

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 7 March 2006

Session 2

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EQUAL OPPORTUNITIES COMMITTEE

5th Meeting 2006, 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 Mc Grigor (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 GAVE EVIDENCE:

Claire Keggie (Scottish Executive Enterprise, Transport and Lifelong Learning Department)

Kathleen Robertson (Scottish Executive Enterprise, Transport and Lifelong Learning Department)

Allan Wilson (Deputy Minister for Enterprise and Lifelong Learning)

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Zoé Tough

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 1

Scottish Parliament

Equal Opportunities Committee

Tuesday 7 March 2006

[THE DEPUTY CONVENER *opened the meeting at 10:00*]

Disability Inquiry

The Deputy Convener (Nora Radcliffe): Good morning and welcome to the Equal Opportunities Committee's fifth meeting in 2006. I give the usual reminder to turn off mobile phones, which interfere with the sound system. We have received apologies from Cathy Peattie. Marlyn Glen has been held up in traffic, but we expect her shortly.

Agenda item 1 is our disability inquiry. Today is our third formal evidence session on the theme of further and higher education. I am pleased to welcome the Deputy Minister for Enterprise and Lifelong Learning, who has with him Claire Keggie and Kathleen Robertson from the Scottish Executive. I thank them for their presence. I invite the minister to make an opening statement.

The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson): I will be relatively brief, although I have a couple of points to put on the record, not least of which is my pleasure at being back at the committee again. It is good to have the opportunity to give evidence. The committee has identified an important issue that features high on the Executive's list of priorities in higher and further education. I welcome the opportunity to, I hope, assist the committee in its deliberations by explaining our policies and the various initiatives that the Executive has taken to support people with disabilities in our higher and further education system. As members know, our underpinning lifelong learning strategy sets a goal of ensuring that everyone has the chance to learn, regardless of their background or personal circumstances. In the past few years, we have taken several important steps to make that goal a reality by ensuring that disabled people can access further and higher education and, in so doing, achieve their potential, although we are not complacent on the issue.

A range of legislative and policy developments has given disabled people who are in FE and HE more rights, information and, critically, choice. As members will know, the Scottish Further Education Funding Council and the Scottish Higher Education Funding Council merged on 3 October 2005, as a result of the Further and Higher Education (Scotland) Act 2005. As was said when

that act was passed, the merger gives an opportunity to modernise tertiary provision to take account of the diversity of students who attend institutions. The new Scottish Further and Higher Education Funding Council is a non-departmental public body that is responsible to the Executive. We give the council strategic guidance on how to exercise its functions, but it is for the council to interpret that guidance and for colleges and universities thereafter to implement it.

I will deal briefly with the legislative background, although I do not intend to say much about policy. The act that provided for the merger of the funding councils places a duty on the new council to have regard to the educational and related needs, including the support needs, of all students and potential students. The extension of the Disability Discrimination Act 1995 to include further and higher education, the forthcoming new duty to promote equality for disabled people that is contained in the Disability Discrimination Act 2005, and the Education (Additional Support for Learning) (Scotland) Act 2004 all put a new focus on supporting people with disabilities.

A measure of our success over the piece is that, since the academic year 2000-01, the number of enrolments at Scottish colleges by those who declare a disability has almost doubled, from 20,550 to 40,070. In higher education institutions, the number of students who declare a disability has again almost doubled, from 6,920 to 11,795. Almost 52,000 students in the two sectors have been encouraged to take up the further and higher education opportunities that have been facilitated by a number of the measures that we have taken. That is to our credit.

At policy level, "Partnership Matters: A Guide to Local Authorities, NHS Boards and Voluntary Organisations on Supporting Students with Additional Needs in Further Education" sets out the roles and responsibilities of all the agencies that are involved in providing support for students with additional needs and encourages those agencies to work in partnership to put in place the best possible support. There is evidence that the formal and informal partnerships that are being developed throughout the country are leading to improved support for students with additional needs. That is reflected in the increasing numbers of students.

Our student support arrangements take account of the additional needs of students with disabilities. A range of allowances is available to support students in their studies and to help to ensure that disabled students are not disadvantaged.

A significant policy development is our strategy, which is set out in "Lifelong Partners: Scotland's Schools and Colleges Building the Foundations of a Lifelong Learning Society", to strengthen school-

college partnerships and widen pupils' opportunities for progression. That will prepare them for further study and ease their transition from school to further vocational or academic learning. It also broadens pupils' curriculum choices and enriches their educational experiences. A number of other policy developments are on-going. We can talk about them later, but the committee will be pleased to learn that I do not intend to mention them in my opening statement.

We know that a small number of people cannot access further education opportunities in Scotland because they have very complex needs. The committee will be familiar with the territory. In such cases, people can choose to attend specialist provision in England and seek funding from their local authorities to do so. We know that funding provision varies throughout the country and our recent consultation on finding practical solutions to complex needs aimed to find out more about current practices and the needs and aspirations of people with complex needs. We are considering the options for change in the support system and we hope to consult on our plans later this year. I have had discussions with colleagues along those lines.

In conclusion, accessing further education and higher education and developing new skills are critical not only for personal reasons for the students concerned but for social reasons and—dare I say it—for economic development reasons. We need to develop our workforce and give people the skills and the opportunity to get back into employment, to succeed in it and to undergo personal and professional advancement. That is linked to our desire to create a more just and inclusive society, in which no one is excluded, everyone is able to fulfil their potential and the state assists in supporting those with the greatest and most complex needs to do so. I have outlined the legislative provision that we have already made—members will have their own opinions about whether we need to tighten that up—and I have mentioned a couple of our policy interventions. There are many more, but they are all done with that policy intent in mind.

The Deputy Convener: Thank you. Your comments are useful because they set the scene. We now move on to more detailed questions based on the evidence that we have taken.

First, do you want to say anything more specific about how the Scottish Executive's lifelong learning strategy is providing opportunities for young disabled learners?

Allan Wilson: Yes. I referred to the increased number of enrolments. That statistic is important and the fact that enrolments have doubled in five

years gives us cause for celebration that we are making additional provision.

Our lifelong learning strategy, which we are constantly reviewing, makes it clear that we want everyone to have the chance to learn, irrespective of their background or personal circumstances. Through the lifelong learning forum, which I addressed comparatively recently, and the disability working group, we ensure that disabled people have an opportunity to feed in their views and tell us how current provision might be lacking and how delivery mechanisms can be improved. For example, those groups have advised us about access to disability allowances. We have been working with institutions to ensure that access to such allowances is facilitated, so that people who are entitled to allowances do not have to wait too long to receive them.

I mentioned the statutory duties of institutions. In addition, the onus on partners to work together is set out in the "Partnership Matters" document, which I also mentioned. Further education colleges and higher education institutions must work with local government, the health service and the voluntary sector to ensure that individuals' needs are catered for, particularly during the transition from school to college or vocational training. Careers advisers provide a one-to-one service at that stage and we have put a lot of money into ensuring that a focused service is available so that people's individual needs can be addressed. That will form a significant part of our forthcoming strategy on 16 to 19-year-olds who are not in education, employment or training, some of whom have to overcome obstacles to getting into education, employment or training that relate to learning or other forms of disability. We want to ensure that special provision is available for such young people, so that they can make the transition and have a guaranteed option at the end of the process. The forthcoming strategy will include a focus on the one-to-one tailored careers service for young people with disabilities who are in the cohort of 16 to 19-year-olds who are not in education, employment or training.

The Deputy Convener: You have largely answered some of the questions that I was going to ask. Will you tell us how the Executive is working with colleges, universities and funding bodies to mainstream provision at the highest level?

Allan Wilson: I mentioned the statutory duties of institutions. We also provide guidance on how institutions should cater for the individual needs of students with learning disabilities. There are issues to do with how best we facilitate mainstream provision. Courses and institutions must adapt to meet individuals' needs and individuals must be supported. We must strike a

balance between those two approaches if we are to find the optimum way of making the higher education system more accessible to people with disabilities. We must address the particular needs of the student, for example in relation to travel or equipment provision. We must also ensure that the physical infrastructure of the institution is fit for purpose and that the institution can provide the necessary equipment and teaching and learning support.

As you know, substantial additional funding has been made available to our higher and further education sectors over the current spending review period. Support is available to both sectors in the form of the premium that we pay to higher education students and the additional support for learning funding stream for further education colleges. That support ensures that the colleges and universities can cater for the particular needs of students. There needs to be a balance between those two approaches.

10:15

The Deputy Convener: Do you think that you have picked up on all the implications of the disability equality duty for further and higher education provision?

Allan Wilson: As I said, work is being done on provision for the people with the most complex needs who cannot currently have those needs met in Scotland, but more can be done. That provision varies across local authority areas, and I would like that to change. It is important that we should be able to support such people and meet their needs irrespective of where they live. I think that there is a better way of doing that than what is being done currently. Perhaps Claire Keggie would like to add to that.

Claire Keggie (Scottish Executive Enterprise, Transport and Lifelong Learning Department): Convener, do you want particular information about the disability equality duty to which you referred?

The Deputy Convener: The duty will have certain implications. Do you want to expand on that?

Claire Keggie: The committee might already be aware of this, but it is probably worth restating that the funding council is doing a significant amount of work to support institutions to prepare for the implementation of the duty. It has produced a toolkit to help institutions to evaluate their practice. A new Scottish equalities unit is being established that will pull together work on the disability equality duty and other equality strands. So, in preparation, we have given strategic guidance to the funding council and it is now implementing what has been asked.

The Deputy Convener: Thank you. That is useful.

Ms Sandra White (Glasgow) (SNP): The minister talked about provision in further and higher education, which is important. However, we have heard evidence that the issue of students disclosing a disability when applying for a course is complex. Disclosure has a direct impact on colleges and how well they are prepared in terms of their funding and access to their courses. How can the Executive, the funding council and further and higher education colleges work together to provide help for people who have to disclose that they have a disability?

Allan Wilson: As you know, the Education (Additional Support for Learning) (Scotland) Act 2004 makes provision for the exchange of information between schools and prospective colleges. That is a step forward in helping to smooth the transition to college for those who have particular support needs. It provides for the statutory sharing of information between the education authorities and further and higher education institutions to ensure that the background information that education authorities have gleaned, with the support of the parents and individual students, is passed on to the welcoming institution. That should mean that the institution will be properly funded and the student's post-transition needs will be catered for.

Ms White: I know that what I am asking about has an impact on the funding and on colleges' preparation, but another member will be asking about funding later. Some students feel that they do not want to disclose their disability, particularly if it is a mental disability or something like that. How will the Executive, working with the colleges and the funding council, help to encourage students to disclose their disability? I am thinking of initiatives such as the see me Scotland campaign. Is there anything that the Executive can do to help the people who are not disclosing such disabilities?

Allan Wilson: This is obviously a difficult and sensitive area. Close partnership working is required between the education authority—together with children's parents—and the bodies that they have to deal with. Advice, guidance and other support and assistance should be provided, but the partners in the process will have to work sensitively with children and parents to ensure that their needs are catered for. It is a sensitive area and education authorities will have to deal with it sensitively.

Mr Jamie McGrigor (Highlands and Islands) (Con): I will ask about careers guidance. The committee has noted in evidence the lack of policies or guidelines for guidance teachers and learning support teachers who give advice to

disabled people preparing to leave school and move on to further or higher education. Specifically, we have noted the impact that certain impairments will have on people's career options. What more can the minister's colleagues in the Scottish Executive Education Department do to ensure that an appropriate and relevant standard of guidance support is available across Scotland?

Allan Wilson: That is a good question, Jamie.

Mr McGrigor: It was very long—I am sorry.

Allan Wilson: I read the evidence that the committee heard and I took note of it.

The question is obviously not one that is directly for me, but I suppose that a balance has to be struck between centralised guidance and the professionalism of people at a local level. Education authorities have an important role in their areas in ensuring that the needs of disabled students are catered for. There may be a case for making better or more centralised guidance available to professional advisers. I am sure that the Education Department would want to look into that in the light of the committee's findings. You have taken evidence on the subject and come to your own conclusions, and I know that that will interest the department.

We have sought to ensure that a one-to-one approach is taken to careers guidance and we have put substantial additional resources into ensuring that such guidance is available in schools and beyond. We want to ensure that professional careers advisers are aware of the options and of the best advice that they can offer in all circumstances.

Marlyn Glen (North East Scotland) (Lab): I realise that the aim is to offer one-to-one careers advice, but we are some way away from that. A few weeks ago, when we were asking about the role of guidance teachers, we discovered that there is no centralised guidance at all. You will know that my background is in support for learning and in guidance. The reality is that guidance teachers have such a wide role in schools, so many children to look after, and so many time constraints, that one-to-one guidance will be squeezed. The committee hoped that guidance teachers would at least be given some central guidance. The guidance teacher who gave evidence to the committee talked about going to a voluntary body at weekends to exchange best practice but said that there was no guidance from the Executive.

Allan Wilson: I can see the point. As I say, there is a balance to be struck. The centre has to give advice to professionals and education authorities about best practice and best approaches. I am sure that Education Department officials will be interested in the committee's

findings and that if there is a need to introduce more centralised guidance in that area or to otherwise change the system to make it more responsive to the needs of the individual, they will give serious consideration to taking such measures.

I referred briefly to our goals on careers guidance before Marlyn Glen came in. The objective behind our approach to those 16 to 19-year-olds who are not in education, employment or training and for whom learning disabilities, for example, may be an obstacle to getting into such activity is to ensure that one-to-one support is available to them from the careers service, in addition to whatever support the school may be able to provide through its guidance teachers. The needs of the individual might be highly complex and many different public agencies might be involved in supporting them, so our aim is to adopt an holistic approach whereby we ensure that the system is tailored to meet the needs of the individual, rather than the individual having to meet the needs of the system. That will involve a cultural change, especially in education, although employers and others will also have to be more responsive to the needs of school kids of that age who are in those circumstances.

Mr McGrigor: Last year, the Scottish Executive published a document called "Lifelong Partners", which aims to further enhance partnership working between Scotland's schools and colleges by improving the careers service and giving pupils the option of studying vocational courses at college while they are still at school. Does that policy refer specifically to issues that affect young disabled people?

Allan Wilson: It should, because it is meant to consider the learning needs of everyone who is in the transitional period between school and college. The school-college partnership is a vital part of the process. "Lifelong Partners" is not just for kids who have learning disabilities. The aim is to ensure that, by the end of 2007, we will be able to offer a means whereby young people—including those who might be younger than 16—who wish to make the transition from school to college to follow a vocational educational route can do so. That said, there will be nothing to prevent them from going down the more traditional academic route—we would not discourage them from doing so. We simply want to ensure that in future there is parity of esteem for vocational education and training and that opportunities are given to young people to extend their core skills, which we know employers think are not given the attention that they deserve in our educational system proper. We are particularly keen that kids who are disengaged from the education system or who have special needs should be able to make such a

transition and to have their needs addressed by that programme.

That is the policy intent. We have good reason to believe that the policy pilot has been successful in the areas in which it is operating. As I say, the intention is to roll it out across the board. The skills courses that it involves will provide new opportunities both for the generation of kids that is going through our schools and for the education system. I add that the policy has been welcomed.

Mr McGrigor: You say that the pilot schemes have been successful, but have there been any obvious outcomes of the "Lifelong Partners" policy so far?

Allan Wilson: Demand for the service that it offers has been generated in many areas, not least in Glasgow—I know that from personal experience. However, I do not know whether any more detailed monitoring has been conducted.

10:30

Claire Keggie: There has not yet been any formal evaluation, but early feedback from Her Majesty's Inspectorate of Education has been positive. Feedback from pupils about the impact of the new courses has been overwhelmingly positive. The strategy will be evaluated formally in 2008-09.

Mr McGrigor: Does the minister consider that there should be a role for employers in the provision of careers advice for young disabled people?

Allan Wilson: Where agencies such as the local authority, the health service, further and higher education institutions, careers services and schools are involved, there has to be employer buy-in to the process. That is part of our policy of trying to develop wider partnerships at local level rather than imposing them from the centre.

Further education colleges are particularly good at partnership working because of their links with local employers and the way in which they meet skills needs. There is a two-way process: it is not just about further education colleges meeting the skills needs of the local industry; it is about local employers putting something back into the process by way of employment and vocational training opportunities for kids with obstacles such as learning disabilities. That is a fundamental part of the process.

Employers have rights and responsibilities. The further education sector and higher education more generally have been set up to address the skills needs of industry. Industry has to play its part in providing new opportunities for kids with learning disabilities.

Elaine Smith (Coatbridge and Chryston) (Lab): I have been listening to what you said about partnership working, smooth transitions, the importance of local authorities and so on. Leading on from Jamie McGrigor's question about liaison between schools and colleges, might it not be better or easier if the policy of incorporation of further education colleges were to be overturned and they were to be returned to state control, under either local authorities or the Scottish Executive? Would that not make sense as regards transition and partnership working?

Allan Wilson: I remember when it happened in—

Elaine Smith: 1996.

The Deputy Convener: I do not think that that question is relevant—

Elaine Smith: It is relevant with regard to breaking down barriers to making smooth transitions between school and college. That policy should be considered as a barrier to young people accessing further education. If further education was not provided by separate private institutions as it is now, we might be able to develop a better transition policy.

Allan Wilson: We looked at that as a consequence of the ministerial power of direction in relation to current discussions about the legislation on charities. Further education colleges have charitable status, which means that they are exempt from paying certain taxes and duties. A substantial bill would be needed to change that, and the balance of the argument was that we favoured retaining their independent status. Within that, substantial powers are exercised by the Executive and the Scottish funding council to ensure that the colleges meet the programme that is set for them by the Scottish Executive as well as the wider agenda that we set for our higher and further education institutions.

It is not a systematic issue; the school-college partnerships have demonstrated that. Local authorities, education authorities and schools can have an effective working relationship with their local further education college and the college can deliver for the needs of pupils in that area by working with employers to ensure that there is a partnership approach. On balance, that is the right approach.

Elaine Smith: Transition would be easier if there was more consistency and we returned to local authority management of the colleges. That is my personal opinion but the committee might want to comment, in its inquiry report, on whether incorporation is a barrier to transition.

You mentioned the legislation on charities. My understanding is that, because a small percentage

of funding for colleges is charity funding, the Executive might give away the right to dissolve college boards even though a huge percentage of the colleges' funding is public. I find that extremely worrying.

Allan Wilson: There is a debate going on about that. The Minister for Enterprise and Lifelong Learning and the Minister for Communities are discussing those issues. We share some of your concerns and did not want to lose our ability to react to potential crises in higher or further education as the legislative provisions developed. It is important that higher education and, to an extent, further education institutions maintain their independence from the state, but it is also important that we have sufficient powers and mechanisms to enable us to respond to crises and ensure that the interests of the students and the institutions' staff are protected. We are confident that we can achieve an accommodation on that with colleagues and, when the proposals come out, I think that they will satisfy you in that regard.

Elaine Smith: You have answered a lot of the questions, so I presume that you have had some indication in advance of what the committee might want to explore with you. You talked about a one-to-one careers service for young people. In 2001, £15.1 million was given to the careers service for inclusiveness projects; specifically, that included key workers to support young people during transition. To what extent did the careers service put that provision in place?

Allan Wilson: That money was allocated to manage and develop a multi-agency inclusiveness agenda and key worker projects. It has been directly responsible for the appointment of key workers and others over the piece to work on that agenda, which is being worked on as we speak. The employability framework and the national NEET strategy will both further develop the process and enhance the available services on a pilot basis in the first instance in the areas of greatest need, where there is a higher incidence of 16 to 19-year-old kids not being in education, employment or training, and in the areas that we identified in our closing the opportunity gap strategy as having the greatest need for support and assistance.

Elaine Smith: I think that the worry was that, if the careers advisers have a more generic role, young disabled people could fall between gaps. That is what I am asking about. I note from supplementary evidence that we have received that Careers Scotland Highlands and Islands seems to have used some of that funding to put in place key workers and then mainstream them, but I am not sure that Careers Scotland as a whole has done that. Do you understand that worry?

Allan Wilson: The NEET strategy will focus on those who face the greatest obstacles, and kids with learning difficulties feature in that strategy particularly. From our point of view, the key worker strategy is a key feature of that. That is not to say that people will not have other obstacles or difficulties. However, we must ensure that there is a focused and tailored approach that meets the needs of the individual.

We are talking about an important cultural shift. Instead of people having to go to individual public agencies or institutions for support and assistance, it should be the other way about. Public agencies and institutions should take a holistic approach to meeting the needs of the individual. The system has to be more tailored to the needs of the individual than is currently the case, and the key worker strategy is critical to that. Ultimately, it means that somebody—some lead agency, local body or individual—brings that together and is able to provide the one-to-one assistance that those with the most needs can access. Having tailored provision is the best way of ensuring that.

Generic advice can be provided, but having people who are focused on the individual needs of different cohorts of young people is important. We need to tailor advice, support and assistance to those with the greatest need—the 20 per cent, or thereabouts, of our school population who we know have that level of difficulty. The 80 per cent will get by with much less advice, support and assistance. It is important that we focus our efforts, our energies and our resource on those with the greatest needs.

Elaine Smith: Let us be clear about this. Are you saying that there will be key workers in each local authority area to assist young disabled people with careers advice and transition support on a one-to-one basis? Are you saying that that will happen?

Allan Wilson: I cannot pre-empt the outcome of the NEET strategy or announce in advance what it will say. The strategy will identify the importance of individually tailored solutions, and the role of key workers in that context is critical.

Elaine Smith: Thanks very much for that indication.

Allan Wilson: When the strategy is published, I am sure that you will see evidence of new thinking and positive steps forward in trying to assist the people whom you and I want to assist—those who have the greatest need in the system.

Elaine Smith: The evaluation of the inclusiveness project that took place last year stated:

"The Careers Scotland performance information systems were not as yet able to provide robust information on outcomes per client."

That is obviously very important. Do you have any information on the outcomes per client? Are you satisfied? Has that changed?

Allan Wilson: I do not know the answer to that question; I will get back to you on it. We are looking at the structure, role and place of the careers service in relation to those matters. I believe that that can be definitively improved.

Elaine Smith: Can you also get back to us on the recommendations that that evaluation made and on how they have been taken forward by the Executive? It might be good to get that from you in writing.

Allan Wilson: Yes. I would be pleased to do that. We are working closely with the careers service and others on where the careers service fits with all this and whether it is best placed where it currently is.

Elaine Smith: It should be back under local authority control.

Ms White: I am interested in what came out of the inclusiveness project and the evaluation. As Elaine Smith said, it is important that we get an evaluation from when Careers Scotland took over and, with the Executive's blessing, mainstreamed the moneys into mainstreaming. I am concerned about the emphasis that has been put on people who are not in employment, education or training rather than on key workers and individuals working with young disabled people. I would like to see an evaluation of that.

The report says that the groups that were specifically targeted were care leavers and young offenders. It also says that only some key workers focused on disability whereas previously there were key workers specifically for disability. I am keen that we get an evaluation to ascertain exactly what percentage of the money has been spent on people with disabilities and what percentage has been spent on the Executive's NEET programme.

10:45

The Deputy Convener: We can wrap that up through the information that we get back.

Allan Wilson: That is a fair point and we would certainly wish to do what Sandra White suggests. Obviously, we do not distinguish between the two areas. Perhaps the area of greatest need in this regard involves NEETs with learning disability. We must ensure that the system caters for their needs and finds suitable opportunities for them to continue in education, undertake vocational training or find employment—hence the employer buy-in.

John Swinburne (Central Scotland) (SSCUP): You referred to partnership working. The

committee heard oral evidence from the Association of Scottish Colleges that partnership working can often be complicated by the conflicting priorities of partnership organisations. The committee notes the publication in 2004 of the guidance document "Partnership Matters"—you mentioned it earlier—which aims to provide greater clarity about the roles and responsibilities of all the agencies that support students with additional support needs who are studying in further education. Have you assessed the effectiveness of that guidance?

Allan Wilson: Yes. Since the original publication of "Partnership Matters", we have added a new section that deals specifically with school pupils with additional needs who attend colleges as part of their school curriculum. I referred to that in response to Jamie McGrigor's question about the transition period and the work of the school-college partnerships. We want to ensure that the partnerships and the transitional process cater for everybody in the system, but particularly those with special needs.

Discussions are under way at strategic level involving Claire Keggie, principals and directors of social work and education and others to encourage new partnerships and forge new strategies, which I hope will lead to better delivery. Claire Keggie might want to speak about that.

Claire Keggie: The strategic work is at an early stage. After the wide dissemination of "Partnership Matters", we became aware that we needed to take the guidance a stage further and engage in strategic dialogue. We will pick up on that soon. John Swinburne asked whether we had evaluated the document's impact so far. There has been no formal evaluation, but we are aware that a number of formal and informal partnerships have been established in various parts of the country. Those will have a positive effect on the support that is in place for students.

John Swinburne: What more needs to be done to ensure co-ordinated partnership working to support disabled learners? Further, should funding to councils be ring fenced to ensure that the money gets to the source for which you intended it?

Allan Wilson: There are two ways of looking at that. It is arguable that money is ring fenced for those with the most complex needs, although whether it gets to where it is supposed to go is a moot point. We are considering whether there could be a better and more centralised system, such as the one that operates down south. Change to the system could happen in a variety of ways.

The objective, as you rightly say, must be to ensure that the money gets to the people who

need it most and that they are able to use the money to access the most suitable courses. We are examining the matter. Officials are in dialogue with other public agencies to ensure that there is joined-up working across the board, whether it is with local authorities, as you mentioned, or with other public agencies.

Ms White: You have had an indication of where we are coming from on the issue of courses. During our inquiry, including on our outreach visits, we have often heard references to pretend courses—those that have no outcomes and which provide no qualifications. We recognise that sometimes college students will not come out with qualifications. Such courses might not be appropriate in certain circumstances, but no evaluation is done of them. Will the Executive conduct an evaluation of colleges to establish how many such courses there are and what the outcomes are?

Allan Wilson: HMIE evaluates college courses. As Claire Keggie said in response to another question, the colleges come out with a very high rating. I think that 84 or 87 per cent of subject reviews of the value of continuing courses produced a grading of good or very good. The other 13 per cent of courses might be the ones that you are concerned about. HMIE provides the evaluation and advises the Executive and professional educationists on the value of the courses. The colleges tell me that there is value in the courses that they provide, although I also hear some criticisms and complaints. Those complaints may sometimes have merit and be worthy of further investigation but, by and large, the courses that colleges provide and the outcomes that are achieved receive a good or very good grading.

Ms White: Many colleges that we visited offer fantastic courses. However, at other colleges, community centres or day centres in the area were closing down or amalgamating. Sue Pinder from the Association of Scottish Colleges acknowledged that students at one college will not have the opportunity of employment now, or perhaps ever, and that there is a danger of such colleges becoming the new day centres. That situation causes conflict, because colleges can feel that they are being charged with meeting the social inclusion agenda rather than doing what they were set up to do. Are you aware of that situation? That is when the issue of so-called pretend courses arises, although “pretend” might be the wrong word. Will the Executive conduct an evaluation of college courses? Alternatively, will HMIE conduct such an investigation and report to you or could the Executive order such an evaluation to be done?

Allan Wilson: HMIE conducts such an evaluation. Overall, the grading is good or very

good for the outcomes that are produced by around 87 per cent of courses. I know that there is some concern in the sector.

Obviously, colleges are not day centres. I am a great supporter of the further education sector and further education colleges, which are vibrant places that provide learning opportunities of consistent high quality. They offer very good vocational educational and training opportunities, they meet the needs of industry and they provide opportunities for young people to develop their potential. They are not day centres per se and we do not want them to be used as such.

For that reason among others, we are giving further consideration, as Sandra White suggested, to whether further education colleges are the most appropriate places for those with more complex needs given the level of training and educational input that they require. Other ways of providing that training might be found. As I mentioned in my response to John Swinburne’s question, our consultation on complex needs is considering whether a better way might be found of providing and funding such training. The training is currently funded through local government, but that might not be the best arrangement.

The Deputy Convener: We received a submission from someone who had completed the same course about 20 times. The issue is not always the course per se but the fact that people are recycled through the same courses due to lack of an alternative option. That was one of the roots of our concern.

Ms White: I was about to come on to that point. My first point was about the fact that colleges are perhaps being used as day centres. My second point is about pretend courses. We have received a lot of evidence to the effect that disabled people are often put through the same course all the time. That situation is not suitable for anybody.

The Deputy Convener: A course might be good, but people do not need to complete it 20 times.

Allan Wilson: I agree with that entirely. I accept the basic premise that colleges are not day centres and that they are a type of provision that will not be suitable for everybody. I do not dispute that, but the question is how we address the matter.

Ms White: We need to evaluate the situation and get evidence on it. The minister said that the Executive is giving further consideration to the issue. Will it produce a paper?

Allan Wilson: Yes, a paper will be produced following our deliberations on the complex needs consultation document. I hope that that will be sooner rather than later. I am very clear about the

issue, but the matter will need to be passed by other colleagues.

Ms White: Perhaps we can feed into that—

The Deputy Convener: What is the timing for that paper?

Allan Wilson: The paper will be published very soon. It is imminent but, unfortunately, I am unable to say when it will be published.

The Deputy Convener: It is useful to know that the paper is fairly far advanced and is about to be published.

I apologise to Sandra White for interrupting her.

Ms White: That is okay. I thought that we were going to get an answer about the consultation.

Interpreters and translators are needed to make materials and examinations easier for disabled people to understand, but often people do not receive enough interpretation support. Can the Executive do anything about the dire shortage of sign language interpreters?

Claire Keggie: The Scottish Executive is committed to increasing the number of sign language interpreters. About two years ago, the First Minister made a commitment in Parliament to double the number of interpreters because of the recognised national shortage. We are progressing that at the moment.

Ms White: It will be interesting to know how much progress is being made. Although the issue is perhaps a side matter, many people ask us when those interpreters will come on stream.

Another idea that has been suggested to us is that accessibility should be built into qualifications. For example, courses in website design, architecture and planning could perhaps include compulsory modules on accessibility so that people would have that skill when they qualify. What is the minister's view on the potential for such an approach? Will he work with the Scottish Qualifications Authority to take the idea forward?

Allan Wilson: Yes.

Ms White: That is a short answer. Thank you very much.

The Deputy Convener: It was a short and welcome answer.

Ms White: Yes, it was short and sweet.

My final question is on how we help disabled people into employment. It has been suggested that we need more paid vocational courses that provide core skills for supported employment. What is the minister's view on that suggestion? Would that be a good or a bad thing? Do we need more such courses?

Allan Wilson: As I mentioned when I referred to some of our other initiatives, I have seen evidence of good work in vocational training opportunities for young people with learning disabilities. Personally, I want that work to be built upon as I believe that it should be a key feature of our strategies to address the obstacles and absence of opportunities that disabled people face in entering education, training or employment. I have no doubt that we will want to do more work on that area. When such training works well in practice, it is welcomed by employers, individuals and the workers who contribute to a successful scheme. That is a win-win situation.

11:00

The Deputy Convener: Absolutely.

Marlyn Glen: The committee has heard evidence of the positive results from the teachability project at the University of Strathclyde and we are interested in its future. How will that example of good practice be rolled out to the wider higher education sector? Are there plans to pilot it in the further education sector?

Allan Wilson: I have heard similar reports about the project, whose aim is to make the curricula of higher education institutions more accessible. We fund the Scottish funding council, which funds the institutions. Whether the Scottish funding council continues to fund the project is a matter for it; we cannot and do not direct it on such matters.

Marlyn Glen: The project materials that we saw were very good; rolling out the project would really just be a matter of encouraging people to use those materials.

Allan Wilson: I am sure that that is the case. If the committee recommends that, I am sure that the Scottish funding council will take it on board. All I am saying is that we do not direct the Scottish funding council in that way.

Marlyn Glen: That is a good project that the Scottish funding council has supported.

Allan Wilson: Yes.

Marlyn Glen: The committee is aware of the current funding for learners project on provision for students with disabilities, which is examining the support that is provided to disabled students, considering the options to improve student support and investigating whether a single system of student support for further and higher education students should be established. What are the project's key objectives and what is the likely timetable for its completion?

Allan Wilson: I will let Kathleen Robertson give you more detail, but I have touched on the balance that must be struck between institutional provision

and support for individual learners. It can be argued that the more generic provision institutions make through equipment, capital investment and all the rest of it, the more we may have available to us to spend on meeting the more complex needs of the students who have the greatest needs. That is part of what is going on.

Kathleen Robertson (Scottish Executive Enterprise, Transport and Lifelong Learning Department): As Marlyn Glen said, the project was intended to improve efficiency and effectiveness in the use of the existing financial arrangements and resources for individual support for students. It did not cover institutional support per se, but worked in the context of institutional support.

We hope that the project will be completed fairly soon. We are saying that it will end in spring, but we hope that it will be complete by the end of March or the middle of April at the latest. It will make several recommendations that will echo much of the evidence that the committee has gathered, so it will be familiar territory. Some recommendations will concern administration of funds and changes that we can make immediately, such as making application forms and processes more accessible and easier for students.

Marlyn Glen touched on the fact that we have considered whether a single system of support should be established. All we have done is gather information about whether there is demand for that from the sectors. The next stage is to consider feasibility and the pros and cons in much more detail. That would be a longer-term investigation. We hope to have the project's report by the end of March or the middle of April, so it should coincide with the committee's timescale and the committee should be able to use it in its evidence.

The Deputy Convener: We await the report with interest.

Marlyn Glen: That report could be useful.

The committee has heard evidence about anomalies that relate to the disabled students premium. The DSP is provided on the basis of the number of students at a university who claimed disabled students allowance in the previous year. If the allocation is based on the previous year's figures, it may be correct to assume that the DSP will not reflect a university's current need. Is the minister aware of that situation? Do you have any plans to improve it?

Allan Wilson: I am aware of that situation, as is the Scottish funding council, whose job it is to address such anomalies. Interestingly, we are addressing the issue in the light of the advice that we get from the disabled students advisory group, which is made up of people who are at the sharp end of the process and so can give us more

insight into where the system is not as effective as it might be, as Kathleen Robertson said.

It would be a bit perverse if funding were skewed in such a way that institutions that were most proactive in taking steps to improve facilities and invest for their disabled students got less money than those that did not. Obviously, we want to ensure that the premium rewards the institutions that take steps to meet student need.

Marlyn Glen: There is a difficulty there. If a university receives a high level of DSP, it should be able to make greater provision for its disabled students, which should, in turn, reduce the amount of DSA that is being claimed by each student as on-site provision is improved. However, in order to keep a high level of DSP funding, universities need students to claim DSA. There is a huge difficulty there and the situation is complex. Can the minister say anything further on that point?

Allan Wilson: That is precisely the problem—I could not have described it better. We have to ensure that the system rewards institutions that make the extra investment and provision to cater for their disabled students' needs in ways that widen access for those students—the system must not penalise institutions for making that provision—and we have to ensure that de facto claims for disabled allowance are reduced. That is the task.

Marlyn Glen: I accept that the two elements are interconnected, but I am wary of the idea that the funding will reward the institution rather than go with the student.

Kathleen Robertson: I confirm that the funding council is reviewing the premium because of the problem that Marlyn Glen mentioned. The issue came up early on in discussions with the disabled students stakeholder group and has come up through our project, too. The funding council is reviewing all its premia, one of which is the disabled students premium. It is aware of all the issues that have been raised and is going out to talk to the sector in that regard.

Marlyn Glen: I will be interested to see what happens as a result of that.

Allan Wilson: There is only one cake of money, so if by improving that provision we were able to release resource better to assist the people with the most complex needs, we could broaden access further and provide even more assistance to the people who have the most complex needs.

The Deputy Convener: There would be a virtuous circle, rather than a perverse incentive.

Allan Wilson: That is right.

John Swinburne: I suspect that I know the answer to the question but I will ask it anyway. It

probably costs a great deal more to put a disabled student through university than it does to put a student who is not disabled through university. Such students will be in no way burdened by any additional charge, although money can sometimes be clawed back from students. Is there an argument for making degree courses free for disabled students?

Kathleen Robertson: In effect, degree courses are free for disabled students because they do not pay tuition fees, they receive the student support that all students receive and they get the disabled students allowance. Certainly, there is no intention to make those individuals incur additional cost.

John Swinburne: However, you will still be clawing back from them—

Kathleen Robertson: No, we are talking about a different pot of money—

John Swinburne: All students get money clawed back from them, surely.

Kathleen Robertson: Are you talking about the graduate endowment? People who are in receipt of disabled student allowance do not have to pay the graduate endowment.

Allan Wilson: DSA does not affect their benefits, either. It is in addition to benefits.

Kathleen Robertson: Benefits such as disabled living allowance or the things that people get from the social services are not affected.

The Deputy Convener: That is useful clarification.

Marlyn Glen: The committee has heard evidence that there is significant dissatisfaction with the level of service that is provided to disabled students by the Student Awards Agency for Scotland. From SAAS's oral evidence, it appeared to the committee that no real effort was being made to evaluate the effectiveness of services and the impact that they have on disabled students. Do you agree that that is a problem? Do you have a view on how improvements can be made?

Allan Wilson: I will need to review the evidence that the committee heard. There can certainly be improvements in how the SAAS goes about its business. Access has been opened up by widening the number of awarding bodies and the deliberation process should now take less time, which should expedite payment of the DSA.

Kathleen Robertson: The same issues have been highlighted by the disabled student stakeholder group and by the disability project. Some progress has already been made in relation to assessment in order to cut down the delay that people have experienced in receiving their money, which has been because of the small number of

institutions and access centres in Scotland that were validated to carry out assessments of needs.

Through the stakeholder group, we have developed and introduced a toolkit for assessment. It consists of quality indicators that set up a framework for assessment of students. Institutions can provide evidence that they have the resources and skills to carry out assessments. An additional 11 institutions have been validated, and more are on the way. The toolkit allows institutions to assess their own students without their having to refer them to an access centre. There is benefit for the student in being assessed in-house and there is benefit for the institution because it knows about the context of its activities and what it can do to support individuals before they get their allowances. The whole process should be speeded up.

Through the group, students have fed back on the process and their experience of it. SAAS has agreed to develop feedback with the stakeholder group, on which the National Union of Students Scotland is represented. The aim is to get student feedback on the assessment process directly back to SAAS, independent of institutions. When SAAS gave evidence to the committee, it said that it was happy to review its application form. It will probably use the stakeholder group as a platform for that, so it will not be just an in-house exercise.

Marlyn Glen: That is good to hear. When we took evidence from SAAS, it did not seem to be including feedback from students in its remit, which was worrying.

The Deputy Convener: It sounds as if good progress has been made.

Elaine Smith: Earlier, I made a comment about the careers service being returned to local authorities. That is a serious point, because during its inquiry the committee has been told by disabled people that they would like easier access to information about career and education choices. One suggestion was that a one-stop shop for information could be situated in each local authority area. Some local authorities already have one-stop shops for other issues. How could the Scottish Executive support that approach or an alternative means of providing information? Is there a case for examining where the careers service is situated in the system?

Allan Wilson: Yes—I have already said that. I, too, believe in the one-stop-shop approach. That focus will be a fundamental part of the NEET strategy and the employability framework, when it is produced. It is not for me to prescribe what should happen. In some places, local authorities will be in the lead and in others the process will be led by Jobcentre Plus or another partner. The careers service will be integral to that process. We

need a system that is locally focused, so the role of local authorities is fundamental. Community planning partnerships are the obvious case in point. Local partnerships need to identify individuals and lead agencies to meet the needs of the category of people concerned, whether that is people who are on incapacity benefit or other benefits, or 16 to 19-year-olds who are not in education, employment or training, for whom special provision should be made.

11:15

Elaine Smith: Issues arise about confidence and young people achieving their full potential. To help raise young disabled people's career expectations, might you consider some kind of positive advertising campaign with positive role models? The Scottish Executive has run some successful advertising campaigns.

Allan Wilson: The suggestion is interesting, although the answer to your question is that no such campaign is planned. However, that is not to say that we could not do more during the launch of one or other of the strategies to make people more aware of the opportunities. As you say and as the figures demonstrate, we have been successful in encouraging disabled people back into learning or on to further or higher education. Whatever it is we are doing, it is working, although we can always improve. Raising awareness of the available opportunities is part of the process but, as you know, it is not the entire process, because other levers must sometimes be used to encourage people back into education. We need to improve self-esteem and self-confidence and get rid of obstacles, whether those are to do with child care or to do with physical or other disabilities. The suggestion is reasonable.

Elaine Smith: I assume that if the committee recommends at the end of the inquiry that such a campaign be carried out, you will not look unfavourably on that. Clearly, a campaign might not be planned because the idea has not been considered.

Allan Wilson: We have carried out successful public information campaigns. I am treating the suggestion on its merits, although myriad civil servants will no doubt tell me why it is not a good idea.

Elaine Smith: Just say yes, minister.

Ms White: I entirely agree with Elaine Smith that we need a campaign. The committee has encountered someone who had an accident and is in a wheelchair but who is still a physical education teacher—she teaches netball. She would be a positive example to use in a campaign. Rather than have just an advertising campaign for people with disabilities, we could have for people

with disabilities role models who can say that they can become teachers or whatever. Will you consider that?

Allan Wilson: I think that Elaine Smith suggested that any campaign would be about providing public information to make people aware of the available opportunities as well as being about lifting self-esteem and increasing motivation. The idea has merit.

Mr McGrigor: The Scottish funding council's written submission states:

"significant changes in the accessibility and quality of the learning infrastructure can only be achieved if the Scottish Executive is able to provide adequate funding to continue and complete our capital programmes."

Is the Executive demonstrating its commitment to those capital projects?

Allan Wilson: Very much so. We have had to make up for lost time from when your lot were in charge of investing in our further and higher education institutions. We have provided £128 million for colleges and £148 million for universities over the three years to 2007-08. As you will recall, that is a substantial improvement on the sad and sorry record of the previous Administration.

Mr McGrigor: My second question is on student accommodation.

Allan Wilson: The member has quickly moved on.

Mr McGrigor: The absence of a residential college in Scotland has been mentioned as a barrier to access to further education for some disabled people, but in oral evidence, witnesses thought that it would be preferable to increase the current provision rather than have a new residential college. Should Scotland have a residential college?

Allan Wilson: That issue arose when I gave evidence to the committee previously. I invite Claire Keggie to say something about it.

Claire Keggie: Opinions were split on the merits of a residential college in Scotland in the evidence that we gathered in the document "Finding Practical Solutions to Complex Needs: Consultation on Arrangements for Supported Further Education Places and Funding for Students with Complex Needs". However, removal of young people from their families, communities and so on to somewhere else in England did not find much favour with the people whom we consulted, which is why we are considering what we can do to support the needs of such people—whether in Scotland or elsewhere—in a broad context, without necessarily considering having a residential college in Scotland.

Another issue must be borne in mind: it is unlikely that one residential college would be able to cater for all the needs of people with the range of disabilities that we would consider.

Elaine Smith: In supplementary evidence from Careers Scotland, it was said that something of a postcode lottery exists in that some Scottish students receive funding whereas others do not. Will you comment on that?

Allan Wilson: I agree that where a person lives should not determine their access to support. We already make funding available to local government, but the funding is dealt with differently in different areas. I will not go into the residential argument, which Claire Keggie has dealt with, but there is an argument for doing things differently and for using the money that we give to local authorities differently in order that we can meet needs.

The Deputy Convener: In my experience at local authority level, there is support for a central pool of money for people who have very complex needs because such people are randomly distributed.

Allan Wilson: We are not about to go to local authorities and say, "Look. This is what we intend to do"; we are working with them and considering whether there is a better approach.

The Deputy Convener: I am sorry for interrupting Mr McGrigor's questions.

Mr McGrigor: The committee heard evidence—perhaps I should say "complaints"—from students that there is a lack of accessible student accommodation. How is the Scottish Executive—or, should I say, "your lot"—working with the funding council and further and higher education providers to ensure that accessible student accommodation is provided?

Allan Wilson: Our lot have dramatically increased the capital investment that is available to further and higher education institutions to invest in their buildings infrastructure, including student accommodation. A statutory duty is being imposed on them, as it is being imposed on others, to make their accommodation accessible for disabled students. As a consequence, we have been successful in doubling the number of disabled students who can access higher and further education institutions. That is not a bad record.

Mr McGrigor: That is a good record, but I am asking how students will be accommodated. Students seem to be complaining that there is not enough accessible student accommodation.

Allan Wilson: Obviously, not all students are accommodated on campuses, but we want to see—indeed, we have seen—an increase in

appropriate provision on campuses. I presume that the wider statutory duties that we are imposing on all housing providers will help to address any unmet need, although I am not sure that there is such unmet need. If there is unmet need, we will help to meet it through a combination of sources.

The Deputy Convener: The minister may be getting into the swing of things, but he will glad to know that we have reached the final two or three questions.

Allan Wilson: I am quite glad to hear that.

The Deputy Convener: The Education (Additional Support for Learning) (Scotland) Act 2004 came into force last year. What steps has the Executive taken to support its implementation?

Allan Wilson: The code of practice that supports the 2004 act is being widely disseminated. Skill Scotland has been funded by the Executive to produce a guide for agencies, colleges and universities so that they are geared up to ensure that the provisions of the act are adhered to.

I mentioned earlier that the principal provision is the duty on education authorities to provide the necessary information that will help universities and colleges to cater for the new influx of students with special needs. In "Partnership Matters: A Guide to Local Authorities, NHS Boards and Voluntary Organisations on Supporting Students with Additional Needs in Further Education", we set out the roles and responsibilities that we envisage for the various public agencies in that regard, so everybody should know what their job is within their partnerships. Given those measures, I hope that people will be aware of their responsibilities. Obviously, that will feed through to—I hope—improved provision for students with special needs, who will get a better service as a consequence.

The Deputy Convener: We have heard that students are not always aware of their rights under the DDA and that further and higher education institutions are not always aware of their responsibilities, such as the anticipatory duty. Promotion of equalities is a devolved matter, so do you have any ideas about how the Scottish Executive could work with the further and higher education sector and with disabled students to promote a better understanding of the DDA?

Allan Wilson: Alongside "Partnership Matters", we produced a guide that advises students on their rights under the DDA so that they can get what they are entitled to.

The Deputy Convener: The difficulty is that people who do not disclose might not get access

to that information. However, I know that it is not always easy to disseminate information.

Allan Wilson: I accept that. I do not have an absolute answer. I do not know whether there is an answer, other than the fact that people have to work sensitively to meet needs and address issues.

The Deputy Convener: I presume that there is comprehensive guidance.

Allan Wilson: Yes. "Partnership Matters" lays out people's individual responsibilities.

The Deputy Convener: So if people do not know, they should know.

Allan Wilson: Yes. I am sure that a guide for individual students has also been prepared.

Claire Keggie: We will be updating "Partnership Matters" in the next financial year to include new policy developments including the new duty under the new DDA. "Partnership Matters" is a live document that is updated to include policy and legislative developments as they occur. Obviously, there will be continuing dissemination and strategic dialogue. As you say, if people do not know their responsibilities, they should do. We will continue to promote the document.

Allan Wilson: As well as the generic thing, I know from experience that we work with the Scottish Association for Mental Health to produce guides and assistance for students who have mental health problems and for other people who have physical disabilities and so on. We also work with the voluntary sector on a wide range of projects including projects for dyslexic students.

The Deputy Convener: The last time you gave evidence to the committee, you said that the employability framework would be launched in March. Is that still your timing?

Allan Wilson: I think so. There is an awful lot of work going on around that framework, not least on the employer buy-in side, which we mentioned earlier. That might delay the launch, but the last time I looked, it was still to be at the end of March.

The Deputy Convener: That brings us to the end of our questions. Thank you for answering the committee's questions this morning, minister. I also thank Kathleen Robertson and Claire Keggie for their input.

Allan Wilson: Thank you. We will follow up with the information that the committee was seeking.

The Deputy Convener: Yes—you said that you would get back to us on a couple of matters. We look forward to that.

11:30

Meeting suspended.

11:33

On resuming—

The Deputy Convener: Item 2 is consideration of a report on the fact-finding visit that a delegation from the committee undertook to consider Norway's nationally funded supported employment system. The report is very succinct, and I give credit to Zoé Tough for condensing a great deal of work into two sides of A4—well done, Zoé. Do members have questions or comments about the report?

Elaine Smith: I did not go to Norway, and I think that the report might be a bit too succinct. Perhaps it is just me, but I do not understand—

The Deputy Convener: The bullet points identify key issues that came out of our visit, and will be expanded in a more discursive report.

Elaine Smith: Okay. It was not clear to me what facts the delegates had found and whether you thought that we should promote a supported employment system as part of our inquiry. Perhaps members who went to Norway understand the list of key issues, but I came to the report cold and I did not understand what I should be getting out of it.

The Deputy Convener: Would you rather wait until we get the expanded report before you comment on it?

Elaine Smith: That might be a better idea, if you do not mind. If I had been part of the visit, I would understand exactly what the report means.

John Swinburne: The findings of the members who went on the trip to Oslo are bound to open up possible new frontiers for our inquiry. If the Norwegians are doing it, why should we not do it? What are they doing better than us? We should be asking those types of questions. The report is praiseworthy.

The Deputy Convener: We can discuss what we learned in Norway and how to incorporate it into our final report. Perhaps that is the most sensible way forward. Are members happy with that?

Members indicated agreement.

The Deputy Convener: We will simply note the main issues that are raised in the report and include them as evidence in our inquiry. Is that agreed?

Members indicated agreement.

Petition

Care Homes (PE522)

11:36

The Deputy Convener: Item 3 is petition PE522, on the provision of care homes for young physically disabled people. The committee has considered the petition on several occasions and will now discuss it in the light of the publication of a scoping study by the Scottish Executive Health Department. Members will note that the study makes no specific reference to the issues that are raised in the petition. Do members have any comments or questions in relation to the paper that is before us?

Elaine Smith: Just concerning the proposed action, convener. I also have some comments on paragraph 13, on independent living.

The Deputy Convener: Is that in the scoping study?

Elaine Smith: It is in the committee's paper about the petition. Paragraph 13 says:

"The petition calls for an increase in care homes for young physically disabled people,"

but the scoping study has thrown up the fact that

"the focus of current Scottish Executive policy is the promotion of the independent living agenda which encourages disabled people to live in the community with appropriate support."

The last three words of that quotation are hugely important. As the MSP for Coatbridge and Chryston, I have casework involving young people who do not seem to be receiving appropriate support. Some have been in homes and are now in the community, which has been a move backward for them. For reasons of confidentiality, I cannot go into individual cases. I am involved in a sad and tragic case that highlights that situation, but I do not want to outline the case without the permission of the constituents.

I am concerned. Encouraging disabled people to live in the community with appropriate support is good, if it is a matter of choice, but I am not sure that it is a matter of choice. I think that people are being encouraged into the community although that is not the best thing for them. I want to raise that concern.

Ms White: Paragraph 7 mentions an 11.7 per cent decrease in the number of care home places, which is proof that people are being put out into communities.

Like Elaine Smith, I want to raise concerns about paragraph 13, which is on independent living. People come to my surgery from certain

areas of greater Glasgow where there is a concentration of people who have been moved out of care homes, and they raise concerns about the supporting people fund, which is being taken away. That is high on the agenda. We do not know what the fund is being replaced with. We should raise the fact that people do not have appropriate support. They do not have the choice of going into a care home instead of receiving support. When they get support they do not have the choice of flexible support, or the support is for only an hour a day or something like that. Young people who want to be more independent want flexible support.

As for the recommendations on what should happen to the petition, I think that it should go to the Health Committee with our concerns. It is currently addressing the issues that are raised in paragraph 13 anyway.

The Deputy Convener: Does anyone else want to comment? Sandra White is absolutely right: it is a matter for the Health Committee to consider as part of its current inquiry. I am strongly of the view that we want to mainstream equalities, so it is more appropriate for the Health Committee to deal with the petition than for us to deal with it. Are members happy for us to take no further action on the petition and for the convener to write to the convener of the Health Committee asking it to pick up the petition as part of its inquiry? We will incorporate the wider issues that members have raised.

Marlyn Glen: I would agree to that as long as the Health Committee agreed to pick up the petition. If it said that it was not within the remit of its inquiry, would the petition come back to us again?

The Deputy Convener: We would have to consider what to do in light of the Health Committee's response. There is a strong case for the Health Committee picking up the petition. Do you want to keep open our consideration of the petition until we get a response from the Health Committee?

Marlyn Glen: Yes. I would be concerned otherwise.

Elaine Smith: I agree with Marlyn Glen. I also feel that if the Health Committee takes on the petition, we should be alerted to the outcome of its considerations.

The Deputy Convener: Are you saying that the Health Committee should write to us?

Elaine Smith: Yes. That would leave us the option of taking further action if we wish, although it might not be within our remit to do so once we see what the Health Committee does.

The Deputy Convener: Yes. We agree that the Health Committee's response is crucial. We will not close down the petition. We will write to the Health Committee convener inviting the committee to pick up the petition as part of its inquiry, and we will monitor what happens. Are members happy with that?

Members *indicated agreement.*

Prohibition of Female Genital Mutilation (Scotland) Act 2005

11:41

The Deputy Convener: Item 4 is a follow-up to our work on the Prohibition of Female Genital Mutilation (Scotland) Act 2005, on which we were the lead committee. The Deputy Minister for Justice has written to inform the committee of the Executive's post-enactment activities in relation to FGM. Do members want to comment on the letter?

Elaine Smith: The letter is welcome, and the report and attached material are good. However, it does not seem that a huge amount of funding has been given to groups to run awareness seminars and so on. We obviously welcome their getting any funding, because that sends the message that they are worthy of support. Could we ask whether the funding was a one-off, how much was allocated to each group and whether there will be future funding? Could our clerks consider the recommendations that we made at the time—we asked for follow-up work to be done—to see whether the report covers them all? Perhaps we should have done that ourselves before coming to the meeting, but I did not have time to plough through my file on the matter. Could we consider under a future agenda item how the Executive's work matches up to what we asked for?

The Deputy Convener: We will write to ask whether there will be more funding if it is necessary and if the requisite groups ask for it. When we get the response we can discuss it and try to match up the recommendations and the actions. We always knew that the act's success would depend on the quality of the work that was done after it was passed. That is why the minister's response is so welcome.

Marlyn Glen: I echo what Elaine Smith said. Although the £3,000 funding is welcome, I wonder how far it will go, whether it is a one-off and whether there will be any follow-up. The same applies to the information that has been provided. Although it is good, are there plans to reissue it annually—new people are coming into Britain and into work all the time—until it is properly mainstreamed and everybody has training on the issue?

The Deputy Convener: We welcome the report from the minister and note the post-enactment activities. Do members want the convener to write to the minister seeking further information about continuing activities, particularly in relation to whether funding is needed or has been requested, and the on-going issuing of guidance?

Members *indicated agreement.*

The Deputy Convener: Sometimes money can be thrown at a problem. If the groups are operating in a non-bureaucratic way, perhaps £3,000 is adequate. We should check on that and check whether the funding could be repeated if it is required. Are members happy with that?

Members *indicated agreement.*

Meeting closed at 11:45.

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