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Scottish Parliament

Wednesday 23 May 2018

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

Portfolio Question Time

Economy, Jobs and Fair Work

The Deputy Presiding Officer (Christine Grahame): The first item of business this afternoon is portfolio question time. As usual, ask short questions and give succinct answers and—you never know—we might get through all the questions. Wouldn't that be good?

Town Centre Vacancy Rates

1. **Jackie Baillie (Dumbarton) (Lab):** To ask the Scottish Government what its response is to figures from the Scottish Retail Consortium suggesting that town centre vacancy rates have reached a seven-year high. (S5O-02117)

The Minister for Business, Innovation and Energy (Paul Wheelhouse): The Scottish Government recognises that the retail sector in Scotland is facing pressures from, among other things, significant changes to shopping habits and new technology. There is no doubt that e-commerce is now having a significant impact. United Kingdom Government austerity measures and Brexit are also affecting consumer confidence and spending.

Despite that, we are doing everything within our powers to support our economy, including our retailers. For example, this year we will enhance measures to support both new development and re-use of vacant property in town centres and elsewhere, as part of a total non-domestic rates relief package that is worth around £720 million.

We are working with the Scottish Retail Consortium to develop a retail strategy that will set out a clear road map to shape future tax and regulatory changes.

Following our review of town centres, and the town centre action plan, we are promoting the "town centre first" principle to ensure that planning and investment supports regeneration and sustainability of towns and town centres. We will continue to use all the levers at our disposal to ensure that Scotland remains an attractive place for retailers to do business.

Jackie Baillie: Footfall in Scotland dropped by 5.6 per cent on last year, with 12 consecutive months of decline. However, let us look below that figure. Shopping centres experienced a 1.8 per

cent fall and retail parks experienced a 3.1 per cent fall, but town centres—significantly—experienced a fall of 8.5 per cent. Retail was critical to gross domestic product growth in the past quarter. Given those dismal retail figures, and aside from the action that the minister is taking, what does he anticipate GDP growth in retail will be in the next quarter?

Paul Wheelhouse: I am an economist by training, but I do not have a crystal ball to predict GDP figures for Ms Baillie. I apologise for that.

However, I take seriously the point that Jackie Baillie has made: the health of our town centres is critical. As, I am sure, she and members across the chamber appreciate, many smaller independent retailers are not e-commerce enabled or are not fully embracing technology. We want to increase our focus on that in order to help them to compete with the bigger non-high street retailers in business parks and retail parks. As always, I am more than happy to engage with Ms Baillie on any ideas that she might have, and I look forward to working with her.

Dean Lockhart (Mid Scotland and Fife) (Con): The *Stirling Observer* reports this week that four high street businesses in Stirling city centre have been forced to close. That comes off the back of a number having been forced to close last year because of the large business supplement. Will the minister listen to businesses across Scotland and stop punishing them with higher rates increases? When will his Government abolish the large business supplement?

Paul Wheelhouse: As Dean Lockhart knows, we have matched the poundage in England and Wales and introduced a growth accelerator, which is enabling properties that are being redeveloped or refurbished, and which remain vacant until a new tenant comes in, to avoid business rates until they have an occupier. Those are positive measures that we have taken forward to support businesses. I remind Dean Lockhart that 100,000 business premises in Scotland benefit from the small business bonus. That was praised by the Federation of Small Businesses last night. I acknowledge the contribution that the FSB made in bringing about that policy change. We have been supporting our businesses, and the package is worth £720 million in the current financial year.

United Kingdom Domestic Market (Access)

2. **Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Government what the impact is on businesses in Scotland of having access to the UK domestic market. (S5O-02118)

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): Maintaining access between Scotland and the rest of the

United Kingdom is in the economic interests of everyone. However,

“You don't fund schools and hospitals and you don't control immigration by crashing the economy and that's what leaving the EU would do.”

Those are not my words, but Ruth Davidson's. The biggest threat to Scottish businesses is that from a hard Brexit, which could lead to a loss of up to 8.5 per cent of Scotland's gross domestic product by 2030.

Murdo Fraser: Of course, the UK domestic market is worth four times as much to Scottish businesses as the market in the rest of the EU, despite the fact that the cabinet secretary's ministerial colleague Mr Russell thinks that the UK single market does not exist, as he told us last week.

Can the cabinet secretary tell us what the impact would be on Scottish businesses' ability to trade with that vital domestic market if we were to operate a different currency in Scotland from that marketplace?

Keith Brown: Murdo Fraser says that the market with the rest of the UK is four times the size of that with the EU. It is worth bearing in mind that the EU single market is eight times the size of the UK market. Our position has always been that we should not have to choose between the two markets. We should have both: we should have free access and trade across the UK and we should have free access and trade across the EU. That is why we have advocated for many years, and continue to advocate, continuing membership of the EU by Scotland—and, preferably, the UK—rather than cutting ourselves off from the single market and the customs union.

It is also true to say that about half a million jobs in Scotland are dependent on trade with the rest of the UK and that half a million jobs in the rest of the UK are dependent on trade with Scotland. It is worth bearing that in mind.

The only people who are talking about erecting trade barriers between Scotland and the rest of the UK are the Conservatives. One wonders why that is the case?

Tom Arthur (Renfrewshire South) (SNP): In an analysis of recently published figures on Scotland's gross national income, the Fraser of Allander institute stated that

“the predominance of company headquarters in London and the South East ... has meant that a higher level of profits flow out of Scotland than has perhaps been the case in the past.”

Does the cabinet secretary agree with me that the huge imbalance of the UK economy is damaging to Scotland, and that the Scottish economy would

be far better served if this country had the powers of a normal—

The Deputy Presiding Officer: Cabinet secretary—

Tom Arthur: —independent nation?

The Deputy Presiding Officer: Mr Arthur, you have asked your question. Cabinet secretary.

Keith Brown: The Scottish Government has consistently said that if Brexit is to happen, Scotland and the UK should remain within the customs union and the single market, as I have just said, in order to continue to benefit from membership of both. There is no evidence that our views have been taken into account by the UK Government, and we still have no idea what the UK Government's position is, or what position it intends to take.

What is really surprising is that the matter has never—not once—been raised with me by the major opposition party in the Scottish Parliament. That party has not stood up for Scotland's interests in respect of Brexit. In fact, its members prefer to sit down and shut up rather than cut across their masters in London.

Borderlands Growth Deal

3. Joan McAlpine (South Scotland) (SNP): To ask the Scottish Government what recent discussions it has had with the United Kingdom Government regarding the borderlands growth deal. (S5O-02119)

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): We are in regular contact with the UK Government about the development of growth deals across Scotland. I want to ensure that the borderlands inclusive growth deal complements our commitment to establishing the new enterprise agency for the south of Scotland. It is essential that projects that form part of a borderlands deal align with the priorities of the enterprise agency and of the interim south of Scotland economic partnership. That will maximise the impact of investment and deliver the best outcome for the people of the south of Scotland.

Joan McAlpine: Does the cabinet secretary know how much money the UK Government intends to put into the borderlands growth deal, and when we are likely to see it? Can he alleviate the concern of stakeholders about whether UK Government money can be used to upgrade roads, given that some of the links in the borderlands area, for example the A75, take much of their traffic from England and Northern Ireland? Does the cabinet secretary—

The Deputy Presiding Officer: That is fine, thank you.

Joan McAlpine: —agree with me that the UK Government should, through the borderlands deal, help to fund upgrades—

The Deputy Presiding Officer: No. You have had your question, Ms McAlpine.

Joan McAlpine: —to those roads?

The Deputy Presiding Officer: Cabinet secretary.

Keith Brown: The scale of the deal will depend on the outcome of negotiations with local authorities. It will reflect the projects that are proposed. We tend to make the proposed projects and their potential impact on the area the starting point—this Government and the UK Government take the same approach. On behalf of the Scottish Government, I say that we want to support a deal that involves ambitious, transformative and realistic projects. I look forward to the UK Government matching our contribution.

It is the case that the UK Government can decide whether it wants to support particular projects, including infrastructure projects. Sometimes, its approach has been to support only projects that relate to reserved areas. However, sometimes even when it has stated that it is taking that approach it has contributed to projects in non-reserved areas. We have to find out more information from the UK Government on its approach to the borderlands growth deal.

Colin Smyth (South Scotland) (Lab): The borderlands growth deal has the potential to support the economy in the medium and long terms. However, the cabinet secretary will be aware of current pressures on the local economy of the borderlands area, with the potential closure of Pinneys of Scotland in Annan and the news today that Edinburgh Woollen Mill is planning to move from its historic home in Langholm to Carlisle, with a potential loss of jobs. What support can the Government provide now to support an economy that is under real pressure?

Keith Brown: I thank Colin Smyth for giving me advance notice of his intention to ask that question.

First, we will provide, as usual, partnership action for continuing employment support, which has proved in many such situations to be invaluable to affected employees. More than that, we will try to work with the company. We have, with the “Langholm first” group, been trying to get a vision for the area, so it is unfortunate that that decision was made without the proper discussion that I would have hoped for between ourselves and the company. Paul Wheelhouse will be taking the matter forward, but I am happy to write to Colin Smyth with more detailed information about what we are doing.

2 Sisters Food Group

4. Clare Haughey (Rutherglen) (SNP): To ask the Scottish Government whether it will provide an update on its engagement with stakeholders and others regarding the closure of the 2 Sisters Food Group factory in Cambuslang. (S5O-02120)

The Minister for Business, Innovation and Energy (Paul Wheelhouse): On 17 May, I chaired a meeting of key stakeholders, including the Scottish Government, South Lanarkshire Council, Skills Development Scotland, Scottish Enterprise, Business Gateway, trade unions and local elected representatives, including Ms Haughey, in her capacity as the constituency MSP for the area. In order to update stakeholders on the extensive work that is under way to help mitigate the impact on staff at 2 Sisters Food Group, we confirmed at the meeting that a partnership action for continuing employment jobs fair has been arranged for 31 May. On Monday, the First Minister and the Cabinet Secretary for Economy, Jobs and Fair Work met representatives from Unite the union to discuss their concerns regarding the closure.

Clare Haughey: I reiterate that I am grateful for the work that the minister has done, alongside the Scottish Government’s PACE team. Will the minister provide an update on the outcome of the meeting, particularly concerning the future of the site, the support that is being given to the wider community and the work that is being done to find future employment for the staff who are affected?

Paul Wheelhouse: The owner of the 2 Sisters site, Amber Real Estate Investments, has agreed to work with Scottish Enterprise, South Lanarkshire Council and other partners to help find a sustainable future for the Cambuslang site following the closure. As a result of the round-table meeting last Thursday, local elected members have also agreed to consider a number of issues affecting the local economy, and will work in partnership with South Lanarkshire Council on those issues. The comprehensive programme of PACE support will also be deployed.

James Kelly (Glasgow) (Lab): Does the minister agree that the way in which the 2 Sisters Food Group of companies has operated in recent times means that it has prioritised putting money in the pockets of shareholders over the needs of workers and local communities, and that that has resulted in nothing short of economic vandalism being wreaked on the people of Cambuslang?

Paul Wheelhouse: I recognise how disappointed and upset the local stakeholders are, including elected members such as Mr Kelly and Ms Haughey, and indeed Ged Killen, the local MP. Feelings are clearly running high at the moment. We had a useful discussion with representatives of

the company last week. It would be fair to say that I have access to some privileged financial information and that the costs of addressing the needs of the factory were very significant indeed. I am sure that commercial factors underlie the decision, but that does not lessen our disappointment. We have tried all we could to persuade the company to look at more modern factory provision in the area, to try to retain activity there, but we now move on to trying to work with other stakeholders, including local members, to find other employers that might occupy the site, so that we can turn a difficult situation into a more hopeful one for the future.

Scottish Productivity

5. Anas Sarwar (Glasgow) (Lab): To ask the Scottish Government what its response is to recent figures showing that Scottish productivity has fallen 1.9 per cent in real terms. (S5O-02121)

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): The recent decline in productivity is, of course, disappointing, but annual productivity levels have increased by 5.4 per cent in Scotland since 2007, compared with only 1.7 per cent growth for the United Kingdom as a whole. Furthermore, Scotland's productivity growth is higher than that of any other country or region of the UK, including London, since the global recession. We are supporting businesses and continuing to grow Scotland's economy by investing a record £2.4 billion in enterprise and skills, £4 billion in new infrastructure and £600 million in broadband. In the face of the significant risks that Brexit presents to our economy, we are preparing for the future with investments including a new national manufacturing institute and the establishment of the Scottish national investment bank.

Anas Sarwar: After 11 years of this Government, we now have a growth commission report about independence, but under the cabinet secretary's watch we have seen Scotland fall three places, down to 18th in the international rankings of gross domestic product per capita. Labour productivity is now lower than it was in 2010, and the gap between UK and Scottish productivity is larger than it was nearly 10 years ago. When will the cabinet secretary start focusing on the people of Scotland in the here and now, and on the economy in the here and now, so that we can grow more jobs, rather than the Government focusing on its own ideology?

Keith Brown: The period that Anas Sarwar referred to includes a period of eight years of austerity. Scotland is part of one of the most unequal and unbalanced economies in the world, which is often described as an economy flying on one engine—London—and the effect of that, not

just on Scotland but on other parts of the UK, is pronounced. It also includes the period since 2007 when the Labour Party wrecked the economy and brought forward much of the austerity, supporting what the Conservatives did on austerity, which of course acts as a dampener on demand.

That has cost people in Scotland an awful lot of money. Rather than talk about labour productivity—although that is very important—perhaps Mr Sarwar should concentrate on the fact that there was not enough productivity in the Labour Party when it had the chance to change things in the economy. It failed the economy. The last words of the last Labour Government were, "There is no money," and we are still paying the price for that.

The Deputy Presiding Officer: I remind everyone that I like short questions and answers, if possible. Alexander Burnett is next, so that is a real test for him.

Alexander Burnett (Aberdeenshire West) (Con): Thank you, Presiding Officer. The Scottish Government has failed to meet its target of ranking in the top quartile for productivity among key trading partners in the Organisation for Economic Co-operation and Development by 2017. What will the Scottish Government's new productivity target be?

Keith Brown: The Parliament's Economy, Jobs and Fair Work Committee has had a discussion and inquiry on that, and it will make recommendations. It is important that, in addition to taking account of the national performance framework, which the member will be aware of, we take into account the views of people across the Parliament.

The member should recognise that eight years of a Conservative Government austerity programme has an effect on the economy. It dampens demand, not least in the retail sector, which was mentioned earlier. As with the Labour Party, perhaps the way for him to make a meaningful contribution is to acknowledge the damaging effect of the conduct of the Conservative Party in relation to the UK economy. At least Greg Clark has admitted that there are two Governments involved in the Scottish economy, which is a bit more than the people representing the Tory party in this Parliament have done. The UK Government has a vital role to play, and perhaps if those members could admit to that they could play a constructive role in improving the economy in Scotland as well.

Fife Economy

6. Claire Baker (Mid Scotland and Fife) (Lab): To ask the Scottish Government what action it is taking to support the Fife economy. (S5O-02122)

The Minister for Business, Innovation and Energy (Paul Wheelhouse): Over and above investment in public services and key infrastructure such as the Queensferry crossing and superfast broadband, the Scottish Government continues to make targeted investments to support the Fife economy. Examples include £35 million for Fife as part of the wider Edinburgh and south-east Scotland city region deal; regional selective assistance offers totalling £930,000 so far this year, creating 46 jobs and safeguarding a further 39; dedicated account management support by Scottish Enterprise to over 100 companies in Fife; investment of almost £1.5 million of Scottish Enterprise research and development grants in Fife over the past two years; £14.4 million of business rates relief for 6,762 premises in Fife under the small business bonus scheme; £6 million of targeted support for projects under the Fife task force action plan; and £2.7 million for three capital projects in Fife, following the closure of the Longannet power station, including an enterprise hub at Kincardine. Our commitment to Fife is further demonstrated by our support for BiFab, which has sites in Methil and Burntisland.

Claire Baker: It is now three weeks since the redundancies were announced at BiFab. Can the minister give us an update on BiFab? In particular, what discussions is the Scottish Government having with the Canadian owner, DF Barnes, and what progress is being made on securing support from Scottish Enterprise to provide training opportunities that could support employment at BiFab and avoid the level of redundancy that has been announced?

The Deputy Presiding Officer: Briefly, please, minister.

Paul Wheelhouse: As Ms Baker will be aware, we have a minority shareholding in BiFab, but we do not participate in operational management decisions, and staffing levels are a matter for BiFab to consider. However, we have confidence that everything possible is being done to secure new contracts and restore employment to previous levels. In particular, we are looking at the developments in the Moray east offshore wind farm, the Neart na Gaoithe site in the Forth and Tay complex, which has been taken over by EDF Energy, and the Kincardine offshore wind site. We will work closely with developers and with BiFab to try to secure opportunities.

With regard to training, we will write to Ms Baker with details on what we can do on that front.

Alexander Stewart (Mid Scotland and Fife) (Con): The number of people in Fife with jobs is now lower than when the Government came to power in 2007, despite record employment rates

across the UK. What action is the Scottish Government taking to address that?

Paul Wheelhouse: As I outlined in my initial response to Claire Baker, we have undertaken a number of targeted initiatives as well as supporting the investment in digital infrastructure in Fife and major transport infrastructure investment in the Queensferry crossing. Those are substantial big-ticket items, and I hope that Mr Stewart recognises that. We continue to engage with the Fife economy partnership. I meet the partnership directly to engage on how we can best support the Fife economy; indeed, I am due to meet it reasonably soon to do that further.

Labour Productivity

7. Michelle Ballantyne (South Scotland) (Con): To ask the Scottish Government what action it is taking to improve labour productivity. (S5O-02123)

The Minister for Employability and Training (Jamie Hepburn): Between 2007 and 2016, Scotland's productivity growth was higher than that in any other part of the UK. To help strengthen the skills of the Scottish workforce, we are growing, widening and enhancing modern apprenticeships and we have put in place the £10 million pilot flexible workforce development fund and individual training accounts. We are encouraging employers to pay the real living wage and supporting access to flexible working through initiatives such as the family friendly working Scotland partnership and the carer positive scheme. Those measures contribute to reduced absenteeism, better retention and improved staff morale, all of which help to enhance productivity.

The Deputy Presiding Officer: Michelle Ballantyne—briefly, please.

Michelle Ballantyne: On Friday, Andrew Wilson and the growth commission will publish their much-awaited report, which draws up a blueprint for boosting Scottish productivity and growth. Yesterday—

The Deputy Presiding Officer: No; I said “briefly”. We are running out of time.

Michelle Ballantyne: Yesterday, the economy secretary was unable to answer simple questions about which currency should be used for the new Scottish national investment bank. Will that uncertainty help to increase productivity?

Jamie Hepburn: I did not hear the end of the question, but it is tremendous to see that the Conservative Party is taking such interest in the internal developments of the Scottish National Party. Ms Ballantyne can rest assured that the significant effort of the economy team of ministers is ensuring economic growth and enhanced

productivity. That has been, and continues to be, our focus.

The Deputy Presiding Officer: Thank you. I apologise to the three members whom we were unable to take.

Finance and the Constitution

European Union (Withdrawal) Bill (Discussions)

1. Mairi Gougeon (Angus North and Mearns) (SNP): To ask the Scottish Government whether it will provide an update on its discussions with the United Kingdom Government in light of the Parliament's decision to not consent to the European Union (Withdrawal) Bill. (S5O-02127)

The Minister for UK Negotiations on Scotland's Place in Europe (Michael Russell): As I promised the chamber, I wrote to David Lidington on 15 May, immediately following the vote of this Parliament on the bill, to invite him to come to Scotland as a matter of urgency and hear the concerns of all the parties that are represented here, and to ask him to set out how the UK Government will implement the Scottish Parliament's decision. I regret that I have to tell the member and the chamber that, more than a week after that letter, I still have not received any reply.

Mairi Gougeon: I thank the minister for that answer, although it shows the complete lack of respect that is shown to this Parliament.

On 4 May, we saw the publication of a leaked draft paper on fisheries, which set out a framework for quota talks in which devolved Governments would, again, be consulted but the Secretary of State for Scotland would have the final say. Can the minister confirm whether any of that has been discussed with the Scottish Government, or does the Tory Government continue to ride roughshod over devolution and this Parliament?

Michael Russell: Despite repeated requests, the UK Government has not discussed the content of the proposed fisheries white paper with the Scottish Government. That is absolutely in keeping with its methodology. Indeed, last week, I read about the proposed 100-page white paper on Brexit only because it was in the newspapers—we were not informed about it at all. It is time that the UK Government paid some attention to the democratic legitimacy of this chamber and this Government—and that it negotiated with this Government. Perhaps the UK Government's friends on the Tory benches—if they are its friends—could put a word in, instead of simply blindly backing what it wants.

Adam Tomkins (Glasgow) (Con): The minister has said previously that, despite the Scottish

Government's failure to reach agreement with the UK Government on the withdrawal bill, negotiations on the development of common frameworks will proceed. Is that still his position? If it is, can he update the Parliament on how those common frameworks are, indeed, proceeding?

Michael Russell: That remains my position, but I cannot negotiate with somebody who will not come to have a conversation. If Adam Tomkins will persuade his colleague Mr Lidington to come to have a conversation with the party leaders here, that might, I hope, take us a step further on. Officials will continue to discuss those matters, but until Mr Lidington addresses the issues, I do not see how we can have any more influence than we have now.

Glasgow City Council (Funding)

2. Johann Lamont (Glasgow) (Lab): To ask the Scottish Government whether the finance secretary considers that Glasgow City Council has received sufficient funding for 2018-19. (S5O-02128)

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): The Scottish Government, in the face of reductions to resource funding by the United Kingdom Government, has taken the necessary steps to provide a real-terms increase in local government funding. Distribution is jointly agreed with the Convention of Scottish Local Authorities, and key 2018-19 investments in Glasgow include more than £100 million for affordable housing, £15 million for the Glasgow city deal and an additional £35.8 million of revenue funding to support day-to-day services, compared with 2017-18. That, from my point of view, is a fair deal.

Johann Lamont: Responding to an inquiry on behalf of a constituent who had concerns about a decision of the council to double childcare costs, Maureen McKenna, Glasgow's executive director of education, wrote:

"In response to the specific question you ask, I can advise that the income to be generated from the fee increase is being used to contribute towards meeting the funding gap in the Council's budget for financial year 2018-19."

What is the cabinet secretary's response to that explanation? Can he explain why he and his SNP colleagues in Glasgow believe that hard-pressed families should carry the burden of bridging the funding gap in Glasgow—

The Deputy Presiding Officer: Thank you. The question has been asked.

Johann Lamont: —given the huge consequences for—

The Deputy Presiding Officer: I am sorry; we are moving on. Cabinet secretary, please.

Derek Mackay: First, the Scottish Government presents competent budgets that have resulted in a real-terms increase for local authorities in Scotland, rather than the incompetent budgets that the Labour Party has delivered in the Scottish Parliament.

Johann Lamont: You need to explain the gap.

Derek Mackay: I hear Johann Lamont continuing to heckle me, but she might be interested in the answer. The new SNP administration in Glasgow City Council is cleaning up the mess that it inherited from the previous Labour administration. There were substantial issues.

In relation to the specific question on expanding childcare, it is this Government, not the Labour Party, that will deliver the transformational new childcare commitment. Further, it was the Labour Party that walked away from negotiating with the Scottish Government on local government finance when it walked away from COSLA. Incompetence and chaos are what we get from the Labour Party.

Voting Franchise (Extension)

3. **Ivan McKee (Glasgow Provan) (SNP):** To ask the Scottish Government what its position is on extending the voting franchise to all European Union and non-EU adults who are resident in Scotland. (S5O-02129)

The Deputy Presiding Officer: I call the cabinet secretary—[*Interruption.*] Sorry; I call Mr FitzPatrick.

The Minister for Parliamentary Business (Joe FitzPatrick): The Scottish Government has recently consulted on extending the opportunity to vote in Scotland to all those who are legally resident here, whatever their place of birth. It is right that people who make their lives here and contribute to society should have the right to vote, wherever they are from.

The Deputy Presiding Officer: I apologise for giving you a promotion, which I am not entitled to do.

Joe FitzPatrick: There is no need to apologise, Presiding Officer.

Ivan McKee: With the on-going lack of clarity around the arrangements for Brexit, has the Scottish Government considered how the United Kingdom's exit from the European Union will impact on these issues during the transition period and thereafter?

Joe FitzPatrick: Our proposals will provide clarity by maintaining the right of EU citizens to

vote in the Scottish Parliament and local government elections. The responses to the consultation are still being analysed, but the initial indication is that there is overwhelming support for the Scottish Government's position. The proposals require a two-thirds supermajority in the Scottish Parliament. That would send a clear message to those EU citizens about how welcome and valued they are in our society.

Ross Greer (West Scotland) (Green): I welcome the Government's commitment to base the franchise on residence in Scotland. Will the minister confirm whether refugees and asylum seekers who are resident here will be included?

Joe FitzPatrick: Yes. In my view, people who have been welcomed here as refugees and people who are going through the process of seeking asylum should be included. Scotland is a welcoming country and our intention to extend the opportunity to vote to all those who are legally resident in Scotland, whatever their place of birth, should include refugees and asylum seekers.

Council Tax Banding (Appeals)

4. **Richard Lyle (Uddingston and Bellshill) (SNP):** To ask the Scottish Government what mechanism is in place to allow a council tax payer to appeal against a banding that they consider incorrect. (S5O-02130)

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): The process by which a person can challenge the council tax band that has been allocated to a property that they own or are liable for is set out in part II of the Council Tax (Alteration of Lists and Appeals) (Scotland) Regulations 1993. The regulations provide that a formal appeal—known as a proposal—against a banding may be submitted to the relevant local assessor within certain time limits. If no agreement can be reached, the case can be referred to the relevant valuation appeal committee, whose decision is final, subject to an appeal to the Court of Session on a point of law.

Richard Lyle: What, if any, discussions has the cabinet secretary had with the relevant joint evaluation board on appeals against banding decisions? I would like a full reply and would like the cabinet secretary to take no notice of the timing clock in the chamber that has been introduced to speed up ministerial answers.

The Deputy Presiding Officer: That is not a relevant matter, Mr Lyle. I do not expect the cabinet secretary to deal with that.

Derek Mackay: The matter raised by Richard Lyle is, rightly, one for the relevant assessors and I have outlined the process. However, what I will do for him is raise the matter with the assessors when I next meet them.

Neil Bibby (West Scotland) (Lab): In 2007, the Scottish National Party said that it would scrap the council tax. Given the appetite in different parts of the chamber for a replacement for the council tax, when will the cabinet secretary revisit the issue?

Derek Mackay: The Scottish Government was elected on the 2016 manifesto, and that is the manifesto on which I am basing my deliberations. I have said to all parties in the chamber that I will engage constructively on the subject of local taxation. My door remains open and my offer remains live, and I am happy to engage on the further refinements that we can make to the system to make local taxation fairer. That is a constructive offer to all parties.

European Union (Withdrawal) Bill

5. George Adam (Paisley) (SNP): To ask the Scottish Government, in light of recent developments regarding the European Union (Withdrawal) Bill, what its position is on the views expressed during the independence referendum that a yes vote would mean Scotland would be taken out of the European Union and a no vote would see it granted new powers as an equal part of the United Kingdom. (S5O-02131)

The Minister for UK Negotiations on Scotland's Place in Europe (Michael Russell): Mr Adam is correct in his recollection of what was said during the independence referendum campaign. In a televised debate, the Scottish Conservative leader, Ruth Davidson, said to Patrick Harvie:

"I think it is disingenuous of Patrick to say that No means out and Yes means in, when actually the opposite is true, No means we stay in, we are members of the European Union."

As we know, Scotland now faces being dragged out of the EU against our will by Ruth Davidson and her fellow Tories. Instead of Scotland being treated as an equal partner, we have seen during this whole disaster that the views of the Scottish Government, the Scottish Parliament and the people of Scotland have all been ignored. The UK Government must now respect this Parliament's will and amend the European Union (Withdrawal) Bill, given the overwhelming vote last week. That would be a start to the process.

George Adam: In the light of the proposals for powers to be retained at Westminster for seven years, why should the Scottish Parliament believe current Tory promises, when promises that were made during the independence referendum campaign have been totally disregarded?

Michael Russell: I see no reason at all to believe those promises.

Independence Referendum

6. James Kelly (Glasgow) (Lab): To ask the Scottish Government, further to the statement by the First Minister in June 2017, whether it plans to hold a second independence referendum in the autumn. (S5O-02132)

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): In her statement in June 2017, the First Minister did not say that we intend to hold an independence referendum in autumn 2018; instead, she said:

"At the end of the period of negotiation with the EU, which is likely to be around next autumn, when the terms of Brexit will be clearer, we will come back to Parliament to set out our judgment on the best way forward at that time, including our view on the precise timescale for offering ... a choice over the country's future."—[*Official Report*, 27 June 2017; c 14.]

James Kelly: It is clear from the First Minister's comments at the weekend that she is about to plunge the country into a second independence referendum. Last week, she spoke about scrapping multibuy pizza offers. Is it not time that the Government scrapped plans for a second independence referendum and concentrated on getting people hospital appointments—

The Deputy Presiding Officer: Thank you—you have had your question.

James Kelly: —getting teachers into our schools—

The Deputy Presiding Officer: You have had your question.

James Kelly: —and getting homeless people off our streets?

The Deputy Presiding Officer: Mr Kelly, sit down.

Derek Mackay: Scottish Government ministers do the day job every day to deliver for the people of Scotland. A reference was made earlier to Scottish National Party ideology. I can tell members that it is better for people to have belief in their own nation than it is for the Labour Party to swallow Tory ideology, which is exactly what has happened.

I repeat that the First Minister clearly set out her expectations. She is trying to get the United Kingdom Government to a better place; failing that, we will return with a vision for Scotland.

Murdo Fraser (Mid Scotland and Fife) (Con): If we are to have a second independence referendum—perish the thought—we will need a better economic proposition than the fairy story that was the 2014 white paper. If an independent Scotland had a budget deficit that ran at 8 per cent of gross domestic product, which is more than three times the UK rate, how would the gap be

filled? Would that mean more cuts or higher taxes?

Derek Mackay: The reality of the Scottish Government's budget is that we are investing more in the national health service, education, economic growth and infrastructure through the wise decisions that we are taking. As for fairy tales, we do not need to look into the future to see the economic devastation at the heart of the Tories' plan, because they are delivering it now with on-going austerity, which is a choice at the UK Government's hands.

I know that unionists in the Parliament have great interest in the growth commission's report, which will be issued on Friday. Perhaps they should wait to see what the commission says. I am sure that it will show a positive case about what we could do if we had the full levers of independence.

First-time Buyers (Support)

7. Ash Denham (Edinburgh Eastern) (SNP): To ask the Scottish Government how its fiscal policy supports first-time buyers. (S5O-02133)

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): More than 26,000 people have benefited from our low-cost initiative for first-time buyers and help-to-buy schemes since their introduction, and the vast majority of those have been first-time buyers.

We have also taken a progressive approach to the setting of rates and bands for land and buildings transaction tax that has prioritised support for first-time buyers and helped home movers to progress through the market. I have also announced plans to introduce a first-time buyer relief for LBTT, with the necessary legislation making its way through Parliament for the new relief to commence on 30 June.

Ash Denham: What percentage of first-time buyers in Scotland will be able to benefit from not paying any land and buildings transaction tax?

Derek Mackay: Specifically, 80 per cent of first-time buyers expect to pay no tax at all, but all first-time buyers will benefit from the introduction of this new relief.

Small Business Bonus Scheme (Renfrewshire South)

8. Tom Arthur (Renfrewshire South) (SNP): To ask the Scottish Government how many businesses receive support from the small business bonus scheme in the Renfrewshire South constituency. (S5O-02134)

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): Information on the

uptake of the small business bonus scheme is not available at constituency level, but in 2017-18 there were 2,665 recipients in the Renfrewshire Council local authority area, benefiting from a total of £6.6 million collectively. Since 2008-09, the small business bonus scheme in Renfrewshire has delivered more than £45 million of relief that can subsequently be invested in the local economy.

Tom Arthur: Uncertainty over Brexit is impacting on many small businesses in my constituency. What support can the Scottish Government provide in terms of information sharing and scenario planning? Does the cabinet secretary agree that the United Kingdom Government's reckless approach to Brexit is damaging business confidence across Renfrewshire South and Scotland more widely?

Derek Mackay: It is a challenge for any of us to scenario plan on the basis of scenarios that have not been detailed by the UK Government and without knowing where we will end up. In fairness, though, we will try to share as much as possible. That is why there is a range of schemes to support sectors across Scotland in relation to what the future might look like.

The leaked UK papers have been something of a vindication of the economic analysis that the Scottish Government has done. That lends weight to the argument that, if we unite, we can change the direction of the UK Government away from its reckless approach and towards one that is far more positive about what we can do in terms of the single market and the customs union.

Wealth Inequality (Fiscal Policy)

9. Neil Findlay (Lothian) (Lab): To ask the Scottish Government what action it is taking through its fiscal policy to reduce wealth inequality. (S5O-02135)

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): The Scottish Government is committed to reducing wealth inequality and to delivering policies that support inclusive growth. We are determined to take strong action to reduce child poverty and meet the statutory targets in the Child Poverty (Scotland) Act 2017.

Scotland led the way in the United Kingdom by establishing a progressive approach to rates and bands for land and buildings transaction tax, making the amount that is paid more closely related to the value of the property or transaction. Additionally, our reforms to council tax have made local taxation fairer and more progressive, and income tax in Scotland is fairer and more progressive and raises additional funds to protect public services and support the economy.

Neil Findlay: According to the website *The Ferret*, the Gini coefficient and the Palma ratio show inequality in Scotland to be at historically high levels that have not been seen since the 1990s. Given that, in the early 1990s, there was no Scottish Parliament, are those figures not clear evidence that the claim of the Scottish National Party to be a progressive party of the left is simply delusional fantasy?

Derek Mackay: No. The reality is that unionists such as Neil Findlay have ensured that we have not had the powers to deliver true equality in Scotland through a range of measures. That goes for welfare powers, as even after the transfer of powers, we still have control over only a minority of them; it goes for economic policy, as the Conservatives still have control over our macroeconomic policy; and it goes for the very definition of wealth. Much of that will remain in the hands of the Conservative, right-wing, Brexit-mad UK Government that Neil Findlay would rather have governing Scotland than progressive parties with the full levers and full economic powers that could deliver the maximum for Scotland.

We will do what we can with the powers that we have. We have been doing so in a progressive fashion, and we will continue to share the view of Neil Findlay that we all need to do more to tackle inequality in our society. However, to do that, we need the full range of powers, and unionists should assist us in ensuring that the powers of this Parliament are maximised.

Fulton MacGregor (Coatbridge and Chryston) (SNP): How much is the Scottish Government spending to mitigate the worst impacts of Tory welfare policy?

Derek Mackay: As it stands, my estimate for the welfare mitigation figure is around £125 million for 2018-19.

The Deputy Presiding Officer: I cannot call question 10 as the member is not present. Accordingly, as that concludes portfolio questions, we will have a short suspension before the next debate.

14:39

Meeting suspended.

14:39

On resuming—

Education (Subject Choices)

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-12358, in the name of Liz Smith, on education: subject choices.

Liz Smith (Mid Scotland and Fife) (Con): Few decisions are more important to any young person at school than those that they make about subject choices. What they decide defines their future career. That is why the Scottish Conservatives, like many parents, teachers and young people across Scotland, have become increasingly concerned about the evidence that points to the fact that the range of choices at secondary 4 level in many schools is now restricted. That impacts most on S4 and S5 pupils who will leave school with only national 4 or national 5 qualifications, but it also impacts on the choice opportunities that young people have in higher and advanced higher courses in S5 and S6, with the obvious implications for further entry later on.

I want to set out the evidence, place that evidence in the context of what was supposed to happen in curriculum for excellence, and put on the table proposals on what has to happen to address the problem. In setting out the evidence, I will draw on the work of Professor Jim Scott, the evidence that was presented to the Education and Skills Committee in 2016-17 by teachers, local authorities and the education agencies, the work of Glasgow Caledonian University and Reform Scotland, the Scottish Government's own research in its annual statistical reports, and various articles in the media over the past two years. All of them without exception point to the increasing movement from eight to six subjects in S4. In 2013, 28 per cent of schools had moved to six subjects; in 2016, the figure was 47 per cent. Professor Scott's latest research shows that the figure is now 57 per cent.

Professor Scott's evidence goes on to show that there has been a corresponding decline in S4 enrolments and S4 attainment in Scottish Qualifications Authority levels 3 to 5. He acknowledges that the SQA has made 3,750 more awards per year as a result of diversifying the type of certificate course available, but he points to the loss of no fewer than 143,735 annual course passes as a result of the decline in choice from eight to six subjects.

The real issue is for S4 pupils who are entered for national 4 and national 5 courses and who want to leave school at the end of fourth year or fifth year, because they will leave school with

fewer qualifications than would otherwise have been the case.

To place all that in context, there is a very important debate to be had about the delivery of curriculum for excellence. There was the relatively powerful argument that schools should be more free to develop their own curriculum so that it best suited the needs of their pupils, and there was the argument that learning in depth is more important than learning in breadth, and that it is not fair to contrast what is happening now with curriculum for excellence with what went before. I can accept some of those arguments, but I cannot accept—nor can young people and parents accept—what has happened in practice, perhaps with unintended consequences. There has been the narrowing of subject choice not just in S4 but in S5 and S6, which has had a particularly marked effect on many young people who are attending schools in disadvantaged communities. We should all be concerned about that with respect to widening access.

In March 2017, Glasgow Caledonian University's research concluded that

"many young people struggle to get their preferred choice in S5 and S6"

and that many young people do not get the opportunity to take a higher course across a two-year period, which gives better scope for articulation.

Let me deal with the arguments that I am sure that the Scottish Government will put to us. The line that the First Minister has given us when she has been challenged on the issue is that more young people than ever before are achieving higher and advanced higher passes. No one is disputing that, and that is good, but that must not become a quantitative argument. If we drill down, we see that there are many different perspectives that tell us that, in qualitative terms, that is not quite the picture.

For example, there has been a very significant squeeze on modern languages—a key skill that most employers value very highly—and there is also evidence that there is a squeeze on science, technology, engineering and mathematics subjects, which are also key skills that are highly valued by employers. The fall in subject choice from eight to six subjects inevitably makes it more difficult for young people to have the best possible combinations, a point noted by Universities Scotland when it provided its evidence to the Education and Skills Committee last year.

Secondly, we are told that we must not look at the individual years but look at the senior phase as a three-year progression. I could accept that in theory, but, in practice, the narrowing of subject choice in S4 is beginning to have a similar effect

on S5 and S6. If there was a properly thought-out progression, we would not see the reluctance to offer young people the chance to sit highers across two academic years, we would not see the two-term dash to higher and we would not see the very serious situation affecting the advanced higher. I raise the point about the advanced higher not just because it is seen as Scotland's most prestigious exam, is envied by many educationalists in other jurisdictions and is more in tune with the founding principles of curriculum for excellence than any other exam, but because it draws into question the purpose of the S6 year. How ironic is it that the Russell Group of universities south of the border are stronger advocates of the advanced higher than many people in Scotland?

On the Conservatives' side of the chamber, we believe that that is a very important question to answer, not least because more pupils want to stay on at school until they are 18 and therefore ought to be able to access advanced higher as they want. However, that is not the case just now, most especially in disadvantaged communities. As the widening access debate progresses, more and more people believe that the focus of that policy has to be on schools, including the early years, and not so much on artificial targets within colleges and universities. Widening the availability of advanced higher must surely be part of the focus, so that we do not end up with statistics that show that just two secondary schools in disadvantaged areas offer more than 12 advanced highers whereas 27 per cent of schools in more affluent areas do that. I know that there are some successful developments in hubs arranged by the universities of Glasgow, Dundee and Aberdeen and that they are all working to make advanced highers more available, but that does not help many young people in Scotland, particularly those who are unable to travel to the hubs.

So, what must be done? First, it is imperative that we address the S1 to S4 curriculum. We have ended up with no clear strategy or vision for the middle years, which means that, when it comes to S4, we have to condition young people to have far fewer subjects—we have lost that articulation with the early years. A key part of the situation is teacher numbers. We cannot hope to offer effective subject choice if we have 3,400 fewer teachers in the system than we did when the Scottish National Party came to power, nor can we hope to improve things if there is a serious shortage in core subjects such as maths and an increasing trend for experienced teachers to leave the profession.

We are addressing in the debate a hugely significant and important issue for many children across Scotland, because they are not getting a

fair choice at the moment; hence the reason I move the motion in my name.

I move,

That the Parliament notes with concern evidence that shows that, for a substantial number of schools across Scotland, subject choice for S4 pupils has been reduced; believes that this is an unintended consequence of the current structure of Curriculum for Excellence, which also has implications for subject choice in S5 and S6; further believes that this situation is exacerbated by teacher shortages in key subjects, and calls for the Scottish Government to work with local authorities to urgently ensure that all schools adhere to the commitment to provide young people and parents with full details about subject choice options.

The Deputy Presiding Officer: I call John Swinney to speak to and move amendment S5M-12358.4.

14:48

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): I welcome this debate and I want to be as helpful as I can in discussing the substantive issues that Liz Smith raises. The reason for that is that this whole debate was a key focus of the national debate that informed the development of curriculum for excellence, with the decisions that were endorsed across the education and skills system and very widely supported within this Parliament chamber.

One of the central aspects of the reform of curriculum for excellence was the extension of the broad general education to the end of S3, which is a point that I felt was not given justice in the speech that Liz Smith just made. The extension of the broad general education to the end of S3 was a fundamental feature of the design of the new curriculum. Learners now study a wider range of subjects to a higher level and with a greater degree of learning than they did under the previous curriculum, and we cannot just skate past that.

The benchmarks that were signed off by the chief inspector in 2016, which were also endorsed by the chief examiner of qualifications at the Scottish Qualifications Authority, provide the clarity about and evidence of the higher standards that are expected at each level of curriculum for excellence, and particularly at the conclusion of the broad general education at the conclusion of S3.

Liz Smith: If that is correct, there ought to be a good progression into S4. However, at the moment, pupils are doing a considerable number of subjects in breadth in S1 to S3, and they are being conditioned or restricted in S4 at the very time when they are wanting to take qualifications.

John Swinney: That brings me on to the other substantive point that I want to make. The focus on the breadth of learning throughout primary school and the first years of secondary school ensures that learners have a solid foundation on which to enter the senior phase of school. I will highlight three particular features of the senior phase that are relevant to this debate.

First, the period from S4 to S6 is designed as a three-year phase of learning in which the focus is on a learner's total achievements by the end of that period rather than on individual, year-on-year attainment. That addresses directly the compartmentalisation point that Liz Smith makes about S4.

The second objective of the reform was to maximise the richness of the learning throughout the senior phase, focusing on the best way to allow learners to achieve the highest possible level of attainment. That approach recognises that, although qualifications are undoubtedly important in allowing young people to pursue their aspirations, there is little value in simply accumulating qualifications at lower levels for their own sake.

Oliver Mundell (Dumfriesshire) (Con): Will the cabinet secretary take an intervention?

John Swinney: If Mr Mundell will forgive me, I will not take an intervention. I have quite a lot of ground to cover.

That may well mean that learners take fewer subjects in S4 than under the previous system, where the focus was on gaining as many standard grades or O levels as possible, but, far from that being an unintended consequence, it was an entirely deliberate outcome of redesigning the senior phase.

In the evidence that Terry Lanagan gave to the Education and Skills Committee in January 2017, many points were made about how the curriculum had been structured to reflect the fact that young people were being encouraged to engage in deeper learning that would enable them to fulfil their potential.

Liz Smith: Is the cabinet secretary satisfied that those students in S4 are getting a fair deal when it comes to subject choice?

John Swinney: That will be a judgment that is arrived at in individual schools on the basis of the curriculum model that they want to take forward, and that is the policy position that I bring to this debate. I believe that schools should be able to undertake the curriculum model design that best meets the needs of learners within their individual schools, recognising the strategic guidance that has been given to the education system that the S4 to S6 experience must be viewed as a three-

year experience and not compartmentalised into individual annual components, which is what the Conservatives would seek to get us to do.

Oliver Mundell: At a basic level, does the cabinet secretary accept that, if a pupil drops a subject because they are unable to take it in S4, they will be less likely to take it up again in S5 or S6?

John Swinney: Not necessarily, because young people will have established stronger foundations in a higher and more demanding broad general education than would have been the case under the previous arrangements.

The third feature is the determination not to focus solely on traditional attainment but to recognise the range of other experiences and skills that young people need to make a success of their lives in a fast-changing world. That approach has been embedded further by the successful implementation of the developing Scotland's young workforce programme.

Jenny Marra (North East Scotland) (Lab): Will the cabinet secretary give way?

John Swinney: I will have to make some more progress.

The Deputy Presiding Officer: I can give you the time back, cabinet secretary.

John Swinney: I give way to Jenny Marra.

Jenny Marra: The cabinet secretary suggested that decisions about course choice are available on a school-by-school basis, but Dundee City Council's curriculum guidelines say that pupils can study a maximum of six subjects at national 4 and 5. That is for the whole local authority. Does he accept that these policies are being made on a local authority basis and not on an individual school basis, as he said?

John Swinney: That gets us to the nub of the reform agenda that I am interested in taking forward. I am glad that Ms Marra is a supporter of that agenda. I believe that these decisions should be taken at school level, enabling schools to put in place the curriculum that meets the needs of individual young people.

The product of the approach that we have taken is that we have seen a significant increase in the positive destinations that are being achieved by young people. That is the point that the First Minister made at First Minister's question time last week. It has resulted in an increase in the number of higher passes, exceeding 150,000 for each of the past three years, recognising the significance and value of that qualification. It has also resulted in nearly 60,000 skill-based awards and achievements, which recognise the learning that has been undertaken by young people and identify

its value in the Scottish credit and qualifications framework and the further destinations that young people move on to.

I want to reflect the fact that the models for the delivery of education in Scotland are more diverse today than they were when we were talking about O grades and standard grades. We now have, for the advanced higher, hosting arrangements that involve Glasgow Caledonian University, the virtual school network in Highland Council and the e-sgoil in the Western Isles, which are enabling a much broader range of advanced highers to be available to a broader range of young people in different educational settings.

In this debate, there will be a lot of information and discussion about what are the right choices to make. I believe that the fundamental choices made in constructing curriculum for excellence, which identified two three-year phases in the secondary sector and enabled young people and our educationalists to focus on the outcomes that they achieved, are exactly the right approaches to take and are the foundations for the learner journey work that the Minister for Further Education, Higher Education and Sciences will talk about in her conclusion in the debate, and they will serve the young people of Scotland very well in the foreseeable future.

I move amendment S5M-12358.4, to insert at end:

“; recognises that the most significant measure of achievement is when pupils leave school after the three-year senior phase as this defines pupils' success in accessing work, training or education; congratulates pupils and students across Scotland who have collectively achieved more than 150,000 Higher passes for the third year in a row, including a 4% increase since 2013; welcomes the fact that 93.7% of 2016-17 senior phase school leavers were in a positive initial destination; further welcomes the fact that the proportion of young people in the most deprived areas getting one or more qualifications at SCQF levels 4, 5 and 6 is increasing faster than those in the least deprived areas; agrees that all schools and local authorities across Scotland should be innovative in providing greater choices for young people through creative timetabling and partnership approaches with nearby schools and other partners, such as the Advanced Higher hub at Glasgow Caledonian University, the Virtual School network in The Highland Council and the e-sgoil that has been established in the Western Isles, and further agrees that further work is needed to understand what is on offer to pupils and students, including mapping the availability of Advanced Higher provision across Scotland in line with the recommendation of *The 15-24 Learner Journey Review*.”

The Deputy Presiding Officer: Thank you very much. I have to say that I am running out of spare time, but I thought that it was important to allow interventions that were direct questions. Please bear that in mind as we go on. I call Iain Gray—

Iain Gray (East Lothian) (Lab): Thank you very much, Presiding Officer—

The Deputy Presiding Officer: I have not said what you are doing yet. I call Iain Gray to speak to and move amendment S5M-12358.1—just in case you had forgotten, Mr Gray.

14:57

Iain Gray (East Lothian) (Lab): Thank you, Presiding Officer. I had not forgotten, and I rise to move the amendment in my name.

This is an important issue, but it is not a new one. The narrowing of the curriculum and the fall in attainment in S4 was raised by Kezia Dugdale in May 2015 at First Minister's questions and again in June of the same year. The evidence, which has been meticulously gathered from official sources and collated and analysed by Jim Scott, existed even then. However, the First Minister chose not to listen. She tried to suggest that Professor Scott did not know the difference between enrolments and pupil numbers. She wrote the whole thing off as "constant SNP bashing." However, it was not, and three years on, the evidence has mounted on narrowing of the curriculum in our schools.

The number of schools allowing pupils to study more than six subjects in S4 has fallen to 43 per cent, and only 11 per cent now allow eight subjects. The numbers are stark, but so are the consequences: that narrowing of the curriculum is pushing some subjects out of schools altogether. Nothing will convince me that that was an intended consequence of the great education debate or of curriculum for excellence.

As Liz Smith said, modern languages are being particularly badly affected. It is no coincidence that last year the number of young people who gained a language qualification was 50 per cent lower than the number who did so in 2007. Gaelic, to which all of us in Parliament committed our support only a couple of weeks ago, was one of the subjects that Professor Scott identified as being at risk years ago.

This time, the education secretary has countered with an amendment of positive statistics that are true, but which hide, rather than contradict, the problem. High-achieving pupils who are going to do five or six highers will still do five or six highers; the point is that they will be choosing those highers from a narrower S4 base and their chances of doing three sciences or two modern languages are being undermined, or even denied in some schools, which has a knock-on effect on university course choice.

As for the rather contrived statistic in the Government amendment about the faster increase in

"the proportion of young people in the most deprived areas getting one or more qualifications at ... levels 4, 5 and 6",

it is true, but it is driven largely by the fact that more pupils at the wealthier end move on to level 7 qualifications.

As has been pointed out, the number of exam passes by S4 pupils has fallen by 140,000 since the new exams were introduced. The number of national 5 entries per learner has declined by 20 per cent, and the pass rate for national 5 has fallen from 91.3 per cent in 2013 to 79.5 per cent. Those who leave school with only national 4 and 5 qualifications can choose and sit fewer subjects, and they are achieving fewer passes.

The very SQA tables from which Mr Swinney's figure is derived show that since 2013 the percentage of pupils who leave school with no qualifications at all is rising, especially in the lower-income deciles. It is not a big rise, but it is the reversal of a 50-year historical trend. Comprehensive schools, awards for all and standard grades turned a school system that had left 70 per cent of leavers with nothing into one of which we could be proud, and in which every pupil's achievement was recognised. Those achievements matter. S4 leavers deserve the best from our schools, just as the high flyers with the higher pass rates do.

No one is arguing that there is a conspiracy. However, there are unintended consequences of the new exams coupled with teacher shortages and tight budgets, and those consequences are impacting on children who are at the wrong side of the attainment gap. The education secretary simply must face up to that.

Parents do not understand what is going on: they do not understand why their children's choices are so constrained and they do not understand why choice depends so heavily on the school that their child attends. My constituency has few high schools—five—but some of those schools offer six subjects at S4, some offer seven and some offer eight.

The Deputy Presiding Officer: You must conclude with this sentence.

Iain Gray: Parents feel that pupils from more affluent communities are being offered more choice and more chances, which can only exacerbate the attainment gap. It is not enough for the Government simply to accept the motion; we must hear what it will do to fix the problem.

I move amendment S5M-12358.1, to insert at end:

“; recognises that there remains a stubborn attainment gap between pupils from the most and least deprived families; notes concerns that the narrowing of curricular choice may be greater in schools in the most deprived areas, and calls for action on this issue and in closing the attainment gap.”

The Deputy Presiding Officer: I am sorry: in these short debates, time is very tight. There will now be a tight four minutes for all speeches.

15:02

Ross Greer (West Scotland) (Green): The need to ensure that Scotland's schools provide an inclusive learning environment that enables all young people to excel is an obvious point of consensus, and subject choice cuts to the heart of the issue. How can we expect young people from more deprived communities in particular to succeed if they are not given the same opportunity as other pupils to choose the subjects that they want or need to do?

Of course, attainment will be lower if pupils are restricted to subjects in which they have less interest. Restricted choice can have a lifelong impact, whether we are talking about missed opportunities to develop an interest from an early age or knock-on effects on careers and future study choices.

A benefit of the Scottish education system is meant to be that our senior phase provides for a wide education and does not shoehorn pupils into doing three subjects, as happens with A levels down south. However, if subject choice is restricted, a diverse education is not being offered and young people are not being given the same opportunities to develop their own interests.

If we are to tackle the poverty-related attainment gap, we must ensure that all pupils have a good choice of subjects at all levels, including national 4 and 5, higher and advanced higher. However, we are not doing that. In Glasgow, for example, pupils from the most deprived communities are, on average, offered six fewer higher subjects than pupils from the least deprived communities are offered. That is not just an immediate inequality; it has profound long-term effects.

Some parts of Scotland face far greater difficulties when it comes to subject choice. Across our rural and island communities it is simply not possible for individual schools to have in the building the same breadth of expertise as a school in a more densely populated area. That should not prevent the full breadth of subjects being offered to young people in rural and island communities, but the reality is that it does.

Distance learning through the internet and teleconferencing can enable pupils to learn subjects that are not physically available in their schools. Such options are already used across Scotland, though not consistently and with unnecessary barriers remaining. For example, different approaches to timetabling in local authorities can create difficulties.

We need to grapple with the difference between granting autonomy to individual schools and headteachers and the co-ordination that is required, particularly across rural communities. Such barriers need to be addressed.

However, for the most part, it is teacher shortages that have had a severe impact on subject choice in particular communities and with particular subjects. We have debated the causes of those shortages on a number of occasions, including through the Education and Skills Committee's inquiry process. We know that issues of workload, conditions and pay have had major impacts on recruitment and retention, especially in subject areas in which people with the relevant qualifications have clear alternative employment opportunities in the private sector.

We know that austerity cuts are at the core of much of what is happening. Real-terms spending on education has dropped by £335 million since 2007—a drop of about 6.5 per cent. Many local councils sought to protect education spending after their budgets were squeezed, but that quickly became close to impossible when the squeeze started more than a decade ago.

The Scottish Government likes to highlight the attainment challenge fund and the pupil equity fund as investments in education. Although all new money going into education is welcome—as we discussed with the cabinet secretary this morning—in many cases the money is being used simply to plug gaps that have been left by core budget cuts. Funding is annual and there are the restrictions on how it is spent, so it is obviously not solving the issue of subject choice when restrictions are caused by staffing shortages. Funding needs to go to core council education budgets so that we can begin to resolve the problems with subject choice restrictions.

We can see the impact of the past decade's budget decisions on teachers. There are 3,500 fewer teachers today than there were in 2007. That is not difficult to understand when we realise that teachers' wages are 20 per cent lower in real terms than they were 10 years ago. All the fast-track schemes that we can think of will not solve that problem: a genuinely restorative pay rise is required. The Educational Institute of Scotland has launched its campaign for a restorative rise, starting at 10 per cent this year. I sincerely hope that the Government takes that pay claim seriously in negotiations. Although it would not solve all the problems that affect subject choice, as Liz Smith and Iain Gray laid out, it would go a long way towards addressing some of the major underlying issues.

The Deputy Presiding Officer: I will rescue you there. It is time to sit down.

15:06

Tavish Scott (Shetland Islands) (LD): The debate that Liz Smith has brought is about subject choice. In some ways, I speak more as a father than I do as an MSP on the issue, because my oldest children have been through that subject choice.

I think that the matter is actually very simple. It is not the Government's fault—Liz Smith and Iain Gray were quite right about that. The Government should take the debate as a sign that we are all looking for a more considered way forward. Those of us who have sat through the Education and Skills Committee's evidence sessions in the past two or three years—in fairness to John Swinney, he is very well aware of this—have been very concerned about how curriculum for excellence has been implemented.

As Iain Gray rightly highlighted, there have been unintended consequences, many of which result from less-than-perfect implementation, not least by Education Scotland. If there is one major problem that I have with the Government on the issue, it is that we have rewarded the body that is responsible for implementation of curriculum for excellence—Education Scotland—with more powers, rather than asking fundamental questions about its role. That has always seemed strange to me. Education Scotland's role has been cited by the Organisation for Economic Co-operation and Development, among others—which, to be fair, John Swinney has been very keen to point out to us. I hope that the Government will take the debate in the spirit of seeking to find solutions to the narrowing of subject choice.

Here is why it matters: a person who in S4 is given a choice of only six subjects—as is all too prevalent, according to figures that members across the chamber have mentioned—simply does not have, by definition, as much choice at higher level, in S5. That matters: I have yet to find a university—like it or lump it—that does not want my son, my daughter or any Scottish pupil to achieve their highers in one sitting. I entirely take John Swinney's point about the senior phase, but rightly or wrongly, that is not the reality of how our higher education sector approaches its assessment of candidates for university. It is happening today. I cannot be the only member who pushed the trolley down the supermarket aisle this weekend—as I did at home in Lerwick—and got it in the ear from a couple of parents about a university not taking their son because he had not got what he needed to get. Those parents believe that the reasons for that are to do with narrowing of choice.

I should quickly add that Anderson high school in Lerwick has offered seven subjects. When Education Scotland was pushing the senior phase,

Anderson high school was told—I well remember seeing the emails about this—that it should offer only six subjects, but the headteacher and her promoted team made it very clear that their school strongly believed in offering seven subjects and were going to continue to do so. In my view, that was the right thing to do.

I consider that the central element of the subject choice argument is important and powerful. If the university sector were to change its approach to one in which it accepts the Government's arguments as made by the cabinet secretary this afternoon—that it should consider the results across the piece of the senior phase—we would be having a different discussion, but that is not the reality, so the unintended consequence that has been described must be addressed. Given that, I hope that the Government considers Dr Jim Scott's evidence.

It is also interesting to note that the Scottish Parliament information centre's briefing says that the Government accepts that it does not have its own figures in this area. Indeed, this morning, when I asked what information is held, I was told that no data on school curricular models is available, which means that there is no data on subject availability. Therefore, Dr Scott deserves credit for bringing the information into the public domain and for giving the Government a reason for addressing the issue that Liz Smith has brought before us this afternoon.

I entirely agree with the cabinet secretary's remarks on the developing the young workforce strategy. I merely ask him to look anew at ensuring wider accreditation of non-formal education, youth awards and courses, which could help the very people whom we need to deal with in closing the education attainment gap.

15:11

Jamie Halcro Johnston (Highlands and Islands) (Con): First, I welcome Liz Smith's remarks. She outlined in great detail why this debate is an important one.

On these benches, we have sought answers from the Scottish Government over the past week on a significant change in our schools: the narrowing of subject choice. We were told that curriculum for excellence would

“provide more choices and more chances”

for young people. We were assured that it would not mean a restriction in subject choice, but that choice has been restricted.

The points that appear in our motion today were put to the First Minister last Thursday, when she said:

“What matters is the qualifications that pupils leave school with, not just the subjects that they study in S4.”—
[*Official Report*, 17 May 2018; c 11.]

We cannot be alone in having concerns about the complacency in that answer. Ruth Davidson asked about apples but was told that the important thing was oranges. Subject choice, it seems, does not matter much. However, when we have leading educationists telling us that social inequalities in entry to higher education in Scotland are

“mostly explained by subject choice”,

and when we have a range of experts in the field of education telling us of the many problems that that is building up, it is time to take notice.

A traditional positive of the examinations structure was the supposed breadth of learning that it provides. Specialisation into subjects was gradual, giving school leavers a broader education and a greater choice as they moved into higher-level qualifications. The Deputy First Minister’s response has been to assert that the senior phase in secondary schools is a three-year progression, but that seems to take no notice of the impact on young people who take a different course.

Again, Liz Smith mentioned the squeeze on certain subjects, highlighting the concerns surrounding modern languages and STEM subjects. The SQA has reported that, between 2014 and 2017, the number of entrants fell by 6 per cent for higher French and by 12 per cent for higher German. Given the Government’s focus on language tuition, those numbers should be extremely concerning for ministers. The Government also focuses on STEM education, and we can see similar falls in the three main sciences and a significant decline in higher maths.

The qualifications gained at secondary level are important and valuable in themselves, but we should not turn a blind eye to the restrictiveness that the narrowing of subject choice places on young people who are looking towards their futures. For those contemplating a vocational route to enter a modern apprenticeship or otherwise move into work, restricted subject choice has an impact.

Since curriculum for excellence came into play, the SQA has revealed that the number of exam passes by pupils in S4 has fallen by 150,000.

On the new foundation apprenticeships that are on offer through schools, I have spoken previously in the chamber about the variability of framework choice across different parts of Scotland. In my region, there have been as few as two frameworks offered to young people. The Minister for Employability and Training, Jamie Hepburn, was helpfully clear in his intention to broaden out availability across local authorities.

Universities have noted that restricted subject choice has an impact on entry, and the University of Edinburgh has acknowledged that that is causing a damaging exclusion for young people from less advantaged backgrounds. There is a debate to be had on how specific the choices that are given to people relatively early in their secondary education should be. When young people are restricted to a smaller number of subjects, it continues to impact their choices later in their education.

The shortcomings in our education system always seem to have a disproportionate impact on the least advantaged young people. Curriculum for excellence was introduced with great fanfare by the Scottish Government and gained wide support on the basis of assurances and positions presented by ministers. Unfortunately, in the case of subject choice, it seems that those assurances have not been kept.

15:15

Clare Adamson (Motherwell and Wishaw) (SNP): I rise to speak somewhat dismayed at some of the arguments that are being used in the chamber this afternoon. I served on the Education and Culture Committee in session 4 of the Parliament, and much of what has been discussed today was raised in evidence at that time. In 2012, in response to questions from Liz Smith, Ken Muir of Education Scotland said:

“The expectation is that youngsters will, in the main, experience a broad general education up to the end of S3—or, at least, will have an opportunity to receive the experiences and outcomes up to the third curriculum level.”
—[*Official Report, Education and Culture Committee*, 26 June 2012; c 1251.]

Also in 2012, Terry Lanagan of the Association of Directors of Education in Scotland said:

“The new system is not about going for eight or nine qualifications in one year—it is a continuum of learning. Those are not just words: the new qualifications will—and do—build on experiences and outcomes in broad general education.”

Liz Smith: Will the member take an intervention?

Clare Adamson: I am sorry—I do not have time. [*Interruption.*] If the Conservatives want to have a proper debate, they should have given more debate time to the subject this afternoon.

Liz Smith: Will the member take an intervention on that point?

Clare Adamson: No. Terry Lanagan said:

“The two plus two versus three plus three issue is a false dichotomy. Broad general education goes up to S3, but that does not mean that there is no choice before that stage—indeed, personalisation and choice are an entitlement in curriculum for excellence.”

He went on to say:

“One of the weaknesses in the current system is the well-known two-term dash to highers. The new system will allow the most able young people to start a two-year higher course at the beginning of S4. The other myth that has grown up is the idea that those schools that choose to present some or all pupils for eight qualifications in S4 are somehow doing better than those that adopt another model. The whole point about curriculum for excellence is to ensure that the needs of the individual young person are addressed, and that each young person gets the chance to attain qualifications at whichever point is appropriate for their needs.” —[*Official Report, Education and Culture Committee*, 28 February 2012; c 795-6.]

That was the whole reason behind curriculum for excellence—making it pupil based and focused and allowing pupils to advance at an appropriate speed for their own needs.

When we discussed the matter in 2014, Larry Flanagan of the Educational Institute of Scotland talked about the implementation of curriculum for excellence. He said:

“if, at the end of this, all we have done is replace the exams, and we have not changed the pedagogical approach in schools or what year youngsters make their future choices, we will not have achieved curriculum for excellence.” —[*Official Report, Education and Culture Committee*, 25 February 2014; c 3614.]

Curriculum for excellence is about giving teachers and individual schools the opportunity to design the courses and plans for young people to ensure the best outcomes for those young people. Larry Flanagan went on to talk about the 160 hours that are required for SQA qualifications. The head of a maths department will want those 160 hours. How on earth does a school timetable 160-hour courses without squeezing the teaching and learning of young people, if they are asked to do more than that? Schools can maintain six, seven, or even eight, choices for young people, but that is not in one year—it is over the final phase of curriculum for excellence and its implementation.

I will finish with an anecdote—there have been a few of those this afternoon. My son did advanced higher music, and he is now studying music at the University of the West of Scotland. He did not do that advanced higher at his own school, because his school could not offer it; he did it at another school in a cluster of schools. He got on the bus and went to the other school and got the choices that he wanted. A lot of what has been talked about this afternoon does not take into consideration the way in which schools work together.

15:19

Jenny Marra (North East Scotland) (Lab): Presiding Officer—[*Interruption.*]

The Deputy Presiding Officer (Linda Fabiani): Excuse me. Can we stop the private conversation across benches, please?

Jenny Marra: It will come as a surprise to no one—certainly, it did not to me—that the limited choices that the motion outlines today are the case in Dundee. As I understand from a Dundee City Council policy paper, which I quoted earlier to the cabinet secretary, Dundee City Council’s policy is for pupils to study a maximum of six subjects at national 4 and 5 in S4 and up to five highers and advanced highers in S5 and S6. The position is therefore equal across our city, but the policy has been used to limit choice for everyone in the city, in all eight secondary schools.

At higher level, only two out of the eight secondary schools in the city are hitting their target for the number of higher passes that they are expected to achieve, with deprivation factored in. A couple of schools that were previously considered to be the highest performing schools in the city fall well below their benchmark expected figure of higher passes. I feel strongly that that is not good enough for the children who are going through education at the moment and I am sure that a number of parents locally agree with me.

We have a duty to look carefully at exactly what is happening. At lunch time today, Bill Bowman and I spoke to primary 6 children from Fintry primary school in Dundee. In a year’s time, they will go to Braeview academy. Twelve per cent of pupils at Braeview achieve five or more highers, but its benchmark figure, with deprivation factored in by the Scottish Government, is 27 per cent of pupils. Less than half of the pupils who should be achieving five or more highers are being allowed to fulfil their potential. For that lovely class of bright-eyed, enthusiastic primary 6s, the restriction in subject choice is a problem, as it will hit them the hardest, as Iain Gray outlined. The attainment gap is real for them; it is hitting them now and it will hit them in the terms of the motion in three or four years. For them, the cuts to teacher numbers in our schools are a reality.

This week, we have seen a storm brew in Dundee over pupil equity funding. We learned at the start of the week that swimming lessons for primary school pupils across Dundee have been withdrawn—I will raise that issue directly with the First Minister tomorrow. Targeted Scottish Government funding of £200,000 for the top-up swimming programme came to an end in 2015 and has never been replaced. Dundee City Council has said:

“Head teachers have been given the opportunity to explore how swimming lessons can be delivered through the Pupil Equity Fund and Leisure and Culture Dundee’s Family Swimming Initiative.”

It seems that headteachers can raid the pupil equity funding pot or parents can pay for the lessons themselves. Pupil equity funding was trumpeted by John Swinney as extra cash for schools in deprived areas to spend, as they know best how to close the attainment gap.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Will the member take an intervention?

Jenny Marra: No, I do not have time.

The Deputy Presiding Officer: The member is just closing.

Jenny Marra: The SNP council in Dundee is now telling headteachers to spend that money to replace services that used to be provided centrally. Headteachers are being asked to use the pupil equity funding to mitigate the cuts. However, I hear that, this morning, John Swinney said to the Education and Skills Committee that the SNP council in Dundee is wrong to do that. Can he perhaps clarify that—

The Deputy Presiding Officer: Ms Marra—it is time to close.

Jenny Marra: —for us this afternoon? I do not know how he expects the pupil equity funding not to be spent on mitigating the cuts when he cut £12 million from Dundee City Council's budget.

15:23

Richard Lochhead (Moray) (SNP): It is probably worth saying at the outset that I firmly believe that we cannot measure a pupil's success just by the number of highers that they have in their hand when they leave school, or indeed the school's success in educating children by the number of qualifications that the children have when they leave school. Those are important factors, but we should not dwell on them alone in determining the success of individuals or, indeed, of our education system.

Liz Smith closed her speech by talking about what she felt was one of the underlying causes of the lack of subject choice in some schools in Scotland, which was teacher shortages. I want to focus on that point in my short speech. Clearly, the issue of teacher numbers affects many parts of Scotland, particularly some rural parts, including Moray, which I represent. I have been involved with that issue over the past few years.

Of course, it is not a question of cash; the money is there. We keep calling for more resources and more money. Where we have some teacher shortages, it is not about money. The money is there, but people are simply not applying for the jobs, particularly in some of our more rural areas. That puts pressure on schools, particularly

at primary level, where the headteachers and deputy headteachers have to help out in the classroom, which can sometimes take focus away from the leadership role. In secondary schools, it can mean that there are not as many subject choices as one would like, but there are enough to give people a good education and that is what matters at the end of the day.

It is not just teachers that many rural areas are struggling to attract, but professionals in other occupations. The Government and the Parliament need to research why people are not applying to work in rural areas when it comes to some of those professional jobs.

That does not just happen in Scotland; those issues affect England, too. The English Secretary of State for Education spoke to English teachers recently in Birmingham, where he said:

"I recognise that recruitment and retention is difficult for schools and that one of the biggest threats to this is workload."

The Education and Skills Committee, of which I am a member, recently visited Finland and Sweden to discuss their education systems. We heard from the Swedish educationists that teacher recruitment is a big issue in Sweden as well, and that teacher shortages are projected in the years ahead. It is not just Moray that is affected, and not just Scotland, but England, Sweden and many other places in western Europe, too. We have to research why that is the case.

Important measures are being taken, and I welcome the cabinet secretary's intervention, which I hope will lead to there being more home-grown teachers in our local communities. In the Highlands and the north of Scotland, that means working with the University of the Highlands and Islands, where some good initiatives are under way to retrain people from other careers to become teachers, or to help people to train locally as teachers. That is beginning to make a difference, so there are things that we can do.

There are also things that the United Kingdom Government can do, working with Scottish local authorities, and perhaps the Conservatives can look into that. I am talking about dealing with our immigration situation, which makes it difficult for teachers, some of whom are married to Scots and have jobs in schools, to get their visas so that they can actually take up their jobs and work in those schools to plug vacancies. I do not know whether there is anything else that the Government can do on sponsoring visas, and I know that there are issues in some areas because the local authorities do not sponsor visas. Perhaps the Government or some other authority could step in—I encourage the cabinet secretary to look into that.

The Conservatives can help us with this debate, if we are to take a team Scotland approach and deal with the poverty that is impacting on the classroom in Scotland. The Education and Skills Committee is looking at the impact of poverty on educational attainment, and all the witnesses who have spoken about that have cited the UK Government's welfare reform programme as damaging people's educational opportunities in our schools. That is leading to a huge burden for our teachers, our schools, the education budget, our local authorities and the Scottish Government. I therefore ask the Scottish Conservatives to look at the issue as a whole so that we can give the best future to the young people of Scotland.

15:28

Alison Harris (Central Scotland) (Con): I consider this to be a very important debate on an issue that has, rightly, been the subject of much discussion in the education world. Indeed, subject choice is increasingly raised with me by constituents, as is the issue of careers guidance in our schools.

Subject choice is crucial when it comes to the future career paths of our young people. Many schools do an excellent job in that respect, but we know that a sizeable minority of schools are not providing our young people and their parents with everything that they need to know. Professor Jim Scott's work has uncovered the worrying picture that over a third of schools are not adhering to the Scottish Government's guidelines for local authorities when it comes to the comprehensive details surrounding the column structures offered on their curriculum; that is surely a matter that we need to address with some urgency.

I want to deal with the specific issue of the curriculum for excellence, which was intended to build on the traditional broad education for which Scotland was long renowned. Instead, however, because of the lack of a joined-up approach between S1 and S3 and then the senior phase, it has—perhaps unwittingly—narrowed subject choice in S4; there are particular concerns for those pupils who are leaving school at the end of S4 or the end of S5 with passes at only national 5. If their subject choice is restricted, they leave with fewer qualifications.

Concern that that might happen was flagged up in the early stages of curriculum for excellence development, and it certainly manifested itself on a practical level six years ago, when parents in Aberdeenshire complained about what was happening in some schools. After First Minister's question time last week, a recently retired headteacher wrote to one of my colleagues to say that he knew at first hand what the slow erosion of subject choice was doing. He singled out, in

particular, the effect on modern languages, citing how few pupils sat higher German this year.

Professor Jim Scott's recent report showed that, in the past year alone, the number of schools offering just six subjects at S4 has increased from 45 to 57 per cent, that only 32 per cent of schools allow children to sit seven subjects and that just 11 per cent offer eight. The consequence of that does not stop at S4; there is a knock-on effect on the subjects that are available at higher and advanced higher, and the severity of that problem is felt in some of the most disadvantaged communities.

It is shocking that someone at a school in one of the wealthiest parts of Scotland has a 70 per cent chance of being able to choose between 12 or more advanced highers, yet there are just two schools in the poorest parts of Scotland where pupils can choose between that number. Eighty-nine per cent of schools surveyed said that difficulties recruiting teachers constrain subject choice. The fact that the Scottish Government's statistics show that there has been a 13 per cent decline in secondary school teachers over the past 10 years speaks for itself. In priority STEM subjects, including maths, several councils have been unable to fill teacher posts, which has resulted in whole courses and subjects being dropped.

I will conclude by saying something on the issue of careers guidance. It is absolutely essential that careers guidance is well informed and thorough, especially when many pupils have fewer subjects to choose from. What assurances can the cabinet secretary give us that career guidance will improve? Advice is not being provided on a universal basis, which is a major worry when compounded with a more restrictive subject choice in S4 and a teacher shortage. That is why I support the motion in the name of Liz Smith.

15:31

George Adam (Paisley) (SNP): This is a very important debate and one that I am glad to take part in. I agree with my colleague Richard Lochhead that we should not measure young people's or schools' success on the basis of the number of highers that people have in their hand; it is about the destination, the development and where they end up as time goes on. We have had this debate in various guises over the years in my time on the education committees, which is no bad thing, because it shows how serious we all are about the subject.

I will talk about what is actually happening in our communities because, all in all, it is a positive story. Things are improving. I am not for one minute saying that everything is perfect, because there is always scope to do better, but the facts

speak for themselves. More young people than ever before are leaving school with marketable, reputable and well-respected qualifications, which is a testament to our education system and our teachers. Importantly, more young people from our most deprived communities are gaining highers and advanced highers and moving on to positive destinations. Indeed, the number of students from Scotland's most deprived areas gaining a university place reached a record high of 4,150 after results day last year, which was an increase of about 680 students over the previous two years alone.

With numbers like that clearly laid out, I find it absolutely fascinating that members continue to talk down the Scottish education system and suggest that pupils achieve in spite of the system and not because of it. We all know that our teachers work exceptionally hard to ensure that every student in Scotland, irrespective of their background or postcode, can reach their full potential and gain the necessary qualifications to move on to their college, university or employment of choice. My constituency has huge diversity, but over 92 per cent of school leavers go into positive destinations. I have spoken to many students who were the first in their family to attend university. The young people who I have had the pleasure of chatting to when I am out and about in the constituency have never once suggested that they have achieved what they have in spite of the education system. Quite the opposite is true—most Paisley students have nothing but good things to say about their school experience.

I admit that there are always many challenges for us to face and we will continue to face them, but I think that everyone in here wants our children and young people to be happy in school and to leave with the breadth and depth of knowledge that will give them the best possible start in life. It goes without saying that we all want our young people to have the widest possible choice of subjects and classes. For those reasons, the Scottish Government is encouraging schools not only to be flexible in their timetabling but to look at options to give students choices beyond their school walls.

In the previous parliamentary session, the Education and Culture Committee visited a number of schools that had embraced flexibility in timetabling, and they explained to us the marked difference that that had made in the school. The schools were in areas of deprivation and challenges and they told us that, when they had that opportunity, they could make a difference.

Currently, there are a number of very good examples of schools being flexible and looking at outside options. We have heard about the higher hub at Glasgow Caledonian University and the

virtual school network in the Highland Council area. Those are examples of how this Government is encouraging local authorities to widen the curriculum and allow students to make early connections with further education institutions.

It is only right that we debate this issue, because it is very important to every member here. There is nothing more important than creating opportunities for our children and young people. In this debate, we have to look to the future, but let us not forget that progress has been and is being made.

The Deputy Presiding Officer: We move to the closing speeches. We are tight for time, which may affect the next debate. I call Mary Fee, who has up to four minutes.

15:35

Mary Fee (West Scotland) (Lab): I thank the Conservatives for bringing this debate to the chamber and for allowing us to debate the choices that are available to children and young people to allow them to follow whatever path they choose. The debate has also been an opportunity to discuss the attainment gap, as we recognise in the Labour amendment, which I ask members to support.

In their opening speeches, both Liz Smith and Iain Gray clearly laid out the concerns over the narrowing of curricular choice and the impact that that has on attainment, particularly in relation to languages and STEM subjects. As Iain Gray highlighted, the languages issue is a long-standing one, with a huge drop in the number of pupils gaining language qualifications. He also highlighted concern about the rise in the number of pupils who leave school with no qualifications at all.

Lack of curricular choice is exacerbated by where people live, with many rural schools being disadvantaged. Clare Adamson spoke about curriculum for excellence being "pupil based and focused". Limiting choice does not support pupils; it disadvantages them. As Liz Smith said, since 2007, we have lost nearly 3,500 teachers; we have also lost teaching assistants, and literacy and numeracy rates are falling and the attainment gap is rising. Jenny Marra spoke of situations in which PEF is used to mitigate cuts to core funding.

The First Minister has asked to be judged on her education record, and I hope that she and the education secretary will take on board the legitimate concerns of MSPs across the chamber and the concerns of teachers, pupils and parents. Limiting subject choice limits opportunities. Children in S4 should not have the paths that life can offer them narrowed at such a young age. Of course we want children to achieve the best

qualifications, but it is short sighted to limit subject choice in order to glorify exam outcomes.

We welcome the education secretary's recognition that the attainment gap needs to be addressed. However, we need wide-reaching solutions and investment to match those solutions in order to tackle the stubborn gap. The attainment gap in our schools will not vanish or reduce with one single fix. PEF is an important tool, but it is not available in every school. Where it is, evidence suggests that schools need better support and guidance about how to best use it to reduce the attainment gap.

As our amendment highlights, in the long term, limiting subject choices, particularly for schools in the poorest areas, will harm any attempts to reduce the attainment gap, and for many it will limit the opportunities to attend university after leaving school. Local authorities need security of funding to recruit more permanent teachers. Only then can we offer pupils more choices on what to study, so that each pupil can pursue whatever career path they wish.

All our young people, regardless of what school they attend or where they live, should have the same choice, the same opportunity and the same support. Aspiration cannot and should not be limited by the choices that are available. Scottish education has traditionally been well respected across the UK and abroad. Given the scale of the cuts, the damage done to schools and the limiting of subject choice, the First Minister and the education secretary are presiding over an education system that will lose the respect of its teachers, pupils and parents.

We, in Scottish Labour, want to work with the First Minister and the education secretary to ensure that education in Scotland remains as revered as it always was and always should be.

15:40

The Minister for Further Education, Higher Education and Science (Shirley-Anne Somerville): This debate has focused on the issue of choice, highlighting the importance of ensuring that young people have a range of options available to them and that they are well supported in making the decisions that are right for them. As the Deputy First Minister said in his opening speech, those are central themes in the learner journey review report, which was published on 10 May.

Tavish Scott asked for a considered way forward and I suggest that the learner journey review provides exactly that, for this issue and many others. It is informed by the views of partners across the education and skills system; perhaps more important in the year of young

people, it is also informed by the views of young people. They made it clear that, to ensure that they have access to the choices that are right for them, we need to strike the right balance and have the right blend of learning options in the post-15 education and skills system, with parity of esteem across the whole system. We are equally clear that every young person has the right to effective guidance, advice and support so that they can be sure that they make the right decisions about their learning and career pathways.

The first theme in the review is the need for better advice and guidance. I point Alison Harris, in particular, to the review as she spoke about that need, which is an integral theme of the year-long process that we have been through. The report talks about the connection between the guidance that young people receive on subject choices and, longer term, their career options.

In progressing that priority, we will undertake work to map the availability of advanced higher provision around Scotland. That will help to fulfil our commitment to provide practitioners, parents, carers and learners with access to online prospectuses that set out the learner choices that are available in their region, which builds on our one-stop-shop approach. That deals with some of the points that Ross Greer and other members made during the debate about the challenges in some areas—particularly rural areas—with regard to the breadth of the curriculum. The learner journey review does exactly what Mr Greer asked us to do: it looks at the barriers that need to be addressed to ensure that all schools and councils are innovative and provide greater choice in their area.

John Scott (Ayr) (Con): With S4 places down by 150,000 since 2016, college places down by 150,000 since 2006, teacher numbers down by 3,400 and teacher salaries down by 20 per cent, does the minister agree that, when those simple reasons exist, we do not need to look for complicated reasons for the fall in educational attainment and achievement, in the broadest sense, around Scotland?

Shirley-Anne Somerville: John Scott will not be surprised to hear that I utterly disagree with his assessment of the education system. I will take two of those points. First, I will not apologise for the fact that we have developed college places that are based on recognised qualifications that lead to employment. Secondly, the discussion around what happens in S4 shows a lack of understanding that S4 is the start of the learner's journey in the senior phase. That is what the curriculum of excellence is all about. It focuses on the learner's total achievement and their three-year progression through the senior phase. I am sorry that Mr Scott does not understand the basis

on which the curriculum of excellence was brought in.

The second priority from the learner journey review is to ensure that more choice is provided through work-based opportunities. We want to be able to provide a balance of work-based and academic skills that is informed by employer engagement. We want the opportunities that members spoke about, such as foundation apprenticeships, to be driven forward as good destinations for our young people, as well as providing for the needs of the Scottish economy.

Thirdly, we want to improve the alignment of courses between schools, colleges, apprenticeships and universities so that young people are able to progress through the post-15 education system as smoothly and effectively as possible.

The learner journey review that the Scottish Government undertook echoes many of the themes that have emerged in the debate. In Liz Smith's opening remarks, she mentioned the purpose of S6, which is clearly dealt with in the learner journey review. The review also looks at informal learning, which Tavish Scott brought up. I am happy to agree with him about that. The Government is working to ensure more recognition of informal learning and is dealing particularly with points that Iain Gray made in a debate on the year of young people.

Young people need to be provided with better advice, more opportunities and coherent routes through education. The attainment gap is closing and the Government is continuing to work on that. There is more work to do, but we are proud of our work on the agenda so far.

15:45

Oliver Mundell (Dumfriesshire) (Con): It is clear that the minister listened to a different debate from the one that took place. Little in her speech touched on the core issues that the motion raises, and she did not really connect with the many points that members from different parties made about their experience and about the substantial evidence, which my colleague Liz Smith forensically laid out at the start of the debate.

The issue matters because no task is more important for the Parliament than ensuring that our young people get the best start in life, that they are fully equipped for the challenges of the future and that they are ready to contribute to and lead our society. Subject choice—I stress the importance of the word “choice”—lies at the heart of making good on that promise. I am young enough to still remember how important such decisions are in an ever-changing world in which people's career opportunities change several times in their lifetime.

People should continue to benefit from the same opportunities as I and many members across the chamber enjoyed.

We say that curriculum for excellence is about empowering the individual learner and giving them more input into their education. Given that, it is surely ironic that, as we have heard today, the reality of the new curriculum for many young people is that they have less choice than ever before at a crucial juncture. I was astonished that the cabinet secretary claimed that that was an intentional consequence. It is clear that, like Clare Adamson, he does not remember that, back in 2009, the then Cabinet Secretary for Education and Lifelong Learning, Fiona Hyslop, said:

“I want to see breadth of experience in S4. There are some misplaced concerns that there will be restrictions ... I will not accept a situation in which there are restrictions.”—*[Official Report, 7 January 2009; c 13684.]*

Detailed evidence has now been laid out over a period to show that there have been restrictions. There is no getting away from that.

We have heard from members across the chamber that there is no doubt that the problem is compounded by, and in many cases arises because of, teacher shortages and vacancies, particularly in STEM subjects. That is not good enough. We know about the problem, but the action to fix it is painfully slow.

I agree with the cabinet secretary that many curriculum choices should be decided at school level. That is a good idea that enhances the system, but how can we possibly expect a broad range of subjects to be on offer when a number of schools do not even have the teachers to teach them?

Alex Rowley (Mid Scotland and Fife) (Lab): I accept that one reason for restrictions on the number of courses—certainly in Fife schools—is a lack of teachers, particularly in STEM subjects, but another reason is the budget. Does Oliver Mundell accept that? Does he also accept that failed austerity from the Westminster Government is contributing to the problem?

Oliver Mundell: I do not accept the member's point. The Scottish Government has got more money to spend than ever before. It is political choices that have been made in Parliament that are having an effect on our young people. It is time to recognise that fact. The SNP Government should stop hiding behind other people.

John Swinney: It was actually a Labour member who asked that question.

Oliver Mundell: To be fair—if the cabinet secretary could stop shouting—Richard Lochhead gave a far more considered and reasonable speech on teacher shortages. He highlighted

some of the issues that we face in rural areas and I would welcome more research into the causes of that in my own constituency.

From the general reaction, it is easy to understand why, throughout this debate, the SNP Government has sought to muddy the waters and talk about a different issue. The cabinet secretary does not want to talk about choice, but I can give him a few practical examples.

Last week, I visited Langholm academy, in my constituency. The one issue that pupils chose to raise with me was the fact that they were not able to take the subjects that they wanted to. That was to do not with availability but with the fact that their choice had been reduced to six subjects, which meant that they were not able to take both history and chemistry. One young person told me that he loved history—

John Swinney: Will the member take an intervention?

Oliver Mundell: Yes.

John Swinney: Mr Mundell cited the example of Langholm academy. If we were to follow his view of the world in relation to choice being available to schools, and if Langholm academy decided to have a particular level of choice available to young people, what would he do about that if he disagreed with it? Would he accept the right of the school to set that level, or would he just come here and complain about something that he approves of principle?

Oliver Mundell: That is a complete mischaracterisation of the situation because, in fact, teachers at Langholm academy support the view of pupils that there should be a broader range of subject choices, but they do not have enough teachers to deliver that. Secondly, the school is being directed by the local authority and, like a significant number of schools—more than 50 per cent—it feels that it is being pushed towards allowing pupils to take just six subjects. That has not happened by accident. It is not a school-level choice; it is a systemic problem across the whole of Scottish education, and it is about time that the cabinet secretary took that seriously.

The Deputy Presiding Officer: You must close, please.

Oliver Mundell: I can end on that point.

The Deputy Presiding Officer: That concludes the debate. As we are short of time, I would appreciate it if members could quickly shuffle around to take their places for the next debate.

Housing

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a debate on motion S5M-12342, in the name of Graham Simpson, on housing.

15:52

Graham Simpson (Central Scotland) (Con): It would have been easy to lodge a motion on housing attacking sluggish house building under the Scottish National Party. A sector that is flatlining and an obsession with ill-defined affordable housing—whatever that means—would indeed be worthy of this Parliament's time, but there are other issues in housing that also deserve our attention, and I want to concentrate today on our current housing stock.

By 2050, 80 per cent of our current homes will still be in use. In Scotland, a quarter of all domestic dwellings are tenements, and 38 per cent of those are pre-1919 buildings. According to the Scottish house condition survey of 2016, 6 per cent of all properties need extensive repairs, 28 per cent require urgent repairs and 48 per cent have disrepair to critical elements. Further, 5 per cent of pre-1919 properties have critical, urgent and extensive disrepair.

Members across the chamber have realised that we need to act. A number of us got together and formed a working group—that is different from a cross-party group, as it is a group with work to do. In January, Ben Macpherson led a members' business debate on this issue. It was consensual but, of course, there was no vote. That is why, today, we wanted to give Parliament the chance to say that it thinks that something should be done.

When we talk about tenements, we are talking about buildings in common ownership, and we could mean any block of flats of any age or one of those four-in-a-block buildings. In such buildings, problems arise because the ownership and the responsibility for the properties is shared. Someone who lives on the ground floor of a four-storey block that has a roof that needs work is not going to be happy to pay for that work, even though it is their roof, too. Very often, basic maintenance is not carried out. Gutters are not cleaned, checks are not done, so problems mount—and so do the bills.

Councils have powers to ensure that buildings are kept up to scratch but, with one or two exceptions, they do not use them. We are standing at a condition cliff edge, and something has to change. We think that it is inevitable that there will have to be legislative changes, so it is good to see that, in its amendment, the Scottish Government agrees that there should be a review.

The Scottish Federation of Housing Associations has said that the issue is of “real concern” and that

“there is no clear legal requirement for tenement flat owners to fund the maintenance and report of common parts”.

There have been some good ideas. The Royal Institution of Chartered Surveyors mooted the idea of buildings having regular health checks. We agree with RICS, and the Government amendment backs looking at that.

We also think that factors will have to play a part. That is where we come to the second part of the motion, which would be left untouched by the Government amendment. We back that amendment. If we are to have mandatory factoring, we must have a system that ensures that factors perform well and are struck off if they do not. The Property Factors (Scotland) Act 2011 provides for the performance of factors to be regulated and for them to comply with the code of conduct. If factors do not measure up, residents can appeal to the First-tier Tribunal for Scotland housing and property chamber. Since 2013, that tribunal has issued 169 enforcement orders against factoring companies. One in five of those orders has never been complied with. Last week, Kevin Stewart told the Parliament that just two property factors have been removed from the register since 2013 as a result of having failed to comply with the code and the enforcement orders. Five factors have been removed for technical reasons.

A number of factoring firms are repeat offenders, and there have been multiple complaints and rulings against them. Apex Property Factor has had 13 hearings and 10 rulings against it. Charles White Ltd has had 23 hearings and 19 rulings against it. James Gibb Property Management has had 17 hearings and 13 rulings against it. They are only examples. There is no system in place to flag up repeat offenders. Firms just have to comply with an order, and they can then carry on as before. That must be wrong.

John Mason (Glasgow Shettleston) (SNP): I agree with Graham Simpson’s point that factors need to behave properly, but does he agree that it is useful to have a factor or an organisation looking after a close, because, if doing so is just left to the owners, that is even less likely to happen?

Graham Simpson: Yes. I do not disagree with that at all, but we need to ensure that they operate properly.

I do not want to give the impression that we are talking about an industry of rogues. It is not. The number of tribunal cases is small in relation to the

size of the client base, and most factors do not get rulings against them when they appear. However, Property Managers Association Scotland told me:

“The industry generally would benefit from robust action against any firms consistently failing to meet required standards.”

I am glad that the Government agrees with us on that.

Apex Property Factor came to my attention when I was asked to help one of its clients. Sophie Wells is an owner-occupier in a block of flats in Motherwell. Earlier this year, she came to me in desperation, so I went to see her, and my blood boiled. In 2014, lead flashing was stolen from the building, and it has never been replaced. Water leaks into the building, and the wood is rotting. Parts of the ceiling are missing and walls are damp and mouldy. They are green—and that is not the colour of the paint. Doors have been kicked in by drug addicts, windows are broken and downpipes are missing. Repairs have not been carried out. In December 2016, the communal areas were without lighting. Residents asked for help from Apex Property Factor. The lighting was not fixed, so Sophie and a neighbour rigged up their own.

General complaints relate to invoicing for cleaning and maintenance works that have not been done. Sophie has cleaned the block herself, cut the grass, picked up litter and redecorated inside and outside. The main door to the block has been replaced by Sophie and a neighbour. The intercom system has been vandalised and does not work.

I recently met officials from North Lanarkshire Council, who are not prepared to use the powers that they have to get anything done to help the residents. They should be ashamed of themselves. As I said earlier, Apex Property Factor is one of a number of firms with multiple rulings against them.

I will tell members about one of the cases heard by the tribunal, which involved a property in Renfrew and an invoice for repair works. The property owner asked to see the three competitive quotes that the factor had received for the work, and three quotes were provided. Quote 1 was from Real Building Contractors, but there was no company address or VAT number. Quote 2 was from Concept Builders, but the quote was dated after the request for three competitive quotes. The applicant tried to call the telephone number on the quote, but it was not in use; the website listed did not exist; the postal address was a mail-drop box company; and the applicant found a company with the same name, but it denied having provided the quote. Quote 3 was from Quality Property Maintenance, but with no date, no VAT and no address, and the land-line telephone number

turned out to be a branch of a shoe shop at Parkhead Forge. The case goes on to establish various breaches of the code.

I have some suggestions. We should introduce a ratings system for factor companies, there should be a flagging system, there should be better consumer support, and it should be possible for applicants to mention things to the tribunal that they have forgotten to put on their complaint form. We need to look after what we have and we need the system to do it.

I move,

That the Parliament believes that existing legislation is inadequate in dealing with the condition of Scotland's tenement housing stock; backs calls for changes to legislation including, for example, having mandatory building health checks; believes that property factors can play a part in a new system; considers that there are property factor companies that perform their duties well, but that there are some that are performing poorly; acknowledges the limited role of the First-tier Tribunal for Scotland (Housing and Property Chamber) in improving the performance of property factors and considers that the system for members of the public to make complaints should be improved; believes that there is a need for a more robust process to remove property factors that repeatedly break the property factors code of conduct or duties, and calls on the Scottish Government to review the current system.

16:01

The Minister for Local Government and Housing (Kevin Stewart): I am pleased to have the opportunity to welcome and speak in this debate that Graham Simpson has brought forward on the important issue of tenement property maintenance.

From the amendments that were proposed from across the chamber, it is clear that we have a lot to agree on. Had Alex Cole-Hamilton's amendment been selected, we would certainly have supported it. We very much agree that improving the quality of the housing stock will support our efforts to eradicate fuel poverty and reduce greenhouse gas emissions. Through the energy efficient Scotland programme, we will encourage and support owners to improve their homes.

Likewise, I entirely agree with Andy Wightman's unselected amendment, which stated that VAT should be removed for building repairs and improvements. Scottish ministers have spoken about that on numerous occasions and have pressed the United Kingdom Government directly on it. I encourage all parties to join us in calling on the UK Government to make that very sensible change.

Pauline McNeill's amendment rightly highlights the various ways open to owners to manage and improve their properties, such as co-operative

arrangements. I encourage owners to work together to put in place the most appropriate mechanism for them. The under one roof website is a useful source of impartial advice and information for owners and the Scottish Government will continue to support it.

I welcome Ben Macpherson's establishment of a working group of MSPs from across the chamber and interested stakeholders to look at ways for owners to better look after tenements. I look forward to hearing the group's findings, particularly about the practical difficulties of enforcement and the costs that might be involved for home owners. I will, of course, give serious consideration to proposals that come out of that group.

Alex Cole-Hamilton (Edinburgh Western) (LD): Should the proposals coming forth from that cross-party working group include one on the need for primary legislation, will the Government commit to bringing forward such legislation?

Kevin Stewart: Yes. We are committed to keeping our policy frameworks and legislation under review to ensure that everyone lives in a good-quality home.

In terms of existing powers and future regulation, actions have been taken already to improve property conditions. The Housing (Scotland) Act 2014 allows local authorities to pay, and subsequently recover, owner's missing shares when they do not contribute to common works. We touched on that subject in the debate that Ben Macpherson brought to the chamber. Again, I say to all local authorities that they should use the power that they have to help their citizens. A number of local authorities have used those powers. The others must follow and there must be the sharing of best practice.

Daniel Johnson (Edinburgh Southern) (Lab): Can the minister clarify which local authorities have used and which have not used the legislation that he mentioned?

Kevin Stewart: I do not have that answer for Mr Johnson off the top of my head, but I am more than willing to provide him with that information.

Glasgow City Council is using the missing share powers very well. Aberdeen City Council recently used them for the first time, and I hope that it will do much more in that regard. I have committed to extending the missing share powers to registered social landlords, and regulations on that will be introduced later this year.

For owners, we are piloting our £10 million equity loan scheme in Glasgow, Argyll and Bute, and Perth and Kinross to fund essential repairs and energy efficiency improvements, including common works.

Local authorities should use all the powers at their disposal to tackle poor-quality housing in the private rented sector, including through enhanced enforcement areas and the power to report breaches of the repairing standard directly to the First-tier Tribunal on behalf of tenants. We have already consulted on improving condition standards in the private rented sector, and draft regulations are proposed for later this year. I also intend to consult on other condition issues, including specific matters affecting tenement properties, which again will happen later this year.

I turn to property factors. Through Patricia Ferguson's member's bill, which received cross-party support and became the Property Factors (Scotland) Act 2011, Scotland led the way in having a specific statutory framework to protect home owners who use the services of property factors. The regulatory regime has been in force for more than five years and we are considering how it could be strengthened. We consulted recently on a revised code of conduct for property factors and on whether the 2011 act has improved the wider regulatory regime. We will publish an analysis of the consultation responses shortly, and we will use it to shape future standards of practice.

I believe that there is a clear consensus across the chamber and that we can all agree that there is no single quick fix to improve the condition of Scotland's homes. I very much welcome this debate and the creation of the working group on maintenance of tenement scheme property, which is supported across the parties. I commit to continuing to work with the sector to review and strengthen policy and legislation so that everyone across Scotland lives in a good-quality home.

I move amendment S5M-12342.3, to leave out from "existing legislation" to "in a new system" and insert:

"tenement housing stock, as defined in the Tenements (Scotland) Act 2004, is an important housing sector for many people in Scotland and that maintenance of this stock is vital for all those owning and living in the sector and to wider society; notes the creation and ongoing work of the cross-party supported Working Group on Maintenance of Tenement Scheme Property; agrees that a review should be carried out of relevant existing legislation and of how tenement housing in Scotland could potentially be better maintained and enhanced, which should include consideration of the potential costs and impact of mandatory building health checks, new initiatives that would help facilitate owners to collectively undertake maintenance of tenement communal property, and what is the best role for property factors".

16:07

Pauline McNeill (Glasgow) (Lab): I welcome the debate on Graham Simpson's motion.

Tenement property is a complex subject, on which the Parliament has made significant

progress, but the law in the area is crying out for more action, more investment and more solutions.

We broadly support everything in the motion and the amendments. I will briefly explain our amendment and what it seeks to do. We felt that the Tory motion reflected our position, but that it appeared to read as if building health checks would be mandatory. Our amendment clarifies that they would be up for consideration, rather than mandatory. In order to clarify that, we had to include the rest of the motion in our amendment so that we could put in the bit at the end about co-operatives as an alternative to factoring.

We support the Green position. We would have supported the Liberal Democrat amendment had it been selected for debate and, if our amendment falls, we will vote for the Government amendment, essentially because we feel that there is a lot of commonality between us. We believe that the Government needs to be a bit stronger in giving a commitment to legislation in the current session of Parliament, but that is really the only division between us.

As Graham Simpson said, the law on the management of tenement property covers much more than only the traditional tenements that were built in the 19th century, when there was an explosion of such buildings. It includes any flatted property where there are common repair and maintenance issues. I am sure that I will not be alone in saying that the tenement is a fantastic but complex building form. I have owned three tenement properties in the west end of Glasgow and dry rot, poor factoring, leaky roofs and unco-operative neighbours all go with the territory. At my surgeries, too, I hear many cases of people trying to get factors in place. Properties are not registered but are rented out and owners are left with the debts of others who have not paid.

We welcome the working group on the maintenance of tenement scheme property. We strongly believe that it is needed and hope that it will come up with some real solutions in the current session of Parliament. Existing provisions are inadequate to deal with the extent of Scotland's tenement housing. In particular, we welcome the discussion on owners associations, which currently have no legal status. It will be worth while to explore what else they could do if they had the teeth to do it.

Housing associations are playing a vital role in preserving and improving tenements that were in serious disrepair. Some social landlords are selectively selling flats where they are the minority owner as they struggle to meet the housing quality standard.

A rapid rise in the number of private landlords and the growth in property values that leads to

owners becoming property rich but income poor is a key problem in this area. Owners failing to address maintenance issues and passing them on to the next owner is a huge problem, too, and I hope that members do not miss that. It would be unfair of us to think up schemes that would in effect penalise the current owner when the maintenance work and repairs have built up over a much longer period, so we need to think about that, too. The reluctance of owners to take a long-term view of and interest in their properties is a critical point in this debate.

The West of Scotland Housing Association estimates that there are 12,500 substandard properties in pre-1914 tenements and 5,000 substandard post-1924 properties. Crumbling stonework and a lack of maintenance of roofs and gutters are just two of the problems.

Glasgow City Council estimated that, in 2015, 7,000 tenements were below tolerable standard. In the same year, Renfrewshire Council estimated that it had 1,200 that were below tolerable standard. They cite as the main problem a lack of routine maintenance and a lack of interest among owners generally. They say that it is difficult to engage landlords in any discussion about the management and maintenance of the common fabric of the building.

The West of Scotland Housing Association also says that former right-to-buy properties are now a major time-bomb. In fact, in my experience, which I am sure is shared by others, many owners of such properties do not seem to fully understand that with ownership comes a responsibility for the property and the common part of the stair, close and solum.

We need some solutions that will help ordinary tenants who are trying to decide on common repairs and ensure that the law favours them over absentee landlords who cannot be found and do not take an interest in their properties. We also need to support landlords who are trying to invest in their properties. We need long-term thinking that does not penalise only current owners. We need to support housing associations in the work that they are doing, too.

I believe that we will need some legislation in this Parliament, but, if we work together effectively with the group that has already been set up, we will find common ground and do some good for the owners of tenement properties and ensure that the law is more strongly in their favour.

I move amendment S5M-12342.2, to leave out from “including” to end and insert:

“following a thorough review of the gaps in existing law, which would include the consideration of mandatory building health checks; believes that property factors can play a part in a new system; considers that there are

property factor companies that perform their duties well, but that there are some that are performing poorly; acknowledges the limited role of the First-tier Tribunal for Scotland (Housing and Property Chamber) in improving the performance of property factors and considers that the system for members of the public to make complaints should be improved; believes that there is a need for a more robust process to remove property factors that repeatedly break the property factors code of conduct or duties; calls on the Scottish Government to review the current system, and believes that more should be done to encourage owners to set up co-operative arrangements as an alternative to factoring to assist in the management of their properties.”

The Deputy Presiding Officer: I call Andy Wightman, who has up to four minutes.

16:12

Andy Wightman (Lothian) (Green): I thank Graham Simpson for using Conservative Party business time to propose a motion on a topic that is designed to achieve broad agreement across the chamber. As Graham Simpson said, this debate follows on from Ben Macpherson’s members’ business debate earlier this year. I am delighted that he subsequently established a cross-party working group on the maintenance of tenement scheme property. He posited that as being in contrast to a cross-party group that does not do any work. A lot of cross-party groups do a lot of work; I am sure that he did not mean to imply otherwise.

The Scottish Greens have a manifesto commitment to establish a not-for-profit repairs service to manage major repairs, together with commitments to look at log books, sinking funds and mandatory energy efficiency measures at point of sale in the private sector. We also promised to press for the removal of VAT on building repairs, and I welcome the minister’s comments in that regard.

Given that 68 per cent of dwellings in Edinburgh are flatted, more people are likely to live in such property than any other type of domestic property. It is therefore incumbent on us to deal with the highly unsatisfactory state of affairs that confronts far too many people on a daily basis. Getting things right for tenement dwellers is not just about ensuring maintenance; it is about promoting our health. Having personally experienced threats of physical violence and harassment when I have tried to initiate tenement repairs, and having met constituents who have experienced that, I can well understand the stress and anxiety that comes from poor governance in tenements.

The private sector has made some useful interventions, such as the tenement health check policy, but there are still huge legal and financial barriers in the way of maintaining tenements to an acceptable standard.

Presiding Officer, how long do I have?

The Deputy Presiding Officer: Four minutes.

Andy Wightman: Thank you.

Much of the flatted property in Edinburgh, Glasgow, Aberdeen and Dundee was built more than a century ago. With proper refurbishment and maintenance, those buildings should last many more centuries. In the light of that, tenements are, in my view, part of the public infrastructure of our cities, just as the streets, sewers and utilities are. However, that public infrastructure is currently framed in law as private interests, and it is those short-term interests—which last typically 10 or 15 years—that too often prevail and frustrate the necessity of undertaking regular maintenance that could ensure the long-term good condition of shared property. I am therefore keen that we frame this debate as one that concerns public infrastructure rather than private property.

The law is further complicated, as Dr Frankie McCarthy, from the school of law at the University of Glasgow, helpfully outlined at a recent meeting of the cross-party group on home energy efficiency and renewable energy. She observed that in law there is no such thing as a building; there is a set of individual flats, plus some common parts. Therefore, there is fragmentation of ownership.

Dr McCarthy went on to point out that the rules of ownership are not standard. Default rules are set out in the Tenements (Scotland) Act 2004, but title deeds might well say something different. She said that the strategic areas of a tenement, such as the walls, roof and foundations, are not always owned by the same people.

In addition, Dr McCarthy advised that no management is built into the tenure system. In principle, all owners are responsible, but in practice nothing in Scotland's system of land tenure relates to owners associations, an obligation to meet, maintenance plans or sinking funds. In general, management is reactive at best, and although repairs and maintenance can be done with a majority vote, improvements require unanimity.

We used to do things a little better. In the members' business debate that I mentioned, I talked about my visit to the City of Edinburgh Council chambers, where I found a small, dark room full of cabinets, which contained index cards that noted inspections that the council had made to tenement property across the city until around the early 1980s. We used to have systems in place, and we need to review the legislation and ensure that such an approach is brought back.

I am pleased that the motion and the amendments largely say the same thing. The Greens will support them all.

16:16

Alex Cole-Hamilton (Edinburgh Western) (LD): It is always hard to follow Andy Wightman in a debate such as this. I am very much one of those members of the Scottish Parliament who learns at the knee of the maestro in this regard—*[Interruption.]* I put on record my thanks not just for his speech in this debate but for the assistance that he has given me on land and ownership matters—*[Interruption.]* I should also thank the Conservative members who are contributing.

The Deputy Presiding Officer: I ask everyone to be quiet. I think that Mr Wightman would like to hear this. *[Laughter.]*

Alex Cole-Hamilton: Despite their outburst, I am grateful to Conservative members for bringing today's motion before us. Housing is important. I am also gratified to hear that they will accept the Government amendment, because I think that it would be wrong to pre-empt the outcome of the expert working group's consideration of this critical area.

The shadow of Grenfell falls far and wide across our housing policy landscape. If we ever needed a reason to concentrate minds about building integrity, property repairs and upgrades and the need for safety checks, it is to be found in the ashes of that fire. I was proud yesterday to sign the proposal that David Stewart has lodged for a member's bill on the installation of fire protection systems in properties of a certain size.

I was gratified by the responsibility that the property factor industry showed in the aftermath of the Grenfell fire. The Property Managers Association Scotland rushed to assist the Scottish Government in its efforts to ascertain how many buildings were exposed.

Property management is an important structure in the theatre of housing delivery in this country. By and large, factors act responsibly and offer solutions to everyday problems of communal living, whether we are talking about stair lighting, security, cleaning or insurance. They also have a place in the foothills of our democracy, in that they help to establish residents associations, through which people can work together to make their communities better and address common problems.

As is the case in any sector, there are rogue elements in the factoring trade. Members have expressed concern about factors' responses to residents' concerns, the collection of unpaid fees from paying customers, incremental charging

increases and exorbitant one-off management fees. Such fees are often the subject of our constituency office postbags. In that regard, I can offer a great deal of support for the proposal in the Labour amendment that co-operatives step in as an alternative to factoring.

The thrust of the amendment that I lodged, which was not selected for the debate, was twofold. First, it was about the sustainability of and improvements to properties. Secondly, it recognised the backlog in repairs that are needed to our housing stock. Graham Simpson articulated that point well, when he talked about the critical repairs that are not being seen to in 28 per cent of our housing stock.

The point is that the cost of those repairs runs to billions of pounds, and someone has to pay. Invariably, up to this point, that someone has been the people who are slapped with a statutory charge notice, which is not something that anybody would expect or want. Andy Wightman—the maestro—talked about the sinking funds, or the owner-contributed repair funds, that can soften the blow that will inevitably come with that aspect of communal living, particularly with ageing stock.

This debate is very important and I am very glad of the consensus, which I did not necessarily expect, but that is a measure of the importance that the Parliament places on the issue. We need to get this right and to consider the recommendations of the cross-party working group when they are published. I am very gratified that the minister confirmed that his Government is willing to bring forward legislation, should that be required.

16:21

Jeremy Balfour (Lothian) (Con): I thank members for their speeches so far and remind everyone that I was a councillor at the City of Edinburgh Council for 12 years. For all of that period, I chaired the council's governance, risk and best value committee, and I spent many hours listening to evidence about what had gone wrong during Edinburgh's tenement repair scandal. We need to learn lessons from that scandal, not just in Edinburgh but across Scotland.

Edinburgh, like other cities, has many tenements. Many of them are ageing and require maintenance, and many require safety measures to ensure the safety not just of their owners but of those who walk on the pavements. When things go wrong, it affects the wider community. As Graham Simpson mentioned, RICS has mooted the idea of there being regular health checks on buildings. We would welcome that, but it would be a challenge. Andy Wightman was right: up until the

mid-1980s, every tenement in Edinburgh was checked regularly and detailed records were kept.

The issue is then what happens if the tenement is not being maintained correctly. We can have all the good wishes and aspire to tenements being kept in the right order but, unless local authorities are willing to use the correct sanctions and enforcement, we will simply end up with lots of notices being put on buildings but no enforcement or action being taken. It is not easy to enforce such measures in places such as Edinburgh, where lots of landlords do not live in their properties. Many people—particularly Adam Tomkins and Gordon Lindhurst—know much more about tenement law than I do. It is a complex area, but we need to consider new legislation, because the law is, at best, unclear.

That takes me to my next point, which is that factoring can help. The first flat that I bought in Edinburgh was a modern flat, and a factor was imposed on us. That actually worked well—the flat was well looked after and was clean and tidy, at least outside if not inside. However, that was expensive. There was no choice with our factor—it was simply imposed on us through the title deeds, but that has not been the tradition, particularly in Edinburgh. Many flats in Edinburgh do not have factors, and I sure that all Lothian and Edinburgh MSPs will have had letters from constituents—perhaps older people—who are trying to get the stairway of their flats cleaned but are not able to do that because other people will not.

Factoring is the way forward but, as I have said, the right sanctions—and the enforcement of those sanctions—must lie behind that. People must also have a choice about who their factor is, and individual flat owners must have a say in how the arrangement works rather than someone else imposing that on them.

I, too, welcome the debate and the consensus in the chamber on these issues. However, before we pat ourselves on our backs too much, I should make it clear that, although analysing the difficulties is easy, coming up with the solutions may be a lot harder.

16:25

Ben Macpherson (Edinburgh Northern and Leith) (SNP): I, too, very much welcome the use of this time for this important debate, which builds on the momentum of the Tenements (Scotland) Act 2004, the Housing (Scotland) Act 2014, my members' business debate in January and the establishment and work of our working group thereafter.

It is always good to start with a definition. Other members have talked about how inclusive the idea of a tenement is. The definition in the 2004 act is:

“a building or a part of a building which comprises two related flats”

that

“are designed to be ... in separate ownership; and ... divided from each other horizontally”,

which means that a tenement must be a block of four flats or more.

It is important to emphasise that point, because it is a big issue that is relevant not just to the larger tenements that I and many of my constituents live in but to housing in different parts of Scotland, including in rural areas. We are talking about a quarter of Scotland’s domestic housing, which is about half a million homes. It is a huge issue for us to consider.

Housing is crucial, because it really matters to people’s quality of life whether their communal stair is in good condition or whether there is a secure lock on the door, and it really matters if the roof is in good condition—not just for the building’s integrity but for the wellbeing of all the owners or tenants who live in the property.

As has been said—it was very well said by the previous speaker—housing is a complex area of law and policy, with local government and national Government involvement as well as private law dealing with deeds and people’s rights, so we need to think carefully about how we proceed. The current powers help. The under-one-roof allocations policy and the missing shares service are making a difference, but there is more work to be done to deal with the issues that we are all aware of through our casework and the wider points that stakeholders make to us.

The group in which I have been working with other MSPs, experts and stakeholders is looking for new solutions not just to repair and maintain our housing stock but to enhance it. Energy efficiency and related matters, which have been mentioned today, are important in that regard.

We are looking at the issue in three main ways. First, we need to think about who initiates and organises works and how we get people to pay for that. Factors are one way of managing works, but do we need to consider other mechanisms for facilitating owners’ decision making and the instruction of maintenance work? Do we need a new standard entity for owners to organise within, which would help them to connect and communicate with each other? Such an organisation would create the necessary leadership and structure for collective decision making.

The second area that we have touched on is inspections. We could have regular inspections, with the aim of moving away from a repairs-based approach and towards a maintenance-based

approach, so there would be less need for repairs. A record of inspections could be included as part of the home report, as properties are passed on.

The third area is finance, which covers sinking funds and credit unions. I welcome the suggestion that we include co-operatives, too. We need to think about a set of arrangements for the long term and think the issue through thoroughly, as has been said, to come up with solutions that will last and will make a difference in the medium and long terms.

I could say a lot more, but I will conclude by saying that is great to see the Parliament coming together to play its part in helping our constituents to come together and maintain the urban and rural integrity of Scotland now and into the future.

The Presiding Officer (Ken Macintosh): I call Daniel Johnson, to be followed by Gordon Lindhurst.

16:29

Daniel Johnson (Edinburgh Southern) (Lab): It is with huge pleasure that I stand to speak in this debate after Graham Simpson, Ben Macpherson and Andy Wightman. I am sure that others from the working group will be speaking, too. Indeed, we may be forming the world’s geekiest boy band: we might not be pretty to look at, but we are all singing in harmony on this issue. I apologise for the bad joke.

Housing is a hugely important issue, and, as he opened the debate, Graham Simpson was absolutely right in two regards: he set it in the context of wider housing issues and the scale of the maintenance and repair that need to take place. All too often, the housing debate is dominated by definitions and sees people splitting hairs between one form of housing and another, citing telephone numbers without any regard for levels of demand or the level of housing need.

As a point of historical principle, Labour members view housing as a right. That is part of Labour’s legacy and history, and it is an important part of our future politics. The market-based thinking around housing, which views it simply as a commodity, has failed. While incomes have largely remained flat, rent—especially in Edinburgh and Glasgow—has risen by almost a third in the past decade, and the amount of mortgage-owned property has fallen by a quarter in the same period. Rent is outstripping incomes and housing poverty is a very real issue. The opportunities and expectations that people might have had a mere decade ago are becoming no more than dreams for all too many.

If we view housing as a right, we must also accept Andy Wightman’s language and view it as

public infrastructure. There should be a sense of common as well as private ownership of property. We must also recognise the issue of mixed tenure and occupancy. Over the past few decades, the picture has been about not just tenement living in the traditional sense but a wide variety of different properties. Critically, within those properties there are multiple forms of ownership and tenure. There may be council tenants, owner-occupiers and private tenants, and, with the proliferation of small private landlords, the issue of maintenance becomes hugely problematic.

There is a real case for change, and I welcome the fact that the working group will be looking at the issues that Ben Macpherson set out very well. The concept of individualised ownership in the way that people own tenemented properties does not take into account the fact that they are collective owners of a building. There is a sense of common ownership of a single building that is not captured in the law, yet that is the fundamental point that needs to be captured and addressed in law.

I thank the tenement action group, whose work has been a positive starting point. It supplied the working group with a list of seven key points that it would like to see addressed. Those range from simple things such as having the contact details for all the owners in a stair available and freely shared—the identity of owners is publicly available but the means of contacting them is not—to issues around sinking funds and debt recovery. It is critical that we go from a situation that is more about enabling owners to get compensation and make arrangements for common repairs on a one-off basis to a situation in which there is on-going preventative maintenance. That is what we need to see.

My time is up, although I could go on for much longer. Fundamentally, we need to see a change in the law, as the matter is far too important to ignore. Our housing belongs to us all and we need to make sure that it is properly maintained.

The Presiding Officer: I call Richard Lyle, to be followed by Gordon Lindhurst.

Richard Lyle (Uddingston and Bellshill) (SNP): Oh!

The Presiding Officer: Did I get that the wrong way round? Okay—I call Gordon Lindhurst, to be followed by Richard Lyle.

Richard Lyle: I am ready, Presiding Officer.

The Presiding Officer: Richard Lyle is ready, so we will let him speak. *[Laughter.]*

16:34

Richard Lyle (Uddingston and Bellshill) (SNP): Thank you, Presiding Officer. I welcome the opportunity to contribute to a debate on an issue with which I am very familiar, having served as a councillor on Motherwell District Council and, subsequently, on North Lanarkshire Council for some 36 years. Housing is, of course, a core role for local government. I hope that today's debate will provide me with an opportunity to address that point, which the Conservatives have raised.

At the start, I mention the fact that there has been a marked and sustained improvement in the quality of housing in Scotland. Indeed, the latest Scottish housing condition survey showed a continued long-term trend of improvement in levels of disrepair.

It is important to note that problems can affect newer buildings as well as older ones, and that they occur right across Scotland. However, there is recognition that disrepair is worse in older tenement buildings. I believe that the Scottish Government recognises that there can be particular difficulties in dealing with common repairs in tenements, which requires co-operation between owners and can cut across tenures. From my experience in councils, I know for a fact that trying to fix issues where there are council properties and private owners or landlords is hard. It takes longer and it is a headache, at times. The right-to-buy legislation allowed people to buy their property, but it created multi-owner problems. Some owners—particularly those who are elderly—do not have the finances to renovate. Such are the problems that we must address.

That said, it is important to point out that although we in the SNP must not be complacent, the improvement in levels of disrepair is absolutely a reflection of the positive actions that the Government has already taken—from new powers that were introduced in the Housing (Scotland) Act 2014, to our work on consulting on improving conditions standards in the private rented sector. Draft regulations are proposed for later this year. Councils can use those powers to pay for repairs then recover the costs from owners who have not contributed. I encourage them to do that.

In thinking about housing conditions, I was reminded of my time as a councillor, during which I was faced with Bison-style flats in my ward, which had the most horrendous dampness and were in poor condition. Talk about green—those flats had very green walls. Through my engagement with the authority at the time, the flats were subsequently demolished and replaced with new high-quality buildings. Although that earned me, among many others, the nickname “Demolition Dick”, it is now paying dividends in Bellshill. I am sure that dampness is an issue that must also be

considered when we look at the state of disrepair of some properties.

In North Lanarkshire, we now have an excellent capital investment programme. I say sorry to Mr Simpson, but I have to agree that North Lanarkshire Council is working with us and that it is working with private owners. It will be surprised that I am saying that. I do not believe that there is a monopoly on good ideas, so I welcome the Government's commitment to looking at all possible solutions.

Many ways to address the problems have been raised in the Scottish Government's common housing quality standard forum, including sinking funds and five-yearly tenement surveys. Suggestions have also been made by the RICS, the Built Environment Forum Scotland and the Chartered Institute of Housing. I am sure that they are ideas to which the Government will listen.

It is clear from today's debate that we all wish to solve the problem. Thanks to the Scottish Government's support for local authorities, as well as because of legislation, progress is being made—progress that is very welcome and should rightly be recognised.

The Presiding Officer: I thank Mr Lyle for being ready to speak. Gordon Lindhurst is next.

16:38

Gordon Lindhurst (Lothian) (Con): It is, indeed, a delight to be allowed an opportunity to speak in the debate. I am not sure whether I can match Richard Lyle's speech; I certainly cannot match the nicknames that he says have been given to him.

This is an important and welcome debate—there are few issues more important than our housing stock. Indeed, the Scottish Conservatives consistently ask the Scottish Government to be more ambitious about house-building, but that will be in vain if our current stock is left to crumble around us.

Homes are places where we spend huge amounts of our time—private time with family and friends in warmth and comfort, if the conditions are right. If they are not, it can have far-reaching negative consequences, including on health.

The tenement buildings of the old and new towns play an important part in Edinburgh being a world heritage site. Of the 48 per cent of housing in Edinburgh that was built pre-1945, 56 per cent of it is flats. Across Scotland as a whole, it is said that 68 per cent of all dwellings are in some degree of disrepair.

I have been fortunate to have experienced living in a tenement in Edinburgh, but I have also been

unfortunate, as have others, in trying to have necessary common repairs carried out. Unlike Andy Wightman, whom Alex Cole-Hamilton described as a "maestro", I have more generally been met with complete and utter lack of interest, rather than threats of violence or harassment. Given that sort of background, it is easy to see how easily tenements can start to decay when only some people are prepared to stump up their fair share.

As has been recognised by many organisations, including the RICS, cosmetic changes can seem to be much more attractive to a homeowner who can experience the almost immediate—depending on the workman—and tangible benefits of showering in a new bathroom or making dinner in a newly fitted kitchen. However, if their block is not maintained, the risk is greater of its being condemned, further down the line, as unfit to live in. That was described by Dr James Simpson—who initiated the tenement action group—as the "plateau of good repair", which describes how failure to maintain a building regularly can be hugely inefficient.

Helping people to see that is all well and good, but today the Scottish Conservatives are encouraging the Scottish Government to think about what can actually be done to deal with Scotland's tenement housing stock. Even mandatory building health checks will only be as effective as they are accurate and easily enforceable, as Ben Macpherson pointed out. Public buy-in and acceptance of the checks are also essential, and the checks must be affordable. A box-ticking exercise simply will not do. I think, for example, of the problems with energy performance certificates.

A culture of factoring, including a mandatory system for new-build flats, could mean that owners would be able to maintain buildings from the very beginning, and to keep buildings on the sunny plateau that I mentioned. As we have heard today, some factors do a superb job, but others leave an awful lot to be desired, as Graham Simpson pointed out. The fact that 70 per cent of complaints against factors were upheld last year is deeply concerning. That tells us that the current system is not working in the interests of home owners, as it ought to be. Factoring needs to be transparent and accountable, with bad factors being identified and dealt with.

The future of our housing stock will not be determined simply by how many houses we build now; it will also be determined by how we maintain what we have. It is imperative that the Government review the current system and take effective steps to protect our housing stock now.

16:42

John Mason (Glasgow Shettleston) (SNP): As others have said, there is a lot in the Conservative motion that I can agree with—not least the basic statement of the fact that we have a problem with common repairs to tenement properties. If I am going to declare an interest today, it is that I am an owner-occupier in an estate of about 270 privately owned ex-council tenements. I paid about £25,000 for my flat in 1990, and it is probably now worth between two and three times that. However, during those 28 years, there has been no substantial maintenance work done and, as far as I am aware, not even a thorough inspection.

We have factors in place and I have no complaint about that. They arrange common buildings insurance and grounds maintenance, as well as charging what I think is a fairly modest administration fee. However, even then, some owners have substantial arrears, and the factors have said that they have more problems with owner-occupiers than they do with landlords who let out their property. There can also be a lack of understanding that the admin fee does not go into maintenance work or some sinking fund.

The problem in our estate is an unwillingness or an inability on the part of owners to pay for regular checks and maintenance, so the estate—which won an award for refurbishment by Bellway Homes—has basically been deteriorating for the past 29 years, and it looks as if it will keep deteriorating for the next 29 years.

Just on Monday, another resident in the estate—obviously, a constituent—phoned me to see whether we could arrange a public meeting, maybe change the factors, or take some other action to move things forward. I explained to him that we had a large public meeting, but could not find six residents to form a residents committee. However, I will meet him next week to go over things again.

Given that there is a problem, what are we going to do about it? We could say that it is private matter and that Parliament should stay clear of it. Some good things are going on at the moment, but they are often on a very small scale. Some of the housing associations in my constituency are working with Glasgow City Council to purchase few of the worst flats in the hope of improving a whole close, but inevitably that is happening on a small scale. From speaking to property managers, housing associations, RICS and others, it seems to me that there is a widespread feeling that things need to change. That is why Ben Macpherson has led on setting up a working group and why a number of back benchers are keen to look at the options.

I have two main questions. First, what is the model that we are aiming to get to? Could there be a voluntary scheme of regular inspections, which would make owners and potential purchasers aware of problems with their properties and, we would hope, encourage them to take action? Alternatively, does there need to be an element of compulsion, possibly including a requirement for factors, or at least more formal self-factoring, which I think is what the Labour amendment proposes in talking about “co-operative arrangements”?

Secondly, how, and how quickly, can we move to such a desired model? Especially if we agree that we need some level of compulsion, how do we cope with the many owner-occupiers who just do not have savings to pay a hefty maintenance bill and who do not have sufficient income to borrow commercially? We would need to look at innovative methods, such as interest-free loans that are repayable only when a flat is sold or transferred, which I think the SFHA mentions in its briefing.

With any of those options, there are likely to be costs to home owners, and that has the potential to be politically challenging. If one party went into an election with such a proposal, I fear that it could cause it problems. Therefore, this is an issue that would benefit hugely from cross-party agreement, and I hope that the working group, together with the Government, can look through the various alternatives and come up with something on which there is broad consensus, in relation to the model that we are aiming for and the timescale for implementing it.

The Presiding Officer: We move to the closing speeches.

16:46

Alex Rowley (Mid Scotland and Fife) (Lab): John Mason talked about the need for cross-party co-operation and agreement, and today we have seen that there is cross-party agreement that something needs to be done. As others have done, I welcome the fact that the Conservatives have used their time to have this discussion on what is an important issue.

Ben Macpherson and Daniel Johnson both spoke about definitions. I am told by the Scottish Parliament information centre that

“A ‘tenement’ is defined broadly in the legislation to include, for example, modern blocks of flats, the so-called ‘four in a block’ properties and buildings which have been subdivided into flats.”

Graham Simpson gave the example of his constituent Sophie. I think that many people who live in flats, four-in-a-block properties and traditional tenements have that sort of experience.

Interestingly, a few weeks ago I was contacted by a councillor in Dunfermline who told me that there is a real problem there in Touch and in Golfdrum Street, where there are owner-occupiers and council tenants living in the same block. The problem is that Fife Council is unable to get work done due to people not having funds. I have more detail from SPICe, which I have sent to the head of housing at Fife Council, asking him to look at the issue and advise where there are weaknesses in the law so that we can look at them.

John Mason asked what we are trying to do and how quickly we are trying to do it. We need to ask those questions of the minister. The minister said that councils have powers to step in and pay missing shares where an owner cannot be found or where an owner is unwilling to pay, but there may be financial constraints on councils in doing so. Given that there is cross-party agreement that the issue needs to be tackled fairly quickly, we need to get the council housing conveners round the table with the Convention of Scottish Local Authorities to start a discussion about the issues for local authorities. Some authorities use the missing shares law and some do not. Let us find out what that is about and what other issues there are. I am sure that there is consensus across local councils that we need to do something on the issue.

Graham Simpson: I extend an invitation to Alex Rowley to come to the next meeting of the working group, when I shall reveal what every Scottish council told me in answer to the questions that he has just asked.

Alex Rowley: I would be pleased to do so, and I am certain that Labour's housing spokesperson, Pauline McNeill, will also want to hear what Graham Simpson has to say.

As Pauline McNeill said, there are issues around whether we need more powers and more investment. We also need to be clear that with ownership comes responsibility when people live in the types of tenement that have been mentioned. Andy Wightman made an important point about health promotion and the stress and anxiety that can be caused to tenants, which we need to take on board. He also made the very important point that, if investment goes into those tenements, they will last for centuries; if it does not go in, we will need to build more houses—never mind the 50,000 affordable houses that the Government plans—to replace those run-down tenements.

It is in the public interest that we resolve this matter. There is consensus in the chamber to do so and I urge the minister to work with everyone to try to find a solution.

16:50

Kevin Stewart: I am pleased to close this debate on Graham Simpson's motion, which I welcome. I was a bit surprised to hear discussion today of parliamentary boy bands and the exploits of "Demolition Dick", but we never know what we are going to get when we come to the chamber.

I will concentrate on the issues that have been raised today. Mr Rowley made a very good point about talking to council housing conveners, and I assure him that this subject will be on the agenda for my next meeting with them.

Mr Johnson asked which local authorities use the missing share powers. The civil servants have come up with an answer quite quickly—probably because it saves them time, as they will not have to write to him. Eight local authorities currently have a policy in place for missing shares, and seven have used the powers; they are South Ayrshire, Glasgow, Edinburgh, Dundee, Aberdeen, East Lothian and East Renfrewshire. Inverclyde has the policy but has not used the power yet, as far as we are aware. I want to move from that eight to all 32 authorities, if they need to use the powers, and Mr Rowley and Mr Johnson can be assured that I will raise that with housing conveners when I next meet them.

Mr Lyle mentioned the common housing quality standards forum, which is a very important body that has not been mentioned very often today. I welcome the fact that he raised the forum. I reiterate our intention to consult later this year on conditions issues, including those that were identified through the CHQS forum.

Mr Simpson concentrated in his opening remarks on the property factors regime, and I welcome the meetings that I have had with him about his constituency issues. If anyone else has such issues, I ask them to contact me, because I like to keep on top of them and to find out how to resolve such cases. Mr Simpson knows that we will consider improvements to strengthen the property factors regulatory regime. We accept that most factors provide a good service, but some do not.

Mr Simpson also mentioned repeat offender property factors at the tribunal. I do not want to go into too much depth today about the First-tier Tribunal, because it is an independent judicial body and it would not be appropriate for me to comment on such cases or the tribunal's decisions.

Housing associations have been talked about, particular by Ms McNeill. I completely agree with her that housing associations do excellent work in maintaining their properties. The new missing share powers for local authorities will be extended

to them and I hope that they, too, will have the ability to use those powers.

Mr Wightman and Ms McNeill talked of a short-term approach, and I agree that, in the review work that is being done by the group and elsewhere, we must look at long-term sustainable solutions, whether through legislation or other approaches. I completely and utterly agree with Ms McNeill that, during the course of that work, we must think about the costs to owners, because we might come up with amazing schemes but, if folk do not have the ability to invest, it will not happen. The work that we are doing in our pilot schemes in Glasgow, Perth and Kinross, and Argyll and Bute will inform us about how we can help more in that regard.

I apologise to the members who took part in the debate whom I have not mentioned, but I will mention Ben Macpherson, whose members' business debate has moved the issue on apace with the working group and today's debate.

It is extremely important that we all continue to talk to one another about these vital issues. Although we have concentrated for much of today's debate on buildings, the reality is that the debate is all about people and how we get it right for them the length and breadth of Scotland.

16:56

Jamie Greene (West Scotland) (Con): I appreciate that we are getting near to 5 o'clock, but I will try to get through as much of my speech as I can. Possibly to the intrigue of members who have just entered the chamber, I say to Mr Stewart that the less we talk about "Demolition Dick" this afternoon, the better. Other than that, it has been a short but useful debate.

I perhaps should declare an interest in that, despite my increasing years, I am not yet a home owner. I am perhaps somewhere between being a member of generation X and a millennial. There are many people stuck in an endless cycle of paying high rents because the financial world collapsed and stopped lending money. However, today's debate is not just about the difficulties that a generation of people who rent property face but about improving housing conditions for those who own their property, especially those who live in communal buildings, often with quite mixed ownership.

As MSPs, we know more than anyone the disparity of housing quality in Scotland. After all, our careers are predicated on knocking on many of those doors and asking for our jobs.

When I was a member of the Equalities and Human Rights Committee, as part of our inquiry into human rights in Scotland, Ben Macpherson

and I visited a housing estate in Leith, not far from the Parliament, where residents were living in quite unacceptable conditions. There was dampness, poor wiring, graffiti and drug paraphernalia in the communal areas. It took a huge amount of advocacy and the residents coming together to lobby the council for the council to accept not just that the conditions were unacceptable but that the housing breached the residents' basic human rights.

To give the council credit, the situation there has improved and that community is now much safer, cleaner and more vibrant, but others have less of a voice. How many people do not know what their rights are or what recourse is available to them when things go wrong?

The Royal Institution of Chartered Surveyors found that a substantial proportion of our housing stock is at risk from a lack of maintenance, which it described as a "condition cliff edge". It concluded that the Government simply has to address the maintenance agenda or future generations will not thank us for passing on those problems. I do not disagree. If 44 per cent of homes in Scotland failed to meet the Scottish housing quality standard, why have 17 councils not issued a single work notice in the past five years to require owners to carry out remedial work? Why are they so reluctant to use the powers that the Housing (Scotland) Act 2006 gave them?

Much has been said today on the issue of factors. We want a system of compulsory factoring for new-build flats and increased regulations for the sector that improve the culture of property management in Scotland. MSPs deal with a tremendous amount of casework relating to problematic factors. I will not name names, but there is a problem. There is a pattern of bad behaviour, such as factoring contracts being sold from one company to another, factoring companies fabricating competitive quotations and giving work to preferred suppliers in often dubious circumstances, and factors being reluctant to collect revenues from every tenant in a block for upgrades or restorative repairs. Some tenants are getting little for their money—standards are deteriorating in communal areas and gardens, and facades are ageing and in need of upgrade, despite promises to improve them.

Daniel Johnson *rose*—

Jamie Greene: I will give way if I have time.

The Presiding Officer: Briefly, Mr Johnson.

Daniel Johnson: Does the member agree with us that co-operative structures and owners associations could act as an alternative to factoring?

The Presiding Officer: I ask members to keep the level of general conversation down.

Jamie Greene: Mr Johnson makes a good point. Factoring should be compulsory on new-build flats, so that factors are in place from the beginning, but I agree that, if neighbours and communities can work together to form communal groups, that may be the right way forward.

Graham Simpson gave an excellent example of what happens when factoring does not go well. One of his constituents took matters into their own hands, at their own expense, because they had no other choice. People should not have to do that. Fees are taken month after month, and the response from factors is often aggressive, nonchalant and unhelpful. That is not anecdotal—when I have written to factors, they have taken that tone with us MSPs, never mind with their own clients.

This is not an anti-factor debate; there is good practice out there. Factoring is not a rogue trade, but it is a trade with rogues, so we need to do more for our constituents. We are calling for a more robust complaints system and for a tribunal process that has real powers of compliance. Ultimately, a process is needed to remove factors that consistently fail in their duties and are repeat offenders. If the volume of casework that we get on the matter is not proof enough of the need for change, goodness knows what is needed for intervention.

I will sum up what the Conservatives are asking of the Government today. We ask for mandatory health checks on buildings; compulsory factoring schemes for new-build flats; a beefing up of the complaints system for factors and a review of the status quo; increased regulation of factors; and a transparent register of factors with ratings to flag poor performance and poor practice. What more can the Government do to ensure that councils are able and willing to use the powers that are at their disposal? We should also take a frank look at whether housing legislation is fit for purpose.

I do not label any of those asks as particularly partisan, so I hope that the Government will reflect on the debate; otherwise, as RICS warned us, future generations will thank us little for passing on the problem.

Business Motions

17:02

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motions S5M-12387 and S5M-12388, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, which set out a business programme and the timetable for a bill at stage 1.

Motions moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 29 May 2018

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 1 Debate: Planning (Scotland) Bill

followed by Financial Resolution: Planning (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 30 May 2018

1.30 pm Parliamentary Bureau Motions

1.30 pm Stage 3 Proceedings: Islands (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

6.00 pm Decision Time

followed by Members' Business

Thursday 31 May 2018

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Rural Economy and Connectivity; Environment, Climate Change and Land Reform

followed by Stage 3 Proceedings: Housing (Amendment) (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 5 June 2018

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 6 June 2018

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions:
 Culture, Tourism and External Affairs;
 Justice and the Law Officers

followed by Stage 3 Proceedings: Historical Sexual
 Offences (Pardons and Disregards)
 (Scotland) Bill

followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 7 June 2018

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
 2.30 pm Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time

and (b) that, in relation to First Minister's Questions on 31 May 2018, in rule 13.6.2, insert at end "and may provide an opportunity for Party Leaders or their representatives to question the First Minister".

That the Parliament agrees that consideration of the Prescription (Scotland) Bill at stage 1 be extended to 29 June 2017.—[*Joe FitzPatrick*]

Motions agreed to.

Parliamentary Bureau Motion

17:03

The Presiding Officer (Ken Macintosh): The next item of business is consideration of Parliamentary Bureau motion S5M-12389, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, which is on the code of conduct for councillors.

Motion moved,

That the Parliament agrees that the Code of Conduct for Councillors (SG/2018/65) be approved.—[*Joe FitzPatrick*]

Decision Time

17:03

The Presiding Officer (Ken Macintosh): The first question is, that amendment S5M-12358.4, in the name of John Swinney, which seeks to amend motion S5M-12358, in the name of Liz Smith, on subject choices in education, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-12358.1, in the name of Iain Gray, which seeks to amend motion S5M-12358, in the name of Liz Smith, on subject choices in education, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-12358, in the name of Liz Smith, on subject choices in education, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament notes with concern evidence that shows that, for a substantial number of schools across Scotland, subject choice for S4 pupils has been reduced; believes that this is an unintended consequence of the current structure of Curriculum for Excellence, which also has implications for subject choice in S5 and S6; further believes that this situation is exacerbated by teacher shortages in key subjects; calls for the Scottish Government to work with local authorities to urgently ensure that all schools adhere to the commitment to provide young people and parents with full details about subject choice options; recognises that the most significant measure of achievement is when pupils leave school after the three-year senior phase as this defines pupils' success in accessing work, training or education; congratulates pupils and students across Scotland who have collectively achieved more than 150,000 Higher passes for the third year in a row, including a 4% increase since 2013; welcomes the fact that 93.7% of 2016-17 senior phase school leavers were in a positive initial destination; further welcomes the fact that the proportion of young people in the most deprived areas getting one or more qualifications at SCQF levels 4, 5 and 6 is increasing faster than those in the least deprived areas; agrees that all schools and local authorities across Scotland should be innovative in providing greater choices for young people through creative timetabling and partnership approaches with nearby schools and other partners, such as the Advanced Higher hub at Glasgow Caledonian University, the Virtual School network in The Highland Council and the e-sgoil that has been established in the Western Isles; further agrees that further work is needed to understand what is on offer to pupils and students, including mapping the availability of Advanced Higher provision across Scotland in line with the recommendation of *The 15-24 Learner Journey Review*; recognises that there remains a stubborn attainment gap between pupils from the most and least deprived families, and notes concerns that the narrowing of curricular choice may be greater in schools in the most deprived areas, and calls for action on this issue and in closing the attainment gap.

The Presiding Officer: I remind members that, if the amendment in the name of Kevin Stewart is agreed to, the amendment in the name of Pauline McNeill will fall.

The next question is, that amendment S5M-12342.3, in the name of Kevin Stewart, which seeks to amend motion S5M-12342, in the name of Graham Simpson, on housing, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)

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

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)

Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 101, Against 21, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The amendment in the name of Pauline McNeill is pre-empted.

The next question is, that motion S5M-12342, in the name of Graham Simpson, on housing, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament believes that; tenement housing stock, as defined in the Tenements (Scotland) Act 2004, is an important housing sector for many people in Scotland and that maintenance of this stock is vital for all those owning and living in the sector and to wider society; notes the creation and ongoing work of the cross-party supported Working Group on Maintenance of Tenement Scheme Property; agrees that a review should be carried out of relevant existing legislation and of how tenement housing in Scotland could potentially be better maintained and enhanced, which should include consideration of the potential costs and impact of mandatory building health checks, new initiatives that would help facilitate owners to collectively undertake maintenance of tenement communal property, and what is the best role for property factors; considers that there are property factor companies that perform their duties well, but that there are some that are performing poorly; acknowledges the limited role of the First-tier Tribunal for Scotland (Housing and Property Chamber) in improving the performance of property factors and considers that the system for members of the public to make complaints should be improved, and believes that there is a need for a more robust process to remove property factors that repeatedly break the property factors code of conduct or duties, and calls on the Scottish Government to review the current system.

The Presiding Officer: The final question is, that motion S5M-12389, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, on the code of conduct for councillors, be agreed to.

Motion agreed to.

That the Parliament agrees that the Code of Conduct for Councillors (SG/2018/65) be approved.

The Presiding Officer: That concludes decision time.

Sistema Scotland and the Big Noise Orchestra

The Deputy Presiding Officer (Christine Grahame): The final item of business is a members' business debate on motion S5M-12184, in the name of Bruce Crawford, on 10 years of Sistema Scotland and the big noise orchestra. The debate will be concluded without any question being put.

Motion debated,

That the Parliament commends Sistema Scotland and the Big Noise Orchestra project on celebrating a decade of delivering transformative opportunities to children in a number of communities across Scotland; notes that the Big Noise Orchestra project was set up in Raploch, Stirling, and now provides opportunities for children in the Govanhill area of Glasgow, Torry in Aberdeen and, most recently in Douglas, Dundee; notes the project's aims of encouraging creativity and confidence and helping to nurture a new generation in a growing number of communities across the country, and wishes it well.

17:08

Bruce Crawford (Stirling) (SNP): First, I would like to record my thanks for the support that I have received from MSPs of all parties and colleagues across the chamber—those who have signed the motion and those who are in attendance for the debate this evening. So, too, I would like to thank Sistema Scotland for putting together today's events at Holyrood to mark 10 fabulous years of the big noise.

Members will be aware that, following this debate, a reception is taking place in the garden lobby to mark the 10th anniversary. There, guests will hear from the fantastic and talented young people of the big noise orchestras, and I am pleased to say that the First Minister will make one of the keynote speeches.

We are here this evening to pay tribute to the amazing work that Sistema Scotland does in transforming—yes, transforming—the lives of young people in disadvantaged communities. Of course, I am the MSP for the Stirling constituency, and the big noise orchestras in Scotland were launched in Raploch in that constituency in 2008. From the very beginning, I was touched by the nature of what the big noise project is all about. I was and remain extremely proud that it was launched in my constituency. For members across the chamber who might not be familiar with the Raploch area, it has faced real social and economic challenges over a long period. In recent years, it has seen some real, positive change for the better, but significant challenges remain, of course.

I have no doubt that a big part of that change is down to the big noise project, which has engaged

young people from disadvantaged backgrounds in a type of creative expression that was simply not available previously. That creativity and the work that it involves gives young people the chance to express themselves and learn with each other. Using a symphony orchestra and learning a musical instrument through an immersive and intensive programme helps to build social and life skills. That gives those young people tools to believe in themselves and to raise their confidence and their levels of aspiration in respect of what can be achieved. That is a massive step in enabling children to build their self-resilience and to reach their full potential, and to help them to live successful and fulfilled lives. Ultimately, that empowers them for the rest of their lives, which is a very powerful thing.

Since the launch in Raploch, in 2008, Sistema Scotland now works with around 2,500 children and young people weekly alongside their families and the broader community at big noise centres. They all work towards permanent social transformation. Sistema Scotland now operates not only in Stirling, but in Glasgow and Aberdeen; most recently, it has also operated in Dundee. Over the past 10 years in Raploch, it has worked with more than 500 members, from babies right through to people in secondary 6. Sistema Scotland now employs 116 members of staff, and that number is growing year on year. It offers more than 80 volunteering opportunities a year, and more than 33,000 volunteer hours have been worked over the past decade.

Orchestral performance is, of course, a big part of what the big noise project does. Notably, big noise orchestras have performed with Nicola Benedetti at the 2014 Commonwealth games opening ceremony and launched the 2012 London festival for the Olympic games. I have been informed that, this year, big noise young people will perform at the BBC big weekend alongside the BBC Scottish Symphony Orchestra as well as at the Glasgow festival, the launch of the youth arts manifesto at the Barbican in London and the BBC proms in the park. That is a programme to be proud of for the future—and that is not to mention, of course, the many community events and events for families and friends that big noise young people play at.

What impact has that had on the young people? What are the outcomes of the investment that has been made? Independent research that has been commissioned by the Scottish Government, Education Scotland and the Glasgow Centre for Population Health has consistently found that the big noise project has a wide range of remarkable impacts on children's lives. Those impacts include engagement with education, developing life skills, securing emotional wellbeing, building social skills, encouraging healthy behaviours, and offering

respite and protection to some of the most vulnerable children. The research has also found that the project increases confidence in young people, results in better concentration, helps to build trust, and increases young people's self-esteem.

Sistema Scotland is mid-way through its second four-year funding package with the Scottish Government. By 2019-20, that funding will have amounted to around £3.8 million over an eight-year period. However, that accounts for only 19 per cent of Sistema Scotland's expenditure over that period. Local authorities invest in big noise centres, and a number of public and third-sector organisations make financial contributions. That is a huge investment in young people, but the outcomes are phenomenal. Potential is unlocked and lives and communities are transformed.

I know from conversations with Sistema Scotland in my constituency that it is committed to a long-haul service in Raploch as well as in the Torry, Govanhill and Douglas centres. What a 10 years it has been—from its launch in Raploch in 2008 to today, the organisation has grown and offered a wealth of opportunity to thousands of young people.

As I have said previously, I am very proud to have the big noise centre in my constituency. Its work carries untold value and the results speak for themselves. If members go along to the reception this evening, they will get a chance to see and hear what those young people can achieve. I look forward to hearing other members' speeches about their experiences with this fantastic organisation. I sincerely wish Sistema Scotland, the big noise centres' staff and volunteers and the young people involved all the best for the years to come. Well done! This evening is about them, the fantastic young people whose lives they have helped to shape and those who have yet to come. *[Applause.]*

The Deputy Presiding Officer: I say gently to those in the public gallery that applause is not permitted from the gallery. I understand why you want to do it, but the Parliament does not permit it.

17:15

Tom Arthur (Renfrewshire South) (SNP): I am delighted to have the opportunity to speak in the debate. I congratulate my colleague Bruce Crawford on having secured the debate, and I thank him for it. I also take the opportunity to remind members that as well as being the parliamentary liaison officer to the Cabinet Secretary for Culture, Tourism and External Affairs, I am a member of the Musicians Union and was formerly a freelance private instrument teacher.

As is so often the case when my colleague Bruce Crawford speaks, there is very little left to be said by those who speak after him. He brilliantly highlighted many of the fantastic achievements of Sistema. I join him in welcoming the big noise orchestra to the gallery. I am looking forward to attending the reception later this evening.

Bruce Crawford referred to empowerment for life, which is what music education is about. The great pianist, composer and conductor Sergei Rachmaninov said:

"Music is enough for a lifetime, but a lifetime is not enough for music."

That is so true. I know from having had the opportunity to receive music tuition that I will carry it with me for the rest of my life.

We can perhaps characterise the big noise and Sistema as being about more than just music, because we know how fantastically integrated they are with our communities, and the positive outcomes that result across a range of different subjects and disciplines. However, I would not say that that is about more than music, because that is what music is about: it covers every aspect of cognitive development, of ability and of how we engage with other people. Indeed, learning an instrument is, in itself, a transformative experience because it teaches not only the practical skills of learning to play the instrument, but learning to listen to other people, how to engage and self-discipline.

In our age of instant gratification, one thing about learning a musical instrument is that there are no shortcuts to excellence. The more time a person puts in on an instrument, the more they will get out of it. Perhaps the greatest joy of learning to play a musical instrument is in having the opportunity to play alongside other people. That can sometimes be about playing in large ensembles, in which individuals work together as a team to produce an overall effect, however within that, there are opportunities for individuals to shine and there are opportunities for them to support other people. There are also opportunities for the individual just to step back and allow other people to have their moment. What a metaphor that is for how we engage and interact with other people.

On cognitive development through music, we often think about musical ability as being to do with motor skills, but it is all about what is going on inside the brain. There was a great concert pianist in the first half of the 20th century called Walter Gieseking, who had the capacity to memorise entire works and then perform them perfectly without ever having practised them on the instrument. He could get on a long train journey with the score of a Mozart piano concerto and by

the end of it, walk in somewhere and play a recital. That speaks to something that the great Glenn Gould said, which is that the best place to hear a Beethoven symphony is in our heads, because there is nothing mediating it and it is a pure experience.

There is evidence from neuroscience that simply by imagining playing a musical instrument, changes can occur in the brain and, indeed, in the muscles of one's hands or embouchure. Further, it has sometimes been advised that professional singers who are suffering from a sore throat should not read or even think about speaking, because when doing so very subtle muscular changes happen in the throat that can cause stress.

I give those examples just to illustrate what a profound and transformative impact it has when one engages with and learns music. I could speak at some length on the subject, as members may be able to tell, but that is just one aspect that leads me to believe in—and helps to explain—the tremendous transformative effect that Sistema Scotland has.

The big noise project has been transformative for the individuals who have been involved—the young people, the communities and the volunteers—but I believe that it makes a bigger contribution as well, in that it underlines the value of music education and instrument tuition. When we see instrument services under threat in certain parts of the country, we should all bear that in mind.

I join my colleague Bruce Crawford in wishing Sistema Scotland and the big noise orchestra a very happy 10th birthday.

17:20

Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con): If Tom Arthur wondered how he was going to follow Bruce Crawford, how on earth am I going to follow the eloquence of Tom Arthur? However, I have gathered one thing from his speech: I am going to pretend that I am playing the trumpet.

I congratulate Bruce Crawford on having secured the debate. I wish Sistema Scotland and the big noise orchestra a very happy 10th birthday, and I welcome them, in their wonderful T-shirts, to the gallery this evening.

The rewards of music lessons in schools are well documented. They have been shown to help children to build skills in other areas of the curriculum, as well as to have social and psychological benefits and generally to bolster concentration, which benefits all areas of learning.

I am sure that I do not need to tell members about the number of well-documented musical programmes, often inspired by the Sistema programme, that have helped children from impoverished or socially difficult backgrounds. I sat on the committee of the Borders Children's Charity for five years, during which I became aware of a number of cases of children who were coping with very testing circumstances finding their lives being improved by being able to take instrument lessons. Music has boldness and power in it—it provides young people with resilience and confidence and an opportunity to reach their potential across all areas of their lives.

In the debate, we celebrate the opportunities that Sistema Scotland and the big noise orchestra project have created. The youth orchestra scheme provides not only free music tuition in deprived areas, but a fun, immersive and creative experience. I know what that is like, because I played the trumpet—very badly—in a youth orchestra. It was fun, immersive and socially interactive. The project provides a chance for young people to share a social experience that is free of barriers and free of the worries that parents have about costs. The project is supported by many funding strands, and young people can access instruments free of charge, along with healthy snacks, activities and trips. There is no doubt that it has transformed lives and will continue to do so.

Currently, as many as 2,500 young people are engaged with the established Sistema Scotland centres. Education Scotland has praised Sistema's work and the way it improves the life chances of the children who take part. Sistema is demonstrating that music can create permanent social change, so we should talk more about the positive impacts of music. That means overcoming the challenges that Tom Arthur mentioned. The singer Paolo Nutini is behind a campaign called "Develop not dismantle", which lobbies headteachers and politicians on the importance of music education. Violinist Nicola Benedetti and composer James MacMillan are also actively campaigning to promote the benefits of music in schools.

There are understandable fears that, with cuts to local authorities, the first subject or service to be cut is music. The threat of free instrument lessons being taken away has provoked a campaign by prominent musicians, along with communities and families, to stop music tuition being removed. It is worrying that, over the past decade, the number of music teachers in Scotland has declined dramatically from 1,100 to 640, which is threatening our next generation of musicians. In order for music to continue to transform lives, music must be recognised as a valued cultural activity. A public-private partnership might be a

possibility to guarantee long-term future delivery of music tuition.

I support measures and initiatives such as Sistema Scotland that involve volunteers and make music a shared community focus. Their expansion is a testament to the great work that has been done over the years. I hope to see further expansion across Scotland in the years to come, and I welcome discussions about the benefits that it could bring to my constituency.

I wish Sistema a happy birthday. I wish it all the best in the future, and I wish all its musicians the best of luck. I hope that we will continue to celebrate Sistema's longevity and that it will continue to benefit, enrich and transform children's lives across Scotland.

17:25

Jenny Marra (North East Scotland) (Lab): It is with great joy that I speak in a debate in the Scottish Parliament on Sistema Scotland's 10th birthday, safe in the knowledge that Sistema is up and running and touching the lives of 400 children in Douglas, in Dundee. For me and for many people I know, that is a dream come true and the culmination of many years of work.

I thank Bruce Crawford and congratulate him on the honour of securing the debate. We debate many difficult topics in this chamber, but the work of Sistema is a glorious and joyful thing in its intensity and values. We should shout from the rooftops about its successes and promote the spread of this movement to the corners of our country and the corners of the world that need its light and radiance the most.

It is at least 10 years, and probably more, since I sat in the Royal Festival Hall in London to hear—and watch, as it is a spectacle—the Simón Bolívar orchestra from Venezuela perform. It is the original Sistema orchestra, whose members are probably in their 40s now. As I sat there in London, I thought that such a community would be great for Dundee. That turned into a campaign soon after and then a community endeavour, after the establishment of the local trust, Optimistic Sound, following the death of my uncle Michael Marra. The name Optimistic Sound is taken from one of Michael's lyrics, in a song about realising how lucky we are and that we are not on our own. He sang words of encouragement, to “pander to the bright and cheery and make the optimistic sound”. I believe that that optimistic sound is what the children of Douglas are now making.

Sistema works in communities where opportunities are not as readily available as we would like, where equality struggles to show its face, because factors that we all know about and debate daily have taken hold. Douglas was one of

many communities in Dundee that could have hosted Sistema. Fabulous music has come out of the streets and homes of Douglas and it continues to do so. The heart-rending voices of Garry and Kit Clark of Danny Wilson fame, who are both singer-songwriters, are both Douglas boys and Ged Grimes of Simple Minds and my favourite Dundee singer, Lloyd Anderson, are from streets not far away.

Sistema is in Douglas to rekindle the oxygen of music and learning in that community, which economic circumstances have stifled. The musicians I mentioned are all big supporters of Sistema and its work. That is part of the appeal of Sistema to many. It works intensively but outside the boundaries of convention.

To quote my late uncle, Nicola Killean and her team are not about “battering music into children” but instructing them in a joyful fulfilling environment without judgment and inspiring families along with them.

When we started talking about bringing Sistema to Dundee, Nicola Killean said to me, “When a music teacher takes a violin to a heroin addict's house for tea, they are doing what we are doing.” Sistema is bringing light and learning to homes and schools that need more light and more joy.

Our privilege tonight is to celebrate Sistema, but the challenge ahead is to bring the joy of learning music and all the advantages that it has for learning, attainment and life opportunities, to more and more children here in Scotland and also across the world.

I wish Sistema a very happy 10th birthday and all the best for the years to come.

17:29

Mark Ruskell (Mid Scotland and Fife) (Green): It gives me great pleasure to speak in this debate to celebrate what is probably the most far-reaching and successful social cohesion project in Scotland today. I thank Bruce Crawford for giving us the opportunity to celebrate big noise's achievements and congratulate everyone who has made it a Scotland-wide success over the past decade.

I first connected with big noise in 2012, when the world-renowned conductor Gustavo Dudamel and the Simón Bolívar orchestra came to an abandoned brownfield site in the Raploch to play a huge, televised concert—I think that it was just before the Royal Festival Hall concert that Jenny Marra went to.

It was a remarkable evening. Thousands of people flocked to the Raploch to hear not just the orchestra but the dozens of local children who stepped up to play on the biggest stage of their

lives. It was a double triumph, because so many members of the orchestra had come not from privileged backgrounds, but ordinary communities that had been touched by the Sistema programme in Venezuela. That evening, everyone on the stage held us all absolutely captivated.

There have been many incredible events over the years, such as the opening ceremony of the Glasgow Commonwealth games, when Nicola Benedetti played. I am sure that there are many more such events to come, including the opening of the V&A in Dundee and the big weekend festival, which is this weekend.

As Sistema's founder, the late José Antonio Abreu, put it, the music is just the "agent of social development". To see Sistema as being simply about intensive community-wide music tuition is to miss the point. It is about building a level of social cohesion and collective consciousness that we have lost in almost every community in the developed world.

So many deprived post-industrial communities have seen regeneration initiatives come quickly and go quickly. Sistema is an approach that goes far deeper into hearts and minds. It goes far deeper than bricks and mortar can do. There is ownership and inclusion across the community.

The results, 10 years on, are starting to show through strongly. Bruce Crawford mentioned the study by the Glasgow Centre for Population Health, which shows a wide range of benefits, from better engagement with school to improved life and social skills, the securing of emotional health and the respite and protection that is offered for the most vulnerable children in the community.

If we, as a society, fail children and communities, we know what the implications are. There are implications not just for children's precious lives, but crushing costs on public services. Social work budgets in councils can quickly become exhausted when the needs and challenges of even a small number of utterly disenfranchised people become overwhelming.

I remember from my former role as a councillor in Stirling just how stark failure can be if we do not find ways to intervene early in young people's lives and offer a deep level of support. Big noise, therefore, is not just about music tuition. It is a vital regeneration initiative, which is anchored to the transformative role of music.

I am happy to see that young musicians from across the Stirling area are starting to feed into gatherings at big noise Raploch during school holidays. Big noise is driving cultural life across the whole area.

I recently visited the Raploch community campus to see big noise in action. The campus is inspiring: it combines two local primary schools, a special needs school, Forth Valley College and big noise itself. Even on a quiet day, big noise was a hive of activity, with rooms bustling with practice sessions and children of all ages working together. Everyone, whatever their ability, had a role, a focus and a discipline. It was a humbling experience to see what big noise had grown into, and I am delighted that other communities are reaping the benefits of the programme, a decade later.

Happy birthday, big noise. Here's to the next 10 years.

The Deputy Presiding Officer: Due to the number of members who still want to speak in the debate, I am minded to accept a motion without notice under rule 8.14.3 to extend the debate by up to 30 minutes.

Motion moved,

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[Bruce Crawford]

Motion agreed to.

17:33

Joan McAlpine (South Scotland) (SNP): I am pleased to speak in the debate, and I congratulate Bruce Crawford on securing it. I declare an interest: my sister is an employee of Sistema Scotland—lucky her.

It is timely that we celebrate Sistema's 10th anniversary in the same week as we debate the Government's proposed new national outcomes for the country. The new national outcomes place a new emphasis on culture, reflecting, I think, an increased understanding of how creativity can improve health, wellbeing, learning, regeneration and sustainable economic growth. I look forward to participating in that debate tomorrow. Sistema is very much leading the way on that, as it has done for 10 years, so it is fitting that, today, Parliament makes a big noise about the big noise.

Bruce Crawford mentioned the Glasgow Centre for Population Health and the systematic research that it has conducted on Sistema's projects. I want to touch on one of the evaluations from the interim report that came out last year on the big noise project in Torry in Aberdeen, which benefited 522 children aged between three and nine. As with the other projects across Scotland, the Torry project is immersive, intensive and incredibly supportive, which is why it delivers such impressive results.

The Minister for Mental Health (Maureen Watt): Does Joan McAlpine agree that the Torry project was brought about through Richard Holloway seeing Sistema's work in Venezuela and

that his bringing that work to Scotland was really valuable? Will she congratulate my former councillor colleague Jim Kiddie, who was a councillor in Torry for many years and worked with Richard Holloway in taking that important project to Torry? Does she agree that it is not just the children but whole families who benefit? Parents see their children gaining confidence and then flourishing, so it gives families a great uplift, too.

The Deputy Presiding Officer: Dinnae fash yourself; you will get the extra time back. That was a long intervention, but I know that it is difficult for ministers to speak in such debates, and interventions are the only way that they can do so.

Joan McAlpine: I am absolutely delighted to congratulate Councillor Kiddie and Richard Holloway. Richard Holloway has been an incredible figure in Scotland's cultural life over many years.

The interim evaluation on the Torry project states:

"At this early stage, based on the evidence we have gathered, we conclude that Big Noise Torry is a large scale, high quality social intervention which is already positively impacting on the lives of participants."

It reported that young people talked of feelings of happiness, enjoyment, fulfilment and pride in developing musical skills.

I will outline some of the ways that Sistema measures its outcomes and pathways, but the part of the interim report that I found most moving was the case studies of the children, who were asked to draw how they felt when they attended orchestral lessons. It was very moving to read the case studies of the young children whose lives had been transformed. They expressed their happiness at taking their instruments home through drawing little pictures of themselves with their instruments. They also talked about the relationship that young people have with their named musician in the orchestra. A lot of intensive one-to-one work went on in dealing with the children's individual issues. All the children had individual issues—some were shy and some had behavioural issues—but all of them benefited so much from being part of the project. I would certainly recommend such projects, and I found the case studies extremely moving.

The outcomes that Sistema outlines are: boosting engagement with learning and education; developing and building life skills; securing emotional wellbeing; building social skills and networks; offering respite and protection; developing as musicians; and encouraging healthy behaviours. The evaluations show that those outcomes are all being delivered.

Tom Arthur mentioned the neuroscientific evidence on what music does to the brain. Cultural

activity is good and helps deliver a range of outcomes on wellbeing, but there is definitely something to be said about the research on music in particular. A couple of years ago, Harvard Medical School evaluated a number of research projects that have been done on the issue, and it concluded that musical training improves the function and connectivity of different brain regions: it increases brain volume and strengthens communications between different parts of the brain. Playing an instrument changes how the brain interprets and integrates a wide range of sensory information, particularly for those who start before the age of seven. That is very interesting because, certainly in Sistema's Torry project, children started playing an instrument at the age of three. I am really pleased that that work is starting to feed into other projects across Scotland.

Last week, I sponsored an event in Parliament for Early Years Scotland. It had children under five from Drumchapel, in Glasgow, who had been working with the folk musicians Chris Stout and Catriona McKay. They wrote their own song, which was premiered at the event.

The age at which we start with children is important in helping them to develop, and Sistema is able to deliver the exact skills that we want them to achieve.

The Deputy Presiding Officer: Thank you.

Joan McAlpine: I am just going to wind up and say—

The Deputy Presiding Officer: No, you have to—

Joan McAlpine: Yes, Presiding Officer. I wind up by wishing Sistema a happy birthday.

The Deputy Presiding Officer: Excellent. I do not think that the intervention lasted for two minutes, by the way.

17:40

Alison Harris (Central Scotland) (Con): Over centuries, the power of music has been known to inspire, to rouse and to unite people, and the making of music in a group, particularly in the form of a symphony orchestra, can bring people together in a way that few other activities can.

Music is well known to help develop social cohesion and be a sociable experience. When we think back to the days before we had television, people would regularly gather around the piano, which would bond not only families, but communities.

It is well known that, through music, we can not only learn new skills, but increase our levels of

concentration and, ultimately, boost our confidence, as we have heard.

It is probably at this stage that I should hold up my hand and say, with some regret, that I did not practise well enough for the piano lessons that my mother insisted on sending me to, especially when both my parents loved playing the piano and we were a family who bonded around it on musical evenings. I therefore pay tribute to those in Sistema Scotland who, 10 years ago, not only established a charity with the aim of social transformation, but sought to use the benefits of people making music together as a tool to meet that aim. That led to the launch of the big noise programme in 2008, in the Raploch, followed later by the establishment of the big noise orchestras in other parts of Scotland—namely Glasgow, Aberdeen and Dundee.

As it says on the tin, the big noise programme aims to use intensive and enticing orchestral music making to foster confidence, teamwork, pride and aspiration in the children taking part and in the wider community. It is certainly succeeding in meeting those aims. It is therefore right that we pay tribute to all those who have played a part in both Sistema and the big noise orchestras over the past decade, with special thanks going to those who, over that period, have taught the joy of making music, and to the public and private bodies—and individuals—that have assisted in providing the funds to meet costs such as the purchase of instruments.

Virtually from its birth, the big noise programme has been giving children the opportunity to make music together, not just occasionally but regularly, and for up to 10 hours a week. Importantly, the children are not from a wide geographical area, but from a small one—they are friends and neighbours in a compact community such as the Raploch, Govanhill or Torry. Through buddying up the most vulnerable and challenged with other children and providing adult support, the aim of the big noise programme is to provide support for every child in whatever way that it is needed.

A big noise orchestra fosters teamwork and aspiration, and is a natural learning place for self-discipline; it also fosters the benefits of working hard together as a group, as well as developing artistic creativity. Working in partnership with schools, social workers, health service professionals, community workers as well as parents, carers and the wider family, Sistema and the big noise programme provide holistic support.

I mentioned the wider family and, in many cases, it is grandparents who play a major role in bringing up children in Scotland today. Their involvement, together with that of parents, provides them with the chance to take part in workshops, family excursions and home visits. Let

us also not forget that the children are the vital link in extending the programme to family and friends.

Any organisation that works for a decade to make a difference—and Sistema and the big noise programme have achieved success—deserves to be recognised by the Parliament. I thank Bruce Crawford for securing this members' business debate. I offer my personal thanks for the work done and the hope that, in the years to come, the roll-out continues and the benefits of Sistema and the big noise programme are brought to other communities in Scotland. Happy birthday, Sistema.

17:44

Kezia Dugdale (Lothian) (Lab): I congratulate Bruce Crawford on securing the debate and on the pride with which he spoke. We felt the same sense of pride and passion for the subject from Jenny Marra's speech. Those two MSPs have been embedded in and at the heart of Sistema in their own communities for a long time, and I want that sense of pride and passion for the communities that I represent.

Therefore, rather than repeat all the wonderful things that we have heard tonight about Sistema in different parts of the country, I will focus on the latter part of the briefing, which is about looking to the future. We are told that not only will Sistema Scotland continue to invest in the four communities in which it is actively involved, it is looking for new communities to set up in. I have one for the cabinet secretary and the powers that be at Sistema Scotland: Craigmillar, in the east end of Edinburgh. I cannot think of a more perfect community for Sistema to come to and have the same impact that it has had in Govanhill, Torry, Douglas and the Raploch.

I say to Bruce Crawford that I have spent a lot of time—more than he might like, actually—stomping the streets in the Raploch over the years for various Labour candidates, and the similarities between the Raploch and Craigmillar are significant in terms of the reputation that the community had. There was a desperate need in both areas to overhaul the housing, which was then delivered, followed by a recognition that we need to provide more than housing in order to rebuild a community. That came with the many additional investments that went into the Raploch.

The same thing is now happening in Craigmillar, at a slower pace and many years later, but it is now at a critical point. The cabinet secretary will be well aware of the link between the Edinburgh International Festival and Castlebrae high school last year, which was part of a three-year partnership to bring the arts into the heart of Craigmillar. It was a tremendous success and led

to the film “From Castlebrae with love” and to Castlebrae high school being converted into a festival venue for a production of “Project R.E.B.E.L.”—a rhythm and blues and hip-hop show—for a couple of days. Having spoken to a number of the pupils in the school and to the headteacher, I know for a fact that the project brought tremendous rewards to the school and the wider community.

All the words that I have heard tonight about confidence, resilience, aspiration, and community cohesion were felt by those involved in that Edinburgh International Festival link at Castlebrae—the same experience that we have heard from people speaking tonight about El Sistema. I hope that there are people in the gallery, or listening to the debate, who might consider whether the next place that Sistema might go is the east end of Edinburgh, where it would be hugely welcome.

In the minute and a half that I have left, I want to make a couple of wider comments about how we fund music and about music tuition in general. It is important to recognise that music tuition is under threat at the moment. We are seeing the disappearance of free music lessons in a number of local authorities, and where music tuition still exists, prices are going up, which is pricing out children from the poorest backgrounds.

We also have to recognise that our curriculum is disadvantaging music at the moment. I have spoken to a number of people involved in youth festivals across the country who say that higher and advanced higher music do not allow students to study to the level that they need in order to apply to what was the Royal Scottish Academy of Music and Drama and is now the Royal Conservatoire of Scotland. The only way in which students can get to the standard that is required for entry to the conservatoire is if they pay for additional music tuition, which they then cannot afford because it is disappearing. We are perpetuating a gap in music provision in our schools and communities by not properly linking up what can be achieved at school without additional funds and what is needed to achieve at the elite levels of music. That is really important.

I was very grateful to be in Broughton high school a week or so ago, which is Edinburgh’s school of ambition for music. We had to campaign against cuts to its music school status about six months ago, and we managed to convince the City of Edinburgh Council that that was the wrong step and saved it. We are still seeing brilliant musicians coming out of that school, but I want that for every community across Edinburgh. I want it for the communities that I represent. If we all collectively recognise, as we have tonight, that this project is about more than music—it is about light and

optimistic sound—I am sure that we can achieve that together.

17:48

Dean Lockhart (Mid Scotland and Fife) (Con):

I join others in thanking Bruce Crawford for securing today’s debate to recognise the important work that is undertaken by Sistema Scotland and the big noise orchestra. Unlike Tom Arthur, I have no musical skills whatsoever, unless really bad karaoke counts. I do not think that it does, and members will be glad to hear that I will not be testing that out in the chamber this evening.

As other members have mentioned, the first big noise programme was established in the Raploch in 2008. Since that time, the programme has helped thousands of children all the way from infants through to teenagers, and it is now starting adult classes. Around 75 per cent of primary school children in the Raploch area of Stirling are involved at any given time, and the important long-term consideration is that the present generation will grow up through to adulthood with the orchestra, hopefully supporting it during that time.

As we have heard, the central aim of the big noise programme is to transform the lives of the children in the areas involved and ultimately to strengthen disadvantaged communities through music.

We have heard about the connection between music and improved learning. I had a look at that not just in Scotland but internationally. There is strong evidence to show the strong link between music and learning ability in countries around the world as diverse as the US, Holland, and many countries in Asia. Recent large-scale studies have supported the idea that music ability helps children’s learning abilities across many different disciplines.

This link was also highlighted in research by the Scottish Government, Education Scotland and the Glasgow Centre for Population Health, which consistently found that big noise has a wide range of positive impacts on children’s lives. We only need to meet the children involved in the programme to see the real-life examples of that in terms of engaging with education, developing life skills, securing emotional wellbeing, and—through their own work—encouraging healthy behaviours not only in themselves but in family members.

In fact, the children and young people from the big noise Raploch project have become ambassadors for their community, for Stirling and for Scotland. As Bruce Crawford mentioned, they are regularly invited to perform and speak at events across Scotland and internationally and I think that we are all looking forward to hearing

them at the BBC biggest weekend in Perth and at the opening of the V&A in Dundee.

We have heard a lot about the direct educational benefits, but these programmes also deliver a huge number of social side benefits and societal benefits. Children play together from the start and learn about teamwork. They learn about participating in a team environment and they get a sense of belonging. That sense of belonging and sense of responsibility is a powerful outcome from these programmes.

As we have heard, since big noise Raploch was established, the programme has spread to many different areas across Scotland and we have heard from members representing the different areas about Torry in Aberdeen, about Dundee, and about Govanhill in Glasgow. The powerful common message is the impact and the positive outcomes that these programmes have delivered.

The communities in which the programmes now operate are becoming famous for their young maestros and are showing the real benefits of these programmes. The children involved are becoming role models and they are genuinely an inspiration for young kids around Scotland.

A couple of members mentioned pressure on funding. I think that there is consensus across the chamber that this is a priority area. It is sometimes seen as a soft target, but I think that there is consensus that it is a priority and that it needs adequate funding.

I again thank Bruce Crawford and I wish all involved in the projects a very happy birthday and continued success in the future.

17:53

Iain Gray (East Lothian) (Lab): I have long been aware of the benefits of participation in music. All three of my daughters took part in instrumental tuition in the Edinburgh schools orchestra and, for a long time, I have been aware of the far more profound benefits of the El Sistema approach in Venezuela, which was initially developed by José Abreu in a multistorey car park because he had nowhere else to begin the programme, so I was delighted when, 10 years ago, the idea came as big noise to Scotland. Over the years, I have tried to do everything that I can to support it.

I will mention two moments from those 10 years that are brought to mind when I think about the decade of the big noise. One has already been mentioned by Mark Ruskell—it is the concert that was given in the Raploch in 2012, when the big noise orchestra played with the Simón Bolívar orchestra prior to its engagement in London. I remember that night well. One thing that Mr

Ruskell did not say is that it was a Scottish summer's night, so the heavens opened and it poured. The audience were drenched—they were soaked. It was glorious to see the empathy between the Bolívar orchestra musicians and those youngsters from the Raploch, whose joy was radiant. If the heavens above Stirling were weeping that night, it was tears of joy that they were weeping. No one who was there will ever forget that. I do not know about the neuroscience of the effect on the brain, but that stuff is good for the heart—absolutely!

The other anniversary that I am reminded of is the 10th anniversary of the Scottish Parliament, back in 2009. As the then leader of the Labour Party in this Parliament, I was asked to speak, along with the other party leaders and the then First Minister, at a reception in the Parliament to celebrate that anniversary, and I found myself reaching for something that epitomised this Parliament and this place at its absolute best. The thing that came to mind then was an earlier reception, like the one that we will have tonight, that was held in the garden lobby early on in the big noise. I said that it seemed to me that, for a Parliament to be open and to welcome those youngsters from the Raploch, who demonstrated by playing Beethoven's "Ode to Joy" how they were engaging with the power of music to raise up their lives, was about as good as it could get for Scotland's Parliament.

I was moved to say then that, if the first First Minister of our Parliament, Donald Dewar, had been able to be present at that event, he would have loved it. I think he would have been moved to pay it the highest praise that he ever gave to anything, which would have been to say, "I like that."

I like that, too. Happy birthday, big noise.

The Deputy Presiding Officer: That was worth waiting for, Mr Gray. I call the cabinet secretary to close for the Government.

17:56

The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop): It is clear that there is a shared appreciation of—indeed, a passion for—Sistema Scotland and its work in our communities as we come together in our national Parliament to celebrate its 10th anniversary. That appreciation was best expressed by Bruce Crawford MSP, whom I congratulate on securing the debate and on expressing the pride and passion that he spoke of for the big noise Raploch.

As Maureen Watt highlighted, one man, in particular, deserves recognition for the success of Sistema Scotland. Richard Holloway, the chairman and founder of Sistema Scotland, brought his

passion to the Raploch 10 years ago. He believed that being part of an orchestra and learning to play an instrument could help children to reach their full potential. He founded Sistema Scotland and began working with Stirling Council, the schools, the community and the families on a model that would meet the needs of children and secure change in that community.

The rest, as they say, is history. Since then, Sistema Scotland has gone from strength to strength. The board of Sistema Scotland, the chief executive Nicola Killean, the teaching staff, the schools and the many supporters, including local authorities, deserve special praise, too.

I have supported Sistema Scotland since I first became the Minister for Culture and External Affairs, way back in 2009. It was clear to me then that that creative, empowering and energising approach to supporting young people and communities was something special. I believe in the power of music, as do many others members; therefore, despite the pressures on the Government's resource budgets, I have managed to protect the youth music initiative, which provides music experience not just to a few thousand children but to hundreds of thousands in Scotland.

The Government's ambition is for Scotland to be the best place to grow up in, with every child being given the best chance to succeed, and we are committed to supporting early intervention programmes that support our young people, raise attainment levels, tackle inequality and empower our communities. Sistema Scotland is addressing each of those key priorities and is making a real and positive impact in our communities. Although I am answering tonight's debate, the Government has always seen this as a project of health and wellbeing and of community development as much as it is one of culture, and our finance for the project and support for it comes from different parts of Government. Mark Ruskell was correct in identifying that Sistema's investment in the social infrastructure can make as big an impact as physical infrastructure can—sometimes in cases where that has not happened.

We recognise that many partners have helped to support Sistema Scotland. The programme works with around 385 children in the Raploch, and, with other partners' support, Sistema has extended its reach, with new big noise centres in Govanhill, in Torry and, more recently, in Douglas, meaning that Sistema now reaches 2,500 children weekly. The private sector has an important involvement, and local authorities and various trusts are equally important. I encourage Kezia Dugdale to do the hard work that other members have done to bring together all those partners to fulfil her ambition.

Sistema Scotland continues to have a significant and positive impact. As Joan McAlpine and Dean Lockhart mentioned, the various reports and case studies evidence that. Independent evaluation has highlighted that, as well as increasing confidence, aspirations and self-esteem in the children and young people who are involved, Sistema Scotland makes a real and positive difference that benefits their families and the wider community. Tom Arthur set out how music can change individuals' lives in many ways, including neurologically.

I am delighted that the Scottish Government's on-going £2.5 million investment over four years is enabling Sistema Scotland to sustain and build on its work to enhance the health, wellbeing and prospects of young people in those communities in Stirling, Glasgow, Aberdeen and Dundee. The models are sometimes different and reflect the communities that they are in. Jenny Marra spoke eloquently about the Douglas experience, the sense of place in Dundee and the musical experience there.

Orchestral performances that give children life-changing experiences are an important part of the big noise programme. Like Mark Ruskell and Iain Gray, I was lucky enough to be on that very wet field in 2012 to attend the big concert at the Raploch, which launched the festival for the London 2012 Olympic games. The concert, which was conducted by Gustavo Dudamel and involved his Simón Bolívar orchestra, was inspiring and moving. As the heavens opened for that deluge, not one person moved, so captivated were they by that special musical experience. We could see, from the children's faces, the impact that it was having, and we could hear it in the music that they played. That was the place to be at that moment in time. It was on that evening in 2012 that the late maestro José Abreu, the founder of Sistema, told me that, although there are Sistema programmes across the world, he felt that the Raploch model was the truest to his original vision.

The Sistema model brings together communities and shows classical music at its best. It celebrates the achievements and ambitions of young people, and the options and opportunities for those young people know no bounds. This year, there will be performances at the BBC big weekend with the BBC Scottish symphony orchestra, at the Glasgow European championships festival programme and at the BBC proms in the park, as well as at the many concerts that the children will perform in their communities for families and friends.

It is timely that we are celebrating the success of Sistema Scotland in our year of young people, as it is a great example of what our young people can achieve and of creating opportunities for them to shine. At the reception that Bruce Crawford MSP will host in the Parliament after the debate,

we will hear stories from some of the children, and it will be the first time ever that more than 80 children from all four big noise centres will have performed together. It has involved a lot of hard work, preparation and dedication, and it promises to be a must-attend event.

The last word, the last sound and the last noise must be to congratulate the children involved on their achievements, because Sistema Scotland would not be in the place that it is in now without the commitment of the children. As we celebrate, let us celebrate the children of the big noise and Sistema Scotland.

The Deputy Presiding Officer: What a lovely debate that was, with excellent speeches—I enjoyed every one.

Meeting closed at 18:04.

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