

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 13 December 2005

Session 2

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2005.

Applications for reproduction should be made in writing to the Licensing Division,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by Astron.

CONTENTS

Tuesday 13 December 2005

Col.

SUBORDINATE LEGISLATION	1241
Scotland Act 1998 (Modifications of Schedule 5) Order 2006 (draft)	1241
RACE EQUALITY	1246
AGE	1263
DISABILITY INQUIRY	1265

EQUAL OPPORTUNITIES COMMITTEE

18th Meeting 2005, Session 2

CONVENER

*Cathy Peattie (Falkirk East) (Lab)

DEPUTY CONVENER

*Nora Radcliffe (Gordon) (LD)

COMMITTEE MEMBERS

*Frances Curran (West of Scotland) (SSP)

*Marlyn Glen (North East Scotland) (Lab)

*Marilyn Livingstone (Kirkcaldy) (Lab)

*Mr Jamie McGrigor (Highlands and Islands) (Con)

*Elaine Smith (Coatbridge and Chryston) (Lab)

*John Swinburne (Central Scotland) (SSCUP)

*Ms Sandra White (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Bill Aitken (Glasgow) (Con)

Jackie Baillie (Dumbarton) (Lab)

Ms Rosemary Byrne (South of Scotland) (SSP)

Linda Fabiani (Central Scotland) (SNP)

Patrick Harvie (Glasgow) (Green)

*attended

THE FOLLOWING ALSO ATTENDED:

Mr Stewart Maxwell (West of Scotland) (SNP)

THE FOLLOWING GAVE EVIDENCE:

Fiona Campbell (Scottish Executive Development Department)

Malcolm Chisholm (Minister for Communities)

Michael Evans (Dundee City Council)

Tanya Gilchrist (Capability Scotland)

Catherine Graham (Scottish Union of Supported Employment)

Peter Harper (Remploy Limited)

George McNally (North Lanarkshire Council)

Tom Millar (Reed in Partnership)

John Reid (Jobcentre Plus)

Yvonne Strachan (Scottish Executive Development Department)

John Sutherland (Leonard Cheshire Scotland)

Richard Wilkinson (Hansel Alliance)

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Zoé Tough

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 6

Scottish Parliament

Equal Opportunities Committee

Tuesday 13 December 2005

[THE CONVENER *opened the meeting at 09:33*]

Subordinate Legislation

Scotland Act 1998 (Modifications of Schedule 5) Order 2006 (draft)

The Convener (Cathy Peattie): Good morning. I welcome members to the 18th meeting in 2005 of the Equal Opportunities Committee. Mobile phones should be turned off. We have received no apologies this morning.

The first item on the agenda is consideration of the draft Scotland Act 1998 (Modifications of Schedule 5) Order 2006. I welcome the Minister for Communities, Malcolm Chisholm, and Yvonne Strachan and Fiona Campbell from the Scottish Executive equality unit. Members will be aware that this draft statutory instrument is subject to the affirmative procedure, so the minister is required under rule 10.6.2 of standing orders to propose by motion that the draft order be approved. Copies of the draft order have been circulated to members. I invite the minister to speak briefly on the SI, but he should not move it yet.

The Minister for Communities (Malcolm Chisholm): Committee members will be aware that orders that are made under section 32 of the Scotland Act 1998 may amend the list of matters that are set out in schedule 5 to the 1998 act that are reserved to the Westminster Parliament. The draft order would not amend the list of reserved matters; its only purpose is to add the new commission for equality and human rights, which will be created by the United Kingdom Equality Bill, to the list of reserved bodies that is given in part III of schedule 5 to the Scotland Act 1998.

To have effect, such orders need to be debated and approved by the Scottish Parliament and the Westminster Parliament. On this occasion, we are having our debate first, but it is likely that the draft order will be debated in the House of Lords and the House of Commons in a few weeks. All being well, the aim is that the draft order be approved and then made at the Privy Council at the turn of the year.

I move that the Equal Opportunities Committee recommend—but you do not want me to do that yet.

The Convener: No, we do not want you to move the motion yet.

I welcome Stewart Maxwell. Do members have questions for the minister?

Ms Sandra White (Glasgow) (SNP): I have some concerns about the Equality Bill, which I raised in the parliamentary debate. They include the provision that UK rather than Scottish ministers are to make appointments to the proposed new commission. That is one of my concerns, although it is not relevant to the draft order.

Paragraph 8 of the original Executive note on the draft order, under the heading “Legislative background”, states:

“Amending the reservation by adding paragraph 3(2)(d) of Part III to Schedule 5 by means of the draft Order will ensure that it accords with current policy by ensuring that only the UK Parliament can legislate to change the way the body operates, or confer or remove functions of the CEHR.

If the CEHR was not a reserved body a number of functions of the CEHR (both in human rights and equality areas) could come within the Scottish Parliament’s power to legislate.”

I would like clarification of that.

Malcolm Chisholm: The CEHR will be a reserved body. It is obvious that Sandra White does not approve of that, but it is in accordance with the Scotland Act 1998; therefore, we do not have the freedom to legislate on such matters. However, we have wide powers and responsibility outwith legislation.

The last sentence of paragraph 8 in the original Executive note might have given a false impression, which is why it was changed. There has been no change in policy; we have just made sure that the precise nature of the Scotland Act 1998 is reflected in the note to which Sandra White referred.

Ms White: I take on board what the minister said because the Scottish Parliament approved the Equality Bill, although some members abstained or voted against the motion. If the draft order were not approved, could the Scottish Parliament legislate on the human rights of asylum seekers and on rendition flights?

Malcolm Chisholm: We can safely assume that that would not be the consequence of the draft order not being approved. You could vote against the motion to approve the draft order, but we cannot devolve reserved matters using that method. A change to the Scotland Act 1998 would be required to do that.

Mr Stewart Maxwell (West of Scotland) (SNP): I follow up on that point and ask for clarification. The Executive note states:

"If the CEHR was not a reserved body a number of functions of the CEHR (both in human rights and equality areas) could come within the Scottish Parliament's power to legislate."

Did I hear you right when you said that that Executive note is false?

Malcolm Chisholm: The original note might have given a wrong impression because it was not worded in the most accurate way. That is why it was changed.

Mr Maxwell: So the Executive note is incorrect?

Malcolm Chisholm: It has been corrected. It was not intended to be incorrect, but it gave a misleading impression. This is an argument about nothing; we cannot change the Scotland Act 1998 through an Executive note. Irrespective of what members think, our underlying starting point has to be the Scotland Act 1998, rather than an Executive note. We cannot suddenly assume legislative powers through an Executive note. If the note gave that impression, it was certainly misleading.

Mr Maxwell: I absolutely accept that we cannot use the draft order to take away a reserved power from Westminster and that is not what I suggest. However, I have checked with the clerks to the Subordinate Legislation Committee what exactly the original Executive note meant and what the effect would be if the SI were voted down by Parliament. The explanation that I have received is that power over the promotion of equality and human rights would pass to this Parliament if the SI were not approved.

Malcolm Chisholm: We already have that power, so that is not an issue.

Mr Maxwell: The clerks' view was that if we did not approve the SI, additional powers would be transferred to this Parliament.

Malcolm Chisholm: That is not the case, because we already have the power to promote equal opportunities, which we do vigorously all the time.

Mr Maxwell: It seems strange that the Executive note is so incorrect.

Malcolm Chisholm: I did not write the Executive note; I do not know whether anyone else can help us out.

Yvonne Strachan (Scottish Executive Development Department): I cannot help other than to say that the note was changed to clarify a comment that was, or might have been, misleading. The minister has made it fairly clear that the intention behind the Executive note was not what the original note conveyed, so it was important to change it. However, that changes nothing about the substance of the proposition or

its context. That is why the note was changed; the intention behind the draft order was never anything other than the original intention, despite what appeared in the note.

Ms White: I accept that the minister did not write the note about the draft order and the legislative powers, but the fact is that the note was provided with that wording, which was obviously flawed. The replacement note gave no explanation for the change—it was just another note with some text removed. The draft order is flawed. The committee should have had an explanation for the change.

The Convener: Another Executive note was provided because the original note was confusing. However, I understand that that does not affect the draft order.

Ms White: I take that on board, but we were not told that the first Executive note was flawed or wrong. That is unacceptable because the SI is flawed.

The Convener: The draft order is not flawed; the Executive note was flawed.

Ms White: The Executive note was flawed, but we were then given another note that did not explain why the Executive note had been changed.

Mr Maxwell: I had not seen the amended Executive note. Perhaps the officials can explain why the subsequent Executive note was issued. The Subordinate Legislation Committee examined the original SI with the original Executive note and took decisions on that basis. The only reason that was given for reissuing the draft order—I presume that the subsequent version is what is in front of us—was to change the date by which it had to be approved or refused. I am not aware that any change to the Executive note was mentioned.

Malcolm Chisholm: If that change was not mentioned, that is unfortunate. I understand your concern; the change should have been more explicit. However, I am concerned with the substance of the issue. I totally understand the point that Sandra White and Stewart Maxwell make, but the fact is that equality is reserved—that is explicit in the Scotland Act 1998, with the qualifications about promotion and so on. If the CEHR were not added to the list of reserved bodies, that would not make equality a devolved issue.

There is no issue about the substance of the draft order, but I accept fully that it was very unsatisfactory that substitution of the original Executive note's wording was not flagged up to members. I apologise for that, although I was not aware of that until I prepared for this meeting last night—the matter did not cross my desk. The officials who are here are in the same position, so

I assume—I will correct this if I am wrong—that the legal people dealt with matters without reference to me or to the officials.

Ms White: I accept that, but the situation must be examined. We were given wrong information and an Executive note with no information about why it had been changed. We must ensure that that does not happen to us or any other committee again.

The Convener: I am sorry—I am not clear about what you want to do.

Ms White: I want it noted that the Executive note that we were given was unsatisfactory.

The Convener: We will ensure that the Subordinate Legislation Committee receives a copy of this meeting's *Official Report*.

Mr Maxwell: I am a member of the Subordinate Legislation Committee.

The Convener: I understand that.

Mr Maxwell: The original draft order was sent to us, then the draft order was reissued. The only explanation for the second draft order related to a change in the date by which it had to be approved. As far as I am aware, no mention was made of a change in the Executive note. Subordinate Legislation Committee members did not necessarily examine the draft order in detail because the note did not refer to a change, so the committee did not discuss the matter.

The Convener: We will pass the information back to the Subordinate Legislation Committee.

Motion moved,

That the Equal Opportunities Committee recommends that the draft Scotland Act 1998 (Modifications of Schedule 5) Order 2006 be approved.—[*Malcolm Chisholm.*]

Motion agreed to.

Race Equality

09:45

The Convener: Agenda item 2 is the Executive's race equality review, for which the minister will stay with us to answer questions. I invite him to give an introduction.

Malcolm Chisholm: I am pleased to have the opportunity to provide the committee with information on our review of race equality work in Scotland and our recommendations for the way forward. Between June 2004 and February 2005, the Scottish Executive conducted a wide review of race equality work to determine the best approach that would deliver tangible improvements in the lives of Scotland's diverse communities, while ensuring that resources were maximised and directed to best effect. It was important to take account of the changing landscape in which our work was being undertaken, and to put in place measures to ensure a more effective response.

The Executive has considered the issues that arose and the views that were expressed during the review process, and has proposed a framework for action that will ensure lasting and effective change, and ultimately the delivery of race equality. The committee has seen the details of our proposals, so I will give only a quick overview.

By proposing the framework for action, we aim to eliminate racial inequality and disadvantage; to combat racism and racist crime; to drive up public sector performance on race equality by improving access to and benefit from public services; to foster integration and promote dialogue and understanding between communities; to develop awareness and the capacity of both majority and minority communities to engage with the agenda in order to tackle racism and promote race equality; to develop the minority ethnic voluntary sector's organisational capacity; and to promote closer working with mainstream services.

A national strategy and action plan will be developed and will be published in June 2006. It will be informed by the review findings, by further dialogue with stakeholders and by the work of four strategic groups on four subjects that were flagged up as requiring further work. Yesterday, I chaired the first meeting of the reconvened Scottish refugee integration forum, which will come up with a revised action plan. Johann Lamont chairs a group on Gypsies/Travellers, which has already met twice. I will also attend meetings of a group that is examining labour market issues in relation to race equality, and a fourth group will consider race equality in rural areas.

The Executive wishes to influence opinion and activity on race equality at different levels of society, and to encourage public leadership, promote more joined-up working and engage directly with communities to hear what they have to say. The Executive intends to do that in several ways. First, it will establish a high-level public sector group on equality, including race equality, which will consider implementation of the equality public duties and the equality legislative requirements. We will also establish a national coalition on race equality, which will comprise key stakeholder organisations and which I will chair. It will provide a forum for discussion and input on development and implementation of the strategy and action plan.

In collaboration with the Commission for Racial Equality, we will develop a federation of race equality councils and race equality partnerships to build the links between minority ethnic communities and other equality strands and to engage with community planning partnerships. We will hold a series of meetings with minority ethnic communities and organisations throughout Scotland. I have already been involved in several such meetings. Straight after this meeting, I will go up to Inverness for two meetings with people from various ethnic minority communities—one with young people and one with people of all ages.

On public sector support, we will—through Communities Scotland—provide resources to support community planning partnerships in their equality work and we will provide resources to the local government Improvement Service to focus on race equality. We shall also fund a short-life project with the national resource centre for ethnic minority health to develop a good-practice model for effective health board consultation of minority ethnic communities. We shall also support the work of the specialist ethnic minority voluntary sector in its twofold role of providing direct services to minority ethnic communities and of working to challenge racism and encourage embedding of race equality into mainstream services.

In particular, we believe that there is a need to provide specific support to achieve change. To enable that, we are creating a £2 million race equality integration and community support fund, which will run from April 2006 for two years. The fund will help to develop work on race equality and will support projects that encourage community integration, enable greater engagement with mainstream services and tackle racism. The new fund will be operational from April 2006 and application forms and guidance are now available. In addition, the Executive will spend a further £2.3 million in the next two years on race equality to cover current commitments, new development work with the community and the voluntary sector

and work to support the delivery of race equality across the public sector. The Executive has also allocated £2.4 million to support the integration of refugees and asylum seekers.

The Executive has a duty to show leadership to the public, private and voluntary sectors in tackling the damaging impact that prejudice and discrimination can have in the workplace, in schools, in public services and on our streets. However, this is not just an issue for Government and public bodies; it is an issue for everyone. Our approach will therefore be to work in partnership on a range of issues to secure improvement and change. We will continue to emphasise that the agenda is about not only minority ethnic communities but all communities. It is also an evolving agenda, so we will build flexibility and review into all that we do.

The Convener: The committee notes the wide range of consultation methods that were used as part of the review of race equality work in Scotland. Is the Executive satisfied that the consultation got past the usual suspects—the gatekeepers, as it were—and was totally representative of all communities?

Malcolm Chisholm: I do not think that such processes are ever perfect, but we can say that the process was thorough. It involved many different people and various methods were used to reach out to the people who are most affected by the issue. In the first instance, there was a written consultation, 19 stakeholder meetings and eight open regional seminars which were organised by Black and Ethnic Minority Infrastructure in Scotland and were aimed primarily at minority ethnic organisations. In addition, three round-table meetings were arranged by the Scottish Executive, a mapping study of minority ethnic voluntary organisations was conducted, health sector comments were received from the national resource centre for ethnic minority health and an advisory group involving leading figures from the Commission for Racial Equality and the Scottish Refugee Council was convened to consider the evidence.

The Convener: How did the review engage with people whose first language is not English? For example, were the materials translated and interpreters provided as part of the consultation?

Malcolm Chisholm: I should have said that a great deal of the activity that I outlined took place in the weeks before I became Minister for Communities. Yvonne Strachan might be in a better position to answer your question.

Yvonne Strachan: The external meetings were organised through BEMIS, which reflected the particular needs of the various communities. Most of the people who attended the meetings that we

attended were able to converse in English in the discussions. However, we recognise that the engagement that BEMIS and the local networks had with their members and others might have been conducted in other languages. We would not necessarily have known that.

Much of the discussion was around a small number of questions, so we did not produce a large amount of material. It was not a consultation exercise based around a set of papers but an open discussion about the direction that should be taken. Therefore, there was no need for translation. However, the consultation summary and the review documents are all offered in other languages or alternative formats, if that is required.

Nora Radcliffe (Gordon) (LD): Could you clarify what you mean when you say that they were “offered in other languages”?

Yvonne Strachan: In the Executive, the standard practice is that, at the back of a document, we will have text in various languages to publicise the fact that the document is available in those languages; members can see an example at the back of the consultation summary. If we receive such requests, we translate documents as appropriate.

Marilyn Livingstone (Kirkcaldy) (Lab): The committee notes that the Executive hopes to publish the national strategy and action plan in June next year, and welcomes the setting up of the four strategic groups. Can you take the committee through how the strategy will be developed?

Malcolm Chisholm: The three elements that I flagged up were the work of the specific groups, further involvement with stakeholders—though the coalition that I am chairing and through smaller meetings with specific stakeholders—and the findings of the review. Obviously, a lot of findings have come out of the meetings and engagement that we have described already. Those three basic elements will be developed in the next six months. Obviously, there will be a continuing process; the coalition will have a continuing role in implementation of the strategy and any required developments. In the next six months, the work will be developed through engagement with stakeholders, with the coalition and with the four groups, which will come up with action plans based on the substantial findings from the work of the past year and a half.

Marilyn Livingstone: Are you comfortable that, through the coalition, as many people as possible will be able to participate during the development of the national strategy and action plan?

Malcolm Chisholm: We have not finalised membership of the coalition, but that issue will be

a consideration, as it was yesterday when I reconvened the Scottish refugee integration forum. There will always be suggestions that other people should be on the group. Certainly, we agreed that the coalition should include a representative of refugee communities. Obviously, there will be some disputes—there always are when groups are formed—but we want to make the coalition as representative as we can without making it so big that it cannot effectively perform its function. As I said, we have not finalised its membership but we want to do that pretty soon so that we can have the first meeting in January or thereabout.

Marilyn Livingstone: The summary and discussion of evidence that was published in January proposes 16 action points. Have all those points been accommodated in the framework for action that was published in November?

Malcolm Chisholm: In general terms, yes. I was careful to check the conclusions that we made and how they relate to the recommendations that came from the review. I am sure that members will be able to find areas in which there is not total alignment, but I am generally satisfied that the conclusions of the review are reflected in our recommendations.

Marilyn Livingstone: I am particularly interested in the development of local strategies and a review of the funding of race equality work.

Malcolm Chisholm: We place strong emphasis on development of local partnerships, which will be responsible for development and implementation of local strategies. We think that race equality councils, where they exist, will have a key role in relation to local partnerships. Earlier, I said that we want those partnerships to come together in collaboration with the CRE. We think that we have a strong emphasis on work at local level.

Funding is always a more difficult issue; we do not have unlimited resources to put into this area, and certainly not as much as we would like. We have managed to increase the money that is available within this spending review period, which is always difficult to do. As you know, the money that is available is all set out until 2008, but we have managed to expand the budget to some extent.

10:00

That said, the opportunity to increase funding is obviously limited. We are not forgetting the recommendations on funding. We will ensure that race equality issues are given particular attention by the new funders forum, which is to be chaired by Dharmendra Kanani of the Big Lottery Fund. Race equality funding issues will be considered

within that context, but there is no specific funders forum for race equality work.

Elaine Smith (Coatbridge and Chryston) (Lab): I have a question on one of the four short-life working groups—the group that will look at asylum seekers and refugees. I understand that the groups are being set up because more dedicated work and action are needed across the fields that they cover. Events of recent years seem to have caused an increase in discrimination against and negative attitudes to asylum seekers in particular. The problems have been fuelled by media coverage and by the view that asylum seekers do not work—people do not understand that they are not allowed to work. For example, people call asylum seekers scroungers and say that they are taking their houses. I certainly hear that in my own community. What is the remit of the working group and what does it hope to achieve?

Malcolm Chisholm: A comprehensive action plan is already in place. It was devised by the Scottish refugee integration forum when it first met two or three years ago. That is the starting point.

We are doing two things: we are looking at existing actions to see how effectively they have been implemented and whether or where modifications, developments or new action points require to be established. That is quite a big piece of work. As I said, the reconvened forum had its first meeting yesterday. We will have various sub-groups that will look at housing, health and justice, including issues around access to justice. A further group will look at employment issues, although we are relating our work in that area to that of an existing group—the new roots Scotland group.

Certainly, the issue of positive images was a feature of the original action plan and we will look at it again to see whether any revisions to that section of the plan are required. As Elaine Smith said, some views are based on ignorance. One of the issues that were raised at yesterday's meeting of the forum was that of the changes in Westminster legislation on the employment of asylum seekers.

The issue will be raised at meetings of the working group. Its members will have concerns about specific pieces of legislation for which the Scottish Executive does not have responsibility. If they think that legislation is having an important effect on the treatment of asylum seekers and refugees, they will be perfectly free to express their view on the matter. Obviously, the focus of the action plan will be very much on the areas in which the Scottish Executive can take action.

Nora Radcliffe: The committee welcomes the commitment to establish a high-level public sector group on equality to look at the implementation of the public sector duties and equality legislative

requirements. Given that the review concentrated on race, and in light of the incoming commission for equality and human rights, how can we be reassured that all equality strands will have equal recognition in that group?

Malcolm Chisholm: In my opening statement, I flagged up the fact that the group would look at not only race equality but the implementation of all the equality public duties and equality legislative requirements. I think that I said that we would establish a high-level public sector group on equality, including race equality. We are mindful of the issue. Clearly, the race equality duty came first, but we know that the disability and gender duties are right there behind that duty in terms of the timescales, and that they are of equal importance in terms of implementation. We want to take the opportunity of looking at the issues together; we do not want to look at the race issue in isolation.

Nora Radcliffe: So, the remit of the group will include all equality strands.

Malcolm Chisholm: Yes.

Nora Radcliffe: On the ethnic status of Gypsy Travellers in Scotland, the committee notes the commitment that the Deputy Minister for Communities gave to highlight

“at ministerial level the fact that there are issues and that there appears to be a gap.”—[*Official Report, Equal Opportunities Committee*, 28 June 2005; c 1058.]

Will you update the committee on progress with that issue?

Malcolm Chisholm: I am very aware of the issue. Fiona Campbell is working with the group and she may want to come in on more detailed questions. Indeed, she may even want to correct me, as Johann Lamont is leading the work on this area.

Again, on the actual formal position of Gypsy Travellers in relation to the race equality legislation, the issue is reserved. However, in the work that the Executive is doing, we treat Gypsy Travellers as a minority ethnic group. For our purposes, Gypsy Travellers are therefore equal to all the other equality groups. Formally, however—I am aware that the committee has raised this issue on several occasions—Gypsy Travellers are not an ethnic group. The Executive cannot directly deal with the issue: as the committee knows, a court case is required to clarify the situation. I imagine that the problem could be changed by Westminster legislation, but that has not happened under the Equality Bill.

Nora Radcliffe: Could something come out of the group on further work on Gypsy Travellers by way of recommendations for, or consultation with, our Westminster colleagues?

Malcolm Chisholm: Ethnic status is one of the issues that the group agreed to address at its first meeting. Fiona Campbell can confirm whether the issue has been raised in the group's discussions yet.

Fiona Campbell (Scottish Executive Development Department): Not yet.

Nora Radcliffe: But it is on the agenda.

Malcolm Chisholm: Yes, it is.

Nora Radcliffe: That is good to hear.

The Convener: The issue is one about which the committee feels very strongly and we urge the Executive to continue to talk about it.

Malcolm Chisholm: Of course.

Marlyn Glen (North East Scotland) (Lab): The committee heard evidence from the Commission for Racial Equality on its report "An Independent Review into Policing and Race Relations in Scotland". Although the committee welcomes the work that the police have done so far, we agree with the CRE that more may require to be done. In what way is the Executive working with the police to improve race relations?

Malcolm Chisholm: The Executive is represented on the steering group that the CRE established to monitor progress on the implementation of the report's 73 recommendations. The findings of the report will play a part in every inspection that Her Majesty's inspectorate of constabulary conducts. I know that the Justice Department in general and Cathy Jamieson in particular are very keen that the recommendations should be implemented.

Marlyn Glen: So, the work is on-going.

Malcolm Chisholm: I understand that that is the case. As you will understand, I am not directly involved in that work. I am very interested in it, however, and I am determined to ensure that it is on-going.

Elaine Smith: The committee welcomes the Executive's intention to provide strategic direction and guidance to non-departmental public bodies. However, we also note with concern that the summary of the review mentions that

"the pace of change is slow."

Given that the public sector duty on race has been in force for a number of years, are you not concerned that public bodies have been slow in their reaction to a legislative requirement? Will the situation improve?

Malcolm Chisholm: We regret that the pace of change has been slower than we would have liked it to be. That said, it is right for me to acknowledge that some progress has been made. We came up

with specific proposals, some of which I mentioned in my opening statement, because the pace of change needs to be quicker. In my statement, I did not mention the strategic direction and guidance to NDPBs, where required, although I think that I mentioned community planning partnerships and the local government Improvement Service. We are taking specific actions as a result of the review in order to make further progress in the area.

Elaine Smith: Are you confident that the improvements will accelerate the pace of change?

Malcolm Chisholm: Certainly, that is the intention. The coalition on race equality, among other groups, will take an active interest in the progress that is made, as will the committee. Of course, there is also the work of the national resource centre for ethnic minority health, which has already made a significant contribution. As I said in my opening statement, we have a specific new action for it to take. Even where improvement has been made, we want to build on that to make further progress. An important strand of the review was for us to drive up performance in the public sector.

Elaine Smith: The committee notes the three posts that are being created in Communities Scotland and the local government Improvement Service. Will the remit of those posts encompass all the equality strands?

Malcolm Chisholm: The recommendation is that they should focus on race equality in the first instance. That is what has come out of the review.

Elaine Smith: You understand my reason for asking.

Malcolm Chisholm: Absolutely.

Elaine Smith: The public sector duties on disability and gender are imminent, and it seems that it would be better to be proactive and to promote equality across all the strands. Do I understand from what you are saying that that might be considered?

Malcolm Chisholm: That is a fair point. In relation to the high-level public sector group, we were going to focus on equality more generally. It is partly because of the recommendations of the review that we said that those posts would work on race equality. That is the position at present. However, we will give further thought to what you are saying about the way in which those posts are developed.

Elaine Smith: Thank you. I am sure that we will watch that with interest.

John Swinburne (Central Scotland) (SSCUP): The committee is encouraged that the Executive recognises the vital role that voluntary organisations play in promoting and facilitating

race equality in Scotland. The review states that the Executive will

"focus increasingly on both majority and minority communities, to develop a shared agenda across communities".

How will the Executive take that forward and build capacity in the minority ethnic voluntary sector?

Malcolm Chisholm: There are various ways in which we hope to do that, one of which is to give support to the infrastructure organisations that work with the voluntary sector. I have mentioned BEMIS, which works with minority ethnic voluntary organisations and which we will support. We will explore models for organisational capacity building more generally and will consider local models of good practice that could be rolled out to other areas. A project that was mentioned in the review in that regard was the Black Community Development Project in north Edinburgh, which I know well. We are aiming to learn lessons from it and to try to roll them out to other parts of Scotland.

As I said earlier, we will be supporting the work of the specialist ethnic minority voluntary sector not only in its role in direct service provision but in its work in challenging racism. Many organisations perform that role, and an important conclusion of the review is that we should support them. Over the past few months, before the review was concluded, I have said that supporting grass-roots voluntary sector organisations in their service provision and anti-racism work is fundamental in challenging racism.

John Swinburne: Cutting through the verbiage, how do you feel that your group is doing in relation to stamping out racial inequality in Scotland? Where are we on a scale of one to 10? Do we have a long way to go?

Malcolm Chisholm: We have a long way to go. The clear lesson in the aftermath of the London bombings was that there was a totally unacceptable level of racism in Scotland. Whatever the reason, that became more obvious. I am being told that all the time in my meetings with ethnic minority communities, such as the one that I will have in Inverness today. It came through strongly over the summer that people were being subjected to increased levels of racism and abuse. The effects are still being seen; the situation has got more difficult since the London bombings, although that is not to say that there were not problems before that.

10:15

The Convener: You mentioned the Black Community Development Project in Edinburgh. Are you aware that, if we are to build capacity in the black and ethnic minority communities, we will

need more black community development workers, of whom there are very few? When you are looking at building capacity in those communities, will you consider initiatives that can provide and support the training and development of community development workers in the black community?

Malcolm Chisholm: That is an important point. I am not sure whether there are specific initiatives on that. I ask Yvonne Strachan to say whether there are any.

Yvonne Strachan: Not specifically in the review, but as this is an on-going exercise, we could consider the issue.

The Convener: We need to flag that up, because if we are to build capacity we need to be able to support people to do that work on the ground. If the work is done by white, middle-class people, it will be difficult to build capacity at community level.

Elaine Smith: As the minister knows, the committee spent some time on the Prohibition of Female Genital Mutilation (Scotland) Bill. At the time, we took evidence from the Somali women's action group. The review talks about continuing

"to support work with host and asylum seeking/refugee communities to facilitate integration and build safe communities".

You have also announced several strands of funding. Would that funding be available to the Somali women's action group to help it with its work on FGM, understanding the law and so on? The group was finding it difficult to access any funding, and the committee said that it would try to look into that further.

Malcolm Chisholm: The group would be able to apply for the funding. The criteria for the fund have been drawn pretty broadly and I am sure that the group's work would be covered by them.

Mr Jamie McGrigor (Highlands and Islands) (Con): The review told us that

"Standards and tools for evaluation of race equality work should be developed."

The First Minister talked about a Scottish protocol for asylum seekers. Will the Scottish protocol be one of those tools?

Malcolm Chisholm: I do not see the connection between the first and second parts of your question.

Mr McGrigor: The first bit of my question is that the Executive review tells us that

"Standards and tools for evaluation of race equality work should be developed."

The First Minister has talked about a Scottish protocol. Will that be one of the standards?

Malcolm Chisholm: Standards and tools for evaluation are about ensuring that we evaluate the work that we do. That is important. For example, we have invited applications for the new Scottish refugee integration fund, and we are saying that we will use the recently formed indicators of integration as a way of evaluating the work of the projects that get funding. The first part of your statement was about tools and standards for evaluation, but there is a whole debate, which has been well-rehearsed in the Parliament, on the protocol or agreement, on which discussions are continuing. You are joining two separate issues together.

Mr McGrigor: Would you like to comment on the second part of my question?

Malcolm Chisholm: I have nothing to add to what was said in Parliament two weeks ago. That work is being led by Peter Peacock and the Education Department rather than by me. It is ongoing, and I am sure that a report will be given to Parliament as soon as the terms of the agreement have been finalised.

Marlyn Glen: The review notes that the Executive is still awaiting the outcome of research into the provision of translation and interpretation services. The committee has noted the Scottish Consumer Council report, "Is anybody listening? the user perspective on interpretation and translation services for minority ethnic communities". As translation and interpretation services are vital in ensuring equality in minority ethnic communities, will you undertake to consider the matter carefully as a fundamental building block of the national strategy and action plan? For instance, I was concerned that the people whom you were consulting could all communicate in English. Therefore, by definition, groups that could not communicate in English were excluded.

Language and access through language run through all four of the working groups that you have set up, and I am concerned that translation and interpretation services will fall between two stools, even though they are fundamental.

Malcolm Chisholm: I understand your concern, but translation and interpretation services will not fall between two stools. They were a significant feature of our discussions yesterday in the Scottish refugee integration forum. Action points on translation and interpretation have already been developed, and we undertook to revise them to ensure that they were fully comprehensive and to deal with any gaps.

More generally, it is unfortunate that the research has been delayed. However, its outcomes will be used to inform and guide specific action. In the meantime, translation and interpretation services are being taken on board

as a serious part of the refugee and asylum seeker work stream.

Nora Radcliffe: The things that you spoke about as being available in other languages are listed at the back of the review. Could they not have been put at the front? When people pick up a document, they do not normally go to the back page. How will people whose first language is not English know that documents are available in their own language? It would be better to have that information at the front of the document.

Malcolm Chisholm: That seems a good suggestion; we can reflect on it and will probably agree with you.

Ms White: I would like to ask about funding, as the issue came up in previous answers, particularly in connection with the Somali women's action group. You said that the Executive has established a new race equality, integration and community support fund of £2 million over two years. You also mentioned the funding criteria. What sort of projects will be funded? Who will benefit from the fund?

Malcolm Chisholm: Fortunately, I have found the criteria since Elaine Smith's question—I apologise for not having them earlier. They are: eliminating racial inequality and disadvantage; combating racism and racist crime; improving the provision of services and support to minority ethnic communities—that would probably cover the Somali women's action group, to which Elaine Smith referred; driving up public sector performance on race equality and improving access to and benefit from public services; fostering integration and promoting dialogue and understanding between communities; developing awareness and the capacity of both majority and minority communities to engage with that agenda in order to tackle racism and to promote race equality; and developing the organisational capacity of the minority ethnic voluntary sector and promoting closer working with mainstream services. I referred to the last point in my answer to John Swinburne's question.

Ms White: You say that the fund will be operational from April 2006, that bids can be made from November 2005 and that the fund will be available for two years. The fund will cover a large group of people.

Will all the organisations that you are dealing with at the moment be told exactly what the criteria are so that they can bid for funding?

Malcolm Chisholm: Organisations have already been told what the criteria are. Yvonne Strachan will be able to tell us when the application forms go out.

Yvonne Strachan: They went out today.

Malcolm Chisholm: That means that the organisations will know what the criteria are.

Ms White: You mentioned £2.3 million for current commitments to race equality work and £2.4 million to support the integration of refugees. Is that new money or is it money that has been allocated?

Malcolm Chisholm: Most of it has been allocated—as I said, and as you know, most of it is set for the spending review period. However, we managed to find a bit extra to put into the £2 million fund. Yvonne Strachan might be able to clarify the matter, but I think that most of the money is already in the budget to support BEMIS or campaigns such as show racism the red card.

Yvonne Strachan: The money had been allocated already for race equality. However, it was identified for areas of work outside the fund, such as on-going work to support organisations involved in the one Scotland, many cultures campaign and the one workplace equal rights campaign by the Scottish Trades Union Congress.

Ms White: Therefore, it is money that has already been announced.

Malcolm Chisholm: I was not trying to pretend that I was announcing lots of new money today. I think that I said that there was a bit of extra money for the £2 million fund. Budgets are more or less set for the spending review period, so we are talking about small amounts of extra money to boost the funds that we already had.

Ms White: So the money was already allocated; it is not—

Malcolm Chisholm: Not in total, but most of it was already allocated.

Ms White: Can you tell us exactly how much new money will go into the £2.3 million for current commitments to race equality work and into the £2.4 million to support the integration of refugees? You do not have to do that right now; the committee can get that information in writing.

Yvonne Strachan: Within the £2.3 million are the commitments that the minister and the Executive have already made. There is a little bit of flexibility—as there always is—in the developmental work that has been identified, including the promotion of work in the public sector. Such issues are outside the fund, but they need to be delivered around the race review, and that work is taken account of in the £2.3 million.

Part of the £2.4 million that is allocated for Scottish refugee integration work will be money that will be available for the fund, for which people can apply. Their bids will be considered. Part of the money is used to support the Scottish Refugee

Council and to support direct projects for communities.

Ms White: Can we get a breakdown of where the money will go?

Malcolm Chisholm: Yes. We will give you more detailed information about which organisations the money will go to.

Ms White: That would be interesting. How can the Executive ensure that the money is spent appropriately? Are there built-in mechanisms for reviewing the race equality impact of the funding? Has an audit been set up or a group established to consider that?

Malcolm Chisholm: All the different projects have to be evaluated—we will use the new indicators for integration in the refugee integration fund, for example. The issue came up yesterday at the Scottish refugee integration forum and most people agreed that we want more effective evaluation so that we learn about what works best. People have signed up to that already.

As part of their receipt of funding, all voluntary organisations have to do an evaluation, so a start has been made on the work of evaluating the impact of the fund. However, we recognise the need to do that more effectively. As part of spreading good practice, we want to know what best practice is.

Ms White: You mentioned the criteria that organisations must fulfil to qualify for funding, and there is also the compact between the Executive and workers in the voluntary sector. If an organisation that has been up and running bids for funds but does not meet the criteria—whether new or established—will it be given a written statement telling it why funding was refused? I ask that because there is a concern that the funding for Positive Action in Housing is being queried by a Westminster member of Parliament. I would like clarification on that. I hope that Positive Action in Housing is not prevented from getting funding, but if it or other voluntary organisations are prevented from getting funding, will the Executive give them an explanation?

Malcolm Chisholm: An explanation would be given to any group whose bid for funding was unsuccessful. The criteria are not so narrowly drawn that groups such as those that you support would be excluded. Since you have mentioned Positive Action in Housing, I might as well say that it very much fits the criteria that I described when I said that I value the ethnic minority voluntary sector for how it delivers services to communities and for how it is engaged in challenging racism. Positive Action in Housing is a very good example.

I will reply soon to the letter that Tom Harris wrote to me to tell him that I certainly do not agree

with his views. On the compact with the voluntary sector, I have repeatedly emphasised in speeches about the voluntary sector that we value its independence. It would be intolerable if we gave funding only to organisations with whose views we completely agree.

The Convener: We echo that sentiment.

Nora Radcliffe: Has the Executive given any thought to whether it can allocate long-term funding to particularly effective projects that come out of the £2 million fund over the two years?

Malcolm Chisholm: That is a problem with spending review periods. On the strategic review of funding for the voluntary sector, we are clear that funding should be over three years, but it is difficult to get beyond the two-year period because of the spending review constraints. However, I understand people's concerns and am keen to see how we could deal with that issue.

10:30

Mr McGrigor: Is the £2.4 million to support the integration of refugees also part of the 2006 to 2008 programme?

Malcolm Chisholm: Yes. We will send a detailed breakdown, as we undertook to do for Sandra White.

Mr McGrigor: It is the only allocation that is not dated, that is all.

Malcolm Chisholm: There is some new money in the £2 million fund, but the other budgets are basically already running. We have just invited bids for the next round of Scottish refugee integration forum funding, but we did not announce that unexpectedly; it was in the pipeline. The substantial sums of money for the Scottish Refugee Council are, again, not new, and I am not pretending that they are.

We will give the committee a detailed breakdown. As I said, such new money as we have been able to find is in the £2 million funding for individual projects.

Frances Curran (West of Scotland) (SSP): I will ask a more general question. Driving up race equality in Scotland is extremely important, but it is a moving picture—Scotland is changing and big cities such as Glasgow are changing—and all policy is developed within the prevailing political climate. Asylum is a reserved matter, but the Scottish Executive must have a view on the impact of the media and of the prevailing view. You said that you were at a Scottish refugee integration forum meeting yesterday. What is the view on the impact of the media and of the policy on race relations and race equality in Scotland?

Malcolm Chisholm: We recognise the media's role. It is recognised explicitly in the Scottish refugee integration forum action plan, which was formed two or three years ago and contains a section about the media's role. We need to examine that. The climate—everything that is happening throughout the United Kingdom and in the media—is relevant to views on race relations in Scotland, so we must acknowledge that wider picture and influence it as far as we can. However, it is difficult to have direct influence on the media, so sometimes we have to counter and challenge its influence. We also try to use the media in our own way through our one Scotland, many cultures media campaign.

Frances Curran: Is the existing policy helpful or unhelpful to race relations?

Malcolm Chisholm: What existing policy are we talking about?

Frances Curran: I mean the existing policy on asylum and immigration. Is it helpful or unhelpful to race relations in Scotland?

Malcolm Chisholm: There are two issues: the details and substance of policy; and the way in which the media—and, indeed, politicians sometimes—describe asylum seekers. Those are two different matters and the second is easier to deal with. We can certainly deprecate the way in which the media and some politicians describe asylum seekers, but, on policy, we would have to go through the raft of different policies and refer to certain policies and actions that we think have a negative impact. Elaine Smith has already mentioned the employment of asylum seekers and the way in which the fact that they cannot work has an impact on attitudes towards them, although some of that could perhaps be dealt with by clarifying and explaining the situation to people.

Specific policies affect asylum seekers fundamentally—destitution of asylum seekers came up in the Scottish refugee integration forum yesterday—but also affect others' attitudes. However, the picture is complex, because people react in different ways and have widely differing views about asylum seekers in general.

The Convener: Thank you very much for your answers to our questions, minister. The committee would like to monitor work on the race equality review and be kept up to date on progress. Perhaps, at a future date, we can discuss the issue again.

Age

10:34

The Convener: Item 3 is the taking stock exercise on age. Do members have any comments on the approach paper that has been circulated?

Ms White: I thank Zoé Tough, who is one of the committee clerks, for working with me on the paper. It covers all the areas on which we need to take stock. I know that John Swinburne has some questions, but we should remember that we are dealing not only with older or elderly people but with how age affects the employment and lives of people of all ages. I am happy to take any questions.

John Swinburne: On page 9 of the excellent Scottish Parliament information centre briefing paper, there is a statement that epitomises the misplaced approach of all Governments, past and present. The section on poverty gives the impression that there is no serious problem because

"Pensioners are now no more likely to be living in ... poverty than non-pensioners."

We live in the fourth-richest economy in the world and if anyone is living in poverty in our society, we should be thoroughly ashamed of the fact. We are not in the middle ages; this is the 21st century and, just because there are others in society who are as poor as pensioners, it does not mean that poverty for pensioners is acceptable. No one should be living in poverty in the 21st century.

The Convener: The paper highlights some recommendations on how we proceed with the work, including recommending that we make a call for general evidence and that a reporter make visits. That all provides the committee with an opportunity to consider in more detail the issues surrounding age.

Elaine Smith: It is important to pick up Sandra White's point that the paper is not solely about older people; young people might have something particular to contribute. For instance, yesterday, the young people at a local school that I visited raised the issue of curfews and expressed their feeling that it was an unfair approach to antisocial behaviour. Under our call for evidence, could we write to Scotland's commissioner for children and young people and young people's organisations such as the Scottish Youth Parliament?

The Convener: Yes, we will ensure that that happens. Likewise, if members feel that other organisations should be asked to give evidence, they should flag those up.

John Swinburne: Malcolm Chisholm is chairing a group that is relevant to the topic, but it consists of bodies that are funded by the Executive. How can we get a fair and impartial viewpoint from groups whose existence depends on Executive funding?

The Convener: That is an Executive exercise, but we have an opportunity for a committee of the Parliament to take stock on age. It is our opportunity to ensure that those who give us evidence are independent, and we look forward to involving a broad spectrum of witnesses. Earlier, we asked about key stakeholders; the issue is how we get to them.

Ms White: I agree with John Swinburne's comments, but I am looking forward to taking evidence. Those in the older generation and others whom I meet as convener of the cross-party group on older people, age and aging are not shy about coming forward on issues that concern them and I am sure that we will get an independent view from such people. Regardless of whether the minister has set up an advisory group, the committee will be brave enough to question anything that the Executive says. I know that the committee will do that, as I have seen it happen before.

The exercise will be good. We all look forward to it. We will ask some honest and eye-opening questions and, I hope, get some answers to them as well. If John Swinburne wants to raise anything with me in the committee or privately, I am more than happy to meet him.

The Convener: Are committee members content with the approach that is recommended in the paper?

Members indicated agreement.

The Convener: Are committee members happy with the timescale that is proposed in the paper?

Members indicated agreement.

The Convener: That is grand. We will now take a 10-minute break to prepare for our next evidence-taking session.

10:39

Meeting suspended.

10:50

On resuming—

Disability Inquiry

The Convener: Item 4 is the second formal evidence-taking session in the committee's disability inquiry. I warmly welcome this morning's witnesses. As the session will not follow the usual format for taking evidence, I will remind everyone of the process. I will invite brief introductions from the participants before we discuss supported employment. The discussion will take a round-table format, in which participants will be able to make comments and seek clarification from other participants, but I remind everyone to indicate to me if they wish to speak. That way, everyone will have an opportunity to speak and exchange information. For clarity, I ask everyone to use each participant's full name when addressing other people at the table.

I invite brief introductions from our participants.

John Sutherland (Leonard Cheshire Scotland): I am the supported employment service manager for the international disability charity Leonard Cheshire. I was a supported employment client for 11 years, until 1999, and I have delivered supported employment programmes for more than 15 years.

Marlyn Glen: I am a Labour MSP for North East Scotland, and I am a member of the Justice 1 Committee as well as this committee.

Tanya Gilchrist (Capability Scotland): I am head of employment development for Capability Scotland. I have worked in the field of supported employment for 18 years.

John Swinburne: I am the Scottish Senior Citizens Unity Party list MSP for Central Scotland.

Catherine Graham (Scottish Union of Supported Employment): I am the chair of the Scottish Union of Supported Employment. I am also the Scottish representative on the council of the European Union of Supported Employment and have recently been appointed to the Disability Employment Advisory Committee.

Ms White: I am a Scottish National Party MSP in Glasgow.

Richard Wilkinson (Hansel Alliance): I am the employment service manager for Hansel Alliance, which is a voluntary organisation in Ayrshire. We enjoyed your visit earlier this year, convener.

The Convener: We enjoyed the visit too. Thank you.

Elaine Smith: I am Labour MSP for Coatbridge and Chryston and the gender reporter to the Equal Opportunities Committee.

Peter Harper (Remploy Limited): I am the group operations general manager for Remploy. I have been with the company for 12 years.

Mr McGrigor: I am an MSP for the Highlands and Islands. I am also the faith and religion reporter for the Equal Opportunities Committee.

George McInally (North Lanarkshire Council): I am the social work strategy manager for North Lanarkshire Council, where I have responsibility for the supported employment service.

Tom Millar (Reed in Partnership): I am one of the directors of Reed in Partnership, which is a welfare-to-work organisation that is contracted by the Department for Work and Pensions and Jobcentre Plus. We do not do a lot of work with supported employment, but we work extensively with people who are claiming the range of incapacity benefits.

Frances Curran: I am the Scottish Socialist Party member for the West of Scotland.

John Reid (Jobcentre Plus): I am the Jobcentre Plus pathways to work manager for Renfrewshire, Inverclyde, Argyll and Bute and West Dunbartonshire.

Marilyn Livingstone: I am the Labour MSP for Kirkcaldy and I am the disability reporter to the committee.

Michael Evans (Dundee City Council): I am the manager of the employment disability unit at Dundee City Council, which works in partnership with Angus Council and Perth and Kinross Council. I have been in that job for 14 years. I am also the vice-president of the European Union of Supported Employment.

Nora Radcliffe: I am the Liberal Democrat MSP for Gordon. I am the deputy convener of the committee and its sexual orientation reporter.

The Convener: I will go first. What barriers do disabled people face to accessing work?

Richard Wilkinson: There are a number of barriers, which are commented on in the various papers that were submitted to the committee. A big barrier is the general attitudes of employers and their lack of understanding of their obligations under the Disability Discrimination Act 1995 and of the benefits of employing disabled people. Providers and other bodies must get across to individuals, companies and society at large the benefits and advantages of employing disabled people. They are very good employees and do not cause the problems that employers sometimes foresee.

John Sutherland: As has been said, several issues come up, and there is seldom one barrier. The benefits trap, as it is known, is a big issue for people coming away from the comfort and security

of benefits and moving into employment. Also, programmes need to be flexible. Funding packages are often very piecemeal, with people popping in and out of various programmes. We would love to see the money going with the individual, who would be able to go through a course picking up the necessary support from the most suitable provider.

George McNally: John Sutherland mentioned the benefits trap and I want to nail that myth. North Lanarkshire Council puts a great deal of store in maximising people's income. When a person is referred to the service, we first of all check to see that they receive the correct social security benefits. Often they do not. If benefits were a barrier to work, it would not be in our interests to maximise people's incomes. The council works towards the ethos of full-time work, which is a minimum of 16 hours a week. We have 106 people in employment; the average difference in income between being on social security benefits and being in work is £101 a week. People work an average of 24 hours a week. The people with whom we mainly work have learning disabilities, mental illnesses and brain injuries. Such people have certain benefits that they can take into work, such as severe disablement allowance. That acts as a passport for tax credits.

We must give credit to the Government for some recent changes, such as the introduction of the national minimum wage and tax credits. The combination of benefits, tax credits and earnings blows the myth of the benefits trap out of the water. I gave an example in my paper of a 19-year-old girl who left college and who was eventually able to find work. We need to ensure that people do not get caught up in the myth, and we need to stop thinking that social security benefits are a barrier to work.

Catherine Graham: SUSE has been asked by the Scottish Executive to gather information from across Scotland. We have found that the four main areas creating barriers to employment are underinvestment in employment programmes; short-term funding, which creates its own problems; a lack of a culture of early intervention on employment; and a lack of national standards for supported employment, which means that there is no focus on core values and that practitioners are poorly trained.

Tom Millar: I agree with what George McNally said. In Reed in Partnership's experience, the benefits trap is indeed a myth. However, I also agree with John Sutherland that the myth is a major barrier to employment because most people perceive there to be a benefits trap. Many disabled people and those claiming other benefits do not believe that they will be better off working. Organisations such as ours seek to engage with

those people voluntarily. Often the initial barrier is convincing people that they will be better off working. Although many safety nets are built into the system to preserve benefits, those are sometimes too complex for people to understand. That, too, is a barrier.

The people with whom we work are not often the most disabled people but, in our experience, they also have almost exactly the same barriers to work that other long-term unemployed people have, which are typically skills and qualifications levels and motivation and attitude to work.

11:00

Peter Harper: I will pick up on the points that have been made about benefits, as we do a lot of work on tax credits. The key issue is the perception of a benefits trap. We call for greater clarity about and understanding of the different programmes, support and benefits that are available, because disabled persons who want to apply for support need to understand clearly where to go for help.

John Reid: I will pick up on points that John Sutherland, Tom Millar and Peter Harper made. I agree that the perception exists of a benefits trap. One service that is available is in-work benefit calculations, although we perhaps need to promote that more. On a recent "Frontline Scotland" programme, an individual said that they needed £600 to work, when that was clearly not the case. The issue is how organisations such as mine get information on their services to individuals so that the perception disappears.

Steps have been taken to remove the perception, particularly through the pathways to work programme, in which I am involved, which provides a £40-a-week return-to-work credit to ensure that people earn at least £40 over and above the in-work benefits that they receive from outwith the pathways programme. Also, changes have been made to the linking period for benefits—it has gone from 52 weeks to 104 weeks. Steps have been taken to reduce the perception of a benefits trap. Through the pathways programme in my area alone, nearly 3,000 people have moved into work since October 2003, so the benefits trap does not hold people back as much as is thought.

Michael Evans: A considerable number of barriers to people with disabilities exist at various levels in the system. Richard Wilkinson commented on the employer situation but, in my 14 years of working with the business community in Tayside, we have rarely come across discrimination from employers. One way to overcome that barrier in individual areas is to give more information to employers. This is not very

politically correct, but it is commonly said that people with disabilities make better workers than non-disabled people. However, employers do not believe that and we must ask ourselves whether we believe it. I would say that people with disabilities are the same as everybody else—some are better workers and some are not.

Catherine Graham talked about underinvestment, but I find the opposite: plenty of money is kicking round the system in Scotland, from Europe, local authorities, the Scottish Executive and United Kingdom programmes. There is money everywhere, but we need to harness it properly and more consistently. Perhaps one of the biggest barriers is the lack of consistency, availability and competence of services.

Nora Radcliffe: Is the funding for supported employment adequate—Michael Evans obviously thinks that it is—and are the current resources appropriately distributed?

Michael Evans: That is hard to answer, because the money comes from so many different places. If the money came from a single pot, we could say clearly what we got or did not get for it, but because it comes from many different angles, we do not know what we get for it. Plenty of money comes into the system, but the inconsistency of services lets down a lot of people with disabilities. Because there are no standards or framework, generally speaking, we have many projects doing what they want, when, how and if they want to do it.

Nora Radcliffe: That is a hard problem to crack.

John Swinburne: I have a question for Michael Evans. Given your 14 years of experience in the field, if you were in charge and you could do one thing to help to solve the problem, what would it be?

Michael Evans: I would draw up a national system. I would examine all the funding that is available and see what could be top sliced or ring fenced to create some consistency. For example, European structural fund objective 3 money could easily be ring fenced and used. About 50 per cent of the projects in Scotland that get European objective 3 funding are disability projects.

To answer your question directly, I would create a national service, but it would have to be managed precisely.

The Convener: What do people think about the idea of a single body in Scotland providing a national service?

Catherine Graham: In response to Michael Evans's point on the lack of funding, I agree that funding is available but that it does not seem to be distributed in an accountable way because there is no quality standard.

On the basis of the information that we collected on our blueprint, SUSE would not recommend a national scheme or central funding for supported employment in Scotland. We support the idea of national standards to ensure conformity of provision throughout Scotland, which would require a body to monitor and promote the development of supported employment throughout Scotland. That would provide diversity.

My suggestion in response to John Swinburne's question would be to operate in partnership. There would be a pot of money, but it would go to a partnership and decisions about the delivery of supported employment would be made locally. We know that the type of supported employment that is required in the central belt is totally different from that which is required in rural areas, so it would be difficult for supported employment to be organised by a single body.

George McNally: One of the difficulties is that different people have different perceptions and understandings of what supported employment means. Some people say that organised part-time work is supported employment. Some say that voluntary training for work, work in voluntary schemes and work under the earnings disregard or work for permitted earnings are supported employment. Last year, the Executive published its report "Go for it!: Supporting People with Learning Disabilities and/or Autistic Spectrum Disorders in Employment", which contains a particularly worthwhile definition. It states:

"Supported employment is real work that is for 16 hours or more in an integrated setting with ongoing support".

We need to consider what we mean by supported employment. Does it include sheltered employment? I am not here to knock sheltered employment, but does sheltered employment really mean inclusion? Are people included in the workforce if they work in sheltered employment? Are people truly included in the workplace if they work for only four hours per week? Are people included in the workplace if they are doing voluntary work? To me, employment involves the person being paid for the job that they do.

Also, there is no consistency in the delivery of supported employment in Scotland. Some local authorities provide supported employment services, but others do not. Some voluntary organisations provide supported employment services. If we are to have a national scheme, it must have high standards. I do not think that the committee would be anxious to promote the idea that somebody who works two or three hours per week is in supported employment. If people want to work, we should give them the chance to work and let them work in the same way that others do.

Richard Wilkinson: It all boils down to the direct services that each person receives. That

includes the employers. We need to give information to employers, to individuals who are seeking work and to those who support them, such as families and social workers.

Getting people into work is about working with someone, mostly on a one-to-one basis, helping them through their various problems from the beginning of the process, which might be to do with benefits or a lack of confidence about moving into the workplace, right through to supporting them, perhaps using job coaches, to learn how to do their job and keep it. That is best achieved through a local delivery mechanism rather than through a grand, national scheme. There have to be national direction, funding and standards as Catherine Graham said. However, dealing with each individual through a one-to-one relationship that they have with their employment adviser is the best way to take account of diversity and family circumstances. I would not be happy about the thought of having a nationally imposed solution.

John Sutherland: I believe that there has to be a controlling body. However, we are liable to end up with one organisation that takes a one-cap-fits-all approach, which would not work. There must be regional organisations that use local knowledge in each area. Partnerships are the way forward.

The discussion that we had earlier about benefits proved that there is a wealth of knowledge around the table, but it relates to many different areas. We must bring all the knowledge together, fund it effectively and manage it effectively so that, ultimately, it is the people with disabilities who benefit, by going into employment, rather than the organisations that have budget constraints and are under pressure to demonstrate outcomes for payments. We have to keep the disabled person who wants to work and is able to work at the forefront of our thinking. There needs to be more clarity in the definition of supported employment. That can be achieved only if we all put our heads together and come to an agreement.

Tanya Gilchrist: As an organisation that manages a number of supported employment programmes, Capability Scotland feels that it is well funded. The question is how we manage those funds and approach the design and implementation of our services. I agree with George McNally that although there are many organisations and providers that offer supported employment—some good and some bad—there seems to be no overarching organisation that can consider issues such as standards, milestones and whether an organisation is good or bad. That is certainly needed.

If there were a one-stop shop, it would have to be responsive enough to meet the needs of the individual person with a disability.

At the moment, the funding structure is based on outcome-related funding and is time restricted, which means that a person with a disability must move through the system in six months or six weeks. That puts a lot of pressure on the provider and the individual concerned.

If there is to be a change to the way in which the system is designed, the new design must be flexible and customised around the person with the disability. It must also be capable of fluctuating. For example, people with mental health difficulties might need to have support over a six-month period and be able to have a break before they need support again. We need to address such issues and not be fixed in our ways.

Michael Evans: Within the national framework, there would be local area networks. I would use the analogy of the system of clinically managed networks that the national health service has adopted. The same principle would be involved.

At the moment, we have many local area bodies, networks and partnerships that do not work, which is why we are sitting here now. The people who put the money into the local areas have to be accountable to the taxpayer and the only way that we can ensure that that happens is by managing the system better.

Having a national system would mean that there would be local networks. It does not matter how many of those there would be—there could be four, 10, 12 or whatever—because the important point would be that each network took account of the peculiarities of the area that it covered, be it rural or urban. However, a central body would have to ensure that the same standards and principles were adhered to by all the local networks, so that the same results were delivered.

Tanya Gilchrist's point is important—we have to be careful about output-related funding because it is one of the reasons why we are in the situation that we are in at the moment.

11:15

The Convener: We have heard quite a lot about timescale, about output, and about a person-centred approach or the lack of it. I would like to follow on from that. Nora Radcliffe has a comment about timescale and support.

Nora Radcliffe: Tanya Gilchrist highlighted that the timeframe of the funding is rigid. From what people round the table are saying, that is one of the inherent weaknesses in the current system that we should think more about.

Marilyn Livingstone: My background is in further and higher education. I worked for 18 years with students who were subjected to output-related funding so I have first-hand experience of it.

I would be concerned about a national scheme. I represent a constituency in Fife, which has a good network of local partnerships and I would like that model to be worked on. Although I agree with having national standards and a national strategy, there must be local flexibility within that. Where we divide up local areas is important. We do not want to destroy the good work that is already being done. We have to be careful in anything that we do to retain that good work, of which there are many examples.

Tanya Gilchrist: I made a comment earlier about outcome-related funding, which often puts a lot of pressure on the provider to select service users who will meet the criteria for their outcomes, rather than individuals whom they can support. That does not take away from the fact that, as providers, we must achieve milestones for each person. We already have actions to achieve; it is simply that the outcomes are often standardised and inflexible and that restricts certain individuals.

Marilyn Livingstone: I would like the journey that an individual travels to employment to be measured. That is what is important for the individual, not some target-driven outcome. I do not know whether that answers—

The Convener: I do not think that we have the answers, Marilyn; we have experts here to give us the answers.

Marilyn Livingstone: I am asking Tanya Gilchrist whether she agrees.

Tanya Gilchrist: I absolutely agree with your point, which takes us back to the standards and measures that could be set for providers. Providers could be required to establish a map or personal plan for an individual and meet the objectives in that plan. Setting such standards could be part of the design and structure of an organisation.

Richard Wilkinson: I return to Marilyn Livingstone's point about the distance that people travel, which might not be all the way into open employment.

It is not always popular, but we have supported businesses throughout Britain as part of the Jobcentre Plus programme. We have two of those at the Hansel Alliance—a market garden and a laundry, which employ 23 people at the moment. In the past, almost all those folks would have lived in the residential village that Hansel was. Nowadays, only one employee lives in the village and the rest travel into their work in the supported businesses from Kilmarnock, Ayr and other local parts. That is a milestone for those individuals, some of whom have moved from Hansel into external accommodation, although they might still be working in the original place. When people make progress in their lifestyle, recognition and

encouragement of that should be built into the funding.

Catherine Graham: Marilyn Livingstone mentioned local networks. The lifelong learning networks that have been set up throughout Scotland are a perfect example of those and have been very successful. There should be an holistic view of supported employment. If there is earlier intervention with people in the education system and person-centred planning, people can dip in and out of supported employment as and when required.

Tom Millar: I take a different view from previous speakers. A balance should be struck between a distance-travelled model and an output-related funding model. A distance-travelled model is helpful and good for individuals who are at the extremity of disability. However, if we are to get a return on public money, it is important that the majority of funding should go towards output-related activity. We want disabled people to be integrated fully into the workplace over time. Without output-related funding, there is a real danger that the experience becomes an end in itself, rather than a means to an end. That has been seen with much other expenditure on training provision using the distance-travelled model. I am a great fan of output-related funding. In our organisation, we see people's lives being changed every day, partly through support and intervention that we can provide and partly because we challenge people about their ability and capabilities and encourage them to take the leap that for them is the difference between just travelling a distance and becoming integrated into mainstream employment.

George McNally: Catherine Graham talked about lifelong learning and people dipping in and out. I want to share with the committee the approach that we have adopted in North Lanarkshire. Our service was developed in response to people in day centres for people with learning disabilities saying that they wanted to have the opportunity to work. It came about as a result of a community care plan consultation some years ago.

A number of people who have been in day centres for as long as 25 years are now in work. That is the target group with which we are dealing. We produce a vocational profile, do a job match and provide job support. That costs the local authority a lot of money. Currently, North Lanarkshire Council spends something like £600,000 on its supported employment operation. I am fortunate in not needing to go cap in hand to external bodies to seek funding and I sympathise with organisations that are target driven. The council made a commitment to supported employment because people told us that they

wanted to work. Recently, we carried out a study that showed that supported employment is cheaper than maintaining someone in a day centre. Surely the distance travelled is important—it is the distance from a day centre into a job in an integrated centre, earning a wage.

Tanya Gilchrist: I want to respond on the issue of outcome-related funding. There is definitely a need for providers to have milestones or targets to meet. However, those cannot be set according to funding. I know of providers that will select individuals for provision who will achieve results from the outset. I know that because Capability Scotland usually receives referrals from Jobcentre Plus and social work departments of individuals who have been refused support elsewhere. Capability Scotland subsidises all its services from voluntary funds, because we tend to have people on our books for much longer than is usual. They have been distance travelled. It may take us two or three years to get a person into employment, but there is an expectation that it should take us only 12 weeks to do so. We will continue to support a person until we achieve a result—and we achieve results. If we based our selection on outcome-related funding, we would probably not back two thirds of the service users who are currently on our books.

Ms White: I want to pick up on a few things. I do not know how a national framework would work. I think that the approach would need to be much more localised, although there would have to be some form of national guidelines. George McNally talked about the benefits system. People tell us that the benefits trap prevents them from getting into work, but you are saying that that is not the case. Surely one of the national guidelines would be that each person should be assessed to see how they would benefit from getting back into work. I would expect that to be the first thing to happen.

I agree entirely with Tanya Gilchrist that supported employment cannot be result driven, because it covers people with head injuries, people with Asperger's syndrome and people coming out of prison, including young offenders. We are talking about helping people with a range of what we might call disabilities to get back into work. Although we have to have targets, they should be human targets, not monetary targets.

I want to pick up on what Michael Evans said. We have all the experts round the table and there are many different ways of utilising moneys. I read your paper, which was interesting. Surely we should be considering best practice by the Hansel Alliance, North Lanarkshire Council and others. The new deal for disabled people and the new futures fund do not seem to have provided any benefit at all. This is a huge area. The money is

there, but it is not getting spent properly and is not benefiting the right people.

Michael Evans: That is a good point. You mentioned the new deal for disabled people and the new futures initiative. We could rattle off another half dozen initiatives that have not worked because they have not reached the people whom they were meant to reach. The new deal for disabled people was meant to address that. I assume that it has not worked, because we have not had any statistics—that is always a good sign that something has not worked. We have come up with another project called pathways to work, which might or might not work. Whether something works depends on where one is coming from. If someone is getting funding for doing something, it has to work.

The outcomes get watered down. For example, on the new deal for disabled people, the original funding was for people who got jobs for 16 hours a week or more. After a while, because the project was not delivering that, the outcomes were watered down to relating to permitted work, which is like the old therapeutic earnings. That was never meant to be an outcome, but it became an outcome because we had set ourselves great targets.

We can have the best of both worlds. I have always said that we can have a project with a national framework and national guidelines and with the service provided locally. However, that has to be accountable. The issue is expectations. We cannot have hard and fast rules. We cannot say to somebody that they will be expected to get 10 people into work, because we do not know who the 10 people are. A good national programme would have flexibility. We need accountability.

Catherine Graham: I disagree with Michael Evans about the new futures initiative. I think that the initiative worked—its results fed into the Scottish Executive's work on the employability framework. The new futures fund has shown that there is a lot of money out there. That money comes in three parts. The first involves preparing people for work. We cover the centre part. A lot of money is being poured into developing CVs and doing job interviews, but only a small amount goes into the retention side. New futures showed that the money has to be spent on preparing people for work, with less spent on developing CVs. How many people who have been involved in supported employment have had somebody referred to them with a fantastic CV but no job experience? We have to retain people in work. It has been proven that people with a disability, particularly a mental health problem, can go a fair distance of time without requiring support and then suddenly need support again. That goes back to my idea of people dipping in and out of supported employment as and when they require it.

11:30

John Reid: Sandra White talked about guidelines on the benefits trap. Available to every customer of Jobcentre Plus and any of the providers that deal with contracts is an in-work benefit calculation that would address the situation that she highlighted. An assessment process is available.

I would respond to Michael Evans's point by saying that I am not here to defend the new deal for disabled people or any other programme. The pathways to work programme is much wider than the previous provision because it engages with people on incapacity benefit, which no other programme focused on. Incapacity benefit customers were never involved in formal work-focused interview discussions. That is the key difference.

The other key difference is that the condition management programme governed by the NHS is there from the outset, so we are addressing employment and health issues at the same time. It is not a question of one organisation or provider trying to do everything. Somebody talked about one size fitting all, but no one is trying to be all things to all men.

People have said that we should not be so target driven and outcome based. The NDDP programme addressed that by introducing permitted work, yet Michael Evans speaks about the watering down of targets. We used to have the training for work programme, but I managed offices in which people went through that programme seven or eight times. It was person centred, according to the provider. Therefore, we need to be careful to strike the right balance, as Tom Millar says, between the outcome-driven and the person-centred approaches.

Elaine Smith: Given the discussion about how supported employment might work, how we might deliver it and whether it should be regional or national, is there strategic leadership for it in Scotland? I would also be interested to know how employers are engaging with supported employment and how we get them to engage. I am looking at the very helpful list of employers that George McNally submitted. It is quite a mix of individual shops, big organisations and public bodies. How do we get employers to engage with supported employment?

George McNally: Like Michael Evans, we have great relationships with employers in the private sector. I sometimes think that the public sector needs to look at itself in the mirror in that regard. In North Lanarkshire, the ratio of supported employment jobs in the private sector compared with the public sector is almost three to one. The private sector does not employ people because it

is the right thing to do; it employs them because they contribute to the profitability of the business. Sometimes, the public sector takes a far too rigid approach to recruitment and selection. For example, somebody with a learning disability is highly unlikely to have any standard grades, but applicants for jobs in the public sector usually require a minimum of three standard grades. We have found that private sector employers are often willing to carve jobs. For example, someone engaged in an office may not have the keyboard skills that would make them attractive for a job in word processing, but they might be able to do filing and photocopying and to deliver mail and answer telephones.

One of our big fights is trying to ensure that we get jobs that people can do. We do not ask employers to engage somebody simply because it is the right thing to do. Believe me, the private sector does not engage people because it is the right thing to do; it engages them because of the profitability that they bring to a business.

When we talk about the new deal for disabled people and all the various employment schemes, we are in danger of taking our eye off the ball. For me, supported employment is for disabled people; it is not for people with learning needs. Sometimes, when we talk about supported employment, we are not talking about people with learning disabilities; we are talking about people who might have support needs. There is a huge difference between people who have learning support needs and those who have learning disabilities.

Michael Evans: I agree with George McNally. I have found that employers engage with people with disabilities because they are a labour resource. After all, employers are generally in business to make a profit and to satisfy shareholders. If an unemployed person fits the bill, they will be employed no matter whether they have a disability or not.

Over the past 10 or 11 years, we have supported about 950 people with disabilities into employment. People often ask me, "Who are the good employers?" The answer is that they are all good employers. The issue simply boils down to personalities. A company might have a great image, but a lot depends on individual managers or supervisors. Those people will determine whether the company is a good or bad employer.

I also concur with George McNally's comments on supported employment. We have to take care that we do not end up moulding the initiative into the sort of project that we always run in Scotland or the UK. Four weeks ago, the people whom I would class as the usual suspects—the guys from Careers Scotland, Scottish Enterprise, Jobcentre Plus and so on—gave evidence to the committee.

However, when I read the *Official Report* of that meeting, I did not find any solutions in there, because those people are always using the same model or following the same programme.

John Reid said that one outcome would be permitted work. However, given that the new deal for disabled people was introduced to get people off permitted work, it is ironic that that should be an outcome. On Catherine Graham's point about the new futures fund, the danger is that disabled people might get sidetracked. After all, only 4 per cent of the £15 million available from phase 2 of the new futures fund was allocated to disability projects. It was not even a disability initiative. If it was so successful, where is it now? Why has it been stopped? Indeed, Scottish Enterprise's own report on the fund expressed disappointment with the employment outcomes. We need to think outside the box, although, having heard the many good ideas that have been outlined this morning, I do not think that we are a million miles away from doing so.

I assume that Sandra White is not involved with supported employment, but her suggestion about benefit checks for people with disabilities is just plain common sense. Although it is not rocket science, hardly any projects carry out such checks. We all work for money and disabled people are no different. We are following on the coat-tails of George McNally's project, which has demonstrated that people with disabilities can be much better off financially. The obvious thing to do is to carry out a benefit check and show them how much better off they can be.

Tanya Gilchrist: As far as John Reid's comment about permitted work and the question on strategic leadership are concerned, some individuals in Capability Scotland were on the permitted work scheme and therefore decided to work so many hours and earn so much money a week. However, when the national minimum wage was increased, we had to reduce the number of hours that they worked to ensure that they did not go over the amount that they were permitted to earn. Of course, that brings us back to the question of strategic leadership. We must be a bit smarter and have more joined-up thinking about how changing one thing will impact on another.

Tom Millar: I endorse George McNally's good point about the engagement of public sector employers. He took a North Lanarkshire perspective on the matter; from my experience in Glasgow, which is not a completely different patch, the situation is exactly the same. Getting the public sector to engage with people with health-related issues is much more difficult than getting the private sector involved. That poses a real strategic challenge because, although public sector employers advocate, proclaim and publish

their equal opportunities policies and procedures, those same policies and procedures prevent clients from getting into work.

For example, because of the public sector's screening mechanisms—which might include asking about basic qualifications, recent work references or relevant work experience—clients might well apply, but they will never be selected for interview. Organisations such as Reed in Partnership and the projects in North Lanarkshire get people into work in the private sector simply because they can prepare them and get them into an interview where they are able to compete with other candidates. However, in the public sector, people cannot get past the screening stage and get before an employer to compete in an interview.

Ms White: Those comments about the difference between the public and private sectors were interesting. What do witnesses think about their current engagement with employers? Are they seen as important partners in getting disabled people into employment?

Tom Millar: I am sorry—do you mean employers in general?

Ms White: Yes.

Tom Millar: There is a skills shortage in Glasgow—there is no lack of vacancies for people to fill. Organisations such as ours therefore find it incredibly easy to engage with the small and medium-sized enterprise community, in particular. We offer them free recruitment services and they are attracted by that model. Equally, it is easy for us to engage with large blue-chip organisations, not on the basis of social responsibility—although we do that sometimes—but almost always on the basis that we provide candidates for vacancies that the organisations cannot fill in the open market. Those candidates are often from a health-barrier background, but we equip them to compete for jobs on an equal footing with anyone else in the labour market. We do not label people as disabled or as having a health barrier; we enable people to compete on a level playing field. Employers are extremely open to that. As George McNally said, private sector employers employ the client groups that we work with, who can do the job every bit as well as other candidates.

Catherine Graham: I will briefly go back to the benefits situation. Just about all organisations that provide supported employment perform a benefit check as standard. One of the difficulties is that people who provide supported employment do not publicise their work well enough—they do not stand up and take praise. Throughout Scotland, we have a huge number of successful organisations that deliver supported employment.

On the employment side, Fife Council has for the past two years, through the Fife employability

network, run an employment diversity award, which has been very successful. The most recent award ceremony was held a couple of weeks ago and was attended by Anne McGuire. The Government is now seeking to roll out the award across Scotland because it has been so successful in involving employers. We have also had success in Dumfries and Galloway by putting the onus on employers to send out invitations to other employers. In that way, we have got a number of employers to come along to hear 20-minute presentations. We have operated as a supported employment agency in Dumfries and Galloway for only 10 years, but we have supported more than 600 people in employment.

Elaine Smith: My question follows on from Sandra White's question about employers. I recently hosted a reception at the Parliament building on behalf of the National Autistic Society, at which the convener gave a speech. The National Autistic Society has a supported employment project. Tom Millar said that there is a high demand for employees in Glasgow, but, across the UK, only 6 per cent of people with autistic spectrum disorder are in full-time employment. That does not seem to tie up with the high demand for employees. We are discussing barriers today. What are the barriers? Why are employers not employing people with ASD?

11:45

Michael Evans: A good project would use both formal and informal methods of engaging with employers. The formal methods would be CVs, application forms and letters; an informal method might be a support worker cold calling, chapping on doors, making telephone calls or—as George McNally mentioned—job carving.

Another good tool for engaging with employers is finding short-term work experience placements for people with disabilities. Such placements would last for less than eight weeks, to prevent accusations of exploitation. About two thirds of the people with whom we work have not worked for at least three years and I suspect that a lot of the people who are represented by those of us around the table are on incapacity benefit and have not worked for a considerable time. The good thing about a work experience placement is its short term—it is time limited to a few weeks and lets the person see what they can and cannot do.

A good by-product of a work experience placement is the fact that it helps to blow away a lot of employers' apprehensions. You asked about barriers for employers. The difficulty with that question is that employers are a very PC bunch and they will say whatever they think they should say. There is probably enough anecdotal evidence kicking around about barriers for employers. They

are apprehensive, fairly ignorant about disability issues and terrified of the disability discrimination legislation, which seems to be changing all the time and with which they find it hard to keep up.

There is a fear of costs, probably linked to the disability discrimination legislation. Employers ask, "How much is this going to cost me?" Again, a stereotypical image of disability is a wheelchair user, so employers could be thinking about ramps, car parks or toilets. There are also fears about disability discrimination legislation and health and safety at work legislation—many employers think that there is a conflict of interests between them. That is evidenced by the fact that, last year, the Disability Rights Commission and the Health and Safety Executive published research entitled "The extent of use of health and safety requirements as a false excuse for not employing sick or disabled persons". Significant numbers of employers said, "That's why we're not recruiting disabled people." That is a result of ignorance and apprehension, but it is what is happening on the shop floor.

Another thing that creates barriers for employers is the fact that many disabled people have not had experience of work, so most of the people whom we represent are looking, I guess, at unskilled jobs, for which they do not need qualifications. Employers are usually looking for experience—if someone has never worked before, they will not have the experience and so will not get the job. That is a catch-22 situation. Formal methods of finding work can also pose problems. A lot of people with disabilities have poor job-finding skills, which may be the simple reason why they are not in work.

John Swinburne: Michael Evans has listed a range of problems relating to getting disabled people back into work. The most uplifting thing that I read in all the documents was George McNally's list of employers for disabled people. I had the notion that disabled people worked in the public sector, but he has blown that idea right out of the water. Running down the list of varied North Lanarkshire companies, I do not know how you manage to achieve it. I have worked in that area for most of my working life, and the mindset is against employing disabled people. As Michael Evans said, there is a fear of employing people with disabilities, but North Lanarkshire Council has done a tremendous job in introducing disabled people into all those firms. Perhaps North Lanarkshire Council is doing something that other local authorities are not doing but which should be rolled out.

George McNally: Thanks very much for your compliments, but the people who are really responsible are my staff, who work at the coal face, who plod on day in, day out and who have established well-deserved reputations with

employers. In case anyone thinks that I was criticising my local authority, I should say that when I was talking about the split between the public sector and the private sector, I meant the public sector in its widest sense. Of the 33 jobs in the public sector in North Lanarkshire, 25 are in the council itself and eight are in other public sector organisations, so the public sector is an important employer.

We engage by knocking on doors, writing to people, making presentations and doing everything else that goes along with that. One of the messages that I think it is important to get out is that the demography of the country is changing. There will be a skills shortage and a labour shortage, and people who do not tap into the markets that are currently available will lose out. Disabled people have a contribution to make, and employers who do not embrace that will lose out in years to come when we have an aging population and fewer people available to fill the jobs that need to be done.

Mike Evans is right to say that many of the jobs that we access are entry-level jobs, and some people will never progress beyond that, but we have had people who have progressed beyond that.

I do not agree with the suggestion that was made about work experience. We do a job taster, which allows us to satisfy ourselves that people are capable of doing the job, but it lasts only two or three days. One guy had been working in a day centre but wanted to be a bricklayer. He got a job taster on a building site: it rained for two days and he did not want to be a bricklayer after that.

Richard Wilkinson: Employers are busy people who need simple and straightforward information on the support that they can get. As George McNally rightly said, when employers make a decision, it should be based on the talents of the individual applicant and not on sympathy for their situation. I made that point at the beginning of the session.

We use different methods to contact employers: we talk to employer forums and chambers of commerce, invite employers to meet us and develop partnerships with them. Our staff get to know employers as individuals. The managers—the people who do the hiring—are the most important people for us to know.

The preparation of a candidate who is going forward for interview is also important. We operate three schemes for Jobcentre Plus, the first of which is the personal development programme, which aims to enable someone who has been out of employment for some time to move on and become job ready—as it is now called. There is also the work preparation programme and

workstep. We put a lot of time into the personal development side of candidate preparation and our programmes are successful in that regard. Part of a provider's job is to help people to get ready for employment.

John Sutherland: Most of the issues that I wanted to cover have been raised in the time since I indicated that I wanted to speak.

The Convener: I am sorry about that.

John Sutherland: That is okay. I fully endorse Mike Evans's point on the barriers that employers face, which is a Scotland-wide issue no matter whether the employer is city-based or in a rural area. Most of my work is in the Highlands and Islands, where one can go 60 or 70 miles between employers never mind between cities. The public sector is the biggest employer in the area and it is difficult to get a public sector employer to take on a new employee with a support need. However, if an existing employee of a public sector employer becomes disabled through illness or accident, the employer is at our door straight away saying, "You are the experts. You have all the information. Give us the support now." We need to work on that.

Supported employment is about supporting the employer as much as it is about recognising the skills and abilities of an individual and identifying their specific support needs. A businessman is in business to make money; we should be able to give him clear and concise information on what support we can give him. It is about being there when the employer needs us. Many issues have been raised about employers. Our view is that the employers out there are positive; they just do not know and our job is to educate them.

Tanya Gilchrist: I return to the approach that providers take. John Sutherland and others have described what employers want. Our view is that they want providers to be professional. North Lanarkshire Council has an excellent reputation in its area for its approach to employers.

Although providers cannot mould the people with disabilities whom we support, if we are to get better at dealing with employers, we need to be moulded into a specific way of working. I am thinking of the professionalism of our staff and the design of our programmes. Our approaches may differ, but an employer will return to a provider that they trust; employers want to work with providers that are honest, realistic and accessible.

Peter Harper: I want to endorse a few of the things that have been said. Obviously, one of the key aspects of Remploy's work is engaging with employers, and our businesses bring in employers to see physically what people can do. Experiencing something for real is a major tool in breaking down people's barriers and perceptions. A key aspect of early intervention is understanding

what being job ready means to an employer. What are employers really looking for from a new start? What do they want that person to be able to do from day one? Much of that is about attitude and motivation as opposed to specific hands-on skills. It is far easier to train someone who is job ready, so it is fundamental to focus on developing that and on preparing people for the interview process, getting them into the job and supporting them early on in the process. Somebody commented that everybody has a great CV, so people should spend less time on that and more time up front. Matching what the employer wants to people's capabilities is a fundamental tool. If we can start that process, we engage employers far more quickly and responsively. It is like any other business—whatever someone's product or service is, they have to sell it. It is about developing the relationships over time.

Tom Millar: It has been a while since Elaine Smith asked her question, but I would like to have a stab at answering it. She asked why, if there is so much demand on the employer side, the level of participation in the labour market by disabled people is still so low and disproportionate to other groups. It is a good question, and it is fundamental to what we do. Not only from my experience but from listening to comments around the table, it appears that the answer to that question may not be focused principally on the demand side. It may be not so much an employer issue as a supply-side issue. It comes back to the very point we started from, which is that lots of disabled clients believe that they will not be better off working, so they never entertain the prospect. That is a big issue and a real obstacle to increasing disabled people's participation in the labour market. If that is to happen, we must do something.

Most if not all of us run voluntary programmes, in which people choose to engage. I do not have disabled people queueing at my door to sign up with our programmes. We get them on to our programmes by doing outreach and persuading them, often quite hard, that they want to engage with us. That is a real challenge. If people believed that they were capable of working and would be better off working, we would have them queueing at our door to get on the programmes, but that is not our experience. That is perhaps the first reason why the level of participation is so low.

My second point reflects something that John Reid said. Until the pathways to work programme, no programme had been targeted at the largest group in the environment we are discussing, which is people claiming incapacity benefit. Lots of us run programmes that are allowed to work with people who are on incapacity benefit as part of a much wider client mix, but until pathways there had been no programme that was predominantly focused on that. One way in which pathways has

been very clever, which John Reid mentioned earlier, is that it says that for people who take employment there will be a £40-a-week top-up to their wage. That is a fantastic incentive. That money goes to the client, not to the employer—which is how supported employment often works.

Those are two things that might contribute to the low level of participation.

The Convener: Will John Reid address some of the implications for the support of disabled people when Jobcentre Plus restructures away from local offices? We are quite concerned about that.

John Reid: Do you mean as far as Jobcentre Plus and the role of local offices is concerned?

The Convener: Yes.

12:00

John Reid: To go back to Elaine Smith's question, and to link in with what Tom Millar said about the issue being more on the supply side, there was no serious engagement by my organisation, the component parts that made up the previous organisations or many of the organisations that are represented today in considering the number of people on incapacity benefit. Employer engagement is vital—I have reached seven using the five-bar gate for employer engagement—but my concern is about how much of it is done in partnership.

We are talking about supported employment. One key issue is that employers do not recruit people only through supported employment, so how many people do they engage with through the recruitment process? That is not a criticism, but a health warning—excuse the pun. If local partnerships are working effectively, as they do in some areas, we do not have 17 or 18 organisations, including mine, knocking on employers' doors. Some people think that that is a myth; it might be in some areas, but it is not in others.

As for the roll-out of our offices, although some have been closed—including one in my district—the range of services that our offices deliver will be far wider. Benefit processing centres will be rolled out from April next year and the efficiency savings from that will mean that more advisers are available to deliver the pathways to work services that I talked about.

When I was last before the committee, I mentioned the green paper. I thought that it would be out by now, but I am promised that it will be out in the last week of January. I hope that it will address two issues: the further roll-out of pathways to work, although that is not guaranteed; and the benefit that will replace incapacity benefit—I await that with bated breath, because

some of the complexities of the benefits system are issues for organisations and the people whom they support.

From April next year, all our offices—apart from one or two, because of construction issues—will be complete Jobcentre Plus rolled-out offices that offer a person-centred approach through advisory services. Benefit processing will be centralised. We hope that expertise will be brought in to ensure that people receive their benefit more quickly, accurately and on time.

Frances Curran: The committee's disability inquiry is intended to inform policy. I am confused. We have heard evidence that does not gel with some of the stuff that we are hearing. We heard from the usual suspects the other week and some of their evidence did not gel, either. RNIB Scotland says that 90 per cent of people whom it works with who are blind or partially sighted have no job. We have been told that 6 per cent of people who are autistic or have an autistic spectrum disorder have a job. Are the people who are referred to George McNally and Michael Evans different from the other people who want jobs and work with other organisations?

Michael Evans *indicated disagreement.*

Frances Curran: I asked that because you have developed a response to people who are already service users in day care. A step change is bound to occur—that is another reason why we are having the inquiry—if 30,000 people who are on incapacity benefit are to be targeted to return to work. There seems to be a philosophical disagreement about whether the approach is, in fact, person centred and aims to assist people with disabilities into work. Who is driving the agenda? What services will be involved in it?

We heard from Jobcentre Plus that one issue is a lack of flexibility in the 13-week training course that is all that is provided to prepare people for work. Is the difference with local authorities the fact that they are not driven to the same extent by the outcome of the funding considerations that the voluntary sector must face? It is not clear how that will pan out or how the services will be provided. That is what we are discussing. We seem to be dealing with different sectors or groups of disabled people, so we cannot have one policy.

The Convener: We have been up and down the country and have heard lots of disabled people say that they would like to get into work but that it is very hard because they lack the support that they need. That is the basis of our inquiry. Frances Curran is right about the confusion, because some of what we have heard before is not what we are hearing today.

George McNally: I said that our service was driven by consumer demand—by people in day

centres saying that they want to work. Since we developed our strategy six or seven years ago, no one goes into day centres. That has stopped. We do not just have a supported employment strategy in North Lanarkshire; we have person-centred planning, and we deliver services to people within their own communities if they want to do particular things. Supported employment is part of that. We also have supported living, which supports people in their own homes.

An important point was touched on. People who are referred to our service come with a community care assessment. That is the big difference, and I made that point earlier. There are people with what we call profound needs, but there are other people—they might be on incapacity benefit or have other needs—who need learning support rather than supported employment. There is a big difference. We get into difficult waters when we try to combine a range of different employment schemes and wrap them up as supported employment. A host of organisations claim to be doing supported employment, but in my opinion they are not. It is a fallacy to claim that they are.

You need to go back to the "Go for it!" report, which the Executive produced. Cath Graham referred to the fact that everybody does benefit checks, but that is not so according to the report. The overwhelming response from the organisations that responded was that benefits are a barrier to work. I was on the advisory committee when the report was being produced. There was a recommendation that there should be an overhaul of the social security system. The system is not perfect, but the minute that an overhaul is suggested to facilitate getting people into work, ministers at Westminster will run away, because that is not on their list of priorities.

Catherine Graham: George McNally works in the field of learning disability, and I agree that because of "The same as you?" a lot of money has poured into the field to move people into employment. However, we are now finding that people with mental health problems require support. In addition, people are being diagnosed with attention deficit syndrome at an earlier age and are being fitted into categories of people with dyspraxia, autism and Asperger's syndrome, many of whom were previously classified as having behavioural problems. We are now discovering that they have a disability and need support. The problem is that there needs to be more flexibility in supported employment and more funding needs to be made available.

In America, it has been discovered that the model of supported employment is transferable and can be used for anybody who is any distance away from the labour market. It could even be used for somebody who is past retirement age and

wants to get back into the labour market. The issue is how we get a quality standard that is accepted throughout Scotland, and a system that can be used for anybody who is any distance away from the employment market.

Marlyn Glen: We have heard about examples of good practice throughout the meeting and before it. What is the current situation with partnership working? There are many organisations, and it is important that they work together. How do Government agencies, local authorities, further and higher education establishments, the national health service and voluntary organisations work with families and disabled people?

George McNally: The first thing that we did in developing our strategy was form a local partnership. We approached the Employment Service and the Benefits Agency—as they were then—the local enterprise company, Lanarkshire NHS Board and council departments, because although the programme that we run comes under the auspices of social work, we recognised that we could not do it on our own and that we needed partners. We have a partnership agreement with those various organisations. We have received a lot of support from them, but I stress that the social work department invests a lot of time in driving that partnership. If we did not do that, the partnership would not work; we see the advantages of ensuring that the partnership works.

One of the most important things that we did was to get the chief executives and managers of the different organisations to sign a partnership agreement in public and we asked each of them to nominate a lead officer from their organisation. The fact that the chief executives of the different organisations had signed that partnership agreement encouraged the officers who were charged with carrying out the day-to-day functions within their respective organisations to drive the process forward, and it gave them a remit to do so.

Michael Evans: In delivering our service in Tayside, we get 400 referrals a year, which is an awful lot of people for 15 staff to deal with. As I said earlier, about two thirds of the people who are referred are on incapacity benefit. We have managed to achieve such a high level of referrals because we have been working in partnership—albeit that we have probably done so much less formally than George McNally has described—with virtually all the hospitals, colleges, social work departments and care managers in Tayside, as well as with Jobcentre Plus. We are in the middle, with all those other guys on the outskirts referring people to us. It is a good partnership in cases where, for example, we have a problem regarding a person on medication or a person with a housing problem, because we can approach the people at

the referring source and ask whether they can help us.

I might have said that we work a lot with Murray royal hospital, for example, but we do not; rather, we work with the personalities within Murray royal hospital. A lot depends on the individuals within the hospital, the mental health community or the college. It would be easy for me to say that we work with Dundee College, for example: we do, but the important thing is that we work with an individual manager at the college, which brings us many referrals every year. We might also be getting 120 people into jobs, many of which come with support.

I will blow our trumpet a wee bit. Last week, we won a European award for being the best project in Scotland using partnership, which we are very pleased with. Partnerships, however, can become a disaster if there is no leadership within them. All the guys who were here a couple of weeks ago spoke about partnership, but somebody has to pick up the ball and run with it. That is the problem with partnerships at times, although I do not mean to be negative in saying that. I am trying to be positive about it, but I base what I say on experience. It can sometimes be a case of “After you, Claude” or whatever. Many of us in this room are competitors, too, and we have to bear that in mind. I do not mean that in a bad way; it is simply the fact of the matter.

John Sutherland: I will address partnership from the perspective of our small department, which works mainly in the Highlands and Islands. We are part of the Highland Blindcraft workstep consortium, which comprises six organisations that have come together to deliver the workstep programme in the Highlands and Islands. I had my reservations when I first came into the partnership, to be honest. I was concerned that I might come up against personalities who would have their own agendas and that conditions would be competitive. I am absolutely delighted to say that my experience with the partnership has been excellent.

We have a range of providers, each with their own skills, and their staff have their own experiences to draw upon. Clients can move from basic skills development with one provider through to work experience. I agree with Mike Evans on this—I have found work experience to be an exceptionally successful tool for developing people who can then go on to another provider, such as ourselves, for in-work support. Partnerships do work but, as Mike Evans suggested, they depend on the people in them and whether they are prepared to work on a level playing field with one another.

Richard Wilkinson: I agree with Mike Evans’s description of partnership. In a direct sense, it

refers to links between one's own organisation and others. "Partnership" is an in word at the moment and much can be gained from partnerships, but they must be meaningful, otherwise they become mere talking shops. We at Hansel have links with the local authorities in our area, with the NHS and especially with Jobcentre Plus. I am a bit concerned, however, about the development by Jobcentre Plus of new schemes to take over from others that are currently being run. That is leading to a lot of talk about partnership, perhaps because the schemes are to be put out to tender on a grander scale than has been the case in the past. There is a danger that some of the smaller providers could be precluded from taking part unless they form partnerships, which might become unwieldy. I have some concerns about that development, but we will have to wait and see the nature of the new schemes.

12:15

Marilyn Livingstone: We have heard repeatedly from throughout the country—certainly from people in Inverness and the Highlands and Islands—that people sometimes feel as if they are trapped on a conveyor belt. They get into skills and learning but go on one course after another and find it difficult to get off that conveyor belt and into the job market. John Sutherland gave us a good example of partnership working, but can your partnerships solve the problem?

John Reid: I agree with Michael Evans that partnership working can be the way forward but that it can also be a recipe for disaster. Often, competing agendas get in the way of partnership working. We have been successfully working in partnership in various areas, but perhaps there would not be 2.7 million people on incapacity benefit in the UK if we were all as successful as we would like. Perhaps partnerships need to be more focused on what we are trying to achieve with a group of customers, albeit that the work becomes person-centred.

I am glad that Tom Millar supports the pathways to work programme because, in my opinion, it is the first time we have had a full range of partners who are able to deliver services that address the problems that incapacity benefit customers face. Jobcentre Plus does not know about health, so the NHS is involved. The voluntary sector is involved to provide various elements of in-work support packages and mentoring packages. The providers are there to provide access to the workstep programme and so on. There is also a disability employment adviser and we are working closely with the other main partners in the area to try to ensure that we develop the scheme for the individual.

To return to Frances Curran's point about who is driving the agenda, the DWP and the Treasury

want to see a reduction in the amount of incapacity benefit that is paid. I would be telling lies if I said that that was not the case, but the way in which services are delivered on the ground is definitely about the individual. I have to say that I was one of the usual suspects the other week, so I am guilty.

Catherine Graham: One example of partnership working in Dumfries and Galloway involves earlier intervention in the transition from education to employment, which involves helping secondary schools to work with students before they go on to college. There is the example of the young man who was on the autism spectrum and who wanted to go to college but was not sure what he could do. He had a great affinity with music and we gave him a job taster in a local shop. With the college, we then put together a package whereby he spent two days per week at school, one day on a work placement and the other two days at college. He went on to attend a programme at the college and continued with his work placement. The principal said that she thought that that was a much better route than he might otherwise have been offered. If he had gone straight from school to college, he would have spent two years on a life-skills course before the college decided what he could do and he would have entered the revolving-door situation.

The Convener: We know from your submission that SUSE is holding workshops throughout the country to speak to service providers. What is your impression when you speak to service users as opposed to service providers? The committee has heard different opinions from service users and service providers.

Catherine Graham: How do you mean?

The Convener: Service providers, such as those who are here today, tell us what is available. Sometimes, service users tell us that it is difficult for them to find out what is available. You gave an example of someone who could have gone to college for two years to do a course that would have led nowhere.

Catherine Graham: One of the biggest difficulties that service providers face is a lack of flexibility: a system is set and, in the example that I mentioned, the person would naturally go on to college under the system.

The Convener: I realise that. However, I am interested in consultation or workshops that you intend to have with service users.

Catherine Graham: We have run a consultation with service providers on behalf of the Scottish Executive and we are now working through the networks. The Scottish Union of Supported Employment has a network in every council area except two, which are Lanarkshire and

Dunbartonshire, although discussions are taking place on setting up networks there. On 6 February, we will have a meeting with the chair and secretary of each network. We are looking to approach employers and service providers in each area through them. We will collect information through the networks in each region.

The Convener: Will you collect information from service users?

Catherine Graham: Yes—that is what I am saying. The networks will arrange matters so that SUSE can talk to service users, but we will do that through the network in each region. The networks were set up so that we could collect information from service users.

The Convener: Who are the service users?

Catherine Graham: A service provider provides a service. A service user accesses the service.

Nora Radcliffe: So they are employers and employees.

Catherine Graham: Yes, although somebody might be a prospective employee. They may wish to work, but may not yet be an employee.

Nora Radcliffe: Perhaps others will want to chip in with an answer to the question that I am about to ask. We have talked about employers and potential employees, but co-workers can sometimes be a barrier. Does anybody want to comment on work that they do with co-workers? Employers might see people offending their existing workforce as a barrier. I do not know whether people think about that.

Catherine Graham: One issue that we would like to consider is education in the workplace. I do not think that anybody around the table would disagree that a barrier would be created if a human resources department were approached and somebody at the top agreed to take on a person with a disability without consulting the people with whom that person would work. It is a matter of education.

The Convener: That is why we are considering disability awareness training.

I will let in Elaine Smith before a couple of people respond to Nora Radcliffe's question.

Elaine Smith: Perhaps members of the panel want to answer Nora Radcliffe's question first.

The Convener: That would be helpful. Okay.

George McNally: Nora Radcliffe asked about co-workers. We do not go in for a job-ready model. We do a vocational profile, we identify what the person would like to do and we identify the job that they are capable of doing. A job coach is then put in to learn the job. The person will then start to

work alongside the job coach until they and the employer are happy. However, we have been amazed at how often the natural supports in the workplace quickly take over. Some people might be concerned about a person who has a learning disability or a mental health problem coming to work with them, but once they have been exposed to that individual, they see them as an individual human being and are happy to take on tasks. We continuously monitor every person in a placement in North Lanarkshire even when they are settled in the job so that we can ensure that there is no breakdown in the placement. We have a very high sustainability rate in employment placements.

Michael Evans: We do something similar. George McNally referred to job coaches—we call such people support workers. I guess that job coaches and support workers are the same thing. We go into the workplace if we need to, but most employers say, "Leave it with us. If there's a problem, we'll get back to you."

We must be aware of disclosure, especially when a disability is not obvious. If a person has a disability such as a mental health problem and does not want that disability to be disclosed, our support goes into the background and becomes less visible. The employers do not know that we are there because of disability implications. However, generally speaking, we find that co-workers in the workplace are happy to pick up the reins.

Employers are only human and they all need a comfort blanket. I have found that job coaches or support workers represent that comfort blanket.

Richard Wilkinson: Hansel's approach is that the employment development adviser who places an individual in a company remains on call and available, more so at the beginning than less so as the individual gains confidence in their new job and the company absorbs the person into its profile. Job coaches—we have yet to talk about them—should have a role. Two or three years ago, we employed a couple of job coaches through a modernisation fund that Jobcentre Plus offered but, unfortunately, that fund came to an end in 2004 so, as a voluntary organisation, we could not continue to employ those individuals. If a new national framework emerges or if national funding is provided, funds for job coaching would be advantageous as an adjunct to other programmes for placing disabled people.

The Convener: John Swinburne has a question on that, although we may have covered it.

John Swinburne: Did you have any joy in getting funding for coaching job coaches? How did you train them?

Richard Wilkinson: For the two years that we had job coaches, we trained them on site. In

Ayrshire, a partnership worked to employ job coaches, but it had mixed results. The best type of job coach is one who is employed in that role permanently rather than being in the job as some form of temporary employment provision. One feature of the scheme in Ayrshire was that it involved people who had come out of the job market who were employed as job coaches for about nine months to a year but were thereafter expected to move on—again, the funding mechanisms got in the way. Funding should be available to provide careers as job coaches so that people can become expert in the role. I do not suggest that we should develop a hierarchy, but we need continuity and certainty of funding to allow individuals to build up expertise and knowledge of the local job market.

Elaine Smith: I want to go back to where we started, which was the benefits trap. Most people seemed to say that it is not an issue, because when we work things out, people are better off in employment. I want to discuss that further and to pick up on what Tom Millar said about supply and demand. We heard about the pathways to work programme and the agenda of getting people off incapacity benefit. Frances Curran asked whose agenda that was, to which John Reid's response was that the Government obviously wants to get people off incapacity benefit, which is a driver. Does it, in that case, become a matter of trust and about addressing the media hype?

Rather than people asking themselves what they can gain from going into employment, they may be wondering what they have to lose and whether, if the job does not work out, they can receive the benefits that they were on before without having to fill in 500 forms again. If people round the table think that that issue does not arise, will they say why? If the issue does not arise, people may well consider trying to get employment, but that would require a national strategy to address the information deficit and to try to change perceptions, which are driven by the media to a certain extent.

John Reid: The benefits trap is an issue—I do not think that others said that it is not, but we are saying that it can be overcome by better communication on services such as in-work benefits calculations which, as George McNally pointed out, are not really delivered universally. I make no apologies for saying that the Government drives the pathways to work agenda. However, the driver is not necessarily financial. On average, people are on incapacity benefit for nine years and, once they get past three years, they die or retire on it. That is more of a social and a demographic issue than a financial one.

There is no doubt that when some people move into work they are concerned that they might be at

risk of losing their benefits. I have two points to make about that. Earlier, I spoke about the linking rule being increased to 104 weeks from 52 weeks to give people a safety net, whereby they could go back on benefits. In addition, work trials have for years been available to people to allow them to try out work. George McNally mentioned work tasters and other such initiatives. The more we can do to remove people's fears before they move into employment, the better. People are concerned about what will happen to their benefits if work fails, but a number of measures can be taken, both by our organisation and by other providers, to ensure that those fears are allayed.

12:30

Michael Evans: A few weeks ago, I attended a presentation by Jobcentre Plus and Scottish Enterprise about the pathways to work programme. John Reid might be able to educate me, but as far as I am aware there is not a 101 per cent guarantee that if a disabled person's work fails, they can go straight back on to benefits. Elaine Smith alluded to the fact that that is a significant barrier for people with disabilities. Such a guarantee is vital.

I have no problem with the philosophy behind the pathways to work programme, but I am concerned about the target, which seems to be to move 10 per cent of the people who are on incapacity benefit off it. The target for Tayside is to take 3,000 people off incapacity benefit. That represents 10 per cent of the 32,000 people who are on the benefit in the area, which is a high target. When I first heard about the target, it was stated that the intention was to move 10 per cent of the people who are on the benefit off it and into work. That was fair enough, although the figure was ridiculously high. The next time the figure of 10 per cent was bandied about, it related to the number of people to come off the benefit; the words "and into work" had been dropped. My concern is that the aim of the target is just to get people off incapacity benefit. The cynical, pessimistic side of me thinks that that will mean more disabled people getting put on training courses, further education courses or anything to get them off that benefit.

Tanya Gilchrist: I took some time to find out service users' views before coming along to today's meeting. They feel that the benefits system is a barrier. We do not, because we know who, where and what to ask. Michael Evans made a point about partnership working, knowledge and communication. As providers, we do a great deal of additional, unfunded work in providing support for the individuals who utilise our services—the partnership working side of things is not funded. Funders do not require us to form effective

partnerships or ensure that we support an individual effectively through person-centred planning, although they often impose requirements on us to fill in a particular form within five days, to interview someone within 20 days or to place them in a job within 30 days. No requirement is imposed to ensure that we have done things well and that we have found an effective placement for the person whom we are supporting.

There needs to be a shift as regards what is valuable to the Treasury and what it wants to pay for. That goes back to the issue of strategic leadership. I would assume that the Treasury would want to pay for providers that offered good-quality services to people with disabilities and that, although that provision would be measured, it need not be time restricted or outcome related. There is nothing wrong with having outcomes that are measurable, but the measuring should be imposed on the providers rather than on the individuals to whom they provide the services.

George McNally: I should have said at the beginning that my background is in welfare rights—although please do not ask me to do a benefits calculation now, because I am too far away from that work. I want to try to focus the discussion, because again we are in danger of merging two agendas. There is the back-to-work agenda for people who are on incapacity benefit, but the majority of the people with whom my service would deal are not on incapacity benefit because they have never worked and have therefore never established a contribution record that would entitle them to incapacity benefit. In that respect, they do not have a benefits barrier to overcome because they have severe disablement allowance that they can carry with them into work. However, there are many people who are on incapacity benefit who are not disabled to the same extent, but who, rather, are incapacitated. There is a big difference. That is where confusion arises on what is supported employment and what are employment initiatives. The sooner we start to separate those two things out, the sooner we will be able to make progress.

John Sutherland: The simplest way to see the benefits trap is as a perceived barrier: if the individual thinks that it exists, it exists. It is up to us to build trust, have the right knowledge and remove that barrier but, until someone with the right knowledge does that, the perceived benefits trap is a barrier for the individual.

The Convener: I am aware of time. We need to wind up quite quickly, although committee members still have a couple of questions to ask.

Mr McGrigor: If we are exploring the creation of one mainstream system for supported employment—George McNally mentioned a national service, for example—is anyone aware of

any model system anywhere else in the world that we should examine?

Michael Evans: In Europe, there are probably three countries with mainstream supported employment services. One is the Republic of Ireland, which started its system a couple of years ago and funds it to the tune of €4 million. The second is Norway, which started a mainstream supported employment service in 1995, having piloted it from 1992. The third such service that I am aware of is in Sweden, which started a mainstream supported employment service in the late 1990s.

All those systems are somewhat different. In the Irish system, the pot of money was given to supported employment but is managed by the employment service. In Norway, the money comes from the directorate of labour—or Aetat—which is the Norwegian employment service; it funds 450 job coaches who work for different organisations. Sweden has 350 to 400 job coaches, who all work for the Swedish equivalent of Jobcentre Plus. There are three different models.

I have spent a lot of time with the Norwegian system. There are a lot of strengths in it, but I was surprised that a lot of mistakes or issues came up that I did not expect to arise. We have touched on output-related funding; I thought that that would improve results in Norway, but it did not, because Aetat was allowed just to say to organisations, “There’s your money,” and everybody got complacent. By contrast, in this room, we have a lot of people who are bloody good at competing for money. I would not say that we are cleverer than the people in Norway, Ireland or Sweden, but I would take most people in this room to compete with them—we have to be competitive because of the employment environment that we are in. However, within the systems of those three countries are potential proposals for Scotland.

Catherine Graham: I have a question for Michael Evans. One of my colleagues attended the workshop on supported employment in Norway at the EUSE conference in Barcelona. It is interesting, Michael, that at the workshop it arose that the Norwegians were having difficulty in running their supported employment contract. I believe that they brought you in as a consultant on how to help them to cope with the problems that they were having, because you spoke at that workshop as a consultant. Would you like to comment on that?

Michael Evans: The comment that I was brought in as a consultant because the Norwegian system was having problems is completely untrue. The Norwegians did a critical evaluation of their service. That is what I liked about them. Instead of producing a glossy, goody-goody report, they asked themselves what they were not doing right.

One thing that they were unhappy with was their outcomes, which were at about 25 per cent or 30 per cent. They were beating themselves up about that and saying that the figures were low. My question to them as an outsider was: "Low in comparison with what?" They said that it was low in comparison with, for example, the UK's workstep programme, but I told them that they were not comparing the same things.

The Norwegians have commissioned further research and examined the systems in other countries, such as Ireland, Portugal and Sweden—they will possibly consider Scotland, too. It is refreshing that the Norwegians looked at their system and, instead of just patting themselves on the back, examined how they could make it better. Both the points that Catherine Graham made to me are incorrect.

Catherine Graham: It is difficult for me to sit around this table and have three countries put forward as examples of good practice. If people would take the time to look in Scotland, they would find that we have excellent examples of good practice. There is a great deal out there. Supported employment is being delivered on the ground right now by the enthusiasm and dedication of the service providers who are delivering it. I would like more examples to be brought to the table.

Tanya Gilchrist: I want to respond to Catherine Graham. It is common sense for us to look for good-quality providers in Scotland—there are some. However, there are also some really awful providers. As a member of SUSE, I have been involved in networks and have received feedback. The system is not yet sufficiently joined up; no national strategy is coming from that angle. We should use our providers as examples of good practice, but we should not assume that we are all good at the moment, because we are not.

Michael Evans: Jamie McGrigor asked me to give him examples of countries that deliver mainstream supported employment. I answered by naming three countries that do so. I did not say that they were better than Scotland; I just answered the question.

The Convener: I will leave it there.

Frances Curran: We appreciate your taking the time to appear before the committee. We will definitely discuss the issue for several months, if not longer. Do you want briefly to add anything that we have not covered and should take on board?

The Convener: You will say that there are 100 things that we did not ask you about.

Michael Evans: I do not speak on behalf of any of the other witnesses but, along with the staff and

clients with whom I work, I am very grateful that the committee has bothered to examine this issue. In 14 years, no one has even thought of looking into it—people have just gone ahead and rolled out solutions without finding out what the problems are. The Scottish Executive's employability framework, which is due to be rolled out next month, has been mentioned. I am just a guy from Dundee, but I wonder how someone can be rolling out such a programme when the committee is still gathering information. At least you have listened—I really appreciate that.

Catherine Graham: The Scottish Executive asked the Scottish Union of Supported Employment to produce the blueprint for its strategy, but we are also considering quality standards and training needs analysis. Some good work should come out of that.

John Reid: I want to finish with a point of clarification. There is no aspirational 10 per cent incapacity benefit target for the pathways to work programme. I make that point on the record. I will ask Michael Evans who gave him the information in a minute.

Richard Wilkinson: I, too, thank the committee for inviting us here today. I ask you in your deliberations to remember the value of diversity in provision, especially at local level. That provision is best made by voluntary organisations and other professional bodies. The country gains more from richness and diversity than it would from a centralised system.

George McNally: I echo the sentiments that have been expressed by the other people who have given evidence today. I make one final plea—please try to separate the issue of supported employment from the political football that incapacity benefit has become.

The Convener: That is a good point. I thank everyone for their participation this morning. Your evidence has been very helpful. I hope that you do not feel frustrated and have enjoyed the experience.

Meeting closed at 12:44.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, Scottish Parliament, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Monday 26 December 2005

PRICES AND SUBSCRIPTION RATES

OFFICIAL REPORT daily editions

Single copies: £5.00

Meetings of the Parliament annual subscriptions: £350.00

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Standing orders will be accepted at Document Supply.

Published in Edinburgh by Astron and available from:

Blackwell's Bookshop
53 South Bridge
Edinburgh EH1 1YS
0131 622 8222

Blackwell's Bookshops:
243-244 High Holborn
London WC1 7DZ
Tel 020 7831 9501

All trade orders for Scottish Parliament documents should be placed through Blackwell's Edinburgh

Blackwell's Scottish Parliament Documentation
Helpline may be able to assist with additional information on publications of or about the Scottish Parliament, their availability and cost:

Telephone orders and inquiries
0131 622 8283 or
0131 622 8258

Fax orders
0131 557 8149

E-mail orders
business.edinburgh@blackwell.co.uk

Subscriptions & Standing Orders
business.edinburgh@blackwell.co.uk

RNID TYPETALK calls welcome on
18001 0131 348 5412
Textphone 0845 270 0152

sp.info@scottish.parliament.uk

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers

Printed in Scotland by Astron