



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament

**Wednesday 8 June 2016**

**Session 5**



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## Wednesday 8 June 2016

### CONTENTS

	<b>Col.</b>
<b>BUSINESS MOTION</b> .....	1
<i>Motion moved—Joe FitzPatrick—and agreed to.</i>	
<b>PORTFOLIO QUESTION TIME</b> .....	2
<b>HEALTH AND SPORT</b> .....	2
NHS Lanarkshire (Meetings).....	2
National Health Service Boards (Scheduled Operations).....	4
Changing Places Toilets Campaign.....	5
Cancer Patients Referral Pathway (Stranraer).....	6
General Practitioner Surgeries (Waiting Times).....	7
General Practitioners (Recruitment).....	8
Minor Ailment Service (Extension).....	11
NHS Forth Valley (Child and Adolescent Mental Health Services).....	12
National Health Service Boards and Integration Joint Boards (Budgets).....	13
New Medicines Fund (Access to Ivacaftor).....	14
Vale of Leven Hospital (Retention of Services).....	15
Disabled Access (Health Facilities).....	16
<b>QUEENSFERRY CROSSING</b> .....	18
<i>Statement—[Keith Brown].</i>	
The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown).....	18
<b>NAMED PERSON POLICY</b> .....	31
<i>Motion moved—[Liz Smith].</i>	
<i>Amendment moved—[John Swinney].</i>	
<i>Amendment moved—[Tavish Scott].</i>	
<i>Amendment moved—[Iain Gray].</i>	
Liz Smith (Mid Scotland and Fife) (Con).....	31
The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney).....	36
Tavish Scott (Shetland Islands) (LD).....	40
Iain Gray (East Lothian) (Lab).....	43
George Adam (Paisley) (SNP).....	46
Douglas Ross (Highlands and Islands) (Con).....	49
Jenny Gilruth (Mid Fife and Glenrothes) (SNP).....	52
John Mason (Glasgow Shettleston) (SNP).....	54
Monica Lennon (Central Scotland) (Lab).....	56
Oliver Mundell (Dumfriesshire) (Con).....	59
Stuart McMillan (Greenock and Inverclyde) (SNP).....	61
Rhoda Grant (Highlands and Islands) (Lab).....	63
Gillian Martin (Aberdeenshire East) (SNP).....	65
Ross Thomson (North East Scotland) (Con).....	67
Fulton MacGregor (Coatbridge and Chryston) (SNP).....	70
Ross Greer (West Scotland) (Green).....	72
Tavish Scott.....	74
Daniel Johnson (Edinburgh Southern) (Lab).....	76
The Minister for Childcare and Early Years (Mark McDonald).....	79
Adam Tomkins (Glasgow) (Con).....	82
<b>BUSINESS MOTION</b> .....	87
<i>Motion moved—[Joe FitzPatrick]—and agreed to.</i>	
<b>PARLIAMENTARY BUREAU MOTIONS</b> .....	89
<i>Motions moved—[Joe FitzPatrick].</i>	
<b>POINT OF ORDER</b> .....	91
<b>DECISION TIME</b> .....	92

<b>CHILD SAFETY WEEK 2016</b> .....	101
<i>Motion debated—[Clare Adamson].</i>	
Clare Adamson (Motherwell and Wishaw) (SNP) .....	101
Jeremy Balfour (Lothian) (Con) .....	103
Elaine Smith (Central Scotland) (Lab) .....	104
David Torrance (Kirkcaldy) (SNP) .....	106
Oliver Mundell (Dumfriesshire) (Con) .....	108
The Minister for Community Safety and Legal Affairs (Annabelle Ewing).....	109

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## Scottish Parliament

Wednesday 8 June 2016

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

### Business Motion

**The Presiding Officer (Ken Macintosh):** The first item of business today is consideration of business motion S5M-00382, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a revision to today's business programme.

*Motion moved,*

That the Parliament agrees to the following revision to the programme of business for Wednesday 8 June 2016—

after

2.00 pm            Portfolio Questions  
Health and Sport

insert

*followed by*        Ministerial    Statement:    Queensferry  
Crossing

delete

5.00 pm            Decision Time

and insert

5.30 pm            Decision Time—[Joe FitzPatrick.]

*Motion agreed to.*

**The Presiding Officer:** The ministerial statement will be taken at 2.40, after portfolio questions, and decision time will be moved to 5.30 in consequence. I am conscious that members will want to hear the statement on the Queensferry crossing and to question the cabinet secretary on developments. I am also aware that there has been very little notice of the statement, for members and for the general public. That is not the way in which I would necessarily want business to be planned; I therefore ask the minister and fellow bureau members to reflect on that for the future, as I will do.

## Portfolio Question Time

14:01

### Health and Sport

#### NHS Lanarkshire (Meetings)

1. **Elaine Smith (Central Scotland) (Lab):** To ask the Scottish Government when it last met NHS Lanarkshire and what matters were discussed. (S5O-00001)

**The Cabinet Secretary for Health and Sport (Shona Robison):** Ministers and Government officials regularly meet representatives of all health boards, including NHS Lanarkshire, to discuss matters of importance to local people.

**Elaine Smith:** The minister will recall that I campaigned to stop the downgrading of Monklands hospital's accident and emergency department. I was pleased when her Government stepped in to instruct the health board to overturn its decision.

We now face increasing cuts to local health services, which include closure of the dermatology ward at Monklands and the centre for integrative care clinic, as well as another proposal to downgrade A and E, with the removal of orthopaedic trauma. Will she step in to stop those cuts? More specifically, will she instruct the board that downgrading the A and E is as unacceptable now as it was in 2007?

**Shona Robison:** Elaine Smith is right to remember that it was this Government, in 2007, that reversed the Labour plans to close the A and E department at Monklands hospital. Since then, local people have benefited from more than 500,000 attendances at the A and E department.

Local communities can be assured that this Government remains committed to a viable future for Monklands hospital, including the A and E department. That is why we welcomed NHS Lanarkshire's preparation of a business case for the redevelopment of Monklands hospital, which will be an important investment in the local area.

As Elaine Smith knows, a trauma orthopaedics review is on-going and no decisions have been made. I have been assured that all stakeholders will be fully involved as the process is taken forward.

On dermatology services, Elaine Smith will be aware of the correspondence that I have sent to her. I will be happy to continue to correspond with her if issues arise that have not been answered in the correspondence that I sent to her. I hope that I have been able to assure her that the number of dermatology patients who require hospital

admission has dropped and more and more people are being treated as out-patients, which is what lies behind the change.

**The Presiding Officer:** Kate Forbes, did you press your request-to-speak button because you wanted to intervene now or was it for later?

**Kate Forbes (Skye, Lochaber and Badenoch) (SNP):** It was for later.

**The Presiding Officer:** That is fine. I call Margaret Mitchell.

**Margaret Mitchell (Central Scotland) (Con):** The most recent delayed discharge figures for NHS Lanarkshire, which were released in May, and excluding code 9 delays, revealed that 123 in-patients were prevented from leaving hospital. That is the highest level for any month so far this year, and the number is almost twice what it was this time last year. Will the cabinet secretary explain what is being done to address that unacceptable increase?

**Shona Robison:** The member is right to highlight the importance of the matter. Discussions are going on with the partnerships that cover North Lanarkshire and South Lanarkshire, and she might be aware that a particular issue in South Lanarkshire lies behind some of the delays. I assure her that officials are engaging closely with the partnership in that regard, to ensure that it takes the action that we know works and that has worked in other partnerships to reduce delayed discharge.

The member will be aware that the Scottish Government is making significant investment in both partnership areas to tackle delayed discharge. I will be happy to keep the member closely informed of South Lanarkshire's plans to tackle what is an important issue.

**The Presiding Officer:** May I clarify whether Emma Harper has pressed the button to indicate that she wishes to speak now, or later?

**Emma Harper (South Scotland) (SNP):** Now.

**The Presiding Officer:** For now. In that case, I call Emma Harper.

**Emma Harper:** To ask the Scottish Government what it is doing to boost GP recruitment.

**The Presiding Officer:** I am sorry, Miss Harper; I meant to ask whether you were asking a supplementary to the first question. You are down to ask question 6, so I will call you for question 6 at that point.

**Emma Harper:** All right, sorry.

**The Presiding Officer:** For guidance to members, if you are down in the *Business Bulletin* for today, wait until your turn comes or press your

button at that point. If you press your button during someone else's question, I will think that you want to ask a supplementary to the question that is being asked there and then. Both Kate Forbes and Emma Harper were, I think, asking to speak later.

I now come to John Lamont and question 2.

### **National Health Service Boards (Scheduled Operations)**

2. **John Lamont (Ettrick, Roxburgh and Berwickshire) (Con):** To ask the Scottish Government what it is doing to ensure that operations scheduled by NHS boards go ahead as planned. (S5O-00002)

**The Cabinet Secretary for Health and Sport (Shona Robison):** The Scottish Government continues to work to support health boards to manage their capacity planning to keep cancelled operations to a minimum.

A decision to cancel a patient's operation is never taken lightly. Any postponed operation will be rescheduled at the earliest opportunity. The latest figures for cancelled operations, published by ISD Scotland on 7 June, show that, for the month of April 2016, only 1.6 per cent of operations were cancelled by the hospital for capacity or non-clinical reasons. That is a reduction on the month before.

**John Lamont:** We all agree that cancelled operations are a waste of resources and an inconvenience to patients. In NHS Borders, half of all operations cancelled in the latest month were cancelled for capacity or non-clinical reasons. The figure is regularly twice the national average. Given that NHS Borders has to cancel such a large percentage of operations due to a lack of resources, will the Scottish Government look closely at whether rural health boards are being sufficiently resourced to help with issues such as recruitment?

**Shona Robison:** The member raises a very important point. As I said in my initial answer, progress is being made. The figures show that only a tiny number of operations are cancelled for non-clinical reasons. The vast majority of operations that are cancelled are due to patient choice or for clinical reasons.

However, the member highlights that, within NHS Borders, there is a higher rate of cancellations than we would like. A lot of work is under way to try to improve the level of cancellations by, for example, a weekly review of orthopaedic theatre lists six weeks in advance; planning for staffing, theatre time and equipment; booking on the basis of average time per consultant to carry out procedures for orthopaedics; reviewing admissions per ward, per area and per day and smoothing surgical flow;

reviewing data for orthopaedics; and looking at implementing a process to review lists every week to develop a standard operating procedure. I can write to the member with more detail around that, but please be assured that we are working very closely with NHS Borders to make those improvements.

**Anas Sarwar (Glasgow) (Lab):** How many procedures have been referred to private hospitals because of a lack of capacity in our NHS and is there a cost for doing that?

**Shona Robison:** The member will be aware that the independent sector is only used at the margins, where it is required because there is no capacity available within the locality. The level of spend in the private sector is reducing, and the elective centres, in which we are investing £200 million over the next few years, are an important way of dramatically reducing that independent sector spend, which is confined to a very small number of boards.

The vast majority of boards hardly use the independent sector at all. There are one or two boards that use it more than others. The elective centres, particularly in the east where two of the centres will be located in the Lothian area, will make a big difference in growing the capacity so that the reliance on the independent sector is reduced further. I am happy to write to the member with further details about that.

### Changing Places Toilets Campaign

**3. Richard Lyle (Uddingston and Bellshill) (SNP):** To ask the Scottish Government what action it is taking to support the Profound and Multiple Impairment Service campaign, changing places toilets. (S5O-00003)

**The Minister for Public Health and Sport (Aileen Campbell):** The Scottish Government actively supports the Profound and Multiple Impairment Service campaign to increase the number of changing places toilets in Scotland. We congratulate PAMIS on its substantial achievements in developing a campaign that has so far resulted in 136 changing places toilets being installed throughout Scotland.

The Scottish Government will continue to work in partnership with PAMIS as it develops a network of changing places toilets and accessible toilets throughout Scotland, enabling those with the most complex needs to have access to their communities.

**Richard Lyle:** I was inspired by meeting my constituent Sheila Johnstone, and her son Mason, who opened my eyes to the issue of changing places toilets. What action can the Scottish Government take to support places of interest or tourist attractions to install changing places toilets

to help disabled or physically challenged visitors to access their services fully?

**Aileen Campbell:** I thank Richard Lyle for raising that important issue. We would be pleased to know Sheila and Mason's thoughts and views, and I invite Richard Lyle to write to me with them.

In 2015, the Scottish Government published its draft delivery plan for 2016 to 2020 in response to the United Nations Convention on the Rights of Persons with Disabilities. That delivery plan sets out our aim to ensure that disabled people in Scotland have the same freedom, dignity, choice and control over their lives as everybody else.

VisitScotland is running an accessible tourism project that aims to work with the tourism industry to boost accessibility for all disabled people. Through that project, tourism businesses are able to showcase their accessibility credentials via access statements, which can be used to feature changing places toilets where those facilities already exist.

Richard Lyle should also visit the changing places United Kingdom map, which shows the full list of changing places toilets throughout Scotland, including several in his constituency.

### Cancer Patients Referral Pathway (Stranraer)

**4. Finlay Carson (Galloway and West Dumfries) (Con):** To ask the Scottish Government when it will review the referral pathway that results in cancer patients in Stranraer having to travel to Edinburgh via Dumfries rather than to cancer services in Glasgow. (S5O-00004)

**The Cabinet Secretary for Health and Sport (Shona Robison):** The role of the Scottish Government is to provide policies, frameworks and resources to national health service boards in order that they can deliver services that meet the needs of their local populations. The actual planning and provision of healthcare services is the responsibility of local health boards, taking into account national guidance, local service needs and priorities for investment. However, NHS Dumfries and Galloway has confirmed that it is reviewing its cancer referral pathways to ensure that people with cancer do not have to travel unnecessarily for treatment.

**Finlay Carson:** It is my understanding that only patients who require patient transport go via Dumfries to Edinburgh, and that car users can go to Glasgow. Does the minister agree that the Government should ask the health boards and providers to develop the pathways in order to prevent inequalities that affect clinical outcomes, particularly, in this case, travel inequalities?

**Shona Robison:** Wherever they are, I expect health boards to deliver as many of their cancer

services as locally as possible. However, it is important to recognise that some complex treatments can be administered only via specialist centres. That involves a clinical decision on where best the person should go, which will be determined in close discussion with the consultant and the clinical team.

I am sure that NHS Dumfries and Galloway is more than aware of the transport issues that Finlay Carson raises. In essence, it is important that people with cancer do not have to travel unnecessarily for treatment, wherever that takes place. It is also important that, when they have to travel, it is to the place that is most appropriate for them.

I am happy to keep in contact with Finlay Carson as NHS Dumfries and Galloway addresses the issues. I am sure that he will feed in his views to the local health board through Jeff Ace, the chief executive. I encourage him to do so.

#### **General Practitioner Surgeries (Waiting Times)**

**5. Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government what measures it is taking to help reduce waiting times at GP surgeries. (S5O-00005)

**The Cabinet Secretary for Health and Sport (Shona Robison):** The Scottish Government is fully committed to reducing waiting times at GP surgeries. We have increased the primary care fund in the draft 2016-17 budget, which will now deliver £85 million of investment over three years. That will include: £20.5 million on the primary care transformation programme, which will be allocated to national health service boards to support work at practice and wider multidisciplinary team level; £6 million to develop digital services, including help for online appointment booking; and £16.2 million to recruit 140 new pharmacists to work directly with practices and support the care of patients with long-term conditions.

We are working closely with the British Medical Association and the Royal College of General Practitioners to reduce GP workload. That includes our pioneering agreement to abolish the bureaucratic system of GP payments in order to free up more time for GPs to spend with patients.

**Colin Beattie:** The cabinet secretary may be aware that many surgeries in my constituency of Midlothian North and Musselburgh are closed to new patients, yet housebuilding continues apace. Does the cabinet secretary agree that there is a need to balance infrastructure against development to ensure that constituents' medical needs can be met?

**Shona Robison:** Colin Beattie makes an important point. Since 2007, the Scottish

Government has invested more than £170 million of capital in projects to deliver new or refurbished GP premises across Scotland. In addition, the Government's hub programme is delivering more than £500 million-worth of community healthcare infrastructure. Planning should take into account current infrastructure capacity and, indeed, future requirements. That applies to all types of infrastructure, including primary healthcare provision.

The delivery of more high-quality homes is a key priority. To that end, we published draft guidance on planning for housing and infrastructure delivery earlier this year, and the recent independent review of the Scottish planning system has made a number of recommendations that aim to strengthen planning for infrastructure, which are currently under consideration.

#### **General Practitioners (Recruitment)**

**6. Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what it is doing to boost GP recruitment. (S5O-00006)

**The Cabinet Secretary for Health and Sport (Shona Robison):** The number of general practitioners in Scotland has increased by 7 per cent under this Government and we want to go further and faster to boost GP numbers as part of building a strong, multidisciplinary community health service. We are funding support to GP returners, which is provided by NHS Education for Scotland, and we have increased the number of GP training places from 300 to 400. I will soon be in a position to announce the details of the latest package of funding being distributed under the £2.5 million GP recruitment and retention fund, which will include a range of innovative projects to tackle recruitment issues, including those that are faced by rural and remote areas.

In the longer term, we are committed to delivering a national workforce plan that will set out how we will address workload and capacity by building those multidisciplinary teams, including boosting GP numbers and of course our £3 million commitment to train 500 more advanced nurse practitioners.

**Emma Harper:** Does the cabinet secretary agree that the Scottish Government's measures to boost GP recruitment will bring enormous benefits to the healthcare provision in rural parts of Scotland, including in my area of Dumfries and Galloway?

**Shona Robison:** Yes, I do. We are taking a number of actions but there is more to be done. One of the key components of transforming primary care is the new models that we are testing along the lines of the community health hubs and multidisciplinary working. The new GP contract



that will take place from 2017 onwards will underpin that. That is being negotiated with the British Medical Association as we speak, and discussions are going well. It has to be a contract that will help to deliver a radically different model of primary care, which will benefit remote and rural Scotland as well as urban Scotland.

**Kate Forbes (Skye, Lochaber and Badenoch) (SNP):** As the cabinet secretary will be aware, it can be difficult for an increasingly ageing and scattered population to get to GP appointments in the rural Highlands. What progress is the Scottish Government making towards increasing home-based options such as telecare, which is currently used by more than 2,000 people in NHS Highland, without replacing contact time with healthcare workers?

**Shona Robison:** As part of the Scottish Government's technology-enabled care programme, more than £1 million is being made available to NHS Highland and its partners over the next two years. The funding is to drive forward the uptake of technology-enabled care services, including telecare, across the NHS Highland and NHS Argyll and Bute partnership areas. That is in addition to the £973,000 that was awarded to Highland and Argyll and Bute during 2015-16, as well as the significant funding provided to both areas over the past few years to develop livingitup.scot as part of their local strategy to raise public awareness of the benefits of technology-enabled care.

**Colin Smyth (South Scotland) (Lab):** Given that clinics are closing now due to the immediate crisis, that hospitals such as Lockhart hospital in Lanark are not taking new patients, and that it takes several years to train a GP, what action is being taken to deal with the immediate short-term crisis?

**Shona Robison:** The member may be aware that a few weeks ago, just before the election, I announced a £20 million package for this financial year, which covered many of the workload issues that GPs said could help to relieve some of the pressures. That was very well received by the profession and it was intended to address some of the short-term issues.

Without doubt, it is in the medium to long term that the biggest transformation will be made. Although that resource and investment are important in tackling workload issues, the new contract and the new model of primary care are fundamental to changing primary care and making it a more attractive proposition for medical undergraduates, not enough of whom are choosing it as their specialist option once they qualify. That is an issue that has to be changed. We are working very closely with the profession to deliver that.

**Kenneth Gibson (Cunninghame North) (SNP):** Scotland is excellent at training doctors but that means that other countries, such as Canada, Australia and New Zealand, often try to poach newly trained doctors. What can we do to mitigate that, given that those people are perhaps offering a different lifestyle than folk who are born, educated and trained here would enjoy if they stayed in Scotland?

**Shona Robison:** Our recruitment campaign for junior doctors has had a very positive response across a number of specialties—certainly, the numbers are well up on last year. We need that to translate through to appointments but the indications are that junior doctors see Scotland as an attractive place in which to train.

However, there is still an issue in general practice—and that is mirrored across these islands. We are in an international competitive environment. Part of the solution is to make sure that our training environment is internationally recognised as somewhere where junior doctors want to come and train—and there is evidence of some success in that. We also want to grow more of our own doctors, which is why we are taking forward the first graduate entry programme for medicine in Scotland. I hope to be in a position to say something more about that over the next few weeks.

**Donald Cameron (Highlands and Islands) (Con):** In this session of Parliament we have already heard much about the crisis in GP staffing. What plans does the Scottish Government have to boost recruitment, in particular by reducing stress levels and the workload of GPs?

**Shona Robison:** As I said in my earlier answer, the £20 million for this financial year that I announced a few months ago was new money that was intended to help with some of those short-term workload issues. The profession had called for such measures to help to reduce the workload.

Getting rid of the quality and outcomes framework was a major step forward. The QOF was seen as a bureaucratic tick-box system that took up a lot of GP time, and our decision to get rid of it was warmly welcomed.

As I have said to members in the chamber, I believe that, while those short-term measures are important, the new models of primary care and the new contract will make the biggest difference in enabling us to recruit and retain doctors, and—importantly—to get young doctors to choose general practice as their specialism. We are undertaking work with the profession in that regard, and if we get the new contract right, we will be able to do those things.

### Minor Ailment Service (Extension)

7. **Jamie Greene (West Scotland) (Con):** To ask the Scottish Government what timetable it is working to in its pledge to examine extending the minor ailment service. (S5O-00007)

**The Cabinet Secretary for Health and Sport (Shona Robison):** As I am sure that Jamie Greene will appreciate, considerations about extending the minor ailment service are at an early stage, following the First Minister's statement on 25 May on taking Scotland forward. Detailed scoping work must be undertaken first—taking into account, for example, the costs of an extended service, the capacity in community pharmacies, the wider primary care transformation agenda and consideration of how we can better support self-care as a core part of the service as we move forward.

Over the coming weeks, we will engage with national health service boards, Community Pharmacy Scotland and other stakeholders on the options and the associated timeframes. I am happy to keep the member informed of the progress that is made.

**Jamie Greene:** I welcome the cabinet secretary's commitment to extending the minor ailment service, as was set out in our manifesto. What extra funding will be allocated to that in the first instance?

**Shona Robison:** We invest a significant amount of resource in community pharmacy. The community pharmacy remuneration global sum is just over £178 million, which is £1 million more than the previous year's figure. In addition, community pharmacy contractors will earn a minimum of £93.5 million in reimbursement for the purchase of drugs on behalf of NHS Scotland, as part of the overall funding settlement.

Jamie Greene will appreciate that negotiations with Community Pharmacy Scotland about extending the minor ailment service will have a resource component. It would be more appropriate to have those discussions than to put out arbitrary figures in the chamber. Community Pharmacy Scotland appreciates that resource will be part of the discussions.

What we are doing with community pharmacy is in stark contrast to the situation south of the border. Pharmacies in England face a potential reduction of up to 6 per cent—of up to £170 million. Pharmacies there say that, if that reduction happens, it will have far-reaching consequences. Many say that pharmacies in many areas could close. I hope that the member is reassured that we are not taking such action in Scotland.

### NHS Forth Valley (Child and Adolescent Mental Health Services)

8. **Dean Lockhart (Mid Scotland and Fife) (Con):** To ask the Scottish Government what the average wait in weeks was for child and adolescent mental health services in NHS Forth Valley for patients who started their treatment in the last quarter of 2015. (S5O-00008)

**The Minister for Mental Health (Maureen Watt):** In NHS Forth Valley, the average waiting time for the quarter that ended in December 2015 was 22 weeks. I am disappointed that the board has still to achieve the waiting time standard for CAMHS. However, the average waiting time decreased month on month throughout the quarter and was down by seven weeks by December 2015.

In the most recent Scotland-wide data for the quarter that ended in March 2016, which was published yesterday, the percentage of children and young people who were seen within the waiting time standard had increased on the previous quarter, and half of patients were seen within eight weeks. NHS Forth Valley's performance against the standard increased by 10 per cent. I welcome that progress, but the position is still far from good enough, and I expect the board to increase its efforts to meet the waiting time standard. I will pay close attention to ensure that all boards meet the waiting time standard sustainably.

**Dean Lockhart:** We, too, welcome the recent small improvements in performance, but we highlight the fact that further progress is required in NHS Forth Valley's performance. It is unacceptable that our youngest and most vulnerable people in that area must wait approximately four or five months for treatment for mental health issues, especially given that early diagnosis and early treatment are critical to successful outcomes.

Given the disappointing overall figures and particularly those for NHS Forth Valley, will the minister and the Government follow the advice that the Scottish children's services coalition published yesterday by putting in place an urgent action plan for not only NHS Forth Valley but all of Scotland that will increase investment in mental health services and provide additional resources?

**Maureen Watt:** The member will be aware that the Scottish Government is putting in £150 million in extra resources. The mental health strategy will take into account the requirements of those not only in Forth Valley but throughout Scotland.

The child and adolescent mental health service in NHS Forth Valley has gone through significant redesign in the past year. Investment has gone into the service to create new nursing and

psychology posts, and a new management structure has been established, with clear lines of responsibility and accountability. The service now has a dedicated manager, and lead roles have been established for each specialty. A new CAMHS website also went live on 1 June with a range of self-help material. However, NHS Forth Valley will have to do more to meet the standards.

### **National Health Service Boards and Integration Joint Boards (Budgets)**

**9. Johann Lamont (Glasgow) (Lab):** To ask the Scottish Government when it will announce the final 2016-17 budgets for NHS boards and integration joint boards. (S5O-00009)

**The Cabinet Secretary for Health and Sport (Shona Robison):** On 26 February, the Scottish Government announced 2016-17 budgets for NHS boards, taking health spending to a record level of almost £13 billion. Additional funding of more than £500 million for health boards enables the investment of the additional £250 million to support the integration of health and social care and build the capacity of community-based services.

The Scottish Government does not set the budgets for integration joint boards. Rather, budgets are delegated to them by health boards and councils. Budgets for integration joint boards were agreed by 1 April as planned, subject in some areas to final decisions regarding health efficiencies, as part of NHS boards' local delivery plans. The Scottish Government is working to 30 June as the date for conclusion of local delivery plans and is providing support for that process.

**Johann Lamont:** To what extent do those budgets reflect the needs and disproportionate levels of social and health challenges in Glasgow? Is the process for defining needs and budgets under review? What work is being done to address the inverse care law, which means that general practices that are dealing with patients with the most complex needs, many of which are in Glasgow, are also the most poorly funded? That perhaps creates the levels of stress and pressure that have been discussed in the chamber today.

**Shona Robison:** Johann Lamont makes an important point. On a number of occasions in the chamber, I have made it clear that, particularly when it comes to the resourcing of primary care, the Scottish resource allocation formula needs to have more of a direct correlation between deprivation and need and the budget that follows.

I have been very clear, in the on-going new GP contract negotiations, that the issue must be addressed. I am very happy to keep Johann Lamont informed as those discussions continue, although she will understand that they are quite

sensitive and there is a lot of detail to go through. I assure her that it is very important for me, as cabinet secretary, to ensure that the resources that go to deprived communities, particularly through primary care moneys, better reflect the levels of need in those areas.

**Alex Rowley (Mid Scotland and Fife) (Lab):** NHS Fife announced that it must make a £30 million cut in its budget, and the health and social care partnership in Fife has said that it has a deficit of £11 million. Will the cabinet secretary agree to meet me to discuss those massive challenges faced by the NHS and social care in Fife?

**Shona Robison:** It is important to reiterate the fact that half of the additional funding of more than £500 million is going to support the integration of health and social care, as I said in my earlier answer. Where efficiency savings are required within territorial boards—as they are for all the public sector—all savings are retained locally by those boards for reinvestment in front-line services.

I am very happy to meet Alex Rowley. I met David Ross, the leader of Fife Council, and I met health board representatives recently. What is important in NHS Fife and Fife Council is as much the building up of the relationships and ways of working that are needed to change the way that things are done.

If Alex Rowley looked at partnerships across Scotland, he would see that many of them are making very good progress in tackling delayed discharge and changing the way that services are delivered, to the benefit of service users and patients. All areas need to do that, and more progress needs to be made in a number of areas, including Fife. I am very happy to work with Alex Rowley, if he thinks that by working together we can encourage both parties to get on with the job of improving those local services.

### **New Medicines Fund (Access to Ivacaftor)**

**10. Bob Doris (Glasgow Maryhill and Springburn) (SNP):** To ask the Scottish Government what consideration it has given to using the new medicines fund to ensure access to the cystic fibrosis medicine, Ivacaftor, for two to five-year-olds with the G551D gene. (S5O-00010)

**The Minister for Public Health and Sport (Aileen Campbell):** The new medicines fund can be used by NHS boards to support the cost of that treatment. The peer-approved clinical system pilot provides a route for clinicians who want to prescribe the treatment. I will be happy to meet the member to discuss the issue further.

Although the Scottish Government has taken action to improve access to new medicines,

including our new medicines fund investment, pharmaceutical companies also need to take action on their prices. It would be in the best interests of the people of Scotland for the manufacturer of the drug to make a resubmission to the Scottish Medicines Consortium at a reduced price.

**Bob Doris:** I thank the minister for her answer, but I also want to put on the record my thanks to Duncan McNeil, the convener of the Health and Sport Committee in the previous session, who worked very collaboratively with the Scottish Government, as we all did as members of that committee in relation to developing new models for access to medicines.

Access to medicines improved dramatically right across Scotland as a result of the work. However, the case I am talking about raises further issues about access and I would be delighted to meet the minister to discuss that further.

Will the minister ensure that the new independent Montgomery review of access to new medicines takes account of how SMC structures handle submissions such as Ivacaftor and when access to the new medicines fund would be triggered?

**Aileen Campbell:** I thank the member for raising the issue. I also record my thanks for the work that Duncan McNeil did during the previous parliamentary session. The member knows that the cabinet secretary has asked Dr Brian Montgomery to lead an independent review on access to new medicines. The review will report to the cabinet secretary later this year.

The First Minister and the cabinet secretary have been very clear that progress has been made to improve access but that more can and should be done. To reiterate the point that I made in my first answer to Bob Doris, we do not always get a pharmaceutical company's best offer on price early enough, or at all. There is therefore clearly a lot more that we want to do, which is why the independent review has been taking place. Again, I will be happy to meet the member to discuss that and other interests that he may have on the issue.

#### **Vale of Leven Hospital (Retention of Services)**

**11. Maurice Corry (West Scotland) (Con):** To ask the Scottish Government whether it will retain the current level of services at the Vale of Leven hospital. (S5O-00011)

**The Cabinet Secretary for Health and Sport (Shona Robison):** This Government ended a decade of damaging uncertainty for the hospital by approving the vision for the Vale in 2009. Local people can be assured that we remain committed to maintaining and improving services at the Vale

of Leven hospital, which include sustaining emergency services.

**Maurice Corry:** Will the Scottish Government work to reintroduce full accident and emergency services so that the West Dunbartonshire area has such services on the north side of the River Clyde, especially in view of the fact that the Royal Navy will be increasing its personnel at Faslane by 2,000?

**Shona Robison:** The member will be aware that there has not been a full accident and emergency department at the Vale since 2002, when it was closed under the previous Administration. We cannot just stick an accident and emergency department at a hospital; what lies behind that department is crucial. The Royal College of Emergency Medicine specifies that a full 24/7 accident and emergency service has to be supported by on-site, 24/7 anaesthetic, surgical and critical care cover, and they are not available at the Vale of Leven hospital.

We need to ensure the sustainability of the services at the Vale of Leven hospital. That is why we fully supported putting the minor injury unit at the Vale, which is open from 8 o'clock in the morning until 9 pm every day, dealing with up to 70 per cent of local unscheduled care—so 70 per cent of people who need unscheduled care get their care at the Vale of Leven hospital. I assure the member that the unit is doing well. It experienced a 4 per cent increase in attendance between November 2014 and November 2015.

I want to make sure that the vision for the Vale is delivered because it brought a hospital that was on its knees to a position where it is doing very well indeed. I hope that the local member will support us in our efforts to do so.

#### **Disabled Access (Health Facilities)**

**12. Gordon Lindhurst (Lothian) (Con):** To ask the Scottish Government what discussions it has had or plans to have with NHS boards and local authorities regarding disabled access in and around hospitals and other health facilities. (S5O-00012)

**The Minister for Public Health and Sport (Aileen Campbell):** Scottish Government officials regularly meet NHS boards to discuss a range of issues involving finance, performance and the management of healthcare facilities.

**Gordon Lindhurst:** Does the Scottish Government agree that specific steps should be taken to require local authorities to ensure the state of repair and suitability of pavements for disabled people, particularly those who use wheelchairs, near hospitals such as the Edinburgh royal infirmary where the Royal hospital for sick children is due to be relocated?

**Aileen Campbell:** We take access to healthcare facilities very seriously, as do the NHS boards across the country. Given the time we have left, I am happy to follow up in more depth any particular issues that the member wants to raise.

I know that there is an access audit checklist that uses inclusive design to ensure that new buildings are accessible; a whole host of different vulnerabilities are taken into consideration when designing new facilities. That also goes for older buildings, which the NHS has a number of, to ensure that they are as accessible as they can be. Not everything is perfect, but there are a range of tools in place to ensure that new buildings and the existing infrastructure are as accessible as possible.

## Queensferry Crossing

**The Presiding Officer (Ken Macintosh):** The next item of business is a statement by Keith Brown on the Queensferry crossing. The cabinet secretary will take questions at the end of the statement; therefore, there should be no interventions or interruptions.

14:41

**The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown):** I take this opportunity to provide further information to Parliament on the progress of the Queensferry crossing construction project.

Last week, the contractor for the Forth replacement crossing, the Forth crossing bridge constructors consortium, submitted an updated construction programme for the Forth replacement crossing project following a detailed analysis of the overall impact of weather to date. Since the project began, like with all major projects, we have encountered a series of challenges. Although each of those has been overcome, they have nevertheless taken time to resolve. As a result—not least of the weather that we had last year—much of the contractor's contingency time has been used up.

Since deck-lifting operations commenced in September 2015, the downtime due to adverse weather—specifically, wind—has been 40 per cent compared with the 25 per cent anticipated by the contractor. Until May, FCBC believed that it could mitigate those weather effects. However, the impact of the weather in April and May was particularly severe, with 13 days and 12 days lost to the weather respectively. As a result, FCBC has advised ministers that, due to the combined effects of the time lost in those two months, it can no longer deliver the December 2016 target opening date for the structure.

It is important to remind Parliament that the contractual completion date for the bridge is, actually, June 2017—December 2016 was a target date for opening the bridge six months ahead of contract.

I advised Parliament of the changes to the expected opening date earlier today. I should also stress that what I am reporting to Parliament today is a very recent development. As recently as March, I visited the construction site and I was assured by FCBC that the project remained on schedule to be completed by December 2016.

Every possible measure has been taken by the contractor in a sustained effort to meet the December 2016 target. In order to mitigate the on-going weather impacts that have arisen over the

past few months, FCBC has procured additional physical resource; it has increased staffing by taking on 100 additional workers; it has increased working hours; it has altered its construction methodologies consistent with safety, where possible; and it has challenged critical construction sequences to identify where any programme efficiencies could be found.

The contractor has now reached the stage at which further additional resources would not bring the delivery date forward due to the complex technical nature of the construction work, which means that a complex sequence of operations must be used to complete this innovative structure. The deck lifting must be carried out in a balanced sequence on each side of the three towers—it cannot involve lifting two segments on one side and just one on the other; the balance must be kept and one side has to follow the other—and the loads applied by the various construction activities such as road surfacing and, crucially, the wind barriers must be carefully controlled across the structure to ensure its structural integrity.

Under robust challenge from ministers, FCBC has confirmed that it firmly believed up until May that its previous programme showing the December 2016 target date for opening the crossing to traffic could still be met with the help of the mitigating actions that were being taken, albeit that it was becoming increasingly challenging to meet that date due to the continuing weather impacts.

The subsequently revised FCBC programme, submitted on 1 June, has been the subject of extensive internal challenge by senior management in the FCBC partner companies. The programme includes the effects of weather to date and their impact in pushing future activities into periods of greater weather risk, particularly weather-sensitive activities such as waterproofing, road surfacing and, as I have mentioned, the installation of wind barriers. The contractor has also built in allowances for future weather based on the experience to date.

Over the past week, independent experts employed by Transport Scotland have also provided further robust challenge to FCBC's revised programme, analysing each critical activity to make sure that everything possible is done to ensure an opening date as close to December as possible. That review concluded that all that could be done was being done to open the bridge as soon as it is safe to do so.

FCBC has assured us that it will continue to target the earliest possible date on which the structure can be opened safely to traffic. However, at this stage, the programme shows that the Queensferry crossing is now expected to be open

by mid-May 2017, which is prior to the contractual completion date of mid-June 2017 but some months after our projected target date of the end of this year.

We will continue to work closely with the contractors, and I personally will ensure that every pressure and resource is brought to bear to safely deliver or indeed better the May 2017 date that I have just mentioned.

To date, FCBC has successfully managed every risk to the construction of the project that was within its control. The only risk that the contractor has no control over is the weather, although it has made significant efforts to mitigate weather effects, where possible.

Ministers have always been ambitious about the project and work on the project has always been done to a deliberately ambitious target of December 2016. As Parliament may recall, the original timescale was set to address concerns about the long-term condition of the Forth road bridge and the belief that it would suffer usage restrictions, with heavy goods vehicles having to come off the bridge as early as 2017. Notwithstanding the more recent problems with the bridge, those concerns have proven to be less immediate, and the recently installed structural health monitoring system is providing additional surety on the ability of the existing bridge to sustain traffic loading into the future. However, that has not decreased our determination to complete this once-in-a-generation project at the earliest opportunity, as long as doing so is consistent with safety requirements.

It is important to stress that FCBC fully expects the project to be complete well within the timeframe of its contract. Although we will not meet the December opening target, it remains true that the project will be completed by the contractual completion date. Additionally, there will be no impact on the public purse. In that regard, I confirm that there will be no additional cost to taxpayers and that our previous projection of a £245 million saving still remains in place following my announcement.

The project directly employs more than 1,200 people, many of whom have been performing some of the most complex civil engineering ever seen in Scotland, and doing so in the highly challenging environment of the Firth of Forth. More than 12 million work hours have gone into the project so far and we should not lose sight of the workforce's hard work and dedication. Anyone who looks at the works in the Forth cannot fail to be impressed by the achievements to date.

We have been and will continue to be fully transparent about the delivery of the project, the timescale and the costs, providing regular updates

to the Parliament, communities and the public. With that in mind, I offer the opportunity to any interested MSPs from across the chamber to attend a dedicated technical briefing this Friday, when any questions that members have that they do not get the opportunity to ask now can be answered.

It is important to remember that, in the space of about nine years, remarkable progress has been made in advancing the project from feasibility study to near completion. It is the contractor's expectation, based on the robust timescale that it has laid out, that 94 per cent of the project will be complete by the end of this year. It is expected that, by that time, the approach roads on both sides will be ready for traffic and a continuous structure will span the Forth and that, by the middle of next year—May 2017—traffic will be flowing across it. That is the timescale as laid out by the contractor and we will hold it to that timescale while trying to improve on it. The Scottish Government will continue to ensure that this iconic structure brings benefits to the people of Scotland at the earliest possible opportunity.

**The Presiding Officer:** Thank you, Mr Brown.

The cabinet secretary will now take questions. A large number of members wish to ask questions, so if questions and answers could be kept relatively brief, we will get through them all.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I thank the cabinet secretary for his statement, for the advance copy of it that he provided and for answering my written parliamentary question earlier this morning.

I am sure that all members would wish to applaud the contractors who are working on this ambitious and challenging infrastructure project, particularly given the difficult weather conditions that the cabinet secretary has outlined.

My constituents in Fife and across the east of Scotland well remember the catastrophe at the end of last year, when the Forth road bridge was closed for weeks, which caused huge disruption to people's lives and untold damage to the local economy. At that time, we were assured by the Scottish Government that the long-awaited new crossing would be delivered on time and under budget.

On 5 January this year, the First Minister told the chamber:

"By the end of this year, the new Queensferry crossing will be completed."—[*Official Report*, 5 January 2016; c 17.]

There were no ifs, no buts and no maybes, and there was nothing about that being dependent on the weather. A clear promise was made, which today has clearly been broken.

The people I represent in Fife and further afield will be dismayed at today's announcement of a delay and will worry about the implications. I invite the cabinet secretary to help them by answering three questions. First, what guarantee can he now give in relation to the new date for completion of mid-May? Is it also weather dependent, and can we have more confidence in it than in the First Minister's previous assurance? Secondly, given that the existing road bridge will have to carry heavy traffic for up to six months longer than previously planned, can he assure us that it is up to the task and that there is no risk of a further catastrophic closure to cars or HGVs? Finally, is it true that contractors working on the new bridge were aware of the delay some weeks ago and were asked to sign confidentiality agreements not to disclose that information until after the Scottish Parliament election on 5 May?

**Keith Brown:** Murdo Fraser asks a series of questions. His first point was about the weather. I make an offer to him and to any spokespersons from other parties: if they would like to come to the top of the bridge towers—[*Laughter.*] I make it clear that I would be happy to accompany Murdo Fraser on such a visit. We acknowledge that the public might see what they believe to be relatively fine weather, but the environment at the top of the towers can be completely different—I can testify to that. If members watch the video of two men in a basket pulling the strands for the cables that is available today on Transport Scotland's website, they will get some idea of the pressures.

I think that it is also true to say that it has never been the case that we have said, "No ifs and no buts." I am not resiling from the target date that we had; I have said that repeatedly. However, in the testimony that has been given to committees of the Parliament, Transport Scotland and the contractors have always talked about weather, which, as I said earlier, is the one variable that they cannot control.

On the level of confidence that people can have in the new date, the confidence of the contractors—I have to take the word of the contractors, although we get Transport Scotland to interrogate such matters and we, in turn, interrogate Transport Scotland and the contractors—is based on their experience to date of the weather during the most critical part of the project, which has been over the past few months. They expect to have 94 per cent of the project complete by the end of this year, which allows sufficient time to ensure that they can finish by the date that they have given me of mid-May. I will do everything that I can to hold them to that, but—to be perfectly blunt—weather is still a factor, and we cannot control it.

I confirm to Murdo Fraser that the existing Forth road bridge is perfectly able to take any traffic, as it has been doing for quite a number of months. Members may remember that, in addition to the work that was carried out to effect the repairs that were necessary, a further few stages had to be gone through to make those repairs permanent. Those are on target. There is no question of the bridge having to close. In addition, a full health check on the existing bridge has been carried out.

The crucial point to make is that we ended up with a December 2016 target because we expected that the state of the cables—which, when they were examined back in the 2000s, showed moisture—would necessitate the removal of HGVs from the Forth road bridge. Members may remember that, back in 2012, we had the issue looked at again and dehumidification was carried out. We are confident in the ability of the cables of the existing bridge to carry the level of traffic that they will be required to carry. In summary, we are confident that the Forth road bridge will carry traffic for many years to come.

I have no knowledge whatever of—and certainly the Scottish Government has never entered into—any confidentiality agreements with contractors that say that they cannot speak about this until, as I think the member said, after the election. I repeat the timescale that I already gave: it was in May this year—April and May being the months in which most of the days were lost—that the change was necessitated. I am happy to provide Murdo Fraser with a timeline in that respect.

I conclude by once again inviting Murdo Fraser and any other spokespeople to come to the top of the bridge to see what the weather is like for themselves.

**Alex Rowley (Mid Scotland and Fife) (Lab):** Today's announcement will be greeted with disappointment in Fife and beyond. However, as someone who has campaigned for decades for a new crossing, I would say that, although the delay is disappointing, we need to keep it in perspective and make it clear that the new bridge is good news for Fife, the east of Scotland and, indeed, the economy of the whole of Scotland.

That is why it is important for ministers not to announce unrealistic deadlines, and why it is crucial to have full transparency on the project. First, can the cabinet secretary confirm that there are no further concerns with the existing bridge or the volume of traffic that it carries every day? Secondly, when did the Government become aware of the delays on the new crossing?

Finally, if the project has been delayed by six months as a result of bad weather in April and May, what steps has the cabinet secretary taken to ensure that bad weather this winter does not

delay the opening even further, and is he therefore able to commit to June 2017 as absolutely the latest date on which the bridge will open?

**Keith Brown:** First of all, I agree with Alex Rowley that the bridge is very good news. I think that we sometimes lose sight of how unique this structure is. If we think of the central span alone, it will be the longest cable-supported structure of its type in the world.

There are huge challenges. Alex Rowley knows as well as I do—I, too, live on the other side of the Forth—the challenges that we can face in the Forth, and it is those challenges that have led to the disappointment that we are having to express today about the timeline going beyond the end of the year.

The bridge is good news for Scotland, and we think that it is hugely beneficial. I would have loved for the decision to have been made many years ago and for us to be further down the road than we are. However, that is not the case. When we took the decision, we moved on it very quickly. I do not think that Alex Rowley was in Parliament at the time, but I point out that we started the procurement at the same time as we started the legislation in order to get the bridge done as quickly as possible.

On Mr Rowley's point about "full transparency", I have already said that any member, including Alex Rowley, can go along on Friday and ask any of the contractors or Transport Scotland officials who will be there any questions that they feel have not been answered today. Those questions will be answered. There has also been a great deal of transparency as a result of the attendance by Transport Scotland and the contractors at meetings of committees of the Parliament.

As for the existing bridge, which Alex Rowley also asked about, I have already given the assurances that I can to Murdo Fraser. The action that was necessary to get the bridge back into operation was taken; further steps are still to be taken to make the bridge safe for well into the future, but they will not jeopardise its continued use. Because of the recent work that was required, a full health check has been done on the bridge; moreover, as I have pointed out, the cables have undergone a dehumidification process, and the risk in that respect has receded from what was expected in 2005.

With regard to the point about continuing to ensure that we get the bridge open at the earliest possible date, I have undertaken in my statement to do that work personally, as we have been doing. We will do all this consistent with safety requirements. I have been very impressed with the contractors' approach to safety. The chief contractor, Michael Martin, meets every new



member of staff; when he asks them what the priority is, they all say, "Getting the bridge open," and he says, "No—it's safety." That is the approach that is being taken but, consistent with that, I, along with the contractors and Transport Scotland, will be making sure that everything possible is being done to ensure that we open the bridge as soon as possible.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I thank the cabinet secretary for his statement and, indeed, for the advance copy that we saw.

Much about the statement suggests a project in abject distress. How on earth does the loss of 25 days to weather in April and May equate to a 180-day delay in opening the bridge? Does the cabinet secretary take us for fools? Does he expect Parliament to believe that, conveniently, the first that ministers learned of this was days after the Scottish election, and will he now publish all correspondence pertaining to a potential delay in the opening of the crossing?

**Keith Brown:** I am sure that the idea that the project is "in abject distress" will produce some distress in the workforce that is working on it. That workforce thinks that it is involved in a fantastic and unique project that will benefit the infrastructure of Scotland. That kind of statement from Alex Cole-Hamilton does him no credit whatsoever. It is also true to say that we would not find a project "in abject distress" with a saving of £254 million attached to it. If that is compared to the cost of the Lib Dems' favoured trams project in Edinburgh, for example, it will be seen that that was a project in abject distress.

I have already said that we will have full transparency, and I have set out the process by which that will be carried out. Of course, we will make available any documents that are required and which we can release. There are issues of commercial confidentiality, but none of that amounts to any statement on the part of the Scottish Government to try to get people not to speak to anybody. We have information that we can make available, and I commit to ensuring that it is made available. Over and above that, any question that any member requires to ask of the contractor or Transport Scotland can be asked on Friday. I repeat the offer. I genuinely do not know whether Alex Cole-Hamilton is his party's spokesperson on the subject, but I know that he is a local member. If he wants to come along to the bridge in that capacity or as a spokesperson, I will ensure that that happens. There is no shepherding of the officials or the contractor by ministers. They are open to answer any questions that are required.

We have ensured transparency, we will continue to do that, and I deplore Alex Cole-Hamilton's comments in talking about "abject distress".

**Jenny Gilruth (Mid Fife and Glenrothes) (SNP):** What steps have been taken to keep the Queensferry crossing project on schedule?

**Keith Brown:** As I have mentioned, the contractor has taken every possible measure in a sustained effort to meet the December 2016 target. I repeat that everyone will, of course, be disappointed that we cannot meet that target, as Alex Rowley said. However, the contractor has procured additional physical resources. It has increased the staffing by taking on an additional 100 workers, increased working hours consistent with safety, and altered construction methodologies where possible, again consistent with safety. It has also challenged the critical construction sequences to identify where any programme efficiencies could be found.

I think that Alex Cole-Hamilton asked why the days that were lost in April and May are so critical. The bridge has to be completed sequentially. At the crucial points when the decks are lifted, as limited a number as two people work in a very small space, which produces constraints such that no amount of additional resources can now recover the time lost. The contractor has confirmed that, at this stage, further additional resources will not bring the delivery date forward, partly for the reasons that I have mentioned and partly because of the complex technical nature of the construction work and the sequence of operations that must now be undertaken to complete the structure. However, everything possible is being done, consistent with safety, to complete the structure as soon as possible.

**Alex Johnstone (North East Scotland) (Con):** When the timescale was being reviewed, the project suffered its first and so far—thankfully—only casualty. Were days lost in the construction process during that period as a result of that incident?

Furthermore, given the anecdotal suggestions that health and safety compromises may be taking place, can the cabinet secretary guarantee once again that the pressure that he has undertaken to place on the contractor and the management of the project will not result in health and safety compromises?

**Keith Brown:** The tragic death to which Alex Johnstone referred was that of Mr John Cousin. I think that everybody on the bridge knew him as a very popular person who was very committed to the bridge and the project. It is probably hard to convey how devoted to the project the people who are working on it are. It is unique, and it has produced real loyalty to it. It was, of course, tragic

that Mr Cousin lost his life, and that is quite rightly being investigated by the Health and Safety Executive. Yes, there was a delay. The bridge was closed for two days out of respect for Mr Cousin, and for one day, I think, on the day of his funeral.

I have made it clear to the contractor that I will not apply any pressure that jeopardises safety, and more important, the contractor has made it clear to me that it will not do anything that jeopardises safety. It had a very good safety record until that tragic accident, of course. I will not do anything that jeopardises that.

I think that that covers all the questions that Alex Johnstone asked, but he can come back to me if he has any more.

**Emma Harper (South Scotland) (SNP):** Given the weather dependence of the construction of the Queensferry crossing, what other aspects of work have seen weather-related delays?

**Keith Brown:** Weather can have varying impacts on construction activities. The critical activities that have been delayed due to wind in particular have been the deck lifting and cabling operations. Since that part of the work commenced in September last year, the down time due to adverse weather—specifically, wind—has been 40 per cent, compared to the 25 per cent that the contractor anticipated for that activity. That in turn has had an unavoidable knock-on effect on subsequent activities, such as road surfacing and installing wind barriers. The wind barriers cannot be put on to the bridge until it is substantially complete; if they were, there would be unacceptable stress on the structure. That work will now have to take place in wet and cold conditions during autumn and winter 2016-17. Overall, the contingency that was built into the construction programme from 2011 was 20 per cent, but much of that was eroded during the weather that we had last year.

**Neil Bibby (West Scotland) (Lab):** In the interests of full transparency, will the Government publish all the dates that were affected by adverse weather from the start of the project?

In terms of safety, we cannot forget that, as has just been mentioned, there was a death earlier this year of a worker helping to build the bridge. Can the cabinet secretary assure us that he has spoken to the trade unions to assure them that no undue pressure will be applied as a result of the timescale for the project?

**Keith Brown:** On that last point, that is properly done by the contractor. I have conveyed my views to the contractor, which is the employer, and it has done what Neil Bibby suggests. We just would not put pressure on the contractor to do things that are not consistent with safety.

I am sorry, but I have forgotten the first part of Neil Bibby's question.

**Neil Bibby:** Will you publish all the dates?

**Keith Brown:** We already have the data for the crucial periods from April to May, which shows day by day when work was not possible because the wind at the crucial levels exceeded certain speeds—I think that it is 28mph for the cabling operations and 35mph for the deck lifting. We have that information for the crucial period, and I will check what further information is available going further back. We will of course produce all the information and pass it on to Neil Bibby and to any other member who is interested.

**David Torrance (Kirkcaldy) (SNP):** Have problems with the marine foundations of the new crossing played any part in the delay?

**Keith Brown:** They have not. The contractor has confirmed to us that, up to May, it firmly believed that the previous programme showing the December 2016 target date for opening to traffic would still be met—with the help of the mitigating actions that I have mentioned—albeit that that was becoming increasingly challenging due to the continuing weather impact. On the point that David Torrance raises, the marine foundations have not played a part in the delay.

**Jeremy Balfour (Lothian) (Con):** I thank the cabinet secretary for his statement and for providing an advance copy of it. In his statement, he said that when he visited the site back in March this year he was guaranteed that it would be completed by December of this year. As that guarantee has now been broken, what confidence can we have that the project will be delivered under budget? Now that he has missed this target, what other targets will he miss?

**Keith Brown:** Jeremy Balfour's question—apart from his other questions—was about the budget, and there will be no impact on that. It is worth repeating that we have projected a saving of £245 million. To be clear, when the project was first tendered, the tender range was between £1.75 billion and £2.25 billion or thereabouts, and we expect it to come in at around £1.3 billion. The saving of around £245 million, which has arisen since that earlier figure came in after the tender, is not impacted by the delay. Any further work that has to be done or resources that have to be applied will be at the expense of the contractor.

Mr Balfour asked about guarantees. I have tried to be specific and I have said that the mid-May date that we have been given by the contractor has been robustly investigated. We have made the same point that Jeremy Balfour has just made to me, which is that we do not want to announce a date that cannot be met. The contractor has told us that it can do it in that time. Of course, it has

until June until the contractual completion date. In the meantime, I give a personal guarantee that we will do everything that we can to work with the contractor through Transport Scotland to ensure that the contractor meets, or indeed improves on, the date of mid-May next year, which is what the contractor has said that it can do, with the usual caveat around weather.

**Claire Baker (Mid Scotland and Fife) (Lab):** The cabinet secretary has said that he aims to be fully transparent. What steps will be taken over the next six months to ensure that local partners are kept informed of progress? My understanding is that, until the statement was made today, people were not aware that a delay was about to be announced.

**Keith Brown:** On Claire Baker's last point, I note that we can make an announcement only when we have the information, and I said how recently it was that the information came to us. She is right to say that communities and stakeholders want to be kept up to date, and in the project there has been an excellent track record of keeping communities on both sides of the bridges involved and up to date. I undertake to ensure that what we have announced today is passed out to those communities and that they are kept up to date during the rest of the construction project.

**The Presiding Officer:** The last question will be from Bruce Crawford.

**Bruce Crawford (Stirling) (SNP):** I am glad that the cabinet secretary has confirmed that there will be no impact on the public purse as a result of the delay, but I am curious to know whether any finance has been released to the Forth Crossing Bridge Constructors for meeting contractual milestones in accordance with the December 2016 target.

**Keith Brown:** The project is, I suppose, one of those odd projects in that John Swinney had to pay for it as we went along. It has not been like a normal project where we could take other action for borrowing. We have had to pay for the project and, of course, any moneys that are due to the contractor have been paid.

In conclusion, I say to Bruce Crawford that the delay is disappointing. If we look at the recent record on large-scale public infrastructure projects, the M74 and the M80 were delivered on time and on budget, as were the Airdrie to Bathgate project and the Borders railway. We have taken great strides in ensuring that we bring such projects in on time and on budget.

The Forth crossing project will come in substantially under budget. It is with great regret that I say that we cannot meet the original timescale, but we undertake to do everything that we can to get the project in by the end of the

contract date. The target date is mid-May next year, and we will try to improve on that.

**The Deputy Presiding Officer (Linda Fabiani):** That ends questions on the ministerial statement. I apologise to those members who wished to ask questions but were not called.

## Named Person Policy

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is a debate on motion S5M-00345, in the name of Liz Smith, on education. I am speaking slowly to allow Ms Smith to get herself organised.

15:12

**Liz Smith (Mid Scotland and Fife) (Con):** I draw members' attention to the first line in the motion, in which I make it clear that this afternoon's debate is not about whether members support the Scottish Government's policy on named persons or oppose it, as the Conservatives do. Rather, the debate is about whether the policy is deliverable in the proposed format and, most especially, whether that format is in the best interests of children and families. It is surely those best interests that should be at the forefront of all our minds.

I begin by going back to the time when the policy was first proposed, and to the initial evidence that was presented to the Education and Culture Committee. As I understand it from that evidence and from ministers' statements at the time, the policy was seen as one that would enhance child protection by encouraging earlier intervention and ensuring that there was greater co-operation and co-ordination between the different areas of children's services, as had been the case in the pilot in Highland.

I stress my recognition that there can be no doubt that, of the 138 submissions to the committee that specifically mentioned the named person policy, the vast majority—that is, around 70 per cent, which came from groups that are highly experienced in dealing with our most vulnerable children—strongly supported the policy, as, indeed, did committee members, with the exception of me.

In recent weeks, I have reread many of those supportive submissions, and I note again, just as I did three years ago, that the support was for the general principles of the policy and that it was often qualified by concerns about case loads and underfunding. Just two examples are the submissions from the Royal College of Nursing and the Educational Institute of Scotland. It is also fair to mention Bill Alexander, who has been a consistent advocate of the policy throughout and who can speak with considerable experience from Highland.

As we approach full implementation of the policy, it is the concerns about case loads and resources that have come to dominate the debate. Whether we are for or against the policy in principle, we have to accept that those concerns

are serious. Indeed, I have no doubt that it was those concerns that prompted both Kezia Dugdale and Willie Rennie to make plain during the election campaign that their respective parties were worried about the delivery of the policy.

On the back of growing public concern, which, to be fair, was recognised in the previous session of the Parliament by Hugh Henry, Ken Macintosh and Tavish Scott, and which all candidates were hearing on doorsteps, Kezia Dugdale asked for a pause, so that key issues could be rethought. In addition, Willie Rennie questioned the resources issue, as did Iain Gray, who has been telling his constituents and the cabinet secretary that despite his support for the general principles of the policy he remains concerned about its delivery.

Indeed, even some Scottish National Party candidates in the election hustings questioned the issue. Jim Eadie said that he was proud to vote for the Children and Young People (Scotland) Bill but he recognised the extent of public concern and thought that modifications and changes might be necessary.

The Conservatives therefore firmly believe that there is a parliamentary consensus for a major rethink. That is reflected in the public mood. Polling has shown that there is widespread concern about the policy's implementation.

However, it is what has happened since the policy was proposed that is so significant and is the reason for today's debate. A growing number of concerns are being expressed by professionals on the front line. Many of those professionals have no party-political affiliation, and those who do represent the full political spectrum.

First, concern is being expressed about the case-load burden, which has been brutally exposed by many professionals in recent weeks and months. That concern has been expressed publicly: in Unison's report from its health visitor members; by the EIS; by the Scottish Secondary Teachers Association, whose members requested a delay following the motion that teacher Neil Sinclair submitted to the SSTA conference; by the Royal College of Nursing; and by social workers on the BBC's "Call Kaye" programme last week. In many cases, the concern has been expressed more anonymously, by front-line staff who are less prepared to put their name to anything, because of fear of reprisals in their job.

**The Minister for Childcare and Early Years (Mark McDonald):** Liz Smith has mentioned the RCN. She will have seen the briefing that the RCN issued last night, which says that it is neither calling for the policy to be scrapped nor asking for it to be paused. Will she at least acknowledge that on the record today?

**Liz Smith:** Yes, I will—I have done so already. However, the RCN is on record saying that it wants greater resources, and many people inside the RCN who have come to see me privately are concerned about the extent of the workload. There is an issue in that regard.

The paperwork that is attached to the named person policy is substantial, by any reckoning—we must all accept that. The paperwork that accompanies the wheel of wellbeing and the original measurement of the safe, healthy, achieving, nurtured, active, respected, responsible and included—SHANARRI—indicators, with no fewer than 307 indicators of wellbeing, is frankly mind-blowing, as is the paperwork that accompanies the 31 categories of the my world triangle and the extraordinary guidance that describes the named person as a “head gardener”. It does not take much imagination to work out what some of our already-overburdened health visitors, teachers and social workers feel about that.

The Scottish Government has said that it will provide 500 additional health visitors, but some people still argue that the case load will be significant and that it will be very difficult for them to cope.

John Swinney said two weeks ago that he wanted to reduce teachers’ workloads. One way to start would be by doing something about the burden of being a named person. When Greg Dempster gave evidence to the Education and Culture Committee, he said that the increasing paperwork is such a responsibility that it is stopping some people applying for primary headships.

**Daniel Johnson (Edinburgh Southern) (Lab):** Will the member give way?

**Liz Smith:** Let me make a little progress.

Jenny Laing, of Aberdeen City Council, made a similar comment, and today, Dr Simon Knight, who is a senior youth practitioner in Glasgow, said that his colleagues are increasingly concerned that decisions about children are not going to be left up to professional training and judgment but will be determined by an “endless list of protocols”. The key point is that those professionals fear that the additional burden of paperwork inevitably means that the most vulnerable children will receive less attention than they should receive, which is not a situation that professionals want.

A second area of disquiet among professionals is around where responsibilities lie when it comes to data sharing, especially the transfer of confidential information about doctors’ and dentists’ patients. As we know, medical ethics are strong and precise on that point. Experienced paediatrician Jenny Cunningham said that

although medics fully recognise that on occasion they must share with social workers and police matters to do with child protection, the extension of the duty to include the sharing of information between agencies where it is felt that a child’s wellbeing is at risk, which she says is an ineluctably subjective judgment, will inevitably undermine the trust between doctors and families.

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** Is the member aware that, on 24 March, in the House of Commons Public Bill Committee on the Investigatory Powers Bill, my colleague Joanna Cherry MP elicited an acknowledgement that under that bill the United Kingdom Tory Government will be able to gather information on the medical records of everyone in the UK and on children’s activities? Her political colleagues at Westminster trooped through the lobbies to support the Investigatory Powers Bill last night.

**Liz Smith:** Mr Stevenson makes an interesting point.

Let me develop the point about the named person. What is so difficult about the named person legislation is the definition of the term “wellbeing”. We warned about that when the bill went through Parliament. We listened to the legal experts, who said at the time that “wellbeing” is very difficult to define.

In the last parliamentary debate on the subject, I well remember my colleague Alex Johnstone seeking clarification from Stewart Maxwell, the then convener of Education and Culture Committee, about what he understood to be the definition of “wellbeing”, only to be told that his intervention was ridiculous and that, if that was the level of debate from the Tories, it was deeply regrettable. However, the question is very serious, and it needs to be answered.

**Daniel Johnson:** It is good to hear that the Conservatives are concerned about resources and definitions, but I thought—indeed, in recent articles Ruth Davidson has said—that they were opposed to the legislation in principle. We are not hearing a discussion about opposing in principle. What has changed? Are they against the principle or are they not?

**Liz Smith:** Nothing has changed. We remain completely opposed to the policy, but the debate—*[Interruption.]* Members can say all that they like, but as we indicate in our motion, every single party in the chamber has acknowledged that there are very serious concerns about the policy. There is another, separate issue, which comes from the professionals who are being asked to deliver the policy on the ground. We remain opposed and we will say so, as we always have done. There is no problem about that whatsoever.

Another problem is that there is now considerable confusion, with parents completely unsure about where they stand in relation to their child's named person. The First Minister told them that a named person is only an entitlement for each family, that it is not compulsory to engage with the named person or accept his or her advice. That is fine, but the legislation and statutory guidance are both quite clear that all named persons are, by law, compelled to look after the wellbeing of the children who have been assigned to their care, and that the duties and functions of the named person do not require parental permission to be fulfilled. There is no opt-out for named persons, so if any risk is identified, parents have to accept that the chain of paperwork will start for their child.

**John Mason (Glasgow Shettleston) (SNP):** Will the member take an intervention?

**Liz Smith:** I will not at this stage; I have taken three interventions and I want to make some progress.

The First Minister has confused the issue. She says that engagement with named persons is not compulsory but her legislation is not designed accordingly. She tells us that named persons are not about child protection, but she defends the policy against all her critics with that constantly in mind. It is little wonder that parents and professionals are confused.

Today in John Swinney's amendment, we learn that the guidance is to be reviewed. To our mind, that is a recognition that the current guidance is not fit for purpose.

We know that the EIS does not want its members to be named persons during the holidays—a position with which I have some sympathy. What will happen during the holidays? Who will take over as the named person? It seems that the local authority will have to provide a named person by using other staff. It is a bureaucratic nightmare, which serves to illustrate one of the fundamental flaws with the workability of the policy.

Colleges and employers have similar concerns about where their responsibilities lie. That exposes just how daft it is to have named persons for all 16 to 18-year-olds—the cohort that the Scottish Government says is mature enough to vote and is able to get married or fight for their country.

I return to my initial theme. The debate is surely about the best interests of our children and families and about the ability of our professionals to deliver the care that children deserve. It is about supporting agencies to solve genuine problems, rather than asking the state to determine that all children are always at risk. Everybody in the chamber as well as the wider public know that the

Conservatives have consistently been, and remain, fundamentally opposed to the named person policy. However, we also have an obligation to address the practical concerns of professionals and parents about the policy's workability. It is interesting to see from the amendments that the other parties also recognise that, as they did during the election campaign. If those concerns are not dealt with, they could seriously undermine the welfare of children throughout Scotland. That outcome would be unforgivable, and that is why we ask parties in the Parliament to support our motion.

I move,

That the Parliament, irrespective of whether or not individual MSPs support the principle of the Named Person policy, recognises the extent of concerns being expressed by many professionals who believe that there are practical difficulties ahead in relation to the delivery of a universal provision of Named Persons in August 2016; notes that there is confusion among parents about whether engagement with their child's Named Person is compulsory, and believes that, in light of these significant concerns, there is an urgent need to pause the implementation of the policy and debate whether or not the policy in its current form is workable in the best interests of Scotland's young people.

15:26

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** When the Parliament passed the Children and Young People (Scotland) Act 2014 on 19 February 2014, we recognised that a policy that had been developed and tested over many years across several Administrations with cross-party support had reached a milestone. We believed that it was right for children and young people throughout Scotland to have the benefit of the named person service if and when they needed it. It was a deliberate, well-debated step, not one that was taken lightly. It had been informed by expert opinion across Scotland.

The policy has been long and passionately supported by professionals and our children's charities. This morning, the leaders of a broad range of organisations that are dedicated to supporting our children made clear their firm and continued support for the policy. They wrote:

"We believe the Named Person provisions formalise the best practice of our education and health services, ensuring that every child, young person and their family has a primary point of contact available if and when they need it ... It is a policy that protects vulnerable children and young people, taking a preventative, early interventionist approach, before any significant risks to their wellbeing escalate."

To add to that endorsement, Theresa Fyffe of the Royal College of Nursing wrote on behalf of the health visiting profession:

“Our position is clear—we fully support the named person role and believe its intention to promote, support and safeguard the wellbeing of children and young people in Scotland is the right approach.”

The policy embodies the principles we share as fundamental to supporting the lives of children and young people. It is founded on an agenda upon which I thought that we were all agreed in the Parliament. It is an agenda that enshrines the principle of early intervention that was championed by the Christie commission and embraced by this Parliament and several of its committees over many years of inquiry. I thought that we all understood that a timely and early offer of advice or help can prevent troubles from becoming crises and, in some cases, crises from becoming tragedies. As a single point of contact for families as well as professionals, the named person can make that principle not just best practice but common practice.

**Liz Smith:** Will the cabinet secretary outline why he thinks there is so much opposition to the policy? Within many of the professional groups—*[Interruption.]* I will not respond to that intervention. There is real concern among some professionals that, because the named person service is a universal one, they will not have time to deal with the young children to whom the cabinet secretary refers.

**John Swinney:** There are two issues in Liz Smith’s comment. One is the issue about workload, to which I will come. We have to take that into account, which is why my amendment is framed as it is. However, when Liz Smith comes to the Parliament and asks me why I think that there is opposition to the policy in Scotland, I say that it is because the Conservative Party has gone round the country for months utterly misrepresenting it.

The named person approach recognises that the children who most need help—those who can become the most vulnerable in our society—are not always easy to identify. Named persons are there to act not for people who do not need them but for those who do, whenever and for however long they need them.

Liz Smith just asked about universalism. Some have argued that we do not need a universal named person service because most children and young people are unlikely to require it. However, if we apply the same argument to access to a general practitioner or the provision of a fire service, the importance of universalism is clear. I rarely go to my GP but I like to be able to go to one when I need to. The point is pretty simple—we believe that all of Scotland’s children should have access to the service by right, and it should be there to be used as and when they and their families require it. It reflects an agenda—

**Adam Tomkins (Glasgow) (Con):** Surely the difference between a GP and a named person is that a GP is there to assist, whereas a named person is there not only to assist but—behind the backs of parents—to discuss issues of wellbeing. *[Interruption.]* It is in section 19(5)(a)(iii). The named person is there to discuss questions of wellbeing—behind the backs of parents—with any “relevant authority”. Is that not a material difference between the universalism of general practice and the unnecessary universalism of the named person?

**John Swinney:** That intervention characterises why this debate has become what it has become—because Mr Tomkins has fuelled the absurdity of the attacks that were made on the policy. He should be ashamed of his intervention in the debate. *[Interruption.]*

The named person policy reflects an agenda that has taken notice of what has been said in just about every significant case review, fatal accident inquiry and review into the tragic circumstances of the deaths of children who have been victims of abuse and neglect over the past few decades.

It is not appropriate to judge whether a particular policy would or would not have made a difference in a particular tragedy. However, when we look at the common thread throughout so many of those deaths, as recorded in significant case reviews and fatal accident inquiries, time and time again, reviews have pointed to professionals not sharing information that might have alerted people that something terrible was happening. The named person can—and, I believe, will—help to ensure that the right information is shared at the right time in the right way.

We know that the policy of getting it right for every child works. It has been working in Highland since 2007. Through the named person role, professionals have responded promptly to requests for assistance and families have received more support, more quickly. Between 2007 and 2013, the number of referrals to the children’s reporter in Highland dropped from 2,335 to 744. Over the same period, the number of children on the child protection register in Highland fell from 130 to 80 and social work case loads have been significantly reduced.

Those are the benefits that we want to bring to the whole of Scotland. We have known that for years, and in debate after debate across several parliamentary sessions, we have consistently endorsed the principles of the policy, most recently in December last year.

What has changed now? What has brought us to Parliament today in this context? For one, political expediency has made its unwelcome presence felt in the debate. The Conservatives

fought a vitriolic campaign on the issue at the election. They disparaged a sound concept, which was well researched and widely debated, and characterised it as something that it is not. Then they come to Parliament expecting us all to take them seriously when they talk of a “pause” in implementation. The Conservatives are not after reflection; they want repeal—that is what they screamed at us during the election. Parliament should not be fooled by the temporary change in the Tory tone—although not all those on the Tory benches today have changed their tone. [Interruption.]

**The Deputy Presiding Officer:** Quiet, please.

**Liz Smith:** Will the SNP be supporting the Labour amendment?

**John Swinney:** I will be supporting my own amendment—I drafted it, so I will be voting for it. I do not think that that was a great moment of parliamentary triumph.

What else has changed in the debate? Perhaps it is the language that some have used in their opposition to the policy. We had another example of it today. We have all heard many comments about “state snoopers” who will be “intruding” in family life but those so-called snoopers are the health visitors and teachers whom families across Scotland work with, trust and turn to for advice right now. Such language insults the vital work that they do and makes their work much more difficult.

I accept that the Scottish Government now has work to do to build confidence in this policy; to ensure that the guidance is appropriate—that is why I have given a commitment to refresh the guidance; and to ensure that the public are fully and properly aware of the intentions behind the policy. We understand the challenges of communicating that change to the public, not least in a climate thick with misinformation and scaremongering. The public deserve a considered, transparent presentation of the facts around the named person, and I commit myself to deliver exactly that.

Working with those who work with families and with parent groups, we will ensure that the public information is clear and timely. I accept that more needs to be done by the Scottish Government, which is why our amendment signals the need to carry out that work. I commit to Parliament that, working with the Minister for Childcare and Early Years, with other parties, with stakeholders and with public servants around the country, the Government will do exactly that.

I do not underestimate the task but, equally, I am proud of the huge progress that has been made across Scotland to ensure that the duties will commence this August. I believe that to pause that huge effort to transform our services would be

a loss of faith in the principles we have commonly espoused for delivering better lives for this and future generations.

Ultimately, this is not simply a debate about whether and how fast the named person duties in the Children and Young People (Scotland) Act 2014 should be taken forward. It is about how we can make our public services more responsive and more effective to our children and young people and to the families who are raising them. It is about how we can best help families to get the help they need, when they need it. It is not about undermining family life but about how we can give a guarantee of the assistance that can strengthen and improve it.

I move amendment S5M-00345.1, to leave out from “, irrespective” to end and insert:

“believes that most children and young people get all the help and support that they need from their parents or guardians, wider family and community but that sometimes some of them may need extra support; supports the creation of the Named Person role to provide a central point of contact if a child, young person or their parents or guardians want information or advice and, where appropriate, reach out to different services that can help; recognises that the Named Person provisions of the Children and Young People (Scotland) Act 2014 are backed by leading child welfare organisations, including Barnardo’s, Save the Children, Children 1st, Children in Scotland, Aberlour and the NSPCC, and by Police Scotland and the Scottish Police Federation; acknowledges, however, the concerns that some people have expressed about the implementation of the policy, and agrees that more must be done to ensure that implementation is successful and that the Scottish Government should, therefore, refresh the guidance provided to professionals and the communication of the policy to the public.”

**The Deputy Presiding Officer:** I call Tavish Scott to speak to and move amendment S5M-00345.1.1 to amendment S5M-00345.1.

15:36

**Tavish Scott (Shetland Islands) (LD):** Thank you, Presiding Officer, for that lengthy introduction.

This morning, I read the papers on the named person policy. I am at a loss to understand why a simple and sensible principle—that parents and carers should have a single point of contact for children’s services—can be so difficult.

As Liz Smith mentioned, Dr Simon Knight is a named person and a youth worker in Glasgow, yet he rails against the named person policy in today’s *Herald*. Yesterday’s *Press and Journal* editorial does similar. As many of us do, I have friends who work in education, social work and other places who, just like me, are parents. Some believe that the policy is an invasion into family life—but it is not; it never can be; and it never should be.

As a parent, I can say no to the named person for my youngest sons. Both are at school: one is in



primary and one is in secondary. The older one is in Inverness and has had a named person for years under Highland Council's policy, but I have not been called in by his named person. If I had been, and I and my son's mother had judged the matter as being for us to resolve, that is what would have happened. If—I should say that this has not happened—our son was caught drinking after school, we would deal with it. Parents and carers can say, "Thanks, but no thanks." However, the Government has failed to get that broad point across, as it needs to do to Dr Knight and many others.

People worry that parental consent could disappear. Some say that low-level intervention involves professional health visitors or teaching staff doing the parents' job. We all learn as parents, believe me—I have four kids and I am still learning. However, the state, and any Government, must accept and ensure that parents and carers can say, "No, that is my responsibility."

The obvious threshold concerns child protection where there are threats to a child's welfare or physical harm, and where a child or a young person is in danger or at risk. Following last week's High Court ruling, there can be no MSP who would stop a named person pressing every emergency button and taking action. There are clear and very well-understood circumstances in which police, social workers and others must get involved.

I have listened to more than one First Minister explain, when a child has been murdered in the most horrific of circumstances, how a Government will inquire and review. However, I also reflect that the real challenge of child protection is helping at-risk children in catastrophic family circumstances. Families can be skilled and manipulative with agencies and can hide abuse, and that is where the named person system simply must work.

Last week, I met the area police commander at home in Shetland and we talked about the policy and about child protection. At home, there is a weekly case conference at which all the agencies are present, when any child or young person who is at risk is discussed. Parents and carers are, of course, involved. The aim is to stop an initial problem escalating.

Childcare services, numerous agencies and the national health service can be and are a maze for parents and carers, so an effective approach that involves a single point of contact who helps parents to establish who to speak with about their son or daughter is right. That must be a simple process that is designed to help. However, there are concerns about the named person policy. People want to know that it will work properly and that there are safeguards. My amendment reflects that.

First, there must be adequate resources, and adequate training is needed. The policy asks the named person to judge a child or young person not simply on the basis of risk but on an assessment of wellbeing. These days, we ask much of our teachers, health visitors and others. Are named persons receiving adequate training to cope with the 200 separate risk indicators that are the basis of the wellbeing assessment? Do teachers know what wellbeing is, rather than just knowing about teaching geography or physics? Can schools provide the professional development that the policy needs in order to work? I hope that the cabinet secretary will be prepared to consider those observations.

**Brian Whittle (South Scotland) (Con):** I declare an interest as a member of the west of Scotland National Society for the Prevention of Cruelty to Children board.

We are speaking to practicality now. In practice, if a 16, 17 or 18-year-old couple had a son, would three named people cover those parents and their child?

**Tavish Scott:** I am not the minister with responsibility for the policy, but it is clear that it would be wrong to have three named people for any individual in such circumstances. I am sure that the member can address his question to the responsible ministers.

There is a significant burden on health visitors and schools. The Government needs to reflect on the scale of what it is asking of already overworked people. In a large secondary school, a deputy headteacher or pupil support teachers will be the named person for hundreds of pupils. As a number of members have said, most pupils will not need that—or any—attention, but some will. Does having the proposed scale of risk indicators help? I want the Government to reflect on that.

On money, my amendment reflects the fact that many public bodies have concerns about the policy's costs, which were raised when the Children and Young People (Scotland) Bill was considered some time back and were in the Finance Committee's observations on the bill. A number of organisations have highlighted the need for adequate resources. I trust that the Government now accepts that need, and it is why Parliament expects the cabinet secretary to set out what the implementation and on-going costs will be and how they will be met.

Parents and carers should have the right to request a change of named person. The cabinet secretary's amendment cites many charities and organisations that are in favour of the policy, but that is qualified by a strong desire on parents' and carers' rights. One right should be the ability to ask a headteacher or the local NHS body to change a

child's named person on the basis of a reasonable reason. I ask the Government to introduce and highlight that flexibility.

We should be honest about the fact that professionals can throw their weight around. I am not the only constituency MSP who has had to weigh up conflicting advice from professional staff on one hand and a parent's perspective on the other. The Government needs to introduce independent scrutiny that will go hand in hand with the right of a mum or dad to change the named person.

A check and balance is right in every system and particularly in this case. People get it wrong and sometimes, rather than admit that, they cover that up—all the agencies pull together rather than accept that a mistake was made. We have all dealt with constituency cases in which that has happened.

The system must work both ways. If parents find that the response to their concern is inadequate or ignored, they will want action and help. Such an appeal is not just about guarding against interference in a child's life that crosses a line into parental responsibility, but about cases in which professionals do not have time to make the difference that needs to be made.

Such building blocks will be important for the Government in resetting this important policy. A single point of contact is needed, but there must be checks and balances that ensure and enshrine the responsibilities of parents and carers.

I move amendment S5M-00345.1.1, to insert at end:

“; notes the concerns of health visitors, social workers and school staff concerning the resources needed to implement the Named Person policy, and calls on the Scottish Government to ensure that resources can support the effective implementation of measures for children and young people who are at risk of significant harm”.

15:44

**Iain Gray (East Lothian) (Lab):** Scottish Labour supported the principle of the named person scheme when it was legislated for, and we continue to believe that, implemented properly and proportionately, it can improve support and services for children and parents in general, and child welfare and protection in particular.

The best place to look for evidence of that support is where the scheme was developed and first implemented and where it has been longest in place, which is the Highlands and Islands. In recent days, with attention once again focused on the named person—alongside, or sometimes because of, the tragic case of Liam Fee—those in Highland who know and understand the scheme best have spoken out very clearly.

I heard on radio Bill Alexander, director of care and learning for Highland Council, explain very patiently and eloquently the benefits that he had seen. The most important ones were twofold. First, he was very clear that the policy has given his staff more confidence and clarity about their responsibilities and accountability. That has reduced bureaucracy, sped up access to services for children and families, and reduced the escalation of problems in many cases. In particular, he makes the point that it has reduced ad hoc and unnecessary referrals to the children's reporter as a default option for staff involved. In other words, it has reduced unnecessary and inappropriate intrusive measures, not the reverse. Secondly—and critically—that has reduced, not swamped, the case load of social workers, allowing them to focus more time on the most serious cases, which require significant intervention. Let us not forget that when the system goes catastrophically wrong, it is the lack of intervention that we end up regretting, not the intrusion.

In an article written by Dani Garavelli, Bill Alexander's views were supported by the health visitors, teachers and social workers on the front line of children's services in the Highlands. They described exactly the hoped-for benefits that Liz Smith elaborated on when she talked about the policy's introduction.

**Liz Smith:** I am sure that Iain Gray will acknowledge that other professionals—people in Unison, the EIS and the SSTA—hold a very different view of that case load.

**Iain Gray:** That view is largely related to the resources going into their professions and the authorities for which they work generally, and I will come to that point. However, we cannot deny that in Highland there is evidence that, if it is correctly and proportionately implemented, the policy can work.

Unfortunately, for some time there has also been evidence that the Government has made a disastrous mess of implementing the policy. John Swinney attacked the Tories for scaremongering throughout the election campaign. I will come to the Tories, but the SNP must take some responsibility too.

For months, wild and wilful distortions of what the policy would mean were allowed to run unchallenged and unchecked. Government officials produced guidance and training that, on occasion, fuelled those stories, rather than debunking them. Meanwhile, a budget that cut £500 million from local authorities and squeezed NHS budgets left the professionals involved questioning whether they had the resources to make the scheme—or indeed any service—work, even where they supported the principle. That is

why we suggested a pause, a review of the guidance and implementation, and a commitment to adequate resourcing.

In its amendment, we finally get acknowledgement that the Government has lost parents' confidence in the scheme, and that it needs to do something to fix that. That is a big step in the right direction, as is the Lib Dem amendment, which makes clear the need for resourcing. However, we remain convinced there should be a pause in implementation, to give families confidence that there is a real attempt to fix the policy.

We also believe that it is not enough to have the same officials who got us into this mess refresh their guidance. Some kind of external review is necessary—we have suggested a review by the Children and Young People's Commissioner Scotland, but there may be other possibilities.

**Mark McDonald:** Iain Gray will be aware that the children's commissioner was explicitly asked about that during the election campaign and said that he did not agree that there needed to be a pause to review ahead of implementation. Does the member not take that on board when he makes that suggestion?

**Iain Gray:** That is the suggestion that we made at the time and I would like to be consistent with it, but we are not wedded to it. I simply say that we think that there should be an external review, not a review led by an internal Government official.

For completeness, I should say that, when the Children and Young People (Scotland) Act 2014 was passed, we did oppose the extension of the policy to young people aged between 16 and 18, and we still believe that that was a mistake.

We will pursue our position and amendment, which elaborates our points, but we accept that the Government has taken the first step in trying to fix the policy. However, if the Government position prevails, it must understand that Parliament is giving it the chance to fix the policy. If, months from now, no progress has been made, we will return to the point

What of the Tory motion? Well, the Tories' position on the named person was clear all through the election. They were against it, and they said that they would be a strong opposition to it and that they would get it repealed, scrapped and binned. Ms Davidson climbed on a skidoo on top of Cairngorm to tell us how strong her opposition was. She climbed into little blue racing car at Knockhill to tell us how strong her opposition was. She then climbed on the back of a bemused and bewildered buffalo to tell us how strong opposition would be to the whole principle and not just its delivery. Then she sends Liz Smith to the chamber with a dog's breakfast of a motion

that does not actually oppose the named person as a policy but tries and fails to paraphrase our position.

**Liz Smith:** Will the member give way?

**Iain Gray:** No, I am sorry; I am in my final minute.

The Tories do not have a problem with the definition of wellbeing; it is the definition of opposition and principle that they do not understand. Our position, which they have tried to copy, is one that Ruth Davidson described as "humiliating hypocrisy". It was a "screeching U-turn" she said. Well, humiliating hypocrisy is turning up with a motion that hides the real purpose behind the pause that has no purpose except to allow more debates and, presumably, more Tory press releases that say something different out there to what they say in here. That is not strong opposition; it is the weakest of opportunism.

We do not want a pause to debate the policy; we want it to be fixed properly and proportionately implemented, parents' confidence to be regained and the benefits for children to be secured. That is what our amendment calls for.

I move amendment S5M-00345.2, to leave out from " , irrespective" to end and insert:

"recognises that the Named Person policy contained in the Children and Young People (Scotland) Act 2014 is supported by the majority of organisations working in the interests of child welfare, including backing from experts from Children 1st, Barnardo's, Save the Children, Children Scotland and the NSPCC; considers, however, that the rollout of the policy by the Scottish Government has been poorly carried out, from communication of the policy to the public to guidance produced by government officials to the way that the legislation has been presented in the Parliament, causing anxiety for parents and resulting in many losing confidence in the Named Person provision, and proposes a pause to the process in order that the Children and Young People's Commissioner can carry out a full review of the implementation of Named Person to address concerns of parents, teachers, health visitors, social workers and other partners."

**The Deputy Presiding Officer:** We now move to the open debate, with speeches of absolutely no more than six minutes please. We are quite tight for time.

15:53

**George Adam (Paisley) (SNP):** Once again, we are here to discuss the Tories' obsession with the named person scheme. No matter how Liz Smith tries to dress it up or change anything in our policy, the Tories are currently in a very bad place with the actual debate. We had the debate with the Conservatives numerous times during the previous parliamentary session and during the

passage of Children and Young People (Scotland) Act 2014.

My support for the scheme is rooted in getting it right for every child, as is the named person. For me, it is important that all young people get opportunities and chances in life. The named person is one of a basket of measures that can help to make Scotland the best place in the world to grow up.

I see the named person as someone who families can use when they need a bit of extra support. It is also a role that we can use to ensure that the rights and thoughts of the child are also adhered to. The language that the Tories have used in all earlier debates has been less than helpful. Surely the principles of GIRFEC are not questioned by the Conservative Party. I cannot understand why we would not want to work together to get it right for every child

I do not doubt that many parents and families are concerned about many aspects of the named person provision. I do not doubt that, because of the tone set and language used by the members in the Tory party during the election. Apart from their tone being all wrong, it was also the opposite of the approach taken by those who work in children sector.

**Liz Smith:** Could the member cite any aspects of my opening speech that were inflammatory or that did not in any way look at the common sense of the policy?

**George Adam:** Liz Smith makes my point perfectly. She has not said inflammatory things today, but she has almost incited riots outside the Parliament.

A letter from children's charities, including Aberlour Child Care Trust, Barnardo's Scotland, and NSPCC Scotland, as well as groups representing teachers, social workers and nurses, urged the supreme court to dismiss the case. They said:

"The campaign against the Named Person provisions of the Children and Young People (Scotland) Act, has sought to portray the policy as a 'State Guardian' for every child and a material erosion of family privacy. This is simply not the case. The introduction of the Named Person was a direct policy response to requests from parents for a simplified approach to accessing support when they need it."

That came from the professionals—that is what the people who work in the sector believe.

It is important that we discuss what the named person provision actually does and how the named person would interact with a family. As I have said many times before—and as the Deputy First Minister said today—I see the provision as being like that of GPs. We consult a GP when we

need to consult them; when we do not need them, we do not need to use the service.

With that thought in mind, how can some argue that the provision is taking valuable resource away from those who need it? That is clearly not the case: when support is needed, the named person will engage with a family, child or young person. The outcomes from that engagement can take the form of advice that parents can choose to take or not. In most cases, I do not see that as a problem.

That is how we should be discussing this matter. That is how we should discuss the named person provision with the public. Parents need to know what exactly the scheme has to offer. What parents, grandparents—of which I am one—and families do not need is the hyperbole of certain members of this chamber. We need to be responsible and we must work together to make Scotland the best country in the world for children to grow up in.

It is in the role of child protection that I believe the named person provision to be of most use. There appears to be a common theme in many cases of abuse and deaths of young children. There tends to be a point in the timeline when, if someone had intervened or shared information at the correct time, tragedy could have been averted.

Equally, it would be wrong for me to claim that the provision alone would be able to save every child's life, as life is never that simple—unfortunately, bad people will continue to do bad things. What we have to do is ensure that the support mechanisms are there to protect all of our children, and the named person provision will help with that.

The named person will ensure that children and families can access help and advice if they need it, at the right time, wherever they live in Scotland. In line with the current approach of a school head or guidance teacher, the named person will only offer advice or assistance

**Daniel Johnson:** George Adam is quite right that the issue boils down the interactions and how they take place. Would he agree that work needs to be done so that parents can have confidence and trust in the way that those interactions with the named person will take place?

**George Adam:** The member makes a valid point. We have to go out there and ensure that parents understand exactly what the provision is. The situation is not helped by the terms and the tone that the Conservatives are using. That is part of the problem, as I have already stated.

I was there during the evidence sessions for the Children and Young People (Scotland) Bill—I was a member of the Education and Culture

Committee in the last parliamentary session. Bill Alexander from Highland Council has said:

“The Named Person scheme works for those children and families who wish to seek support. That is why it is effective. Unfortunately, there are some families who do not seek that support. There are some families who do not co-operate with authorities and those are the families that other professionals will work with, not the headteacher, not necessarily the health visitor. That is why we have social workers.”

Iain Gray referred to one of Mr Alexander’s most memorable quotes. In written evidence to the committee, he said:

“We do not get complaints about the Named Person role being deployed; we get complaints when parents believe it has not been deployed.”

That is how the scheme has been working in Highland.

We must get behind the role, we have to get the message out to the members of the public, and we should stay away from the showbiz antics of the Conservatives.

15:59

**Douglas Ross (Highlands and Islands) (Con):**

I refer members to my entry in the register of members’ interests: I am a councillor on Moray Council.

The motion in Liz Smith’s name calls for a pause ahead of the full implementation of the scheme in August. I will dwell for a moment on that date. We are a few short weeks away from the scheme’s national roll-out. For a measure that was included in the Children and Young People (Scotland) Act 2014, it seems incredible that only now, at this very late stage, is the SNP Government accepting that there are problems with its plans.

John Swinney’s amendment acknowledges

“concerns ... about the implementation of the policy”

and that the Government needs to

“refresh the guidance provided to professionals and the communication of the policy to the public.”

**John Swinney:** Will the member take an intervention?

**Douglas Ross:** In a moment. For years, the named person policy has been at the core of this SNP Government’s programme, yet it is only today, when the Opposition uses its debating time to raise the many serious concerns of people across the country, that there is acceptance that more information is needed for professionals and the public.

**John Swinney:** I clarify for Mr Ross’s benefit that one reason why I have concluded that we need to improve communication to the public is

the atrocious misrepresentation of the policy for some considerable time by Mr Ross and his colleagues on the Conservative benches. That is why the communication needs to be strengthened.

**Douglas Ross:** That is interesting. We have been accused of inciting riots and theatre politics; now Mr Swinney is saying that what this group of 31 elected Conservatives have said during and since the election has encouraged the change. I was under the impression that the Scottish Government was already looking to take forward a communication process on the policy. Indeed, it is John Swinney who lodged that amendment and this is the first time that we have seen an amendment in those terms in this chamber, so I will not take any more lectures from him.

Maybe while Mr Swinney is considering that point, he should also consider whether this late action—to accept only now the concerns of so many—is the response of a responsible Government. Furthermore, is having to refresh the guidance and to communicate the policy just weeks away from its implementation the action of a responsible Government? Surely the work should have been done a long time ago.

I want to look at the concerns about the policy. I am today’s first speaker from the Highlands and Islands, yet every other member has spoken about Highland Council. I want to look at some of the issues that have been raised with me as a regional MSP. I am sure that many MSPs have been inundated with emails from their constituents about this debate. Across the Highlands and Islands, parents and professionals have raised significant concerns. I will cite just two.

A lady who used to be a residential social worker wrote:

“Whilst I am in agreement with the sentiments behind the scheme, the implementation and evidence from parents undergoing trial schemes, fills me with horror.”

Another constituent wrote:

“I am former teacher, a parent and grandparent. This will be unworkable and put extra strain and responsibility on to already overworked teachers and head teachers.”

**Mark McDonald:** Will the member give way?

**Douglas Ross:** Let me make a wee bit of progress. If there is time at the end, I will come back to the member.

I want to look at teachers in particular. The Educational Institute of Scotland says that it does not want its members to be named persons during holiday periods. That is perfectly understandable and acceptable. In Moray Council, we looked at how we would try to overcome the problem. The authority has about 80 teaching staff who act as named persons. What, therefore, do we do during the holidays? Out of that figure of 80, 45 named

persons are primary headteachers and 35 named persons are guidance staff across our secondary schools.

As an authority, we decided to look to the senior council officers to take on the role. Those officers were heads of services who already have a significant workload and quite often try to take their holidays during the same school holiday period or to catch up on work at that time. They tried on one occasion—it was the Easter break—to be the named person for the 80 staff who had that role. On one day, 14 police referrals were made to a named person; on another day, they received 25 referrals. Therefore, a head of service in Moray Council, who was dealing with all her other casework, had to deal with 25 referrals from the police about named person issues.

We have to consider the workload, the capability and the capacity of people to take on that role. Is that how the Scottish Government envisages its policy being implemented?

**Mark McDonald:** Will the member give way?

**Douglas Ross:** I am sorry, but I only have a minute to go and I need to carry on.

When the policy is introduced this summer, is that the approach that Moray Council should take come the October holidays? If not that approach, what does the Scottish Government want the council to do?

I, too, will stick with the Highland Council, because others have mentioned Bill Alexander's views. Liz Smith has explained the background to that success—as we see it—in the Highland area, but there are areas for concern there, too. In 2014, Highland Council reported a rise of 30 per cent from 2013 in the registrations of children and young people on the child protection register. That included a rise of 16 per cent in the category of non-engaging families. Highland Council's child protection committee biennial report for that period records the figure for non-engaging families as "particularly high".

That is hugely concerning because, as we all know in here, non-engagement is listed as a risk factor in the wellbeing assessment that named persons have to carry out. It is an indication that the relationship between parents and teachers is breaking down. That was one of the most concerning developments on the Isle of Man when the intervention threshold there was lowered and based on wellbeing.

I am against the named person policy, and I think that all the other parties realise that the Scottish Conservatives are against it. However, today's debate is about taking action to prevent the practical problems with the delivery of the

scheme that have been highlighted by so many individuals and professionals.

Surely now is the time to take stock, even at this late hour. We do not need guidance, clarification or further communication; we need a pause. Let us pause the policy's implementation to ensure that we have something that is workable for Scotland's young people and their families and carers.

**The Deputy Presiding Officer:** I remind all members who have yet to speak in the debate that below six minutes means less than six minutes.

16:05

**Jenny Gilruth (Mid Fife and Glenrothes) (SNP):** Last week, I listened intently to my fellow new MSPs delivering their first speeches. In particular, I listened to the newly elected member for West Scotland Jamie Greene. Mr Greene told the chamber that he and other Conservative members would "challenge with ideas", not with arguments.

Let us be clear about the content of today's motion. The Tories' first act as the main Opposition party has been to start an argument. It has been to use the death of a child in my constituency to score political points.

**Members:** Withdraw!

**Jenny Gilruth:** It has been about everything but creating the political consensus that was spoken of last week. For the main Opposition party, that is simply not good enough. The people of Scotland deserve an Opposition that will challenge the Scottish Government. They deserve a leader of the Opposition who has the decency and the humanity not to take to social media to air her ill-informed views, particularly when those views have now been entirely discredited by Fife Council.

The fact that learning and teaching—which are the hallmark of good-quality education—feature absolutely nowhere in the wording of the motion tells us all that we need to know about the Tories' view of Scottish schools. Let me be clear: the SNP will not allow the Opposition to kick Scottish education about like a political football.

The motion opens with the words:

"That the Parliament, irrespective of whether or not individual MSPs support the principle of the Named Person policy".

I say, with due respect, that that is not irrespective—it is not irrespective to teachers, to parents and to carers, nor is it irrespective to pupils across Scotland. Let us remember that it was in this Parliament that the Children and Young People (Scotland) Bill was passed in 2014, when it

received 103 votes in favour and not a single vote against.

Today's motion is not about repealing the named person legislation; it is about headlines and political posturing. If the Tories were so ardently against the named person legislation, as they said during their campaign for the recent election, why have they proposed only that the legislation be paused and not that it be scrapped in its entirety? Where are the Conservatives' ideas for a credible alternative to the named person scheme?

In my experience as a former teacher, it is not always possible to spot a vulnerable child. They do not come with stickers on their heads. Indeed, there may not have been any prior warning that could have suggested that they might ever become vulnerable, but teachers use their professional judgment. They make a call, and if there is something that is not quite right, they make the necessary referrals, whether that involves a chat with the deputy head, a guidance teacher or the pupil themselves. The teacher checks whether the pupil is okay.

Of course, the named person legislation should not be considered in isolation. It is underpinned by the getting it right for every child—GIRFEC, as it is known in Scottish schools—approach, and GIRFEC is informed by the four capacities of curriculum for excellence, along with eight areas of wellbeing: that all children are safe, healthy, achieving, nurtured, active, respected, responsible and included.

I enjoyed listening to Brian Whittle's first speech yesterday, particularly because I went to a Scottish state school and had a range of opportunities to participate in sport through hockey, netball and tennis, for example. It could be said that I became a confident individual because I had the chance to take part, to play as part of a team and to develop wider social skills in so doing. That is what GIRFEC is about, and it is what curriculum for excellence is about, too. It is about ensuring that every child has the opportunities to succeed in life and that there is not, as Mr Whittle said yesterday, an "inequality of opportunity". GIRFEC pulls together schools, social work, the police and the voluntary sector. Fundamentally, it puts the child at the centre of that partnership working.

We know that a safety net needs to be in place because, as I have stated, there is no way to predict when a child is going to become vulnerable.

Most of my friends who are not politicians are teachers. They are hard-working individuals; they are committed professionals; and they work for the best of the pupils in their care. Like modern studies colleagues the length of the country, I

used to show my classes clips of this chamber regularly. The Opposition has a duty of care to ensure that the language that it uses about our education system is not that of derision; not that which talks our teachers down; and not that which deliberately creates doubt and mistrust in our schools.

Tomorrow night, the state school in which I taught for three years will be taking part in the Donald Dewar memorial debating final in this very chamber. The pupils have been supported by my former colleague, who runs the school's debating club in her own time and without any financial reward. Does her professional commitment mean that pupils have better opportunities to achieve? Absolutely. Is she playing a pivotal role in closing the attainment gap in that school? I would strongly argue that yes, she is. My point is that there has to be a level of good will in education to make the system work and to get the best teachers who will work hard and allow every child to reach their potential.

The named person legislation has been seized on by the Opposition as its first opportunity to challenge the SNP, and it has been used quite disgracefully in the wake of a wee boy's death to score political points. However, blatant political opportunism will do the Tories no good when it comes to Scottish education. The Scottish Government remains committed to working with parents, teachers and pupils to ensure that we deliver curriculum for excellence in its entirety and that every child, regardless of their background, has the opportunities to succeed and, in so doing, to be protected by the system.

16:11

**John Mason (Glasgow Shettleston) (SNP):** I was keen to speak about the named person issue this afternoon, given that there has clearly been a certain amount of confusion—and, in my opinion, misinformation if not mischief making—round about it.

If I understand the situation correctly, a named person has two broad roles, the first of which is more reactive. If a child or family are looking for help, the named person is required to provide it or, at least, to point them in the right direction. Of course, it is not compulsory for any individual or family to seek such help, but I think that, when it comes to seeking help, some families are more likely than others to need an improved system. Some parents are very confident about dealing with teachers, GPs and other professionals, and they will stand their ground to ensure that their children get the very best services possible. I saw that myself when I visited Falkland House school in Fife, which specialises in helping teenage boys with autism. Almost all the parents of the boys at

that school are from the professional middle class, because they have pushed for their kids to be there.

However, there are other families, especially in a constituency such as mine, in which the parents are not so confident about dealing with teachers or medical professionals. They are in danger of being passed from pillar to post; indeed, that is what has happened and, as a result, their kids lose out. They are the people who could very much benefit from this part of the system.

The named person has a second, more proactive role. A child or family might be seen as being at risk by the public services, and the named person is required to initiate a response. The need for the wider community's intervention in a small number of families is already there—and I hope that all of us will agree that it should be there. In a small number of families, the parents might be struggling or unable to look after a child—or even worse might be abusing the child—and, in such cases, social workers and the courts have long had the right to intervene. In fact, they have a duty to do so. The powers of social workers and a few others to step in in a dangerous family situation are not changed by this legislation.

**Adam Tomkins:** John Mason is of course right that social workers already enjoy extraordinarily coercive and necessary powers to intervene in cases of suspected risk of harm or neglect, but that is not what the named person legislation is about. It is expressly about wellbeing, which significantly lowers the threshold for intervention. Does Mr Mason not accept that?

**John Mason:** The answer to that is not to wait until we get the legislation absolutely perfect; indeed, we would not do any legislation if we just waited and waited. The answer is to put the legislation into practice and see how it works out. Along the way, things will need to be reviewed and improved, and let us do so at that stage. However, this change is to ensure that there is better co-ordination among public services and that we can try to pick up problems at an earlier stage. As far as I am concerned, it is a minor tweaking of the present system.

I want to touch on the issue of faith. In particular, it has been suggested that the scheme in some way goes against Christian faith, perhaps because families are the key building blocks in society and we should not interfere with or undermine them. The reality is that there is no one Christian view on that topic. As I have gone round various churches, I have met people with a very strong Christian commitment—especially teachers and social workers—who are strongly in favour of the named person scheme. Many are puzzled about why Christian groups would oppose child protection.

One of the main organisations behind the no to named person campaign is the Christian Institute. It does a lot of good research, and I have worked closely with it on a variety of issues in the past. However, I consider that, on this issue, it is scaremongering or, at the very least, making a mountain out of a molehill. It is not representing biblical or traditional church teaching in the evangelical, Catholic or other churches that I am familiar with.

A number of parts of Christian teaching touch on the importance of children, families and vulnerable people in general—the gospels and Acts, for example, lay great stress on that. The family is very important in Christian teaching, but it is certainly not sacrosanct. The Bible is very open, and it gives examples of families that have gone seriously wrong. In the very first family in the Bible, Cain murdered his brother Abel. Joseph's brothers sold him as a slave into Egypt, and Jesus suggested that families would be split, with some members following him and some not following him. Jesus said that his closest ties were with those who believed in him rather than with those who were his own flesh and blood. Therefore, let us not have some romantic or idealised view of family life, with the suggestion from some, such as the Christian Institute, that we as the wider community should never get involved.

Most families work their way through difficult problems, but some families struggle with financial and other issues and need help and support from the wider community. There is a tiny number of families in which real abuse is going on, and we as a Parliament and as representatives of Scottish society have a responsibility to make the current system work better. The Conservative idea of less government and leaving individuals and families to their own devices too often leads on to the law of the jungle, where the strong win and the weak lose out. That is not the kind of society that I want to see in Scotland.

Any legislation can, of course, be improved as it settles down and as we see things happening that were not expected. Therefore, I fully support a review of the legislation and, in fact, of all legislation after a few years. However, if we are agreed on the principle of the named person, we really need to go ahead and put it into effect. If we sat and waited until every piece of legislation was perfect, we would never do anything. Please let us put the wellbeing of children ahead of imagined fears and support the named person.

16:17

**Monica Lennon (Central Scotland) (Lab):** Few things are more important than the wellbeing and welfare of children and young people. Our collective approach to this debate should be



robust, but it must be responsible. There is no place for spin and speculation when it comes to the safety of children.

In the small number of debates in the chamber that I have attended so far, members have talked at length about our shared ambitions for Scotland's young people—our ambitions for a fairer, healthier and more equal Scotland. We should seek to rediscover the shared commitment to our children and young people that has existed here before.

Scotland's ambition to deliver child-centred, integrated services through the GIRFEC framework is not new; successive Governments have shared it for over a decade. When I was thinking through the principles and practicalities of the named person approach, it seemed to me that it is largely a means to strengthen existing practice. However, recently, relentless posturing, headlines and confusing interviews have caused even me to reflect and question the facts more than once.

The aim of the named person approach was to formalise the duty of care of professionals such as health visitors to allow problems to be identified early and provide support if necessary. We have heard that the scheme is already in place in some local authorities.

Named person provision has the potential to play a key role in bringing about the shift towards preventative and early intervention practice and a culture that supports children's wellbeing and gives them the best protection from harm. If the provision is implemented correctly, it should reduce the risk of the needs of vulnerable people being overlooked, and it will provide a single focal point for children and families who seek support.

It is no surprise that the named person provision received widespread support from the children's sector when the Children and Young People (Scotland) Bill came before the Parliament. Scottish Labour supported the principle then, as we do now, as a protection for children who need it and a means to provide families with additional help if required. Looking back through the record, I found that the Tories led a debate on the named person policy back in September 2013. Throughout that debate, Scottish Labour members voiced concerns that the Scottish Government at that point was failing to accurately define the role of a named person or to lay out exactly how the policy would be financed and resourced.

That was September 2013. Kezia Dugdale said at the time that the SNP did not have to sell the bill to Opposition parties, because of course back then the SNP had a majority and could pass any bill that it liked. However, Kezia Dugdale cautioned that, for the bill to work, the Scottish Government

had to get the support of parents across the country and of professionals on the front line. That remains unfinished business for the Scottish Government. Parents are still asking tough questions about the named person policy, and rightly so.

Back in March, Scottish Labour repeated our support for the named person principles but called for a pause and a full review by the Children and Young People's Commissioner Scotland to properly address parents' concerns. We said in 2013 that the confidence of parents was crucial, we repeated that in March and we say it again today. It does not give me any satisfaction to say that the SNP has messed up the introduction of the named person scheme and has failed to reassure parents, debunk tabloid stories or address concerns around resources.

**Joan McAlpine (South Scotland) (SNP):** Has the member, like me, read the briefing from the children's commissioner, in which he says clearly in his final paragraph:

"I ... do not support the motion to pause implementation of the Named Person provisions".

**Monica Lennon:** I am aware of that position but, as I have said, the concerns of parents still need to be addressed.

We need space for the concerns of parents to be addressed and to build confidence across the country—I hope that Joan McAlpine agrees with me on that. When a mum came to my surgery in Hamilton recently, I tried my best to reassure her that, when her daughter starts St Mary's primary school in Hamilton in August, her family will not be intruded on. However, it is not my job to reassure her; that is the Scottish Government's job.

It is simply not good enough for children and young people across Scotland that too many of the people who have their best interests at heart have genuine doubts about the roll-out of the named person scheme. It should not be that way. The named person is supposed to be a simple system that is based on a single point of contact, and the formalisation of practice that already exists across Scotland. However, the anxieties of parents are not going away. The children's sector remains supportive of the named person system, which should provide confidence that the principles are sound. I am grateful for the information that organisations such as Barnardo's, Children 1st, and the National Society for the Prevention of Cruelty to Children have shared with me and other members.

We are having this debate because the Tories have a lot of hype to live up to and the SNP has a lot to make up for. Scottish Labour's amendment, which says that we should pause and review, is, I hope, constructive and provides a remedy.

Irrespective of what has been said previously, we all have a duty to serve the best interests of our constituents. I hope that we will move forward towards achieving the right measures and outcomes for every child and young person in Scotland.

**The Deputy Presiding Officer (Christine Grahame):** I call Oliver Mundell, to be followed by Stuart McMillan. I believe that this is your first speech, Mr Mundell.

16:23

**Oliver Mundell (Dumfriesshire) (Con):** Yes—thank you, Presiding Officer.

It is a great privilege not just to make this maiden speech but to do so as the first Conservative to represent the Dumfriesshire constituency in the Parliament. Perhaps strangely, I was both delighted and sorry to win what was Labour's safest seat in Scotland. I was delighted for my party's stalwarts, past and present, who kept going even in the darkest of days, but I was also sorry to bring to an end Elaine Murray's 17 years of dedicated and attentive representation here at Holyrood for our area.

Of course, I owe much to a certain member of Parliament who, in his own way, has set the ultimate example of public service and whose reputation for community commitment and willingness to take on his own party in the pursuit of his constituents' needs still define the politics of the communities that I now represent. While I would not be here without my dad, members will, I am sure, be relieved to know that I am talking about former Dumfriesshire MP Sir Hector Monro. Sir Hector was quite simply a giant among men, and I will never forget campaigning alongside him in the run-up to the Scottish Parliament elections in 1999—that is my earliest political memory. Invariably, days on the campaign trail involved touring the small villages of Dumfriesshire in his vintage Bentley and peeping the horn to announce our arrival in a village. Although, understandably, my red Ford Fiesta did not cause quite the same stir as I completed my tour of more than 70 communities ahead of the election, those memories came back to me.

I did not realise it at the time but, looking back now, I realise that I was witnessing the end of an era—a changing of the guard. Just a few short months later, I would sit in the public gallery and watch the opening ceremony of the new Scottish Parliament. Indeed, I can still hear the words of Donald Dewar echoing in my ears, and the iconic tones of Sheena Wellington still cause the hairs on the back of my neck to rise.

Why do I mention all that? It is because I want the Scottish Government to recognise that the new

intake of MSPs represents an important moment in the life of this Parliament. I want to gently remind the Government that there is a new generation of Scots for whom the Scottish Parliament has always existed, for whom the battles of the past no longer define their politics and—most important—who will not forgive the Scottish Government for blaming others.

That is not to say that we should not give history its place. Ahead of today, I reflected a great deal on the many distinguished people from outside the field of politics who have proudly called Dumfriesshire their home and who have contributed so much to our nation. The list of individuals is as varied as they are gifted. It ranges from Thomas Telford, who literally helped to build our nation, to Lord Dowding, who helped to save it in the darkest days of world war two. The poets and literary greats range from Alexander Anderson to Thomas Carlyle and our beloved Robert Burns, and the list also ranges from missionaries such as Jane Haining, who paid for her beliefs with her life in Auschwitz, to the Rev Henry Duncan, whose visionary approach to banking allowed the ordinary man to save for the first time.

We are also duty bound to celebrate the present and to fix our sights firmly on the future, with more modern successes such as the Olympic gold medal-winning curlers from Lockerbie, the three-times Le Mans winner Allan McNish and—a favourite of Mrs Mundell's—international superstar DJ Calvin Harris.

For me, our greatest asset in Dumfriesshire will always be our people and the sense of community that binds us together. We may have led the way from disco to defence and from engineering to banking, but Dumfriesshire is most of all, at its heart, a place of quiet determination, a corner of Scotland where community and family still matter far more than Government and a place where, for hundreds of years, across the generations, we have been self-reliant and resilient because we have had to be. Indeed, little has changed since the creation of this Parliament, partly because we have not shouted loud enough and in no small part because the Scottish Government refuses to listen. I hope that, across the next five years, we can do something about that and make a change together.

As I turn to the matter in hand, I say to all those on the SNP benches that there is no time quite like the present. Today's debate perfectly captures a Government that is out of step with the people—a Government whose policy priorities have been lost in the cross-fire of the debate and whose determination to save face has seen legitimate criticism fall on deaf ears.

Even the most ardent supporter of the named person legislation must now recognise that the

measure does not command the confidence of all parents and professionals in Scotland. I have never heard as much talk of compromise and consensus as I have heard in this place in the past month. We have a minority Government, and it is in that spirit that I ask the Deputy First Minister not to look to the left or to the right but to hit the pause button and look at the growing body of evidence that is in front of him.

Across the next five years I will, no doubt, stand up many times and criticise the Scottish Government for inaction, but today I end with a quieter and more considered request—that the cabinet secretary and his team consider the possibility that hasty action might do more harm than good in this case. [*Applause.*]

**The Deputy Presiding Officer:** You made an excellent start, Mr Mundell—six minutes on the button.

16:30

**Stuart McMillan (Greenock and Inverclyde) (SNP):** The focus of today's debate is the implication that the named person policy is somehow not in the best interests of Scotland's young people.

I support the named person provisions. Some constituents have contacted me to express concerns and fears about the policy, but others support it. I hoped—that is, until I heard some of the speeches—that today's debate would go some way towards addressing people's fears. I thought that the Conservatives were taking a different approach to the named person policy, which was a step forward. In the motion, the Conservatives call for a "pause" in the policy's implementation, whereas in their manifesto, on page 9, they said:

"One of our first priorities will be to call immediately for the repeal of the Named Persons provisions".

I also thought that what Ruth Davidson said on page 3 of the manifesto was a sign of things to come. She said:

"I will take the responsibility of this post seriously and serve with every ounce of determination, skill, tenacity and moral courage that I possess."

It is therefore unfortunate that the comments from Kirstene Hair—also in the manifesto—about

"short term political point scoring"

reflect what we are actually getting.

The named person policy is a serious policy, the objective of which is to help Scotland's children. We should all remember that and treat it seriously. As we heard, the getting it right for every child—GIRFEC—approach

"Puts the best interests of the child at the heart of decision-making",

to ensure the child's wellbeing. It works with children and young people and their families, not around or against them. It embeds early intervention and prevention, and it stipulates that professionals must work together across professional boundaries in children's best interests. The cabinet secretary gave more detail about the policy objectives.

The approach has support from some of the major third sector agencies that are involved in child welfare, as the Government amendment says. It also has the backing of professional bodies that represent teachers, social workers and nurses, and Police Scotland and the Scottish Police Federation understand the importance of the initiative in helping our children.

Phrases such as "the appointment of state guardians" and "intrusion into family life" have been used a lot by people who oppose the policy. During the recent election campaign, I heard a six-minute rant from the local Conservative candidate, who used such language. I know that some people have genuine concerns. It is clear that there is a job to be done to improve communication about and guidance on the policy, as the Government amendment recognises. However, some people are playing on people's fears and offering misinformation. Those who are serious about the policy should consider that.

The named person approach will certainly play a role in child protection, but families will be able to make use of the service for a variety of other reasons. If a child or young person has additional support needs or poor mental wellbeing, if there is a carer in the family, or if a family is struggling financially, and the issue is affecting the child's health or performance at school, the named person service will be able to co-ordinate support.

For families, there can be barriers—real and perceived—to accessing support. One such barrier for parents is a perception that they are poor parents, who cannot cope—they might have heard it suggested that they are caught in a multigenerational cycle of poor parenting. The important thing to remember is that anyone might need support from time to time. The key to early intervention is the elimination of such stigma for people who might seek support.

It is important to say that the vast majority of children will have no contact with their named person in that capacity. The vast majority of children are safe and healthy and are achieving. The vast majority are leading active lives and have loving and supportive families. Such children do not need support beyond our universal healthcare and school provision. The named person service will not change that.

For that reason, in the vast majority of cases, health visitors and teachers will have no additional workload. The named person policy simply puts into statute the work that such professionals do daily, when they record information and share it appropriately with other professionals, to ensure the best outcome for the child.

As the First Minister reiterated recently, there is no obligation on families to make use of the named person service or to engage if they feel it is not in their interests to do so. Critics have said that there is no opt-out in the legislation. That is misleading. The legislation requires public bodies to set up the named person service. There is no legislative requirement for families to engage and no need for a formal opt-out.

Organisations and parents back the legislation because they know that the named person does not replace parents or professionals—

**Adam Tomkins:** Will the member assist me by pointing me in the direction of the provision in the legislation that enables a parent to challenge the appointment of a named person? I could not find it.

**The Deputy Presiding Officer:** Mr McMillan, you are in your last minute.

**Stuart McMillan:** As I said a few moments ago, if Adam Tomkins would check the legislation and look at the information, he would see that for himself.

Organisations and parents back the legislation because they know that the named person does not replace parents or professionals—of course it does not—but it helps to make links between them if and when such links need to be made.

By all means, let us refresh the guidance that is provided to professionals as well as improve the communication to the public. However, I agree with Barnardo's Scotland: let us not pause its implementation. Why not consider post-legislative scrutiny in a few years' time? Post-legislative scrutiny has been spoken about before in this Parliament and it should happen where appropriate.

**The Deputy Presiding Officer:** Before I call Rhoda Grant, I advise members that as usual we are tight for time. The last four speakers—Gillian Martin, Ross Thomson, Fulton MacGregor and Ross Greer—will have up to five minutes and no more.

16:36

**Rhoda Grant (Highlands and Islands) (Lab):** When the proposal came forward to roll out the named person policy that had been piloted in

Highland, I was supportive. That could only be a good thing.

We need to protect young people and give them a good start in life. There is a tragic list of young lives that have been lost. Each of those losses is followed by an inquiry and by subsequent changes to child protection.

These were the circumstances that instigated the named person policy. Danielle Reid was murdered in Inverness in 2003. She was not on an at-risk register. After her murder, it became clear that a number of people had been uneasy about the circumstances that she was living in. None of them individually thought that she was in danger. Their concerns were not serious enough for them to phone the police or the social work department. They were simply concerns. However, when all those concerns were heard together they looked very different, and collectively they would have led to the instigation of child protection procedures.

How, then, could checks and balances be put in place to protect children in those circumstances? An easily identifiable central point of contact was required, hence the named person policy was devised to provide an obvious point of contact in a child's life who could become the repository for concerns. If only one insignificant concern was received, that would not warrant any action but a number of concerns would.

The policy was designed to stop children falling through the safety nets that were already in place and to allow early intervention. However, child protection processes would remain in place for serious concerns, or when a collection of concerns flagged up a worrying pattern of behaviour.

As the cabinet secretary said, in Highland, where the named person policy was piloted, referrals to the children's hearings system fell from 2,335 in 2005-06 to 744 in 2013-14. That is a dramatic change, which shows that early intervention not only worked to protect the child but prevented escalation of cases. We cannot say that all those 744 children will be safe or indeed that no others will fall below the radar, but we can confidently say that risk has been cut.

Imagine my disappointment when the roll-out of the policy was so badly handled. For the policy to work, it needs to have the confidence of parents, family, neighbours and professionals, but the SNP Government has alienated most of them. The policy should have been welcomed by all who are concerned about child welfare, but it has become mired in confusion, rumour and supposition. Where are the clear guidelines? Where is the training for named persons? Where are the additional staff and resources? Why are we reading in the press such ridiculous stories of needless interventions?

The First Minister appeared not to have a grasp of her own policy, saying that it was optional. Of course a parent can opt out of using their child's named person for advice and information, but they cannot withdraw their child from having a named person. Child protection is not optional. It is little wonder, therefore, that there are real concerns about the policy. To make the policy work we need to pause and take stock, and to ensure that the policy is implemented properly.

A trusted independent person needs to review how the policy has been implemented. They also need to listen to the real and genuinely held concerns of parents and professionals. New guidance needs to be issued by someone who understands not only the policy but the concerns of parents.

There are wicked people in the world who cause harm. Therefore, we need to have protection in place. The protection systems do not exist for the children of the many great parents who bring up their children well. Why would we waste limited resources when they are not required? However, we need to put in place protection and resources to protect children who are at risk and identify them early so that we can intervene.

Sadly, we can have all the policies in the world, but they will not work unless we have enough trained staff to implement them. One of the real concerns of the situation, and of all child protection, is resources. Council budgets have been slashed, social workers are in short supply and those who are available are overworked, often to the extent that their health and wellbeing are being put at risk.

If we are to protect vulnerable children, we need well-resourced services. The Labour Party is clear that the cuts from both our Governments are putting the most vulnerable in our society at risk. We need to stop the cuts, fund our services and protect our future generations.

16:41

**Gillian Martin (Aberdeenshire East) (SNP):** Signs that a young person needs help are often most apparent in their behaviour, attendance and work at school. I will highlight the role of guidance teachers in secondary schools. As part of the named person service, the guidance teacher will in most cases be a child's named person. I declare an interest in that I am married to a guidance teacher who teaches at a secondary school in my constituency. He is 100 per cent behind the named person legislation.

That a guidance teacher should be the single point of contact for the child or parent who needs support makes absolute sense. They are already responsible for the pastoral care of the child at

school and will have established a relationship not only with the child but with the parent or parents.

The Conservative motion says that there is "confusion among parents about whether engagement with their child's Named Person is compulsory".

That suggests that a named person will involve themselves in the lives of parents and children in a manner that is new, unwanted and intrusive. It implies that it is something that is to be resisted, something in which a parent will have no say and something that, in the words of one correspondent who got in touch with me this week, "smacks of Big Brother". I look at the teachers I know and I do not recognise that picture.

Along with police, social services and health services, teachers can already take a range of actions for a child's wellbeing. The responsibility is not new but the multiperson approach has been seen to lead to duplication and, what is most concerning, the potential to miss situations that could put a child's welfare in jeopardy. Providing one person as a central contact will streamline the process and is a major step in ensuring that key information is not missed.

In Aberdeenshire, the guidance teachers are already acting as a central point of contact for families and a medium through which agencies, parents and children can communicate in a way that ensures that all the conversations take place in one setting and that one person is responsible for recording agreed actions. From August, they will be legally responsible for maintaining the record so that the cracks that we talk of children falling through diminish.

A guidance teacher is not judge and jury on the welfare of a child. It is disingenuous to suggest that those professional people are overriding the wishes of parents. They do not do that now, and becoming named persons will not change that.

I wanted to use my speech to talk about young carers but I will have to cut this part short. However, I will point out that young carers who perhaps occasionally miss school because of having to take a parent to hospital or having to stay at home if a parent's condition deteriorates can feel far more comfortable having a conversation with their guidance teacher, who might have spotted early signs that a child is having difficulty and who is able to point the family in the direction of support and even financial help. Mr Tomkins would label that as talking behind a parent's back or coercive power, but that support could be the difference between the young person achieving at school and them failing and becoming overwhelmed and unable to cope at home.

Let us be absolutely clear: if a family is fortunate enough to have no issues that require additional

support, it will never need to contact its named person outwith the routine parents evenings appointments that guidance teachers give them. To suggest that professionals such as those teachers, whose workload is already a huge challenge, will seek to involve themselves in the everyday workings of the families that they are there to support not only does a huge disservice to the professionalism of the guidance teacher but also simply misses the point of the legislation.

In some cases, it deliberately misses the point in the name of politicking and whipping up a frenzy of newspaper headlines such as the one in the *Daily Mail* on Monday, which referred to people such as my husband and his colleagues as “State snoopers”. Such language, which I have heard echoed by Conservative members during election debates and in this chamber, is not only the root of the “confusion” that the Conservative amendment cites but the fuel for a lot of the misinformation being bandied around, which has led to the many emails we have had from concerned constituents.

I do not remember any media hysteria when GIRFEC was being developed, and the named person legislation is the natural conclusion of that. It is the source of that distorting language and the accompanying implication that the civil liberties of parents are being attacked that confuses me, because its source seems to be members of a party that thinks it is acceptable to allow the state access to a citizen’s private emails and phone calls via the Investigatory Powers Bill. If Conservative members want to talk about intrusion, let us talk about that first. The pause that we need is a pause in the misleading Conservative rhetoric.

16:46

**Ross Thomson (North East Scotland) (Con):** I declare an interest as an Aberdeen City councillor; I refer members to my entry in the register of members’ interests.

I have no doubt that the named person policy in the Children and Young People (Scotland) Act 2014 was designed with the best of intentions to achieve early intervention and greater collaboration and co-operation between different agencies and service providers. No one would argue against the need to do everything that we can to protect children and to ensure that the system in place is as robust and effective as it possibly can be. However, what is absolutely clear now is that the policy has lost the confidence of the public and there is growing concern among many of the front-line professionals who will be tasked with implementing it.

A poll published by a national newspaper last week showed that two thirds of Scots think that the

named person is an “unacceptable intrusion” into family life—further evidence that the public are deeply concerned about the impact that a state guardian will have on their family.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** Will the member give way?

**Ross Thomson:** I would like to make some progress just now, but I will take interventions later.

I know from my own experience on Aberdeen City Council just how anxious some members of staff are, and I recognise that Aberdeen City has worked hard to engage with staff to ensure that they are prepared for implementation. Concern has been expressed to me that the cost to the council as a result of implementing the legislation will be more than £2 million per year.

Naturally, with increased statutory duties, there will be costs in terms of headteacher time, senior management time and administration time that go above the current work that those staff do, not to mention all the support and training that will have to be carried out.

**Mark McDonald:** I hear what the member is saying but he will be aware that a report went to the education committee at Aberdeen City Council stating that Aberdeen City Council is well placed to implement the named person policy. That does not chime in any way with the rhetoric that he is espousing in this chamber.

**Ross Thomson:** I am glad that I can advise Mark McDonald that, due to my intervention, a report will be coming to the October meeting of the education committee that will detail the full cost of the implementation of the named person policy from August. I am glad that we have achieved that.

By supporting a pause, we can undertake to properly review the workability of the scheme, giving full consideration to the burden to councils across Scotland. That will ensure that we have a clearer picture of the costs and the resources that will be needed and of what support the Scottish Government can give councils to meet their legislative requirements.

Further, the growing number of teacher vacancies in Aberdeen and Aberdeenshire is having a crippling effect on our schools. Aberdeen hosted a summit in the autumn last year. I have written to the Cabinet Secretary for Education and Skills on the matter, and I look forward to hearing from him in due course.

When I have spoken to education officials on the matter, it has been made clear to me—just as the leader of Aberdeen City Council has publicly stated—that nervousness around the implications of the new legislation and the new responsibilities

that come with it is having an impact on our primary teacher vacancies in particular, exacerbating an already serious problem.

If that were not enough to give politicians today pause for thought, we should consider the warnings from the country's largest teaching union—the Educational Institute of Scotland—which tells us that teachers are becoming increasingly concerned about the impact that the named person policy will have on their workload. It has also criticised a lack of clarity on how the scheme will work in practice.

Unison, a large union that represents health visitors, said that the scheme is

“not sensible at this time”

and that staff shortages mean that the system is already

“stretched to the limit”.

Today, a Glasgow-based senior youth work practitioner, Simon Knight, who will be a named person under the legislation, has broken cover to warn that

“cases of serious harm will inevitably get lost in all the clutter”.

If the SNP Government is not prepared to listen to public opinion on this issue, here we have two unions, representing the very people who will fill the named person role, and a senior youth practitioner raising serious concerns about the policy.

**Joan McAlpine:** Will the member take an intervention?

**Ross Thomson:** I would like to make progress.

**The Deputy Presiding Officer:** The member is in his last minute, in any event.

**Ross Thomson:** If the hard-working professionals who will be tasked with monitoring all of our children are not behind the legislation, how on earth can we expect it to work?

Even Jim Sillars, a former deputy leader of the SNP, has said that the vague and ambiguous wording of the bill would not “pass muster” under scrutiny at Westminster. In today's *Telegraph*, the former SNP leader Gordon Wilson is calling for the legislation to be repealed, warning his colleagues in this place not to be stubborn.

I hope that the SNP will take heed of the concerns today, and agree with the amendment in Liz Smith's name, to press pause so that we can decide whether this law is workable in its current form. A majority in Scotland do not believe that it is.

16:51

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** It gives me great pleasure to speak in this debate and specifically to address the named person legislation. I have been a qualified social worker for the last 12 years and—as I said in my first speech a couple of weeks ago—I have worked predominantly in the field of child protection, so I can speak from first-hand experience on how I feel the legislation will benefit Scotland's young people. I have to say that I do not recognise what Liz Smith said earlier about professionals being against the policy in the Children and Young People (Scotland) Act 2014. My own experience tells me otherwise.

One thing I would like to be clear on is that, as others have already mentioned, the concept of a named person is certainly not new. Every child in Scotland already has a lead agency through the GIRFEC framework—a phrase that we have heard already today. That is usually a health visitor, a primary school head teacher or a guidance teacher. As parents—I am a dad myself—we know at any time in our child's life where we can go to for contact and support if we need it.

The named person legislation is a natural extension of that approach and is aimed at increasing protection and services for Scotland's most vulnerable youngsters. The changes will not affect most people in their daily lives. We should remember that the Court of Session has already ruled that the legislation would have

“no effect whatsoever on the legal, moral or social relationships within the family”.

That is a fundamental principle that I believe in and this Government believes in.

It is telling that many front-line child protection workers and children's charities, such as Barnardo's Scotland and many others mentioned, support the legislation. Why would they do that if they felt that it was in any way detrimental to family life? The answer is simple: they just would not. They are all guided by one underlying principle—that the needs of the child are paramount. Of course, they are also guided by the desire, shared across this chamber, to offer the best protection and services to our most vulnerable.

At this point I should mention a local charity organisation, the Moira Anderson Foundation, which is involved in excellent work across Lanarkshire. The charity was set up by Sandra Brown OBE in 2000 as a legacy to Moira Anderson, who disappeared in Coatbridge on a winter night nearly 60 years ago. I should declare that I was previously a director on the foundation's board, and I direct members to my entry in the

register of members' interests. I did not receive any remuneration for that role.

When I spoke with Sandra Brown just yesterday, she confirmed her support for the legislation that we are discussing. She said:

"I welcome the impact I think this scheme will have and the signs are hopeful that it will improve things for young people across the country".

That is yet another example of a children's organisation, which works directly with vulnerable people, supporting this move forward. Like many of those organisations, I believe that such measures will—contrary to the criticism that we have heard from members on the Conservative side of the chamber—lead to less, not more, state intervention.

As members have acknowledged, social work department case loads are notoriously high. The demands on a typical child and family team, such as the one in which I previously worked, can be extreme. They involve almost constant crisis intervention, leading to long working hours, high stress levels and periods of absence, which in some instances means that children who need services do not get that help.

By offering a statutory single point of contact, the legislation can help to solve problems before they become a crisis and can free up front-line workers across agencies to prioritise those who need our services most, which will ultimately reduce risk.

The Opposition argues that it is against the legislation because members of the public have raised concerns, but I argue, as has been said, that the position is just political posturing that plays on people's fears. If the chamber does not mind my digressing, I will say that such a tactic was also used during the independence referendum campaign.

I understand and respect the fact that some people are wary, but I have found that if we take the time to explain the policy to people—I encourage members to do that—they will understand and accept the principles and benefits. I really believe that the legislation will benefit all our children, but particularly our most vulnerable. It will help not only children at home but those who are looked after and accommodated. It should prevent unnecessary referrals to the children's reporter and social work departments while helping to ensure that those who need protection do not slip through the net.

Over the past few weeks, we have heard a lot in the chamber about common ground. I would have thought that the legislation provided a good opportunity to demonstrate that, and I urge all MSPs to fully back the Government's plans for implementing the legislation.

16:56

**Ross Greer (West Scotland) (Green):** The Scottish Greens supported and continue to support the named person legislation. I wonder why, at a time of a shocking attainment gap, deeply unpopular standardised testing proposals and the real possibility of industrial action by teachers, the Conservatives felt that their top priority in the education portfolio was to throw obstacles in front of necessary child protection legislation.

However, to be honest, I do not think that the debate is simply about throwing obstacles in the way, and it is certainly not about pausing to carefully consider the implementation of the named person policy. It is about further damaging public confidence in a system that has been misrepresented, misunderstood and—to be frank—on occasion outside the chamber, lied about.

This is not some fatally flawed proposal. As has been mentioned, it has widespread professional support from the Royal College of Nursing, Barnardo's, the Scottish Police Federation and others. It is clear that the Scottish Government must embark on a campaign to build public confidence and better explain what the named person means in practice.

Until now, the system's opponents have successfully defined it in the public consciousness, and those misrepresentations have—understandably—given rise to significant public concern. We do not for a second dismiss those concerns, and I remind those on all sides of the debate that we should be listening to the concerns not just of parents and guardians but of young people. I am concerned that, because of the confusion and incorrect information in the debate, young people across the country might no longer feel confident in seeking confidential support and advice at the very time when they need it most.

There is no doubt that the named person policy could have been presented and explained more effectively—even the name is far from perfect. It is easy to build the image of a bogeyman around it, but that is not the reality. There will be no state-appointed snooper in every child's bedroom. Those who use such language fundamentally misunderstand what the legislation aims to achieve and who it is trying to help.

The reality is that almost all children and young people will have no need for their named person, and the named person will not interfere in their lives or that of their families. The system is for children who need help, who would otherwise slip through the net and to whom we have the greatest responsibility.



This week in particular, constituents have been asking me why the system must be universal—why we cannot appoint named persons only for children who are known to be at risk. It is entirely understandable that perfectly good parents and guardians are concerned that their children might have a named person, but children who are at risk need the guarantee that, no matter what, someone will be there for them, and those children are at the greatest risk of slipping through the net. That is why a universal system is necessary.

There is no reason to believe that the named person will intervene when a child grows up in a perfectly safe and stable environment. Although the judgments that named persons make could be somewhat subjective, they will be made by professionals whom we already trust with a great deal of responsibility.

Most children are not born at risk and do not enter nursery or school with an “at risk” label on their shirt. Often, those who are at the most risk are the hardest to identify.

Given that the named person should be known to the child or family, the great majority of families will see no change in their relationship with the named person. As members have mentioned, those families will not interact with that person as a named person. However, for those who need it, having a single point of contact will be invaluable.

The named person policy has been operating smoothly in local authorities such as Highland, as has been mentioned a number of times in the debate. However, in recent months certain political groups realised that they could use its national roll-out to their political advantage and have started throwing up obstacles to it. If this is the time for anything, it is the time for us as a Parliament and as a country to look at the whole picture of how Scotland supports our most vulnerable children. How can we improve their lives with bold, transformational changes that run deeper than welcome-but-limited changes to one part of the system?

New Zealand has done that for looked-after children—and it has done that with Scotland’s support. Ministers from New Zealand visited Scotland and spoke to children and young people who had been in care. Young people from Scotland visited New Zealand and helped it to develop a system. We need that kind of approach—an approach that takes service users into account.

The Greens do not support any pause in the implementation of the named person scheme. Its opponents cannot attempt to whip up a breakdown in public confidence and then point to that as reason for the Government to cave in to their political objectives. The named person scheme will

protect Scotland’s most vulnerable children and it will most likely save lives. By all means, let us review its effectiveness once implemented, but for now, let us stop the hyperbole, build public support and confidence, and ensure that the guidance and resources are in place to make the scheme the success that it needs to be.

**The Deputy Presiding Officer:** We move to winding-up speeches. I call Tavish Scott to wind up for the Liberal Democrats.

17:01

**Tavish Scott:** I congratulate Oliver Mundell on his maiden speech. I particularly appreciated his reference to Sir Hector Monro, who, when the Braer went aground in Shetland in 1993, was good enough to come up—with many other ministers, I may add—and look at some oiled neeps. I recall that Sir Hector had a particular interest in them, and the farmers concerned were genuinely grateful for that attendance. Many of us have enjoyed sparring with Oliver’s father over the years in this place and our previous place up the road, so it is good to see Oliver here—well, I suppose that it is good for the Conservatives to see him here; others might reflect on that slightly differently.

I confess that I do not know quite how the Tories managed to merge their concerns over the detail of the Children and Young People (Scotland) Act 2014 with their principled opposition—if that is indeed what it is—to the act. That is not least because every time that I read a national newspaper, I see yet another excoriating attack on the policy and the principle from a Conservative MSP. There are a couple in today’s newspapers; indeed, Adam Tomkins, who will wind up for the Tories from their front bench, wrote a load of nonsense about the scheme in the *Daily Mail* last week. I do not know what he plans to say—perhaps he will give us a legal lecture on the guidance and so on.

In his opening speech, the cabinet secretary spoke about the importance of reflecting on what needs to be done with the guidance and ensuring that it changes to reflect the circumstances that have been discussed in many speeches across the chamber this afternoon. It is all very well saying that the guidance says X, Y and Z, but the point of Parliament is to look at where such things need to be improved, refined and reset. I certainly hope that that is exactly what the Scottish Government will do.

As usual, Liz Smith gave a very moderate speech—I was going to say “by her standards”, but that would be very unfair and not at all what I meant to say; the phrase that I was looking for was “by her party’s standards”. She was right in

many of her observations, but as other members have said, it is not in anyone's interests to use patently incorrect phraseology such as "state snoopers".

I will draw out a couple of the broader policy issues that have been talked about. There have been representations to the Government from all sides of the chamber—from not just Opposition members but the Government's own side—on the importance of getting the resourcing for the measure right. Those representations reflect the thoughts of people in all our regions and constituencies about where early intervention and preventative work should happen and about the need to resource the very busy professionals in many parts of the health service and our schools.

Iain Gray rightly led evidence before the Parliament on the single point of contact. Bill Alexander, in his evidence to the committee some years ago and in his briefing of earlier this week on the importance of the measure, said that, in Highland,

"The NP role has cut out unnecessary and helpful information sharing, created a clear point of contact for the family and (very importantly) a means of ensuring that services that the family want are mobilised quickly without bureaucracy."

Again, that flies in the face of all those who say that this is about more paperwork, more meetings and more bureaucracy. For professionals across the field who are taking the policy forward, rather than for parliamentarians, the point is that it is a step forward for Highland Council to have been able to work on the policy for a number of years, and for the director of care and learning to have made such an observation, which is entirely consistent with the Christie commission recommendations that we all looked at some years ago.

I stress another aspect of Bill Alexander's evidence that I find compelling—I hope that the minister will respond to it when he winds up. Bill Alexander states:

"The bottom line is that a health visitor or HT would not engage with another professional without the family's consent".

That gives the lie to the suggestion—I put it no more strongly than that—that the policy will be imposed on families and that the family's right to look at and be utterly involved with their child's future will somehow be taken away by the named person.

**Douglas Ross:** Will the member take an intervention?

**Tavish Scott:** No. I will finish my points.

Members who seek to intervene might want to read or listen to Bill Alexander's evidence and take

it into account rather than coming up with their own prejudicial view of what I am saying—*[Interruption.]* Members can make as much noise as they like from a sedentary position. They are wrong, and I respect a professional who says it how it is.

I encourage the Government to make sure that it understands the importance of what Parliament says today about the need for clarity around what the policy must achieve. That clarity is not there yet, and it needs to be. The policy also needs to be adequately resourced to give us all confidence in it, and the Government needs to make sure that the professionals who will have to implement it are trained in the right way and given the right resources to make it happen.

17:07

**Daniel Johnson (Edinburgh Southern) (Lab):**

It is always nerve wracking to do something for the first time. I was incredibly nervous when I spoke in the chamber for the first time just a couple weeks ago, but that was nothing in comparison with the huge task of bathing my baby daughter for the very first time. Trying to bathe a slippery, squirmy little person in a plastic bowl of water is terrifying. In the past few weeks, the Scottish Government has talked a lot about giving parents a box for the baby, but I am sure that I am not the only dad in Scotland who would quite like an instruction manual, too.

The secret fact about parenting is that no one really knows what they are doing. We all make it up as we go along and hope that none of our mistakes is too big or, at least, not too enduring. Parents need space and trust to do their job. Like lots of parents, my initial reaction to the named person policy was one of caution. The thought of someone looking over our shoulders and marking what we were doing wrong was scary.

While most parents figure it out, some do not. In the most extreme cases, parents struggle in the most fundamental of ways, and in those cases we need to work together as a society to intervene. We need to have a clear pathway of escalation.

However, in the debate about the named person, trust has broken down. Parents feel that they are not being trusted and that they are going to be watched. The purpose of the named person is not to spy on parents or to second-guess them; it is to ensure that issues are spotted and help is delivered when it is needed. In the poor implementation of the policy, trust has been lost. Parents have lost trust in the Government and in the intent behind the scheme. Most worryingly, that loss of trust threatens people's trust in some of those whom we are asking to be named persons.

We have had a good debate today. It has been constructive and engaging—that is particularly so in the case of the speeches from Jenny Gilruth, Stuart McMillan and Gillian Martin. They talked about the trusted professionals on whom we rely, such as teachers and health visitors, whom we trust to give us advice and to take action when they have concerns—

**The Deputy Presiding Officer:** I am loth to interrupt your flow, Mr Johnson, but if you turn away from the microphone too much, nobody will hear you.

**Daniel Johnson:** Thank you very much, Presiding Officer.

Those members were right to question the language that some have been using, because we destroy that trust with caution and at our own peril. That is also why we need time to build trust in the scheme.

Tavish Scott is right to stress some of the key points: the ability to say thanks but no thanks to advice; and the importance of having clear circumstances for escalation as well as safeguards. Most important, we need resource to make the scheme work.

I welcome the Deputy First Minister's comments about working on the guidance and communication, but I urge him to provide a pause to build confidence and to undertake a review.

The problems with the named person arise from poor communication and confused guidance. There are real concerns about whether the resource and capacity are in place to make the scheme work. In March, I held a meeting with people who run nurseries and day care services in my constituency. Their big concern was that health visitors, who have no administrative support, will simply be overwhelmed by the volume of communication.

We need a pause to communicate and rebuild trust, and we need a review to ensure that the policy will work. To be blunt, if we fail to do that, we will make it harder, not easier, to protect our most vulnerable children.

However, those are points for the Government—today we are debating a Conservative motion. For weeks and months, the Conservatives have been railing against the named person scheme. Their position was apparently meant to be a cornerstone of their strong opposition, but they have come to Parliament today and said that all that we need is a bit more debate. If the SNP are guilty of getting the principles of reform right but the implementation wrong, the Tories are guilty of something far worse: empty posturing—saying one thing out there and another in here.

**Miles Briggs (Lothian) (Con):** At a church hustings in Morningside, Daniel Johnson agreed with me and all the other candidates that it was important to pause and take time to review the policy. What will he say to parents and grandparents now, given that he will not support the Conservative motion this evening?

**Daniel Johnson:** I will say that I am supporting the Labour amendment, which calls for a pause and a review. I thank Miles Briggs for underlining our position.

Liz Smith let the cat out of the bag in her opening speech. She had a speech full of warm words about resources and guidelines, but in response to my intervention it came out that the Conservatives do not support the whole thing and would like it to be scrapped. She could have saved 11 minutes and 30 seconds and given her real point in just 30 seconds.

**Liz Smith:** Will the member take an intervention?

**Daniel Johnson:** I have already taken one intervention.

**Liz Smith:** It is on that specific point.

**Daniel Johnson:** No, thank you.

Douglas Ross gave us quotes from constituents who have concerns about implementation but who agree with the principle, which is why we need a pause. However, at the end he slipped out his disagreement with the whole thing.

In an intervention, Adam Tomkins summed up the real Conservative position. It is frankly destructive to use language about talking behind parents' backs—so much for a constructive approach. The truth is that, time after time, the Conservatives have argued against the named person provision. In her conference speech, Ruth Davidson said that it is bad law. In their manifesto, they said that it had to be scrapped. Just a couple of days ago, Ruth Davidson wrote that the Conservatives disagreed with it in principle. However, today's motion does not call for the measure to be scrapped; it calls for a pause and a debate—a pause, that, just a few weeks ago, Ruth Davidson lambasted Labour for proposing. Indeed, she described Labour's call for a pause as "a screeching U-turn". Well, I hope that the Conservatives are wearing their earplugs today, because Ruth Davidson just pulled the handbrake pretty hard.

We need a pause to rebuild trust and confidence, and we need a review to make sure that the policy works. That is why Labour proposes the approach that is outlined in our amendment, and that is what we will be voting for.

17:14

**The Minister for Childcare and Early Years (Mark McDonald):** Presiding Officer, I formally welcome you and the rest of the Presiding Officer team to your roles.

Today's debate has got to the heart of some of the issues that have arisen around the named person policy, and I will deal with some of the speeches that have been made. As the minister who is responsible for the delivery of the baby box, I say to Daniel Johnson that I have made a note to see whether we can put some grippy gloves in the box to assist him with the bathing of his daughter, which is clearly causing him some difficulty.

I single out Tavish Scott's extremely positive and thoughtful remarks in his opening and closing speeches, when he highlighted examples of where the named person policy has worked in the Highlands and elsewhere. I hear his point about resources. The Government is committed to making sure that the policy is properly resourced, and we will be happy to support the Liberal Democrat amendment at decision time.

Tavish Scott asked how somebody could go about changing a named person if they had a disagreement with them. The draft guidance states that the named person provider must

"ensure that children, young people and parents can in exceptional circumstances request the Named Person service to consider the identification of an alternative Named Person".

The provision is there to enable that change to be made, and it becomes the responsibility of the relevant authority to enact those wishes, should it identify that the circumstances are reasonable.

Liz Smith and a number of other Conservative members spoke about paperwork and case load. I thought that their point was rather successfully neutered by the Deputy First Minister, Iain Gray and Rhoda Grant, who cited figures from Highland Council on the reduction in case load as a consequence of the implementation of the named person policy. That demonstrates the benefits of early intervention.

**Liz Smith:** Will the member give way?

**Mark McDonald:** I will develop my speech a little further before taking interventions.

My back-bench colleague George Adam asked whether the GIRFEC principles were being questioned in the debate.

**The Deputy Presiding Officer:** Minister, I have to accuse you, too, of turning away from and not talking into the microphone.

**Mark McDonald:** I saw no disagreement on the Conservative benches at that point, which is a relief, because they have obviously changed tack

from that outlined in Professor Tomkins's article in *The Spectator*—he has been mentioned a lot in the debate—in which he referred to GIRFEC as a "ghastly Orwellian acronym". Frankly, the only "ghastly" thing in this whole process has been the Conservative Party and its spokespeople's rhetoric on the named person policy.

Douglas Ross said that the named person policy was unworkable. As a member for the Highlands and Islands, he would not have to go far to see an example of the policy working perfectly in practice, but, if he fancies a day trip, he could go to South Ayrshire, where the council, which is controlled by the Conservative Party, has implemented the named person policy, is operating it and reports that it is working fine. Why is it okay for the Conservatives to implement it in South Ayrshire and say that it is working fine and yet to come to this chamber and spread misinformation about it?

**Douglas Ross:** The minister will have to reflect on his remarks, because the policy that was implemented in South Ayrshire was about getting it right for every child; the Conservative support there is not specifically on the named person.

The minister mentioned visits. Will the minister accept an invitation from me to visit Moray Council and address the concern that I raised in my speech that two senior officers on separate days had to take the workload of 80 named persons? I would appreciate it if the minister could come to Moray to discuss that.

**Mark McDonald:** First, the named person and GIRFEC are integral parts of the Children and Young People (Scotland) Act 2014, and to attempt to disaggregate them as Douglas Ross has done is, I am afraid, wide of the mark.

On the member's point about Moray Council and the issue of case load, the normal channels of child protection legislation apply in terms of the upscaling of concerns. The named person is about early intervention—the nipping in the bud of issues before they escalate to the point of crisis and before they require further intervention.

I listened to Conservative members getting rather animated when my good friend and colleague Jenny Gilruth was highlighting—quite correctly—the appalling rhetoric that the Conservatives have employed in recent weeks in trying to link certain tragedies to the named person policy. They called on her to withdraw her remarks. Perhaps they would do well to read Professor Tomkins's article in *The Daily Mail*—this is another example of him coming into the debate—in which he linked not just one tragedy to the named person policy in an effort to undermine it, but two. Before the Conservatives make such remarks, they should bear in mind the rhetoric of their colleagues and the words that they use.

Monica Lennon made an important point about parents' concerns and our need to ensure that those are addressed. I, both as a constituency MSP and a parent, am coming into contact with such concerns, and I am doing work to address them.

I say to members across the chamber who are supportive of the policy that I want us to work together to address those concerns. I recognise the Government's responsibility for making sure that the legislation is implemented, but we all have a responsibility to ensure that the messages that are sent out to parents are consistent. I will happily work with those members of other parties who want to do that.

I pay tribute to Oliver Mundell for his debut speech. I have very good friends who live in Annan, so I have spent a number of long weekends in his constituency. It is a fine part of the world, and I look forward to visiting it in my ministerial capacity. The only part of his speech with which I take issue is the call that he made for the Deputy First Minister to "hit the pause button" on the legislation. My problem is that the Conservatives want us to hit not the pause button but the eject button and, frankly, we in the SNP will have no truck with that.

Stuart McMillan cautioned against playing on people's fears and peddling misinformation. I fear that that may fall on deaf ears in the Conservative Party, but we can only live in hope.

Rhoda Grant made a point about training. I cite as just one example the training that is being provided this month by Aberdeen City Council, towards which the Scottish Government is providing £14,000. Training for professionals is being rolled out to make sure that they are ready for the legislation coming into force at the end of August.

Ross Thomson spoke about the workability of the scheme and mentioned the issue of Government support. I say to him that the example that I have just mentioned is an example of the Government giving support to the council of which he is an administration member. He should know that very well and should bear that in mind before making such comments.

Fulton MacGregor and Ross Greer got to the nub of the issue. Fulton MacGregor spoke about the need to solve problems before they become a crisis and Ross Greer spoke about the concerns of young people themselves. Our concern should be the wellbeing and the welfare of those children. All too often, what I hear from Conservative members is an absence of concern for the wellbeing and the welfare of those children.

The named person policy is about, first of all, early intervention and the prevention of escalation.

Secondly, it is about ensuring that support for families is in place so that when, for example, a diagnosis of an additional support need is received—as happened in the case of my family—the opportunity is there for appropriate signposting to relevant services and support networks. Thirdly, it is about ensuring that there is upscaling to the appropriate channels of child protection, which sit above the level of the named person, but the named person has a critical role to play in joining up that approach at the outset of the process. That is why we in the Scottish Government support that policy.

The Conservatives have tried to cloak their position in a motion that talks of reasonability. Thankfully, the Parliament appears to have seen through that, and I look forward to members reinforcing their support for the named person policy at decision time.

17:22

**Adam Tomkins (Glasgow) (Con):** The principal problem with this law is its overreach. Of course we should have robust and effective child protection laws that focus on harm, abuse and neglect and which require intrusive powers, but we already have them, and everybody in the chamber fully supports them, especially Conservative members. The named person legislation sits in addition to all those powers, but here—unlike in that context—the focus is not on abuse or neglect; it is on wellbeing, which is an elastic concept that is given a remarkably broad definition in the Children and Young People (Scotland) Act 2014.

The named person will have three sets of powers with regard to wellbeing under section 19 of the 2014 act. They will have a power to give advice and support to a child or a parent. That is fine. They will have a power to help a child or a parent to access a service. That is fine. However—critically—they will also have a power to discuss or raise a matter about a child's wellbeing with a whole host of bodies and agencies, and that is where the act goes too far.

As far as the first two functions are concerned, of course parents do not have to accept the advice that is offered by a named person, but the third function does not merely empower the named person; in certain circumstances, it requires them—irrespective of the parents' wishes—to report a wellbeing indicator to a school, a local authority, the Scottish Government, the police or Skills Development Scotland, which represents a broad sweep of Scottish public services.

Who is this named person? What say do parents get in choosing who has this power over their children? None. What statutory right of appeal is there in the 2014 act for a parent to

challenge the appointment of a named person? None. Tavish Scott says—

**Mark McDonald:** Will the member give way?

**Adam Tomkins:** Let me finish this point. Tavish Scott says that there should be such a right; I agree with him, but the law as enacted does not allow for it. The only way of putting that right is to rewrite the law, which is precisely why we are asking for its implementation to be paused.

**Mark McDonald:** I just want to get to the nub of Mr Tomkins's objection to the role played by health visitors, headteachers and guidance teachers. He asks who the named person is—that is who the named person is. What is his problem with that?

**Adam Tomkins:** The second problem with the legislation—and this is precisely the answer to the minister's question—is the bureaucracy that it entails. Wellbeing is so compendious a topic that named persons will be required—again, the word is “required”—to consider an astonishing 222 risk indicators and 304 outcome signifiers as represented in the SHANARRI wheel of wellbeing, the resilience matrix and the my world triangle.

That bureaucracy is, as we have been told many times, meant to ensure that no child slips through the net. The very opposite will happen. The net is being so stretched by this burden of box ticking that our most vulnerable children are at an increased risk of falling through it. At the same time, those charged with the responsibility of safeguarding Scotland's most at-risk children cannot but find their scarce resources diverted and diluted.

**John Swinney:** Will the member give way?

**Adam Tomkins:** I will let the Deputy First Minister in in a minute.

Let me be clear: our focus should resolutely be on children who are at risk of harm. Anything that undermines, lessens or obstructs that focus is contrary to the public interest and should be resisted.

**John Swinney:** How can Mr Tomkins make such remarks in the face of the specific evidence that the Parliament has heard from Highland Council about the reduction in the number of children on the child protection register and in the number of children who require more detailed intervention from the local authority?

**Adam Tomkins:** As the Deputy First Minister well knows, opinion on the named person scheme is divided. We have evidence from the Scottish Parent Teacher Council; from Maggie Mellon, vice-chair of the British Association of Social Workers; from the Scottish Association of Social Workers—and it goes on.

I have no doubt that the named person legislation was well intentioned, and I do not believe for a moment that its proponents want to undermine the effectiveness of child protection. However, the evidence strongly suggests that that is precisely the unintended effect of this ill-considered law. That is what we heard from my colleagues Douglas Ross and Ross Thomson.

I know that the legislation was extensively examined in committee, but what happens here in the chamber matters. The stage 1 debate on this voluminous act of 18 parts and more than 100 sections was completed in less than one hour and 45 minutes, and the stage 3 debate on the named person provisions lasted for no longer than one hour and 10 minutes. It is the job—

**The Minister for Parliamentary Business (Joe FitzPatrick):** Will the member give way?

**Adam Tomkins:** It is the job—

**Mark McDonald:** Will the member give way?

**The Deputy Presiding Officer:** The member is not taking an intervention.

**Adam Tomkins:** It is the job of this Parliament to act as the revising chamber for the laws passed in the last one. That is why we are asking in the motion for this law to be paused. Everyone here knows that we think that the named person law should be buried, not paused, but that is not what we are asking for today. All we are asking is for the Parliament to take another look, to take stock, to reconsider, to listen to the evidence and to think.

I say to the Labour Party that I find it depressing that its members cannot bring themselves to support the motion, despite the fact that it is precisely what their leader called for during the election campaign. Then again, perhaps that is why they are sitting over there and we are sitting over here—their flip-flopping on child protection laws was every bit as off-putting to the electorate as their flip-flopping on the union.

As for the Liberal Democrats—*[Interruption.]*

**The Presiding Officer (Ken Macintosh):** Would members please calm down for a second?

**Adam Tomkins:** As for the Liberal Democrats—

**Bruce Crawford (Stirling) (SNP):** On a point of order, Presiding Officer.

**Adam Tomkins:** —I still cannot understand why Scotland's so-called Liberal party supports—

**The Presiding Officer:** I am sorry, Mr Tomkins. There is a point of order from Bruce Crawford.

**Bruce Crawford:** Presiding Officer, would you confirm that Mr Tomkins's contention that we had only an hour of debate at stage 3 is inaccurate;

that, in fact, we debated at stage 3 until half past 8 on that particular day; and that Mr Tomkins should get his facts right in these circumstances?

**The Presiding Officer:** Thank you, Mr Crawford, but that is a point of accuracy, not a point of order.

**Adam Tomkins:** With the noise in the chamber, I do not blame Mr Crawford for not being able to hear what I said. In fact, I said that the stage 3 debate on the named person provisions lasted for no longer than an hour and 10 minutes. That is what I said, and it is correct.

As for the Liberal Democrats, I still cannot understand why Scotland's so-called Liberal party supports the single most illiberal law that the Parliament has passed since its creation 17 years ago.

**Willie Rennie (North East Fife) (LD):** Will the member give way?

**Adam Tomkins:** No.

If Labour shows us that the only effective opposition to the SNP will come from us, the Liberals show us that the only true defenders of liberty, freedom and responsibility in Scotland are the Conservatives.

**Willie Rennie:** Will the member give way?

**Adam Tomkins:** I am in my last minute.

That brings me to Mr Swinney's amendment, which says that the Parliament

"believes that most children and young people get all the help and support that they need".

Well, precisely. That is why most children and young people in Scotland do not need a named person. Mr Swinney's amendment identifies the first two functions of the named person—to provide advice and support, and to point parents and children in the right direction when they need it—but it fails to mention the third function of the named person, which is legislated for in the Parliament's legislation. As I have said, that is to discuss issues that pertain to wellbeing with a whole host of institutions, including the Scottish Government. Like everybody else in the chamber, I welcome the Scottish Government's acknowledgement, albeit very belated, that concerns have been expressed about the implementation of the policy.

It is imperative that we get this right. All afternoon, we have heard member after member on the Conservative benches present evidence and reasoned argument that we have not got this right.

**John Swinney:** Will the member give way?

**Adam Tomkins:** I am in my last minute.

**The Presiding Officer:** It is up to Mr Tomkins whether to give way, Mr Swinney.

**Adam Tomkins:** It has not been our intention today to turn up the heat on the issue; it has been our intention to shine as clear and as bright a light on it as we can. This law is defective. Let us stop here and let us pause. Let us take another look and let us support the motion.

## Business Motion

17:33

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of business motion S5M-00371, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

*Motion moved,*

That the Parliament agrees the following programme of business—

Tuesday 14 June 2016

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Ministerial Statement: Greenhouse Gas Inventory 2014

*followed by* Scottish Government Debate: The Contributions of Colleges and Universities to Scotland's Success

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 15 June 2016

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions  
Education and Skills

*followed by* Scottish Labour Party Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 16 June 2016

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.45 pm Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Scottish Government Debate: The Best Start in Life for Scotland's Children

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 28 June 2016

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 29 June 2016

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions  
Communities, Social Security and  
Equalities

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 30 June 2016

10.45 am Parliamentary Bureau Motions

10.45 am Members' Business

11.40 am General Questions

12.00 pm First Minister's Questions—[Joe  
FitzPatrick.]

*Motion agreed to.*



## Parliamentary Bureau Motions

17:33

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of two Parliamentary Bureau motions. I ask Joe FitzPatrick to move motion S5M-00372, on a variation of standing orders, and motion S5M-00376, on committee membership.

*Motions moved,*

That the Parliament agrees that, in relation to First Minister's Questions on 16 and 30 June—

(i) in the first sentence of Rule 13.7.A1 “30 minutes” be replaced with “45 minutes”;

and

(ii) in Rule 13.6.2 “6” be replaced with “8”.

That the Parliament agrees the membership of committees of the Parliament as follows:

### Delegated Powers and Law Reform Committee

Membership: John Scott, Rachael Hamilton, Stuart McMillan, David Torrance, Elaine Smith.

### Equal Opportunities Committee

Membership: Annie Wells, Jeremy Balfour, Alex Cole-Hamilton, Christina McKelvie, Willie Coffey, David Torrance, Mary Fee.

### European and External Relations Committee

Membership: Jackson Carlaw, Rachael Hamilton, Ross Greer, Joan McAlpine, Bruce Crawford, Richard Lochhead, Lewis Macdonald.

### Finance Committee

Membership: Alex Johnstone, Murdo Fraser, Adam Tomkins, Patrick Harvie, Michael Russell, Neil Bibby, Willie Coffey, James Kelly, Kate Forbes, Ivan McKee, Ash Denham.

### Public Audit Committee

Membership: Alison Harris, Liam Kerr, Jenny Marra, Monica Lennon, Alex Neil, Colin Beattie, Jenny Gilruth.

### Public Petitions Committee

Membership: Maurice Corry, Brian Whittle, Johann Lamont, Angus MacDonald, Rona Mackay.

### Standards, Procedures and Public Appointments Committee

Membership: John Scott, Alexander Stewart, Patrick Harvie, Clare Adamson, Tom Arthur, Clare Haughey, Daniel Johnson.

### Economy, Jobs and Fair Work Committee

Membership: Gordon Lindhurst, Dean Lockhart, Liam Kerr, Andy Wightman, Ash Denham, Gordon MacDonald, Gillian Martin, John Mason, Gil Paterson, Jackie Baillie, Richard Leonard.

### Education and Skills Committee

Membership: Liz Smith, Ross Thomson, Tavish Scott, Ross Greer, James Dornan, Johann Lamont, Colin Beattie, Jenny Gilruth, Fulton MacGregor, Daniel Johnson, Gillian Martin.

### Environment, Climate Change and Land Reform Committee

Membership: Maurice Golden, Finlay Carson, Alexander Burnett, Mark Ruskell, Graeme Dey, Claudia Beamish, Kate Forbes, Angus MacDonald, David Stewart, Emma Harper, Gail Ross.

### Health and Sport Committee

Membership: Donald Cameron, Miles Briggs, Alex Cole-Hamilton, Alison Johnstone, Neil Findlay, Clare Haughey, Tom Arthur, Richard Lyle, Ivan McKee, Colin Smyth, Maree Todd.

### Justice Committee

Membership: Margaret Mitchell, Douglas Ross, Oliver Mundell, Liam McArthur, John Finnie, Rona Mackay, Mairi Evans, Mary Fee, Ben Macpherson, Fulton MacGregor, Stewart Stevenson.

### Local Government and Communities Committee

Membership: Graham Simpson, Andy Wightman, Bob Doris, Elaine Smith, Kenneth Gibson, Alexander Stewart, Mairi Evans.

### Rural Economy and Connectivity Committee

Membership: Edward Mountain, Jamie Greene, Peter Chapman, Mike Rumbles, John Finnie, Gail Ross, Rhoda Grant, Emma Harper, Stewart Stevenson, Richard Lyle, John Mason.

### Social Security Committee

Membership: Adam Tomkins, Gordon Lindhurst, Alison Johnstone, Sandra White, George Adam, Mark Griffin, Ruth Maguire, Pauline McNeill, Ben Macpherson.—[*Joe FitzPatrick*]

**The Presiding Officer:** The questions on the motions will be put at decision time.

## Point of Order

17:34

**Patrick Harvie (Glasgow) (Green):** On a point of order, Presiding Officer. There has been some discussion on the motion on committee membership that we are about to consider, including discussion that was prompted by our group about the role of committee members who also serve as parliamentary liaison officers.

We are being asked to approve a motion on committee membership prior to having seen an announcement from the Government about who will serve as its parliamentary liaison officers. A question will emerge again, as it did in the previous session: if a member sits on or even convenes a parliamentary committee that holds to account the minister who appointed them to the role of parliamentary liaison officer, who is accountable to whom?

Given that we are being asked to approve the motion on committee membership today, to which I have no objection at all, what opportunity will we have to prevent such potential conflicts of interest from emerging once the Government decides who will serve in the role of parliamentary liaison officers?

**The Presiding Officer (Ken Macintosh):** I thank you for the advance notice of your point of order, Mr Harvie, although I just received it a few minutes ago.

I do not believe that it is a point of order, as the matter is not covered by standing orders, but you have raised an important political point. I think that it is probably best dealt with immediately by the business managers in the Parliamentary Bureau. I ask that you bring it up at the Parliamentary Bureau next Tuesday. I will reflect on the matter that you have brought to my attention and I will report back to Parliament, or through the parliamentary business managers, on any decision. However, I am ruling that it is not a point of order for decision now.

**The Minister for Parliamentary Business (Joe FitzPatrick):** On that point of order, I clarify that the nominations of the Scottish National Party group for committee places are a matter for the SNP group.

**The Presiding Officer:** Yes. I think that the point of order that Mr Harvie raised was about parliamentary liaison officers; it was not about committee membership. I have ruled that it is not a point of order for now; it is a matter for political discussion between the parties.

## Decision Time

17:36

**The Presiding Officer (Ken Macintosh):** There are six questions to be put as a result of today's business.

The first question is, that amendment S5M-00345.1.1 in the name of Tavish Scott, which seeks to amend amendment S5M-00345.1, in the name of John Swinney, on education, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**For**

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnstone, Alison (Lothian) (Green)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)

McArthur, Liam (Orkney Islands) (LD)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Scott, Tavish (Shetland Islands) (LD)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Balfour, Jeremy (Lothian) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (South Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Thomson, Ross (North East Scotland) (Con)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

#### Abstentions

Baillie, Jackie (Dumarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Johnson, Daniel (Edinburgh Southern) (Lab)

Kelly, James (Glasgow) (Lab)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 McNeill, Pauline (Glasgow) (Lab)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)

**The Presiding Officer:** The result of the division is: For 74, Against 30, Abstentions 22.

*Amendment agreed to.*

**The Presiding Officer:** There is a pre-emption with the next amendment. I remind members that, if the amendment in the name of John Swinney is agreed to, the amendment in the name of Iain Gray falls.

The question is, that amendment S5M-00345.1, in the name of John Swinney, which seeks to amend motion S5M-00345, in the name of Liz Smith, on education, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnstone, Alison (Lothian) (Green)

Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Scott, Tavish (Shetland Islands) (LD)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Balfour, Jeremy (Lothian) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (South Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Marra, Jenny (North East Scotland) (Lab)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Thomson, Ross (North East Scotland) (Con)

Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

#### Abstentions

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

**The Presiding Officer:** The result of the division is: For 74, Against 31, Abstentions 21.

*Amendment agreed to.*

**The Presiding Officer:** The next question is, that motion S5M-00345, in the name of Liz Smith, on education, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greer, Ross (West Scotland) (Green)

Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnstone, Alison (Lothian) (Green)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Scott, Tavish (Shetland Islands) (LD)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Balfour, Jeremy (Lothian) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (South Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Marra, Jenny (North East Scotland) (Lab)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)

Ross, Douglas (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Thomson, Ross (North East Scotland) (Con)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

#### Abstentions

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

**The Presiding Officer:** The result of the division is: For 74, Against 31, Abstentions 21.

#### *Motion, as amended, agreed to,*

That the Parliament believes that most children and young people get all the help and support that they need from their parents or guardians, wider family and community but that sometimes some of them may need extra support; supports the creation of the Named Person role to provide a central point of contact if a child, young person or their parents or guardians want information or advice and, where appropriate, reach out to different services that can help; recognises that the Named Person provisions of the Children and Young People (Scotland) Act 2014 are backed by leading child welfare organisations, including Barnardo's, Save the Children, Children 1st, Children in Scotland, Aberlour and the NSPCC, and by Police Scotland and the Scottish Police Federation; acknowledges, however, the concerns that some people have expressed about the implementation of the policy; agrees that more must be done to ensure that implementation is successful and that the Scottish Government should, therefore, refresh the guidance provided to professionals and the communication of the policy to the public; notes the concerns of health visitors, social workers and school staff concerning the resources needed to implement the Named Person policy, and calls on the Scottish Government to ensure that resources can support the effective implementation of measures for children and young people who are at risk of significant harm.

**The Presiding Officer:** The next question is, that motion S5M-00372, in the name of Joe FitzPatrick, on the variation of standing orders, be agreed to.

*Motion agreed to,*

That the Parliament agrees that, in relation to First Minister's Questions on 16 and 30 June—

(i) in the first sentence of Rule 13.7.A1 “30 minutes” be replaced with “45 minutes”;

and

(ii) in Rule 13.6.2 “6” be replaced with “8”.

**The Presiding Officer:** The next question is, that motion S5M-00376, in the name of Joe FitzPatrick, on committee membership, be agreed to.

*Motion agreed to,*

That the Parliament agrees the membership of committees of the Parliament as follows:

## Delegated Powers and Law Reform Committee

Membership: John Scott, Rachael Hamilton, Stuart McMillan, David Torrance, Elaine Smith.

## Equal Opportunities Committee

Membership: Annie Wells, Jeremy Balfour, Alex Cole-Hamilton, Christina McKelvie, Willie Coffey, David Torrance, Mary Fee.

## European and External Relations Committee

Membership: Jackson Carlaw, Rachael Hamilton, Ross Greer, Joan McAlpine, Bruce Crawford, Richard Lochhead, Lewis Macdonald.

## Finance Committee

Membership: Alex Johnstone, Murdo Fraser, Adam Tomkins, Patrick Harvie, Michael Russell, Neil Bibby, Willie Coffey, James Kelly, Kate Forbes, Ivan McKee, Ash Denham.

## Public Audit Committee

Membership: Alison Harris, Liam Kerr, Jenny Marra, Monica Lennon, Alex Neil, Colin Beattie, Jenny Gilruth.

## Public Petitions Committee

Membership: Maurice Corry, Brian Whittle, Johann Lamont, Angus MacDonald, Rona Mackay.

## Standards, Procedures and Public Appointments Committee

Membership: John Scott, Alexander Stewart, Patrick Harvie, Clare Adamson, Tom Arthur, Clare Haughey, Daniel Johnson.

## Economy, Jobs and Fair Work Committee

Membership: Gordon Lindhurst, Dean Lockhart, Liam Kerr, Andy Wightman, Ash Denham, Gordon MacDonald, Gillian Martin, John Mason, Gil Paterson, Jackie Baillie, Richard Leonard.

## Education and Skills Committee

Membership: Liz Smith, Ross Thomson, Tavish Scott, Ross Greer, James Dornan, Johann Lamont, Colin Beattie, Jenny Gilruth, Fulton MacGregor, Daniel Johnson, Gillian Martin.

## Environment, Climate Change and Land Reform Committee

Membership: Maurice Golden, Finlay Carson, Alexander Burnett, Mark Ruskell, Graeme Dey, Claudia Beamish, Kate Forbes, Angus MacDonald, David Stewart, Emma Harper, Gail Ross.

## Health and Sport Committee

Membership: Donald Cameron, Miles Briggs, Alex Cole-Hamilton, Alison Johnstone, Neil Findlay, Clare Haughey, Tom Arthur, Richard Lyle, Ivan McKee, Colin Smyth, Maree Todd.

## Justice Committee

Membership: Margaret Mitchell, Douglas Ross, Oliver Mundell, Liam McArthur, John Finnie, Rona Mackay, Mairi Evans, Mary Fee, Ben Macpherson, Fulton MacGregor, Stewart Stevenson.

## Local Government and Communities Committee

Membership: Graham Simpson, Andy Wightman, Bob Doris, Elaine Smith, Kenneth Gibson, Alexander Stewart, Mairi Evans.

## Rural Economy and Connectivity Committee

Membership: Edward Mountain, Jamie Greene, Peter Chapman, Mike Rumbles, John Finnie, Gail Ross, Rhoda Grant, Emma Harper, Stewart Stevenson, Richard Lyle, John Mason.

## Social Security Committee

Membership: Adam Tomkins, Gordon Lindhurst, Alison Johnstone, Sandra White, George Adam, Mark Griffin, Ruth Maguire, Pauline McNeill, Ben Macpherson.

## Child Safety Week 2016

**The Deputy Presiding Officer (Linda Fabiani):** The final item of business today is a members' business debate on motion S5M-00070, in the name of Clare Adamson, on child safety week 2016. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament recognises that 6 to 12 June has been designated Child Safety Week 2016 by the Child Accident Prevention Trust; notes that the theme will be Turn off Technology and the week will aim to highlight the risks of accidents being caused by people being distracted, such as when using a mobile phone while crossing the road; understands that accidental injury accounts for one in 20 of all childhood deaths in Scotland and one in eight of all emergency hospital admissions for children, and recognises the work of organisations, such as the Royal Society for the Prevention of Accidents, in promoting safety awareness for Scotland's children.

17:41

**Clare Adamson (Motherwell and Wishaw) (SNP):** I am delighted to lead this evening's debate on child safety week 2016 and I thank my colleagues across the chamber, many of whom are new faces, for their support, which has allowed it to go ahead. I welcome to the public gallery members of the Child Accident Prevention Trust, which promotes child safety week, and other members of the proposed cross-party group on accident prevention and safety awareness.

As well as having many new faces in the chamber, we have a new face in the Presiding Officer's seat and a new minister to respond to this evening's debate. I congratulate both Ms Fabiani and Ms Ewing on their appointments. What is not new is that Clare Adamson MSP is on her feet in the Parliament talking about safety issues, but I make no apology for that. I hope that I have the minister's forbearance for the frequent and many responses that will be demanded of her over the new session of Parliament.

Why such persistence on my part? For me, safety, and especially child safety, is a social justice issue. Unintentional injury is one of the leading causes of mortality and morbidity throughout life, and for children it remains the leading cause of death. Recent ISD Scotland statistics show that children and adults in the most deprived areas are most likely to have an emergency admission—it is 19 per cent more likely for children and 40 per cent more likely for adults. In addition, the most recent statistics show that one child death in 12 is caused by unintentional injury. That is why I welcome the efforts of the Child Accident Prevention Trust to promote safety awareness in child safety week.

I hope that members will take an opportunity to stop by the CAPT exhibition in the Parliament this week and, if they are very brave, to take the Bitrex challenge. There is a wealth of information in the exhibition about how to support and promote child safety.

The theme of this year's child safety week—turn off technology—highlights the dangers that arise when parents, carers and young people are distracted by mobile technology or music on earphones. In a recent survey by the Child Accident Prevention Trust, one parent in four admitted that their child has had an accident or near miss while being distracted by using a mobile phone, and more than two thirds of parents—69 per cent—said that they are distracted by their mobile phone, with more than three quarters confessing that they usually check texts and posts as soon as they come in through mobile notification systems.

That is a startling statistic, and we know that such behaviour is rubbing off on children. One in six children and young people suffers an accident or near miss, for example by stepping out into the road without looking, while they are on their mobile phone—and in the London area the proportion rises to almost one in four.

Child safety week will equip families with knowledge about the risk to children of serious accident and about simple steps that they can take to prevent accidents. The Child Accident Prevention Trust is undertaking a number of different events throughout Scotland and visiting nurseries, young people and families to share its message and its toolkit for child accident prevention, which is available on its website.

Many people have commented on the importance of the issue. Dr Clarissa Quinnell, a junior doctor at University Hospital Southampton NHS Foundation Trust, said:

"Accidents often happen when we're distracted and mobile phones are increasingly to blame—whether it's a teenager stepping out into traffic while instant messaging or a baby grabbing at a hot drink or biting into a liquidab while their parent is replying to a text."

The cross-party group on accident prevention and safety awareness has covered many of the issues. Many professionals know only too well the devastating and life-limiting consequences for young people that accidents can have. For example, a young toddler might instinctively grab hair straighteners, suffering burns that restrict the use of their hand for the rest of their life.

I come to this debate from experience. Dr Quinnell mentioned young people who step out into traffic. In 2006, my 15-year-old niece Mhairi stepped out into traffic around the barrier at a crossing and was killed. I do not know whether

she was listening to music or had her mobile phone in her hand, but I know that all the research tells us that teenagers have immature brains and that their approach to risk taking is not developed as an adult's is, so they are vulnerable in such situations.

That is why, tonight and on every occasion that I can do, I stand up to urge parents and carers to heed the safety messages that come from CAPT and the Royal Society for the Prevention of Accidents, which is also represented in the public gallery this evening. I urge people to heed the Government's great messages about road safety and safety at home. I urge people to heed what trading standards staff, the Electrical Safety Council and all the other people who are expert in the area say, so that we can seek to protect our young people, our children and our families from the devastating effects of unintentional injury.

17:47

**Jeremy Balfour (Lothian) (Con):** Presiding Officer, it is a great honour to stand and give my first speech to this chamber. With your forbearance, however, I will say a few words about the Lothians the next time I am called to speak, because given the short time that we have for this debate I do not want to take anything away from the importance of the subject matter.

I congratulate Clare Adamson on securing this debate on her motion on the Child Accident Prevention Trust's child safety week 2016, and I welcome people from the cross-party group and elsewhere. I know from reading reports and talking to colleagues that Clare has a long-standing interest in child safety and a good record of raising the matter in the Parliament.

The theme of this year's child safety week—turn off technology—is particularly current, given the widespread use of smartphones, iPhones and other technologies. As we are all aware, new technologies can be useful and enjoyable and can make our lives easier, but it is right to highlight that they are sometimes distracting and even dangerous. That was recognised when the use of mobile phones while driving was banned, and many workplaces have guidance on the use of mobile phones during the working day.

The campaign is useful, because it draws attention to the risks of an adult becoming distracted by technology while looking after children and young folk, and it focuses on how to prevent avoidable accidents.

I understand that the trust published results of a survey that found that two thirds of people in Scotland said they had been distracted by their phone, and 40 per cent of younger parents admitted that their child had experienced an

accident or near miss while they were using their phone. The survey also discovered that around one in eight people has suffered an accident or near miss themselves when using their phones, such as stepping on to a road without looking.

The survey demonstrates the importance of the trust choosing to focus on technology. With regard to the findings on young people being distracted from their safety when using phones, it confirms the importance of road safety campaigns that are aimed at them.

It is welcome that the trust says that its safety week is about

“helping families make informed decisions ... rather than wrapping children up in cotton wool.”

It seems that sometimes families are bombarded with hundreds of messages on how to best parent their children. While many of these are undoubtedly useful, it can sometimes become overwhelming and the message gets lost in all the noise.

Working alongside families and community groups might help to ensure that this message reaches parents and offers practical solutions. We need to look at how we do car seat checking for children, how we provide first aid training for parents and how we give smart tips on how families can be empowered to look after their children. Those are important and sometimes difficult issues, and we need to get the message out.

I thank Clare Adamson once again for bringing this issue to the chamber. I congratulate the Child Accident Prevention Trust for its hard work in organising this week, and I wish it well today and in the future. [*Applause.*]

17:52

**Elaine Smith (Central Scotland) (Lab):** I congratulate Clare Adamson on securing an early members' business debate in the new session on a subject that is close to her heart.

The vast majority of parents love their children unconditionally and would do anything in their power to try to protect them from harm. Indeed, nobody prepares you for the love that you are going to feel for your child and neither do they prepare you for the fear that comes with it.

Quite easily the best day in my life was 20 years ago when my son Vann was born, and I can still remember that as if it were yesterday. When he moved up my stomach to latch on and breast feed, it was quite simply magical. Then the worry started. Was he putting on enough weight, would I crush him in bed during the night feeding him, would a wasp get into his pram when we went for a walk?



Then he was toddling. Even with stair gates and electrical socket covers and constant watching, that is still a worry. One of the worst days of my life was when he tumbled downstairs at my mum's; thankfully he was unharmed.

Then there were the school years. Should he be allowed to walk on his own, should he be allowed to cycle, should he be allowed to go away to Kilbowie outdoor centre for a whole week? That was a life-changing experience. Vann came back with increased confidence and he seemed to have grown up in a week. There were dangers of course, but they were minimised by staff and supervision.

During those primary years, there were all sorts of dangers, not least the possibility of being bitten by a snake or a tarantula during an Animal Man mini-zoo birthday party. That did not happen, and it is a very safe, fun and informative thing for people to do.

One big problem for me was ensuring that my son was watching age-appropriate movies and playing age-appropriate video games. Too many of his friends' parents seemed to think that "Grand Theft Auto", for example, was appropriate for 12-year-olds.

Then we come to the teen years—swimming, rugby, football—with all the accompanying injuries. I spent quite a few hours over the years at the accident and emergency department at Monklands general hospital with various breaks and sprains.

All sorts of dangers could arise, and you have to hope that your child, while pushing the boundaries and gaining new experiences, will be careful and will keep safe. Unfortunately, that does not happen in all cases. Last Friday, I awarded prizes at the Waysiders Drumpellier Rugby Football Club midi and mini section dinner. We spent a minute applauding the memory of a young player who had lost his life by drowning. We cannot overestimate the importance of teaching children about the dangers of water from a young age.

Sadly, children living in the most deprived areas of Scotland are at greater risk of death and injury from preventable accidents. The Child Accident Prevention Trust website points out that the growing up in Scotland study advises that family adversity is significantly associated with children experiencing three or more accidents requiring medical attention during the first five years of life. The website also reports that professionals are keen on the fun elements of child safety week as it helps them to get safety messages across effectively, particularly to vulnerable families. Further, it helps to build resilience by reminding parents about what they can do.

As Clare Adamson pointed out, this year's theme is turn off technology. That can cover a

range of dangers to be aware of—for example, online threats such as bullying; unsuitable games, which I have mentioned; and, of course, crossing roads while listening to music on mobile phones. I hope that raising awareness through debates such as this one can not only help with the turn off technology theme but encourage projects and groups that work in deprived areas, including many across the Central Scotland region, to sign up to child safety week and help to narrow the inequalities gap in child safety.

No matter how much we want to care for and protect our children, accidents happen. However, by being aware of dangers, we can help to keep our kids safe and minimise the risks. Of course, as parents, we will always worry. My son is away just now on his first trip alone to visit a friend of his who is at uni in the United States. Even though he is 20, I am still as anxious as I was when he was two and I hope that he is not crossing roads with his mobile on.

We can only hope that we have made our kids aware of obvious dangers. We can try to anticipate the threats to their health and safety, and child safety week helps parents to do that by raising awareness of serious childhood accidents and how to prevent them.

Once again, I congratulate Clare Adamson on securing the debate—I believe that the debate can only help in that aim of raising awareness.

17:56

**David Torrance (Kirkcaldy) (SNP):** I thank Clare Adamson for securing the debate.

"There can be no keener revelation of a society's soul than the way in which it treats its children."

That is a quotation from Nelson Mandela and it encapsulates the importance of child safety in our society.

In Scotland, a small number of children do not live past their first birthday. Some of those deaths, unfortunately, are through accidents, which are often preventable. Such accidents generally happen when we are disengaged, preoccupied and inattentive. We are all members of a community and we all play a role, whether as parents, teachers, police officers or community members, in ensuring that all children in our communities are safe. As community members, we hold that position of trust.

I welcome the opportunity to speak about this year's theme—turn off technology. I thank the Child Accident Prevention Trust for inviting the public to sign up for a free child safety week toolkit and for providing practical resources and countrywide events to inspire families to participate in safer practices.

Accidental injury accounts for one in 12 of all childhood deaths and one in eight of all emergency hospital admissions for children. The figures are especially high in areas of deprivation. The toolkit is a way of encouraging communication between parents and children on the use of safer technologies. It provides picture books on how to use technology safely that will appeal to younger children as well as information packs targeted at adults on what to do if their child is in a technology-related accident. That is especially important for children under six, who are most at risk of accidentally swallowing small objects.

By putting away our smartphones, computers and tablets and keeping electrical appliances out of reach when we are around children, we can devote our full attention to our younger children to ensure their safety.

Regardless of where they live, every child needs and deserves the same level of safety. I am proud of the many services relating to child safety in my constituency. The Fife child protection committee aims to provide a safe environment for every child. Abuse of children can take many forms, including physical neglect as a result of technology. Technology is an integral part of the life of both parents and children, whether at home, school or work. The child protection committee provides information on the risks that those technologies can pose to children as well as the resources that are available to minimise those risks.

Barnardo's has a strong presence in Fife with its child and family support services, providing eight different services ranging from the provision of a family carer to children's rights and mental and physical wellbeing. The Kirkcaldy area works with a range of organisations such as the Playfield institute, Victim Support Fife, the Children and Young People's Commissioner Scotland, the Internet Watch Foundation and NHS Fife. Fife care services provide safety advisers to visit homes with children under five or vulnerable adults, identify areas of danger and give advice on how to make homes more child friendly through the safer use of technology.

The theme for 2016 is turn off technology. In 2015, more people died globally from taking selfies than from shark attacks. By simply turning off notification sounds on smartphones when returning home from work, setting aside a limited time for computer use, and ensuring that electrical appliances are out of reach, parents can create a safer environment for their children. That not only allows parents to devote more attention to their children but teaches children that they are the focus of attention and encourages quality family time in the home. Parents also set an example for young people by avoiding texting or using phones while driving.

Most important, the accusation that technology is destroying the art of conversation might hold some truth. Children look to us for guidance and as role models; therefore it is up to us and our communities to provide them with images of safety. Child safety week is a truly educational campaign, targeting both adults and children. Last year, child safety week events and activities reached more than 9,000 children, young people, parents and carers across Scotland. With the greater enthusiasm shown this week, we can keep more children safe from accidents.

In conclusion, I would like to thank Clare Adamson for bringing this motion before Parliament today. It is such an important issue. I wish child safety week continued success for its future, as every child deserves to live in the safest environment possible.

18:00

**Oliver Mundell (Dumfriesshire) (Con):** I, too, add my thanks to Clare Adamson and put on the record the fact that it is her dedicated and attentive service to this issue that encouraged me to join the associated proposed cross-party group.

I was shocked when I read the statistic that one in 20 of all childhood deaths in Scotland is preventable. New technology in modern society has brought with it new challenges. While, back in the early noughties—as goofy as it sounds—I had only my Sony Walkman and an S Club 7 tape to contend with as a distraction, young people now have the world at the swipe of their fingertips and Spotify holds the entire back collection of almost every hit. That is why I welcome the excellent work that the Child Accident Prevention Trust has done in addressing this very modern issue through its focus on turning off technology during its designated child safety week.

Being distracted by our phones is something that we are all guilty of—adult or child—and particularly now, with the change in rules here in this chamber. In all seriousness, I often find myself behind the wheel of my car, wondering whether the pedestrian with the large cup of coffee in one hand and a phone in the other is going to look up before stepping out in front of me. Of course, as I am a careful driver, my foot hovers on the brake, and nine times out of 10 there is no need for any action. However, one can see just how many people take a driver's full concentration for granted, and that is a worry.

Such an issue must be addressed primarily through education. We cannot simply wait for the worst to happen to shock our young people. I recall vividly—although it was not in my constituency—an incident in 2009 in which a teenager in East Ayrshire sadly passed away. It is

thought that he had become distracted by either his mobile phone or a music player. Through the excellent work of voluntary organisations, we can try to prevent such incidents from happening to other people.

Child safety week is not limited to technology. RoSPA, along with other organisations, has done much to promote child safety through its campaigns to stop drink-driving, its instrumental role in bringing about the ban on using hand-held mobile phone devices in cars and the introduction of a cycling proficiency test. Those practical solutions have gone a long way towards championing the safety of Scotland's young people.

As a former junior road safety officer at Moffat academy, I was pleased to see the efforts of Thornhill's Wallace Hall primary school in my Dumfriesshire constituency, which has recently appointed junior road safety officers from among its pupils. Those four pupils have made great efforts to keep parents and carers parking in the right places and to raise money for equipment that will encourage safe driving in and around the school premises.

I want to highlight the efforts of a local initiative, operation safety, which have led to the establishment of an annual child safety event that is attended by children and young people from across Dumfries and Galloway. The event, which is run in conjunction with the police, the Scottish Fire and Rescue Service and the Scottish Ambulance Service, gives pupils the opportunity to experience real-life situations in a relaxed but educational way. Such efforts have the power to change young people's lives for ever and they are exactly the sort of thing that I hope that the new minister will encourage across Scotland.

I thank Clare Adamson again for securing the debate and I thank the many organisations that work hard on the issue all year round.

**The Deputy Presiding Officer:** I call Annabelle Ewing to wind up the debate.

18:05

**The Minister for Community Safety and Legal Affairs (Annabelle Ewing):** Thank you, Presiding Officer. This is the first time that I have had the opportunity to speak in the chamber since your elevation, on which I warmly congratulate you. I hope that that will give me brownie points in the next five years.

I sincerely thank Clare Adamson for bringing this important debate to the chamber. She has been a strong, persistent and determined campaigner on accident prevention issues. The cross-party group on accident prevention and

safety awareness was set up in 2013 further to her initiative. At lunch time, I had the pleasure of briefly attending the proposed CPG's inaugural meeting of the new parliamentary session, and I was encouraged to hear—unless I picked it up wrongly—that the group has some 160 members, which is fantastic. That shows the importance of the work that the CPG will deal with.

As we have heard, this week—from 6 to 12 June—is the Child Accident Prevention Trust's child safety week across Scotland and the rest of the United Kingdom. Every year, child safety week is a flagship community education event in Scotland that raises awareness of serious childhood unintentional injuries and how to prevent them. I am pleased to acknowledge that the Child Accident Prevention Trust responded to concerns that were raised in Scotland about the timing of child safety week by agreeing to move it from the end of June to the beginning of June to ensure that it did not clash with what tends to be a busy end-of-term programme in schools in Scotland.

We have heard that child safety week generates positive media coverage, which is useful in delivering the practical child safety messages that the campaigns are intended to convey. It acts as a catalyst for hundreds of community safety events and activities, which reach tens of thousands of children and families across Scotland. The repeat of last year's earlier timing enables our schools and children to be more active participants in the various activities, which is to be welcomed.

We have heard that this year's child safety week theme—turn off technology—offers an opportunity to raise awareness among families across the board. Today, the use of technology—especially smartphones—is universal. We have to accept and work with that. We know how easy it is to become distracted and particularly how easily children become distracted when they are engrossed, which diminishes their focus on safety. That point was well made by Jeremy Balfour in his first speech in the chamber, which was fine and considered, if I may say so.

Unintentional injuries happen all too often when we are distracted; they can happen quickly and take us by surprise. Child safety week puts accident prevention into a context that families can relate to. It makes starting conversations a bit easier and avoids any perception that people might have of being talked down to. It also gets children involved in the debate, which is important. It gets across the message in an engaging and fun way that shows how to build basic safety into busy lives.

As Elaine Smith said, parents will do anything to keep their children safe. I am sure from what she said that parents constantly do risk assessments—I do not know how many they do

per day, but it is quite a lot. Parents are ready for the message, and we can encourage them to work with organisations such as the Child Accident Prevention Trust to see what small changes they can make in how they go about their daily activities to protect their most precious asset—their children.

As well as providing a good way to engage with parents, child safety week helps to forge long-term partnerships for unintentional injury prevention between a wide range of sectors, including early years and childcare, health services, road safety, the police, education, fire and rescue services, statutory services and local community organisations. That was referred to by Oliver Mundell, who I am pleased to hear has experience to bring to the CPG from his role as a junior traffic officer—if I have got that title right.

The term “unintentional injury” is, I believe, preferred to the word “accident”, as the latter could perhaps be deemed to imply that events are somehow inevitable and unavoidable. On the contrary, a high proportion of such incidents are now regarded as being entirely preventable.

Although unintentional injuries can occur among any age group, children are particularly vulnerable. This morning I had the pleasure of visiting Bright Sparks nursery in Edinburgh, where I took part in child safety week activities. They included one of the picture books to which David Torrance referred—an excellent book called “Stop and Go”, which I had the privilege of reading to the wee people there, who thoroughly enjoyed it. One young boy pointed out to me that people should not use their phone when they cross the road, because they would not be able to see the cars. That summed up with total clarity the message that we are trying to get across.

I also took the Bitrex taste test. For those members who do not know, Bitrex is a chemical by-product that is developed in Scotland and is, I am told, harmless to humans. It can be used to coat industrial household products that could present a risk to young children. For example, Clare Adamson referred to liquitabs, which are washing machine capsules that frequently come in nice, bright colours, which are of course very attractive to young children. The idea is that such products are coated in Bitrex. Its taste is so bitter that when children bite into a liquitab, they automatically spit out the poisonous liquid. Having taken the test today, I can assure you that Bitrex is very bitter indeed—I needed five Miniature Heroes chocolates afterwards to recover, and I still have a bit of the taste. I am pleased to hear that the trust is here all week, so I strongly encourage all members to take the Bitrex test. It sends an important message and it is an important example

of how we can develop and adapt products to protect our children.

The messages that are being promoted in child safety week are very important indeed. We all have a role to play and I, as minister for community safety, am always keen to work with all members. My door is always open. Nobody has a monopoly on good ideas, and I look forward to working with members of the proposed CPG on accident prevention and safety awareness.

I thank Clare Adamson for bringing this important debate to the chamber in these early days. I look forward to working alongside all members to see what we can do to improve child safety and awareness in Scotland.

**The Deputy Presiding Officer:** Thank you, minister. Please, all go carefully.

*Meeting closed at 18:13.*

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