



OFFICIAL REPORT
AITHISG OIFIGEIL

Local Government and Communities Committee

Wednesday 2 November 2016

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 2 November 2016

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LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

9th Meeting 2016, Session 5

CONVENER

*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

DEPUTY CONVENER

*Elaine Smith (Central Scotland) (Lab)

COMMITTEE MEMBERS

*Kenneth Gibson (Cunninghame North) (SNP)

*Ruth Maguire (Cunninghame South) (SNP)

*Graham Simpson (Central Scotland) (Con)

*Alexander Stewart (Mid Scotland and Fife) (Con)

*Andy Wightman (Lothian) (Green)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Dr Lynn Bennie (University of Aberdeen)

Victoria Hannigan (Modern Studies Association)

Ruth Hogg (Office of the Commissioner for Ethical Standards in Public Life in Scotland)

Debbie King (Shelter Scotland)

Willie Sullivan (Electoral Reform Society Scotland)

Bill Thomson (Commissioner for Ethical Standards in Public Life in Scotland)

Kayleigh Thorpe (Enable Scotland)

Dave Watson (Unison Scotland)

CLERK TO THE COMMITTEE

Clare Hawthorne

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Local Government and Communities Committee

Wednesday 2 November 2016

[The Convener opened the meeting at 10:37]

Commissioner for Ethical Standards in Public Life in Scotland (Annual Report and Accounts 2015-16)

The Convener (Bob Doris): Good morning and welcome to the ninth meeting in 2016 in session 5 of the Local Government and Communities Committee. I remind everyone present to turn off mobile phones. As meeting papers are provided in digital format, members may use tablets during the meeting. If members are using their phones or tablets, they are looking at briefing papers, but if others present could put their phones off, that would be welcome. Yet again, we have a full house of members—no apologies have been received.

Agenda item 1 is evidence on the annual report and accounts for 2015-16 of the Commissioner for Ethical Standards in Public Life in Scotland. I welcome Bill Thomson, the Commissioner for Ethical Standards in Public Life in Scotland, who is accompanied by Ruth Hogg, investigations manager with the office of the commissioner. Good morning and thank you for coming. I believe that the commissioner has some brief opening remarks to make before we move to questions.

Bill Thomson (Commissioner for Ethical Standards in Public Life in Scotland): Thank you, convener—they are very brief.

I thank the committee for the opportunity to appear before you to discuss last year's annual report and answer any questions that you may have on it. As you will be aware from your papers, I have submitted updates to several of the tables in the annual report. They cover the first half of the current year to the end of September. I picked the ones that relate to complaints that my office dealt with in relation to councillors and members of public bodies because I presumed—perhaps incorrectly—that that would be the main area of interest. I am obviously happy to answer questions on those and on any other parts of the annual report that are of interest to the committee.

The Convener: Thank you, Mr Thomson. We move to questions. Graham Simpson has

indicated that he would like to open the questioning.

Graham Simpson (Central Scotland) (Con): I declare an interest, in that I am still a councillor on South Lanarkshire Council. Over the years, I have also been the victim of two complaints to the Standards Commission for Scotland, both of which were spurious.

Mr Thomson, your budget is £862,000 a year. According to a report that we have from the Scottish Parliament information centre, only seven cases in one year involved a breach. By my reckoning, that is more than £123,000 a case. Does that represent value for money?

The Convener: That is a nice positive opening question.

Bill Thomson: Yes—thanks.

First, the complaints that I deal with are only part of my remit. Approximately one third of my office's expenditure goes on the public appointments work. I am the successor to two previous commissioners—in fact, three—one of whom was the Commissioner for Public Appointments in Scotland. Therefore, I am afraid that the calculation that Mr Simpson has made, which is interesting, is inaccurate.

I also think that the premise behind the question is curious, in as much as the implication is that only complaints that result in a breach are worth while. I am not sure that I am minded to agree with that. Actually, hundreds of complaints are dealt with every year, and I assume that they are important to the people who submit them. Therefore, it is not just about complaints that end up with a breach report and a hearing. It is important that all the complaints are investigated as fairly and as proportionately as possible.

Graham Simpson: So you have hundreds of cases that come before you.

Bill Thomson: It is hundreds of complaints.

Graham Simpson: You are telling us that all of them are genuine and worthy of investigation.

Bill Thomson: With respect, I do not think that I said that. Until I have made some inquiries, I am not in a position to take a view as to whether a complaint that comes in is genuine and worthy of investigation.

The Convener: I assume that you look at the veracity of a complaint as you investigate, rather than before you investigate it. Will you say a little more about the process that you go through? Mr Simpson might then want to come back in and ask a supplementary.

Bill Thomson: Certainly. Some of the complaints that we receive are entirely outside my

jurisdiction, so they do not receive much attention at all. Some of them relate to quite old circumstances and in general we do not investigate complaints that relate to matters that occurred more than 12 months previously, although there are some exceptions to that. Other complaints relate purely to the key principles that are set out in the councillors' code of conduct or in the code of conduct for the members of the public body concerned. Because of the way that those codes are drafted, those complaints cannot constitute a breach even if I agreed that councillor X had been dishonest or had failed to be properly open or whatever, depending on the key principle at issue.

We are in the process of introducing a new approach under which, if it is not clear that a complaint relates to, or could relate to, a provision of the relevant code, we engage with the complainer before we start the process so that we find out whether the issue is within my remit and is therefore worth investigating. If it is not, we will not proceed any further. In very broad terms, around half the complaints that I receive do not proceed to any detailed investigation.

To go back to Mr Simpson's question, I am not yet convinced that it is a waste of time to go through that process and reach the determination that those complaints are not worth investigating further. I appreciate that some complaints are vexatious or frivolous, although it is difficult to tell that when they come in. We have to go through the process to at least do the best that we can to determine whether they are worth investigating.

10:45

Graham Simpson: If only seven of the hundreds of cases that come before you every year ultimately amount to a breach, that tells you something, does it not?

Bill Thomson: A number of conclusions could be drawn from that. I would be interested to know which conclusion Mr Simpson thinks should be drawn.

Graham Simpson: I am asking you what conclusion you draw.

The Convener: That is fine, Mr Simpson. Mr Thomson can finish giving his thoughts on the matter and you can come back in after that.

Bill Thomson: I am at risk of sounding facetious here, but this is a serious point. My conclusion is that seven of those cases—if the number is seven; it varies from year to year and is nearer double that this year—disclose a breach of the code.

The Convener: Do you want to explore the matter further, Mr Simpson?

Graham Simpson: Thank you, convener—I may well come back on the issue, but I do not want to hog the discussion as other members may have questions.

The Convener: Absolutely. Before we move on, I make the casual observation that a number of things could be happening. Perhaps members of the public are unclear about when they should or should not approach the office of the commissioner, and are therefore complaining not vexatiously or inappropriately but for genuine reasons.

Mr Thomson, are you able to tease out how many of the people who make a complaint are simply not sufficiently informed about the appropriate process to go through if they are dissatisfied with how a councillor has dealt with a case or has interacted with them at a surgery, or if they have read something about a councillor in the newspaper? Is there an information gap out there?

Bill Thomson: Last year, I made the point to your predecessor committee that approximately one fifth of the complaints that we received related purely to the key principles. I am not criticising people who put in those complaints, because it is not obvious from the councillors' code—unless people happen to read one sentence at paragraph 2.1—that one cannot breach the key principles. I think that those people genuinely felt that they had an issue to raise. I also think that they were probably not sufficiently clear about what my remit is and what I can investigate.

I am pleased to say that, in the first six months of this year, the percentage of complaints that relate purely to the key principles is significantly lower, so it seems that some progress has been made. As I said, when such complaints come in, we try to tease out with the complainer whether there is something else under the code that could be relevant, even though they might have referred to only one of the key principles. I am not trying to generate complaints; I am trying to ensure that people who complain are not sent away and dismissed without the issues that they have raised being properly addressed.

The Convener: So you would not automatically exclude the one fifth of complaints—we are talking about figures from two years ago—that came in under a criterion that you could not possibly look at in greater detail and make a ruling on. You would still interrogate those to a degree in case there was something else going on that would constitute a valid complaint.

Bill Thomson: Indeed. I will give you one example, without mentioning any names. We had a complaint this year from an individual who was unhappy about a comment that was attributed to someone in a newspaper article—the article

purported to repeat something that a councillor had said on social media. The information was insufficient for me to take the complaint forward, but I endeavoured to trace the social media issue to which the person referred. I failed, so my office wrote back and asked for further clarification, indicating that if we did not hear anything within a certain period we would simply close the file. That is where we are now, as the individual did not come back. I suspect that their complaint was prompted by something they saw in the newspaper that they thought was shocking—this may be Mr Simpson's point—so they decided to make a complaint, but there was no substance to it.

Alexander Stewart (Mid Scotland and Fife) (Con): I am a serving councillor on Perth and Kinross Council.

In my view, the code was brought in as a safeguard, but in practice it has become an opportunity to challenge, attack and condemn individuals. When we read of allegations against individuals where the code has been used, we can see that that may well be the case sometimes.

Planning seems to be one of the main areas in that regard. From my 18 years as a councillor I know there are a lot of grey areas in planning—the situation with a planning application is not always black and white. People can have an impression of the planning process and of enforcement that councillors have more information than the general public. That can cause difficulties if someone believes that, when an authority is managing their application, some individuals have more power or influence and things are being breached. I can understand why people get a bit excited about how planning applications are processed and how the information for councillors and the applicants themselves are received.

I perceive that to be a challenge—it is an area where people can condemn individuals. As the person who manages the whole process, do you believe that it is becoming more prevalent for individuals or organisations to choose to challenge, attack or condemn?

Bill Thomson: The short answer is yes. Let me give a bit more detail. We report separately on complaints that relate to planning issues—there is a table in the report on the number of such complaints. Until recently, planning was the biggest area, although I think that it is now in danger of being overtaken by complaints of disrespect—some of those cases may relate to planning, but most do not. It is good news that the percentage of complaints relating to failure to declare or register an interest is going down. That, of course, is an area that can be brought up in relation to planning applications.

I agree that the opportunity to complain to my office is tempting to people who are dissatisfied with planning decisions or with the way in which the planning process has proceeded. Quite a number of complaints have been prompted by dissatisfaction with the planning process. In some cases, I think that the people who complained wrongly assumed that, were I to reach a decision that there had been a breach, that would allow them some way of clawing back the planning decision. That is not the case.

Alexander Stewart: I agree that individuals often do not like the answer when it comes to planning so they go to you as a way of challenging the process. As you have rightly indicated, it is not your role or remit to change planning decisions. However, that does not stop people complaining. Their perception is that, by doing that, they can make progress.

You mentioned respect. Whether people do or do not respect the process is a very fluid question. Over the years, I have been at many meetings at which individuals have got a bit heated and words have been said or actions carried out that were perceived as a breach. How an individual manages that entirely depends on them. Your view on that issue would be useful.

Bill Thomson: My decision on such things is not the end of the story, because if I consider that there has been a breach, I report the case to the Standards Commission. Ultimately, it is the commission's decision.

Respect—or the lack of it—is a very difficult issue. It is—quite correctly, I think—a key principle: it would be a sorry state of affairs if we were to conduct public business without respect. However, it is difficult to determine whether something is or is not disrespect. The context, as I think you are suggesting, is often critical. It is a growing area for my office.

As I mentioned when I appeared before your predecessor committee, when we are considering whether something is a breach in terms of respect, a further complication is that article 10 of the European convention on human rights protects freedom of speech, and the European court has made it very clear that statements made in a political context are given much wider latitude than statements made in other contexts. That is quite a live issue.

The Convener: Let us move things on a little bit.

Elaine Smith (Central Scotland) (Lab): Good morning, Bill. Thanks for joining us today. I, too, am interested in the whole issue of respect. Having chaired the Parliament in the previous session, I know that the level of respect is quite difficult to judge in the chamber, but it is a big part

of proceedings there. I am interested in the answer that you gave on that.

I see from the *Official Report* that, the last time you were before the previous committee, you said:

"If the code could be simplified and made clearer, that would make everybody's lives better."

Those were the words that you used. You went on to say that

"ministers would have to agree that there was a reason to review it."—[*Official Report, Local Government and Regeneration Committee*, 2 March 2016; c 5.]

Could you tell us a bit more about that? Has anything moved on that? Is it something that we need to look at?

Bill Thomson: From my point of view, it would be very welcome if you were to look at it. The Standards Commission for Scotland, to which I report, as I have mentioned, has a list of areas of the code that it would like to be revised and improved. I believe that the Government is due to consult soon on possible changes to a particular aspect of the code. My understanding is that the Standards Commission will take that opportunity to submit its wish list of areas requiring improvement.

I was asked by the convener of the previous committee to submit a note of points that I thought required attention. I did that around the time of dissolution, in March this year. I certainly hold to the points that I made in that letter, which, if the convener wishes, I am happy to repeat now.

There is one point that is plainly wrong and not at all helpful. It relates to the registration and declaration of interests, which are governed in part by a statutory instrument that requires registration within a month, in essence, of the interest being acquired or changing. Paragraph 4.2 of the councillors' code of conduct refers to the need to check and review entries at least annually, which is not helpful. Someone can be familiar with the code yet not appreciate that they could be in breach of it if they leave it for three or four months before registering something. That is just a blatant error.

There are other things that are complex. Going back to Mr Stewart's point, planning is difficult in itself. Part 5 of the councillors' code of conduct applies to planning, and it has several different iterations of the same test. That is difficult for anybody to get their head around. Part 7 also applies, but the same test is not referred to in one of the provisions in part 7 that also applies to planning.

I think that it is difficult for councillors, who are advised to know where they stand, and that it is particularly difficult for members of the public to know what a proper complaint is.

Elaine Smith: That is very helpful. Thanks for sharing that with us again.

The Convener: As a new committee, we will look at the letter that you sent to the previous convener and we will take stock of it. Thank you for flagging that up for our attention.

Mr Simpson has a supplementary question on some of the points that have been raised.

11:00

Graham Simpson: You will be aware that one of the rules for councillors is that they are not allowed to comment publicly on a planning application if they are subsequently part of the decision-making process around it. That has always struck me as quite a bizarre thing, because we are elected to form views, take decisions and represent people. We can express views on any other issue that we like, but not on planning. That rule was scrapped in England, I believe. I wonder whether you think that should happen here and whether that would be helpful.

Bill Thomson: That is a policy issue on which I am wary of commenting, partly because I may have to deal with complaints about breaches of that rule and that could put me in a slightly odd position.

The rule is even more complex than that. As I am sure you are well aware, convener, councillors can comment at the policy development stage but they cannot then comment on specific applications if they are going to deal with them. That puts councillors in a very difficult position at times—I readily appreciate that.

The Convener: Okay. Alexander Stewart wants to follow up on that.

Alexander Stewart: Can I tease that out slightly further? When complaints are submitted and an investigation takes place involving all the processes that you go through, it appears that a number of them do not then progress, perhaps because of a lack of evidence. How do they end up not being progressed further in your process?

Bill Thomson: That is correct. It may be that the evidence is not there; it may be that it is completely contradictory. The worst situation is the classic "he said, she said" situation that arises when nobody else was involved, in which case I have no basis for making a determination. More often than not, it is down to interpretation and people saying things differently.

As a general rule, given that penalties are possible under that process in the seven or more cases that are found to be breaches, the code must be interpreted relatively strictly. That rule would apply if we were talking about the criminal

law and I think that it is fair to take the same approach here. That tends to mean that the people against whom a complaint has been made will be given the benefit of the doubt if there is any real doubt. Of course, that is not satisfactory to the people who have complained, and I receive comments to that effect. Nevertheless, I think that that is the correct way of going about it.

The Convener: Thank you. I give a heads up to the one or two members who asked to come in on social media—you know who you are—that I am going to bring you in in a second. However, I would like to make a more general point first.

I am starting to get a taste of what has happened in the past year. In the year 2014-15, there were 680 complaints against councillors; in the year 2015-16, there were 202 such complaints. I am sorry if this is trivialising the issue, but have councillors been better behaved in the past year than they were before, or are they getting their act together? Are they boxing more cleverly? What is going on? We have some councillors on our committee. Have they all been better behaved in the past year?

Bill Thomson: I make no comment on individuals in the room, convener. The previous year's figures were distorted by multiple complaints in relation to one issue in the city of Aberdeen. Because of the way in which we are required to record and report on complaints, there were 524 complaints relating to the one issue, so the actual overall number in that year was significantly less than the 600-odd that were reported. Unfortunately, I do not think that you can deduce from that fact that behaviour has improved to the point at which there are significantly fewer complaints. The number of complaints is not necessarily an indicator of behaviour at all; it is just the number of people who have been motivated to submit a complaint.

The Convener: That was just a more light-hearted way of asking why there is such variation in the numbers. It is helpful to have that on the record.

Bill Thomson: I am pleased to report that the volume of complaints was on a downward trend in the first half of 2016. That is very welcome from my point of view.

The Convener: Thank you for that. We have mentioned social media, and our clerking team tells me that you have previously contacted the committee about guidance on the use of social media in section 3 of the code. Before the start of the meeting, Andy Wightman indicated that he is particularly interested in looking at some issues around social media, and now might be a good time for him to raise those points.

Andy Wightman (Lothian) (Green): In the evidence that you gave earlier in the year, you said:

“at the top of my list is the way in which the code applies to statements that are made on social media.”—[*Official Report, Local Government and Regeneration Committee*, 2 March 2016; c 6.]

Given that social media are becoming more prevalent and widespread, and given that they are used more frequently by elected officials and many others in society, has anything changed since you made that statement? In particular, what do you think that the impact of social media might be on your potential workload? You say that the number of complaints is dropping and that it goes up and down, but I am thinking more strategically.

Bill Thomson: The one thing that has changed is that the Standards Commission has issued revised guidance in relation to social media, which I think is helpful. However, it has limits in as much as I can assess complaints only against the code itself. Whether someone has had regard to the guidance is a factor, but my decision must be based on whether someone has or has not been involved in something that is a breach of the code. The guidance is helpful but is not a determinant of the issue.

The difficulty that I raised is that the code was drafted before social media were so prevalent, so it makes no reference to them. The code correctly applies to the actions of councillors and members of public bodies only when they are acting in that capacity, and one of the real difficulties with social media is in working out whether the person who has said whatever they have said was saying it as an individual or as a councillor. If they said it as an individual, the code does not apply; if they said it as a councillor, at least arguably, the code applies and the question is then whether they were commenting in a way that would be covered by the freedoms that are conferred under article 10 of the European convention on human rights.

Andy Wightman: The last time that you came here, an interesting discussion arose on that question. It is partly the nature of the media that blurs the boundaries between when a councillor is acting in their capacity as a councillor and when they are not. That may be rather more difficult to determine than it was in the past, when councillors were acting in their public capacity only when they were in council chambers, on council business, speaking in meetings and all the rest of it. When they were at home, they were not acting in that capacity. Now, when they are at home they have greater opportunities to speak to the world than they had previously. Are you any further forward in being able to draw that line a little more clearly, partly to assist councillors in their interaction with the public?

Bill Thomson: Regrettably, I am not. I wish that I were. I suppose that, over time, there will be some clarity in as much as, when I find breaches, the complaints will be considered by the Standards Commission at public hearings and the commission will make decisions. Assuming that those are related to each other in some way and consistent, the picture will become clearer. However, we will still have the problem of how the code is applied and the question of when a councillor is not a councillor. It is an impossible question to answer, unfortunately.

The Convener: I have a brief follow-up question before we move on to our final area of questioning.

Does that leave a murky area for you, Mr Thomson? When you look at a Twitter account, the biography can say that someone is tweeting in a personal capacity and that the views are their own, not their employer's. Does that give the individual who is running the account a blank cheque to say what they like without running the risk of breaching the code? Or is the issue that there is a total lack of clarity in relation to that?

Bill Thomson: "Murky" is a good word. Someone saying that they are doing something as an individual is not necessarily a defence, if that is the right word. If a person comments on a matter of public concern—which can, in technical terms, be considered to be political expression—even the protection that is given by article 10 is not complete. There are things that are just beyond the pale, if I can use that phrase. The difficulty is in knowing on which side of the fence the comments fall.

The Convener: It is helpful to have that on the record.

Elaine Smith: I want to turn to the public appointments part of your role, if you do not mind. For the first time, more women were appointed than men. How was that achieved? Your report says:

"A range of outreach activities, to encourage applications from under-represented groups"

were undertaken. Can you give a bit more detail about that? How can you approach and address the poor representation of other sectors?

Bill Thomson: I welcome the opportunity to comment on that. The topic is quite big, but I will try to be brief.

My office now works in a different way with the staff in the Government who are responsible for the administration of the public appointments process. That is partly thanks to the Government giving priority and prominence at a political level to the issue of diversity on public boards and specifically to gender imbalance as a first priority.

The political climate has changed helpfully, which has made it easier for the staff who are directly involved to apply themselves at an earlier stage when public appointments are to be made.

We now have a process of early engagement with Scottish Government staff who will be involved in a public appointment, including at a fairly senior level. Thinking about the matter in advance allows the process to be undertaken in a way in which it is less likely that the same questions will be asked and the same answers will be received. The way in which the board looks at succession planning is improving, as that is being encouraged and supported, and the way in which the public appointments advisers from my office engage with the appointment panel, which is different from time to time, allows better preparation. Sometimes, just the way in which the questions are asked makes a difference. The way in which the requirements are specified certainly makes a difference.

As Elaine Smith mentioned, there is active outreach. It does not happen in all cases, but there has been some very effective outreach. For example, there was a public meeting in Maryhill that was held jointly with Greater Glasgow and Clyde NHS Board when it was trying to involve people in the board who had experience of community involvement. That was a successful exercise, and there have been a number of those.

Although some areas require even more thought, the overall position is improving. I have figures that, if the convener allows, I can give to the committee to indicate the progress that has been made in the course of this year.

Table 25 in the report shows the demographic profile of board membership at the end of 2015. At the end of October this year, female board membership was at 44.3 per cent, which is an increase. I accept that that is still below the Scottish population census figure, but it is an improvement. However, the percentage of people on boards who had disclosed a disability was down to 9.7 per cent, and there is a significant gap between that and the Scottish population census figure of 19.6 per cent. The proportion of black and minority ethnic people who are represented on boards has gone up from 3.5 to 4 per cent—that matches the Scottish population census figures—and the figure for those aged 49 and under on boards has gone up from 17.6 to 19.7 per cent. That is still way below 54.3 per cent, but it is a move in the right direction. The number of those on boards who have recorded that they are lesbian, gay or bisexual has gone up from 3 to 3.7 per cent, which is still below our 6 per cent target but is a move in the right direction.

The Convener: Do you want to follow up on that, Elaine?

Elaine Smith: No. That is very interesting. If you wish to send in any further comments on that, I am sure that we would be happy to receive them.

The Convener: Those figures give the committee an anchor for subsequent annual evidence on how the figures are changing. Where does the responsibility sit for making further progress on that in the year ahead? Does it sit with the Government or with you? We are almost out of time but, if you could say anything about that, it would allow us to undertake more effective scrutiny in next year's evidence session.

11:15

Bill Thomson: The primary responsibility sits with the Government, and ministers make the appointments. I have set out to work in partnership with the Government on that while retaining my regulatory position. We have a very open working relationship—in fact, two of the Government staff who are involved in that are in the public gallery today to hear what is being said. That is because there is openness and interest, and priority is being given to the matter.

A number of initiatives are under way. If the committee is short of time, it might be better for me to submit a letter to the clerk after the meeting, if the convener is comfortable with that. I can give members a bit more detail and will supply the figures that I have read out. I apologise for doing that, but I received them only fairly recently.

The Convener: That is very helpful.

That takes us to the end of the evidence session—time has defeated us—and I thank Mr Thomson and Ms Hogg for coming to the meeting.

I suspend the meeting briefly to allow us to prepare for agenda item 2.

11:16

Meeting suspended.

11:27

On resuming—

Local Government Elections and Voting

The Convener: Item 2 is a round-table session on the Scottish local government elections and voting. The committee will take evidence from a number of witnesses on participation in Scottish local government elections and voting. The round table will allow for a more free-flowing discussion of the issues. In a moment, we will take introductions from everyone here, including the witnesses and MSPs.

First, I welcome students from Our Lady's high school in Motherwell and St Andrew's secondary school in Coatbridge who are in the public gallery today. We will have the opportunity to have a chat with you after this morning's meeting, if you wish.

I also give a nod to the Local Government and Communities Committee Twitter account, where we asked for views on how we can encourage voter participation at local government elections. We have had some responses to that. Anyone who is watching the meeting outwith the room, or even in the room, should feel free to go on to our Twitter account and make suggestions.

We will now go to introductions. I am Bob Doris, MSP for Glasgow Maryhill and Springburn and I am the committee convener.

Dr Lynn Bennie (University of Aberdeen): I teach and study politics at the University of Aberdeen.

Elaine Smith: I am a Labour MSP for Central Scotland and deputy convener of the committee.

Willie Sullivan (Electoral Reform Society Scotland): I am director of the Electoral Reform Society Scotland and a couple of years ago, I published a book called "The Missing Scotland. Why over a million Scots choose not to vote and what it means for our democracy".

Andy Wightman: I represent the Lothians for the Scottish Green Party.

Ruth Maguire (Cunninghame South) (SNP): I represent the SNP in Cunninghame South.

Victoria Hannigan (Modern Studies Association): I am a secondary school teacher of modern studies and I represent the Modern Studies Association.

Dave Watson (Unison Scotland): I am the head of policy at Unison Scotland.

Alexander Stewart: I am a member for the Conservatives in Mid-Scotland and Fife and have been a serving councillor since 1999.

Debbie King (Shelter Scotland): I am the campaigns and public affairs manager for Shelter Scotland.

Kenneth Gibson (Cunninghame North) (SNP): I am the SNP MSP for Cunninghame North.

Kayleigh Thorpe (Enable Scotland): I am campaigns and policy manager at Enable Scotland, an organisation for people who have learning disabilities.

Graham Simpson: I represent Central Scotland for the Conservatives.

11:30

The Convener: Thank you, everyone. We should be joined shortly by Sarah Paterson, who has been held up this morning.

We are keen to hear from our witnesses about how we can stem the trend of decreasing voter turnouts, particularly in local government elections and especially with regard to the new cohort of 16 and 17-year-olds, as well as a variety of other groups that are less well represented than those groups that normally vote in elections. Clearly, there are short-term concerns about next year's local government elections, but we must also take a long-term view about how we can stem the decline and turn it around.

I am sure that everyone here has various suggestions for the short-term and long-term approach to the issue. However, to start things off, I ask people to pick one thing that they would like to happen in the short term to encourage people to vote in the elections in May next year. We will let the conversation move on from there.

Who would like to make a suggestion about how we can increase voter turnout for next year's elections, particularly among groups that are less likely to cast their votes?

Debbie King: Shelter Scotland works with people who have housing need, such as people who are homeless or are trying to get out of temporary accommodation and into permanent accommodation. From our perspective, the starting point must be encouraging people to register to vote. We know that people who are in the private rented sector are less likely to have registered to vote. Similarly, those who are homeless or have no fixed address often either do not understand that they have a right to vote or do not know how they would go about registering to vote. I suppose that the issue is about information and support, initially.

Kayleigh Thorpe: I make a plea for informed and targeted voter registration and education campaigns. Earlier this year, we worked with the

Electoral Commission on the enable the vote campaign, which was targeted specifically at people who have learning difficulties, and concerned not only the process of registering to vote but the idea of why people need to vote.

Another important issue is the campaigns that political parties run to convince people to vote for them. Some of that information is not easy for people who have learning difficulties to understand, which means that they are not able to make informed decisions about their vote. That could be addressed.

The Convener: Members of the committee are starting to indicate that they would like to make some comments, but I would like to hear more from witnesses first.

Victoria Hannigan: Not all local authorities deliver modern studies as part of the curriculum, but they need to recognise that political literacy and citizenship education are a valuable part of the curriculum in Scotland and that time should be made available in all schools in Scotland to ensure that those elements are delivered by trained modern studies teachers who can ensure that voters have the appropriate and adequate information that they need to make informed choices.

The Convener: Would that be irrespective of whether young people had chosen to do modern studies?

Victoria Hannigan: Yes. As I said, not all schools in Scotland have modern studies as part of the curriculum. There must be a greater emphasis from the Scottish Government that all schools should either deliver modern studies or ensure that more time is made available for members of staff to receive training that will enable them to deliver the information to pupils, rather than having the children receive the information only through a period of personal and social education.

The Convener: I should declare an interest in that I am a former modern studies teacher.

Dr Bennie: I emphasise what has been said already: targeted registration campaigns are important. However, if I could suggest only one thing that would make a difference, it would be that the communications from the Scottish Government, experts and political parties themselves should emphasise just how important local government is. There is a perception that it is not that important, relative to other institutions. We have to counter that in some way.

Willie Sullivan: An emphasis on the new cohort is probably the one thing that might make a bit of a difference. I was going to say this even before I knew that you were a modern studies teacher,

convener, but we are really lucky to have modern studies in Scotland. My colleagues in England are quite envious of that. Using modern studies teachers in schools with the new cohort would be the one thing that might make a bit of difference.

Dave Watson: I also declare an interest, in that my wife is a modern studies teacher—that is why we are in the business.

A lot of very practical issues have been touched on. My point is closer to that of Lynn Bennie's. People tend to vote on the basis of their perception of the importance of a particular tier of government. As a local government trade union, our view is that it is important that councils are seen as an important part of the government of the country and not simply as administration. Coupled with that, councils have a duty and a role—it is not always carried out well—to ensure that voters have an opportunity to engage in council issues not just at voting time but throughout the years. That is a slightly longer-term perspective, but nonetheless it shows one of the reasons why turnout is so low.

The Convener: Kenneth Gibson has been very patient, because he indicated right at the start of that line of questioning that he wanted to come in with a supplementary. Do you want to come in now?

Kenneth Gibson: Yes. The written submissions talk a lot about process. For example, the Electoral Commission talks about providing voters with

“information on how to register and the deadline for doing so”

and

“information on the date of the elections and on how to cast their votes”.

All that is important, but the most important thing is to let folk know what local authorities do.

Victoria Hannigan touched on citizenship. When I was at school, we were taught absolutely nothing whatsoever about what any electoral system did or, in fact, what any Parliament did, although things have changed for the better. The most important thing is to let people know. Folk do not actually know what local authorities do, how important they are, how many people they employ or the key issues that they deal with, such as social work and housing. That is important, because folk think that members of the Scottish Parliament deal with half of those things. It is important to go back to first principles and have an information campaign to let people know that what councils do is vital.

I was delighted that Lynn Bennie mentioned election posters, which is an issue. It is important to have a bit of razzmatazz in an election. It is

significant that people can see that an election is on because there are posters throughout an area. Just as advertising works, those posters work. I say that as someone who laments the fact that he can no longer climb up a ladder because the administration in our local authority—or, rather, the combination of parties against the administration—banned posterage.

The Convener: That issue has got the MSPs vexed, but I want to keep MSP comments on the issue brief. I can tell Mr Gibson that I am delighted that I do not have to go up ladders any more, although the change has reduced the impact of local elections. We will hear briefly from Elaine Smith and Graham Simpson, and then we will go back to our witnesses.

Elaine Smith: A lot of the issues with posters were about one party putting them up and another party taking them down, which led to arguments and debates and the police getting involved and all that stuff. However, could we think about having posters that advertised the election without being party political? I noticed that Dr Bennie raised the issue in her submission.

The Convener: I will roll that up together with Graham Simpson's brief comment, and then we should go to Dr Bennie.

Graham Simpson: Is this just on posters?

The Convener: Yes, because that is what we are talking about at the moment.

Graham Simpson: Okay. I take a different view from Kenny Gibson on the issue. I certainly would not describe posters as “razzmatazz”, and climbing up ladders certainly is not. I do not think that posters have much impact, and that is why I voted to ban them in South Lanarkshire.

The Convener: Dr Bennie, you raised the issue in your submission. You have got the MSPs vexed about posters. I suppose that lamp posts do not vote, but the issue brings us back to public information and public awareness.

Dr Bennie: At the risk of perhaps antagonising some people, I would say that, over the years and decades in lots of different types of elections, academics have tried to analyse the importance of visibility of campaigns, and posters are part of that—they bring a certain vibrancy and colour to political campaigns. One thing that we are clear about is that visible campaigns really matter to support for individual parties and to the turnout. Therefore, I strongly believe that it was a mistake to ban posterage and it is one possible and easily achievable solution to help with turnout.

Willie Sullivan: I do not have much to say on posters. They might make a tiny difference but not a massive one.

I will respond to Kenny Gibson's comments about telling people how important local government is. It has to go beyond that: people have to feel how important it is. They have to feel the impact of local government on their lives and that they have some influence over what happens. To come back to modern studies, we have a project about a democratic school. It is okay to tell people about processes and procedures but, until somebody feels what it is like to make decisions or to take part in democracy, they will disengage from it.

One of the major points that we want to make is that going into the polling booth and casting a vote is a really important part of democracy but that part is just the end process. The real democracy takes place in the spaces and places where people have discussions, debate and conversations—the places where they feel what it is like to move through decision-making and make decisions on behalf of one another as well as on their own behalf.

The Convener: How do we get that across? Can you make a suggestion, Mr Sullivan?

Willie Sullivan: We talk about a democratic society, which is a society honeycombed with lots of small democratic spaces in which people make decisions, such as community-owned energy companies, community housing companies or schools—wherever people have to make decisions for themselves. Imagine the institutions of democracy as one of those Victorian buildings that have metal props holding them up on the inside. Our democracy feels a bit like that to me: it has been hollowed out from underneath and we have to rebuild it. Perhaps it was never there, but there is an opportunity to build it now because we have technology and people are much more interested in taking part and conscious of wanting to do so.

Dave Watson: When a number of local authorities were making decisions on posterage, our members had to write papers on the pros and cons and what the evidence was—MSPs have referred to some of those decisions. I have read a few of those papers and the difficulty was trying to separate out voter decline and link that to whether the local authorities allowed posters. Remember that some authorities never allowed posterage on lamp posts and others did. It was more prevalent in Scotland. I am open to correction but, from the evidence that I have seen, it is difficult to justify the argument that putting posters up improved turnout or otherwise.

Our members have to take posters down when political parties forget to do so. They have the benefit of cherry pickers, which political parties do not. That makes it a tad easier but, nonetheless, it is costly and not a thankful task.

The important point is about the need to create a buzz around elections. I remember being taught at school the basics of elections. It was all a bit dry but, when we had the mock election, it livened things up and people started to participate. Anything that creates a buzz around an election in a community must be good.

The Convener: I could be wrong—we will find out later—but I suspect that posters on lamp posts will not clinch whether the pupils from Our Lady's high school and St Andrews high school who are in the public gallery go out and vote in next May's elections. We might be indulging ourselves a little bit in relation to that.

Dr Bennie mentioned raising awareness and Dave Watson talked about creating a buzz. If left to politicians as it has been, turnout will continue to decline at local government elections, so how do we create the buzz other than through posters? Do the witnesses have any ideas or thoughts?

Kayleigh Thorpe: We took a bit of a different approach to creating the buzz for people who have learning disabilities around the parliamentary elections this year. Normally, 30 per cent of people who have learning disabilities vote, so it is a low voting rate. Of the people who engaged with us earlier this year, through the enable the vote campaign, 80 per cent went on to vote, and 86 per cent of them said that the buzz that we had created helped them to make an informed decision about their vote.

We took the debate out of politics and created a dialogue, because the traditional hustings format does not really work for people who have learning disabilities. They do not get the chance to engage or ask questions and they do not necessarily follow a lot of the jargon. We used the conversation cafe model, which is being used more and more in the third sector to allow party representatives to go around tables and engage, as individuals, with people who have learning disabilities, rather than debate among themselves. It is about thinking a bit differently, creating that energy and bringing people together for dialogue and debate.

The Convener: That is very helpful. I wonder whether that is similar to what Willie Sullivan was suggesting about going out to where people are already empowered and in control and speaking to them on their terms, in their environment, where they feel comfortable, rather than, as we have all done as politicians, putting out leaflets, chapping on doors and asking people to come to hustings and public meetings on our terms. Do you want to say more about that? Have I identified that correctly?

Willie Sullivan: Exactly. It is simple things, such as the type of meetings that Kayleigh Thorpe

spoke about, where representatives go around tables and talk to people instead of standing on platforms, which is an inequality of power. They stand on platforms and argue with each other. Some people enjoy that but a lot of people do not.

The Convener: I will take a question from Elaine Smith, and I have noted that Alexander Stewart wants to comment.

Elaine Smith: I was a bit remiss because I, too, should have declared an interest as a former modern studies teacher. I am still registered with the General Teaching Council for Scotland. I mention that because I want to refer back to something that Victoria Hannigan said. If we are talking about trying to motivate the new cohort—as Willie Sullivan put it—and younger people to go out and vote, I would be interested to hear more about what Victoria was saying about whether schools have a responsibility to explain to young people the importance of local government in the short term, for next year's election. What kind of events should schools hold that will reach beyond the young people who do modern studies?

Victoria Hannigan: That is exactly what we are doing. That was the issue with the 2014 independence referendum. We used a lot of our time as modern studies teachers to actively register pupils. There was a prominent, visible campaign and a buzz around the school, and pupils engaged in the election. In the Scottish Parliament election, the buzz went away because the visible campaign was gone.

The biggest issue that we face in schools at the moment, from secondary 1 to S6, is our intake into social subjects. In S1 and S2, social subjects are integrated. For example, at the moment I am doing single teacher delivery of modern studies, history and geography. A lot of things, such as local government and how important it is, are being delivered by non-subject specialists. For me, it is great—it is a general understanding—but there is a big issue about the level of enthusiasm that someone who is not a subject specialist can deliver. Many modern studies teachers throughout the country feel that. How effective are integrated social subjects in increasing young people's awareness of the importance of different levels of government? We cover that superficially in first and second year. At nationals, it is examinable content, so we emphasise the importance of local government.

It is very important to take the issues outside the modern studies classroom, as part of a citizenship agenda that includes developing pupils to become more politically literate. It is a whole school agenda and not just a modern studies teachers' agenda. Time should be invested throughout the school, such as in election events in the school. A period or two in PSE is not enough; it should be a

week or two weeks' worth of events to engage young people. It is like what Kayleigh Thorpe said about Enable Scotland. We need to ensure that there is a level of discourse about what is happening, rather than a discussion or debate. We need accessible information for young people, particularly in deprived areas, and it needs to be available to them in an easy-to-read format.

The Convener: That is very helpful and passionate. I take on board what you say about it not being the job of the modern studies teacher. It screams curriculum for excellence.

Victoria Hannigan: It is embedded in the responsibilities of all.

The Convener: There will be young people who will never be that engaged with the school, but there are other locations where young people hang out, such as a football community, a swim club or a community centre, for example. It goes back to the point that Kayleigh Thorpe and Willie Sullivan made about going to where young people are, and young people are not just in school.

We are looking for not only a long-term approach but short-term solutions to drive up interest in the coming elections. Our witnesses might want to make some suggestions. Alexander Stewart wants to make a comment first.

Alexander Stewart: It is interesting to hear about the motivations that individuals believe that various groups have. I believe that younger voters and older voters—the grey market—are motivated to vote in local government elections. However, we seem to have a problem in identifying why the market in between—those aged 25 to 55—does not believe that voting in local government elections is relevant to them, despite the fact that they turn out at other elections.

It would be interesting to hear people's views on that group and how we should engage to try to influence them. My perception, having been a councillor for four terms, is that our impact on that sector is quite intense. We look after the young and the old but we also try to do as much as we can to support the ones in the middle, and their influence in local government is not always there.

I would like to hear views on how we should manage that market and try to get them buzzed up, involved and motivated to come out to vote.

The Convener: You have set that down, so our witnesses will be thinking about it. Debbie King wants to come in.

Debbie King: To go back to a previous point, the work that we have done with the Electoral Commission on the past five referendums and elections has been more about raising awareness and getting people to understand why they need to register to vote, which is a step beyond what

Alexander Stewart has described with regard to getting people to turn out.

The importance of that side of things plays into the need to engage with hard-to-reach groups. We know that a lot of older students in the private rented sector are very under-represented, and we need to look at why that is and why they do not understand that the process for registering and going on to vote is important. We need to look at how we get the information out to them.

Our awareness-raising campaigns have been about getting information out through the media—which was one of our biggest routes—to people who are homeless, in the student population or tenants. We also use social media and the channels that other people tend to use to engage with those groups. Tenants are very hard to reach, even for us, but we get a lot of them approaching us so we use our website to get information out. We are using all those methods to get people to engage more and see that they can register and go on to vote if they are motivated to do so.

Dave Watson: On the practicalities, it is important that engagement is an issue not only for local government, politicians or political parties to address—civil society has an important role too. We, like others, do a lot of work to ensure that our members are registered to vote. A much higher percentage of trade union members are registered to vote as a result of that work, and we encourage a much higher level of postal voting. That is important—there is no point in trying to get people to vote if they are not registered—but the next stage is our work around the election, which is also important.

We have tried two different models. First, we tried the traditional hustings model, in which a number of politicians had to come along and stand up on platforms to be grilled by our members on local government and other issues. In the previous local government elections, we got a number of our local government groups in and got the politicians to go round and talk to them at their tables. The politicians said to us that they found that to be a lot more challenging than the hustings model, but our members said that they found it a lot more useful. You might think that trade union members would be more than happy to stand up and talk, but the ability to engage in groups of five or six people rather than having to stand up in a big hall with 100 people was important.

The only point that I would put to political parties—it is a point that a union such as ours makes often and it was made last time round—is that 75 per cent of our members are women, and the politicians who came to talk to them did not always reflect our society as a whole. We know that only 25 per cent of councillors in Scotland are women and, although I have not seen the exact

data for ethnic minorities, I suspect that those numbers are not good either. Political parties have a role in ensuring that their candidates better reflect society, and that encourages the sort of engagement that we have discussed.

The Convener: I will bring in Ruth Maguire.

Ruth Maguire: First, I am not a modern studies teacher. *[Laughter.]*

The Convener: There is still time.

Ruth Maguire: I am not one yet.

On the point about the different kinds of engagement, I did a couple of conversation cafe events: one with an older people's group and one with Oxfam. They were more challenging, but they were more enjoyable. They allowed a conversation whereby if we gave an answer, someone could come back on it. It is worth noting how good such conversations are.

On getting young people registered, it is a shame that Sarah Paterson from YouthLink Scotland is not here yet, but I will give a mention to the youth workers. Certainly, our youth services team in North Ayrshire did huge amounts of work in getting young folk registered, and the participation levels were quite high. The point about going out to where young people are—for example, youth clubs as well as schools—is crucial.

The Convener: Are there any comments on that? I am not seeing anyone trying to attract my attention at the moment. Dr Bennie has a comment.

Dr Bennie: Alexander Stewart is talking about generations and the strategies to target young people and older people. I agree that we sometimes miss the big middle area. Having looked at attitudes to voting, I believe that there is real generational change at work. Older voters feel a real commitment to voting. We talk about having a civic duty to vote, but that view does not exist among younger generations. I am not critical of that attitude; we just need to understand that it shows that there is societal change at work.

That leads me to the point that a 40 per cent turnout in a local election is perhaps not a bad one, because the local level of government is not seen as being as important as other levels. However, perhaps that means that we should be talking about longer-term reform to local government and giving it more teeth, not fewer. That might get to the heart of the problem that we are discussing.

Willie Sullivan: If we get a 40 per cent turnout in the next election, that will be pretty good. However, that percentage is not enough. The democratic system relies on voting turnout for its

legitimacy. If 60 per cent of the population are not voting, that is a vicious circle of decline. The fewer the amount of people who vote in elections, the less important it seems, the less legitimacy it has and the less people will vote. I agree that we need a long-term approach that is about flushing power through the system. It is not just about elected bodies having that power, but about communities having it in all sorts of different ways. That is the necessary long-term strategy.

As I said in the book that I published, I am concerned about democracy and the decline in its legitimacy. A lot of people do not vote not because they do not have the time or the information but because of a conscious political decision not to give legitimacy to a system that they do not think is legitimate, and that is a worry.

Graham Simpson: My point follows on from what Dr Bennie said. I was struck by three submissions that we received: one from Dr Bennie, one from Unison and one from Dr Gilmour, who is not here.

Dr Bennie: He is here.

The Convener: Just for the record and for anyone watching the broadcast of this meeting, who will not realise this, Dr Gilmour is here in the public gallery. I thank Lynn Bennie for pointing that out and I thank him for coming along.

Graham Simpson: It is good to see him here.

Those three submissions all made the same point, which is that when people perceive local government powers being eroded, they do not see the point in voting in council elections. All the submissions referred to powers. Dr Bennie talked about “eroded powers”, Unison referred to powers moving away and Dr Gilmour referred to a significant decrease in powers. When people think that there is little point in voting, they will not vote.

The Convener: Does anyone want to explore the idea of additional powers, whether it is about passing additional powers from this tier or others to local government or indeed from local government into communities?

12:00

Dave Watson: Local government reform is a pretty big issue but the important point from the elections point of view is the perception that we have a very centralised state. That is not about any recent decisions, when powers such as police and fire have gone from local government. It is more about the fact that local authorities in Scotland are some of the largest in Europe. They are not the largest in Europe, but the statistics show that we have large local authorities. The commission on strengthening local democracy

went into that in some detail and talked about the scale of it.

I remember a meeting in this very room at which we had some colleagues from Norway over to talk about the system there. At the meeting was a Norwegian lady who lived in Kirkcaldy. She said that when she arrived there and asked where the local council was, people said, “Oh, it’s Fife.” Her reply was, “Isn’t that a region that used to be a nation in its own right?” In Norway, Kirkcaldy would have had its own council.

There is the whole issue of being local. However, in itself, being local would not work. It is easy to say to the Government—as we do—that more should be decentralised and that more powers should go to the local level. There is an argument for smaller local authorities in the context where the pressure tends to be in the other direction because of the alleged economies of scale of having bigger councils. The pressure is there but if we had smaller local authorities—and we would argue that we should—it would be incumbent on councils to play their roles in that local engagement.

There are mechanisms that councils try—citizens’ juries, participatory budgeting and so on—and I know that the present Scottish Government has said in its plan that it wants to encourage more of that. Some of those mechanisms can work but there has to be a feeling that it is not just token consultation. Real power must be involved, and there needs to be real engagement from local people. If people felt that, they would be more likely to participate in the local elections.

Willie Sullivan: It is difficult because we have never really had high turnouts in local government elections in Scotland. Other countries, particularly some of the Scandinavian countries, have a 70 or 80 per cent turnout in such elections.

In some ways, it is about a culture and a way of thinking about where power is, how it is used, and how it operates. Lesley Riddoch says that it is a British point of view that power comes from the top and is given down. All of us have imbibed that in the way that we think about it—a lot of us, anyway. In the long term, that culture has to shift. The only way that people will realise that they can do stuff for themselves and each other, and trust each other and have confidence in their own communities to run energy companies or healthcare or their own housing, is by letting them try it and letting them do it.

Kayleigh Thorpe: I am not going to come in on the reform theme, as that is a longer-term discussion. I want to talk about the importance of understanding what your local council does. It is hugely important to educate people and talk to

people about what decisions local councils make, what powers they have and what influence they have on people's lives.

From our perspective, a lot of the issues that were raised at the parliamentary hustings were about decisions that were made locally and were issues that could be influenced locally rather than at parliamentary level.

The Convener: Andy Wightman has been quite patient so I will bring him in first, then Elaine Smith.

Andy Wightman: I am intrigued by the turnout figures. Lynn Bennie cites some figures that show that since the 1940s, turnout has been broadly below 50 per cent for local government elections. We are doing better than England and a little bit better than Wales. That contrasts with other countries such as Austria, Denmark and Finland, which are all in the 60 per cent range and above.

Recently, I read a paper on the Icelandic elections. I was particularly struck by the information that, looking as far back as data has been collected, voter participation in Icelandic local government elections always fluctuated between a maximum of 87.8 per cent and a minimum of 81.9 per cent until 2006, when it dropped below 80 per cent. When it fell below 80 per cent that led to a bit of a fuss. Our figure is now below 40 per cent. Have any studies been done on why turnout in most other European countries is consistently higher than it is in the United Kingdom?

Dr Bennie: It comes down to the fact that, as has been mentioned previously, local government is structured differently in the United Kingdom. I am not an expert on Iceland but I think that it has different layers of government and that responsibilities are clearer, which means that the system can be seen as more democratic.

The evidence that Mr Wightman cites shows that there can be high turnouts in local government elections in certain circumstances, under certain conditions and if certain powers are attached to the body that is being elected. It is not that the Scottish people or the British people are different from people in other European countries, but that the structures of government are different.

Willie Sullivan: It is both things.

Dr Bennie: Do you think so?

Willie Sullivan: In terms of culture—

Dr Bennie: It breeds a culture; that is right.

The Convener: Do you want to add anything to that, Willie?

Willie Sullivan: I spoke about the fact that the culture begets the structures that people accept

and work with. We all give our taxes to the centre, and that money is distributed down the way. However, in a lot of the states in which turnout is high, a lot of the tax is collected locally and is then sent upwards in a kind of confederal arrangement. Also, in a lot of states, the structures of local government are constitutional and cannot simply be done away with by a higher body. Again, that is relevant to the idea of thinking about where power lies. In our country, power is handed down from the top instead of being handed up from the bottom.

Last week, I was at a meeting of the Kirkintilloch SNP branch—I had been invited to talk about democracy—and there was a discussion about how central Government was going to vet community councillors. Half of the people in the room were quite outraged by the idea that central Government would decide who was capable of being a community councillor. It is important to explore and understand why we think that those at the top of the power structure should vet what is happening at the grass-roots level.

The Convener: We have moved to a system in which we have much larger multimember council wards. Back in the day, everyone knew who their local councillor was, which might or might not have been more democratic. Whether or not you liked your councillor and whether or not you voted for them, there was almost an intimacy to the voting process. You could say that that was the guy—it was usually a guy, unfortunately—who was your local councillor and that you knew who the other candidates were. You would probably have them coming to your door, or you would see them in your local supermarket. However, some of the wards are now huge. That is an issue about structures, which I will just leave sitting there.

Mr Watson, I know that you wanted to speak.

Dave Watson: We were one of the organisations that argued strongly for proportional representation in local government and for there to be a separation of local elections from national elections, even though having them on the same day created a higher turnout because people were voting in a national election at the same time. One of the few times that my union supported a Conservative member's bill was when there was a bill—it was initiated by David Mundell and then taken over by Brian Monteith—that aimed to separate the two kinds of elections. The change has not delivered an improvement in turnout, although, in fairness, that was not our primary motivation for supporting it. We need to move on and look at other reasons for that.

Last year, I spoke at the conference of our sister union in Norway. That country has 400 or so local authorities. One of the people at the conference drew their island for me. When I saw it, I assumed

that there would be one council on the island but, actually, there are three—when I saw the mountains, I understood why. The people at the conference said that, although the councils there are small, they are unitary authorities, which means that public services are not delivered by the 10, 12 or 15 bodies that we pull together in community planning; the local police service, primary schools and primary healthcare are all delivered, in essence, by the same council in a joined-up way. They are unitary authorities so they do not have quangos from Oslo running a range of services in that area.

From talking to some of the individual members, another interesting point that I heard at the conference was that they felt that, with a smaller council, they had a real connection with their community. The officer in charge of the one home for the care of the elderly in one authority said, “I am not worried about the once-a-year inspection by an inspector from Oslo; I am more worried about being nobbled in the supermarket about the quality of care in my home.” That model has brought a local element to the situation and there is much to be said for that.

There are strong economic and other arguments in the other direction, but I agree with Willie Sullivan that we need to start thinking about Government building up from the bottom, rather than building down from the top.

Willie Sullivan: I was a councillor in the Dunfermline Central ward—which is a massive four-member ward—for a period so please indulge me for a minute with my personal experience. Even though I was paid some money, as councillors are, I could not really do that job properly—and do another job as well—in the way that I wanted to, because the ward was far too big and there were far too many people to represent. I would have loved to look after the little part of town that I lived in—Parkneuk—and I would gladly have done that for half a day a week for nothing as public service. I was in my mid-40s then, but I was the youngest person in the Labour group at that time. I think that there are lots of people who would want to represent their local community if it was a manageable size. They would be much more connected than if they were trying to run those massive wards.

My main point is that the size of the ward is a product of the system, but the level of representation is the problem, not the system. We could have a proportional system with a lot more councillors, which would deal with the problem of the ward size.

Elaine Smith: I indicated earlier the issues that I wanted to explore and I would like to take those a wee bit further.

The discussion has been helpful. Dave Watson provided some figures in the Unison submission that stated that there is one councillor per 4,270 people in Scotland. However, in France there is one councillor per 125 people. That goes back to Willie Sullivan's point.

Dr Bennie's figures show the average turnout in local government elections by decade, but they do not seem to be split down. I wonder whether there are any figures for district councils and whether the turnout for district council elections was higher than for regional councils. To build on what Willie Sullivan said—and to return to your point, convener—district councils had smaller areas where councillors lived and people knew the councillor. As an example, when I was younger and living in a flat in Sikeside, the local councillor lived across the road. She was quite happy for anyone from that community to knock on her door because she knew them and she would deal with them. I am interested in whether the turnout was better for district elections.

Over the past number of years, we have had a reorganisation of the districts and the regions, and a further reorganisation of the voting system to proportional representation. The words that jump out to me from Dr Bennie's submission are:

“The structure of local councils is ripe for review and reform.”

Perhaps for the longer term, we have to start to consider that.

Dr Bennie: We are all hinting at some sort of fundamental reform that would look at community involvement and the bottom-up approach as opposed to the top-down approach. There are some fundamental issues of reform that would not happen before the next set of elections, obviously.

On the question about district and regional turnout, I do not know where I can look that up as those are amalgamated figures, but I suspect that the turnout figures were quite similar. It goes back to perceptions of power—it is about not just the locality, but the perception of what the district and regional councils did then. It would be worth investigating that further.

The Convener: I am conscious that we are saying that one of the ways of making local government more intimate and direct would be for there to be more power in local areas and, dare I say it, more politicians. That might not be popular with people who are not voting in elections and who we have left behind, so there is a slight conflict there.

12:15

Willie Sullivan: My colleague Katie Gallogly-Swan was here last week and we made a

submission on that. In April, we did some polling and asked people—it was not just an open question—whether, in response to the levels of representation in Scotland compared with Europe, they wanted more councillors and whether they wanted councillors to be more community volunteers who were not paid. The number of people who wanted more councillors was in the high 80 per cents. We thought that people would obviously want more for nothing, and we asked whether they would want more councillors even if they were paid as they currently are. The figure for that was in the high 70 per cents. People realise that they have an abnormal level of representation. Most people say that nobody wants more politicians, but actually they do.

The Convener: A lot of the evidence shows that, when we ask people what their views are of politicians, those views are negative. However, when we say, “Tell me about your local politician,” they tend to say, “Oh, they’re different. They’re actually really helpful.” Politicians as a class get a bad reputation, but people’s views of individual politicians in their communities tend not to be so bad. Perhaps I say that naively, in hope.

Dave Watson: Suggesting that we should have more politicians is not an easy sell, but we are talking about a different type of politician. That is the point that Willie Sullivan is trying to make.

I remember a Government minister saying some years ago that councillors are part time. A number of local councillors were outraged and said, “Absolutely not.” Some councils even ran double-page features in their local newspapers to show that their first meeting was at 7 o’clock in the morning and the last was at 10 o’clock at night, in order to make the point to the said minister that councillors are not part time. The trouble is that that was entirely contra to where we wanted to go. We have too many full-time councillors, or at least too many retired councillors. Councillors are too old. Very few people of working age are councillors and do another job, as well.

Of course, part of that is to do with the workplace. We have to recognise that civic roles are perhaps not as respected by a lot of employers as they used to be. There is a statutory entitlement to time off, but the question is whether that impacts on people being promoted. There are other impacts in the workplace. That means that people of working age are perhaps less willing to be part-time councillors than they used to be and than they should be in the main. We need to think about making the role more part time. If the role was not as large and the wards were smaller, that would make it a lot easier for people to volunteer and to be prepared to do that work.

My last point relates to districts and regions. We should remember that district councils had very

limited powers and that some of them had even less than that. The same was true of community councils. If we are going to make it worth while for people of working age to allocate some of their time to the role, they must feel that they have some power to change things in their community, and that means having the right powers at the right level.

Willie Sullivan: I mentioned the poll that we did in April. Another myth is that people just want somebody to do stuff for them and they do not want to be involved in running their local community. I think that 25 per cent of people were willing to give up a day a month to help to run their local community. We asked about that in quite a hard way, as we gave people the options of saying that they were too busy or that they had more important things to do. Only small numbers of people took the option of saying that.

It was interesting that 6 per cent of people said that they were willing to give up three days a month. Some 22 per cent of the people who said that they were not willing to give up any time said that that was because they did not think that they had anything to contribute. It was not so much a matter of their not wanting to contribute; it was more a matter of capacity and confidence.

That is a vicious circle. People need to be given the ability to make decisions and get involved in their local community so that they will have the confidence to keep doing that.

Debbie King: That very much resonates with work that we do at Shelter Scotland with service user involvement on enabling people to make decisions, get experience, move on with their lives, and move up to what they want to do. That is very much around elections and getting people involved and registered.

It is about supporting and empowering people within the community, which resonates with having a more intimate system that is better geared towards recognising what the community’s and people’s needs are. If there is support in the long term to get people with lived experience of homelessness, for example, to go on to become councillors, that adds to what happens within the council and how decisions are made.

The Convener: Thank you. A couple of MSPs wish to make comments, but I am conscious that we have only 10 minutes or so left. Again, let us look at the long term. We have council elections in May next year, and this is an opportunity for you to suggest how this committee could be usefully involved in that process and what Government or local authorities could do to drive the turnout of everyone, not just under-represented groups, at those elections. Have a think about that.

I will give priority in the last 10 minutes to our witnesses, but Mr Gibson and Ms Smith have questions.

Kenneth Gibson: I want to raise an issue that was not touched on when we talked about turnout. By attacking politicians of all parties and all levels year in, year out, the media has had a very pernicious effect. That has deterred a lot of people not only from voting but also from putting themselves forward to go through the democratic process.

The issue of remuneration is also important. I am a great believer in local government reform but, if we are going to work with the system that we have now, we need to have a level of remuneration that attracts people to serve in local government. At the moment, people of working age simply cannot afford to do so. There is an issue about gender, but there is even more of an issue about the fact that, disproportionately, it is older, retired people rather than younger people who are councillors.

There are a number of issues that have to be addressed. The issue of the media is one that we will always have to wrestle with. It has a detrimental effect on those who want to involve themselves in politics.

The Convener: Our witnesses will want to comment, but I will take Elaine Smith first and that will allow us to give the last 10 minutes or so to our witnesses rather than MSPs.

Elaine Smith: We have extended the franchise to 16 and 17-year-olds but what we have not done is extend their ability to stand as councillors. A young person who was keen to stand raised with me an issue about the fact that, although they could vote, they could not be a candidate. That is one issue that we need to think about.

Another issue is proxy voting, which I raised with the minister at last week's meeting and which Dr Bennie raised in her submission. People are being disenfranchised because, when something happens to someone, it is not easy for them to get a proxy vote. That is another issue that needs to be addressed for next year's elections.

The Convener: I will take Mr Sullivan now. Witnesses might not get the opportunity to come back in again after this round of comments, so it would be helpful if they could indicate whether there is something that they want to say in the next 10 minutes.

Willie Sullivan: When Kenny Gibson was speaking, it reminded me of a guy saying that, if Tesco and Sainsbury's attacked each other in the way that political parties do, no one would shop in supermarkets. That is something to think about.

Before next May's elections, the Electoral Reform Society, in a coalition with lots of other organisations, will launch a campaign called act as if you own the place. We are partnering with community groups in different communities to hold act as if you own the place events. They will be day-long forums in which local communities can have a structured discussion and use deliberative techniques to think about what they would do if they ran their local town or community.

Fife Council is part of the coalition—any councils or community groups can be involved. We want as many and as diverse partners as possible to run the events—we are holding an event with an SNP branch in one area—and we welcome anyone who is willing to help. The website will be launched on 21 November.

Kayleigh Thorpe: Elaine Smith mentioned disenfranchised people. In our submission, we talked about some of the additional barriers that are faced by people who have learning disabilities. One of those is an issue that I have not had the chance to speak about yet: limiting expectations of people's ability to vote and people's right to vote.

There are still some misconceptions that people with learning disabilities are not allowed to vote. Some of our members and people whom we support have faced that. Polling place staff are not immune to those misconceptions and we need to train and support staff to ensure that no one who has a right to vote is turned away.

Dave Watson: With regard to some of the practical things that can be done for next year, I should point out that we represent the registration staff who are responsible for doing all the registration work, and as you will be aware, because of local government spending cuts, a lot of councils have had to cut anything that is not absolutely statutory. Perhaps there could be even a one-off funding boost to allow registration staff to do some of the things that they used to do. When I came to work in Scotland 26 years ago, having lived in England for a number of years, I remember being mightily impressed to find two registration officers on my doorstep, asking why there was a gap in the register in my area and why there was no registered person at the address. I suspect that that sort of thing would be pretty rare these days.

There are things that registration officers are trying to do and which they could do more of. They could, for example, go into schools to register 15-year-olds in advance of their turning 16 and being able to vote. It is important that officers go into schools not only to raise awareness but to register people.

We could also build something into the Scottish Government's excellent fair work convention

initiative about the civic role that employers and trade unions can play in promoting elections and providing some space in that respect. Certainly, employers should recognise that civic role and not only encourage people to stand and to vote but also help to create more buzz around and awareness of elections.

I take Kenneth Gibson's point about the media, but I would point out that our local media have been significantly weakened in recent years. They are much smaller than they used to be; indeed, as we know, a lot of our local newspapers are, in the main, run by one journalist and contain lots of syndicated stuff. Some funding for publicity might boost the finances of papers and enable them to take a more active role.

Those are just four practical things that I would offer in response to the question.

The Convener: That is very helpful, and it is precisely what we wanted our witnesses to do.

Debbie King: Perhaps I can emphasise some practical points with regard to people who are homeless. There are more than 10,000 people in temporary accommodation, and around 5,000 slept rough in Scotland last year. Those are not small numbers; indeed, around 35,000 people made homeless applications last year, and a large percentage of the population—350,000 households—live in the private rented sector. The issue is, again, to do with registration and registration officers understanding the declaration of local connection, which they often do not know about and which lots of people with whom we work definitely do not understand. I simply emphasise that information and support are kind of important if you want to involve people and get them to exercise their right to vote.

The Convener: Thank you. Victoria, do you want to comment?

Victoria Hannigan: I want to emphasise again the need for more time to be invested in schools. I know that a few people have made comments about going to the young people in their communities, but the feedback that I have had, particularly from the communities that I have worked in, is that there are not many services that allow politicians to come out and see young people. As a result, school is the main driver and access point to young people, and we need individuals to come into schools and emphasise the importance of registration.

Modern studies teachers have been pushing that sort of thing since the referendum and the change to the voting age. Although we are continuing to do that, time in school is very limited, and there is a need for more time to be given to the subject across the whole school rather than just under the modern studies remit. After all,

many pupils in Scottish schools do not even choose the subject, and the question is how we reach those pupils through a whole-school agenda.

I want to touch very briefly on the need for more visibility and raising young people's awareness of local government campaigns in particular. There was a huge buzz around the European Union and Scottish independence referendums, and pupils were very much engaged in them. However, when it comes to talking about local elections in class, they are just not interested. They are very interested and clued up on what is happening in their local areas, but they are just not that bothered about going out to vote and make a difference. Again, there needs to be greater visibility, but I am not entirely sure whether that is all about the signs on lamp posts that were mentioned earlier. What we need are areas where kids can access information or can choose to find things out for themselves.

The Convener: Thank you. Do you wish to add anything, Willie?

Willie Sullivan: I think that the four issues that Dave Watson highlighted seem really useful. I have tried to sell our own campaign, but we see ourselves as a hub where we can connect lots of people who are doing stuff in their own communities to get people interested.

12:30

Dr Bennie: These registration drivers are clearly fundamentally important, but the next level is communicating to voters why they should actually vote, and I think that that means having public information campaigns that are probably a bit less technical about, say, how to vote under the single transferable voting system and which move beyond that to the question of why they should vote, what local councils do for them and the difference that they make to their lives.

The other point that I would make is that we need to get with modern society. I do not think that we have mentioned social media, but that is clearly very important in engaging young people, and there is also postal and proxy voting to consider. We have to make it as easy as possible for people in modern societies to vote, and that might be something that we can focus on in the short term.

The Convener: Thank you very much.

The way that these evidence-taking sessions go, there is usually one witness sitting there, wanting to say something, but the nature of the discussion itself has meant that they have not had the opportunity to do so. I give a final opportunity for someone—not for everyone; we do not have

the time for that—to say something that they feel they have not had the chance to say. Please feel free to get my attention now.

I am delighted that that is not the case, because it allows us to stay on schedule. I thank the witnesses for their time. The committee will consider the evidence that we have received today—it will not simply go into the ether; we will seek to do something with it. In any case, we have to decide our approach not only to targeting a really decent voter turnout at next year's elections but to the longer-term strategies that we have heard about today.

Thank you, everyone. As previously agreed, we now move into private session.

12:31

Meeting continued in private until 12:50.

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