



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Thursday 11 June 2015

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Scottish Parliament

Thursday 11 June 2015

[The Presiding Officer opened the meeting at 11:40]

General Question Time

Child Safety

1. Clare Adamson (Central Scotland) (SNP):

To ask the Scottish Government what action it is taking to promote child safety. (S4O-04448)

The Minister for Community Safety and Legal Affairs (Paul Wheelhouse): The Scottish Government takes child safety very seriously and is committed to improving child safety right across Scotland through cross-cutting policies and partnership working. We are committed to reducing the number of tragic deaths and injuries as a result of unintentional harm among children and young people in Scotland, which is why we continue to work in partnership with organisations such as the Child Accident Prevention Trust and the Royal Society for the Prevention of Accidents.

I am fully supportive of campaigns such as the Child Accident Prevention Trust's child safety week, which gets the message across to parents and children in a fun and engaging way and helps parents learn how to fit safety into their busy lives. On 4 June, during child safety week, I was pleased to be invited to the Smilechildcare pre-school centre in Edinburgh. I took part in the child safety week activities, including taking the Bitrex taste test—it is the bitterest substance on earth—to highlight the danger of lquitab poisoning.

Clare Adamson: I offer my sympathies to the minister, as I too have taken that challenge.

I highlight the work of the Child Accident Prevention Trust and NHS Lothian in which the health board's analytical services analysed the records of children attending local accident and emergency departments over the five years to December 2014. The analysis, which was of almost 19,000 records, showed that there is a peak between 4 pm and 8 pm. That is why CAPT ran its tea-time terrors campaign this year, which included a focus on burns, injuries and road traffic accidents.

The Presiding Officer (Tricia Marwick): Can we get a question, please?

Clare Adamson: Will the cabinet secretary join me in commending that collaborative work? Does he agree on the importance of accurate and appropriate data collection at A and E so that we can understand the dangers that children face?

Paul Wheelhouse: I thank Clare Adamson for that promotion to cabinet secretary.

I certainly agree with the substance of Clare Adamson's point that it is important that we have evidence-based analysis of the risks to children. Indeed, that has informed this year's child safety week. The important work of Transport Scotland on road traffic accidents over a five-year period between 2009 and 2013 provided useful information about the peaks in accident rates for children. In particular, on weekdays, the peak time for child road casualties is post-school, from 3 pm to 5 pm. Almost one in three—29 per cent—of weekday casualties took place in that two-hour period. That kind of analysis is important to informing policy. We will look to work with CAPT to inform our future actions on child safety.

Parking on Pavements (Legislation)

2. Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):

To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding the Scottish Parliament being able to legislate on parking on pavements and related issues. (S4O-04449)

The Minister for Transport and Islands (Derek Mackay):

Earlier this year, I wrote to the Parliamentary Under-Secretary of State for Scotland on the matter. The Scottish Government supports the principles of the Footway Parking and Double Parking (Scotland) Bill. Now that the bill has been formally introduced, I am giving careful consideration to the policy and legal framework before reaching a view on the best way forward.

Malcolm Chisholm: I am sure that the minister knows that the former member of Parliament for Edinburgh North and Leith, Mark Lazarowicz, introduced a bill in the UK Parliament to sort this situation out and that the current Secretary of State for Scotland assured him that he would be willing to bring forward secondary legislation if the Scottish Government asked for it. Therefore, will the Scottish Government simply ask for the powers to be transferred so that the bill can proceed in the Scottish Parliament?

Derek Mackay: I assure the member that we support the principles of the bill. That is the most important message that he can hear. We will work constructively with the UK Government and others to take forward the principles so that we can deliver the legislation, on which there seems to be so much consensus. I am taking further advice on the right framework so to do.

Kenneth Gibson (Cunninghame North) (SNP):

Does the minister agree that it shows how feeble aspects of the current devolution settlement are when the UK Government has to be consulted on whether the Scottish Parliament can legislate

on banning cars from parking on pavements? Does he agree that any new settlement for Scotland should include the devolution of powers where there is no sensible or logical reason to reserve them at Westminster?

Derek Mackay: Mr Gibson will not be surprised to hear that we support maximum devolution to Scotland, but it appears that there is even consensus among other parties in the Scottish Parliament that the Scotland Bill does not match the spirit of the Smith commission. The UK Government has a long way to go to respect the will and wishes of the people of Scotland about what we can legislate on.

Cameron Buchanan (Lothian) (Con): I understand that Sandra White was advised that the Footway Parking and Double Parking (Scotland) Bill would be outside the remit of the Scottish Parliament. Does the Scottish Government consider that the opinion of the legislation team should be respected?

Derek Mackay: In my earlier answers, I tried to be clear that there is support for the bill and the principles within the bill. I say again that I will work with the UK Government to deliver what is required to make the legislation happen, and we are looking at the legal framework for that. We can concur with the respect agenda; I hope that the UK Government will do the same.

Rail Services (Kilmarnock and Irvine Valley)

3. Willie Coffey (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government how it plans to improve rail services to and from Kilmarnock and Irvine Valley. (S4O-04450)

The Minister for Transport and Islands (Derek Mackay): I confirm that Kilmarnock and Irvine Valley will benefit from additional rail services secured through the new ScotRail franchise. From December 2015, Kilmarnock's connectivity to Ayr, Glasgow and Girvan will be improved in that there will be a two-hourly service from Stranraer via Ayr, calling at Kilmarnock. There will also be six direct services between Glasgow and Stranraer—four from Glasgow to Stranraer and two from Stranraer to Glasgow—and all will operate via Kilmarnock. The services will offer greater travel opportunities and connections with the Glasgow to Carlisle services. Additionally, from December 2017, the Glasgow to Carlisle service via Kilmarnock will see more services on the line.

Throughout the franchise, ScotRail works closely with Transport Scotland and will continue to do so to develop, evaluate and deliver new and enhanced services for the benefit of passengers.

Willie Coffey: I thank the minister for his detailed and welcome answer. One of the principal

drivers for economic change is journey times and frequency of service. Someone who lives in Ashford in Kent can make the 60-mile journey to London in only 37 minutes, albeit on the HS1. However, someone who lives in Kilmarnock has to take two hours and two trains to get the same distance to Edinburgh. Will the minister assure my constituents that the issue is very much part of his thinking in developing rail services to increase economic opportunity in my part of Scotland?

Derek Mackay: Mr Coffey has pursued this issue for some time. At his request, I had officials explore the issue of direct connections. It is not possible at this time to deliver a direct service, but if we can share more information about the connection opportunities, perhaps it will assist. If there is any potential in the future for us to deliver direct services, I will give it further thought. I appreciate the reasons behind the request for a direct service between Kilmarnock and Edinburgh.

Homelessness (Glasgow)

4. Bob Doris (Glasgow) (SNP): To ask the Scottish Government how it works in partnership with Glasgow City Council to tackle homelessness and help sustain tenancies. (S4O-04451)

The Minister for Housing and Welfare (Margaret Burgess): We have strong legislative rights for homeless households in Scotland relating to the provision of accommodation and housing support, and the Scottish Government has been working in partnership with Glasgow City Council to promote the housing options approach to preventing homelessness. The approach can deliver the most sustainable solution to a household's needs and it has led to falls in homelessness levels in recent years, including in Glasgow.

The Scottish Government will provide more than £1.4 billion to Glasgow City Council this year, with the vast majority of the funding, including that for homelessness services, being provided by means of a block grant, to be allocated by the council to fulfil its statutory obligations, its locally identified needs and a jointly agreed set of national and local priorities.

Bob Doris: I recently met striking homelessness caseworkers from Glasgow who are not properly recognised or remunerated for the vital work that they undertake. They have been on strike for three months and Glasgow City Council has refused to meet caseworkers for nine weeks. I understand that the council is now willing to regrade some caseworkers as long as unions accept job losses within casework teams. That is an insult.

Will the minister contact Glasgow City Council to ensure that it is not—

Johann Lamont (Glasgow Pollok) (Lab): It wants money.

Bob Doris: I am being intervened on. We have just heard about the £1.4 billion—

The Presiding Officer: Mr Doris, just ask the question. I am responsible for order in the chamber, not you.

Bob Doris: Thank you, Presiding Officer.

Let me reinforce the point that the offer is an insult. Will the minister contact Glasgow City Council to make sure that the council is not compromising on its statutory duties in relation to homelessness, so placing my constituents at risk? Will she support my call for the council to re-engage constructively with striking staff so that an acceptable solution can be found?

Margaret Burgess: I am well aware of the dispute that Bob Doris mentions. I hope that he appreciates that that industrial dispute is a matter for the council and its employees. I agree that we want to see a speedy resolution and I hope that the council and striking caseworkers can meet and come to an agreement.

Bob Doris raises an important point about the local authority's duty to provide services. The council has a legal obligation to provide services to vulnerable people in relation to homelessness. I am aware that the independent Scottish Housing Regulator is in contact with senior council officials to ensure that the delivery of services to homeless people continues during the current industrial dispute involving the homelessness caseworkers.

Alex Johnstone (North East Scotland) (Con): The minister rejected my proposals for tenancy support during the passage of the Housing (Scotland) Act 2014, but will she consider the possibility of introducing not only additional support but also a degree of legal compulsion to ensure that social landlords provide support for new social tenants?

Margaret Burgess: Alex Johnstone will be aware that local authorities have a statutory obligation to provide support services to those who need support who present as homeless. That obligation applies under the legislation. All local authorities have to determine the support that any new social tenant would require and it is the council's decision whether it wishes to provide such services.

Local Road Network

5. Bruce Crawford (Stirling) (SNP): To ask the Scottish Government how important the condition of local road networks is to the success of the economy. (S4O-04452)

The Minister for Transport and Islands (Derek Mackay): Scotland's road network is a key enabler of economic growth and the Scottish Government is working with all 32 local authorities to ensure that our road network remains safe, efficient and effective.

Bruce Crawford: Is the cabinet secretary aware that, before the Scottish National Party formed the administration of Stirling Council between 2008 and 2012, the council was considered to be 30th out of 32 councils in terms of the condition of local roads in the area, but that, through additional investment, the SNP administration significantly improved Stirling's standing? Is he further aware that, since the Tory-Labour administration took power in 2012, the condition of local roads in Stirling has again deteriorated and that the budget has been cut by 30 per cent, or £1.7 million? Is that not unsatisfactory?

Derek Mackay: First, I advise Mr Crawford that I am not a cabinet secretary—I am just a mere minister.

Members: Shame.

Derek Mackay: I thank members for their empathy and support.

In terms of the investment priorities, there is an issue around roads investment, and I share Mr Crawford's concern. That is why we are working to collaborate with local authorities around future roads investment and how we go about road maintenance.

I ask all local authorities to reflect on the transport priorities and to be mindful that local government has had a very fair settlement from the Scottish Government. Settlements have been maintained over a very challenging financial period.

The Presiding Officer: I am sure that the minister's promotion is only delayed.

John Scott (Ayr) (Con): The minister will be aware of the poor condition of the A70, which adversely affects the performance of the Ayrshire economy. Will he consider upgrading the A70 to trunk road status, and improving the section between Ayr and the M74 in particular, to provide a boost to our economy in Ayrshire?

Derek Mackay: I am happy to look at all our investment priorities to support infrastructure and economic growth. However, that would be made so much easier if the Tory Government was not reducing our budget, including in year. Of course we will look at further proposals to enhance Scotland's infrastructure.

Bank Branch Closures (Bank of Scotland and RBS)

6. George Adam (Paisley) (SNP): To ask the Scottish Government what its position is on the recent branch closures announced by two of Scotland's biggest banks, the Bank of Scotland and RBS. (S4O-04453)

The Minister for Business, Energy and Tourism (Fergus Ewing): I fully appreciate and share the concerns regarding the impact that those closures will have on the local community and the staff of affected branches, including Paisley's Glasgow Road branch of the Bank of Scotland.

It is essential that banking services are available and accessible to all members of our communities and that appropriate alternative access arrangements are put in place.

George Adam: Does the minister share my concern that RBS has closed two branches in Paisley over two years and, as he mentioned, the Bank of Scotland has recently announced plans to close its east end branch? People who are unfamiliar with internet or telephone banking, including many elderly constituents, are very worried about that push towards faceless banking. Will the minister join me in calling on the banks to halt the branch closures and listen to their customers' concerns?

Fergus Ewing: Yes, that is a fair point, which many members from various parties have made. We understand that not everyone in society is able to access online banking—it does not suit everyone. I hope that our banks will take on board the message that I am reinforcing now when they consider such matters in future. I am pleased that Mr Adam has raised the matter, and we will continue to ensure that the views that local members from throughout the country express strongly are clearly communicated to our banks in Scotland.

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): I listened carefully to what the minister said and agree entirely with his comments to Mr Adam. The Clydesdale Bank has now decided to close its branch in Springburn and is suggesting that its customers can make their way to one of Glasgow's suburbs beyond the city boundary if they wish to bank.

Does the minister think that it is appropriate that people who are elderly or who perhaps do not have access to the internet are forced to make such arrangements for banking while we struggle to ensure that everyone has access to some form of banking that allows them to access all the facilities that most of us take for granted?

Fergus Ewing: Ms Ferguson makes a reasonable point that repeats my basic point that not everyone in society can do business online. She is right to raise it. I am aware that the Clydesdale Bank announced eight branch closures in May 2015.

Neil Findlay and John Mason have held members' business debates on bank closures. Following those, I wrote to the Royal Bank of Scotland communicating the concerns. The point that I made in that letter, which was not dealt with entirely to the Scottish Government's satisfaction, should be repeated: banks should consult not only communities but MSPs and MPs prior to making a decision to announce closures, rather than after the decision has been made. There is a feeling that, although there is a three-month consultation period, it is something of a formality in most cases.

Police (Charging for Community Events in Fife)

7. Jayne Baxter (Mid Scotland and Fife) (Lab): To ask the Scottish Government what its position is on Police Scotland introducing charges for community events in Fife. (S4O-04454)

The Cabinet Secretary for Justice (Michael Matheson): Police Scotland follows the standard approach to setting charges for public services as set out in the Scottish Government's Scottish public finance manual, which is one of full cost recovery.

The establishment of the single police force on 1 April 2013 provided an opportunity to put in place a consistent charging policy for policing services throughout Scotland. Police forces have always been obliged to charge for their services. Prior to the establishment of Police Scotland, the eight legacy forces had agreed charging rates, but the application of those rates and the associated charging methodologies varied. That approach was inconsistent and led to an unfair situation in which some events were charged at different levels, depending on where they took place.

Jayne Baxter: I am sure that the cabinet secretary agrees that people who volunteer to organise events that enrich our communities should be supported and that barriers to such events taking place should not be erected, particularly at short notice, as has happened in several instances recently. Will he agree to take those concerns to Police Scotland and demand that it at least take into account the size of a group and its purpose when it implements charges?

Michael Matheson: I assure the member that Police Scotland does that sort of thing. It is important that event organisers engage with Police Scotland at an early stage to consider any policing requirements. There is a significant level of provision for abatement in relation to charges. For

example, many community events attract 100 per cent abatement, so no charges are levied for them in the first place. There is flexibility in the system and it is important that local event organisers engage with the police not only to minimise any potential policing charges but because there is often no need for policing if appropriate stewarding is provided.

First Minister's Question Time

11:59

Engagements

1. Kezia Dugdale (Lothian) (Lab): To ask the Deputy First Minister what engagements he has planned for the rest of this glorious day. (S4F-02862)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): The First Minister is in the United States on Government business and has asked me to answer questions on her behalf.

Later today I will travel to Glenrothes to chair a further meeting of the Tullis Russell task force.

Kezia Dugdale: A worrying report published today confirms that two thirds of North Sea operators have been forced to cancel projects because of the recent fall in the oil price. That is bad news for the industry, for the economy of the north-east and for thousands of oil workers and their families. They need to know what the future holds for Scotland's oil and gas industry. Can the Deputy First Minister confirm when an updated oil and gas bulletin will be published?

John Swinney: I can confirm that. The Government is considering the implications of the United Kingdom Government's budget back in March, which contained substantial changes to the taxation arrangements for the North Sea oil and gas sector. Once we have confirmed the extent of those changes and their implications, which will flow through into, we hope, investment decisions made by companies, given that there has been such radical change in the taxation regime for the North Sea, the Government will publish the next version of the oil and gas tax bulletin.

Kezia Dugdale: I did not hear a date there. The Scottish National Party Government has had time to do the work, but there has been one excuse after another. That is the fourth time that somebody in the Deputy First Minister's seat has refused to do that. Once upon a time, we could not move for SNP oil bulletins. Since the collapse in the oil price, we have had nothing but radio silence. That may be because the collapse in the oil price has demolished the SNP's economic credibility. We now know that the SNP seeks to amend the Scotland Bill to push for full fiscal autonomy within the UK, something that right-wing Tory back benchers will cheer, because it means the end of the Barnett formula.

Can the Deputy First Minister tell us what the oil price would need to be to balance the books under full fiscal autonomy?

John Swinney: The Government publishes an annual oil and gas bulletin reflecting the changes to the North Sea oil and gas tax arrangements. The UK Government made very substantial changes to the taxation regime back in March. We want to see the implications of that in the oil and gas sector. That is necessary, because there is every opportunity for companies to change their investment decisions, as the UK Government has accepted that it got the taxation regime so badly wrong in 2011 that it has now changed those arrangements.

When it comes to the issue of full fiscal autonomy, Kezia Dugdale should learn a lesson from the fact that she went on and on about full fiscal autonomy for nine months, all the way up to the general election, and the Labour Party delivered its worst performance in this country in 90 years, with a haemorrhage of its vote and the loss of 40 of its 41 seats. That tells me that Kezia Dugdale is out of touch with public opinion in Scotland.

Kezia Dugdale: The Office for Budget Responsibility published a full fiscal analysis within 24 hours. We have not seen one from the Scottish Government in over a year. We got tired of waiting for the Government to do a fiscal analysis, so we have published our own. [*Laughter.*]

The Presiding Officer (Tricia Marwick): Order.

Kezia Dugdale: I hear cries of “Mickey Mouse” and “It’s not credible.” Members should listen, because this document has been verified by the Scottish Parliament information centre and independent experts. This is the oil paper that the SNP Government will not print.

The Deputy First Minister did not answer my question, so let me give him the answer. We would need a global oil price of \$200 to balance Scotland’s books under the SNP’s plans for full fiscal autonomy. So disastrous is the SNP’s policy that it is predicated on an oil price that has never been reached before. That number has been approved by SPICe. SNP members can laugh all they like, but it is the reality of the situation.

A Labour amendment to the Scotland Bill would establish an independent expert commission to consider the impact of full fiscal autonomy on Scotland’s public finances. It would not have any politicians or Government employees as members. The Scottish people would then have, once and for all, a full expert analysis of the impact of full fiscal autonomy. Can the Deputy First Minister tell us whether the Scottish National Party will back that amendment?

John Swinney: It would be interesting to see what degree of discussion there has been between the Labour Party and the Conservative Party about taking forward that amendment,

because that is just what I saw on Monday when I was in the House of Commons—the continuation of the better together alliance between the Labour Party and the Tories over the Scotland Bill. I would have thought that the Labour Party might have learned a lesson from its participation in the better together alliance, which has been described as a disaster for the electoral performance of the Labour Party in Scotland.

If Kezia Dugdale is interested in taking forward a rational and considered discussion about full fiscal autonomy, she need only look at her back benches. In the Devolution (Further Powers) Committee’s debate in the chamber, Alex Rowley said:

“The Scottish Government has put a stronger case, and has a case, for full fiscal autonomy.”

His next sentence is where the problem arises for the Labour Party. He said:

“I am keen to move away from the politics of fear and have that discussion.”—[*Official Report*, 21 May 2015; c 76.]

What the Labour Party does when it comes here, week in, week out, is peddle the politics of fear. That did not work in the general election and it will not work now.

Kezia Dugdale: In all that anger and posturing, I think that the answer was no. This is a finance secretary who is afraid of the verdict of impartial economists and is running scared of the consequences of his own policy. What are those consequences? Some £7.6 billion of cuts over and above what the Tories are offering. Why? Because the truth of full fiscal autonomy is known by his colleagues in Westminster. The SNP’s constitution spokesperson said that it would be “a disaster” and the new SNP MP for Midlothian described it as “economic suicide.”

This is less about North Sea oil and more about the SNP’s snake oil. The Deputy First Minister is trying to punt us something that he knows to be dodgy. For the sake of Scotland’s schools and hospitals, should the Deputy First Minister not just abandon this disastrous plan for full fiscal autonomy?

John Swinney: It is interesting, listening to Kezia Dugdale’s question, that she uses language that falls into the category that her leadership rival, Kenneth Macintosh, identified when he talked about the negativity of the Labour Party defining itself against the Scottish National Party. [*Interruption.*]

The Presiding Officer: Mr Henry.

John Swinney: That approach has been tried month after month, and it has not worked for the Labour Party.

Fiscal autonomy is about building on the powers of this Parliament—powers that, over the past 16 years, have seen an improvement in Scotland's economic performance that has taken our gross domestic product from sixth in the United Kingdom to third, behind London and the south-east, and an increase in productivity from 96 per cent of UK levels in 1999 to being in line with UK levels in 2012.

The moral of the story is that, where we can exercise distinctive economic policies in Scotland, we can transform the economic performance of our country. For me, that is what fiscal autonomy is all about. It is about enabling this Parliament to take the decisions that are right for Scotland, not to be at the mercy of a Tory chancellor who comes along one Thursday and takes £100 million out of our budget without a by your leave. I want this Parliament to decide our own economic future, and the Labour Party should see the opportunity of that for the people of our country.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): To ask the Deputy First Minister when he will next meet the Secretary of State for Scotland. (S4F-02860)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): I met the Secretary of State for Scotland on Monday, and we speak by telephone on a weekly basis.

Ruth Davidson: We know that standards of literacy and numeracy in our primary schools are falling. Even the First Minister said that she was frustrated that we do not have as much data for our primaries as we do for our secondary schools. Clearly that has to change.

This week, one of our leading literacy experts, Professor Sue Ellis, told the Parliament that having a national bank of surveys and tests that schools can use as they see fit is

“one of the most useful things that you can do.”—[*Official Report, Education and Culture Committee*, 9 June 2015; c 21.]

Scotland does not have those kinds of tests right now. We should have them, along with national testing, so that parents and policy makers have a far clearer picture of how pupils are progressing at every stage of their education. Does the Deputy First Minister agree?

John Swinney: Where I agree with Ruth Davidson is on the point that the First Minister made in response to her on 21 May: there is not sufficient nationally held information on the performance of school pupils in the primary sector and there is a need to improve the availability of that information.

The information exists child by child and is the subject of discussion in the interaction between parents and teachers about the performance of individual children, which we would all expect and which takes place in schools the length and breadth of our country. The information is absolutely essential to satisfy parents that children are progressing satisfactorily through the education system.

Where there is a weakness is that that information is not collated and collected nationally. That is the area that the Government is currently exploring, and we will consider carefully Dr Ellis's input to the process.

Ruth Davidson: The Deputy First Minister is right that I raised this issue in May. The reason why I am raising this issue again is that we need a clear direction from the Scottish Government, and at the moment we are simply not getting that.

First, the Cabinet Secretary for Education and Lifelong Learning used a speech to publicly praise international education systems that employ rigorous testing and said that for Scotland

“nothing is off the table”.

The First Minister told me on 21 May that she wants more data on what is happening in our primary schools, and she did not rule out further testing. Then, this weekend the leader of Scotland's largest teaching union revealed that he had been given “a categorical assurance” from the education secretary that such testing would not happen.

It seems that this Government is saying one thing to policy makers, another thing to Parliament and something different entirely to the teaching unions of this country. I appreciate that the First Minister is not here to give her answer, so I ask the Deputy First Minister: what is the Scottish Government's actual position on primary school testing?

John Swinney: Back on 13 May, in her answer to Cameron Buchanan's question, Angela Constance said:

“the Government's position is not to reintroduce things such as national testing, which is onerous for teaching staff and children, we need to address the need for more intelligent use of information.”—[*Official Report*, 13 May 2015; c 4.]

On 21 May, the First Minister said:

“I am not, though, simply going to give Ruth Davidson a yes or no answer”—

which means that Ruth Davidson overstated the First Minister's position when she put her question to me—

“or jump to making decisions before we have properly considered what the right thing to do is. We need a new national performance framework, but we must ensure that

the data that we are collecting and the way in which we are collecting it are right, proportionate and sensible.”—[*Official Report*, 21 May 2015; c 16-17.]

At the weekend, Larry Flanagan said in *The Herald* that the Government wants

“to look at what data is in the system and use it more effectively and they want to look at the role of different assessment and we have no difficulty with that.”

What is happening is that the Government is doing what the public would expect us to do, which is to discuss the issue with a range of stakeholders and take their opinions to help establish that new national performance framework.

In answer to Ruth Davidson I say that the Government is developing that new performance framework and we will share information with Parliament once that process is completed. Ruth Davidson and the parents of Scotland should be assured about this Government’s absolute determination to work with our education system, parents, pupils and stakeholders, to improve educational performance and attainment in Scotland. That lies at the heart of the Government’s agenda.

The Presiding Officer: Murdo Fraser has a constituency question.

Murdo Fraser (Mid Scotland and Fife) (Con): The Deputy First Minister will be aware from media reports that Tayside doctors have claimed that the health board has manipulated waiting times figures by barring surgical teams from seeing patients, potentially putting them at risk. I know that the Scottish Government has asked the chief medical officer to investigate, but will the Deputy First Minister assure us, given the seriousness of those claims and the potential threat to patient safety, that the CMO’s findings will be made public at the earliest opportunity?

John Swinney: I can assure Mr Fraser that any findings or relevant information will be made public at the earliest opportunity, because we believe that it is essential that the public are reassured about the effectiveness of clinical services.

Mr Fraser stated that there was allegedly a ban on clinicians and specialist surgeons entering the Ninewells accident and emergency department. Yesterday, on five separate occasions, specialist surgeons attended to patients at the Ninewells A and E department, as is normal practice on a regular basis.

Murdo Fraser also raised the issue of patient safety, and that is central to the debate because it essentially determines the effectiveness of clinical services. Ninewells hospital was required—as are all hospitals in Scotland—to improve its performance on patient safety against the hospital

standardised mortality ratio by 20 per cent by December 2015. Not only has Ninewells hospital achieved that level of improvement early; it has achieved a 22.1 per cent improvement against the hospital standardised mortality ratio. Patient safety in that hospital is improving faster than in other hospitals in the country.

Notwithstanding what the chief medical officer considers on behalf of the Cabinet Secretary for Health, Wellbeing and Sport, this issue matters to members of the public—indeed, it matters to me as an elected representative of the people of Perthshire who regularly use Ninewells hospital. My family has used that hospital and received excellent clinical care. We must consider the issues and be reassured by that hospital’s effectiveness in improving patient safety.

Sandra White (Glasgow Kelvin) (SNP): The Deputy First Minister will be aware that the Arches venue in Glasgow city centre in my constituency has gone into administration, with the potential loss of 130 jobs. Aside from the fact that the Arches is one of Glasgow’s most cultural venues, this is obviously a worrying time for staff who may be facing redundancy. Will the Deputy First Minister assure those affected that the Scottish Government will offer all the support it can?

John Swinney: I understand the significance of the point that Sandra White has raised on behalf of the Arches in her constituency. Creative Scotland is working hard with that organisation and other partners to explore options on the future of arts programming of that nature in Glasgow.

Creative Scotland agreed with Glasgow Life and Glasgow City Council to bring forward some of this year’s support for the Arches—£92,000 from Creative Scotland and £37,000 from the council—to assist with the delivery of its current arts programme in the short term. I reassure Sandra White that we will look in all ways we can at how to assist in safeguarding the future of a significant cultural venue in the city of Glasgow that contributes a great deal to the cultural life of Scotland.

Cabinet (Meetings)

3. Willie Rennie (Mid Scotland and Fife) (LD): To ask the Deputy First Minister what issues will be discussed at the next meeting of the Cabinet. (S4F-02857)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): The Cabinet will discuss issues of importance to the people of Scotland.

Willie Rennie: Over the past few years, John Swinney has repeatedly told us that the time for full financial powers is now and that the need is

urgent, so will he explain what his MP Tommy Sheppard meant when he said that full fiscal autonomy would be a “disaster” and a “silly thing to do”? Does Mr Swinney know?

John Swinney: Tommy Sheppard was explaining the approach that the Government set out in its manifesto, in which we made it clear that the delivery of full fiscal responsibility would have to take place over time—[*Interruption.*] I do not see why that should be a particular revelation to Parliament. The Calman powers were published in a command paper in 2010, and only in spring next year will we see the devolution of income tax powers.

That was the point that Mr Sheppard made. The Government has set out on repeated occasions the importance that we attach to acquiring the economic powers in Scotland that will enable us to strengthen our country's performance, create new opportunities and open up possibilities for the people of our country.

Willie Rennie: So the need is no longer urgent.

On full fiscal autonomy, the Scottish National Party—to be frank—has been all over the place: it was in the manifesto, then out, then back in again, and now, the SNP's MPs say, “Let somebody else decide.” That started as the hokey cokey and has ended as pass the parcel, which is no wonder, given the £7.6 billion price tag. Should the Deputy First Minister not just admit that his full fiscal autonomy plans are a disaster and would be a silly thing to do?

John Swinney: The one thing that we could say about the Scottish Liberal parliamentary group in the House of Commons is that it could not play pass the parcel because it does not have enough members. There are barely enough Liberal MSPs—they are not even all here today—to play pass the parcel.

Mr Rennie asked about the commitment by the Government and the Scottish National Party to full fiscal autonomy. The First Minister made it clear during the election campaign that we would table amendments to the Scotland Bill to enact full fiscal autonomy; I made that clear on 31 May on the “Politics Scotland” programme; and I heard with my own ears Angus Robertson make that clear in the House of Commons on Monday.

The question is: do the Liberal Democrats have any interest whatsoever in equipping this Parliament with the powers to strengthen Scotland's economic performance and deliver new economic opportunities to the people of Scotland? Are the Liberal Democrats prepared, just as they were for the past five years, to resign themselves to decisions taken by Tory ministers who axed our budget and reduced public spending in Scotland? I

want economic control to rest here so that we can decide the future of our country.

Budget Revisions (United Kingdom)

4. Mark McDonald (Aberdeen Donside) (SNP): To ask the First Minister what the impact of the Chancellor of the Exchequer's in-year budget revisions will be on Scotland. (S4F-02865)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): The Scottish Government's budget will be reduced by £107 million as a result of the chancellor's announcement last Thursday. The Government believes that to be utterly unacceptable. Not only has this Parliament already set its budget, but this country voted in the clearest possible terms against further austerity. Despite that, just a week or two after David Cameron promised to govern with respect, the United Kingdom Government is reducing budgets yet again. I met the chancellor on Monday to put forward an alternative that encouraged him to use the flexibility that is at his disposal, and I hope that every party in the chamber will join us in calling on him to do exactly that.

Mark McDonald: I know that the First Minister wrote to ask party leaders to join the Scottish Government in condemning the chancellor's approach. Have party leaders responded? In light of the upcoming July budget from the chancellor, does the Deputy First Minister expect the chancellor to take a different approach to consulting the Parliament and the Scottish Government before making decisions at the dispatch box?

John Swinney: To the best of my knowledge, we have not received any replies to the First Minister's letters, which were issued on Friday.

Mark McDonald's other point related to the forthcoming United Kingdom budget in July. The Scottish Government set out to the chancellor on Monday an approach that he could take that is within the fiscal mandate that he legislated for in the previous UK Parliament, which would enable him over the next five years to invest about £93 billion more in public expenditure and public services than is the subject of the UK Government's current plans. We will advance that argument and discuss it with the chancellor at any opportunity that we have, and we had the opportunity on Monday to do that.

Of course, the Scottish Government believes that the correct approach at this stage in the economic recovery is to invest in public services and public spending. We argued for an increase of 0.5 per cent in real terms in public spending over

the course of this UK parliamentary term, and we encourage the chancellor to consider that.

Jackie Baillie (Dumbarton) (Lab): I advise the Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy that we have not yet received the First Minister's letter but that we will respond to it when we do.

We share the Scottish Government's concerns about in-year budget revisions. The Deputy First Minister has a number of options to consider. He has already said that he might raise taxes. Could he tell us by what level? Is he also considering using the new borrowing powers that were devolved to Scotland in April this year?

John Swinney: I would have thought that my opposite number in the Labour Party would know that I already committed to using the borrowing powers that we acquired in April to their full extent for this current financial year, to the tune of £304 million. That is a piece of elementary information that a reading of the budget document would have supplied, so I am a bit surprised that Jackie Baillie has raised it with me.

On the second point about taxation, in the spring of next year we will, as Jackie Baillie knows, acquire the Calman income tax powers for the Scottish rate of income tax. However, if we wish to change one tax rate, the powers oblige us to change each of the three tax rates in unison. For example, if we wanted to increase the top rate of income tax, we would have to increase the basic rate of income tax and the higher rate of income tax into the bargain. That was what the Calman process delivered.

The Calman proposal has not even been implemented before it has been unpicked because it is unsatisfactory. I will consider all the taxation decisions that I have to make and will make them in good time in the budget process and, in the normal fashion, I will advise Parliament accordingly.

Personal and Social Care (Payment Arrears)

5. Ken Macintosh (Eastwood) (Lab): To ask the First Minister what action the Scottish Government will take following reports that more than 14,000 people facing bills for personal and social care are in arrears. (S4F-02878)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): Local authorities set charges for social care, and they have a duty to ensure that the charges that they make are fair and affordable. Where people are in genuine hardship, local authorities are able to take into account individual circumstances and to waive or reduce charges.

The Government is supporting implementation of the integration of health and social care around the country with investment of more than £500 million over three years. We have also increased the local government finance settlement to more than £10.85 billion for 2015-16.

We have already ensured that people who are in the last six months of a terminal illness do not pay for the care that they receive at home, and we are currently working with the Convention of Scottish Local Authorities to improve the fairness and consistency of the system of charging for social care.

Ken Macintosh: I thank the Deputy First Minister for his answer, and I hope that he shares my concern that thousands of people in Scotland's disabled and elderly community are falling into debt because of social care charging.

The Deputy First Minister mentioned on-going talks with COSLA on trying to tackle Scotland's care tax. Those talks have been going on not for weeks or months, but for years, and to no avail. I believe that last year the disability organisations walked out of those talks in frustration.

Will the Deputy First Minister take a new tack? My colleague Siobhan McMahon is about to launch a consultation on a member's bill to abolish the care tax in Scotland. Will the Deputy First Minister reach out across the chamber to other parties and work with us to abolish the tax on Scotland's disabled community?

John Swinney: I certainly can say to Mr Macintosh that the Government will engage carefully with the proposals that Siobhan McMahon brings forward, and that ministers will be happy to discuss with her how they can be progressed.

There are, of course, a range of complexities around the care charging regime, which varies from area to area, with different positions being taken by different local authorities. There are standards that the Government requires be implemented, and we have enacted some changes in that respect, which I set out in my earlier answer to Mr Macintosh.

The Government will continue discussions with the relevant interested organisations to ensure that the concerns that have been legitimately raised are properly addressed.

Colleges (No Compulsory Redundancy Policy)

6. Liz Smith (Mid Scotland and Fife) (Con): To ask the First Minister whether the Scottish Government met its 2011 pledge that there would be no compulsory redundancies in colleges throughout the college merger process. (S4F-02861)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney):

In 2011, the then Cabinet Secretary for Education and Lifelong Learning, Michael Russell, made clear our wish that colleges avoid compulsory redundancies. Ministers have since done all that is in their power to encourage colleges to follow that lead, in particular at the outset of the college reform programme, when the then Minister for Skills and Lifelong Learning wrote to all college principals to encourage them to adopt a policy of no compulsory redundancies for staff. The then cabinet secretary for education, in guidance to the Scottish Further and Higher Education Funding Council, repeated the expectation that colleges would avoid compulsory redundancies.

Liz Smith: I thank the Deputy First Minister for that answer, but the fact of the matter is that the Scottish National Party should never have made a pledge over which it had no legislative control, and following which it has conveniently shifted the blame for compulsory redundancies to college principals. However, the SNP does have legislative control over spending on college places, so I ask again: why has it allowed college places to fall by a third since 2008, with clearly more cuts to come, as was evidenced by the news about Fife College this week?

John Swinney: We have been round this territory before in relation to college places—*[Interruption.]*

The Presiding Officer: Order.

John Swinney: The Government committed to maintaining 116,000 full-time equivalent college places. We know from the data that not only has that figure been maintained but that we have delivered 119,000 FTE places in the college sector.

I take this opportunity to thank those in the college sector who have dealt with a process of reform that I accept has been challenging, but which has delivered more FTE places for the college students of our country. That has given those individuals greater ability to enter the labour market because their skills will be at a more sophisticated and more effective level. That is what our economy needs—people with deep skills who can contribute to the economy. The college reforms have delivered exactly that.

Home-Start

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a members' business debate on motion S4M-12898, in the name of Bob Doris, on celebrating the work of Home-Start in north Glasgow and across Scotland. The debate will be concluded without any question being put.

I ask people leaving the public gallery to do so quietly as the Parliament is still in session.

Motion debated,

That the Parliament commends the charity, Home-Start, on its work with families across Glasgow and Scotland who are going through difficult times; understands that it does this by promoting resilience and confidence and by providing advice and support that enables families to cope better and successfully move on; congratulates the charity on, it understands, helping more than 2,000 families and around 4,000 children in Scotland; acknowledges that it is a UK-wide organisation and tailors each of its 32 Scottish locations to meet the specific needs of each community that it serves; recognises its work in its new priority areas in Glasgow, such as in the north of the city, that has allowed vulnerable families to get support; understands that, over the last year, it has successfully helped 108 families in north Glasgow; considers that, despite its limited funding, it has made excellent progress in offering aid to young and struggling families, and hopes that Home-Start is successful in its aim to continue to bring about positive social change in Scotland's communities.

12:33

Bob Doris (Glasgow) (SNP): I thank parliamentary colleagues across the chamber who signed my motion, which highlights the excellent work of Home-Start across Scotland and, of course, the work of Home-Start Glasgow North in particular.

I welcome to the Parliament representatives of Home-Start, including many of the volunteers and staff who work with the families who have benefited from the support offered by the team at Home-Start Glasgow North. It is inspirational to see the drive and the commitment that exist among everyone who is involved with the organisation. I pay tribute also to the work of Nikki O'Hara and Frances Goldman in helping to create such a nurturing and supportive environment at Home-Start Glasgow North for staff, volunteers and families alike. I hope that members will be able to join our visitors to the Parliament for an informal gathering directly after this debate.

In the past year, Home-Start Glasgow North has helped 108 families and provided volunteer-led support for many families and for communities such as Maryhill, Possilpark and others right across the north of the city. That is a 63 per cent increase in just one year in the number of families who have been supported, and I am pleased that increased funding has allowed Home-Start to

recruit and train more staff and volunteers to support my vulnerable constituents. It is, however, worth noting that, despite increased funds, Home-Start still has a significant waiting list for vulnerable families requiring assistance—I might say a little more about funding towards the end of my speech.

One of the strengths of Home-Start is that, because volunteers are not viewed as a statutory service, they often find it easier to build up trust and friendship with families. However, Home-Start receives referrals from statutory services, including health visitors, social work and the one Glasgow joint support teams. Such referrals are increasing, as are self-referrals to the service.

The families who are referred face a number of challenges. The figures for the past year show that 36 per cent of the children faced behavioural challenges; 34 per cent had developmental issues; and other challenges include a number of physical and mental health issues. However, the most compelling fact is that 67 per cent of families felt socially isolated. We know that all of those challenges put children's wellbeing at risk; for example, the Scottish Government's "Growing Up in Scotland" report states:

"By age four, children who experienced prolonged (repeated) exposure to a mother with mental health problems were particularly likely to have poor behavioural, emotional and social outcomes."

I believe that the mental health of every single MSP in this chamber needs to be nurtured every bit as much as our physical health, and we are not in ourselves any more resilient with regard to mental health issues than anyone else in society. However, it is the impact of poverty and deprivation on many of the families and communities I represent that causes the significant health inequalities that I have referred to. It is that poverty and that deprivation that leads to that 67 per cent figure for social isolation.

That said, this has to be a positive debate, because Home-Start Glasgow North helps fantastic families develop their resilience. An important aspect is its volunteer home-visiting service, which, crucially, offers practical and emotional support to struggling families. In that way, Home-Start respects each family's dignity and identity and can respond to individual needs. This is about giving families choice and matching the right volunteer with the right family, and building trust, lending a listening ear and being non-judgmental are core to offering that vital support. Working together builds confidence, strengthens relationships and allows people to have fun, all to the children's ultimate benefit.

Likewise, Home-Start's family support group helps families to grow in confidence and overcome the social isolation that I have referred to.

Caroline, the family support group worker, organises a variety of fun-filled programmes that can include baby massage, dental healthcare, baking and even traditional Scottish lullabies. Perhaps we will get some of that at the reception after the debate.

I am also pleased that Home-Start is co-ordinating peer support during the perinatal period from pregnancy through to the age of one, as that is particularly vital for women with poor perinatal mental health. It is also responding specifically to the local community's needs by developing, among other things, sing and grow music therapy courses, which are important in boosting the development of parent-child attachment. Moreover, it is working alongside education services such as homework clubs for kinship carers.

Johann Lamont (Glasgow Pollok) (Lab): I regret that I am unable to stay for the whole debate, but I am sure that Bob Doris will also acknowledge the work of Home-Start in the south of Glasgow and, indeed, far beyond. What, in carers week, can we do to recognise not only the importance of that work but the fact that it is under profound financial pressure? How can we across the Parliament restore the valuing of the voluntary sector and these people who are so committed to making a difference to young people's lives?

Bob Doris: I am very aware of the good work that Home-Start does in Glasgow south, which I know that some of my colleagues will mention in the debate. I will talk about financial pressures towards the end of my speech. I hope that the member will be able to stay for that and hear my answer to her question.

The Carers (Scotland) Bill offers a route to improve the situation for many families. I have spoken to the Home-Start Glasgow North team, so I know that the support offered can be as rewarding for staff and volunteers as it is for the families who benefit from the services.

I will now talk about funding. Home-Start Glasgow North is one of only two Home-Starts in Scotland with no statutory core funding. It depends on lottery funding, as well as funds from organisations such as the Robertson Trust and Lloyds TSB.

I am pleased that the Scottish Government has supported Home-Start Glasgow North through the early years change fund. I recognise the financial challenges in the public sector, but Glasgow City Council does not allow organisations such as Home-Start Glasgow North to bid for funding from the integrated grant fund. That is just plain wrong. When the next funding round for the IGF opens in 2017, I hope that whoever is running Glasgow City Council will remove that unfair barrier. Given that

Home-Start Glasgow North achieved 97 per cent in its recent quality assurance review, confirming the high standards throughout its working practices, surely that barrier should be lifted.

Today is about the staff and the volunteers at Home-Start Glasgow North and across Scotland. I look forward to joining Home-Start Glasgow North celebrate its 15th birthday next year. I thank them all—staff and volunteers alike—for all that they do to make the communities that I represent a better place to live and, for children, a better place to grow up.

I pay tribute to all Home-Start Glasgow North's successes over the years. I know that it will go from strength to strength in the years ahead. I look forward to supporting staff, volunteers and families on that journey.

The Deputy Presiding Officer: Due to the number of members who want to speak in the debate, I am minded to accept a motion under rule 8.14.3 of standing orders that the debate be extended by up to 30 minutes.

Motion moved,

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Bob Doris.*]

Motion agreed to.

The Deputy Presiding Officer: Even with that extension, the debate will be quite tight, so I ask members to keep to their four minutes if possible, please.

12:42

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): Presiding Officer, before I begin my speech, I apologise to you and to the chamber. I will not be able to stay for the entire debate as I have constituency visitors here.

I also apologise to any Home-Start staff, clients or volunteers from my constituency. For the same reason, I do not think that I will be able to join them for the reception that I now understand will follow the debate. It is a disappointment to me that I will not have the opportunity to speak to folk from my constituency who are here, so I will today make arrangements to do so in the constituency in the near future.

Today's world can be frightening; it can appear hostile, as everyone seems to go at 100 miles per hour. There are so many challenges to be faced in everyday life: how to find a job or how to keep it; how to navigate through an increasingly complex and often unfair benefits system; and the challenge of ill health or a person not having a house that fits their family's needs. The list is endless. The pressure and the feeling of isolation too often take their toll on families. Sometimes, the

opportunity to talk through those problems and to have someone who will not judge but who can offer some support or suggest another way of looking at things can make a difference to families. That is where Home-Start comes in.

I say that that is where Home-Start comes in but, of course, a Home-Start volunteer does not just appear; rather, they must all be trained before being carefully matched with individual families. At the end of the day, the relationship is based on choice. It is the same for the support that Home-Start offers—whether that is working in family groups as we have heard, or supporting families individually, Home-Start tries to ensure that its approach is right for that particular family.

Over the years, I have spoken to families right across Maryhill and Springburn who have worked with Home-Start. They have unfailingly praised the organisation and have talked, often movingly, about the difference that it has made to their family. The one word that has always come up is a small but important one: that is, quite simply, “fun”. Every single person or family group whom I have spoken to has suggested that being part of Home-Start's work has been a very fun experience for them. That is important, because a family that can laugh together and enjoy one another's company will find it much easier to weather the storms that blow us all off course from time to time.

Last week was volunteers week. I pay a special tribute to the Home-Start volunteers. They are well trained and supported by the organisation's staff but, even so, it is not always easy to make the right connection with a family or to support it to establish its own priorities. However, that is what Home-Start volunteers do day in, day out with great integrity and respect. They deserve our grateful thanks for that.

I had not planned to talk about funding, because I wanted to talk more about Home-Start as an organisation. However, my understanding—I may be wrong—is that Home-Start wants to be considered for the integrated grant funding that the local authority provides, but the local authority has decided that it will award that money in a three-year rolling programme. I can understand that Home-Start might see that as a route to funding that is closed to it, but I sincerely hope that, by working with the elected members, the issue will be resolved at least for future funding rounds.

Bob Doris: I agree that this debate is not about funding and I am glad that we agree on future funding opportunities. My understanding is that the current integrated grant fund is a closed one, that only those who already had cash were allowed to apply to the current fund, and that those are the current guidelines. However, I welcome Ms Ferguson's support for changing Glasgow City Council's regulations on that.

Patricia Ferguson: Obviously, that is a matter for Glasgow City Council, and Home-Start has to engage with it on that. Given that we have all many times over the years suggested in the chamber that there needs to be more stable funding and more guaranteed funding for voluntary organisations, we have to allow the local authority to look at the matter and work with the organisations in its area to come up with the best possible opportunity.

As I said earlier, I hope that, by working with elected members, the issue will be resolved, at least for future funding rounds. I am certainly happy to play my part in trying to make that happen.

There is one slightly discordant note in the motion that I perhaps do not agree with—I say this slightly with my tongue in my cheek. The motion ends by saying that the Parliament

“hopes that Home-Start is successful in its aim to continue to bring about positive social change in Scotland’s communities.”

I am slightly more optimistic than that. I am absolutely sure that Home-Start will be successful and that it will continue to be

“successful in its aim to continue to bring about positive social change in Scotland’s communities.”

It has done so for nearly 15 years, and I see no reason why that is going to change.

The Deputy Presiding Officer: I allowed the member to run over slightly because of the intervention. I would appreciate speeches of four minutes, please.

12:48

James Dornan (Glasgow Cathcart) (SNP): I thank my colleague Bob Doris for bringing this debate to the chamber, and I welcome those from Home-Start who have travelled from across the country to hear this debate, including Gillian Leslie, who is the development manager at Home-Start Glasgow South. I hope that she managed to get here. I intend to wax lyrical about Home-Start Glasgow South.

Parenting is not always easy. Sometimes it feels like it is the hardest thing in the world to do and that the one-size-fits-all approach to it just does not work. That is where Home-Start comes in. It helps folks not only with the issues that always cause stress and anxiety for parents and children—such as illness, disability, bereavement and loneliness—but with other, more individual problems that many parents face. That help ranges from helping teenage mothers with access to education and helping single fathers with access to rights, to helping people who are affected by poverty, abuse, violence or social

isolation who may also need additional support to give their children the best start in life.

Some 258 families with 550 children are supported by Home-Start Glasgow South. The most crucial part of its work is what it does to support vulnerable families in their homes. Volunteers with parenting experience visit once a week to offer emotional and practical support in a way that is informal, confidential and, crucially, non-judgmental, as has already been said.

When I have met people who have been helped by the service, the fact that volunteers are non-judgmental has come up time and again as being of the utmost importance. A crucial aspect of Home-Start’s work is that the volunteer who people turn to for support is generally also a parent or someone who has had parenting experience. That qualification is necessary to be considered as a Home-Start volunteer. It is a cornerstone of Home-Start’s work because it means that parents are sharing their fears with people who understand how tough—and rewarding—being a parent can be. When people try to do the best for their children it can lead to insecurities and a feeling that they are failing. I am sure that that is a feeling to which all parents can relate.

The Glasgow south branch of Home-Start is the biggest in Scotland. I was delighted that the Minister for Children and Young People accepted my invitation to see first-hand the work that the branch is doing, with its great complement of dedicated, committed staff and volunteers, led by their brilliant, passionate manager, Colette Boyle. At that visit, the minister met some of the volunteers and parents who have been helped by the service. Like the other 32 Home-Starts throughout the country, Home-Start Glasgow south is an autonomous body with its own charitable status. However, it still has the same central tenet as other Home-Starts throughout the country, which is that children need a safe and happy environment in which to grow and develop.

The minister heard for herself the case of a young woman who felt that the service enabled her to see that the situation in which she found herself, in which she had lost control of her children, was not of her making. She had been concerned that she would end up going the same way as other members of her extended family and that she would be unable to create the future for her children that she desired. Home-Start helped her to realise that the situation was due to circumstances outside her control.

Since interacting with Home-Start, that incredibly impressive young woman is in control of her circumstances, her children and her future. She began to volunteer with Home-Start and is now in regular employment. That is the reality of

what Home-Start can do. With its support, its clients can improve their immediate situation. Probably more important, though, Home-Start can help parents to build their confidence and take control of their lives, which benefits both them and their families.

I have great delight in commending to the chamber the work of Home-Start throughout Scotland, but particularly the branch in Glasgow south. It is a great organisation that supports many people throughout Glasgow south to ensure that they give their children the best start in life. I wish it and all those who work for, volunteer for and benefit from Home-Start throughout the country every success in future.

12:52

Liz Smith (Mid Scotland and Fife) (Con): I thank Bob Doris for bringing such an important motion to the chamber. I thank also all those who do such fantastic work with Home-Start in my region of Mid Scotland and Fife. I am well aware of the extremely high regard in which Home-Start is held.

As the motion rightly points out, Home-Start supports some 2,000 families and 4,000 young children throughout Scotland, with a team of around 1,000 volunteers. Throughout the United Kingdom, Home-Start operates in about 300 towns, cities and rural communities, including in my patch, the city of Perth. Home-Start there was formed in 1984 and now supports around 150 families a year.

One of the most important and successful aspects of Home-Start is its focus on the wellbeing of parents and their families. Patricia Ferguson is no longer in the chamber, but she made an important point about the specialist training that goes with the development of the individual. Naturally, that fosters a feeling of self-confidence that helps parents to take full advantage of the splendid support that is on offer from the volunteers.

That support can take a wide variety of forms because it has to reflect many and varied difficult circumstances, a lot of which can be long term. That can include loneliness and isolation, mental health issues, low self-esteem, poor physical health and, on some occasions, domestic abuse. The incredible work that is carried out by the volunteers, who strive to tackle those issues, must be undertaken in collaboration with local authorities and health boards.

The point about the service being personalised and decentralised is important, because that autonomy really matters to the character of the programme. I totally accept Bob Doris's point about the financing of such a service. If one is

going to deliver at a local level, that has implications.

The good news is that there is concrete evidence of the outstanding support that has been provided by Home-Start in recent years. If I am not mistaken, the University of Glamorgan has conducted a lot of analysis that shows a huge increase in the number of families who have been supported who can now help themselves. The study, which was done in 2013, found a jump from 29 to 45 per cent in the number of families who said that, which is no mean feat in difficult circumstances. As members of Parliament, we must always remember that there are real lives and real constituents who need not only the help of those splendid volunteers but our help and support.

I know that we are tight for time, so I will finish there. I thank Bob Doris for bringing this important motion to the Parliament and I thank Home-Start on behalf of constituents across Mid Scotland and Fife for the extraordinary work that it carries out.

12:55

Cara Hilton (Dunfermline) (Lab): I congratulate Bob Doris on securing the debate, which celebrates the fantastic work of Home-Start. It is great to see so many representatives of Home-Start in the public gallery—especially on a day like today, when it might be more tempting to sit out in the park and eat an ice cream. I give a particular mention to Brian McCran and Sheila Leel from Home-Start Dunfermline's board of trustees, and to scheme manager Kirsty Richardson, who cannot be here today but who does a brilliant job for Home-Start Dunfermline and for local families and volunteers.

In the past year, Home-Start has supported 96 families, including 190 children, in Dunfermline and south-west Fife, either through one-to-one volunteer home visiting, the weekly family group or a combination of both. Home-Start helps families who have one or more children under the age of five and supports them to achieve happy home environments in which the parents and children can thrive. It provides early intervention to prevent families from reaching crisis points, and to overcome some of the real challenges that every mum and dad can face. It opens up opportunities to develop support networks and friendships at a time when many people can feel isolated. It also opens up access to gym membership and swimming lessons, which might otherwise be out of people's reach, thanks to a partnership with Fife Sports and Leisure Trust. It helps mums and dads to get out of the house with day trips and outings, arts and crafts and structured play sessions, for example messy play and book bug, and it provides information sessions on subjects ranging from

budgeting skills to jewellery making. As colleagues have said, it is basically about having fun.

On top of that, Home-Start Dunfermline has developed new initiatives this year, such as group and one-to-one infant-massage classes, and it is working in partnership with local agencies to deliver evidence-based parenting programmes to vulnerable families—for example, the mellow parenting programme. Fife Council has embraced a radical agenda to transform early years provision and to end the cycle of disadvantage that too many children are caught up in, and Home-Start has played a full role in that as a partner in the south-west Fife family nurture hub, which delivers intensive family support services to families in my constituency who have children aged zero to three, and to vulnerable mums during pregnancy.

It is impossible to celebrate the tremendous role that Home-Start plays in our communities without celebrating the contribution of each and every volunteer. Home-Start Dunfermline rightly recognises that the 37 volunteers who work across south-west Fife to support local families are the organisation's most important asset. Every volunteer is carefully matched to the families that they support, which is vital in ensuring positive outcomes for those families. Volunteers are not just dropped in at the deep end—every volunteer is fully supported to build their skills and confidence, too. From speaking to some of the local volunteers, I know that the experience that they gain from working with Home-Start is invaluable and rewarding.

In Dunfermline and right across Scotland, Home-Start volunteers do an absolutely brilliant job in supporting mums and dads, improving the lives of vulnerable children and making a real difference to communities. However, the work of Home-Start volunteers needs to be backed up by political change at local and national levels in order to improve children's life chances and transform their lives. Last November, I attended the launch of "All Our Children: Home-Start's manifesto for families 2014". The manifesto has three key aims, which are that all our children should grow up with

"safe places to live and play

support when their parents suffer from a mental illness"

and

"protection from hunger and poor nutrition".

Those are basic needs, but right now they are not being met, which means that children are missing out on the support that they need and deserve.

That is impacting on children's life chances, now and for the future. Too many families across Scotland are struggling day to day and week to week. Strains and stresses—irrespective of

whether they are due to poor housing, to financial problems, to benefit sanctions or to mental health or addiction issues—often mean that children miss out on the support, stability and nurture that they need in order to thrive.

We all want Scotland to be the best place in the world to grow up in. All children, wherever they are and whatever their background, have the right to the best possible start in life. The proposals for action in Home-Start's manifesto would be a good starting point, so I encourage the minister to pay close attention to them. Home-Start is calling on all political parties to put children's lives at the heart of policy making. I hope that across the chamber we can work together to ensure that that happens, so that every family has the support that they need and every child has the best possible start. I wish Home-Start every success in the future. I am confident that it will go from strength to strength in supporting families in Dunfermline, Fife and right across Scotland.

12:59

Graeme Dey (Angus South) (SNP): I begin by thanking Bob Doris for bringing the motion to the chamber for debate because it affords Parliament the chance to recognise the achievements of Home-Start across Scotland, and because it allows me to note the very positive work that is being done in my constituency. As members are well aware, that is not an opportunity that I would ever let pass.

Those of us who are parents know that raising a child can, at times, be as challenging as it is hugely rewarding. There is no manual for being a parent; most of us base our approach to bringing up our children on what we experienced as youngsters ourselves. If we are lucky, we will be able to turn to the parents who reared us for practical help and advice.

Not everyone is so fortunate, however, and that is where Home-Start can come in, by supporting young parents as they learn to cope and furnishing them with the knowledge and confidence to provide appropriate parenting for their kids.

It is not just the children who benefit. Home-Start's 2014 social impact report tells us that 95 per cent of families who were supported felt that their children's emotional and physical health and wellbeing had improved, and 94 per cent of parents said that their own emotional health had improved. Similarly high percentages of parents felt that they became more involved in their children's development and were better able to manage their children's behaviour. Parents feel that they empowered, as well.

Since Home-Start began operating in Angus in 1994, it has helped more than 1,100 young

families through more than 260 volunteers giving up some of their free time to ensure that the service can be delivered. The service has assisted parents who were feeling isolated, who were suffering from poor mental health, or who were lacking the confidence to cope with their children's behaviour.

Mirroring the picture nationally, we have seen an extremely positive evaluation from those who benefit from the organisation's work. A survey of 35 families in Angus who ended their interactions with the service during the period April 2014-15 found that 94 per cent felt less isolated and had made links with other parents and/or services, that 96 per cent reported that their emotional health had improved, and that 96 per cent felt more confident in their parenting and had successfully implemented more positive parenting techniques.

At the beginning of the year, my colleague Mike Weir MP and I visited Home-Start's premises, which are located just a hundred yards from my constituency office in Arbroath. We were pleased to show our support for the organisation and to congratulate the team on securing a grant of £300,000 from the Big Lottery Fund for their five-year "bumps and beyond" project. The project offers parents-to-be and new parents the opportunity to meet a Home-Start volunteer who understands the pressures of family life. Home-Start volunteers visit young families regularly in their own homes. For pre-birth and new parents, that means that they can access help with the practical preparations for having a baby, such as getting to appointments, as well as having someone they can trust to talk to and share experiences with. The Big Lottery funding was a major boost for the work of Home-Start locally and has provided much-needed financial security.

The importance of landing that funding has since become all the more obvious with the news that the financing that is associated with the 2015-16 service-level agreement with Angus Council has been cut by 5 per cent. The organisation has also been advised that this is the first of three years of cuts in that funding. Of course, that is the economic reality for many third sector organisations across the UK, and we should accept that councils have to make tough budgetary choices. I hope that Home-Start's work can continue undiminished, because there is no sign of a reduction in the demand for the services that it offers.

Home-Start has a key role to play in helping to ensure that families who require fairly basic support can access it. By addressing or preventing challenges that parents may face early on, I hope that we can avoid far more serious issues arising further down the track.

I conclude my speech by congratulating my colleague Bob Doris on allowing us to highlight the work that is done by Home-Start in our communities, and to acknowledge its importance.

13:03

Liam McArthur (Orkney Islands) (LD): Like Patricia Ferguson, I offer my apologies because I might have to leave shortly, before the end of the debate. I have a meeting with Orkney's two members of the Scottish Youth Parliament, Jack Norquoy and Thorfinn Moffat, who I am pleased to say have joined Home-Start staff and volunteers in the public gallery this afternoon.

I warmly congratulate Bob Doris on securing such an important debate. His motion fairly highlights the enormous and often unsung successes of Home-Start in communities across Scotland and the wider UK. It has helped 2,000 families and given 4,000 children the support that they need. In absolute terms, those numbers might not sound particularly high in the context of Scotland as a whole, but we should not lose sight of the vulnerability of those who benefit from input from Home-Start workers and volunteers. Such interventions can and do have a profound effect through changing lives and, as the motion suggests, through building resilience and confidence, and bringing about positive social change.

By way of illustration, as Cara Hilton did, I remember attending the event that was held in Parliament not so long ago, and which was aimed at highlighting and celebrating the excellent work of Home-Start around the country. Many speakers addressed the meeting that evening, but without doubt the stand-out performers were two Home-Start volunteers from—I think—the Alloa area. For different reasons, both of them had previously been recipients of Home-Start support. They talked candidly about the problems that they had experienced and the desperation, isolation and helplessness that they were feeling by the time they came into contact with Home-Start. However, both those volunteers provided the most eloquent testimony possible of the transformative effect that Home-Start support can deliver.

It was wonderful to see those two remarkable women having the confidence to share their experiences with a group of people who were, largely, strangers—albeit friendly ones. More wonderful still was hearing how they are now both volunteering with Home-Start, providing to others the kind of support that enabled them to rebuild their lives, and thereby offering hope and confidence about what the future holds. It really was a very moving and memorable occasion and one that I felt privileged to be a part of.

As colleagues may be aware, earlier this year I lodged a motion in support of the work of Home-Start. The reason for lodging that motion back in January was to acknowledge and welcome over £285,000 from the Big Lottery Fund for Home-Start Orkney. As Liz Smith said earlier, one of the great strengths of Home-Start is the way in which it tailors its provision to suit local circumstances. In Orkney local circumstances obviously include pressure to deliver support across a number of small islands to people who need it. I am thankful that Big Lottery funding is now enabling that to take place.

A new co-ordinator for the isles has been appointed and volunteers are being actively sought, with a view to expanding the network in order to help to develop parenting skills, to build more positive family relationships and to provide in communities that are not currently benefiting from it the sort of invaluable input that is Home-Start's trademark. That is really good news, because families in the remoter parts of my constituency often face additional challenges, notably in terms of isolation and financial costs. That is why it is great to see Home-Start expanding its reach beyond the mainland of Orkney, out to the smaller islands.

As with other parts of the country, demand for Home-Start's services has been on the increase in Orkney, even before the latest expansion of the service. Since 2010, volunteer hours have almost trebled and the number of families who are struggling to cope with mental ill-health, abusive relationships, financial difficulties and social isolation is clearly on the rise. I am very grateful, therefore, that Erika Copland and her colleagues at Home-Start Orkney are showing their determination to meet that challenge, although the prospect of what may happen should the UK Government press ahead with further welfare cuts is causing understandably anxiety. I would therefore urge both the Scottish and UK Governments to heed calls from Home-Start for continued investment in support for families and children in the early years.

I congratulate Bob Doris once again, and I thank all those who are involved with Home-Start Orkney—and across the country—for the wonderful and very necessary work that they do on our behalf.

13:08

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I congratulate Bob Doris on introducing the motion. I welcome the representatives from all the different Home-Start groups from across Scotland who are in the gallery, particularly the wonderful staff of the wonderful Home-Start Leith and North-East

Edinburgh. I was very pleased to open the relatively new Home-Start office on Leith Walk four years ago, but in fact the group has been active in Leith for 30 years.

Home-Start Leith and North-East Edinburgh receives 90 per cent of its funding from the council and is grateful for that, but, as with other groups, there are concerns about that funding being continued. I hope that the council will maintain its commitment to the wonderful work of the group.

Home-Start is one of several great children's organisations in my constituency. I want to mention two others that work with Home-Start Leith and North-East Edinburgh: Dr Bell's Family Centre and Multi-Cultural Family Base in Leith. I pay tribute to the staff but, like others, I must also pay tribute to the volunteers. There were about 50 volunteers involved with Home-Start Leith group over the past year.

I spoke to a volunteer that I know and she was praising the wonderful training that volunteers are given before they engage with families. I met another volunteer recently who had extra training as part of the parent's early education programme. That volunteer participated in the twin babies group. That was a time-limited group, but other activities are on-going.

There are regular parent and children's groups and social events. As other speakers mentioned, a central feature of the group's work is a volunteer working with a family. That means tailored, personalised support to families in their own homes. We could regard this as a significant part of the preventative spend agenda that we all praise so often in the Parliament. We need to promote examples of that.

The parents in the families with which Home-Start works might face diverse circumstances, such as isolation, bereavement, multiple births, illness, disability or just finding parenting a struggle. In each case, the volunteers respond to their individual needs and respect each family's dignity and identity. As a result, as we hear from the different groups, parents are becoming more confident and developing stronger parent-child relationships. I will quote one parent:

"Thanks to you I feel there is always someone who cares, who believes that this difficult time will pass and who helps get through it."

Of course, that work does not replace statutory services. For example, Home-Start groups regularly emphasise the central role of health visitors and ask for more funding for them. Cara Hilton mentioned Home-Start's manifesto and I notice that the subtitle is "Listen to the voice of families". Home-Start is using its experience with families to advocate on the issues that it realises are important to those families.

Cara Hilton referred to mental health as one of those issues and I note that the recent survey of Home-Start groups in Scotland showed that 64 per cent of children in participating families had no support from health and social work when their parents suffered mental illness. I noticed that the Glasgow North group emphasised that aspect. I have not been so aware of it with the families in Leith, but I am sure that there are mental health issues for some of them.

I wish all the best to the Glasgow North group, the Leith group and all the groups in Scotland. I am afraid that I have to leave at the scheduled end of the debate at 1.15, so I will be able to listen to only one more speech. However, it is a good sign that we have a long debate because so many people feel strongly about the issue.

The Deputy Presiding Officer: I extended the debate and Parliament agreed to that, so we will listen to two more speeches and then the minister.

13:12

Alex Fergusson (Galloway and West Dumfries) (Con): I warmly congratulate Bob Doris on bringing the debate to the chamber. It is a hugely worthwhile debate, as the speeches of all members have shown, and I am pleased to participate in it.

Like others, I am afraid that I will be unashamedly parochial in my approach and speak of Home-Start Wigtownshire in the extreme west of my constituency. The chair, Dorothy Skinner, is in the public gallery. I am afraid that my eyesight is ageing rather more rapidly than the rest of me and I am not able to confirm her presence visually, but I am sure that that is the case.

The great strength of Home-Start is that, although it is a national charity, its various schemes and operations are rooted in the communities that they serve and are managed locally. That is certainly the case with Home-Start Wigtownshire and it appears to be the case with others, as members have said. I have no doubt that it is the core reason for the organisation's great success.

Home-Start Wigtownshire has been running for 15 years and, in the last accountable year, provided support to 128 children from 60 different families throughout Wigtownshire. That is not easy to do in such a rural area. Simply identifying those most vulnerable families is a massive task because, for reasons that Bob Doris talked about, poverty and social deprivation can lead to the isolation that Liam McArthur and others highlighted. That isolation, particularly in a sparsely populated rural area, makes identifying families difficult and it is hugely to the credit of Home-Start and its partner organisations that they

have been able to identify that number of people. They do that by operating three family groups known as the tweenies in the county. Those groups are funded by the Big Lottery Fund and are so sought after that each of them now has a waiting list of families who are keen to join. Each tweenies group has its own dedicated project worker to ensure that they all meet local needs.

Partly to overcome that waiting list issue, and also because one-to-one visits are very important in these situations, Home-Start also undertakes a huge number of home visits. They are vital for giving confidence back to those who have none. That lack of confidence can cover everything, from feeding a baby to household budgeting and everything in between.

As all members who have spoken have highlighted, none of this could happen without the massive support of the volunteers who make it possible. Home-Start Wigtownshire has 27 home-visiting volunteers, along with the six trustees, making a total of 33. Those selfless individuals undergo regular training in a wide range of specialisms that include welfare reform, first aid, child protection, hepatitis B, autism awareness and a variety of other issues that they might encounter as they go about their work. They are indeed selfless, because they are passing on their own hard-earned experiences as parents—all of us who have been parents know that those experiences are hard earned—to others who, for whatever reason, have lost all confidence in their own parenting skills.

When you meet the co-ordinator of Home-Start Wigtownshire, Mary Wilson, and her administrator, Fiona McDonald, who, along with the three project workers, make up the entire team, you instantly appreciate just how much this work means to them. It may be their jobs, but it clearly means so much more than just that. As the chairperson's latest report said,

"The staff team have delivered an outstanding service to the families we support and the referers with whom we work.

As their workload has increased they have been put under considerable pressure to deliver, and they deserve our grateful thanks for their work in maintaining the professional standards we have come to expect."

Indeed they do. They also deserve the grateful thanks of the Parliament. I am more than pleased to support the motion before us as a way of doing just that.

13:16

Jayne Baxter (Mid Scotland and Fife) (Lab): I add my congratulations to Bob Doris on securing the debate.

A few months ago, I was fortunate enough to host the Home-Start reception here in the Scottish Parliament, to which colleagues have referred. At that event, which marked the launch of Home-Start's first policy manifesto for Scotland, we heard from Professor Phil Hanlon, who is a professor of public health at the University of Glasgow, and from Home-Start UK's chief executive, Rob Parkinson, both of whom spoke about the challenges facing public services and the people who work in them. They specifically referred to addressing the related challenges of having to provide support to families whose lives have been devastated by poverty and inequality, while at the same time being able to make the investments and interventions that have been proven to make a difference and which will therefore reduce the human and financial cost of poverty in the long run.

After that, we heard from women from Alloa whose families had been supported by Home-Start volunteers and whose lives had been changed by that help. Those women had been able to move on with their lives, not only to become Home-Start volunteers but, crucially, to develop as people, with the confidence and self-worth to want to grow and to effect positive change for themselves, their families and their communities. That is the impact that Home-Start can have on people's lives.

We should encourage employers to help potential volunteers to get involved with Home-Start. In the past, I have allowed a member of my staff regular time off to volunteer with Home-Start. Not all employers will be able to do that, but those who can should. The Scottish Government should closely examine ways to support employers who want to do that but who currently cannot.

Home-Start helps people for a wide variety of reasons. It helps when parents or children have mental health problems as a result of difficult and traumatic births, or when parents encounter trouble accessing the services and benefits that would help them to support their families. Home-Start works with families day in, day out, and it deserves much greater recognition for its hard work.

We should keep in mind just how challenging the circumstances in which many people whom Home-Start supports find themselves. More than four out of five Home-Starts in Scotland work with families whose children are not protected from food poverty. That is higher than the level reported by Home-Starts elsewhere in the UK. Four out of five Home-Starts work with families where children do not have safe places to live and play. Almost two thirds of them believe that children in the families they work with are not adequately supported by health and social work services when parents suffer mental illness.

It would be valuable for MSPs to read the Home-Start policy manifesto, and I urge them to do so. It highlights three main priorities:

"All our children should have safe places to live and play ... All our children with a parent suffering from a mental illness should be supported ... All our children should be well nourished and protected from hunger and poor nutrition."

Achieving that will require a co-ordinated and sustained effort by government at all levels and a willingness to think beyond departments or budget headings and to put tackling poverty at the heart of service planning and delivery for all public agencies.

We live in a country in which 350,000 children will live in cold homes this winter. For 200,000 children, those homes will be damp. That is a shame on all of us, and I sincerely hope that we begin to make progress in reversing the rising tide of child poverty in this country. Home-Start has a valuable role to play in that. It helps people to live better lives. It brings communities together.

At the launch, Professor Hanlon spoke about how scary it would be to be suddenly lost in a jungle, and how scary it is for families who find themselves lost in the territory of being homeless or in poverty. He said that someone who is lost in a scary jungle might find it helpful to talk to professionals or politicians who are committed and highly skilled, but the best help that they could get might come from someone who lives in that jungle and knows how to find their way around and can work out what is best for them. He drew the parallel between someone in a scary jungle getting help from someone who lives there and a family in a scary—I use that word advisedly—community getting help from Home-Start.

I hope that the debate will be the beginning of an increased recognition of the work that Home-Start and its volunteers do every day across Scotland. It is difficult and scary work, but it is also valuable. We must all recognise the positive contribution that Home-Start makes in each of our constituencies and regions.

13:21

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): Like others, I congratulate Bob Doris on securing this valuable debate about a service that, from what we have heard today, impacts positively on the lives of many of his constituents and others across Scotland and, more recently, across the UK.

Home-Start is a charity whose activities give confidence and resilience to families and are worth celebrating in Parliament today. I welcome those from the organisation who are in the gallery today.

Our programme for government, which we published in November, set out three key priorities: creating a wealthier nation; promoting equality; and empowering communities. Our success in delivering all those priorities depends on the involvement of the third sector, including organisations such as Home-Start. Third sector organisations are essential partners in delivering services to individuals across the country. The Scottish Government recognises the critical role that the third sector plays in addressing issues of inequality and the needs of disadvantaged communities, and is committed to supporting the sector across Scotland.

The Scottish Government is providing the 32 third sector interfaces across Scotland with £8 million for 2015-16 to deliver volunteering development and social enterprise development, to support and develop a strong third sector and to build the relationship with community planning. We are taking action to mitigate as far as possible the effects of welfare reform by investing £2.5 million over 2014-15 and 2015-16 to build the capacity and resilience of communities and local third sector organisations, particularly by helping them to respond to the worst effects of changes to the welfare system.

A point that was well made by Mr Doris concerned the impact of poverty on physical and mental health. At the risk of touching on more contentious issues, I think that many—not all—of us would acknowledge the connection between what is happening in the welfare system and the issues relating to poverty.

The £34,102 that Home-Start Glasgow North West received for a period of one year as part of the one Glasgow initiative, funded by the third sector early intervention fund, was used to support 15 families through home visiting. I use that as an example because, of those 15 families, 13 found out about and engaged with other services and sources of support in their local community, and eight reported an improvement in their capacity to manage their child's or children's physical or emotional health.

Furthermore, funding from the third sector early intervention fund of £590,937 for the three years 2013 to 2016 was granted to Home-Start UK for the Scottish element of its work. At the end of the first year of that funding, 2013-14, a total of 2,607 families had been home visited and supported across 19 local authority areas. By the six-month point of year 2 of the funding, 1,559 families had been supported.

I mention those statistics because they are important. Those are real families. In the course of the debate many members alluded to the impact of Home-Start's work on individual families and children.

Bob Doris: Does the minister welcome the good work that Home-Start Glasgow North does with such families, particularly in the refugee and asylum-seeker community, which it was remiss of me not to mention in my opening speech?

Dr Allan: I am very happy to acknowledge the work that Bob Doris refers to and the particular problems, issues and challenges that families from the asylum-seeking and refugee communities in Scotland face. Home-Start is certainly to be commended on the work that it does with those communities.

Members have mentioned other work that Home-Start does. James Dornan described some of the challenges that many families face and Liz Smith rightly highlighted the personalised nature of the work that volunteers do for individuals who deal with those challenges. Cara Hilton and Graeme Dey highlighted the work of Home-Start in their constituencies, as did Malcolm Chisholm. Liam McArthur pointed out that many of those who are helped by Home-Start go on to volunteer themselves and he made very valuable points about the challenges that many families face in island areas—a point that I certainly understand. Alex Fergusson mentioned the challenges of isolation in other rural areas of Scotland and Jayne Baxter raised important points about encouraging employers to support their employees who want to volunteer with voluntary sector organisations such as Home-Start.

Patricia Ferguson described the impact of Home-Start on individual families and raised the question of funding. In that case, perhaps it is as well for me to point to the fact that a new children, young people and families early intervention fund is due to be launched by Fiona McLeod at an event in Edinburgh on Tuesday 22 June. National voluntary organisations will then have until 30 September to apply. Home-Start will be eligible to apply for further funding through that process.

In concluding, I thank Bob Doris again for giving us the opportunity to talk about an organisation whose work it is right that we all learn about, celebrate and support.

13:28

Meeting suspended.

14:30

On resuming—

Employee Rights and Access to Justice

The Deputy Presiding Officer (John Scott): Good afternoon, everyone. The first item of business this afternoon is a debate on motion S4M-13442, in the name of Roseanna Cunningham, on protecting employee rights and access to justice.

I remind members that, for the purposes of the standing order rule on sub judice, no mention should be made of any live court cases during the debate.

The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham): Part of my role as the cabinet secretary with responsibility for fair work is to ensure that Scotland takes a progressive approach in the area of employment rights. That is something that we are absolutely committed to, but it is a difficult task, given that we do not have powers over employment law. Instead, we have to contend with a Conservative Government at Westminster that is pursuing a regressive, corrosive and oppressive approach to employee rights.

Today, I want to set out our opposition to the gradual erosion of employee rights that we saw under the previous UK Government, an erosion that looks set to accelerate in the coming years. I believe that the majority of members will have grave concerns about the direction of travel.

Neil Findlay (Lothian) (Lab): While the cabinet secretary is setting out her opposition in that respect—and I am sure that we will join her in that—will she also set out her vision of what the Scottish Government will do if employment rights are devolved further?

Roseanna Cunningham: If the member will allow me to get more than about two sentences into my speech, he might hear things that he will be happy about. As I have said, I believe that the majority of members will have grave concerns about the direction of travel, and it is therefore helpful to discuss what can be done to address the issue and to protect the rights of workers in Scotland.

The Government's central purpose is to grow Scotland's economy, and Scotland's economic strategy set out our belief that boosting economic growth and tackling inequality must go hand in hand if we are to succeed. Just last week, the Office for National Statistics economic review highlighted the continuing downward trend in the number of quality jobs, which contributes to weak productivity growth, and I agree entirely with the general secretary of the Trades Union Congress that that shows that the Chancellor of the

Exchequer's plan is failing. The current growth is based on a low-pay economy that is unsustainable in the long term, and a United Kingdom Government that is committed to huge austerity and further cuts will only worsen the situation.

That is why we will continue to oppose spending reductions of the scale and speed that the UK Government has suggested; as has been shown by the impact of the cuts imposed after 2010, such reductions will slow economic recovery and make deficit reduction more difficult. It is also why we are committed to seeking greater powers for Scotland, first by ensuring that the Smith commission's recommendations are met in full and then by making a clear case for additional responsibilities beyond those that the Smith commission identified. In particular, powers over business taxes, employment law, the minimum wage, health and safety and welfare would enable us to create good-quality jobs, grow the economy and lift people out of poverty.

One of the things that we are likely to get responsibility for through the Scotland Bill is employment tribunals, which are a perfect example of where decisions made in Westminster are failing workers in Scotland. With our new powers, we must maximise the opportunities to reintroduce fairness and justice for employees affected by bad employment. The previous UK Government pursued an employment review programme that resulted in the slow dismantling of employee rights that had been built up over many decades. For the majority of cases, the coalition increased the qualifying period for making a claim at a tribunal from one to two years in employment and, despite Scottish Government opposition, in July 2013 it introduced fees for making a claim at an employment tribunal. The fees for an employee to raise a claim ranged from £390 to £1,200, while the employer paid no fee.

Hugh Henry (Renfrewshire South) (Lab): Can the cabinet secretary clarify whether the Scottish Government has the power to alter or reduce the tribunal fees?

Roseanna Cunningham: My understanding is that, at present, we do not. I will come on to issues that are connected with fees.

The introduction of employment tribunal fees, which, of course, is an entirely reserved matter, has had a dramatic impact in Scotland.

The number of single claims received in Scotland from January to June 2013 was 2,118, whereas the number for the same period in 2014, after the fees were introduced, was 880. That marks a reduction of almost 60 per cent in single claims. An area of particular concern is the drop in certain categories of case. For example, unlawful deduction of wages claims reduced by 71.5 per

cent and sex discrimination cases declined by 83 per cent. That has been compounded by only 49 per cent of those successful at tribunal receiving payment in full from the employer.

There is a mounting body of evidence detailing the adverse effects of that discriminatory legislation, which is backed up by research by Citizens Advice Scotland and University of Strathclyde entitled "The Price of Justice". There can be no doubt that it is an appalling state of affairs when protections in law that were long fought for are made meaningless as the vulnerable and those in most need are priced out of access to justice.

The potential transfer of powers in the Scotland Bill gives us an opportunity to consult on new and innovative ways to ensure that employees are supported through the system and they get the money that they are awarded. I will be looking to employers, employees and experts in that field to assess the impact of the fees and to look at new ways to improve fairness at work. We are committed to the principle of abolishing fees for employment tribunals, but we must be absolutely clear on how the transfer of powers and responsibilities would work before we commit to a timescale for that.

The importance of employment rights must not be understated. They serve not only to protect the opportunity and dignity of individual employees, but to strengthen our workforce, workplaces and economy as a whole. They are fundamental protections and liberties, and they enrich democracy across the country.

For employees, joining a trade union, seeking to protect their rights at work and, yes, in some circumstances withdrawing their labour are not only part of those rights but key to safeguarding them. However, the Conservative Government in Westminster is proposing to restrict further those rights, particularly the right to strike, with the introduction of the trade unions bill.

The bill aims to bring about highly regressive reforms, making it more difficult for employees to have their voice heard. We oppose the measures to restrict further the right to strike. Instead of helping unions to ballot more effectively on strike action through measures such as online voting, it will impose a 50 per cent turnout threshold on strike ballots. Far from increasing turnout and democratising the ballot system, the legislation will serve only to make it almost impossible for union members to withdraw their labour, and to suppress and inhibit the capabilities of organised labour.

Indeed, as Scottish Trades Union Congress general secretary, Grahame Smith, rightly pointed out on 27 May, if the same rules were to apply to

UK general elections, David Cameron would be unable to govern.

The measures will impose even greater restrictions on employees in essential public services such as health, education, fire and transport. Those are areas where the dedication and commitment of employees should be recognised and applauded. Instead, to sanction and restrict their trade union rights does the UK Government a great disservice.

Trade unions are key social partners that play an important role in sustaining effective democracy in society, particularly in the workplace. The existence of the good employment practices that they promote are a key contributor to economic competitiveness and social justice.

Our memorandum of understanding with the STUC demonstrates our commitment to work inclusively and productively with all key social partners. We will work with them, alongside employers, to ensure that we continue to build sustainable and inclusive economic growth. An example of that is our establishment of the fair work convention, which brings together trade unions, the private sector and the wider public sector. It aims to encourage workforce policies that encourage innovation, higher productivity and better workforce engagement.

It is through positive action and such constructive relationships that we can create a fairer workplace instead of punitively, regressively and unproductively restricting the right of union members to take industrial action. Let us be clear: attacks on our workforce's rights will be bad for individuals, our economy and democracy in this country.

Those are just two reasons why we believe that employment law should be devolved to Scotland: so that we can protect the rights of employees and so that we can continue to build sustainable economic growth. Over the past year, we have made great steps towards improving fairness, democracy, dialogue, productivity and innovation in our workplaces. There is, of course, more to be done to ensure that those in work are fairly rewarded.

Last week, the First Minister met key industry bodies as part of a living wage summit. The living wage is one of the policies that virtually everyone accepts as being desirable in principle. The agreement that the living wage is the right thing to do is already taking hold in Scotland. The number of Scotland-based living wage accredited employers has grown from 30 at this time last year to more than 200. Scotland now has approximately 13 per cent of the accredited employers in the UK. That is significantly more than our population share. In addition, 81 per cent

of Scottish employees are paid at least the living wage compared with 78 per cent across the UK as a whole.

In addition to leading by example through our own living wage accreditation, the Scottish Government is trying to promote and share experiences of employers who now pay the living wage so that it is increasingly seen by both society and employers as the norm. With powers over the minimum wage, we could accelerate the progress in bringing everyone up to that level.

We will also focus our efforts on those who are seeking work. We already deliver a range of employability support services in Scotland. With the devolution of employability support services, I propose to build on the strengths of the employability delivery landscape in Scotland. That is an opportunity to develop our Scottish approach, which reflects our core aims of sustainable economic growth, inclusion, fair work and social justice, and to support those who are seeking work and those who are in work to have access to quality job opportunities.

A lot has been done, but there is still a lot to do, and the Government is determined to do it. The approach that we are taking is in line with a growing international consensus—supported by the International Monetary Fund, the Organisation for Economic Co-operation and Development and many others—that prosperity and fairness are not in opposition to each other but reinforce each other. They are two sides of the same coin. Creating a more equal society will help us to become more competitive.

I will turn briefly to the amendments before I close. We will not accept either. There is a clear line in the sand between what the Conservative Government in Westminster intends and what we could ever agree to, so it will probably come as no surprise to hear that I will not accept Alex Johnstone's amendment.

All I can say about the Labour amendment is that it is a missed opportunity to forge a joint approach between us. About a third of the demands do not even relate to the responsibilities in my portfolio. Perhaps if, instead of posturing, Labour had come forward with something constructive, I might have been able to accept its amendment, but that will not happen today. It is clear that the amendment that I have seen has a typo in it, as it is missing the line that talks about the devolution of employment law in particular to Scotland. That would be essential to satisfy most of the demands in the amendment.

To deliver what we need in the area of employment rights, we need greater powers for Scotland. We need powers to protect the rights of employees and to deliver more progressive

employment legislation that supports innovation, productivity and justice in the workplace. Indeed, that has all been called for by the STUC.

I hope that colleagues in the chamber will be able to support the motion.

I move,

That the Parliament calls for the full and swift devolution of powers over employment law to ensure the protection and promotion of the rights and responsibilities of workers in Scotland; opposes the UK Government's plans to further restrict the right to strike; encourages employers to pay the living wage; supports effective tackling of unacceptable employment practices, such as exploitative zero-hours contracts; further supports the work of the Fair Work Convention to produce a blueprint for fair work in Scotland that will help to deliver a better deal for workers, and agrees that this should be underpinned by the powers to deliver better employment services and fair access to employment tribunals in Scotland with the support of active and involved trade union representation in a fair, equitable and inclusive Scotland.

14:43

Siobhan McMahon (Central Scotland) (Lab): I welcome the opportunity to take part in the debate.

As our amendment states, Scottish Labour welcomes the wide-ranging debate that is taking place about the pros and cons of devolving employment law to Scotland and the impact that that may have on the lives of working people. We are keen to take part in those discussions, but we recognise that the issue is far from black and white. As we state in our amendment, a wide range of views is held in the trade union movement on that issue. We would be interested to take part in discussions in which those views are heard and listened to.

The cabinet secretary will be aware that we pledged in our workplace manifesto for this year's general election that we would establish a Scottish hazards centre. Although we will be unable to deliver that pledge, I am delighted that the health and safety charity Scottish Hazards has launched a funding appeal to make that ambition a reality. The centre would provide support, advice and training on a wide range of health and safety issues.

The theme of this year's international workers memorial day was

"removing exposure to hazardous substances in the workplace".

The hazards centre would be a fitting way to honour that theme. It is an atrocious fact that, every year, more people are killed at work than in wars. An estimated 132 people a year die in Scotland in work-related incidents. That is why the appeal is supported by these benches and the STUC.

Neil Findlay: Is the member aware that, last week, a Romanian migrant worker was killed on a site in my region? A Scottish hazards centre is exactly the type of place that could get information out to people like that who are not represented by a trade union.

Siobhan McMahon: I agree. When I was drafting this part of my speech, my thoughts were with the man's family. I presume that the thoughts of the entire chamber are with the family, too.

I hope that the Scottish Government also supports the funding appeal by Scottish Hazard and will pledge not only its vocal backing but much-needed financial backing.

Many pay disputes and other work-related disputes happen daily throughout Scotland. That is why the role of our trade unions is so crucial. However, the role of Government is also crucial in resolving many of those cases. The Scottish Government would like more powers to be devolved to this Parliament, but its record in disputes that deal with public sector contracts cannot be characterised as anything other than woeful. The porters of NHS Tayside are currently in a dispute regarding their pay. The matter was brought to the attention of the chamber by Jenny Marra when she asked the Scottish Government to encourage NHS Tayside to bring in the Advisory, Conciliation and Arbitration Service to resolve the dispute. However, that request has so far been denied.

Similarly, there has been a long running dispute at the National Museums Scotland on the decision by museum management to remove weekend working allowances for its staff. The national museum has topped a poll as the most-visited tourist attraction in Scotland, yet management believes that it is okay to remove much-needed money from its workers and simply to say:

"Weekend payments are no longer common in the culture and tourism sector across the UK."

Is that the type of justice that we want for our hard-working public sector staff? The Scottish Government has been posted missing in that dispute, so what would the new powers that it so desperately wants for this place do to help in that situation? The Government does not use the powers that it already has to resolve significant workplace problems. If we base the Government's current plea on its record, I would say that it does not look favourable for the Government.

The above examples show how vital it is that we have trade unions. I am a proud trade unionist and I know that many others in the chamber are, too. Our pride is shaped by the values of that important body of the labour movement. It is also shaped by the past, and I will talk about that in a moment. First, though, I want to say that the current

Conservative Government's proposals to restrict further the ability of trades unions and individual employees throughout the UK to access redress to legitimate industrial grievance with a continuation of attacks on fundamental employment rights, including the right to strike, are truly abhorrent and do not belong in a democratic society. Instead of legislation to limit the rights of trade unionists, we would have liked a concentrated effort to support and promote our trade unions and their vital role in industrial relations.

As our amendment sets out, we consider that higher turnouts in industrial ballots are as desirable as higher turnouts in any other democratic election. However, we reject entirely the UK Government's suggested approach, which makes no attempt to support overdue reforms. One reform that we would support would be the introduction of online balloting, which we believe could attract more people to vote in strike ballots and therefore create the outcomes that the UK Government tells us it so desperately wants.

As I said earlier, the history of the trade unions has shaped many of us in the chamber, although maybe not all of us in positive ways. When I mentioned the strike by NHS Tayside porters, I failed to mention that a financial appeal has been launched to make sure that the porters do not lose too much of their income. Many people have contributed to that appeal, including dock workers in Liverpool. That is not surprising—it is what we have come to recognise as one of the finest characteristics of our movement—but it goes to show the collective responsibility that workers throughout the UK feel for those who find themselves in such disputes.

That is not new. We have seen it in many disputes throughout the years, especially the miners' strike of 1984-85. That strike still stains the very fabric of industrial relations in our country. Despite the fact that 95 miners have received compensation for the way in which they were treated—or, should I say, mistreated—by the police at the time, no officer or indeed Government minister has ever been held to account for their actions. That is why Scottish Labour reiterates our call for a public inquiry, similar to the Hillsborough inquiry, to be set up. Let us be clear that the Scottish Government has the power to do that but, until now, it has lacked the will. We should remember that people were persecuted for simply taking up their democratic right to strike. We hope that those people get the access to justice that the Scottish Government so desperately wants for others.

Only last week, Neil Findlay held a members' business debate to congratulate the Welsh Government on its efforts to address the matter of blacklisting and employment practices in relation

to publicly funded projects. During that debate, many Labour members reiterated our call for a full and transparent inquiry into blacklisting and, today, we again call on the Scottish Government to initiate such an inquiry without delay. The issue of blacklisting has not gone away and is still a barrier to employment for many in our communities.

Mike MacKenzie (Highlands and Islands) (SNP): Does the member accept that, even if an inquiry was held, the Scottish Government has no powers to legislate to prevent such malpractices in future?

Siobhan McMahon: No, I do not believe that. I see that Mike MacKenzie is continuing on his theme from the debate last week. There are many things that the Scottish Government could do, but it is abdicating responsibility.

The Government previously said that it would wait for the Scottish Affairs Committee to report on the matter before deciding its course of action. Well, that committee has reported twice since then and still we await the Government's response. Previously, the Government said that guidance that is linked to public procurement was the way to ensure that no company that is involved in blacklisting would be awarded a Government contract. However, the national health service Common Services Agency has awarded a £660 million contract to a consortium of contractors that were involved in the blacklisting scandal. The contract was awarded after the introduction of the Scottish Government's policy note, so it is clear that the note is not worth the paper that it is written on.

The scandal first came to light in 2009, yet we are still waiting for the Government to grant access to justice for the workers and to establish an inquiry into the practices. I hope that the Government will now do so and will use its powers over public procurement to ensure that any business that is involved in the practice does not receive one penny from the public purse.

In relation to so-called umbrella companies, we call on the Scottish Government to use its contractual powers to stop the awarding of public contracts to companies that use the practice. We know that it is happening where public money has been spent—for example, at the Ineos site in Grangemouth—and it must be stopped. It cannot be right that workers are not paid the wage that was agreed, do not get holiday pay or can be dismissed from their duties without a moment's notice. I encourage the Government to use all its existing powers to discourage the practice as soon as possible.

We also call on the Scottish Government to use the powers that it currently has with regard to the

living wage. The Government has now voted against our proposals on that extremely important matter a total of five times. As we know, in 2014, 10 per cent of all those who were employed in Scotland earned £6.79 an hour or less and 20 per cent earned less than £7.85 an hour. We have to rectify that now. Therefore, we call on the Scottish Government to establish a unit within Government to actively promote the living wage. I hope that we can work on that together.

Finally, additional powers are already coming to Scotland regarding employment tribunals. We believe that that will give us the opportunity to withdraw the fees that are levied on people who wish to exercise their democratic right, but we also believe that it is an opportunity to reshape the future of the service. The introduction of fees has led to an 81 per cent decrease in the number of claim cases. The measure has had an impact on every section of society, but women have borne the brunt of it. As Jillian Merchant from Thompson's Solicitors pointed out,

"All types of discrimination cases have fallen however sex discrimination cases have been worst affected with a reduction of 91%".

Fees can be reduced in some circumstances, but many women lose out on that because the criteria for reduction are based on household income rather than individual income. Scotland can and should change the situation. We have an opportunity to do things differently, and I hope that the Government will take it.

As I said at the outset, we welcome the debate on where responsibility for employment legislation should be held. However, we do not believe that the Scottish Government has done nearly enough with the powers that it currently has and we urge it to commit to giving the workers who I have mentioned the access to justice that they require and deserve. The Government can and should do that now.

I move amendment S4M-13442.2, to leave out from "calls for" to end and insert:

"welcomes the wide-ranging debate that is taking place about the pros and cons of the devolution of employment rights and the potential impact on working people; understands that there are a number of views held by individual trades unions, the STUC, TUC and others on the issue; further notes that the UK Government has indicated its intention to further restrict the ability of trades unions and individual employees across the UK to access redress to legitimate industrial grievance with a continuation of attacks on fundamental employment rights, including the right to strike; considers that higher turnouts in industrial ballots are as desirable as higher turnouts in any other democratic election but rejects entirely the UK Government's suggested approach, which makes no attempt to support overdue reforms such as the introduction of online balloting, which might achieve this aim, and rejects the thresholds proposed for ballots; notes that good industrial relations should be considered

essential to a more productive economy and to more satisfying work in which employees are properly rewarded for their labour through the extension of collective bargaining, for example in sectors such as independent social care or contract cleaning, and stronger action on the living wage with the creation of a unit in the Scottish Government to actively promote the payment of the living wage, including via public procurement; further notes calls for the devolution of other workplace protections, including the power to abolish the employment tribunal fees regime, and calls on the Scottish Government to deliver genuine improved access to justice by committing to a Scottish inquiry into the blacklisting of construction workers and the awarding of public contracts to contractors that are alleged to have been complicit in such practices, a review of the convictions of miners arrested during the 1984-85 strike, the creation of a Scottish hazards centre, an improved fatal accident inquiry process, a review of culpable homicide legislation and action to use fully the powers of the Scottish Government to address bogus self-employment and its abuses by agencies."

14:54

Alex Johnstone (North East Scotland) (Con):

When I think back to the 1970s, I think of the hairstyles and the fashions, and I think that it was the decade that common sense forgot. The things that makes me think that most was the industrial relations that we experienced during that decade. Many will remember the strikes and how great industries were brought to their knees. Few will remember that that happened 10 years before the days of high unemployment and before the days of Margaret Thatcher. In fact, it could well be said that it preceded them because it caused them.

Such industrial relations made the country an economic failure. It was with that in mind that great effort has been put into ensuring that employment rights and access to justice in the workplace are carried out in a way that does not destroy public service or undermine the means of production in this country.

The Conservatives have an exceptionally good record. Our party has sought to liberalise the workplace and to make the opportunities available for people to get back to work. Those who do not recognise that fail to do so simply because they see the world through a particular rose colour of spectacles.

As we address the issues during the debate, it is important to recognise that the policies that are in place resulted in 2 million new private sector jobs being created during the last UK Parliament, and that employment in Scotland has increased by 42,000 in the past year alone. High employment rates in the UK and Scotland exist largely because of the UK Government's fiscal discipline and the robust economic plan that it has stuck to for five years.

We support the conclusions of the Smith commission that employment law should remain

reserved to the UK Parliament within a UK framework. Of course, the Smith commission recommended that the underlying reserved rights and duties of tribunals should continue to be reserved, while the management and operation of reserved tribunals can be devolved. We need to ensure that that is taken forward and made to work for the benefit of all.

We agree that, while good relations between employers and employees are good for the workforce, they are also extremely good for the economy. The rights of trade unionists are important, but they require to be balanced with the rights of hard-working taxpayers who, in the past, have often had to pick up the bill and carry the can.

The Minister for Youth and Women's Employment (Annabelle Ewing): Will the member take an intervention on that point?

Alex Johnstone: Indeed. Let's go for it.

Annabelle Ewing: Is the member suggesting that the definition of "hard-working taxpayers" excludes trade unionists? Is that what he is really saying to the people of Scotland today?

Alex Johnstone: No, not at all. The minister must realise that we are entirely inclusive in our approach. We are not exclusive and divisive in the way that other parties choose to be.

We further agree that businesses should pay a living wage when they can afford to do so. The idea that we should pay a living wage wherever possible finds support in this corner of the chamber. However, if we look at the economy as a whole, we must realise that many small businesses that are very small employers find it extremely hard to achieve that and it is important that we should not bully or cajole businesses into paying the living wage before they are ready, in a way that will damage their business. As I have said in the chamber many times, immigrants to this country who have family businesses are examples of that; such businesses can be significantly damaged. I welcome the UK Government's legislation to ban exclusivity clauses in zero-hour contracts to ensure that workers throughout the UK have a fairer deal and greater flexibility in choosing a work pattern that is suited to their individual needs.

Without going into great depth, I want everyone to note that we also have concerns about blacklisting. Although we have not taken a lead on the subject, we are still interested in finding a solution that satisfies the demands of all.

The important thing to remember is that Scotland is best served by finding a UK-wide way of legislating and going forward with employment rights and access to justice. If we choose to go a

different way and we are significantly different, we might find ourselves in a situation in which workers south of the border are exploited while workers north of the border are left without jobs.

Mike MacKenzie (Highlands and Islands) (SNP): Will the member give way?

Alex Johnstone: No, I am in my last minute.

It is important that we are not part of a race to the bottom. Only two days ago in the chamber, we heard Government ministers and Scottish National Party back benchers argue the case that we should have European-wide standardisation when it comes to workers' rights. It is wholly inconsistent to ask for EU-wide standardisation and not understand the benefits of UK-wide standardisation.

Peddling the myth of Scottish moral superiority as an excuse for simply driving a wedge into the UK's single workplace is wholly unacceptable. It is the inevitable outcome of socialist failure—the economically illiterate and the morally bankrupt repeddling the myths of the past. Let us grasp the opportunity afforded us by the Conservative Government to take forward the rights of workers, the most important of which is the right to full employment. Are we the only party in Scotland to support that right?

I move amendment S4M-13442.3, to leave out from “calls for” to end and insert:

“recognises that more than two million new private sector jobs were created over the course of the last UK Parliament and that the employment rate in Scotland has increased by 42,000 over the past year alone; attributes high employment rates across the UK and Scotland to the UK Government's fiscal discipline and robust economic plan over the last five years; supports the conclusion of the all-party Smith Commission that employment law should remain reserved to the UK Parliament within a UK-wide framework; further supports the Smith Commission recommendation that, while the underlying reserved rights and duties of tribunals will continue to be reserved, the management and operation of reserved tribunals will be devolved; agrees that, while good relations between employers and employees are good for the workforce and good for the economy, the rights of trade unions require to be balanced with the rights of hardworking taxpayers; further agrees that businesses should pay the living wage when it is affordable for them to do so, and welcomes that the UK Government has legislated to ban exclusivity clauses in zero-hours contracts, ensuring that workers throughout the UK get a fairer deal and greater flexibility in choosing a work pattern suited to their individual needs.”

15:01

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): The signs for a consensual debate are not particularly favourable, given that the two selected amendments and the Liberal amendment that was not selected would simply delete the whole of the Government's motion. Let me redress that apparent breakdown of consensus by saying

that, personally—I have no idea what the Government's view is—I welcome the first four clauses of the Labour amendment, which reflect multiple views and call for legalisation of online ballots for trade unions. Unless I am missing something, that sounds like a perfectly reasonable thing to ask for.

At the core of my take on the debate is the Tories' egregious attitude to democratic mandate. I am talking about a party that continues to support the undemocratic, anti-democratic and undismissable House of Lords—which constitutes the majority of the UK's legislators—and of a party that, on a mandate of 37 per cent of the electorate who voted a few weeks ago, wants to impose a substantially higher requirement on trade unionists. Note that I say “trade unionists” and not “trade unions”. That is deliberate, because what the Tories are really about is weakening the position of individuals in our society. In particular, they want to weaken people whose relative lack of power means that they choose to work collectively to nudge the balance just a little in their favour—through membership of trade unions, for example.

I have long heard the Tories say that they are champions of individualism, but their current plans give the lie to that and reinforce my long-held view that the Tories are the party of big businesses, to which they are in thrall. They are no more the champions of individual citizens—from whom they also wish to remove the human rights that were championed by previous generations of their party, including Winston Churchill—than Napoleon was an intimate friend of Wellington's 150 years ago.

For many of us, a substantial part of our constituency work is about care and, in recent times, about carers. As our population ages and more people live with multiple concurrent disabilities, conditions and ailments, that is not surprising. However, the Tory motion refers to the creation of 2 million private sector jobs, but they are not necessarily new jobs. Many of those jobs have been transferred from the public sector to the private sector; they do not represent 2 million new jobs.

Moving jobs that prioritise public benefit to the private sector means they are now in companies that prioritise their owners' business interests. That situation has rarely improved the conditions of individuals who have been affected by such moves. In particular, for carers, the commercialisation of carer services has created jobs in which the relationship between employed and employer is wholly out of balance.

In Aberdeenshire, we might be comparatively lucky—I understand that 11 of 13 companies that provide carer services are living wage employers—but there are other difficulties. In particular, not paying staff as they travel between

care appointments is commonplace throughout Scotland.

John Finnie (Highlands and Islands) (Ind): The statutory obligation rests with local authorities. They have responsibility for care and are outsourcing it to the private sector and so are, by default, condoning the practices that Stewart Stevenson describes.

Stewart Stevenson: Now that my SNP colleagues have taken over the running of Aberdeenshire Council from the Tories, I certainly intend to seek to persuade them that there might be a different way forward, but they will be locked into existing contracts, so there are difficulties. However, John Finnie is right that there are opportunities.

Aberdeenshire is the most rural area in mainland Scotland—more of the population live in a rural setting there than is the case elsewhere—so carers spend a bigger proportion of the day travelling from appointment to appointment. Not being paid for that is a particular issue for them. There are many reasons why we need new powers over those matters: that is but one and I am sure that others will emerge in the debate. I suspect that a majority of members could make common cause on how we might exercise such powers, even if we were not unanimous—I suspect that the Tories would think otherwise.

Fair work is an awful lot easier to support if we have the powers to do so. Making it more expensive—impossibly expensive—for people who are on low wages to access the legal system in order to enforce their employee rights is simply part of an unambiguously clear Tory agenda to remove the legal system's protection from the people who most need it. The debate is about protecting employee rights. There have been various references to trade unions and to borders. I cannot help but note that the Labour leadership contenders went to Dublin to speak to trade unionists because we have a trade union that works across borders. Borders are barriers against effective delivery of policy only if we choose to make them so. Collaboration is the way forward.

I hope that we can build some consensus, and I hope that by pointing to the first half of the Labour motion, I have done so. Perhaps, at some future date, I will say that it is time that we helped low-level bank employees who have been damaged by the irresponsible actions of a tiny number of highly paid senior bankers.

15:17

Neil Findlay (Lothian) (Lab): Fairness in the workplace and making life better for working people and their families are the issues that drove my interest in politics and brought me into the

labour movement. As a teenager, I watched as—in my community and throughout the UK—proud men and women lost their jobs as the Government and corporations discarded loyal workers, often without a thought for the consequences. Industrial closures—British Leyland and Motorola in Bathgate, Polkemmet and Levi's in Whitburn, Continental Tyres in Newbridge and, more recently, Halls of Broxburn, to name but a few—have had a profound and lasting impact in many of the towns in my region, and have had a life-changing impact on the people who lost their livelihoods.

The reality is that the sons and daughters of Thatcher who sit on the Conservative seats and who worship the neo-liberal creed care not a jot for the plight of people and communities. That is not their priority. Thatcher said that

“there is no such thing as society”—

that there are only individuals. People who held to a collective view were singled out and, rather than being considered to be a force for good that stood up against exploitation, trade unions became the enemy within. Every Tory Government since has introduced offensive legislation that has further restricted trade unions and their ability to organise. The Tories do not want anyone to defend working people—they want to continue the attack on living standards and public services while introducing legislation to restrict the ability of working people to stand up for themselves.

John Finnie: Will Neil Findlay give way?

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Will Neil Findlay give way?

Neil Findlay: I will give way to Mr Finnie.

John Finnie: Will Mr Findlay outline the steps that were taken in the 13 years of a Labour Government to reverse Thatcher's erosion of workers' rights?

Neil Findlay: Huge changes were brought in during that time. We brought in a national minimum wage, we reversed the restrictions at GCHQ and we gave people the right to join a trade union. [*Interruption.*]

The Deputy Presiding Officer: Can we have a bit of calm, please?

Neil Findlay: Many trade union reforms were brought in during that time. Mr Finnie has a selective memory. If he is asking whether we went far enough, I will say that of course we did not go far enough: I will always argue that. The difference between me and some other people in the chamber is that they never disagree with their own party on anything, because they are just a shower

of sheep who follow wherever they are told to follow.

It is for those reasons that I have, since entering Parliament, championed issues and campaigned against injustices that impact on the lives of working people. I am pleased that we are debating devolution of employment rights. It does no justice to the importance of the debate just to say that we want powers for the sake of it, or to allow employment rights to become just another pawn in the game of constitutional wrangling. The Government has to set out why powers should be devolved.

Sandra White (Glasgow Kelvin) (SNP): Will Neil Findlay give way?

Neil Findlay: I will not, at the moment.

The Government has to set out why powers should be devolved and what it will do with them. I am convinced—I have been for some time—of the case for devolving employment law. I set out the reasons why publicly during the Labour leadership election, but only after a great deal of thought and consideration.

Sandra White: Will Neil Findlay take an intervention on that point?

Neil Findlay: I will not, at the moment.

As we see with our colleges, our legal system, social care and the rest, devolving power does not necessarily mean better decision making.

Christine Grahame: Will Neil Findlay take an intervention?

Neil Findlay: No, thank you.

There are different opinions on those issues in my party and across the labour movement, and it is incumbent on us to debate them through.

What can we do using the powers that we have now and any powers that may be devolved? There is no point in our having power if we do not do anything with it. In life we can find excuses for not doing things that we do not want to do. When I was teaching in school, I heard every excuse under the sun for pupils not doing their homework—the dog and the school bus usually featured prominently among them. I have exhausted my catalogue of excuses for not going on a diet, for not taking more exercise and for not giving up drinking the odd beer or two. We can all trot out and repeat excuses, but on each occasion the credibility of that excuse becomes less convincing. So it is with the Scottish Government on many of the employment issues that it appears to champion.

Let me be positive and suggest some steps that the Scottish Government could take to show its intent. It could settle the 18-month-long dispute

with members of the Public and Commercial Services Union at National Museums Scotland. It could sort out the dispute with the Unite-member porters at Ninewells hospital. The Cabinet Secretary for Education and Lifelong Learning could end the attack on our colleges, and stop blaming teachers and instead actually support them, which the teaching unions would appreciate.

Along with the Union of Shop, Distributive and Allied Workers—USDAW—the Government could support a bill to protect shop workers from violence. It could use the weight of Government to hold companies to account over blacklisting. It could help the construction industry to self-cleanse, which the GMB and the Union of Construction, Allied Trades and Technicians—UCATT—would support. It could set up a living wage unit, as has been mentioned in the debate, not just to get companies to be accredited but to get more and more companies to pay it, which the STUC would support. It could use the fair work convention to bring in companies such as Amazon—which, we must remember, has received £10 million of selective assistance—and tackle them about their poor employment practices and anti-union stance.

The Government could do something about the 30 years of injustice against Scottish miners, which the National Union of Mineworkers would support. It could introduce free bus travel for apprentices, who are some of the lowest-paid workers in the country. It could explain how it intends to increase public sector pay and to influence private sector pay. It could help to finance a Scottish hazards centre, and it could introduce corporate homicide legislation.

At the general election, I was involved in setting out Labour's workplace manifesto, with a positive vision for justice and fairness in the workplace. I hope that many of the policies that we put forward will be supported by the Scottish Government. It is time for less talk and more action with the powers that we have now, before we get any more.

15:14

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): Presiding Officer,

"Less talk and more action".

That is rich, coming from Neil Findlay.

Because of my long history of involvement in and support for the trade union movement, I am extremely aware of the primary importance of decent working practices. We are, of course, talking about the payment of a living wage, holiday pay, the length of the working week and women's equal rights at work, as well as about exploitative

abuse of zero-hours contracts, harassment at work and blacklisting.

Citizens Advice Scotland says that employment problems are among the most common issues that its clients face, as I saw a few weeks ago when I spent some time at the Hamilton Citizens Advice Bureau. I commend the staff there on the amazing work that they do.

However, the fees that are now charged for bringing a claim to an employment tribunal mean that many people who have cases are unable to fight them. The charges range from £390 to £1,200 just to fill in the form and hear the case. Those fees need to be removed to allow access to justice. The trade unions have been good at helping people to find the money to bring such cases to tribunal, but they should not need to carry the burden, any more than the victims should.

We heard some figures from the cabinet secretary earlier. However, in the October to December period in 2012, there were 474 unfair dismissal cases, but in the same three-month period in 2014, there were only 27. In that period in 2012, there were 186 sex-discrimination cases, but only 27 in the same period in 2014, which is a reduction of 85 per cent. That is not justice in anyone's eyes.

Some tribunal cases are eligible for fee remission, but the criteria and flux in a client's financial situation make determining eligibility highly complex. Even when an award is made by a tribunal, it is often not paid. The system in Scotland should be strengthened to address that, but because of the overlap with reserved matters, we currently lack the powers to enforce payment. When it comes to action on the part of Neil Findlay and his colleagues, I would like hear a single Scottish Labour member, or Labour's single Scottish member in Westminster, call for the devolution of employment law. That is the type of action that I want.

Last year, the Scottish Government legislated to make Scotland's devolved tribunals simpler and more flexible, but we are unable to go far enough to tackle the underlying problems. Only fully devolved powers over employment law will allow us to sort out the mess.

Neil Findlay: On a point of order, Presiding Officer, I have a point of information for Christina McKelvie.

The Deputy Presiding Officer: You are weakening your case.

Neil Findlay: If Christina McKelvie reflects on the speech that I just made, she will recall that I said that I was convinced of the need for that call for devolution of employment rights. I just want to put the record straight, Presiding Officer.

The Deputy Presiding Officer: As you know, Mr Findlay, that is not a point of order. You have, nevertheless, made your point.

Christina McKelvie: We want to make work fair, and we want it to pay fair wages. Contrary to the Conservatives' view, we do not believe that employers need to exploit people in order to make a profit. On the contrary—better-paid decent employment leads to a stronger economy for us all.

As the cabinet secretary said, we want to ensure that at least 500 organisations sign up to the living wage accreditation scheme—I am an employer who has done so. Zero-hours contracts are easy to misuse and many of my constituents have suffered from the devastating impact of not knowing whether any work is going to be available at the start of the week, never mind at the end of the week. The UK Government needs to strengthen the law to give protection from unfair dismissal, to give full parental leave and pay rights for zero-hours workers, and to give them the statutory right to request a contract that guarantees hours.

Although those legal reinforcements are essential, they are only part of the story; there is also a critical human justice dimension. Is it acceptable that someone can be dismissed because they have been off sick or tried to take a holiday? Is it appropriate that people are told with a text message that they no longer have a job? I do not think so. The numerous examples of malpractice that CAS reports include people not being paid at all and employers who have failed to pay employee income tax and national insurance contributions, thereby leaving the employee to pick up the bill.

CAS has seen many examples of people being paid below the national minimum wage, never mind the living wage, and of people being denied sick pay when they are seriously ill. Employees have been told that they cannot take paid holiday leave, women have been dismissed because they are pregnant and there is a highly alarming rate of racist and sexist bullying at work. Migrant workers are especially exploited and made to work excessive hours. Although the Smith commission recommended that

"All powers over the management and operation of all reserved tribunals ... will be devolved to the Scottish Parliament",

the current Scotland Bill falls well short of that. It would allow Westminster to make changes without any requirement to consult the Scottish Government. That is not the respect agenda that we were promised.

The whole employment system is heavily biased in favour of the employer, which leaves workers

struggling to get even the most basic rights. Employment tribunals are not just expensive: even when they make an award, enforcing the payment adds more costs and may in any event not be successful. Only 41 per cent of successful claimants actually manage to get the award, which is absolutely unacceptable.

Westminster is determined to move backwards. The Scottish Government has categorically rejected the Tories' move to restrict the right to strike, which is rapidly becoming the only option that is left to badly treated employees. The trade unions are our key partners, and the STUC has signed a memorandum of understanding with the First Minister that commits to fighting austerity, to fighting £12 billion in welfare cuts and to fighting further erosion of trade union and employment rights.

I call on all my colleagues across the chamber to press the UK Government to devolve employment law to the Scottish Parliament and to allow us to get on with building the fairer society for which we all strive.

15:20

Graeme Pearson (South Scotland) (Lab): I am grateful for the opportunity to speak in the debate. In work, the application of employment law and the protection and promotion of workers' rights and responsibilities are of paramount import. In that context, the right to strike is not only necessary but fundamental in a society that encourages people to sell their labour for a salary or wage.

If Alex Johnstone needs evidence of the need for the "wide-ranging debate" that Labour's amendment outlines, he needs only to examine the impact of zero-hours contracts on his constituents. Such contracts enable some employers to demand that people turn up at prescribed times, at their own cost, only to be sent home if work is not available to them. The cost of that attendance is borne by employees.

Alex Johnstone should look at part-time working, which for some employees takes place not by agreement but under a take it or leave it arrangement with the employer. Such arrangements allow employers to pick and choose workers as they wish and to discard workers when that suits them.

Alex Johnstone should also look at the so-called minimum wage. In its time the introduction of the minimum wage was an entirely virtuous attempt to drive up the costs of labour, but the minimum wage—and even the living wage—does not allow families to earn enough to not only exist but play a part in our economy and our society.

We have the blacklisting that other members have spoken about, and pre-pack administration, which has affected many companies in Scotland in the past year. I have direct experience of pre-pack administration. I was invited to hold a meeting in Kilmarnock with workers who had suffered the outcomes of such administration. Two hundred workers in a fashion chain were given 15 minutes' notice that they would no longer be employed. They discovered that, although some of them were on full-time contracts, some were on part-time contracts and some were employed on zero-hours contracts through agencies, none of them was given rights by the employer. They were to leave the premises with no redundancy payments, and the view was that it would be left to lawyers to pursue payments from Government agencies on their behalf.

If that is a modern employment relationship, it is the kind that I want nothing to do with and it is the kind of relationship that this Parliament and the UK Parliament should ensure no longer exists. In the light of that experience, the Scottish Government's call for the full and swift devolution of employment law powers seems to reject the complexity of what we are dealing with.

Sandra White: Graeme Pearson mentioned the complexity of having two different areas, which is exactly what the Tory party mentioned. Does he agree with the call from the Scottish Trades Union Congress for full powers to be brought to Scotland? Is he against what it said?

Graeme Pearson: In my 38 years working in the public sector, my conditions and the service that applied to me were maintained thanks to collective bargaining across the whole United Kingdom to ensure that public sector workers, no matter whether in Aberdeen or London, were paid the value of their labour.

John Finnie: Will the member take an intervention?

Graeme Pearson: I am sorry—I do not have time.

From a union viewpoint, having two approaches in this island smashes the power of the unified worker and enables employers to divide and overcome. From an employer's viewpoint, it allows businesses to choose the location that provides them with the most conducive circumstances in which to employ people and take advantage of any shortcomings on either side of the divide. From an employee's viewpoint, the nation's workers are set against each other. That allows workers on one side of the divide to try to take advantage of those who are less able to defend their situation, and it creates an opportunity for employers to move their businesses about these

islands in a way that is good for profit but not for the prospect of living wages for the future.

As was acknowledged earlier, now is a good opportunity for a truly wide-ranging debate on all the circumstances that we are considering. No member of this Parliament should take pride in the fact that we maintain merely a living wage. We need to drive up the value of our workers in Scotland, not only for their integrity and self-respect but to ensure that Scotland is a place to live where we can all hold our heads high, pay our way and contribute.

15:27

Gordon MacDonald (Edinburgh Pentlands) (SNP): Over the past 30 years trade union membership has halved, partly as a result of legislation that the Conservative Government introduced in the 1980s, which gradually reduced the autonomy of trade unions and the legality of industrial action. The Labour Government of Blair and Brown made no attempt to overturn much of that legislation.

As a result, after the past five years of a Westminster Tory-Lib Dem coalition Government, many people have insecure employment, are underemployed or are low waged. Zero-hours contracts are on the rise, with the Office for National Statistics highlighting that in the UK the number of employees with no guaranteed hours rose by 26 per cent between 2013 and 2014, from 1.4 million to 1.8 million. A large proportion of people have a zero-hours contract for their main job, and thousands have held zero-hours contract posts for 10 years, with no access to employee benefits other than those that are guaranteed by law, such as holiday pay.

As the Resolution Foundation discovered, some employers use zero-hours contracts as a management tool that disempowers the employee. Employees who cannot work additional hours because of childcare or who refuse to do additional hours at the end of a week's work find that they are zeroed down,

"which is effectively where they're pushed to very few or no hours in the medium or long term."

There are also the underemployed. TUC analysis that was published in September last year identified that underemployment at the current level of 3.4 million

"is over a million higher than it was before the recession."

Eurostat data shows that the rate of underemployment in the UK in 2014 was worse than that in the rest of the other 27 EU countries, other than the five countries with high unemployment levels. That underemployment means that many people have incomes that are

lower than they would like, because their employer is unable or unwilling to offer them a longer working week. Living standards are lower than people would want, and many of those workers will claim in-work benefits because of their low earnings.

The Eurostat analysis across Europe highlights that annual net earnings in Germany grew by 16 per cent between 2007 and 2014, while those in France increased by 13 per cent over the same period. In comparison, UK annual net earnings fell by 2.5 per cent. Low-paid workers will not be able to fall back on support from welfare payments, as the newly elected Tory Government highlighted in the Queen's speech that new legislation will

"freeze the main rates of the majority of working age benefits, tax credits and child benefit for 2 years from 2016 to 2017."

The GMB union warned last month that 3.2 million in-work families who currently receive child tax credits and working tax credits face a cut in their weekly income. Since 2009, the minimum wage has failed to keep pace with inflation and the 1.1 million workers who receive it have seen their standard of living fall.

The Resolution Foundation has estimated that, even if the minimum wage increases to £7.12 by 2017, it will still be worth less in real terms than it was worth in 2004. The foundation identified that if the minimum wage was increased to the living wage, the Government would save money; it estimates that, if the 1.1 million workers on the minimum wage and the 3.6 million workers who are paid below the living wage received that level of increase, a saving of £2.2 billion a year could be made as a result of higher tax and national insurance receipts and lower spending on tax credits and benefits.

The standard of living of many workers is falling and they feel that they have no influence to change the situation. Unions no longer have the same power through collective bargaining, and legislation has reduced their ability to react to situations quickly. The pendulum has swung too far in the employers' favour. As lawyer Edward Cooper stated at the time of the changes to employment tribunal fees,

"An underlying assumption in these proposals is that employers behave reasonably. We see day in and day out that employers do not always act reasonably, especially when there is money to be saved."

Rather than address low pay and conditions with employers and discuss the way forward with trade unions, the new Conservative Government has decided to undermine further the remaining influence that trade unions have. The proposed trade unions bill would introduce a 50 per cent voting threshold for union ballot turnouts and, for those in public services, the bill would propose

that 40 per cent of those who are entitled to vote must vote in favour of industrial action in order for it to take place. However, the Tories were elected last month on only 37 per cent of the vote, or 24 per cent of the eligible vote. I take it that it is one rule for one side and another rule for the other.

It has to be recognised that trade unions are the collective voice that allows employees to challenge management decisions and that they bring a measure of balance to the employment relationship. Unions are best placed to represent workers and ensure that they are not exploited, and unions can defend the weak, vulnerable and disadvantaged. Rather than undermine further the role of trade unions, the Westminster Government should ensure that there is a balance between the rights of employers and those of workers' representatives. If the Government is not prepared to do that, it should devolve responsibility for employment law to this place so that we can address the issues.

15:33

Jim Hume (South Scotland) (LD): Employment rights are fundamental to a well-functioning economy. The aim should be a fair, simple and transparent system where workers know their rights and protections under the law and where businesses are equally clear about those rights and their responsibilities. Too many employees and employers are simply unaware of their rights and responsibilities, and that situation must be addressed. However, I do not think that constitutional change would improve matters.

In the UK-wide market, there is no sense in having one set of rules and regulations for companies south of the border and another for those operating in Scotland. Such differences would create unnecessary complications not only for companies that operate in both countries but for the numerous individuals who work across the UK.

Our economy is increasingly global; just this week we debated the importance of the European Union. I therefore fail to see the sense in putting up needless boundaries.

Mike MacKenzie: I am interested to hear Jim Hume talking about the global economy. International companies seem to manage perfectly well in working across numerous countries. Why should it be a problem for companies to work across the UK with different conditions in the rest of the UK from those in Scotland?

Jim Hume: I think that Mike MacKenzie will find that it is more common for people to work across the UK than to work globally. As I said—*[Interruption.]* Perhaps the member would like to listen.

Parties had the opportunity to discuss such matters during the Smith commission process, and all parties agreed that employment law should remain reserved to the UK Parliament within a UK-wide framework. We believe that that agreement is the most sensible—and still a sustainable—position.

As our economy and workforce grow, it is important not only to embrace the opportunities that that brings but to acknowledge some of the challenges. Low pay is certainly one of those challenges, which is why we as Liberal Democrats, as part of the previous UK Administration, followed the recommendations of the Low Pay Commission and increased the national minimum wage, and it is why we support the living wage being paid.

That challenge is also why we acted to end exclusivity clauses in zero-hours contracts. Such contracts can suit some workers—students, for example—but they should not be widely used and they should not be used to the detriment of individual workers.

In government, we forced the Conservative Party to make a U-turn when it wanted to undermine workers' rights by introducing moves to give companies sweeping powers to dismiss underperforming employees. We started a wide-ranging employment review because, as the former Secretary of State for Business, Innovation and Skills said,

“now the economy is firmly on the road to recovery, it is important that the fruits of the recovery are shared by all ... Confident, secure employees spend money, which is ultimately good for UK plc.”

We also worked to bring in more rights for employees and we updated employment rights to fit with the realities of modern life by introducing things such as shared parental leave and a right to ask to work flexibly.

Neither the benefits of recent reforms nor the challenges that working people and employers face are exclusive to Scotland. They span the UK, and we believe that they are best addressed UK-wide.

With that in mind, we welcome the fair work convention that was announced in April. Its task is to learn from national and international research and from cutting-edge practice in employment relations. I am sure that its input will be valuable, and I look forward to hearing more about its work.

A crucial part of the convention's remit is to look at gender equality in Scotland. I very much welcome the work that the coalition did to highlight and close the gender pay gap, but more must be done, not just on pay but on equality of opportunity in our workplaces. I am glad that the First Minister

took up that point with the IMF today on her trip to the United States.

Just this week, we heard that a Nobel laureate, Sir Tim Hunt, made inexcusable comments about women working in the scientific community. His views are a reminder that equality is still an aspiration and not something that we can take for granted.

We know that we must get more women into the workforce, particularly in science, technology, engineering and mathematics areas, in order to meet our economy's future demands. I hope that the convention will look in particular at STEM and at what more can be done to support women, and other underrepresented groups, into the field. Such work is crucial if we are to reach our potential not only as individuals but as a society and a country.

Clarity about employment rights not only protects workers but ensures that businesses are clear on their responsibilities and on the rights that their staff have. Although it is right that we work to further improve the situation, we should do so with our neighbours in the United Kingdom. As I said, our challenges are not unique, and the interests of both employees and employers are best served by a collective approach that reflects the diverse nature of businesses that operate in the UK.

15:39

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I will address the Labour amendment and pretty well ignore the Tory amendment, though I found Alex Johnstone's speech bizarrely entertaining, so I must be needing a rest.

Of course I agree with the sentiments in the Labour amendment opposing regressive and punitive restrictions on the rights of the workforce, through trade unions, to withdraw their labour, which is a basic human right. I support online balloting, the living wage, the creation of a unit to promote the living wage and so on. In fact, the Scottish Government established the fair work—

Jim Hume: Will the member take an intervention?

Christine Grahame: I am just 37 seconds into my speech, but yes.

Jim Hume: It is now 40 seconds. If the member supports the Scottish living wage, why has she not been accredited as a Scottish living wage employer, as many MSPs have been?

Christine Grahame: I have always paid the living wage. I am very thraven and when a newspaper tries to bully me into doing something that I do willingly, I will not comply. Be aware that I

pay the living wage, I always have done and I always will. I am accrediting myself.

Neil Findlay: Will the member take an intervention?

Christine Grahame: You never took an intervention from me, naughty person, so sit down.

The Government established a fair work convention to give independent advice—

The Deputy Presiding Officer: Ms Grahame, can you stop for a minute? I will decide who is naughty and who is not. It is not for you to decide.

Please continue.

Christine Grahame: I beg your pardon, Presiding Officer. I was carried away by the moment.

The Government has acted by funding the Poverty Alliance to promote living wage accreditation—the alliance has received an additional £200,000.

Under the Procurement Reform (Scotland) Act 2014, ministers can issue statutory guidance on a range of issues, including the principle that blacklists are excluded from public works contracts unless they have taken appropriate remedial measures.

The Government is also working on improving the fatal accident inquiry system for accidents in the workplace, not least to ensure that relatives of the deceased are more informed and that delays in the system are tackled. The issue is currently under scrutiny by the Justice Committee.

However, the issue for me is why the Labour Party amendment deletes the SNP motion from "calls for". That means that it would remove the call for

"the full and swift devolution of powers over employment law to ensure the protection and promotion of the rights and responsibilities of workers in Scotland",

and the call to oppose

"the UK Government's plans to further restrict the right to strike".

In comparison, the words in Labour's amendment are wishy-washy. Its amendment merely

"welcomes the wide-ranging debate that is taking place"

and

"notes that the UK Government has indicated its intention to further restrict the ability of trades unions and individual employees"

to strike. The amendment does not have any weight in it whatsoever. It is limp wristed and there is no punch to it, which is pretty well where the Labour Party is today.

It is essential that employment law is fully devolved. How else can this Parliament redress existing inequalities? Our inability to tackle health and safety—to address an issue that Neil Findlay raised in his speech—has a substantial impact on FAs. How do we tackle zero-hours contracts without devolution of employment law? How do we tackle inequalities in tribunals without devolution of employment law?

While Labour has apparently gone soft with the Tories in its amendment, the SNP and the STUC are hand in glove on the issue. It is common sense that, if we want to tackle these injustices, we have to have the powers to do so. Labour, of course, is in a bind. It simply cannot go further because it is thirled to UK HQ Labour in the south of England, which is playing to a different constituency.

Alex Rowley has it right and Johann Lamont had it right: the only salvation for Labour in Scotland is to detach itself from UK Labour. It could become again the socialist force that it once was—it could lead the way and show the rest of the UK what ought to be happening with employees' rights. It will not do that, of course. Labour will stay in bed with the Tories. Labour would prefer to have the Tories down south obliterating employment rights in Scotland rather than have those rights come here. It is adding another page to one of the longest suicide notes of any political party in history.

I say this to Neil Findlay: I am no sheep—are you? Let us see whether you will vote against the Labour amendment—

The Deputy Presiding Officer (Elaine Smith): Speak through the chair, please.

Christine Grahame: Let us see whether the member will vote against the Labour amendment, which deletes the commitment to the devolution of employment law. The *Official Report* of decision time will speak much more loudly than his rhetoric in the chamber. We will see who is sheepish then.

15:44

Richard Baker (North East Scotland) (Lab): On the Labour side of the chamber, we always welcome the chance to debate rights at work and access to justice. That is evident not only in the campaigns that we bring to the Parliament and to the chamber along with our colleagues in the trade union and labour movement but in the proposals that we have brought to the chamber to change the laws of Scotland to benefit working people. Those proposed changes to the law are in our amendment.

I would not expect any member to vote against an amendment that talks about changing laws on

culpable homicide, blacklisting and fatal accident inquiries as well as laws to improve the rights of working people in Scotland. It is in those areas that we wish to challenge ministers—rightly, in my view—to do more.

It is, of course, right to consider where the power to legislate on these matters in the broader context best lies, and it is right to do that now as the Scotland Bill is being debated. Our minds are also focused on these issues because of the Tory Government's further threats to erode workers' rights. Unfortunately, as we have heard in the debate, some things never change. The UK Government's plans to restrict the right to strike will only damage employee relations and working environments in this country.

Moreover, the UK Government's previous actions in slashing health and safety budgets and restricting access to tribunals have already been detrimental to workers' rights—although I point out that, on access to justice, the Scottish Government's own record is lacking, too. Ministers here can do much more to improve access to justice for workers in Scotland. For me, the key issue in the debate is that although we can consider what powers over employment law might be devolved, that must not, as Mr Findlay has made clear, be an excuse for Scottish ministers not to use their current powers to improve workers' rights.

Neil Findlay has spoken passionately and eloquently of the need for a full public inquiry into blacklisting and for ministers to stand by their pledge to ensure that companies that are involved in blacklisting or which have not made full reparation for their involvement do not win public sector contracts. It is time for ministers to stand by their pledges on that issue.

My colleague Patricia Ferguson has brought forward desperately needed proposals to reform the fatal accident inquiry system, and I ask ministers to work with her to improve the law in Scotland as she has proposed. That issue is of great importance in my own North East Scotland region, given that the families of the 16 people who lost their lives in the 2009 Super Puma helicopter crash had to wait five years for a fatal accident inquiry to take place. We had five years in which the families were asking questions and five years in which lessons about how to make those aircraft safer were not learned. That is simply not acceptable, and it is vital that reforms are made to ensure that the families of the Sumburgh Super Puma crash in 2013 do not have to wait five years, too, for the answers that they are seeking.

I have proposed a change to the law of culpable homicide to make that area of Scots law fit for purpose in today's Scotland. That change would

ensure that where someone lost their life because of their employer's recklessness or negligence, the employer in question could be held properly accountable in the courts. They would not merely receive a fine but face a custodial sentence, as applies in other cases of culpable homicide.

That proposal was first made by Karen Gillon after the death of the Findlay family in a gas explosion for which the company, Transco, faced a charge of culpable homicide. The court found that Scots law in its current form did not allow the company to be convicted of the charge. Since then, from the lives lost on the Flying Phantom tug to the helicopter crashes in the North Sea to which I have referred, there have been further fatalities in which it has been found that employers have breached health and safety law. In such cases, the Crown should, where appropriate, have the opportunity to pursue a charge of culpable homicide. That reform of the law is necessary not only to ensure that Scots criminal law can deliver justice in those cases but to give a greater impetus to employers to have regard to their workers' welfare. As Unite's Scottish secretary, Pat Rafferty, has said:

"In 2012/13 22 people died at work in Scotland and the five year average is around 20 fatalities a year—that's completely unacceptable when we have the power to do something about it."

I am grateful to the Cabinet Secretary for Justice for meeting me, Unite and other promoters of the proposed legislation to discuss the issues involved, and I hope that we can continue to work with Scottish ministers to deliver what is a much-needed reform of our law.

I am also taking forward a bill proposal to protect workers' rights to damages, which were eroded by the previous UK Government. I believe that those changes leave us in breach of European law and that Scottish ministers therefore have a duty to rectify them.

The challenge to this Parliament is to contribute, in and beyond this chamber and in the context of the Scotland Bill, to the debate on how we improve employment law, but the challenge to ministers remains to listen to the calls from trade unions and campaigners today and take the action that they can take now to improve the rights of workers and their access to justice in Scotland.

The Deputy Presiding Officer: I advise the chamber that we have a little bit of time in hand. If members want to take interventions, they will be recompensed.

15:50

Mike MacKenzie (Highlands and Islands) (SNP): What I find depressing about the debate, which is essentially about the balance between the

rights of workers and those of the bosses and business owners, is that we have been here before many times over many years.

I remember the same debates taking place when I first began to become politically aware as a young teenager. At times—and I concede that they were under Labour Governments—we seemed to make progress, but we would regress under the Tories; then we would again make progress and again regress. However, for the past 30 years, we have been regressing under both Labour and Tory Governments. In the 21st century, it is dismal to be fighting the same old battles over and over again. I feel as though I am a member of generation groundhog. In the meantime, other countries—our economic competitors—have made progress, with a more modern approach to labour relations.

It will come as no surprise to members that I support fully the Government's motion, as well as the STUC's proposals that we should have full devolution of powers over the minimum wage, trade union and employment law, health and safety law, and much more besides. Likewise, I am keen to see the completion of the fair work convention's work. There are many good lessons from elsewhere for it to draw on.

It was the great economist John Kenneth Galbraith who first described the theory of countervailing power. He brought that wisdom to bear during the rebuilding of the German economy after the war, in which he was instrumental and influential. Getting the correct practical and pragmatic balance between business, workers, consumers and citizens and the role that government ought to play enabled the German economy to become the powerhouse of Europe. Getting that balance right has enabled an economy that has significantly higher productivity than we have.

Getting that balance right has also enabled a far more egalitarian society in which, today, a bricklayer may live next door to a surgeon. He or she may not earn as much as a surgeon, but they are a respected member of the community, going to work smartly dressed and changing into overalls at work. However, in the UK, we are still afflicted by a hierarchical class structure, where bosses are perceived to belong to a higher echelon than the workers, where white collar is better than blue collar, and where women are still considered to be second-class members of the workforce. In addition to all the other malign effects of the class structure, it is not economically efficient.

The First Minister is in the United States. Perhaps surprisingly, there are lessons to learn from there, too. I first became aware of that when I compared the US construction press that I read with our own. Ours is exclusively filled with the

views of company directors and finance officers. The US press has some of that, but it also contains the news and views of individual workers and the owners of small—sometimes very small—businesses.

US society is in some ways, but by no means in all ways, more egalitarian than ours. It is not so in love with a collar and tie that it always puts those who wear them at the top of the hierarchy of importance.

There are lessons, too, from Scottish history. We used to have a ladder of opportunity that meant that some people worked their way all the way up from the shop floor to the boardroom, and the boardroom decisions were greatly enhanced by the wisdom and experience of those folk. That was a celebrated part of our culture, but economic and social mobility is now declining rather than improving. That has been the case for many years.

What I find sad about the Opposition amendments is their poverty of ambition and lack of aspiration for Scotland. The two parties seem to be content, complacent and unconcerned about our lack of progress. They are so in love with an obviously failing union that that trumps all other concerns. Their members were elected to serve their constituents—the people of Scotland—but nobody can ride two horses at once, unite those two loyalties or serve two masters. When those parties awaken to those basic facts, the people of Scotland may well find that they can once again support them, but I suspect that that day may not come very soon.

15:56

Alison Johnstone (Lothian) (Green): This is a truly important debate, because employee rights are vital to protecting people in the workplace. They can protect us when things go wrong, when companies get into difficulties or in the face of unscrupulous employers, and they have been hard won by labour and trade union campaigners over decades.

Workers' rights are human rights. Article 23 of the Universal Declaration of Human Rights says:

"Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment."

That article goes on to cover equal pay for equal work, the right to just remuneration and social protection "worthy of human dignity" and the right to join trade unions. Those rights are also embedded in the European charter of fundamental rights and, in part, in the UK Human Rights Act 1998.

Strong employee rights are vital, but they face a barrage of attacks from the UK Government. We have heard from other MSPs about the Conservative plan for a 40 per cent threshold for strike ballots in health, transport, fire services and schools. As the minister and other colleagues have noted, the UK Tory Government, with 37 per cent of the vote, did not quite make the grade, but it still proposes abolition of the Human Rights Act 1998.

Employee rights are also under attack from the UK Government's support of the transatlantic trade and investment partnership—the so-called free trade agreement that is really a corporate power grab that endangers workers' rights. TTIP proposals will give corporations influence over laws and regulatory convergence risks lowering health and safety protections. That is an affront to democracy, and TTIP should be scrapped.

Governments have to be free to make changes that will improve the lives of their citizens. Raising the minimum wage to the living wage is exactly the sort of policy that the Greens will continue to fight for. In the general election campaign, we argued that, by 2020, the minimum wage should be £10 to ensure that nobody in work is faced with poverty. We also support the introduction of wage ratios.

The rise of zero-hours contracts, which have been much discussed in the debate, is another example of where workers' rights are being eroded. They will work for a few people, but most exploit people who desperately need work. I support calls from the STUC for full employment protections for all workers, regardless of their employment status.

The Scottish Green Party supported the devolution of employment law during the Smith process and was disappointed that progress was not made. That support was not motivated just by the desire to see workers protected; it also makes sense. In its submission to the Smith commission, the STUC said:

"it is easier to imagine coherent policies on economic development, tackling inequality through public service provision, welfare and active labour market intervention if the Scottish Parliament is empowered to tackle discrimination, poor employment practice, insecure employment, low minimum wages and to create healthier workplaces and promote collective bargaining."

Employment protections are fully devolved to Northern Ireland, so it can be done while maintaining a single labour market. Employment services and fair access to employment tribunals are referred to in the Government motion. Devolution there is warmly welcome.

Since the introduction of tribunal fees, there has been an 81 per cent drop in applications to the employment tribunal. That is a serious access-to-justice issue for workers. Citizens Advice

Scotland, in its briefing for today, sets out its advisers' experience. They found that

"fees negatively alter the power balance between workers and employers"

and that the decision whether to take a claim to the tribunal is no longer based on merit but is based on personal finances—can the person afford justice or not? With the fees that we have discussed this afternoon, that is no surprise. Often, those who most need to challenge employment practices are being priced out of doing so.

I support the Law Society's view, which we heard in committee, that any limitations to tribunal devolution should be restricted to those that are objectively necessary.

The Scottish Parliament information centre has produced a comparison of the Smith agreement and the Scotland Bill. It has marked the devolution proposals on employment programmes in red because they did not address any of the Devolution (Further Powers) Committee's concerns. That has to change and I hope that it will.

I, too, support calls for a weekend allowance for all staff in National Museums Scotland. Like others, I look forward to the establishment of a much-needed Scottish hazards centre that will actively campaign for safer and healthier workplaces and more effective enforcement by the Health and Safety Executive and local authorities.

Graeme Pearson spoke of his concern about the varying practices by trade unions in different parts of these islands. While he questioned the need for two different approaches, if the one approach that we have is regressive and truly woeful, I support having two different approaches.

Alex Johnstone spoke of "socialist failure". Last night, I was watching the late news—it was on one of the major channels but I cannot remember which one—and I saw a dinner of bankers who were described as "the elite". Is it not the case that, if the losses that they incurred had not been socialised, failure might have been truly catastrophic?

I suggest that this Parliament do all that it can to enhance, protect and promote employees' rights.

16:02

Sandra White (Glasgow Kelvin) (SNP): I thank Mike MacKenzie for his excellent contribution. I thank Alison Johnstone, too. She raised the issue of the devolution of employment law to Northern Ireland. We should remember that in a debate about employment law.

I start off with what the Scottish Government is doing at the moment. It is doing lots, of course, but I do not have time to go into all of it. One of the most helpful things is the partnership working that the Scottish Government has entered into, not just with trade unions but with businesses and the third sector. The Government promotes fair work and the living wage and, as Mike MacKenzie mentioned, it has established the fair work convention. The fair work convention is wonderful and should be welcomed by everyone. It will provide independent advice to the Scottish Government on industrial relations in order to reduce inequality and promote equality and diversity, and it will develop a fair employment and workplace framework for Scotland.

I make that positive comment early on because I want to go on talk about issues that have been raised by the Conservatives, the Labour Party and the Liberal Democrats. I welcome the debate. In the present climate of Westminster-imposed austerity, zero-hours contracts and attacks on workers' rights, it is important that we debate employee rights so that workers in Scotland and the rest of the UK can see that the Scottish Parliament takes the issue very seriously.

As a former shop steward, I, like many others, am deeply concerned about the retrograde impact on workers' rights. Many people fought for those rights, including people in trade unions and people who belonged to a number of political parties.

When I was a shop steward, I was a member of the SNP—I have never been a member of any other party—but I took my responsibilities very much to heart and represented my workers, no matter what political party they supported. It pains me deeply to see what the Westminster Government is going to visit upon people throughout the UK, including in Scotland, as a result of its retrograde step.

I thought about what I could say about the Labour and Tory amendments and the speeches from their members. Annabelle Ewing got in before me with regard to the point in the Tory amendment about

"the rights of hardworking taxpayers",

as I was going to make an intervention on that point, too. Annabelle Ewing was absolutely right to ask the Tory party whether it thinks that trade unionists are not also hard-working taxpayers. I was shocked by that part of the Tory amendment, so I thank her for raising it.

Alex Johnstone's amendment goes on to say:

"employment law should remain reserved"

to Westminster. Strangely, just after that, that is exactly what the Labour Party said, and the sole Lib Dem speaker said it, too. Basically, that makes

me think that better together is alive and kicking on the other benches in the Parliament. When we think of the general election, it is really rather sad that those parties still have not got over better together, which they prefer to putting forward their constituents' and their country's interests.

I often wonder why those parties do not want to devolve these important laws to the Scottish Parliament to protect our workers, as the STUC and others have asked for, particularly given that, as Alison Johnstone mentioned, employment law is devolved to Northern Ireland. As the SNP Government and the STUC say, if employment law is devolved, we will protect and promote the rights of workers in Scotland. I do not understand the approach, particularly from Labour members.

Neil Findlay: Will the member take an intervention?

Sandra White: No—the member would not take one from me. Sorry.

I do not understand why those parties, particularly the Labour Party, do not want to protect workers in Scotland. Alison Johnstone summed up the issue. It is a retrograde and negative step. Why will the Labour Party not support a positive step forward?

Drew Smith (Glasgow) (Lab): Will the member give way?

Sandra White: I am sorry, but I will not take an intervention.

Surely Scotland can lead the way with a positive step. For the life of me, I cannot understand why the Labour Party in particular does not see the positive impact on not just Scotland but the rest of the UK. If the Labour Party had listened to the people, it might have been in power in Westminster. Rather than letting the Tories in, perhaps the Labour Party should have listened to the people.

Drew Smith: Will Ms White give way?

Sandra White: No, I will not take an intervention.

It pains me, and lots of other people, that the Labour Party pretends to be the party of the working people but will not even support employment law being devolved to the Scottish Parliament. As I said, we could lead the way on employment law. Surely it is better to have a positive aspect than a negative one. I ask Labour members to think carefully about that.

We have heard about the record of the Tories, but I have to pick up on Mike MacKenzie's point about the Blair years, when we had the clause 4 issue. What happened to workers' rights under the Labour Party?

Neil Findlay: Will the member take an intervention on that point?

Sandra White: No, I will not take an intervention.

The Labour Party should not come here with its piousness and pretend to stick up for the working people. The working people have spoken. The Labour Party had a chance to be elected as a Government in Westminster, but it would not listen to the people and it let the Tories in.

The Deputy Presiding Officer: Ms White, could you draw to a close? The extra time that I have is to reimburse for interventions.

Sandra White: Thank you—I have drawn to a close.

The Deputy Presiding Officer: Thank you. Once again, I make the point that I can reimburse for interventions.

16:09

Elaine Murray (Dumfriesshire) (Lab): Like other members, I welcome the opportunity to debate workers' rights. I understand why the Government wants to seek, and doubtless will get, parliamentary support for

"full and swift devolution of powers over employment law",

given the discussions at Westminster on the Scotland Bill. However, as the Labour amendment acknowledges, there are differences of opinion regarding which parts of employment legislation should be devolved and which parts should be reserved. There are differences between individual trade unions, between the TUC and the STUC and between individual members of trade unions; indeed, there are differences between individual members of the Labour Party. We have heard some of those discussions today. If the cabinet secretary had really wanted to have a consensual debate, she would not have talked about the full devolution of powers. She knew that that would not attract full support from the Labour Party.

The Labour Party aspired to a very different result at the general election last month. We hoped that, across the UK, we could bring the minimum wage up to the living wage, that we could ban exploitative zero-hours contracts in all the constituent nations, and that no firm anywhere would be able to exploit agency workers to undercut the wages of its permanent staff. We looked forward to being able to reward businesses who signed up to the living wage with tax rebates in the first year of government. We were determined to abolish the employment tribunal fees system along with a package of wider reforms that would give employees proper access to

justice and quicker resolution of cases that we know can drag out for years.

Instead, as we know, we have a Tory Government, which has the nerve to describe itself as the party that represents working people but which proposes an out-and-out assault on the ability of working people to protect their rights by applying the ultimate sanction of withdrawing their labour.

Having won the general election with little more than one third of the votes that were cast, the Conservative Government proposes to insist that trade unions must receive the votes of at least 50 per cent of their membership before they can call a strike. Even the SNP did not achieve the support of 50 per cent of the Scottish electorate.

As the STUC has pointed out, the proposals will make it extremely difficult for a trade union to organise a legal strike. The benefits will accrue to bad employers who use exploitative zero-hours contracts under which workers do not know from one day to another whether they will have paid employment or how much; who grudgingly pay the minimum wage but not more; and who bring in agency staff to undercut the wages of their regular employees. Such employers will benefit from the enormous barriers that the UK Government is erecting through this anti-trade union legislation. Working people will not benefit.

Our amendment recognises the dilemma that faces many of us who support devolution but are deeply concerned about the direction of travel of the current UK Government with regard to workers' rights and fair employment. On the one hand, I do not want workers anywhere in the UK to be subject to worsening employment conditions, or to be denied the right to take legitimate industrial action. I strongly believe in solidarity.

Some matters should clearly be devolved. We should be pressing, for example, for the devolution of employment tribunals. We have reformed our tribunals system and it would make sense for employment tribunals to be fully integrated into the Scottish Courts and Tribunals service. That would, of course, enable this Parliament to scrap the unfair fees system.

On the other hand, things have changed since the Smith agreement was made. It was not David Cameron who was locked out of Downing Street; it was the rest of us. I am sure that we all have different views about why that happened, but none of that changes the result. In the changed circumstances, maybe there is a case for the consideration of greater devolution of employment law and the opportunity to demonstrate the advantages of better and fairer law by example.

That debate and the recognition that we ought perhaps to go further than was originally argued

should not, however, obscure the fact that we can do better with the powers that we have now. There are injustices that we can tackle now, even as we argue for further devolved powers.

Siobhan McMahon and Neil Findlay spoke about the porters in Ninewells and the Royal Victoria hospital in Dundee who, since March, have been taking industrial action over their pay grade. They have been graded as band 1 while other porters working at other hospitals in the same health board have been graded at band 2. They have offered to go to ACAS and other forms of arbitration, but NHS Tayside has refused, and has brought in volunteers—possibly a different name for blacklegs—and agency workers to cover their action. This is happening in the Scottish national health service, which is totally devolved to this Parliament.

There is no reason for us to hide behind the powers that we do not have. We could be looking at those issues here. Neil Findlay mentioned the National Museums Scotland strike, which is happening within this Government's responsibilities. We could instigate a thorough inquiry into blacklisting in Scotland, and we could call to account the construction firms that denied employment to workers for highlighting health and safety issues or for joining a trade union. Those employers should not be eligible for public sector contracts.

We know that that will not happen in England, but we can set the example here, through the powers that we already have. We could promote health and safety in Scotland, even without the devolution of legislative power, through the creation of a Scottish hazard centre to reduce work-related illness, injury and death, through the provision of information, support and training. That would be of particular assistance to workers who do not benefit from being in a trade union. The centre would also promote the benefit of trade union membership.

We could bring forward legislation, such as that proposed by my colleague Hugh Henry, on the protection of shop workers. There are many things that we could do. We could investigate the historic injustices imposed on striking miners during the strike 30 years ago and ensure that those who commanded the police officers are held to account, not just the police officers themselves. Let us not hide behind the powers that we do not have.

While we are correctly debating the arguments for further devolution, let us also make use of our current powers. That is the lesson that we need to take. Let us have the debate. I am interested in hearing what people have to say and I am interested in hearing from all sides what further powers should come here, but let us not use that

as an excuse for inaction on things over which we already have power.

The Deputy Presiding Officer: Mr Lyle, can I clarify whether you still wish to speak? Your request-to-speak button seems to have been switched off.

16:16

Richard Lyle (Central Scotland) (SNP): I apologise Presiding Officer, I had not noticed that.

I begin by complimenting Stewart Stevenson MSP on his historic 600th speech in the chamber.

The protection and promotion of the rights and responsibilities of workers in Scotland should be a priority for everyone in the Parliament, which is why the Scottish Government and the STUC share the view that, as a priority, the UK Government should agree to full devolution of powers over the minimum wage, trade union and employment law, health and safety law and equalities legislation, as well as further devolution of powers over social security. I am sure that we all want to see the Scottish Parliament have as many powers as we need to enable the Scottish Government to work effectively in partnership with trade unions, the third sector and business in order to boost economic growth, increase investment and support employment to deliver better jobs.

While we are on the topic of trade unions, let me say clearly that that I and all SNP members will oppose any Tory plans to restrict the right to strike, and will support the trade unions' proposals to modernise how strike ballots are undertaken. Trade unions are key social partners that play an important role in sustaining effective democracy in society, especially in the workplace.

Good employment practices are key to economic competitiveness and, ultimately, to social justice. In recognition of that, the First Minister and the STUC have signed a new memorandum of understanding that recognises their shared priorities, including further devolution and opposition to continued austerity. To that end, the First Minister held her first bi-annual meeting with the Scottish Trades Union Congress on 13 May 2015. The STUC, the First Minister and all SNP members share serious concerns about the impact on the people of Scotland of the UK Government's commitment to continued austerity, of the additional £12 billion of cuts to social security spending and of further erosion of trade union and employment rights.

We should, through the actions that I have mentioned, seek to present an alternative and a voice that defends the rights of trade unions and employees across Scotland. Unlike the Conservative UK Government, the SNP

Government has led by example and has, since 2011-12, paid all staff who are covered by the Scottish Government pay policy a living wage—including our hard-working national health service staff. The Scottish living wage has increased, which has benefited people who are covered by the Scottish Government's pay policy. That amounts to an increase of around £390 per year.

Another essential aspect of employment and access to justice is the minimum wage, so we back a minimum wage of £8.70 by 2020. We will support measures to extend the living wage across the United Kingdom. We also back an increase in the minimum wage for under-21s and call for the removal of the apprentice rate in order that we pay apprentices a fair wage. We will call on and vote for the UK Government to pay all its employees the living wage, just as the SNP Government has done.

My view is that the minimum wage should be increased well before 2020. The better we pay people, the more disposable income they have to spend, which contributes to our economy and would reduce some families' dependence on benefits. I wonder why the Tories do not realise that. We should all strive for a fair wage for a fair day's work and we should work to make that happen.

The SNP Government is committed to working in partnership with trade unions to promote fair work and the living wage, and has established the fair work convention to take that forward, as the First Minister announced on 15 October 2014. The convention aims to draw on and to promote best practice, while making it easier to work effectively with partners across the business community, the third sector and trade unions. It will provide independent advice to the Scottish Government on matters that relate to innovation, productivity, workplaces, industrial relations, fair work and the living wage in Scotland, in order to support our objectives of reducing inequality and promoting diversity and equality. That demonstrates the SNP Government's commitment to delivering change and to working in partnership with trade unions.

Our SNP MPs will support action to make work fair, including ending unfair and exploitative zero-hours contracts. We lead by example, as the Scottish Government does not directly employ people on zero-hours contracts and has published practical guidance for public purchasers on how they can promote fair employment practices. That is in stark contrast to the Labour Party—this will wind up Labour members—which does not act on its words. We need look only at Glasgow City Council to see examples of that.

Neil Findlay: Richard Lyle is right: there are councils of all persuasions employing people on zero-hours contracts, just as thousands of workers

are employed on them in the NHS, which is the direct responsibility of the Scottish Government. I plead with Richard Lyle not to take a holier-than-thou attitude about anyone, because the problem is endemic in our work system. That is the issue with which we have to get to grips.

Richard Lyle: We have to ensure that people get a fair day's wage for a fair day's work. I have always tried to ensure that anyone who worked for or under me had that.

So strong is the SNP's commitment to ensuring protection of employees' rights and access to justice that the SNP's trade union group alone has more members than the Scottish Labour Party has—it has increased to more than 15,000 members. That goes hand in hand with the huge growth of the SNP, as more and more Scots realise that we are the party of working people in Scotland and that the Labour Party no longer represents them. Those voices, along with the well over 100,000 SNP members, will campaign and work tirelessly with Scotland's 56 new SNP MPs to deliver the powers that have been promised to Scotland. I look forward to the powers over employment law coming to the Scottish Parliament so that we can deliver for Scotland's workers.

The Deputy Presiding Officer: The last open debate speaker is John Finnie. I can give you some extra time if you care to take interventions, Mr Finnie.

16:23

John Finnie (Highlands and Islands) (Ind): Thank you very much, Presiding Officer.

Last Friday, I had the great pleasure of addressing the Public and Commercial Services Union annual general meeting in Glasgow. They were a fine bunch of people. There was an extra pleasure in being asked to present an award to Louise MacBean, who works for Bòrd na Gàidhlig at Great Glen house in Inverness. She was given an award, as a young trade unionist, for the level of recruitment that she had achieved—a percentage of Great Glen house staff in the 70s. I had the good fortune at the end of that meeting to have a talk with Louise—a wee bit in Gaelic and a wee bit in English—and it transpired that the figure was wrong: she has actually recruited up to 90 per cent of the staff at Great Glen house.

To pick up on the points that Gordon MacDonald made, the significance of what Louise MacBean has done is in the collaborative workforce that it will bring about, which will bring about good relations. People being engaged in trade unionism does not suggest fractious workplaces, but quite the reverse; problems can be solved.

A number of members mentioned National Museums Scotland staff. They are PCS members, and PCS has been representing them very ably. I hope that there is a resolution to that situation, and I urge the Scottish Government to redouble its efforts in intervening.

People have also mentioned the porters in Dundee. I am inherently suspicious of any employer that is unwilling to engage with ACAS: employees are not allowed access to a tribunal without having exhausted all internal mechanisms.

It is important that we are in no way complacent. Our basis for discussing and welcoming trade union rights is the foundation that was set out by my colleague Alison Johnstone. She spoke about the relationship between various human rights, which should be the basis of our approach to everything in our policy making.

I support the Scottish Government motion; I support the devolution of powers, and not just employment powers, but a wide range of powers. Why? It is because I think that we can do things better.

I like the wording of the motion; I like the word "protection". What is that protection? It is the protection of hard-fought-for rights. A lot of people—many brave individuals—put a great deal of effort into winning those rights. I also like the word "promotion". Not many people seem to be keen to promote workers' rights, but that is a very positive word to associate with this subject. I hope that the devolution of employment rights does not just bring about protection; I want enhancement of those rights. There is an opportunity to improve workers' terms and conditions, so the on-going debates on that are important.

The minimum threshold for strikes has been covered by many members already—as, of course, is the case for a number of issues at this stage of the debate. There seems to be some rank hypocrisy on the part of the UK Prime Minister—there is nothing new about that, of course. I am drawn to the words of Grahame Smith, who is the general secretary of the STUC, who says that the proposals would

"effectively ban the right to take industrial action in the UK".

What a retrograde step that would be. He goes on to describe

"some of the weakest legal protections in the developed world"

for workers. That is a damning indictment of where we have got to.

I ask whose interests are served by the proposals. It is certainly not those of the people of Scotland, nor is it those of workers in general.

I believe that trade unions and staff associations play a positive role in the workplace in a preventative way, rather than as a cure. Good working relationships are good for business and for productivity. Matters reach employment tribunals because there has been a failure to operate systems. The role of ACAS is very important.

The word “disincentive” has been used in relation to the changes that have taken place to employment tribunals. Who in their right mind is going to spend a sum of money—a fee—in an attempt to recoup half that sum of money in holiday pay, for instance? It is ridiculous.

If we had been debating a different subject, and I had seen that there had been an 85 per cent drop in sex discrimination cases, a 50 per cent drop in race-related cases and a 47 per cent drop in disability-related cases, that would be a cause for rejoicing but, as has been said, the reduction is because people are having to weigh up whether their moral and legal position is worth the expenditure. Clearly, it is in the interests of people who use bad work practices that those fees continue.

The term “access to justice” is frequently bandied about in the chamber, not just in this debate, but in relation to many other matters. It is clear that workers are not gaining access to justice as a result of the changes.

Citizens advice bureaux have been mentioned. Their staff are the people who will pick up many of these issues, as we all do.

Alex Johnstone mentioned EU-wide benefits. The UK Government is supportive of TTIP. My colleague Alison Johnstone referred to that. That will be a race to the bottom, not simply for workers’ rights, but also in terms of environmental rights and free trade. That seems to be the rationale that is used to lend support to that agreement. As I say, it will be a race to the bottom, as we have seen from experiences elsewhere. We watch that situation with alarm.

The motto “Unity is strength” is often used by trade unions. Of course, there is also unity among the multinational corporations and those who subscribe to the neo-liberal agenda. Stewart Stevenson touched on that when he spoke about a human rights approach involving carers, who are a very important part of our community.

The Westminster Prime Minister has referred to “the health and safety monster”,

which he wants to slay. The tactic of ridicule and misrepresentation is terribly important.

A number of members talked about workplace deaths. The 25th anniversary of the Piper Alpha

disaster was commemorated in many ways: the most shameful way in which it was commemorated was through the change to the offshore regime that was made by the UK Government. That was a green light for dangerous workplace activities. Of course, those activities impact not only on the workforce, but on the wider community. Opportunities for the Health and Safety Executive to be proactive have been removed, so I am sure that devolution of those powers would help greatly, because of differing priorities. Politics is about priorities, and we would make ensuring that our workers and workplaces are safe one of our priorities.

I commend colleagues who have talked about blacklisting. It is a pernicious practice that exists throughout the United Kingdom. The issue of the umbrella companies is a sad indictment.

On corporate manslaughter, people have talked about the Government’s bill and Patricia Ferguson’s member’s bill that deals with industrial accidents, both of which are getting a lot of scrutiny at the moment.

It is important that we in Scotland are not complacent about the workplace. There are issues of underrepresentation according to gender, race and disability in relation to modern apprenticeships.

I welcome the memorandum of understanding between the Scottish Government and the STUC, although I wonder whether biannual meetings are sufficient. A rights-based approach must be taken. The fair work convention will go some way towards delivering that.

I am grateful for the opportunity to speak.

16:31

Annabel Goldie (West Scotland) (Con): This has been a useful debate which, as the cabinet secretary sagely observed, has predictably contrasted two approaches—her party’s and mine—with some flourishes from the Labour Party.

To me, the two priorities for any Government in relation to employment are to create the economic conditions that are necessary to underpin and support increasing employment and to support responsible practices and positive relationships in the workplace. That, in turn, places obligations on employers and employees to ensure that the workplace is a place of mutual respect. Where such good relations exist, there will be a benefit to the workforce and to the country.

Over two centuries, we have moved from a situation in which workers needed protection and did not have it to a situation in the latter part of the last century in which incessant industrial action brought businesses to their knees and paralysed

the economy and was used to try to interfere with the role of democratic Governments. Neither extreme is justifiable or sustainable, and reforms were enacted to attempt to rebalance rights and responsibilities.

Today, however, I heard echoes of practices that have been abandoned by most modern competitive economies. Among the rhetoric and the passionate political debate, all of which is admirable and necessary, I hope that members will pause to reflect on what is working elsewhere and what it might be unwise to contemplate having in Scotland or the UK.

It is a fact that businesses do not have to operate in the UK or Scotland, and we need an industrial relations framework that balances the rights of trade unions and hard-working taxpayers. That is inclusive. Hard-working taxpayers are people who might find themselves obstructed in trying to get to work because of industrial action for which, as I will mention in a moment, there may not be a democratic mandate from within the trade union.

Stewart Stevenson: Will the member give way?

Annabel Goldie: I am just finishing a point.

If those practices are permitted, they will present an unattractive environment to business and will impair the creation of jobs. That is not just an observation that I make as a politician; it is fact. In a highly competitive global economy, businesses are mobile. If that balance and that test of reasonableness are not in evidence, businesses will not be encouraged to stay.

Mike MacKenzie: Will the member give way?

Annabel Goldie: Not at the moment.

Given that strikes are possible in a situation in which, in one case, 16 per cent of the trade union membership voted, and only 11 per cent of the total membership wanted to strike, it is difficult to argue against some form of change. Introducing a threshold for strike decisions in key public services and a 50 per cent turnout threshold to ensure that there is a real mandate is necessary.

Drew Smith: Will the member take an intervention?

Annabel Goldie: Give me a moment, please.

It means that there will be less disruption from strikes for which union leaders have not even persuaded a majority of their own members to vote.

I am happy to give way—I think that Stewart Stevenson was first.

Stewart Stevenson: I want to pick up on the democratic mandate point. In my speech I referred to the European convention on human rights, which the UK signed up to in the 1950s. That is an international treaty. Should leaving that be decided on the same basis as what is proposed for trade union ballots, or should some other number prevail? Is it just trade unions that are being singled out for a very special mandate, wholly at odds with any other mandate that there is?

Annabel Goldie: I expected an intervention, not a treatise on international law. Stewart Stevenson is not quite on point with what I am trying to argue for. Contrary to what may have been represented in the chamber, my party does not propose to abolish human rights and has no intention of doing so. It simply wants to recodify the very strong basis of our human rights, to which we are already bound under international law but which is in need of reform.

Neil Findlay: Will the member give way?

Annabel Goldie: No. Neil Findlay's colleague was first.

Drew Smith: I apologise to Neil Findlay, but I thank Annabel Goldie.

If we accepted the arguments that Annabel Goldie makes about business moving around, it would create a race to the bottom around the world.

On trade union ballots, we would all want to see more people engage in any form of ballots. Why does the UK Government not introduce measures that would make it easier for people to participate in industrial democracy, such as online voting, rather than putting further barriers in the way of industrial democracy?

Annabel Goldie: It may surprise Drew Smith to hear that I am not totally unsympathetic to the point that he makes. However, there are two separate issues: what the legal framework for industrial action should be, and what may be very welcome, legitimate and innovative practices for unions to pursue to facilitate their members' participation in ballots.

Neil Findlay: Will the member give way?

Annabel Goldie: No, thanks; I have been generous.

There was no compelling case made to the Smith commission in support of the devolution of employment law and it was not part of the all-party Smith commission agreement. If my recollection is correct, many troubling observations were made about what the effects of the devolution of employment and the creation of different employment regimes could mean for the stability of both business and the employment base in

Scotland, so it will not surprise the cabinet secretary that my party does not support her view on those things.

The cabinet secretary's motion hardly reads like a charter for business strength and job creation. It restricts itself to the rights of employees and the obligations of employers—a theme echoed by many contributors to the debate. Having been an employer myself, and having been responsible for staff issues, I know that it is mutual respect and regular dialogue in the workplace that creates the most stable platform for good relations, a partnership between employer and employee. Let me make clear that I think that trade unions have a very important role to play in that function, which extends beyond industrial relations. Trade unions can be an invaluable source of advice and information about training or how to improve practices in the workplace, which is all to be welcomed.

Very few members alluded to some interesting models of employee engagement that already exist, such as staff or work councils, co-operatives, workers trusts, employee ownership trusts and the recently constructed employee shareholders model, in which employees are encouraged to have a financial interest in the business. I am a very strong advocate of all that, as it makes for a strong business entity.

Many positive initiatives are taking place and I wish the fair work convention well in its endeavours to build on all that. It has an opportunity to think outside the box. However, I have one word of caution: the convention should remember that business operates against a razor edge of global competition, and we must leave businesses free to make essential commercial decisions. I support the amendment in my colleague's name.

16:39

Hugh Henry (Renfrewshire South) (Lab): Richard Lyle—probably rightly—made a point about why so many working people, not just in Scotland but across the UK, have turned their backs on the Labour Party and decided to vote for other parties. That was an entirely reasonable point, and it points to a failure of the Labour Party that those of us who are its members need to reflect on. He pointed out—again, rightly—that many working people in Scotland now support the SNP because they think that what it has to say on many issues chimes with how they feel.

We have been talking about the history, pedigree and DNA of political parties. Yes, it is right to chastise the Labour Party, because in many respects over the years we have perhaps neglected some of the people for whom we should

have worked and moved away from our roots and what was in our DNA, history, tradition and heritage.

Perhaps we should also reflect on the history, DNA, heritage and pedigree of the SNP. The SNP has not always been a party that stands up for workers' rights and the interests of ordinary working people. That was not what drove Gordon Wilson, William Wolfe and Arthur Donaldson. They had a different tradition, a different outlook in life and different aims. At the moment, it so happens that much of what the SNP is saying coincides with what many ordinary working people are saying, but that is not the be-all and end-all for the SNP. We know that its ultimate aim is securing not the rights of working people but independence, and that is a fair enough point to make.

Richard Lyle: Will the member take an intervention?

Hugh Henry: No, thanks.

Elaine Murray's speech was probably the best of the afternoon. She posed a number of challenges, raised a number of issues and put the matter in the correct context. The debate on whether we devolve employment law or gain more powers must be seen from the perspective of what will improve the lot of ordinary men, women and children in Scotland. It is not about having power for power's sake. If we can demonstrate the need for additional powers on some of the issues that have been raised this afternoon, that is worthy of detailed consideration.

As many speakers have pointed out, starting with the cabinet secretary and throughout the debate, what is happening with employment tribunals is a disgrace. A function and a facility that was established to help ordinary people to exercise their rights has been turned into an impenetrable barrier for those people. Someone—I do not remember who—used what I thought was a very apposite phrase that summed up the situation effectively. They said that people could not afford to exercise the rights that they have been granted and that we should look at that carefully.

Elaine Murray and others mentioned the right to strike. It is a democratic absurdity that a Government that will affect the lives of each and every one of us can be elected on the basis of support from a third, or less, of the total electorate, yet it seems to want to demand that any action by a trade union is voted for by 50 per cent of its members. There are inconsistencies, contradictions and, frankly, hypocrisy in that position. However, we know that the proposal is there for a reason and a purpose and is not there by accident.

Neil Findlay: Annabel Goldie referred to the issue of a democratic mandate. Can Mr Henry help me in establishing what democratic mandate Baroness Goldie of Bishopton has for sitting in a legislature?

Hugh Henry: I think that Annabel Goldie has the same right to sit here as Neil Findlay does, so I do not think that we should go down that route.

Issues such as the right to strike need to be addressed. Siobhan McMahon and others spoke about a hazard centre and other aspects of life where people need the support of legislatures, whether here, at Westminster or in Europe.

A number of speakers pointed to the difference between demanding more powers for the sake of them and turning our backs on the use of powers that we already have. Mike MacKenzie talked about aspiration and poverty of ambition, but there is poverty of ambition and a lack of aspiration in refusing to use the powers that we have to do something about the blacklisting inquiry that Neil Findlay has been campaigning for, and there is poverty of ambition and a lack of aspiration when I propose legislation on behalf of many trade unionists to protect those who are assaulted in the workplace but the Scottish Government decides not to act on that.

There is also poverty of ambition and a lack of aspiration when it comes to using the powers that we have in purchasing to insist that contractors pay the living wage. My local council is Renfrewshire Council, which uses its funds to insist that those who contract with the council pay the living wage. The Scottish Government could act similarly now.

There is poverty of ambition when it comes to dealing with some of the issues that Richard Baker has been addressing. There is poverty of ambition when it comes to using our powers to have an inquiry into the criminal convictions of miners who took strike action all those years ago in 1984. There are things that we could and should be doing, and we should therefore not sneer at others about their poverty of ambition when we often display that same poverty of ambition here.

Poverty of ambition is evident in an immediate practical issue such as the situation of the porters in NHS Tayside.

Mike MacKenzie: Will the member take an intervention?

Hugh Henry: No, thank you.

Do not tell me that the Cabinet Secretary for Health, Wellbeing and Sport, who represents a Dundee constituency, will not be listened to by the chief executive of NHS Tayside and by its senior managers. She has power and influence, but there is poverty of ambition about doing anything to help

those porters who are taking strike action and are not being allowed even to go to ACAS.

Elaine Murray asked how appropriate the powers are and what we could do with them. I do not agree with much of what Alex Johnstone says, but I agree with him about avoiding a race to the bottom. In demanding powers, we need to be careful about taking decisions with those powers that could have unintended consequences. For example, if we had the power to legislate on things such as the living wage and the minimum wage, would we be encouraging some ruthless lower-wage employers to move their businesses from Scotland to England if there were fewer employment rights and less legal protection there for the workers?

The Deputy Presiding Officer: Mr Henry, you must draw to a close.

Hugh Henry: I will finish on my next point, Presiding Officer.

We need to avoid such unintended consequences, which is why we need a debate with not only the STUC but the TUC and trade unions across the length and breadth of the United Kingdom to ensure that whatever we do is done in the best interests of working people, wherever they are.

16:49

The Minister for Youth and Women's Employment (Annabelle Ewing): The debate has been important because it has focused on key issues such as fairness, dignity and equality for those who are seeking work and those who are in work.

As members have mentioned, the most recent research has found growing evidence that inequality is harmful for long-term economic growth. The latest publication by the OECD, "In It Together: Why Less Inequality Benefits All", presents evidence on the malign economic consequences of inequality. We should recognise, of course, that income inequality is not just a UK problem. However, the report highlights that the problem of inequality is, regrettably, worse in the UK than in most other OECD member states.

The report recommends pursuing policies that are both growth friendly and equality friendly, including the establishment of good working practices, employment promotion and the creation of good-quality jobs. It is, therefore, a scandal indeed that the UK Government plans to introduce measures that will only make the situation worse. Grahame Smith, the general secretary of the STUC, has said:

"The attack on employment and trade union rights will further undermine workplace democracy and leave Scottish

workers with some of the weakest legal protections in the developed world.”

I agree with him. In this debate, we need to call on the UK Government to address the issues that have been raised and, rather than attacking the rights of workers—

Alex Johnstone: Will the minister take an intervention?

Annabelle Ewing: In a second.

We call on the UK Government to devolve powers over employment law and over wages and health and safety to allow this Parliament to improve the rights of and protections for workers. We also call on the UK Government to listen to the people of Scotland, who have made it quite clear that it is not to be business as usual at Westminster following the general election.

Alex Johnstone: Given that almost as few as one in four of Britain’s workers is now a member of a trade union, is the minister correct to conflate trade union membership with workers’ rights and to imply that the two are interchangeable?

Annabelle Ewing: I wonder whether the level of trade union membership in Scotland nonetheless still exceeds the membership of the Conservative Party in Scotland. Alex Johnstone may wish to reflect on that in presenting his thesis.

A number of important themes have emerged from the debate, but before I get to the nitty-gritty, I will try to respond, as far as I can in the time available, to the various points that have been raised. Members can always write to me afterwards if I do not get round to them.

In response to Hugh Henry, who never fails to disappoint in his winding-up speeches, I say that the SNP recognises that at its heart politics is about people and about dignity. Perhaps—just perhaps—that is why the people of Scotland put their trust in the SNP as a majority Government in 2011, and why they voted for 56 SNP Westminster MPs out of 59. Perhaps, too, it is why the recent TNS poll put support for the SNP at 60 per cent.

Hugh Henry: I do not deny that. I accepted the fact that the Labour Party has largely failed ordinary working people in this country and that what the SNP was saying to them chimed more with their aspirations. I did not say anything different.

Annabelle Ewing: Well, yes—except that we heard from Mr Henry a wee detour in which he criticised particular individuals. However, I will move on, Presiding Officer, as we have important issues to address and I want to respond to points that members have raised.

A number of members spoke about the UK Government’s imposition of fees for employment

tribunals and the negative impact that that has had on access to justice for workers. As the minister with responsibility for women’s employment, I am particularly concerned that the most significant drop in claims has been in those that concern sex discrimination. As Christina McKelvie said, the drop in the recorded number of such claims since the introduction of fees is in the region of 83 to 84 per cent. That is a shocking statistic, and it shows that the imposition of tribunal fees has obviously had a disproportionate effect on women at work.

With the devolution of employment tribunals to Scotland, we will be able to engage with our stakeholders and the public to explore innovative ways to improve access to employment tribunals and ensure that awards that are made at an employment tribunal are enforced. That is another important point that many speakers made; indeed, we heard that only 49 per cent of those with successful claims get their award, which is just not on.

We could progress many issues if we had the power to deal with employment tribunals. At the moment, achieving justice through the tribunal system has become something of a lottery, which is simply not acceptable.

There is a lack of clarity in what the UK Government is proposing and we need to urgently determine exactly what is being devolved—

The Deputy Presiding Officer: I would be grateful if the chatter from members could cease so that we can hear the minister.

Annabelle Ewing: Thank you, Presiding Officer.

We need clarity as to what exactly is being devolved in terms of fees, procedural rules and so on.

Another important issue that was raised is the trade union bill. Many members spoke out quite forcibly about the unfairness at the very heart of that bill; indeed, they quite rightly compared the mandate and thresholds issue with the position of the UK Conservative Government—

The Deputy Presiding Officer: Just a moment, minister. Could members entering the chamber show the minister some courtesy, please?

Annabelle Ewing: Of course, as Gordon MacDonald said, the votes secured by the Conservative Government in the UK election represent 24 per cent of the electoral roll, so the Conservatives would have a hard job to get up to the 50 per cent that they see as necessary for trade unions.

Other important issues that were raised include key points about the denuding of workers’ rights in the form of blacklisting, umbrella contracts and the

failure to pay the living wage. Many speakers have suggested that somehow, absent employment law powers, we can wave a magic wand and do something. They have suggested that somehow employment law powers are not really that important—that they sit to one side of the debate—whereas such powers are part and parcel of the debate and are fundamental to what we can do.

We are in the business of wanting to make the lives of workers better. I do not know what Labour is in the business of wanting to do these days. Labour members talked about complexity, about maybe not needing all those powers and about companies leaving Scotland if we had proper rights for workers—I find it very strange indeed to hear such comments from the Labour Party.

We also talked about the blacklisting inquiry. I think that in a recent debate, Mr Findlay had the opportunity to make several points to the Cabinet Secretary for Infrastructure, Investment and Cities and I think that a meeting was offered. I see that Mr Findlay is not listening. I do not know whether that meeting has been arranged.

The Deputy Presiding Officer: Order, please. Could all members please pay attention to the minister's closing remarks?

Annabelle Ewing: Many speakers made important points about zero-hours contracts. Again, if we had employment law powers, we could do something tangible about that issue. That is what the people of Scotland want us to do.

In conclusion, Presiding Officer, because I am not quite sure how much time I have—

Roseanna Cunningham: You have a minute.

Annabelle Ewing: I am told by the cabinet secretary that I have a minute. [*Interruption.*]

The Deputy Presiding Officer: Order.

Annabelle Ewing: This has been an important debate. It has not exactly been cuddly—if I may use a word that is unknown in the chamber—but nonetheless it has been important for members to hear the arguments in favour of what devolving powers over employment law would mean. That is what we on the SNP side of the chamber want to happen because that is how we can improve the lives of workers in this country.

We have heard of many successes where we have been able to use the levers of power that we currently have. For example, we have secured more than 200 living wage accredited employers.

In response to Annabel Goldie, I say that of course we have pursued the business pledge—that is a mission that is shared between the Government and business in Scotland to promote a fair work agenda. Such an agenda is good for

workers' rights but it is also good for business and good for the economy. I can report that, today, Microsoft became the latest company to sign up to the Scottish business pledge.

That just shows that if we have the will, we can make progress, but in order to make the crucial difference that we want to make in the employment landscape in Scotland, we must have the necessary powers.

Finally, like the STUC, we want our Parliament to have the powers to protect and promote the rights of workers. It really says it all about the state of the Labour Party in Scotland today that, at the end of the day, it is content for the Tories at Westminster rather than this democratically elected Parliament in Scotland to have powers over employment rights. Shame on it.

The Deputy Presiding Officer: That concludes the debate on protecting employee rights and access to justice.

Decision Time

17:00

The Deputy Presiding Officer (Elaine Smith):

There are three questions to be put as a result of today's business. I remind members that, in relation to this afternoon's debate, if the amendment in the name of Siobhan McMahon is agreed to, the amendment in the name of Alex Johnstone falls.

The first question is, that amendment S4M-13442.2, in the name of Siobhan McMahon, which seeks to amend motion S4M-13442, in the name of Roseanna Cunningham, on protecting employee rights and access to justice, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Buchanan, Cameron (Lothian) (Con)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)

Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Glasgow) (Con)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 31, Against 78, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The second question is, that amendment S4M-13442.3, in the name of Alex Johnstone, which seeks to amend motion S4M-13442, in the name of Roseanna Cunningham, on protecting employee rights and access to justice, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunningham South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunningham North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)

Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McMahon, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 13, Against 96, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The final question is, that motion S4M-13442, in the name of Roseanna Cunningham, on protecting employee rights and access to justice, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (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)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Liz (Mid Scotland and Fife) (Con)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Deputy Presiding Officer: The result of the division is: For 60, Against 18, Abstentions 31.

Motion agreed to,

That the Parliament calls for the full and swift devolution of powers over employment law to ensure the protection and promotion of the rights and responsibilities of workers in Scotland; opposes the UK Government's plans to further restrict the right to strike; encourages employers to pay the living wage; supports effective tackling of unacceptable employment practices, such as exploitative zero-hours contracts; further supports the work of the Fair Work Convention to produce a blueprint for fair work in Scotland that will help to deliver a better deal for workers, and agrees that this should be underpinned by the powers to deliver better employment services and fair access to employment tribunals in Scotland with the support of active and involved trade union representation in a fair, equitable and inclusive Scotland.

The Deputy Presiding Officer: That concludes
decision time.

Meeting closed at 17:04.

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