

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 23 September 2003
(Morning)

Session 2

£5.00

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EQUAL OPPORTUNITIES COMMITTEE

3rd Meeting 2003, Session 2

CONVENER

*Cathy Peattie (Falkirk East) (Lab)

DEPUTY CONVENER

*Mrs Margaret Smith (Edinburgh West) (LD)

COMMITTEE MEMBERS

*Shiona Baird (North East Scotland) (Green)

*Frances Curran (West of Scotland) (SSP)

*Marlyn Glen (North East Scotland) (Lab)

*Marilyn Livingstone (Kirkcaldy) (Lab)

Campbell Martin (West of Scotland) (SNP)

*Mrs Nanette Milne (North East Scotland) (Con)

*Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE SUBSTITUTES

Jackie Baillie (Dumbarton) (Lab)

Patrick Harvie (Glasgow) (Green)

Carolyn Leckie (Central Scotland) (SSP)

Tricia Marwick (Mid Scotland and Fife) (SNP)

Mr Jamie McGrigor (Highlands and Islands) (Con)

*attended

THE FOLLOWING GAVE EVIDENCE:

Rosemary Everett (Scottish Parliament Participation Services)

Ian Macnicol (Scottish Parliament Personnel Office)

Mr Duncan McNeil MSP (Scottish Parliamentary Corporate Body)

Levi Pay (Scottish Parliament Corporate Policy Unit)

CLERK TO THE COMMITTEE

Jim Johnston

SENIOR ASSISTANT CLERK

Ruth Cooper

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 2

Scottish Parliament

Equal Opportunities Committee

Tuesday 23 September 2003

(Morning)

[THE CONVENER opened the meeting at 10:01]

Scottish Parliament Equality Framework

The Convener (Cathy Peattie): Good morning. We will get started. I extend a warm welcome to Duncan McNeil MSP, from the Scottish Parliamentary Corporate Body, Levi Pay, equalities manager, Ian Macnicol, head of personnel and Rosemary Everett, head of participation services, from the Scottish Parliament.

This is the first time that the new Equal Opportunities Committee has taken evidence, so the members are all excited. We are here to discuss the Scottish Parliament's equality framework. We have discussed the issues informally and today's meeting will provide an opportunity for members to ask for further information.

I give Duncan McNeil the opportunity, if he wishes it, to outline for a few minutes some of the important issues in the equality framework.

Mr Duncan McNeil MSP (Scottish Parliamentary Corporate Body): Thank you, convener. This may be the committee's first evidence-taking session, but it is also my first experience of giving evidence to a committee. I am on the other side of the table this morning.

I am grateful to you and to the Equal Opportunities Committee for the opportunity to say a few words before I take questions on the equality framework and related policies that we have in place. With the committee's indulgence, I will seek support on any detailed questions from my colleagues Levi Pay, Ian Macnicol and Rosemary Everett.

When members of the committee and I, as members of the Scottish Parliament, undertake our surgeries I am sure that we are all aware of the importance of equality issues because they form a major part of our case loads. I make it clear from the start that the SPCB firmly supports equal opportunities. As members know, the SPCB is the employer of all parliamentary staff, for whom we have a duty of care. Therefore, it is essential that we have a good equal opportunities policy in place, and I believe that we do.

Committee members will have seen the Parliament's equality framework, which is a detailed document that contains a number of policies and guidance notes for the SPCB as an employer. Crucially, those were drawn up in consultation with staff and the trade union side. The framework is aimed at MSPs and their staff as well as SPCB staff. The document offers guidance on members' legal obligations and good practice when employing staff and on how we, as members, deliver services. The guidance has been supplemented with a series of practical, how-to guides to equalities issues on the Scottish Parliament electronic information resource—SPEIR—which is the Parliament's intranet.

There is an emphasis throughout the framework on top-level SPCB and senior management team support for equalities issues being absolutely essential and fundamental to the success of the equality strategy's implementation. However, we need to ensure that staff members buy into the framework's policies. One way to achieve that is through our new performance management system, which covers every staff member from front-line staff to the chief executive. The performance management system will structure the way in which we assess individual and team performance across the organisation.

As part of the new policy, every staff member is assessed on their efforts to widen access to the Parliament and demonstrate good equal opportunities practice. We believe that that assessment will be extremely useful in ensuring that equalities issues are embedded in our organisational culture, not tacked on as an optional extra. The framework and our subsequent equal opportunities training programme for all SPCB staff emphasise that every individual is responsible for preventing discrimination, reporting potential problems and widening access to the Parliament.

As the committee will be aware, an action plan was drafted to ensure that the equality framework was fully grounded in our organisational culture. The plan contained a total of 91 recommendations for further action. Some related to new policies that needed to be developed, while others proposed specific projects that would help to equality proof our employment and service delivery procedures. I am pleased to inform the committee that, of the 91 recommendations, we have successfully implemented 63.

Our disability awareness week is due to start shortly, so it is perhaps no coincidence that I am here today to discuss equalities with the committee. Members may recall the successful RNID Typetalk awareness events that were held towards the end of last year and which were, encouragingly, attended by a considerable number

of MSP staff. Such awareness training sessions are for the benefit of us all, but they particularly benefit members and their staff, who deal with constituents daily. We ensured that those who could not attend the Tynetalk workshops could consult a simple guide to using Tynetalk on SPEIR. A similar format will be used for the disability awareness week workshops. Again, we are pleased by the number of MSPs and their staff who have signed up to attend.

Our other recent developments include the SPCB's decision to publish public information materials in a range of ethnic minority languages for the first time. That is important because it has widened the Parliament's accessibility and ensured that people are not excluded from participating in the democratic process because of language barriers. We have also ensured that our new publications are written in plain English, which is essential for widening access to people with learning disabilities or learning difficulties.

A British Sign Language video about participation in the work of the Parliament has been produced and will be launched shortly. Procedures are now in place to allow any MSP or member of staff to contact the SPCB to arrange for sign language interpreters to be on hand to assist members in any aspect of their parliamentary role. The SPCB has also set up a disability allowance scheme that enables members to apply to the SPCB for finance to cover the cost of adjusting local offices or purchasing new equipment to meet the needs of constituents or staff members with disabilities.

I have tried this morning to provide the committee with a summary of some of the equal opportunities projects that have been delivered over the past 18 months. However, we understand fully that those projects and the equality framework itself must be tested. To that end, we have put in place a number of monitoring procedures. An annual equal opportunities audit of all staff will be undertaken and will run alongside our existing recruitment monitoring procedures. We are awaiting a report from the first of the annual audits. We also plan to monitor cases of bullying and harassment across the organisation and are considering new, creative ways of monitoring the way in which we, as an organisation, deliver services to the public.

Two of the Parliament's founding principles are accessibility and equal opportunities. I believe that the SPCB is putting a considerable amount of effort into adhering to those important principles at all times. I am also pleased to say that our efforts are being recognised across the equalities field, because an increasing number of organisations are using our equality framework and other projects that we have delivered as models of good

practice. I am, of course, pleased to take any questions that the committee may have.

The Convener: Thank you for providing a comprehensive outline of the equality framework. You have answered all our questions, but I am sure that we will want to ask others. I know that the committee will be pleased to hear you say that the SPCB wants to ensure that equalities are not bolted on but mainstreamed and that there is real commitment to holding training days, about which members would like you to say more.

How long has the equality framework been in place? Has there been an opportunity to measure its effectiveness?

Mr McNeil: The framework was put in place in 2003 and a range of formal monitoring procedures will be used. There will be training to raise awareness and the senior management team will conduct audits. Levi Pay can provide more detail on the monitoring arrangements.

Levi Pay (Scottish Parliament Corporate Policy Unit): Most of the monitoring mechanisms that we already have in place relate to particular projects. For example, when we rolled out training to every member of staff we assessed the impact of that training through the use of effective feedback mechanisms and so on. Only now are we starting to monitor the success of the equality framework across the board. The framework covers both employment and service provision. The annual equal opportunities audit of staff will be the key way of monitoring the success of the policies as they affect employment. The audit gives staff an opportunity to comment on our policies and allows us to see whether particular groups of staff are happier or less happy than others with the organisation that employs them. As Duncan McNeil mentioned, a report on the results of the first audit is due very soon.

Service delivery is much more difficult to monitor. All 470-odd staff members are delivering services every day, in a wide variety of ways—through the website, through dealing with face-to-face inquiries, through meetings and through the Parliament shop. We are examining creative ways of monitoring the effectiveness of our service delivery in relation to equal opportunities. For example, we are considering conducting a mystery shopper exercise to assess how well different groups are able to access our information and services. Such an exercise could be effective and we may decide to proceed with it.

The Convener: The Procedures Committee has suggested that it is important that the framework is constantly updated. Although it is early for the SPCB to do that, what mechanisms are in place to ensure that it happens?

Mr McNeil: A number of procedures are in place to ensure that that happens. There is an action plan, there are new ideas for ensuring work-life balance and there are dignity-at-work procedures. Ian Macnicol and Levi Pay can fill in the detail on those.

Ian Macnicol (Scottish Parliament Personnel Office): Levi Pay is better placed than I to do that. However, I know that he has already reviewed the equality framework, because I was involved in that review. The framework was drafted under my auspices, before Levi arrived at the Parliament. Before launching the framework, we reviewed it to bring it into line with the law, because changes had been made to legislation even before Levi got his hands on it.

Levi Pay: One of the main things that we did when reviewing the framework was to add a large section dealing with the Race Relations (Amendment) Act 2000, which covers and places a series of duties on the SPCB. We have had to ensure that those are incorporated into the framework.

As the committee will be aware, the world of equal opportunities legislation is very fast moving. We know that elements of the framework will be superseded by events, once new legislation relating to sexual orientation discrimination and religious discrimination comes into force in December. Towards the end of the year, we will conduct a review of the framework to identify which elements—in particular, those relating to the legal advice that the framework provides—will need to be amended in the near future.

Elaine Smith (Coatbridge and Chryston) (Lab): I commend the SPCB for its obvious commitment to equalities and, in particular, for its appointment of an equalities manager to advance the issue. As Duncan McNeil said, the SPCB's intentions are commendable. Today we want to explore further how the SPCB's commitments will be implemented in practice.

In your submission, you mention that one of the key aims of the framework is to enhance access to the Parliament, especially for

“those who may currently encounter barriers to such access”.

Duncan McNeil also referred to that in his introductory remarks. What process have you put in place to measure the extent to which your aim is being achieved?

10:15

Mr McNeil: As Elaine Smith knows, we have taken a number of actions in that area. We have produced information material and provided facilities for the use of sign language. I am sure that my colleagues will fill in the details, but I am

aware of a number of ways in which we can monitor engagement. We can examine how many people have taken leaflets, such as the leaflet “Making your voice heard in the Scottish Parliament”, which has been translated into other languages, how many MSPs are using the facility to employ signers for meetings, and the extent to which audio loop systems for the deaf and hard of hearing are being used. Take-up of those facilities will be monitored and reassessed, to ensure that we are meeting the right targets. It is important that the many facilities that we have put in place are not simply tokenistic and that we know that we are getting best value from them and using them to widen access. Rosemary Everett can provide further details.

Elaine Smith: Before Rosemary Everett answers, I would like to narrow down the issue slightly. One disappointment for many members was the failure of this family-friendly Parliament to provide a crèche when it opened. That affects not only members and staff, but members of the public who want to access parliamentarians. When I and others first raised the issue, we were told that we were in temporary accommodation. Unfortunately, we have been in that temporary accommodation for the whole first session and part of the second session of the Parliament. What is happening with the provision of crèche facilities at Holyrood? Do you know how they may operate? Is there a commitment to providing access to such facilities?

I have been in correspondence with people about the excellent open days that the Parliament holds. Unfortunately, for the past few years no child care facilities have been in place for open days. I am sure that children are welcome to participate in such events, but for some people it may be more appropriate for a crèche to be provided.

Rosemary Everett (Scottish Parliament Participation Services): Elaine Smith's question illustrates what I intended to say about the importance of evaluating what we do. Before we do that, we must ensure that we widen distribution of our materials. The approach that we have taken with the leaflet to which Duncan McNeil referred is to ensure that it is not restricted to the usual suspects and reaches a range of community groups. It is very important that the leaflet reaches end-users—people in communities for which language may be a barrier to access. I am not sure whether members were able to attend the launch of the leaflet, but on that day we welcomed a fantastic mix of people—people whom we had not seen in the Parliament before. We now know that the leaflet is reaching everyone whom it needs to reach.

We took a similar approach when considering the issue of crèche provision, especially at

Holyrood. As part of a visitor management report that we obtained to inform our thinking about that important issue, we conducted a survey of members of the public. It included a couple of focus groups that explored the issue of the facilities that people wanted to be provided at the new building. We were encouraged that, without prompting from us, people suggested that they would like the building to include a public crèche. That reinforced our thinking—as members know, such facilities are planned, and we are now engaged in the procurement process for a supplier to operate them. Fit-out of the area will follow on from that. Crèche facilities will definitely be provided—they are a central part of the package of public facilities that we are planning. We hope that they will break down the barrier that has existed throughout our time in interim accommodation, as Elaine Smith rightly observed.

There are things that we can do to set up temporary crèches for particular events. If we were to hold another open day, we would want to examine how we might facilitate that.

Elaine Smith: I am pleased to hear that, because on the two occasions that I wrote about the matter I did not receive the sort of response that you have just given.

I want to go a wee bit further with the issue. Your submission mentions putting the Scottish Parliament

“at the forefront of good practice in the equality field.”

Given what you have said today and what the submission says, there is a commitment to doing that. What benchmarking is being done to assess the extent to which the Parliament compares with similar organisations or with any other organisations? There are child care vouchers, but I think that they are worth £10 a week, which is a drop in the ocean with respect to the cost of child care. However, they are a start and a commitment to recognising that such things are important in encouraging people to provide a service for staff.

I know that there have been innovations—the fact that mothers have breastfed in the public gallery, for example, was innovative; I understand that that does not happen at Westminster. However, how are comparisons being made with other organisations? What benchmarking is being done? What are you aiming for?

Mr McNeil: I understand that there has been quite wide benchmarking involving supermarkets and other organisations in respect of what is available in public areas. On vouchers, I think that comparisons have been made with what happens in other public organisations. The Parliament has failed to update the voucher scheme in line with inflation, which we should consider almost immediately. We should find out how that anomaly

can be sorted out and make comparisons with other allowances that have been uprated. Levi Pay can give us more details about comparisons.

Levi Pay: We consider what other organisations are doing at the policy development stage. For example, in drawing up our new work-life balance policies relating to part-time working, career breaks and working from home, we have taken an interest in what organisations in all sectors have done and have sought not only to meet those standards, but to exceed them.

The child care voucher scheme entitles parents—whether they are MSPs or parliamentary staff—to £40 a week for pre-school children or £10 a week for school-age children. Most organisations do not give anything in that respect. Across the board, we are going a considerable distance to ensure that parents can secure child care. We will keep such matters under review, as we regularly do, and we would welcome the committee's views at any stage on the development of such policies. Such views are useful.

Benchmarking is essential. On monitoring and developing our equality opportunities policies, we tend to find that other organisations ask us for copies of our policies rather than the other way round. Ian Macnicol might want to comment on that from a personnel perspective.

Ian Macnicol: Levi Pay has covered all the necessary ground. The only thing that I want to say is that it was courageous of the SPCB to introduce child care vouchers. We received a lot of stick over their introduction—members will remember that there was a huge amount about it in the press. Certainly, my mailbag was much bigger on that subject than on any other subject. I agree with Elaine Smith that the scheme is a gesture, but it is a fairly hefty gesture. When we benchmarked the scheme, we found that we had either matched or exceeded what the other organisations that we benchmarked against do.

Elaine Smith: It is important that the Parliament leads the way for other employers and organisations in Scotland and I am pleased that vouchers will be reviewed to find out how they fit in with inflation and other allowances. People do not seem to have such a problem with the payment of mileage allowances, for example, as they do with help towards the cost of looking after children, which I always think is amazing.

Ian Macnicol: To be honest, there was a total oversight. There should have been uprating, but the scheme did not make provision for it. The rates should have been uprated at the same time as other allowances. I have discussed the matter with Duncan McNeil today. We will get things done.

Elaine Smith: I am pleased to hear that.

In the equality framework, paragraph 6.5 of the policy on equality of opportunity and treatment in employment states that directors

“are required to make a progress report each year to the Chief Executive which sets out steps taken to ensure equality of opportunity and treatment in employment.”

What form will such reports take? Will they be only for internal management of the directorate or will they be made public? When will they be produced?

Ian Macnicol: Levi Pay is the lead on that matter. He will provide support to directors when they make reports. I understand that the reports should be available by the end of the year. Is that correct, Levi?

Levi Pay: Or shortly thereafter. The committee might be aware that there has been a reorganisation of the SPCB's staff structure and that new directorates have been created. As that work has now been done, it is a good time to introduce the concept of directors' reports on equal opportunities issues.

I will give a framework to directors showing what information needs to go into the reports. The reports will be backward looking and forward looking. They will be retrospective in that they will cover all the things that the directorate has done to promote equal opportunities over the past year, and, crucially, they will look forward to address any gaps that need to be addressed. It is important that the reports work alongside and parallel with budget planning processes and management planning processes. I intend to ask directors to produce reports on equalities issues around January or February next year. That will give time to identify any future projects that need to be built into the new budget year, which will start in April. The first full annual reports will not be available until the end of that year. The chief executive will collect all the directors' reports and produce one central chief executive's report on equality issues. There will be on-going discussions about that report.

Elaine Smith: Will that report be made public?

Levi Pay: My intention is that information from the reports will be made public, but it has not been decided whether the report that I mentioned will be published or incorporated into the corporate body's annual report. There is no point in duplicating reports; however, the information will certainly be made available. We could discuss that matter with the committee and find out whether the committee is interested in receiving copies of the reports. There should be such a discussion.

Mr McNeil: It is important for people throughout the organisation to have an opportunity to address such issues through staff assessments and with line managers, and to feed views in to the

directorate and complement the audits and other work that is taking place. Dialogue should be built on the training. All 500 or so employees of the Scottish Parliament have received training. The process is quite robust. We need to see what comes out of that process, as things are always changing, but support structures are there and dialogue at every level will be encouraged to ensure that we meet our targets and identify gaps where things are not working.

Elaine Smith: I would like to clarify something about awareness of the framework. Did you say that there would be a training day?

Mr McNeil: There has been training. However, a difficulty with MSPs and their staff is that, technically, MSPs are employers and service providers and have certain responsibilities. We all lead busy lives and the committee might want to consider whether we are all clearly aware of our responsibilities and whether the support and principles that have been laid down by the Parliament and the corporate body have been taken up at MSP constituency level. People need to be aware of a number of responsibilities. We appreciate that it is sometimes more difficult for smaller units to access training and awareness support, but support is there. The SPCB is willing to support the raising of awareness and to address training issues that arise from that.

Marlyn Glen (North East Scotland) (Lab): I am a new MSP and have found the Parliament to be very welcoming and staff right across the board to be helpful. I presume that such things are important indicators. I wanted to mention that and record it in the *Official Report* to begin with. I have been impressed by that side of the Parliament.

I have a question on language policy in the context of improving access. Publicising leaflets has been mentioned. Do you have any figures on the uptake of translations of parliamentary documents? Target groups and folk with learning difficulties were mentioned—I am glad that such folk are a target group. Do you take into consideration those who have reading difficulties, such as dyslexia?

Mr McNeil: We have a full set of figures, to which Levi Pay will refer.

10:30

Levi Pay: To monitor the uptake of the publications that we have produced in ethnic minority languages, we monitor both the hits on the website and the number of requests that we receive for printed versions of the publications.

Quite a large mail-out of the publications took place when they were first produced; Rosemary Everett may want to speak about that in a moment. People were also asked whether they

wanted additional copies. The number of copies that we send out to organisations off our own bat is fairly meaningless, as we could send out as many as we wanted. The crucial thing is for us to monitor how many requests we get back for additional copies. The leaflet was launched only a month and a half ago; yet, already, we have received almost 400 requests for copies of the Urdu version. That is quite a significant number. We have received 294 requests for the Bengali version. Those have been proactive requests from members of the public for those publications.

When we first produced the leaflet, there was a lot of discussion about whether there was sufficient demand to justify the production of the different versions. We have proved conclusively that there is. It is always difficult to know in advance what the demand might be. If people are not engaging with the Parliament because they do not speak English, for obvious reasons they will not raise their concerns about not accessing our information. We therefore needed to produce the information in the different languages and then to monitor uptake. As a result of the findings of that monitoring, we will extend the provision further.

The Urdu guide on the Parliament's website received well over 100 hits in the calendar month of August. That is quite a few, compared with the number of hits on other pages on the website. The website is large, but people are obviously managing to access it easily and to get straight to the information that they need in their language, which is crucial. We are monitoring the statistics monthly to ensure that people are getting the information that they want.

Mr McNeil: What about people with dyslexia?

Levi Pay: Was the question about whether the publications are accessible to people with dyslexia?

Marlyn Glen: Yes. I was thinking specifically about people with reading difficulties.

Levi Pay: One of the crucial things that we did was to ensure that the leaflet—which is integral to our catalogue of publications, as it deals with the wide variety of ways in which people can engage with the Parliament—was written in absolutely plain language. That was essential for its accurate translation into different languages as well. We also had to ensure that the leaflet was accessible to BSL users. People whose first language is BSL find it a lot easier to access information in English when the language is as straightforward as possible and avoids jargon. To engage with a wide variety of people, it is essential that we avoid using jargon. The leaflet definitely achieves that and several organisations have written to us, welcoming the fact that the guide is very accessible.

We will continue according to that principle when we review other publications. For example, we will review our series of fact files and update them in time for the move to Holyrood, and we will ensure that we follow the same guidelines on using plain English during that review.

Marlyn Glen: Can you advise us on the progress of the publication of guidance on how to book interpreters?

Levi Pay: We have done a lot of work on booking sign language interpreters. I manage the Parliament's contract for sign language interpreters. We have written to every member—at their constituency office and in the Parliament—and to every office in the organisation, explaining how to book a sign language interpreter. We have also set up a new, streamlined process for doing that. As a result, the uptake of the service has increased and people are much more aware of the issues.

We have been pleased by the response to that work and we want to copy that process in the use of interpreters for other languages. We will, therefore, issue similar guidance on how to book interpreters in other languages—whether Gaelic or community languages—to ensure that MSPs, MSPs' staff and parliamentary staff know exactly what to do when a request is made for an interpreter. Crucially, people must also know how that service is funded. Provision to meet interpretation needs exists in the members' support allowance and in the SPGB's budgets; we just need to ensure that people know how to apply for it. We will do that in the near future.

Marlyn Glen: You mentioned the Race Relations (Amendment) Act 2000. Are there mechanisms in place to monitor the Parliament's race equality scheme to ensure that it meets the requirements of that act?

Levi Pay: I have worked with individual teams to ensure that the action points are acted on. Many of those actions have already been taken, in line with the programme that is set out in the scheme. The ideal time to carry out a comprehensive review of that will be in the near future, once we have got the results of the equal opportunities staff audit. We will then look to produce a new action plan because, by then, the previous action plan will have been fully implemented.

When we draw up the new action plan, we will also conduct a review of the race equality scheme. If any action points have still not been acted on, we will incorporate them into the new action plan. Crucially, we will incorporate them into the budget processes and the management plans for the offices to which the recommendations apply.

Frances Curran (West of Scotland) (SSP): Levi Pay has covered some of the points that I

wanted to raise about the action plan and the progress that has been made on it as part of the equality framework. As a new MSP, I have found the staff in the Parliament really helpful. In particular, I thought that the away day was helpful on the implementation of the policy.

There are, however, two different issues: the staff who are implementing the policy and the political will behind it. Talk is cheap. The issue of resources to implement the action plan and the equality framework is an important one for the committee. How has the action plan been progressed? What about the parts of it that have not been progressed yet? What is needed to allow them to be pushed through more quickly?

Mr McNeil: You are right to say that there are issues about resources. That is why it is important that we ensure that everything that we are doing—the reviews that we are carrying out, the staff audit and the various other mechanisms—fits into the directorate plans at the beginning of the budget year, in April. In that way, when the directorates identify gaps and priorities, they will be able to budget for them over the coming year. There are big issues about how we feed into the directorates' budgets to ensure that the money will be there in the following years.

The action plan is coming to an end, as much of the work has been done to assess where we are, where we are going and potential issues around Holyrood and the new Parliament building, such as signage on the new campus. Levi Pay can provide further detail.

Levi Pay: There are 28 recommendations in the action plan that have still to be implemented, most of which relate to three main projects. Often, several action points relate to one project. The first of the three outstanding projects is a comprehensive review of the Parliament's staff recruitment procedure. We need to check that the guidance that we give to board members and so on contains as much information on equality issues as is necessary. We also need to progress the SPCB's application to become a disability symbol user. All that work is in hand and will be completed by the end of the year.

The second outstanding project is the setting up of a network of dignity-at-work contacts, which will comprise staff members throughout the organisation who will act as a first port of call for anyone in the organisation who believes that they are suffering harassment or bullying of any kind. Staff members who are in that position will then have someone to whom they can go to discuss what action they should take and who will support them through that process. I am in discussion with our training consultants about what the training should be for those dignity-at-work contacts. It is essential that we get that right, and I did not want

to set up the network until we had rolled out the comprehensive programme of equal opportunities training. People would have to have received that grounding before they could undertake the more detailed training on being a dignity-at-work contact. That work is in hand.

The third outstanding project is the preparation of equal opportunities reports by the directors and the chief executive. That work is in hand, as we discussed earlier.

Those three projects will mop up around 20 of the outstanding 28 recommendations, which will have been acted on when those projects have been completed. Action on a very small number of the remaining recommendations is being postponed until after the move to Holyrood. For example, one such recommendation is for the publication of a leaflet on disability access issues, summarising all the different services that we have put in place to ensure that disabled people can access our buildings, information and services. If we produced that leaflet now, it would be out of date after the move to Holyrood and that would have cost and value-for-money implications. Therefore, we are publishing that information in electronic form and ensuring that our public information staff are fully aware of those issues so that they can advise individual members of the public. The leaflet itself will not be published until after the move. Some such issues will have to be incorporated into the new action plan, but most of the 91 recommendations in the current action plan will be fully implemented by the end of the year.

Frances Curran: I understand why production of the leaflet on access has been postponed until the move to Holyrood.

Has the SPCB considered providing a BSL signer for meetings of the Parliament, given that it meets only for a day and a half a week?

Levi Pay: We have considered recruiting a signer, but the issue is complex. As sign language interpreters cannot work for longer than about 45 minutes without a break, we would need two or three interpreters to cater for the need. Three sign language interpreters would be a significant proportion of the total number of interpreters in Scotland and the last thing we want to do is to drain that resource, given that the service might not be required at all meetings of the Parliament. We have developed an on-demand service, which allows anyone who requires a sign language interpreter when they attend a meeting or watch a debate or committee meeting to request one. We do whatever we can to meet such requests, subject to availability, which is sometimes an issue.

At present, the SPCB's policy is to provide a sign language interpreter for disability-related

debates in the chamber, even if a request for one has not been received. I am reconsidering that policy, as I am not sure that it is appropriate. There is no real reason why deaf people should be more interested in many disability issues than anyone else. We are considering whether it might be more appropriate to provide a sign language interpreter for First Minister's question time, which is a much more popular time for people to visit the chamber.

We are reviewing the present policy and monitoring the usage of the contract. As take-up of the on-demand service has been low, we must come up with better ways of publicising the policy. One of the best ways of doing so might be to provide an interpreter for First Minister's question time, which would mean that everybody who attended it would be more aware of our willingness to meet our legal obligations and to promote good practice by providing a sign language interpreter on demand.

Frances Curran: The training on the RNID Typetalk system has received positive feedback, but do you monitor whether there has been an increase in the system's use by SPCB staff and by MSPs and their staff? Has the system increased the use of the Parliament's facilities by those who have hearing problems?

Levi Pay: That cannot be monitored easily, because Typetalk calls can be made to any telephone in the Parliament's buildings. The Typetalk system enables deaf or speech impaired people to contact anyone by telephone using a free intermediary operator service. Any MSP or member of staff could receive a Typetalk call at any time. That is difficult to monitor and, if we did so, it might raise issues about whether it is appropriate to monitor the way in which calls are received by the organisation.

A mystery-shopper exercise might be useful. If mystery shoppers made Typetalk calls to the Parliament, we would find out whether the response is adequate and whether staff know how to use the service and respond appropriately. One difficulty with Typetalk calls is that, when people pick up the phone and hear a strange recorded message, they might put the phone down because they do not know what is going on. Therefore, we ran a series of events to ensure that members and staff are ready to receive such calls. We have also put guidance on SPEIR—the Parliament's intranet—to ensure that members and staff can find out how to use the service at any time.

Many people throughout the organisation now incorporate a phrase such as, "Calls via RNID Typetalk are welcome" into e-mail signatures, business cards and publicity material. We are trying to send out the message as clearly as possible that we welcome Typetalk calls, which

should generate more of a demand for the service. We can monitor the use of the system, but only in limited ways, and a mystery-shopper exercise might be a good way of doing so.

Frances Curran: Do you get the impression that MSPs and their staff are taking up the message?

10:45

Levi Pay: Some of them are taking it up. I have received inquiries about whether text phones should be set up in constituency offices or whether the Typetalk service should be promoted. Although those services are different, they would both benefit deaf constituents who want to contact their MSPs. Many members have asked how to proceed on that issue. The ideal situation is for MSPs to have both systems. They should set up a dedicated line for a text phone—ensuring that all staff are trained on how to receive and make text-phone calls—and they should ensure that all staff can use the Typetalk service.

Given that some MSPs' offices are small and have only one member of staff on duty at any given time, having both systems might prove complicated, but it is essential that members ensure that everyone in their office has a sound awareness of one of those methods, so that deaf people have a way of accessing the office by phone. Members should also ensure that publicity material that is sent out from the office states that RNID Typetalk calls are welcome or gives the dedicated text-phone number. If we are to promote access, it is essential that one of those two methods should be available.

Mrs Margaret Smith: That point leads to my question. The Procedures Committee's third report noted that considerable effort had been made in the framework document to identify MSPs' legal obligations in employment matters, but that the level of awareness among members of the need for equal opportunities training remained low. The report recommended that the SPCB should prepare appropriate training courses for MSPs and their staff as quickly as possible after the election. I back up the Procedures Committee's point. The anecdotal evidence is that most members are unaware of much of what they can and should do.

What actions have been taken in relation to the training of MSPs, given that we are to be bombarded with mystery shoppers popping into constituency offices? The provision of training for staff in constituency offices is an issue. Some good in-house training courses have been available to MSPs' staff who are based in the Parliament, but it is more difficult to provide such training for staff in constituency offices.

Mr McNeil: The SPCB is not responsible for training MSPs' staff. However, we recognise that our policies and the requirements of law put

pressure on such staff to be aware of access issues and so on. When Levi Pay was talking about gadgets, the idea popped into my head that the deaf community uses mobile phones for text messages. Perhaps we should use such simple means rather than setting up training programmes.

We must find out what training MSPs' staff need. The SPCB's priority was to train its staff, which has been done. MSPs' staff can now be given access to the courses, which are up and running and which have been well tested. However, we must consider whether it is appropriate to train all MSPs' staff in Edinburgh, which would place a big burden on constituency staff by virtually closing down constituency offices. We are willing to inform staff through fact files and information on the intranet and to support them by answering questions and raising awareness of legal responsibilities through the personnel office. If members come across a situation, they get a lot of support. However, those measures are reactive; they are not the type of measures to which Margaret Smith refers.

We must consider how to raise awareness among MSPs that they have clear responsibilities as employers and providers of services. As part of that programme, we must scare members a wee bit about their legal responsibilities. There are issues about how much of MSPs' overall allowance is put aside for training and whether part of MSPs' budgets should be safeguarded for that. Levi Pay can fill in the detail on those issues.

Mrs Margaret Smith: On economies of scale, the SPCB is already running training courses, and it is easier for an organisation the size of the Scottish Parliament to organise an equal opportunities training course than it is for an individual MSP to access such training. I hear what you say about the legal requirements but, to be realistic, only a small number of members will do anything about training for themselves and for individual members of their staff. However, if the SPCB were to support and make available a training course that built on the training work that it has already done, which has obviously had a good response, more MSPs would take up that course even if they had to buy into it out of their allowances.

MSPs' staff are aware that they have access to certain training courses but not to others. The general public perceives members and their staff as being the Scottish Parliament. For example, somebody who lives in Inverurie comes into contact with the Scottish Parliament because they go into Nora Radcliffe's constituency office. That is where constituents hit the Scottish Parliament. Although they meet somebody who is employed by an individual member, the general public does not think of it that way.

We need some way of ensuring that we take the matter forward, even if members have to buy training from part of their allowances or we have to revisit allowances for training for MSPs and their staff. We made a mistake from day one in that we did not make MSPs well aware of the legal responsibilities that they were taking on when they took on staff because we were too busy doing everything else. We must make progress on that important issue.

I will ask about the feedback that you have had from the training that has already taken place. Have staff arrived at a sufficient level of awareness in what is a complex area? What plans do you have to repeat, follow up or extend the training? Past training has been across-the-board training—everybody has had the same level of training, after which managers have been given add-on training. Do you plan to do specific training for people who are in particular fields of work in the organisation to build on the initial training that you have done?

Mr McNeil: The response from those who participated in the general training that has taken place has been favourable. I expect that further training will be necessary, particularly when we roll out programmes such as the dignity-at-work programme. We will be putting in place buddy systems, for example, so the training requirement will be different.

Levi Pay: We had good feedback that we met our core—

Mr McNeil: Perhaps Ian Macnicol would like to comment.

Levi Pay: Oh yes, absolutely. Do you want to come in, Ian?

Ian Macnicol: You are doing a wonderful job, Levi.

Where specific training is required, we will provide it. A lot of training is job-related, apart from that for the dignity-at-work contacts, which we will provide centrally. My staff will be trained to a higher level. Some of Rosemary Everett's front-line staff will be trained to a higher level in particular areas. Indeed, senior management staff will also be trained to a particular level, as they have overall responsibility for ensuring that such programmes are rolled out.

I will respond briefly to the question of training for members, which is an interesting matter. Before Duncan McNeil joined the SPCB, it debated the equalities framework. I remember Shona Simon's recommendation that members and members' staff should be trained. The SPCB had great difficulty with requiring members to undertake training and decided that we should simply offer guidance. That is what we have done.

I am sure that the SPCB would be happy to take a recommendation from the committee if you want us to review that decision, but my experience of trying to run training for members is dire—I hope that I do not insult anybody present when I say that. In the early days, we tried to run training events. We can require our staff to attend the sheep-dip training that we run for them, and we thought that sheep-dip training would be good for members. We tried it on what we thought were sexy topics, such as allowances and tax, and brought in the Inland Revenue, but very few members turned up. We found that issuing guidance and encouraging members to come to us worked—at least then we could support the initiated or those who were interested, rather than try to make people do things that they do not want to do.

We have always tried our best to put on training that we think supports the SPCB's initiatives.

Mrs Margaret Smith: I am interested to hear that members were not interested in hearing more about allowances. I hope that the *Daily Mail* will cover that.

Ian Macnicol: We took a different tack this session: we had individual surgeries. That worked well, but there is a limit to what we can do.

Mrs Margaret Smith: Duncan McNeil talked about frightening members, who have to be made aware of the potential consequences of getting things wrong.

Ian Macnicol: The guidance that we put out on members' responsibilities as employers and service providers scared the stuff out of me when I read it. Members have that guidance.

Mrs Margaret Smith: That is what I am saying. Members have a general awareness but we need to move in with the second wave, which must be to help members to make progress. I am suggesting that, while the Parliament has a particular role and MSPs have a particular role, it is far easier for a big organisation to provide training. The committee can have some sort of input into that. Training would be helpful all round. We want to enhance and improve the service that MSPs give not only to the public but to their staff.

What are the key targets of the equality framework and how is progress on reaching them measured? We have heard that there is a new performance management system in which everyone will be assessed on how they perform on equal opportunities and that there will be an annual audit. Will you give us a bit more of a picture of how the monitoring process will work?

Levi Pay: The past 18 months have been a phase of policy development. Many of the key targets that we met in that time related to the

development of new policies and the putting in place of training for staff, for example. It has been a case of meeting the targets and milestones, and progress to date on those is good.

The next phase will be to consider whether we want to put in place a different type of target. For example, when the results of the equal opportunities staff audit are available, we will need to think carefully about whether there are areas of under-representation in the composition of the Parliament's work force and, if we find that the audit highlights such areas, whether we need to set not a quota system, which would be unlawful, but aspirational targets to tackle some of those areas of under-representation.

We are moving out of a phase of policy-oriented targeting and into a phase in which targeting will be focused much more on the outcomes of some of those policies. However, it was essential that we focused first on the policy side so that we could be confident that our policies were comprehensive and covered all the areas that they should, and then that we moved on to some of the more traditional ideas of equal opportunities targets. We are starting to reconsider the monitoring of our service delivery, the take-up of some of our services and the way in which the Parliament engages with different community groups, for example.

Mr McNeil: Perhaps Ian Macnicol would like to say something about the pay audit.

11:00

Ian Macnicol: We have a series of audits planned. The one that Levi Pay is talking about is the annual audit, which I am sure will be fascinating in terms of illustrating the composition of our staff. The next audit will be on disability, and we will simply invite staff who believe that they have a disability to tell us what it is and to come in and speak to us. There is a fairly detailed form, which will help them to articulate what they feel needs to be done. After that, we should have some fairly sound statistics on the composition of our staff group in relation to disability. Later on, we will do our equal pay audit, probably in January or February. We will be looking to see whether, as an employer, the SPCB is dealing with pay issues in a fair manner.

The outcome of all those audits will inform where we go from there. On disability, I should say that we already have a fair number of disabled people in our staff group. If people have declared their disability at recruitment, we have a meeting with them and decide with them what we need to do to adjust their job or environment to support them. However, a lot of people come through the recruitment process and do not say that they have a disability. A lot of people have yet to come out

about their disability and we hope that the culture that we are trying to engender and the training that we are providing will enable people to come forward and will allow us to support them in their jobs.

Mrs Margaret Smith: I welcome Ian Macnicol's final comment about the number of people who do not come out about their disability. Just as some people might be a bit worried about filling in a form saying what their sexual orientation is, people with disabilities might be similarly affected, so his statement is welcome.

Shiona Baird (North East Scotland) (Green): I cannot get out of my head the picture of MSPs undergoing sheep-dip training. Someone should do a cartoon of that; it might encourage them to come along.

I echo what other new MSPs have said about the degree of helpfulness and politeness that has been shown to us since we came to the Parliament. I would like to ask whether everyone senses that degree of politeness, even in simple things such as opening doors, or whether it is shown only to us because we are in a somewhat privileged position. I would like to think that it goes right across the board and that there is an ethos of the polite society here in Parliament. Maybe somebody would like to comment on that.

The Convener: You can only say yes.

Rosemary Everett: I think that we do. It is part of our dignity-at-work policy. As a member of staff, I have been through the equalities training programme. Because I work in public information and I deal with the public, a lot of it comes naturally to me and members of my team, but there might have been learning points for other staff in the Parliament. In general, we are all polite to one another.

Shiona Baird: It is a great example.

Rosemary Everett: Thank you.

Ian Macnicol: The Parliament is a good place to work. There is another initiative that I did not mention. Once we get to Holyrood, we are going to do a proper, major staff satisfaction survey, but all the indicators that we have had so far show that staff are satisfied and, indeed, pleased with the SPCB as an employer. This is a nice place to work and the staff group is co-operative. However, I have to respond to Shiona Baird by saying that we are here only because of you, and you have been a great bunch to welcome to the Parliament.

Shiona Baird: I have a question about key projects, and especially about the development of a scheme for building equalities considerations into every contract that is let by the Parliament's procurement office. What does that mean and what is the status of that development?

Levi Pay: That came out of our obligations under the Race Relations (Amendment) Act 2000, which placed a duty on us to promote racial equality in carrying out all the work that we do. Therefore, we must promote racial equality across all our functions. In discussions that I had with the procurement office at the time, we talked about what that meant for the procurement office. Obviously, the main task of the procurement office is to procure goods and services and to set up contracts, so we needed a mechanism for ensuring that racial equality issues were taken seriously in that process. It made no sense for us to restrict that to racial equality, so we widened it out.

We delivered a project that is based around a checklist. When procurement officers sit down and start talking about the need to procure a new good or service for the organisation, they can go through the checklist, which asks a series of simple questions about the nature of the contract. For example, it might ask, "Are the contractors likely to supply uniforms for their own staff or for SPCB staff to wear?" or "Are the contractors likely to be employers in their own right?" Basically, that section of the checklist asks for yes or no answers.

The next part gives the procurement officer sections of text that can be placed into the contract documentation. For example, if a contractor is likely to be supplying uniforms for SPCB staff or for their own staff to wear, some text will be put in the specification for the contract that states that those uniforms must be culturally sensitive and must allow for the wearing of turbans, head scarves and so on.

In certain situations, for example if the contract relates to uniforms that will be bought for us—as opposed to uniforms worn by couriers whose services we are procuring—we will ask the potential contractors to demonstrate how they will ensure that the uniforms that they supply are culturally sensitive. If that final stage is used and potential contractors are asked to demonstrate how they will ensure that certain things are done, that will form part of the evaluation of the contract and potential contractors will be assessed on their responses to those questions.

The checklist is followed through every stage of the process and gives the contract manager an idea of the main equalities issues in relation to the contract with which they are dealing, so that those can be monitored on an on-going basis.

Shiona Baird: I am particularly interested in whether goods that we buy in from abroad have been produced with due regard to human rights at every stage—China is the main country that concerns me in that regard at the moment. To what extent are those issues examined?

Levi Pay: Issues such as child labour and the exploitation of workers are taken into account in the checklist, so they will form part of the contract to some extent. I am aware that the procurement office is examining having a wider social responsibility policy so that the sort of issues that you raise can be examined more closely and we can be confident that the goods that we procure are not made in an inappropriate or illegal way.

In relevant contracts, we include text relating to International Labour Organisation conventions and so on to ensure that goods that are supplied to us are produced in line with those international commitments. That is important, but the social responsibility proposals that are adopted by the procurement office might widen the issue out further.

Shiona Baird: Will you tell us about your development of a range of employment policies, such as career break policies? Of course, some people might say that being an MSP is a career break of sorts. What are your priorities and what work is under way?

Mr McNeil: Some work is under way in relation to the life-work balance. In that regard, we are examining such issues as part-time working, career breaks and working from home. Ian Macnicol can add more.

Ian Macnicol: I am a great champion of equalities. Levi Pay and the equality framework are in place and we got a good steer from the SPCB. We have been following good practice from the beginning and we have never had a request for part-time working, job sharing or even working from home that we have not acceded to. Lately, we have been trying to construct policies around that good practice. To that end, we have involved the staff group. We put out notices asking whether people wanted to be involved in the development of the policies and, from the responses that we got, we selected a good, diagonal slice of staff from across the organisation. They have been working with Levi Pay and my policy development people—that sounds like I have an army, but there is only one person.

We are developing the policies for consideration by the senior management team and ultimately by the SPCB. They are shaping up well. The plan is to have a range of arrangements under what we would call an overarching policy on work-life balance. Some would be policies around the sort of things that I have been describing. Others would bring in policies that we already have such as those in relation to child care vouchers and supporting healthy living. Those will all hang under the umbrella of an overarching policy on work-life balance.

Levi Pay mentioned benchmarks. We have

benchmarked many of the policies that we are developing against good practice in the private sector and in other public sector organisations and other Parliaments.

Mrs Nanette Milne (North East Scotland)

(Con): As another new member, I also have nothing but praise for the way in which staff have treated me. I came to the Parliament several times as a member of the public before I was elected—I came to the chamber a couple of times and to the Public Petitions Committee two or three times—and the same applied on those occasions: I was well treated and so were the people with whom I came.

I am interested to hear how much work is being done on the equal opportunities framework within the Parliament and also that the Parliament is becoming an exemplar to other organisations. That is important for a lead organisation in the country.

My initial question has been pre-empted to some extent by Margaret Smith. I was going to ask about specific training, but I will not waste time going over that matter again. Has the feedback from the training that has been carried out so far identified any specific equal opportunities issues in which additional training is required or on which the staff feel that they need further training?

Ian Macnicol: Yes. We are actively pursuing that. Levi Pay probably has the statistics in front of him. One of the main issues in which members of staff wanted more training was disability awareness, hence the fact that disability awareness training is happening within the next couple of weeks. We are planning specific training on a range of issues in the order of priority, if you like, expressed by the numbers.

Levi Pay: The disability awareness week is very important because 116 people requested disability awareness training, for example.

We were keen to ask the question: what further training on specific equality issues do you require? Equality issues can remain rather meaningless if you do not get down to some of the specific issues that affect particular groups of people. Our core training programme ensures that people are brought up to speed on the generalities of equal opportunities issues, but until you get down to an event such as the disability awareness week, some of the issues that people must take on board when managing their work will not be dealt with.

Another issue on which many members of staff expressed an interest in receiving further training was tackling and preventing harassment. The dignity-at-work project will pick up a lot of those issues. We will ensure not only that the dignity-at-work contacts are fully trained on how to take up that role, but that all staff throughout the

organisation are aware of what it means to prevent harassment and to spot it and tackle it if and when it occurs.

We are using the data that we have collected to decide what further training will be set up. Yesterday, as part of our application to become a disability symbol user, I was asked: how do you know when staff are aware enough about equality issues? I am not sure that people ever can be. It is necessary to keep on drumming home the messages and pushing the issues because new people move into the organisation and other people move on. In addition, what constitutes good practice can change over time. All of those points mean that it is necessary to keep pushing equality issues internally within an organisation such as ours, and we will certainly do that.

Mrs Milne: My impression is that disability awareness has been pushed to the forefront in many organisations owing to the impending commencement of provisions in the Disability Discrimination Act 1995. I imagine that when those provisions come in at the end of this year—or is it next year?

Levi Pay: Next year.

Mrs Milne: After that, I imagine that there will be a need for on-going training for people as they realise the implications of the legislation.

11:15

Marilyn Livingstone (Kirkcaldy) (Lab): I will pick up on the issues that Margaret Smith raised.

It is so important that the Parliament is carrying out a disability audit, and I am glad for staff within the Parliament that that is happening. However, I would also like the Parliament to take on board the staff in our constituency offices. Has an overarching audit been done? That would be really worth while. The situation is difficult for members. They should be encouraged to take on as wide a range of people as possible. If people have disability issues, there are also access issues to be dealt with. I am concerned that we keep coming back to the issue that members' staff do not get the same level of support.

Margaret Smith mentioned specific training for our staff. There are different issues, but our staff are on the front line because they are the people who deal with the public. In most cases, they are the face of the Parliament. There are issues about training and support for our staff, especially in this European year of disabled people. I do not know how many staff overall are employed by MSPs but it must be 200 or 300. Those staff should not be set to one side. I know that the individual responsibility for those staff falls on members, but I think that the Parliament has a responsibility to provide support for members and members' staff.

I am really pleased that you are doing the disability audit. Will the committee receive a report back on that? Obviously, that would be of interest to us. Will you consider rolling out the same audit to our staff?

Mr McNeil: I do not know whether it is finished but a piece of work was going on over the summer that involved Stewart Gilfillan and his team going out to look at constituency and regional offices. I am sure that their paper will identify the training issues and everything else that has been mentioned this morning, as there are some gaps. I agree that the Scottish Parliament is represented not only in Edinburgh but at sites all over Scotland. There have been problems, from the information technology resources right through to what is expected for disability access and training. I am sure that the message will come back loud and clear that many constituency staff feel out of the loop. It will be interesting to marry that with some of the other work that is going on. If problems have been raised about disability, obviously a bit of work in constituency offices could be mounted on the back of that.

Ian Macnicol: I agree with Duncan McNeil. As parliamentary staff, we will do what we are told. If Bethan Murray's review of those 28 constituency offices—it was something like that; she went out to see a good selection anyway—recommends that we should provide that sort of thing, I am sure that the SPCB will be very happy to consider it.

Logistically, we will probably need to just think the issue through. We are planning to offer induction for members' staff on the SPCB's services. When we tried a pilot for that last year, we asked how many people would be interested and we received about 60 responses. In the event, only about 20 people turned up when we ran the thing. Practically, when we ask about such things, we probably need members to advocate them as well, so that the things that we put on do not simply wither on the vine.

We are running the staff induction training again and we will offer that to all members' new staff. That will be an induction in the SPCB's services and it will include something about equalities issues. We are at least making a start on that.

The Convener: As there are no more questions, I thank the witnesses very much. I know that the committee is very positive about the Parliament's work on the equality framework. We will continue to watch how things develop and we hope that we will receive regular updates. Thank you very much for your evidence this morning.

I plan to suspend the meeting for five minutes for a comfort break. We will start dead on 11.25.

11:18

Meeting suspended.

11:28

On resuming—

European Year of Disabled People

The Convener: As it is nearly half past 11, I am keen to progress. Agenda item 2 is on the European year of disabled people. A paper has been circulated to members on a way forward for the committee. Do members have any comments to make on the paper?

Marilyn Livingstone: The paper responds to our discussions and shows how matters can be progressed. It is a good piece of work, for which I commend the clerks. I am pleased that a wide range of organisations has been suggested for the evidence-taking sessions, from mental health organisations to further and higher education institutions. I welcome the paper.

Mrs Milne: I am happy with the paper, although I was struck by how central-belt oriented it is. Is there likely to be an opportunity to extend north and south, although not necessarily for a specific event?

The Convener: There are ways of doing that. The committee and the clerks can consider that matter.

Mrs Milne: I do not want people from north and south of the central belt to perceive that they are left out.

The Convener: You are absolutely right. The committee must bear that in mind.

Shiona Baird: Where was the event held in January?

The Convener: In Edinburgh, but not on campus.

Shiona Baird: Given the population of Glasgow, it would be fair to hold the event there, although perhaps future events should be held in Aberdeen or Inverness.

The Convener: There is no reason why we cannot consider getting out and about.

Mrs Margaret Smith: I echo the point that Nanette Milne made about people living outwith the central belt. All our reports from the previous session highlighted the fact that people in rural settings who had disabilities or who were facing discrimination had to deal with that without the access to services and support that their urban peers had. It would be interesting to hear from a rural perspective what impact, if any, the year made.

The Convener: That is an important suggestion and we can consider how to develop it.

Mrs Milne: Perhaps we can consider the southern parts of Scotland. We have mentioned Aberdeen, Inverness and rural areas, but there are no cities in southern parts, so we could include those areas.

The Convener: Yes, we will consider that.

Do members agree to the approach proposed in the paper?

Members indicated agreement.

The Convener: Do members agree that we should submit a funding bid to the Conveners Group to implement the work?

Members indicated agreement.

Procedures Committee 3rd Report 2003

11:31

The Convener: Agenda item 3 is on the Procedures Committee's report on the founding principles of the Scottish Parliament. The correspondence from the Procedures Committee was circulated to members with the approach paper. Do members have any comments on the paper?

Mrs Margaret Smith: Point 5 concerns the evidence that we took this morning. What, if anything, will we do with that evidence? Can we report back to the Procedures Committee to say whether any issues arose from it? I mentioned MSP training and MSP staff training and we might want to revisit a couple of other points that were raised in the evidence-taking session. We could ask what the Procedures Committee could do to improve matters in that respect. We could also let it know that we are happy with what it is doing.

The Convener: You are absolutely right, which is why I suggested to Duncan McNeil that we want to keep up to date with the policy as it develops. The fact was alluded to that an audit is to be launched. Perhaps when there is to be an audit of a particular area—disability or equal pay, for example—we could ask the Procedures Committee to check out particular issues. However, that committee's work is, like ours, on-going, so we will need to touch base on a regular basis.

Mrs Margaret Smith: We have not had a chance to discuss formally what we heard this morning, but I presume that we can already identify issues. For example, child care vouchers were mentioned; we heard that the vouchers were being considered and that there had been an oversight. We could note that and agree that we are moving in the right direction. Perhaps the clerks could come back to us on the points that Marilyn Livingstone and I made about MSP staff, as well as on other points, and we could feed back comments and perhaps forward them to the Procedures Committee. I say that with the proviso that we should return to any issues when the relevant audit is conducted; I am still concerned about a few things on the basis of what we heard this morning.

Jim Johnston (Clerk): If members wish, the clerks can produce a summary of the evidence that was presented today and flag up the issues that members wanted to pursue. We can raise those issues in our response to the Procedures Committee.

Mrs Margaret Smith: That would be good.

The Convener: Do members agree that I should write to the convener of the Procedures Committee about how we are dealing with the correspondence?

Members indicated agreement.

Parliamentary Committees (Mainstreaming Equality)

11:35

The Convener: Item 4 is on mainstreaming equality in the work of the parliamentary committees. The paper on mainstreaming contains a draft motion for members to consider in respect of the committee's plenary debate on 1 October. Do members endorse the recommendations contained in the Equal Opportunities Committee report of 2003?

Members *indicated agreement.*

The Convener: Do members agree on the draft motion?

Members *indicated agreement.*

The Convener: Our debate in the chamber on mainstreaming equality will be an important opportunity and I hope that members will participate in it.

Civil Partnership Registration

11:36

The Convener: Item 5 is on civil partnership registration, on which members will have received a paper. The Minister for Justice is to provide the committee with further details on the consultation in the near future.

Elaine Smith: In the last paragraph of her letter, the Minister for Justice says that the Executive plans to refresh thinking on family law reform at the end of the year. If there is to be a Sewel motion on the legislation for same-sex partners, we must ensure that similar legislation comes forward for mixed-sex co-habiting couples, because that is an important issue.

The press statement that was released states:

"the pillar around which such families are built is marriage."

When the Parliament considered section 2A a few years ago, we had a definition of family life. I wonder why similar wording is not being used, given that the definition was agreed to after a lot of consultation. It would be helpful to have the wording that we used previously.

Mrs Margaret Smith: I hope that members will indulge me, as I want to make several points. I echo the point that Elaine Smith just made. Those of us who lived through the section 2A debate will know that a number of people were concerned about the issue. Many of us thought that we were doing the right thing, but a lot of important negotiations and discussions took place with parents, educational groups and church groups to find a form of words about the importance of stable family life or stable family units. Although marriage is an important stable family unit, it is not the only such unit in which children are being brought up.

Given that we had a form of words that had church and Executive backing, I was dismayed to see in the press statement that policy was somehow being rewritten. A lot of hard work was done to get agreement on a form or words that would reflect Scottish society, rather than what someone would like it to be or what it was 50 years ago.

The Executive and the UK Government are to be applauded for addressing civil partnerships. What they are doing will make a real difference to people's lives. It will make a real difference in terms of people's pension rights. It will make a real difference in terms of people's tenancy rights. It will mean that people will be able to register the death of someone with whom they may have lived for 20 years. We are talking about basic human rights.

Although it is important that we do the right thing, it is also important that we say the right thing. I want to put on the record the fact that, over the two pages in which the press briefing discusses civil partnerships, it is stated five times that the measure is not a priority for the Executive. No one round this table does not appreciate that we have a tight legislative programme, but all that was required was the statement, "We believe this is the right thing to do. This is about basic human rights. We have a way in which we can do it, which will not impose a problem on us in terms of a tight legislative programme, but at the same time we are doing the right thing." We did not require to be told five times that the measure was not a priority.

The press release stated:

"While I accept that for same-sex couples this is a very important issue—it is not an immediate priority for the overwhelming majority of Scotland's people."

The point that I made to the minister was that if the words "same-sex couples" were substituted with the words "disabled people", "coloured people" or "women", she would not have put the statement out. I do not think that a statement would have been issued that said, "This is very important for the ethnic communities in Scotland, but it's not a priority for the Executive," or, "This is important for women, but it's not important for the Executive."

We have to be careful about the mood music and the words that we use. The Executive is doing the right thing—something that will enhance people's lives—but we all know that equal opportunities are not just about changing the law, but about changing attitudes and changing the culture. It was wrong for the Executive to send out a statement that said, "This isn't important to us. It may be important to a small group of individuals, but it isn't important to us." I have not publicly said that so far, but the issue is raised in our papers today; we have been presented with the issue by the minister's office. I am therefore duty bound to say that this was an opportunity missed and that the Executive has presented the issue in the wrong way.

On the tactic of going down the Sewel route, I sought assurances from and was given them by the ministerial team and the civil servants involved that the Scottish element would be drafted by Scottish civil servants and that, if significant changes were made to the legislation as it passed through the House of Commons—or, more probably, as it passed through the House of Lords—we would have the right to bring the matter back to the Scottish Parliament to look at it properly and scrutinise it again. That precedent is already being set with the Criminal Justice Bill.

On the tactics, I was slightly unhappy that a predominantly devolved piece of legislation was being handed to Westminster, but I appreciate that

there are reasons for doing that, such as the desire for consistency and access to a time slot. However, with those two provisos, I believe that we must ensure that we properly scrutinise what is largely a devolved issue.

The Convener: Do other members have views before we decide how to proceed? I am hearing that members accept the way forward, but that the press briefing has caused concern. Do members want me to write to the minister on behalf of the committee, expressing the concerns that have been raised, or is it enough that they are now on record?

Frances Curran: I am still not convinced that the issue should be dealt with by a Sewel motion. The changes are to family law. We should discuss the matter. Perhaps we should invite Patrick Harvie to the committee and discuss enacting the legislation in the Scottish Parliament as a progressive parliament.

The Convener: We have agreed to have an inquiry on the issue.

Frances Curran: So we are not agreeing to the procedure in the minister's response.

The Convener: We will begin an inquiry. I will ask you which organisations you feel that we should take evidence from. The inquiry will then form the basis of our response to the Executive.

Frances Curran: I think that the Executive is running scared because of its experience with the repeal of section 2A. How can we challenge these ideas from a non-party political viewpoint? As Margaret Smith says, it is about changing attitudes. I wonder about the role of the Equal Opportunities Committee. Should we agree that the bill should be dealt with as a piece of legislation that extends rights to different-sex couples as well? I am thinking about the long-term presentation. One party should not take all the flak.

The Equal Opportunities Committee is making the matter public. I do not know whether we could hold a press conference—I raised that issue at the away day—but we should do so, and every member who is in favour of this type of equality should attend. I think that most committee members are in favour of it, although we have not discussed the matter yet. I am wondering how we can use the Parliament. Does the debate always break down along Executive lines? Can we progress legislation in that way, or will we just back off again?

11:45

Marlyn Glen: I agree with your suggestion, convener. We can at least write to the minister. That would be really helpful. Elaine Smith and

Margaret Smith have talked about the definition of family units. If we are concerned with ensuring equal opportunities for children in all different family units, we must be careful about the way in which we word things. The minister's statement certainly is not careful.

Elaine Smith: Would we be able to invite the minister and Patrick Harvie to explore these issues with us?

The Convener: I am going to ask the committee who it wants to invite along. We are going to take evidence, and that evidence will influence the way in which we take the matter forward. Frances Curran's point is valid. If the committee decides that its view is different from the Executive's, that is what we will say after we have taken evidence.

Let us deal with the press release first. Are members happy that the matter has been aired this morning, or does the committee want to send a letter to the minister, expressing its concerns about the change to the definition of a family unit?

Elaine Smith: If you do not mind, convener, I would like the committee's letter to refer back to the previous definition of a family unit and ask why it was changed after it had been agreed.

Mrs Milne: I go along with the views that have been expressed so far. However, there is a difficulty from the Conservative viewpoint with regard to heterosexual partnerships, as we feel that marriage is the underpinning factor in those partnerships. I fail to see that there is a great deal of difference between going to a registrar to be married and going to a register to engage in a civil partnership. With regard to same-sex couples, I am happy with what has been said.

Shiona Baird: I am concerned that the letter to the convener was headed

"CIVIL PARTNERSHIP REGISTRATION FOR SAME-SEX COUPLES".

That implies the minister's narrowing view of what we are looking at. It is a much wider issue. I am concerned that the subject is being limited by the way in which the minister is approaching it and that that is colouring her whole attitude towards it.

The Convener: What we have in front of us is the Executive's proposal under the proposed family law bill, which we will want to come before us. That bill will cover mixed-sex partnerships and so on. We have an opportunity now to decide whom we want to take evidence from to try to get a balanced view to inform our discussion and our input into the Executive's consultation process. Can we go down that line now?

The clerk says that two evidence sessions plus a meeting with the minister will probably allow us to do what we need to do. I hope that members

will agree that we will probably have to meet every Tuesday in November to ensure that we can take that evidence in time to feed into the Executive's consultation. It would be remiss of the committee just to say, "Sorry, we've no time." It is an important issue. I invite suggestions as to whom we invite to give evidence.

Elaine Smith: I do not have its details with me, but I wonder whether the clerks might approach the Glasgow Women's Library, which now has partnership status. It has some quite good information. For example, it has a young person's peer support group, which it might be interesting to hear about.

Mrs Margaret Smith: Without wishing to go through the usual suspects, I think it that would be helpful to hear from representatives of the Equality Network. They might wish to come along together with Outright Scotland, although the community can, of course, make its own decisions. I know that, more than the Equality Network, which deals more with the Scottish Parliament, Stonewall tends to handle the Westminster end of things. However, given the complexity and cross-cutting nature of the issue, it would be useful for us to hear from Stonewall, too.

We should ensure that, even if the people from whom we take evidence do not represent a rural area, they should try to take the rural dimension into account in an overarching way. What they say should come from the perspective of the whole of Scotland. There might not be a specific difference between urban and rural Scotland in this case, but it would still be useful if we could encourage that approach.

There might be an alternative view from the churches and other organisations. Would it be our normal practice to put out a notice calling for input or written evidence from organisations?

The Convener: Yes.

Mrs Margaret Smith: If the clerks receive a good piece of written evidence, we could decide to take oral evidence from the people who had sent it as well as from those whom we invite at the outset to appear as witnesses.

The Convener: Yes. This morning we can identify people from whom we wish to take evidence, and a note can go out to organisations on an extensive mailing list to say that we are seeking written evidence. That gives us an opportunity to gauge what people are saying about the proposals. There may be pieces of written evidence that encourage us to hear a bit more from particular organisations.

Mrs Margaret Smith: We need to consider the legal aspects. I am not sure which other committees are to examine the proposals, but

there are issues of family law to consider, and I wonder whether we might need representatives from the Law Society of Scotland to come along and present their perspective.

The Convener: Yes—we can look into that possibility. That makes sense.

Marilyn Livingstone: I think that we should take evidence from as wide a range of organisations as possible. The churches are important in that regard. I was speaking to representatives of Couple Counselling Scotland about issues of family law recently, and it has concerns about the impact of the proposals on family law. Such organisations might provide a valuable input.

The Convener: We will include faith organisations, Couple Counselling Scotland, equality groups and Stonewall.

Mrs Milne: I am not sure where we stand in relation to issues that are not devolved, such as pensions. Are we allowed to hear how the proposals might impact on them?

The Convener: Our remit is to examine the equality issues, and pensions do not necessarily come under our remit.

Frances Curran: This is why there should be an Executive bill on the matter. The committee is to take a lot of evidence on a big issue, but just for a member's bill. However, we cannot help that.

The Convener: We are taking evidence in relation to an Executive Sewel motion and the relevant proposals.

Frances Curran: But the subject is so vast—to deal with it under a Sewel motion is just madness.

The Convener: I just wanted to make it clear that we are not taking evidence for the purposes of the member's bill.

Frances Curran: Okay—I am sorry. I was referring to the issues surrounding the member's bill and wanted to highlight the organisations that deal with the issue day in, day out, and which handle appeals to the Department for Work and Pensions on pension rights, for example. People also contact citizens advice bureaux, law centres and other organisations that have to deal with the legal mess that arises from couples' not having any legal rights.

The Convener: Does that include voluntary organisations?

Frances Curran: I am not sure which, but such organisations are involved.

The Convener: We have a fairly extensive list there. I ask the clerks to draft an approach paper, dealing with how we can take this work forward. I ask that we agree that paper by correspondence,

given the short time scale before our meetings in November. We need to know when the Scottish Executive's consultation document will be published and the time scale to which the Executive is working.

Jim Johnston: We do not know the exact time scale as yet. We are taking the matter up with Executive officials, and we are content that the committee should have enough time to take evidence and respond to the consultation.

The Convener: I remind members to make a note in their diaries about Tuesday mornings in November.

It is important that we consult on the proposals. In response to Margaret Smith's query, we do not know at this stage whether any other committee plans to work on the matter, but we need in any case to continue with our work, which I think is the right decision.

I thank everyone for their contributions.

Meeting closed at 11:55.

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