holding a controlled interest in land said that users would be signposted to other registers without duplicating other publicly available information, a need for double reporting or the register becoming too unwieldy a resource. We do not want any loopholes or any ways to open up that would mean that those who are responsible for land can hide information. We questioned the keeper directly on the user friendliness of the website interface that would make access to all the registers intuitive, straightforward and, crucially, without cost, and we made a recommendation about that in our report.

The keeper said in her evidence:

“It almost does not matter that the information is kept in separate registers; what matters is how we allow people to bring together and aggregate the information when they view it. Under our proposal for introducing the register, ScotLIS—Scotland’s land information service—will, for example, allow someone to look at a piece of land and then look through to see whether a controlled interest is registered for that land. It will be seamless for the person who is looking; they will not know that the information about the controlled interest is held in a separate database. They will be able to see all the information that has been drawn together, so that is a much more elegant solution.”—*[Official Report, Environment, Climate Change and Land Reform Committee, 2 October 2018; c 2.]*

It is my understanding that that work is on-going.

Before I finish, I want to raise the problem of long-term unused rural buildings that are left to rot. The land registry will assist communities and individuals to put their finger on the ownership of such properties, although some thought has to be given to how long we allow empty rural estate or farm properties to stand vacant and to what condition we allow them to deteriorate. That is an environmental issue, but it is also a social justice issue, particularly where there is a lack of affordable housing in rural areas and areas that struggle to keep their young people, such as the minister’s constituency.

I commend the work done by the Scottish Government through the empty homes partnership, which has brought more than 700 empty homes back into use. However, I agree with the empty homes partnership’s call for a compulsory sale order power for vacant and derelict land and buildings.

I thank Andy Wightman once again.

17:20

Finlay Carson (Galloway and West Dumfries) (Con): I am pleased that Andy Wightman has brought this important subject to the chamber this evening and given me the opportunity to set out my thoughts on it. As a member of the Environment, Climate Change and Land Reform Committee, I had the chance to take part in evidence sessions regarding the register of persons owning land across Scotland and the register’s objective of increasing public transparency in relation to individuals who have control over decision making in relation to land.

My Scottish Conservative colleagues and I largely share the sentiments in the motion, particularly in relation to transparency. However, I have concerns about how the information that we gather will be resilient and future proof.

At one of the evidence sessions in the committee last year, I raised my concerns about whether snail mail was the best method for people to contact owners via the register. The register should be flexible enough to adapt to the fast-paced technological times that we live in. Given that electronic signatures and personal identification and authentication is becoming as commonplace as contactless payments, that should have been considered. During one evidence session, I pointed out that, more often than not, email is now the default way for people to communicate. I felt that an email address could have been included alongside a geographical address, which could also have helped to speed up the process of registration.

As the motion points out, the Government’s target

“to register all land owned by Scotland’s public bodies by 2019 is unlikely to be achieved”.

Indeed, only a few days after that evidence session, it emerged from the new keeper of the registers of Scotland that there was a backlog of about 40,000 registration applications. Many applications are taking two years or longer, which, as acknowledged by the new keeper, is simply unacceptable. Fifty-six per cent of registrations had not met the target process time—we would all acknowledge that that must improve. Local authorities are way behind schedule, and the Government must use the carrot-and-stick

approach to get back to somewhere near the target.

A balance must be struck, though, between ensuring that the process works in a suitable timescale, and ensuring that the data is robust and secure. Indeed, ensuring an adequate level of data security and privacy remains critical.

There is also concern surrounding the identification of individuals and their names and addresses. For example, south of the border, farmers whose information has been published have been the target of protestors, resulting in protests at farm gates and individuals' houses. In some instances, that has caused serious disturbances and damage to property and livestock. That was as a result of farmers' full details being published on the website of the Food Standards Agency in England. Thankfully, there are no plans to do that up here.

I raised the issue of privacy in committee, pointing out that although the registered landowner should provide a response or information to any query within an appropriate timescale, that could be provided through the address of an agent or a lawyer's office. If personal address details were made public, it would lead to real difficulties. I look to the Scottish Government to let us know what protective measures will be put in place to ensure that farmers, or indeed any landowner, will be protected from the possibility of intimidation or threats associated with the land that they own or what they do with that land.

As technology advances, there will be a greater and greater demand by our constituents for information to be represented simply, quickly and transparently. The land registry is no different. It should not be difficult or costly to access that data. This is all about making the process open and easy for constituents to access.

I disagree with the part of the motion that suggests that there should be information about the value of land, because land value is dictated by the market and can change daily.

The land registry is a system that must do what it was set out to do, while ensuring that the rights of landowners are sufficiently protected. I welcome the debate and hope that the system is fit for purpose.

17:25

Rhoda Grant (Highlands and Islands) (Lab): I, too, congratulate Andy Wightman on securing the debate. I apologise to members, as I am unable to stay for the whole of it.

Land is an asset and an economic driver. Land reform was demanded because the beneficial

owner of land was too often a dead hand over communities. Their action—or lack of action—stopped community development and forced people off the land. It is very difficult to develop the local economy if people cannot work with the landowner. If the landowner cannot be traced, that becomes impossible.

In the Highlands and Islands, where crofting tenure is common, being able to deal with the landowner is imperative. If a person wants to develop their croft, diversify their business or install renewable energy, they need the landlord's permission. If they do not know who the owner is and their agent will not work with them, any development that they wish to undertake will be blocked. They cannot appeal to the landowner, because they will have no knowledge of who the landowner is or where they are based. Such a landowner is a faceless somebody who holds people's future in their hands, but people cannot communicate with them.

If owners prove to be a dead hand over the land, the land needs to be removed from them and made a driver for economic growth and repopulation. Until we have the ability to do that, the very least that we need to know is who the landowner is, and we need to hold them to account.

Community Land Scotland's report "Towards Land Ownership Transparency in Scotland" reminds us that part 3 of the Land Reform (Scotland) Act 2016 deals with the ownership of land. The report covers many aspects of ownership and access to information, and I recommend reading it. However, I will focus on identifying beneficial owners, because I have tried with my constituents to trace landowners and have found that impossible. That has to change. Landowners need to be identifiable.

The Scottish Government has yet to publish the regulations on the registering of controlling interests. However, in Community Land Scotland's opinion, those regulations are unlikely to change the transparency of land ownership in Scotland. That is incredibly disappointing. It seems very odd and wrong that I can walk on a crofter's land and be entitled to view a publicly available and free-to-access register that tells me who that crofter is while the ownership of the land on which the crofter has their tenancy may remain secret. What is good enough for the crofter should be good enough for the landowner.

One of the reasons for that view is that overseas entities will not be required to disclose beneficial ownership, which will remain secret unless there is a way of tracing it in their country of origin. That, in itself, could encourage landowners to set up offshore companies to avoid traceability. We see estate agents that are selling land emphasising its

use as a tax avoidance measure. If that is the motivation of a buyer or an owner, they would also consider setting up a business in a tax haven.

Too many overseas owners cannot be traced. We need laws and regulations that will make it impossible for a beneficial owner to hide. With the ownership of land comes responsibility for the communities that live on that land. How can a landowner be held responsible if they cannot be traced?

The Highland clearances brutally removed people from the land that they called home and replaced them with sheep. A lot of history and culture was lost. Sadly, even today, the effects of that are felt in our empty glens. We need to stop those practices happening again. A lack of transparency on who owns Scotland is allowing that to happen, and that needs to change.

17:29

Gail Ross (Caithness, Sutherland and Ross) (SNP): I, too, thank my colleague Andy Wightman for bringing the debate to the chamber. The only surprise is that it took him so long. I also take the opportunity—as I do whenever I can—to thank my predecessor, Rob Gibson, for all his tireless work on land reform and registration. I know that he and Andy Wightman have often worked together on the subject—sometimes even successfully.

Scotland has one of the most unequal patterns of land ownership in Europe. We need only read Andy Wightman's book "The Poor Had No Lawyers" to really understand how land ownership in Scotland works. I particularly recommend the chapter in which he forensically scrutinises the ownership of the Cuillin when it went up for sale in 2000.

As soon as land or a building changes hands, it is required to be registered. The property registers, of which there are 20 public registers, are maintained by the keeper of the registers and are supported by staff at Registers of Scotland.

What about land that does not change hands? As Andy Wightman's motion points out, there are targets for registering land—the dates are 2019 for public land and 2024 for land that is in private ownership. I recently asked the Scottish Government how much of the land register has been completed. The minister told me that,

"as at 31 Jan 2019 there are 1,808,661 titles on the Land Register representing 66.7% of the total. The land mass this represents is"

only

"33.8% of Scotland's circa 8m hectares."—[*Written Answers*, 19 February 2019; S5W-21336.]

We all agree that land ownership in Scotland needs to be transparent. That requires time, funds and political will. We have the first and the third aspects, but the second—the funds—is limited. As Andy Wightman said, the Environment, Climate Change and Land Reform Committee recently wrote to local authorities, asking whether they were confident of hitting the 2019 target. City of Edinburgh Council said:

"It is not likely".

Stirling Council said:

"the Council will not complete the registration ... by 2019."

Aberdeen City Council said that it would not be able to complete registration because

"We have no resources available".

Work must be done to help local authorities to complete registration. The keeper of the registers has said:

"We are working as hard as we can to meet that target"

but

"The completion of the ... register requires lots of organisations to submit information to us ... it is helpful ... that ministers set out that aspiration".—[*Official Report, Economy, Energy and Fair Work Committee*, 29 January 2019; c 5.]

Comprehensive and multilayered land registers can take decades to complete. Spain and Switzerland have systems that are among the best in the world. The cadastral system in Switzerland began in the early 19th century. The official Swiss federal land registry has operated since 1912, since when all land ownership throughout the country has been secured by official entry into the land register.

Transparency in land ownership is a fundamental lever of Scottish National Party land reform policy, but it is a journey that still has a long way to go, because many powers over land still reside at Westminster.

Andy Wightman will be aware of Poppea Daniel's independent research, which was published last year—in fact, I believe that he contributed to it. The research makes the following observations:

"Better information will enable better communication and help communities better influence land related decisions which affect them ... Better information on patterns of ownership will promote better understanding of inequalities relating to land, and help promote fair and equal access ... Better information on influences on land use, ownership and transfer will help design better land policy."

We all want more transparent land ownership, and the debate is still open on how we get there.

17:33

Edward Mountain (Highlands and Islands) (Con): I refer members to my entry in the register of members' interests.

I thank Andy Wightman for securing the debate. I share his view on the need for openness and transparency about land ownership. There is nothing to be ashamed of when it comes to owning land.

Let us be clear that lots of groups around Scotland own land. You—sorry, I mean Mr Wightman; I will get it right in a moment, Presiding Officer. Mr Wightman asked a question about valuations, and I will adjust my speech to allow him to intervene on the subject—

Andy Wightman rose—

Edward Mountain: There will be a moment to come in later. If I can make a bit of headway, the point will become clear.

The Scottish Government owns a huge amount of land, not only because it manages the national forest estate but because of land ownership in the Crown estate, which involves about 91,000 acres that cover farming, residential, commercial, sporting and mineral operations. Charities also own a lot of land—the National Trust for Scotland owns 190,000 acres and RSPB Scotland owns more than 120,000 acres, with an ambition to double that figure by 2030. In the past 20 years, we have seen a large rise in community land ownership, with 400 groups now owning just over 500,000 acres in total. I believe that Scotland is becoming a country whose land is owned by a more diverse mix of private individuals and businesses, public bodies, charities and communities.

As I stressed at the outset, I believe that the public has a right to have an interest in who owns Scotland. The Scottish Conservatives agree with the principle that information on land ownership should be open, transparent and readily available on a register. We cannot see any need for secrecy. I also believe that it is very important that land managers are clearly identifiable at all stages, so that people who want to use and access that land or who have an interest in it know whom to contact.

The point on which I disagree with Mr Wightman is the need to value land. As an ex-surveyor, I can tell members that land values are very subjective. The only true way to value land is to put it on the market. Although I agree that transaction values should be included in a register, asking landowners to submit values for their land would be expensive and of little use. For example, it may cost about £3,000 to value a small parcel of land of 500 acres using the definition of valuation that

surveyors use. I question whether that is money well spent; I do not think that it is.

Andy Wightman: I will respond to Edward Mountain and Finlay Carson on the evaluation point. At the heart of my motion is the suggestion that existing sources of information should be more easily available in one place, and the valuation information that I am talking about is that held by the Scottish assessors. I am not asking for new valuations; I am just asking for existing data to be much more easily available and integrated with other data.

Edward Mountain: I thank Andy Wightman for making that point. I think that that is something to which we can sign up. If information is available on land transactions, it is very important that that is published and easy to get.

Discussions about land ownership can lose sight of probably the most important thing to take into account, which is what is done with the land. For example, it matters to me that the Forestry Commission's figures show that, since 1999, the Scottish Government has sold more than 64,000 hectares of forestry and bought only 34,000 hectares. We need to know that—the public has a right to know that—because that contravenes the Government's policy on the repositioning of Scotland's woodland estate.

I welcome the moves towards transparency when it comes to land ownership information. We should know who owns what land in the countryside and in our cities, and there should be no problems with including details of whom to contact regarding the land. However, in the rush to do that work—which is the right thing to do—we must not lose sight of the fact that it is what happens to the land that is critical. That is what we value. Therefore, although I support some of Andy Wightman's call for transparency, I do not support it all.

17:37

Claudia Beamish (South Scotland) (Lab): Having a debate on who owns Scotland—led by the author of the book of that very title—is, indeed, timely. It seems appropriate that Andy Wightman has secured the debate, as I readily acknowledge that his work and passion for the subject of land ownership transparency have helped to shed light on exactly who owns Scotland.

Andy Wightman's work builds on that of the late John McEwen, who devoted a lifetime to opening up understanding on Scotland's anachronistic and wholly unjust land-ownership patterns. However, as far as their work has taken us, altogether too much secrecy remains on land ownership. That matters: the few who own land hold great power

and influence over the many who occupy, explore or look at it.

How the land is managed has profound implications for a range of issues, including the scenic qualities of our landscape and how we enjoy it; whether the land is ecologically sound or in decline; whether it supports our needs as climate change accelerates; whether it supports vital economic activity; whether it creates economic opportunity for the many and not just the few; whether it provides for our national housing needs; whether our sources and supplies of water are of good quality; and whether its management contributes to or mitigates flood risks. Many other issues could be added to that list.

Land use is to a very large extent the consequence of the preference of the owners of that land, so its ownership is vital to its use. Andy Wightman has highlighted a range of other related matters that are relevant here.

We are all affected by land use in the ways that I have just listed. Knowing who owns all our urban and rural land is vital because communities that want to negotiate a purchase cannot do that unless they know who the landowner is and—this is of fundamental importance—how to contact them.

Having free access to land ownership details is part of the land justice approach of Labour and many others in this chamber. We, the people of our nation, have a right to know who owns our land. Too much of this is secretive, with owners hiding their identity behind shell companies, sometimes in overseas territories. One has to ask why, and whether that can be in the public interest. I say that it is in the public interest that information about who owns Scotland is entirely transparent. The only exceptions should be in cases where secrecy is justified to protect someone from harm, such as cases involving someone in an abusive relationship. There should be no more hiding of ownership as a matter of preference of owners who are not in such circumstances.

Today's debate is an opportunity for the minister to update us on the progress that Parliament has long been seeking on the opening up of land ownership information. Andy Wightman's motion mentions a Community Land Scotland report, "Towards Land Ownership Transparency in Scotland". That report signals that Scotland could become a world leader in these matters, but it has to want to be one. Perhaps, in replying to the debate, the minister can be clear about whether that is the Scottish Government's ambition. Does it want to lead in these matters?

The minister will recall that, as her predecessor piloted the Land Reform (Scotland) Act 2016

through Parliament, that legislation was amended by Graeme Dey, then a back bencher. That amendment was crafted by Community Land Scotland and Global Witness, and it created provisions for a truly radical advance in land ownership transparency. Along with Labour's spokesperson on land at the time, Sarah Boyack, I was pleased to support that amendment. The Government subsequently moved to replace that provision with the promise of something even better, which would be achieved through the use of regulations. That was a couple of years ago, and progress has been slow. Therefore, can the minister confirm that we can now expect to see the matter completed quickly? Can she confirm that the final proposals will fully meet the will of Parliament to have the matter resolved finally and in the interests of the people, so that we can have completely open and free—I stress free—access to details of who owns Scotland?

16:26

The Minister for Public Finance and Digital Economy (Kate Forbes):

A lot of issues have been raised, and I will try to cover them. However, I hope that we can also debate the issues in future days, weeks and months, because these matters are a part of my portfolio in which I have a very personal interest; over the past months, I have taken an active interest in the way in which the Registers of Scotland is progressing plans and in the point that has been made quite frequently in this debate about the political will that exists.

I begin by answering Claudia Beamish's question. We absolutely want to be a world leader when it comes to transparency but, at a time of change, transformation and transition, there is clearly further that we need to go. The report that is referenced in Andy Wightman's motion makes that clear. It identifies a number of positive steps that have already been taken and highlights the need to go further.

Land is one of Scotland's key assets, if not the key asset, and our land reform agenda must be based on a simple, transparent understanding of land. We must be transparent about who owns, manages and uses land.

The point that has been made around valuation is interesting to me because, of course, I also wear two other hats in relation to public finance and digital government. One of the things that I am actively considering at the moment—although I am not making any promises just now—is the way in which other countries have made information such as that around non-domestic rates far more accessible not only to rate payers but more generally. Northern Ireland is a good example of a place that has found a way of ensuring that rate payers, businesses and citizens can access far

more information around valuations through a simple portal—I do not know whether Andy Wightman has any opinions on that. I am looking at what kind of prototype we could develop in Scotland to ensure that the information that we currently hold can be made available to the public. The portal could be expanded to include information around planning as well as registration, but that is a far broader issue.

Transparency is not limited to information about who owns land; it also applies to what land is used for. The Scottish land rights and responsibilities statement and our guidance on engaging communities in decisions that relate to land encourage people who make decisions about land to engage with communities, so that they understand what land is being used for and why. I completely agree with Rhoda Grant that if there is a strained relationship with an owner or the community does not even know who owns the land, there is an inability to engage properly.

Community Land Scotland's report highlighted the strengths of the current system and pointed the way to necessary improvements.

Andy Wightman: The report also highlighted that for a member of the public, such as the constituent whom I mentioned, a search of the land register costs £30 plus VAT, whereas for a business user, such as one of Scotland's biggest law firms, the cost is £3.

The fees are set out in a fee order, which ministers make and the Parliament agrees to—I think that the most recent one was made in 2014. Does the minister have plans to consult on a new fee order, and will she use such an opportunity to introduce a rather more benign and fair fee system?

Kate Forbes: I am pleased to be able to respond positively to that suggestion. In the coming months, citizens will be able to download and purchase a copy of property information from ScotLIS for £3. That includes the title plan and title sheet. Previously, that service was available through the customer service, for a fee of up to £30 plus VAT. I can assure the member that we are seeking to change the fees and make the system more accessible for ordinary citizens.

That takes me on to ScotLIS, the new, map-based, online Scottish land information service, which was launched in October 2017. With my digital hat on again, when I look at the ways in which different parts of Government are trying to digitise, I am impressed with how Registers of Scotland has adopted a more digital system. That relates to Finlay Carson's point about the changing ways in which we communicate and submit information.

The ScotLIS system is impressive, and it is on a journey. For the first time, there is online, public access to information about land and property held on the register, including title numbers, property prices, boundaries and sales information. We need to continually develop the system, and new features are constantly being introduced, for businesses and citizens, based on feedback. Registers of Scotland has issued an open invitation to any member who wants to visit and see the system in action.

On the target in relation to land owned by public bodies, much depends on collaboration. Progress is being made, but I recognise the point about not meeting the target by the end of 2019. Registers of Scotland is working on a programme of keeper-induced registration of some public sector property.

Edward Mountain: When the minister was a member of the Rural Economy and Connectivity Committee, I think that she sat in on work for our report on crofting. Crofters who were very keen to register were finding that difficult and did not have the funds to do so. The committee thought that it was a good idea to complete the register, as far as I remember, and I agree. Will the minister make more funds available to crofters, to allow them to continue the registration process, which everyone thinks is so vital?

Kate Forbes: It is not just about funding; it is about Registers of Scotland coming alongside individuals who are trying to register, to support and guide them. Funding is a challenge for public bodies, as has been highlighted in the debate; there is also the question of priorities for busy people such as crofters and farmers, so the ability to support people with expertise and guidance is an issue. I would be very happy to consider the matter.

Registers of Scotland receives no public funds and is entirely self-funding from the fees that it charges and the services that it provides. That means, for example, that the cost of providing information must be either met by those accessing the information, as at present, or subsidised by home buyers, through higher land register fees. However, I believe that it is right that those who want information can access that information, and there has been no increase in the fees that are charged for access to information since 2011.

I realise that I am now well over time, so I will conclude by saying that the land reform agenda, in which I believe passionately, depends on the availability of transparent information about land and its ownership, use and management. As the minister with responsibility for Registers of Scotland, I take that very seriously.

Meeting closed at 17:50.

Correction

Jeane Freeman has identified an error in her contribution and provided the following correction.

The Cabinet Secretary for Health and Sport (Jeane Freeman):

At col 6, paragraph 5—

Original text—

As we have made clear, notwithstanding the serious difficulties with infections in NHS Greater Glasgow and Clyde that have been recounted in the Parliament, and the very great seriousness with which I take them, the Queen Elizabeth hospital remains on a par with the rest of Scotland on infection rates. The rate is running at about 4 per cent overall, whereas the Scottish average is 4.2 per cent. It is important to set out that context of the discussion.

Corrected text—

As we have made clear, notwithstanding the serious difficulties with infections in NHS Greater Glasgow and Clyde that have been recounted in the Parliament, and the very great seriousness with which I take them, the Queen Elizabeth hospital remains on a par with the rest of Scotland on infection rates. The rate is running at about 3.4 per cent overall, whereas the Scottish average is 4.6 per cent. It is important to set out that context of the discussion.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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