EQUAL OPPORTUNITIES COMMITTEE

Tuesday 23 May 2006

Session 2

£5.00

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

CONTENTS

Tuesday 23 May 2006

EQUAL OPPORTUNITIES COMMITTEE

12th Meeting 2006, Session 2

CONVENER

*Cathy Peattie (Falkirk East) (Lab)

DEPUTY CONVENER

Nora Radcliffe (Gordon) (LD)

COMMITTEE MEMBERS

*Frances Curran (West of Scotland) (SSP)
*Marlyn Glen (North East Scotland) (Lab)
*Marilyn Livingstone (Kirkcaldy) (Lab)
*Mr Jamie McGrigor (Highlands and Islands) (Con)
Elaine Smith (Coatbridge and Chryston) (Lab)
*John Swinburne (Central Scotland) (SSCUP)
Ms Sandra White (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Jackie Baillie (Dumbarton) (Lab)
Ms Rosemary Byrne (South of Scotland) (SSP)
Linda Fabiani (Central Scotland) (SNP)
Patrick Harvie (Glasgow) (Green)
Mrs Nanette Milne (North East Scotland) (Con)

*attended

THE FOLLOWING GAVE EVIDENCE:

Alex Davidson (Association of Directors of Social Work)
Michael Evans (Society of Directors of Personnel in Scotland)
Jon Harris (Convention of Scottish Local Authorities)
Margaret Orr (Association of Directors of Education in Scotland)
Rodney Stone (Voice of Chief Officers of Cultural, Community and Leisure Services in Scotland)

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Zoé Tough

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 1

Scottish Parliament

Equal Opportunities Committee

Tuesday 23 May 2006

[THE CONVENER *opened the meeting at 10:02*]

Disability Inquiry

The Convener (Cathy Peattie): Good morning and welcome to the 12th meeting in 2006 of the Equal Opportunities Committee. I remind all those who are present—including members—that mobile phones should be turned off completely because they interfere with the sound system. I have received apologies from Nora Radcliffe, Sandra White and Elaine Smith.

Today's meeting will deal exclusively with our disability inquiry. I am pleased to welcome Margaret Orr from the Association of Directors of Education in Scotland; Alex Davidson from the Association of Directors of Social Work; Jon Harris from the Convention of Scottish Local Authorities; Michael Evans from the Society of Directors of Personnel in Scotland; and Rodney Stone from the Voice of Chief Officers of Cultural, Community and Leisure Services in Scotland. That is quite a title, Rodney.

We have a lot of material to cover, so I will move straight to questions. How do local authorities mainstream service provision to disabled people to ensure that each officer is aware of their responsibilities?

Jon Harris (Convention of Scottish Local Authorities): Mainstreaming is a challenging issue that we are addressing across all equality strands, which is one reason why it is particularly challenging. As well as addressing disability issues, we have to consider mainstreaming in the gender duty, race and three other strands.

We hope to integrate mainstreaming into our performance management framework on best value, which covers the overall strategy right down to individual members of staff. A huge awareness and training programme must be associated with that. In many ways, mainstreaming service provision reflects the focus of best value, which is much more focused on the client, customer or citizen than it is on the needs of the profession. All COSLA's member councils are trying to make progress in that area.

Clearly, there are huge challenges to face and we are not there yet—we regard mainstreaming as an area of continuous improvement. However, we are looking to improve day on day and year on year.

The Convener: Do local authorities have in place a system to monitor the development of mainstreaming?

Jon Harris: We are working on the performance management and measurement framework. You might be aware that we set up a new board with the Executive and the Improvement Service to review completely the way in which we collect information, and to support best value and equalities as part of that. We are looking to move away from statutory performance indicators to a much more outcome-focused approach. We are getting a lot of support for that from the Improvement Service.

Again, it is an area in which we have seen equalities mainstreamed within best value, but we have not yet developed appropriate performance measurements. I imagine that we would look to the committee's report for some advice. In part, the issue is about measurements that reflect different disability strands, but it is also about disaggregating existing performance information in order to get a better feel for how performance in schools or residential care, for example, impacts on various groups.

Michael Evans (Society of Directors of Personnel in Scotland): From the point of view of local authorities' employment services, I can say that there is local mainstreaming going on but, obviously, that there is nothing at national level. At local level, services vary. Some local authorities have only one or two people involved while others have a few dozen. Many employment services are mainstreamed at local level, but there are no standards within that.

The Convener: We have heard that some organisations—including the Scottish Parliament—consider, as part of the annual review process, the role of members of staff in relation to equalities and that they measure their performance and commitment in that regard. Is that something that happens in local authorities? Would you recommend that approach?

Michael Evans: On employment services for disabled people, I would recommend that approach because the fact that nothing is mainstreamed nationally means that, within each local authority, there is no training available—you have nothing to hang your coat on. You can speak to the staff to tell them what you want to do but, because there is no national framework, there is nothing to aim at. I would recommend a national framework so that we can get a consistent approach across the local authorities.

Alex Davidson (Association of Directors of Social Work): Much of the business of social work departments is to do with equalities. The Executive's policies have had a tremendous impact on that. For example, the policies in "The same as you?" have had a big impact on learning disabilities, and the Mental Health (Care and Treatment) (Scotland) Act 2003—which placed new duties on us in relation to employment, training, day services and so on—has had a similarly large impact.

The wider issue concerns the involvement with users of services and carers that local authorities now have through social work and education, which are the two front lines in that regard. That has brought a user focus to our work on the joint future agenda, the development of community health partnerships and so on. I could give many examples of times when local authority workers from various services have sat and talked with users and carers who have been reflecting on their experience. Users and carers are used on access panels and in all manner of ways that are, while they might not be what you would call formal training, clearly about enabling local authority staff to deal better with the issues that we have to face.

Jon Harris: COSLA does not have a set of standards for training and awareness. Through the Improvement Service, we are putting in a bid to the efficient government fund to procure certain generic services, one of which is equalities training. Within that framework, we are also considering having a single portal for recruitment. That might help us to fill some of the gaps that exist because, as the convener said, this is a continuous process. It is not something that should be done only once, it should be part of people's induction training and their performance appraisal reviews.

Michael Evans: The Mental Health (Care and Treatment) (Scotland) Act 2003 and "The same as you?" just say what local authorities should do; they do not say when they should do it, how they should do it and who should do it. The recommendations are loose—basically, they just say that local authorities should do more. Clearer direction needs to be given. I accept the point that Alex Davidson is making, which is that there is a great deal of service user input into local authority services, especially in social work. However, that does not necessarily translate into expertise in delivery.

The Convener: How do local authorities engage with and consult disabled people in order to provide appropriate services and to meet their needs? Alex Davidson talked about involving people in panels and so on. Are there other examples of that?

Margaret Orr (Association of Directors of Education in Scotland): A good example in Glasgow, which I am sure is mirrored elsewhere, is the transport users group, which combines adult and child user representatives. It is a challenging forum to be on. One of the experiences from that group has been the development of a greater understanding between adult and children's services in relation to current demands and anticipated demands. However, from the users' point of view, there is significant criticism of services. We are all on a learning curve.

Within education, pupil councils are an excellent source of shared information and knowledge, as is the parental dimension. A variety of forums, such as community health partnerships, are beginning to develop. As they mature, we will see a much more open and honest debate. We might also see more realism; at the moment, some aspirations go beyond what is absolutely essential. We have to be careful that we provide adequate resources without going overboard in terms of elaborate provision that might be nice to have but which is not essential. We have found that a good leavening process goes on as the solution is sought.

The Convener: Often, it can be difficult to ensure that disabled kids, for example, have input to pupil councils. We have been told by some disabled kids that nobody talks to them or expects them to have any aspirations.

Margaret Orr: That will be the experience of many young people, but many disabled young people—I should point out that I use the word "disabled" in its widest possible sense—will have different experiences. It is down to personalities. There are many vocal and proactive young disabled people, but others might need more encouragement. However, as the inclusion agenda stabilises and people are more comfortable with mixed groupings, there will certainly be greater representation across the board. Again, every authority tries to facilitate as many opportunities as possible, either on an individual school basis or on an authority-wide basis. It is certainly an agenda that is gathering pace and people are much more comfortable with it than they were.

Jon Harris: We are talking about engaging with people through different services. However, there is also an issue about our capacity to engage with disabled people across services, rather than having the local authority and, for example, the health board work separately through a CHP. That is more likely to enable people to engage with us on their terms rather than on the terms of the service deliverers.

We should consider ways of building further the ability of the community to engage. We provide training for people who provide services, but we do not often give the same support to people in the communities. All public service providers need to accept that that is part of their responsibility.

The Convener: There is a school of thought that suggests that it is not really possible to monitor a service without talking to the service's users. Do you accept that, unless there is a dialogue with disabled people, you will not be able to monitor the success of mainstreaming or delivery of services?

Jon Harris: One of the ideas in relation to performance monitoring is that we should systematically ask users to comment, as has been done in England with the best value indicators. For example, Edinburgh has panels that it uses to inform its best value reviews, option appraisals and impact assessments, but considerable demand is placed on the people who are asked to fulfil that consultee role if they have no support.

10:15

Rodney Stone (Voice of Chief Officers of Cultural, Community and Leisure Services in Scotland): We need to distinguish between consulting disabled people as disabled people living as individuals in the community and consulting organisations, which is sometimes easier. However, the success of consulting an organisation depends on the capacity of that organisation. National organisations find it difficult to deal with 32 local authorities.

We should also consider monitoring uptake of services by disabled people, which is a number-crunching exercise that is fraught with difficulty because of data-gathering systems. I am not sure whether it is terribly helpful just to record the number of disabled people who use a service, because that masks different types of disability, different levels of uptake, the frequency of participation and so on. There are practical difficulties in getting detail in monitoring uptake of services by disabled people.

The Convener: I made the point earlier that you need to be able to talk to disabled people to check whether you are delivering appropriate services. If you are not, they are not going to use them. I know that that is not an easy thing to do, but disabled people feel that they should be consulted.

Alex Davidson: That is to do with mainstreaming. My council has considered the policy in "The same as you?" and has embarked on a programme of redesigning, for example, our day services. They have moved from being buildings on industrial estates to being inclusive buildings where disabled people enter through the same front door as everyone else. If a person with a profound learning disability uses a sports centre of which he or she is a member instead of going to a separate day centre, that challenges a whole set of assumptions that we make. Our staff in leisure and culture services must be better able to deal with such persons without needing to have their hand held by a social worker or a social care worker. It also challenges the assumptions that carers have about the nature of services. They often look for discrete, wraparound and safe services, but we are beginning to move our services into the community in a way that puts disability in the middle of what we do, rather than its being an add-on to what we do.

Such policies are important and many councils are doing such work around employment and transport, which is a huge issue for us in relation to disability and social isolation. I was reading about that in *The Herald* as I came here this morning. We know from survey work that we have done recently in South Lanarkshire on housebound people, that people become isolated because transport is not good enough. The solution is about how we begin to put the ideas in front of service providers, whoever they may be. We do that best by sitting beside people who have experience—the carers and users of the services, who have to deal with disadvantage. When we do that, we fundamentally challenge the way in which services are provided.

Marlyn Glen (North East Scotland) (Lab): What forums exist to allow local authorities to share the good practice that you are talking about in the provision of services to disabled people?

Jon Harris: The local government Improvement Service sees the promotion of knowledge exchange and management as being among its key functions. Equalities is one of the two areas that it will look at first—the other is community planning partnerships. We are looking to build knowledge exchange in a way that people will find more accessible. The information tends to be on the bigger issues such as performance monitoring, single equalities schemes and so on.

Within councils, the City of Edinburgh Council has separate forums for the six strands—

Marlyn Glen: That is within councils, but what about between councils? Are you really just at the beginning of that? Is there nothing concrete at the moment?

Jon Harris: Yes—we are at the beginning. We now have the Improvement Service, so we have the resource for knowledge exchange. We are also in discussion with the commissions and the equality unit in the Executive to see how we can work better together. We will have a meeting with the Commission for Racial Equality, the Disability Rights Commission and the Equal Opportunities Commission on 19 June to consider how, with the establishment of the new commission for equality and human rights, we can use the mechanisms to share practice not just within local government, but across the public sector and across the equalities strands.

Alex Davidson: In its own way, the ADSW is all about that. We share knowledge and good practice, and we have a number of sub-committees on direct payments—which are clearly of interest to disabled people—on how we personalise services and on learning disability, physical disability, sensory impairment and so on. We play that regularly. This year, we ran our first event on sharing good practice in research into learning disability—in other words, what works better. That forum is about ensuring value for money, best practice, and so on.

We also now have the Scottish Commission for the Regulation of Care as well as the Social Work Inspection Agency and NHS Quality Improvement Scotland—which I work for—which are all about ensuring best practice. We have just been part of the pilot for the SWIA, and I carried out work around Scotland last year as part of the national review of health services for people with learning disabilities. That was about best practice: much of the emphasis in those inspections is on best practice, on what works and on sharing that with others in written form as well as using conferencing and other ways of communicating.

Marlyn Glen: That is reassuring from the social work side. What about the education side?

Margaret Orr: We share best practice through the ADES forums, and the group that is probably most closely focused on those issues consists of the officers responsible for additional support needs. There is a forum that meets regularly not countrywide, but among the extra-Clyde authorities. It does not focus exclusively on the issues that we are discussing, but it touches on them in order to share information on practice and developing issues.

Marlyn Glen: There certainly seems to be a lack of such groups across the country.

The Convener: Rodney, do you have similar forums for the work that you do?

Rodney Stone: Yes. VOCAL exists as a forum in which chief officers can discuss issues and share information on good practice. There is also a professional body for leisure managers—the Institute of Leisure and Amenity Management—which examines specific issues for front-line staff in a bit more detail.

Mr Jamie McGrigor (Highlands and Islands) (Con): Mr Evans said that direction should be given to local authorities in their delivery of disability services. How do you see that being done? Which body would give that direction and who would pay for it?

Michael Evans: To be clear, I meant disability unemployment services, not disability services per se. To get some consistency, there must be strategic leadership and direction. The problems are slightly different around Scotland but are generally the same in relation to access and employment. Similar problems can be dealt with through similar solutions.

Before addressing where the funding would come from for mainstreaming supported employment through local authorities, we would have to consider where the existing funding comes from. Many local authorities get European objective 3 funding, which runs out this year. When the new European social fund objective 3 funding is allocated in Scotland, some of that money could be ring fenced. Many projects that deliver employment to disabled people get European money, so some money from the European social fund budget could be ring fenced to go into the pot to mainstream employment services through local authorities.

We could also consider money that is available through the Executive that has been used as piloting money. I do not know whether the £15 million Beattie money was a one-off, and I do not know whether the £15 million new futures money was a one-off. Those are large sums of money, and to mainstream services in Scotland would probably not cost that sort of figure.

Jon Harris: I am sure that you are fully aware that the Executive's employability framework, which has been under development for some time, will be published soon. What we have now is pretty fragmented. There is a lot of money, but it is not well co-ordinated or focused because the various agencies have not necessarily seen their role as being to work together; in fact, the way they are funded promotes a competitive approach, rather than a collaborative approach that builds quality assurance, better referral systems and so on. We hope that we can start to move forward once the framework is published. Given the public expenditure constraints, that is probably one of the better ways of doing it. We could be an awful lot more efficient in providing the services than we are.

The Convener: When will that framework be published?

Jon Harris: I was told that the framework was to be published by the middle of this month, but I presume that it will now be published later this month. It links in with the NEET—not in employment, education or training—strategy. I know that the strategy has been written; I just do not know when it will be published.

The Convener: The committee will be interested in the framework's publication.

Jon Harris: We will keep in contact about that.

Marilyn Livingstone (Kirkcaldy) (Lab): I want to ask more about sharing of good practice among people who have hands-on delivery experience. We have heard from local authorities and from the voluntary sector that there is not much such sharing at that level. That is the case in all subjects, but let us take as an example community transport. It is a shame that people in one area can have a really good community transport service while people in a neighbouring area have nothing or do not know what is being done in the other area or that that is best practice. There seems to be no way in which those people can get together, although there may be instances at strategic level. Are you aware of anything that is happening that would help people who are delivering services to design innovative procedures and systems that will help disabled people on the ground? What is your view on that?

Michael Evans: One of the problems is that everybody thinks that they are using good practice. If you walk into a room of providers and ask which use best practice, everybody will say that they do. We need to identify good practice, but the problem is that everybody thinks that they are using it, so they think that they do not have to listen to their neighbouring council. The situation is exactly as Marilyn Livingstone described it.

Also, because services are funded differently, there is no consistent gathering of information. Some people get European money and some figures are collated there. Many local authorities get workstep programme funding and figures are collated there. However, many local authorities got new futures funding in the past, but there are no figures for that. Money is being allocated and activities are taking place, but we are not always comparing like with like. Over and above that, everybody thinks that they are using good practice.

Jon Harris: We are not good at sharing practice, which is why the Improvement Service is trying to build up that capacity. Even when people are good at sharing information about practice, unless they do so when it is needed, the information is not used, which was our experience of the Improvement and Development Agency down south. We propose that, in the processes that they go through to accredit schemes, Audit Scotland, the Accounts Commission and the other commissions should identify good practice. We need to be better able to share that.

There was a meeting a couple of weeks ago with the people who are pulling together the new commission for equality and human rights. One of the messages that came out of that meeting was that the CEHR will—although it will have a crucial enforcement role—need to support continuous improvement. We must be better able to share that.

When we had the first round of race equality schemes, it was difficult for the Commission for Racial Equality to feed the information back in. We went through quite a rigmarole to access that information. We must be more proactive in sharing practice and we must work together more, not just within local government, but in learning from the health service and so forth.

Marlyn Glen: I have another general question. What challenges do local authorities face in providing person-centred and joined-up services to disabled people? What would help in overcoming those challenges?

Jon Harris: Crucially, people are examining the services that they get more holistically and there is a challenge in working across professional and institutional boundaries to deliver those services. That is an issue not just in disability services but in a wide range of service areas. We need to develop a different way of thinking, and that is part of the public sector agenda on integrated service delivery.

There is also an issue about how we shift resources to support that change in practice, which is a challenge. We have progressed sufficiently in a number of areas to be able to say that there are good ways of doing that, and that best practice is beginning to develop. There is best practice in the joint future initiative and in integrated children's services. This comes back to the question about how well we share that practice; we do not always share it well. There are huge challenges in the structure of public services in terms of how we join together services and institutions.

10:30

Margaret Orr: We are probably looking at a medium to long-term agenda. The foundations have been there for a long time in the aspiration to ensure that both the individual and groups are well served by mainstream services. Ironically, we might get to a situation in which the individual is no longer spotlighted because the range of services is so inclusive. By that, I do not mean, in education terms, the closure of specialist provision; I mean access to good provision across the board.

The developments that are occurring through integrated children's services, the integrated assessment framework and looking at shared assessment tools from pre-five onwards should support a generation and ensure that, by the time that they come to transition—which I know is an issue that the committee wants to look at—we will be less locked into individual management because we will have streamlining all the way through. That is not to say that there will not be certain individuals whose additional support needs require significant differentiated input. However, that also should be part of a regular provision.

The will and the professional commitment exist and mechanisms are being developed just now. We are trying to guard against the mechanism becoming the end in itself and against losing sight of the focus. I hope that, as the next decade progresses, we will see a much better streamlined provision that will ensure that equity of service appropriate to the needs is there as a given.

Alex Davidson: Some of the personalisation agenda is quite problematic for us, as it is about shifting resources and—frankly—some power to people who use services. It is about finding ways of giving people with disability much more control over what happens to them, and some of our policy does not particularly assist that. Surely social work should not be about providing someone with access to further education; no one should be depending on social work resources to get them through that door. People should have that right as individuals; it should not depend on a social work needs assessment to identify that. People should have that choice and access straightforwardly.

Some of the stuff that we are doing on direct payments is about enabling people to purchase their own package of care—sometimes, their own lifestyle—and that is what people in the disability independent living movement want. It is not about a social work service meeting their care needs; it is about their wider need to live a life. Some of the people with whom I work in the learning disability field say, “You’ve got me out of hospital and I’m now at home, but I still have gaps in my life. How do I fill those?” People are now asking that question and putting the challenge to us. They did not have the opportunity to do that before. It is very much a hearts-and-minds issue about how we begin to enable people to have much more control of their destinies instead of coming through portholes that are, in my view, quite inappropriate.

Marlyn Glen: I have one final question. What additional challenges do local authorities face in providing services to disabled people in rural areas?

Jon Harris: I was at a conference yesterday on rural disadvantage and deprivation. Across the board, transport is the biggest issue because it dictates access. For some disabled people, older people and single parents who do not have access to a car, transport is a huge issue. The conference did not come up with a solution, but it highlighted the fact that if we do not get transport sorted out, we will face an impossible situation.

There are other issues that relate to diseconomies of scale, super-sparsity and how we provide specialist services, as distinct from generic services. There are huge issues around acute services versus primary care. There are also huge issues to do with the recruitment of staff. In Dumfries and Galloway, for example, in order to provide care services across the board, the local authority and the health board would have to recruit up to a quarter of all the new entrants into the labour market. That is not particularly sustainable.

We are getting more focused on how we deal with these things. For example, we have two seminars coming up on aging and the demographic challenges, one of which is purely about the rural context. That is something that we need to deal with across the public sector. As public sector reform moves ahead, the two challenges are the fact that we do not have enough money and the fact that the population is aging. How do we deal with that? There are huge challenges.

Rodney Stone: I work for a rural authority. Jon Harris has mentioned a lot of the issues that people who live in rural areas face generally, although they are particularly acute for disabled people. One of the problems that we face is not just that we have a large but very dispersed population but that people live in quite small communities. Therefore we cannot achieve the economies of scale that can be achieved in larger centres of population, where facilities can be provided that cater for a wide range of needs, including the needs of disabled people. We have small, local facilities and it is difficult to tailor provision to the needs of disabled people, so we end up having to transport people quite long distances. Apart from the financial costs of providing transport, that means that disabled people have to travel for long periods to access services, which can be difficult, depending on their particular needs. There are huge challenges for people who live in rural areas, but the challenges are particularly acute for disabled people.

The Convener: Do any of the witnesses have good ideas about how we solve such problems? As Jon Harris said, transport is a major issue for disabled people who want to access work, school, further or higher education or leisure facilities.

Alex Davidson: Transport is an interesting challenge. Sometimes the problem is not that no transport is available but that transport is diving about in all directions. For example, three different vehicles might pick people up from one street in the morning and take them to three different destinations. We can address such issues by organising what we do better. The ADSW and my local authority have been involved with the Scottish Ambulance Service. Through the efficient government bid we are considering how we marry the Ambulance Service’s passenger transport activities with what the local authority does. We are also considering how best to shape and modernise services operated by Strathclyde Partnership for Transport to meet the personalisation agenda.

The challenge is big and we have never cracked it in Scotland, but there are opportunities to change how things happen, for example by using new technology and good booking systems, so that different agencies link up their activities instead of sitting in their corners doing their own thing. Economies can be achieved in that way.

We have worked with NHS Quality Improvement Scotland on the absence of health skills on the islands and in the major rural areas. We need to get out of our local health board and local authority boxes and begin to share experiences across boundaries. There are developments that have potential. For example, managed clinical networks are enabling people to get together to talk about health issues, such as how best to get psychiatrists to the Western Isles when they are needed. However, we need to do more work across boundaries. There are challenges and opportunities in that regard.

Margaret Orr: We are focusing on access to transport, particularly for wheelchair users. However, we can turn young people with autism or sensory impairments into dependent rather than independent travellers. There is no easy solution, but we must consider not just how we bring customised transport to people’s doors but how we support young people to become independent users of public transport systems. The challenge of maximising transport users’ independence is as great in inner cities as it is in rural areas. A reconfiguration of resources and fresh investment will be required, but we are alert to the problems and we need to continue to seek solutions.

Michael Evans: People with disabilities who seek employment are doubly disadvantaged when they cannot travel, as Margaret Orr said. However, there are Government programmes that will pay for a taxi if a person’s disability is such that they cannot use public transport. We need to make more use of the United Kingdom Government’s access to work scheme.

I cover rural areas such as Kinloch Rannoch and Blair Atholl, which are quite remote. Best practice is to try to find jobs for people locally, but if someone wants to work in a sports outlet, for example, there is no such work in rural areas. People who cannot travel need to be realistic about their job choices and should have the opportunity to consider a range of options for work locally. Services should be organised locally rather than centrally, so that people are aware of what might be available in rural areas.

Rodney Stone: We have been talking about bringing disabled people to services where they are provided, but there are opportunities to bring services to disabled people. I am thinking particularly of the mobile libraries that go out to reach rural communities; they can also provide services for disabled people. We can also provide information online. For example, through online library catalogues, people do not have to go to a library to choose their books; they can order books online that can then be delivered. There are examples of good practice in services being taken to disabled people rather than the other way round.

Jon Harris: Some disabled people from Shetland were involved in a discussion at the conference that I attended in Inverness. They said that a problem for anyone without their own transport is that they can get into Lerwick in the morning, but they cannot get back again until the evening. If someone has a hospital appointment, for example, their whole day is taken up. The issue is to get better integration of transport. There is provision through buses and there is community transport, but sometimes the provision is not as integrated as it should be. Education and health tend to have their own transport as well, so the solution perhaps lies in ensuring greater integration of such provision.

Marlyn Glen: Can I just pick up on something that I think Alex Davidson said about the use of information technology in booking services? I just wonder whether local authorities can share information internally because different services use the same kind of IT.

Alex Davidson: For us, the answer is yes. We have been driven that way by the joint future agenda in health and social care. We now have IT systems that allow talk between health and social work on, for example, the single shared assessment. There are safeguards for the protection of confidentiality because people can sign in or sign out for the sharing of information. However, we are getting to the stage where we are talking to each other electronically rather than by phone or face to face.

Marlyn Glen: That is for health and social work, but what about education?

Alex Davidson: It is coming. The work is being done now on that, particularly with children’s services. The same model that is in place for joint future is being developed for education, which will mean that education, social work and health will be involved in looking at the single shared assessment. I forget the language that is used now in child care.

Margaret Orr: You are close.

Alex Davidson: It is coming. We are one of the pilots and we are working on it.

Margaret Orr: I am not IT phobic but, to return to the issue of transport for disabled people, Glasgow City Council tries to co-ordinate the transport through a centre, which is not a unique activity for a council; it looks neat on paper, but the reality of daily life circumstances for some of our most vulnerable clients means that they have difficulty in conforming to the system, so flexibility is always required. I do not think that transport will ever be neatly ordered as long as the human dimension is involved. It is quite a challenge to combine services appropriately with the real needs of the client group. IT is part of the solution, but it is not the whole solution.

John Swinburne (Central Scotland) (SSCUP): We have heard that staff training in disability equality may help in combating negative attitudes towards disabled people. Do you agree with that assumption?

Margaret Orr: Yes. We are finalising a massive staff development programme that has just come through the disability equality group in the council. The programme is funded by training moneys from the Executive, so it will be disseminated throughout the country. The real power of the training comes from the team who deliver it, all of whom have differential disabilities. That really got the message across to teaching and support staff in a way that previous training had failed to do. That will filter through all the organisations that use it, so it is an extremely powerful tool. The training also provides rare role models for others, who can see that disability itself is not the barrier and that there are many ways to overcome disability.

Jon Harris: A range of opportunities must be reconsidered—for example, anti-bullying strategies. I would imagine that, in terms of impact assessments, much of this comes down to attitudes, no matter what service we consider, whether it is in connection with the providers or in relation to the people using or not using the services. As Mr Swinburne said, it is one of the bigger issues in terms of delivery of the equalities agenda.

Something can be set down in statute but, unless it is made relevant to the people who are delivering or receiving the service, nothing will happen. Until now, we have not always had the sort of strategic and corporate way of regarding the issue and it has not been given the sort of priority that it will require to be given as the disability equality duty is rolled out.

10:45

The Convener: I would suggest that the provisions in the Scotland Act 1998 mean that that should have been happening since 1999.

Alex Davidson: Working with people with learning disabilities in South Lanarkshire, we have developed the people first organisation, which is a representative group of about 30 people that meets in the council chambers in Hamilton and then goes upstairs for lunch in the staff canteen. That is the first direct contact that many of our staff have had with people with learning disability.

Work has been done across Scotland in relation to the see me campaign for mental health services. It is driven by an acknowledgment that, as mental illness affects one in four of us and is not something that makes someone unique or dangerous, we need to address the needs of people with mental health problems in different ways. One of the big challenges for people who provide local authority services is how to deal with that stigma. Campaigns such as the see me campaign give a clear steer about how that can be addressed.

This time last year, Motherwell Football Club joined us in having a joint presentation. Terry Butcher gave a lead to people—

The Convener: Do not encourage John Swinburne.

Alex Davidson: I see that we have a Motherwell fan with us.

That presentation had a good impact on an issue that is not often in people’s faces. They would see a headline about the event in *The Sun* and give it some thought. The issue is serious and needs to be tackled and the sort of initiative that I mentioned gives a strong lead.

John Swinburne: How do local authorities train their staff in disability equality? Is there a consistent approach across Scotland?

My granddaughter recently joined Strathclyde police as a cadet. I was pleasantly surprised to learn that part of her training involves going to a school that specialises in disabled children and becoming a classroom assistant for a few weeks in order to get an insight into the problems. I thought that that was very positive.

Jon Harris: There is a lot of good work, but it is not necessarily consistent. We might be able to bring some consistency—as well as resources—to the area of procurement. As I say, there is a lot of good practice but we need to share it and build it into our induction programmes and so on.

The Convener: There must be resources for staff training. Surely that is an integral part of service delivery.

Jon Harris: Yes.

The Convener: Sorry, I know that I am being cheeky, but it seems to me that if you are looking to provide services, quality training must be an integral part of that.

Jon Harris: It should be and it is. However, I would suggest that the amount of resources that we put into staff training is not as high as it should be, especially when we compare that figure to the amount that is invested in training by some private sector providers. I remember seeing some figures once that suggested that we were spending about £126 per person a year. However, we should probably be spending much more than that to meet best practice.

Michael Evans: All local authorities deliver training. From a personnel point of view, the key areas in which training is delivered are recruitment and selection, absence management, stress management, retention and redeployment. However, there is probably no consistent approach across the country as there is no framework that we can use to see, for example, what sort of recruitment and selection course we should use. In some local authorities, such a course will last half a day and in other local authorities it will last two days. Similarly, some local authorities will have a policy on recruitment and redeployment and others will not.

I will highlight an example of good practice. A couple of years ago Dundee City Council, which employs 8,000 staff, produced a practical employment and disability awareness guide for managers. The guide contained information on the Disability Discrimination Act 1995 and disability etiquette as well as information on good practice in recruitment and retention and the two ticks symbol. Perth and Kinross Council has cut and pasted that guidance for its own use and Angus Council is away to produce something similar. Tayside police and NHS Tayside are also producing guides. Marlyn Glen asked about how local authorities share information. Good practice can be identified and shared; it can be cut and pasted or tailored to suit specific local authorities.

Margaret Orr: Education authorities receive umbrella guidance from the Scottish Executive Education Department and various legislative forums. Local authorities are working increasingly with partners in social work and health, for example, to incorporate joint training into their work. However, there must be differentiated training, because providers have different needs, depending on their levels of responsibility and engagement.

Every authority is considering fresh ways to deliver staff training. We know that when we bring people in for an hour's training session, the effect is good for that hour but does not last. There is evidence that local authorities are finding more imaginative ways of ensuring that training is sustainable and that there is regular access to advice. We all have a delegated function to make provision for training.

Rodney Stone: I was going to make much the same point as the one that Margaret Orr made. There is a need to distinguish between training for staff on disability in general and more specialised, tailored training for people who work with disabled people. For example, one of Scottish Disability Sport's priorities is to improve training opportunities for people who work with disabled people—in particular young people—in sport. Aberdeenshire Council employs a disability sports officer, who is disabled himself, and he and his staff need particular skills to deal with the disabilities that are presented to them.

John Swinburne: We have discussed some ways of combating negative attitudes towards disabled people. Are there other ways of doing that?

Jon Harris: That is an issue for society in general. In our work with the Executive we need to do better at promoting a positive attitude and I presume that one of the committee's goals is to raise awareness across the public sector. We should all be sending a positive message about how society is changing.

Marilyn Livingstone: The witnesses responded fully to the convener's questions about transport, but do you consider access when you are designing services for communities? The committee heard evidence that in one island community only one taxi is suitable for people who use wheelchairs. In such an area, a taxi pass might be welcome, but it would not be much use. We also heard that there are no bus services from Wick to outlying areas after 5 pm. That is a problem for people who do not have disabilities, but it is a much more acute problem for people with disabilities, who are cut off in their communities after 5 pm. What sort of discussions went on with local authorities and providers of taxi services, buses, and, in particular, trains?

Jon Harris: On your point about island communities, the Inverness conference discussed Shetland and Orkney. The question is how cohesively a community works to support individuals. There was evidence at the conference that some communities are more cohesive in that respect than others and that some communities are not particularly inclusive.

In my experience, it is common for buses in island communities to be available only in the morning and the evening. However, the issue is about being smarter in joining up the various forms of transport. As we said earlier, we must be better at doing that and consider how we pool the resource of individual sectors. However, there is no easy solution. That is certainly the case for islands off the mainlands of Orkney and Shetland. I could have provided evidence about that because the Shetland people at the conference had experience of different islands and cultures and of how supportive they were of disabled or older people who had difficulties in accessing services.

Marilyn Livingstone: I move on to issues to do with physical access. How do local authorities ensure that their premises are accessible to the wide range of disabled people who may wish to use them?

Alex Davidson: Most authorities have probably been through a DDA audit for existing buildings. My council has certainly made major modifications for access and so on. However, there are still challenges for disability thinking for new buildings. I work with the Profound and Multiple Impairment Service, which works with people with profound learning disabilities. It has a national campaign just now on public toilets. How does someone change an adult who has profound and complex learning disabilities when out shopping in the community, in Braehead for instance? The question is whether a council's public toilets can provide the capacity to do that. There are few such resources across Scotland. We still need to think about how we begin to make the environment right for people with disabilities. That is the first stage.

The second stage is making a considerable effort with service users. My council has an advisory panel that involves service users and there are other such panels in Scotland. Most councils will have similar forms of engagement with people who have disabilities, alongside people such as occupational therapists, who make recommendations about toileting, changing, access and so on in all our public buildings, but particularly our care buildings.

Rodney Stone: There have been particular issues with adapting leisure facilities for use by disabled people. Adaptations are being made in some cases that would have been done for any public building, but we face particular challenges in, for example, making swimming pools accessible to disabled people. We try to ensure that the adaptations are as sympathetic as possible so that disabled people are not embarrassed or inconvenienced by arrangements that are made to make services more accessible.

I will give the committee examples of work that has been done in leisure facilities to ensure that they are accessible. Most swimming pools will have disabled hoists or ramps to allow wheelchair users easy access to swimming pools. Most changing facilities have been adapted so that there are disabled cubicles, showers and so on. Toilets have been adapted as well. Most reception areas now have dropped desks for wheelchair users. Quite a few facilities have induction loops for people with hearing difficulties.

The problem is that a huge range of work needs to be done at considerable expense, so not everything can be done right away. Most authorities have taken the view that a rolling programme of improvements is what is required. The disability audits that have been carried out have flagged up exactly what needs to be done. It is just a matter of time and affordability to ensure that everything that requires to be done is done.

11:00

Michael Evans: From an employment perspective, there are many good examples throughout Scotland of local authorities making significant reasonable adjustments to accommodate either people with disabilities who are being recruited or people already in work whose disability was getting worse. One example involved a gentleman who was a computer programmer who could no longer use his arms. He was having difficulty in travelling because of his cerebral palsy, so the local authority accessed a voice-driven computer and he now uses his computer without using his hands. He talks to it and works from his bedroom in Stanley, Perthshire. There are many examples, up and down the country, of reasonable adjustments being made to help people to stay in work or access employment in local authorities.

John Swinburne: Down in Ayrshire, the pavement at every bus stop has been raised. How long will it take the other 31 local authorities in Scotland to fall in line with that excellent example of enabling physical access?

The Convener: Good question.

Jon Harris: I had not heard about that one. The way for local authorities to do that is to build it into their existing programmes. I just got a note at my house in Edinburgh, telling me that the council is going to redo the pavement. That is when such measures should be built in. I was not aware of that as an issue.

Alex Davidson: That is happening fairly routinely throughout Scotland. The timing might be a matter of resources, but it is certainly happening and it is good. Under a scheme in Glasgow and Lanarkshire, bus shelters now have a talking thing that tells passengers that the next bus will be there in three hours or that they have just missed it. That is unkind—I have used it and it is okay.

Marilyn Livingstone: I have a supplementary question on what Rodney Stone was saying about leisure facilities. Users across the board have raised with us health and safety acting as a barrier to disabled people being able to take part in leisure—inappropriately, they would say. People sometimes use it as an excuse, saying that someone cannot take part in an activity because of health and safety requirements. What is your view on that?

Rodney Stone: It would be disappointing if people were using health and safety requirements as an excuse for not making provision for disabled people. When new legislation is introduced, they could be challenged on the legality of that. We are expected to do what is required to make services accessible to disabled people.

There may be situations in which special measures have to be taken—in swimming pools, for example, where it is important to provide adequate supervision and we must take account of people's abilities in the pool. Therefore, specific issues may have cropped up, but generally councils are expected to do all they can and should do to accommodate disabled people.

Marilyn Livingstone: Thanks. We have talked about local authority buildings. How does a local authority work to promote good practice on physical access to the areas for which it is responsible? I am talking about areas outwith the council buildings that councils have an input to. How do they work with partners?

Jon Harris: Some of those partners have the same duties imposed on them, for example visitor attractions. We need to do more on contract compliance on the procurement side. Procurement is not always seen as a strategic service or one that can deliver on a council's key priorities, including equalities. I read the McLellan report on public sector procurement, and that was not mentioned, but I would be looking to build that in. We do not always acknowledge the fact that, when we have a duty placed on us, we must ensure that that duty is also carried through by the people from whom we purchase public services. In discussions that I have had with the voluntary sector, we have talked about the matter in the context of building capacity and so forth. We need to place more emphasis on that.

Marilyn Livingstone: I asked the question because, in the evidence that we took last week, we were told that, particularly with new build or adaptations, if the council and the private sector took advice from the wide spectrum of disabled people's organisations, although they would probably not make something accessible to everybody, they could aim to get the best that they could possibly get. We heard about instances in which, with a little bit of forethought, access might not have been a barrier. Does dialogue go on with the council's partners to enable the council to share best practice in design and thinking about access?

The Convener: We heard from one of the access panels that private finance initiative developers are not interested in ensuring that people with disabilities have an input to the design of a new build.

Alex Davidson: It is not my area, but I would have thought that both planning and building control would have something to say about that, especially for new build. Occasionally, when we are looking for accommodation for people with disabilities, I am disappointed that, despite the fact that we have been talking for a long time about barrier-free housing, most kit houses' doors are not wide enough for a wheelchair. To convert one to be wheelchair friendly costs almost as much as to build one because of the way in which the houses are built. We should try to anticipate the future more. We are all going to need those services shortly, and there should be some kind of regulation to address such issues.

Mr McGrigor: How do local authorities advertise their services to make disabled people aware of the services that are available to them?

Jon Harris: I am sure that you are aware of this but, at one level, access to services through lip-speaking, sign language or whatever is an issue and work is being done on that. Capacity is a huge issue. For example, the number of lip-readers in Scotland is pretty low. The way in which we communicate is crucial. A number of city councils have translation and interpreting services and provide a level of provision, but the coverage across Scotland is not always there. There is also an issue with getting other public sector bodies to buy into and use those services.

With the new duties coming into place, the matter will receive much more emphasis, but capacity is an issue and we are not training the people we would need to train to meet the need.

Rodney Stone: There are examples of good practice in the provision of information. Whether that is done consistently and whether enough is being done are other questions. You will find that most councils have information on their websites about services for disabled people and the suitability of services for disabled people. That information will be made available in printed formats as well. In some cases—particularly with the use of IT—assistive technology can be used through libraries having on-screen keyboards, larger keyboards or a mouse that is adapted for people with disabilities. There are ways in which disabled people can access information, but councils need to consider how that can be done more consistently.

Mr McGrigor: Do you mean that all local authorities should do that? Are there glaringly obvious holes where that work is not happening?

Rodney Stone: I do not know enough about the situation in each of Scotland's 32 local authorities to say where there might be holes. I know where there are examples of good practice, which needs to be promoted so that other councils can consider what they require to do and perhaps emulate it.

Alex Davidson: There are opportunities that we have not fully grasped yet, such as the internet. I read an article yesterday about the number of over-50s who use the internet regularly and routinely use e-mail. I think we underestimate how that technology can be used, particularly in rural settings and in situations of social isolation, to provide ways in which people can communicate with each other.

There is good practice out there. For example, the City of London's disability strategy has put new technology right at the heart of how people can talk to each other. With such technology, people are not just stuck in their homes but have access to the wider world through the internet, e-mail chatrooms and so on. Obviously, the necessary protections must be in place for different groupings but, with access to such technology, people can make choices that are not available to them just now about how they get and use information. We should begin to consider that as a means of engaging with our population.

Margaret Orr: Increasingly, information is shared from an early stage. Our partners in the health service have a key role to play. We should not try to get the information into the system before the adult user needs it. I think that the Education (Additional Support for Learning) (Scotland) Act 2004 requires local authorities to publish their policy, which should include the good provision of information. By law, their information must go into every local library and it should be filtered through a range of services. I hope that we will begin to see the dissemination of information, but the capacity issues will always exist. For me, the issue is less about trying to tell someone after the event and more about ensuring that there is a mainstream source of information that raises awareness about the whole community of services. That will ensure that people are not just told about something because they happen to be disabled, but that the information becomes part of the normal knowledge base that people have about how their local authority is servicing their needs.

Jon Harris: A huge challenge is communicating and engaging with people who do not use the services. I am not sure that there is a single answer to that, other than that we need to think much more in their terms and about why they do not engage with the local authority, the health board or whatever. It would be welcome if the committee dealt with that issue in its recommendations and suggested how the situation might be improved.

Mr McGrigor: The witnesses might have covered this, but if local authorities advertise their services for disabled people, how do they work to ensure that information about the services is available in accessible formats?

Jon Harris: As I said, that is a difficult issue. In certain areas, providing accessible formats is easier, but there is a huge capacity gap in terms of the people with the necessary skills. For example, the number of lip-speakers is inadequate to deliver a comprehensive service—I think that there is only one lip-speaker in the whole Highland region, for example. Unless we tackle that capacity gap, there will still be significant problems.

Alex Davidson: There are major problems in that area. Recent work on the provision of speech and language therapists demonstrates that we are not ahead of the game in having the required number of people with those skills. In my work, I bang a drum about the danger of making assumptions about the kind of communications that we should use with particular groups. The word that should apply is "personalisation". For example, it is dangerous to assume that the style of language that we use in talking books for learning disability will apply to everyone who has learning disabilities—frankly, it does not. Some learners still need someone to sit beside them to assist them and help them to understand. Getting communications right for different kinds of people requires considerable thought and energy.

There are all kinds of formats and they can be expensive. There is limited access to different formats and we have poor skills in achieving proper access. We do not have expertise in our practice yet and we need to develop it. The assumption that we can easily sort matters and that there is a quick fix is wrong. A considerable amount of work and energy is required and we must find the skills to do things better.

11:15

Rodney Stone: A certain amount of information is provided in a certain number of formats. For example, most local authorities could provide a particular level of information in Braille or on compact disc, but that would have to be requested because it is not generally available. Braille is not used on information panels in museums, for example, so people have to request specialist assistance, which will probably have to be arranged in advance. We probably do some general stuff, but provision is not fully developed. However, there are clearly resource implications in trying to provide a full range of information for everyone.

Mr McGrigor: What do you think of the suggestion that there should be a one-stop shop in every local authority area that provides services, advice and information to disabled people?

Alex Davidson: I can see where people who make such a suggestion are coming from, but our experience of one-stop shops is that people still find their way to housing, social work and education services, because they know what those services do. People go to such services for solutions because they know that getting an answer from them will be straightforward. However, one-stop shops can provide general access points in the same way as websites provide such points electronically for people who want general information.

There is probably a need to sharpen the disability advice and information process in a number of authorities. In Glasgow, for example, the Glasgow Centre for Inclusive Living focuses on disability advice and information and gives specific advice on direct payments. That challenges how services are run, and there is space for such organisations. The growth of such an approach throughout Scotland has been limited, but resources are an issue. I would encourage such an organisation in my authority if I had the moneys for one. Local government funds several voluntary organisations that carry out parts of such a role for us already. I think that that reflects the national position.

Margaret Orr: Perhaps there is also a need to sharpen up the virtual one-stop shop. Information should be shared among services so that if a user comes to an education service, for example, but that service is not best suited to dealing with them, it is clear where that person should be signposted to. Ensuring that appropriate advice is given is a challenge.

Frances Curran (West of Scotland) (SSP): I want to ask about the legal responsibilities that we all have, resources or no resources. First, how do local authorities ensure that their staff are aware of disabled people's rights in relation to the services that they provide?

Jon Harris: That takes us back to building awareness through training and induction. Generic requirements are placed on councils, but there are also specific requirements on social work, education and leisure services to make people aware of new legislation. As I said earlier, disability is not the only issue—there are the six strands and so on. We have not got where we want to be yet, but that is where I see the legal responsibilities lying.

Margaret Orr: There are various strands in the answer to that question. There is the ability of our service providers to access knowledge for themselves and to be able to understand what their legal duties are, and there is the duty on authorities to ensure that that ability is well publicised. Perhaps service managers are a focal point in that respect. The dissemination and cascading of information to the workforce should be on-going.

That takes me back to what I said before about training. We are talking about things that cannot be learned in a two-hour session. Information should be accessible and there should be an onus on professionals at whatever level of the organisation to ensure that they are aware of what is a citizenship as well as an employee duty. That is critical and is constantly promoted by local authorities. We would be disappointed if we found that service users were being disadvantaged as a result of people's ignorance of the law, which—like a lack of resources—is no excuse.

Michael Evans: From a personnel point of view, most of the DDA's impact will result from in-house training. There may be recruitment, selection and retention issues and reasonable adjustments may have to be made. Local authorities will provide such training or they may engage with outside consultants. Opportunities exist for organisations such as the Disability Rights Commission to run seminars but, in my experience, they are highly reluctant to do so. Such organisations have a range of knowledge and advice that they could impart throughout Scotland—after all, the law will apply to everyone, regardless of whether they live in an urban or a rural area. Training is going on, but local authorities could be given help if bodies such as the DRC wanted to provide it.

Alex Davidson: We are talking about a wide issue because a raft of social work legislation has been introduced in Scotland. The Adults with Incapacity (Scotland) Act 2000 has a clear relationship to disability and mental health problems such as dementia. The Mental Health (Care and Treatment) (Scotland) Act 2003 came into force last year. We are running a developing feast of training almost continuously for huge volumes of staff in social work, health and education on such cross-cutting pieces of legislation.

It is more difficult to get the message out in the public domain. For example, build-up in the use of the Adults with Incapacity (Scotland) Act 2000 has been slow. Powers of attorney—one of the things that we should all have in our kitbag of tools for the future—are beginning to take off. We probably need to do a better job of providing the public with information on their rights and responsibilities in such areas and how they relate to the role of local authorities and health providers.

Frances Curran: You mentioned that most local authorities have now had a DDA audit. How advanced are preparations for the forthcoming public sector duty on disability? That is a question for all members of the panel.

Alex Davidson: My guess is that we are pretty well prepared for the new duty. The audit that NHS

Quality Improvement Scotland did last year included an element on hospital provision. Most health boards seemed to be well advanced. From going around local authorities, I know that most of them have clear plans to introduce the necessary targets.

Jon Harris: I agree. Given the capacity of some of the smaller authorities to support the duty, they will be quite stretched. However, all authorities recognise their responsibilities and what the timescales are. We will make a judgment once the schemes emerge.

Frances Curran: That leads me on to my next question. The committee has been told that although the Education (Additional Support for Learning) (Scotland) Act 2004 could be a useful tool, it is too early to say how effective it will be. What are your thoughts on its implementation so far?

Margaret Orr: It is probably one of the most productive pieces of legislation that has appeared for a long time. The act, which is being bedded in, provides an impetus in two areas, the first of which is interagency working—when appropriate—for young people who have significant additional support needs. That reinforces the existing agenda in which cultural and leisure services providers, for example, are considered to be key in meeting some young people's learning aspirations.

Secondly, it clears the decks of the old record of needs, which was heavily disability orientated, but in the wrong way—it was very much a deficit model. Instead of talking about the disability per se, we now consider the young person's additional support needs that arise from it. That means, for example, that there will no longer be the cloned autism range, because it is recognised that each autistic child will need different provision to ensure that their potential is delivered. The planning mechanisms have been freshened up.

Consideration of how the act links with access issues—whether those are to do with appropriate management of someone's personal care needs or with physical access—will have to be well rehearsed in a planning process that opens up the door to mainstreaming in the truest sense for children who have a disability. We are being challenged to ensure that we are articulate about what we are doing and that the young person and parent are closely involved in that process. That is another crucial aspect of the new legislation. We will have to show increasing evidence that as well as having a voice in that process, the client—if I can use that term—has a level of accountability and responsibility, because it is a shared partnership.

It is early doors—we are not quite a year into implementation—but from talking to colleagues throughout the country, my sense is that they welcome the impetus to take a fresh look at matters. There is some housekeeping to be done—reviewing the current records is a big task—but I think that, for the first time, the 2004 act will prove to be a true synchronisation of provision for children with significant needs and provision for the mainstream population, because people will be able to see that they are all part of the same planning mechanism and response.

It will be interesting to see the extent to which authorities have implemented the act by the end of the two-year lead-in period in November 2007. I sincerely hope that the legislation retains its freshness and proactive nature and is not used to try to produce resources that are not necessarily always essential, although they might be desirable.

Frances Curran: My last question is about employment and is mainly addressed to Jon Harris and Michael Evans. We heard in evidence about the good work that is being done in different local authorities to assist disabled people into work, but to what extent is there a consistent approach to sharing best practice throughout Scotland?

Michael Evans: There is no consistency in the delivery of employment services throughout Scotland.

Frances Curran: That is honest.

Michael Evans: I say that not in my capacity today, but as the former chair of the Scottish Union for Supported Employment, a post I held for five years. I was also involved in training several hundred job coaches throughout Scotland. My comments are based on what I have seen and heard in the past seven or eight years, and there is no consistency.

There are different definitions of employment. For some authorities, an employment outcome is a therapeutic activity; for others, a job has to be for more than 16 hours a week. We do not have the basics of consistency. I feel comfortable saying that because we have no standards or definitions of key elements; therefore, by definition, we cannot have consistency.

I said earlier that everyone likes to think that they work according to best practice, and I am sure that everybody means well, but what if the results of some of the evaluations are poor? That is an indicator that the services are not very good.

I point out that local authorities are left to their own devices; there is no guidance or direction. "The same as you?" recommendation was simply that local authorities need to do more, and all that the Mental Health (Care and Treatment) (Scotland) Act 2003 says is that local authorities need to help people with mental health problems into employment. In fairness to local authorities, my answer that services are inconsistent throughout the country should be no surprise.

Jon Harris: When I spoke about the employability framework, I made the point that where we are now is not where we need to be. Much provision is fragmented and resources are not co-ordinated. We have been working on the employability framework for at least 18 months—it is part of the solution and it will begin to set some standards. However, the problem is not just in local authorities; we need to work with agencies throughout the public sector, the voluntary sector and the private sector.

Frances Curran: Does Michael Evans have a definition or an attempt at a definition of what local authorities need to do to assist disabled people into work?

Michael Evans: There does not need to be a statutory requirement for local authorities to deliver supported employment because most if not all local authorities try to deliver some form of employment services for disabled people. In fairness to authorities, efforts are being made. I said at the beginning that some of them might have only one or two staff engaged in those efforts and others might engage 10, 15 or 20 staff. A raft of activities is going on. However, there is no consistency because, for some local authorities, just helping somebody into meaningful work for three hours a week is their definition of assisting disabled people into work, whereas other departments or services try to get disabled people into mainstream, normal, open employment. Some local authorities are feeders for sheltered workshops.

All local authority social work departments deliver employment services of some sort, but because there is a lack of help or clear direction, those services vary from the good to the bad and the ugly. They are all funded differently. If a body were to come along and say, “We want you to do this,” authorities could say, “Well you didn’t give us any money to do that.”

The Convener: Thank you. We will have a short break.

11:30

Meeting suspended.

11:41

On resuming—

The Convener: I resume the meeting.

Marilyn Livingstone: My questions are for Michael Evans and Jon Harris, because of the subjects that they cover. We have heard evidence that resources might not be directed or co-ordinated appropriately. Are the moneys that are available being spent appropriately? For example, has the value for money of the employment schemes been evaluated to examine whether current resourcing is adequate?

Michael Evans: No proper evaluation has been undertaken. Of course, a lot of research has been done, but that is different from evaluation. The research always says what we already know: people with disabilities need to access work and we need to work to deliver social inclusion.

We have never had a proper evaluation of services. One reason for that might be that organisations are funded differently. If somebody wanted to evaluate the services that a local authority delivers but they did not fund those services, why would the authority let them in? I do not think that a proper evaluation has gone into the nitty-gritty of what is being delivered and how successful it has been. Unless anybody can produce evidence that says otherwise, I would say that no proper evaluation has taken place.

Jon Harris: Some of the work that was done on the employability framework began to tackle evaluation. One problem of evaluation is that it has tended to be compartmentalised—people have evaluated what they do but not considered the wider framework. When the employability framework is published, each area will have to look at it across the piece. That task will not just be for local authorities; it must involve all the partners, particularly the voluntary sector and the private sector. In some ways, best value should be able to facilitate that more. We should get away from the silo approach.

Marilyn Livingstone: My next question is quite important. How do local authorities work in partnership with health boards, Careers Scotland, the enterprise companies and social work to provide employment services to disabled people? You have talked about the different funding streams, so that is an interesting question to answer.

Michael Evans: The word “partnership” is sometimes abused. Sitting round a table with people does not mean that we are working in partnership. Sometimes, a partnership develops from the question whether we have a contract to do something.

I will speak with my service provider hat on as part of a local authority. Many partnerships are established throughout the country. The key element of any partnership is that it must have a leader rather than be a round table at which people meet. Somebody must take the agenda forward. In many areas, I have seen partnerships become a bit of a talking shop.

In fairness, much partnership working is going on, but the lack of evaluations makes it difficult to say how successful it is. It would be easy to create a ripping yarn about partnership working with this person or that agency, but we must ask whether anything actually happens.

11:45

Marilyn Livingstone: You talked about the different schemes, funding and criteria. For example, the enterprise companies have different targets from those of the local authorities. Does that get in the way of partnership working?

Michael Evans: Yes. Ultimately, we end up with a lot of people in a town, village or city chapping on employers' doors and all representing different organisations. If the ultimate aim is to get people into work, the last thing we want to do is confuse employers, so that they wonder who we are and who we work for. Not all local authority services or disability organisations have targets—it depends on how they are funded. Services that are funded specifically from a particular pot of money might have targets. The trouble with employment targets is that they end up being watered down. It is inappropriate that people use the term NEET—not in education, employment or training—because neat means something that is straight and not watered down, whereas people with disabilities often have their services watered down. Because it is hard to get them into work, the outcomes are often therapeutic activities or further education and training. That is why it is important for specific employment services to have targets.

Jon Harris: I would extend the list of organisations in the question to include the Department for Work and Pensions and private and voluntary sector organisations. Many small funding streams and initiatives are sometimes not seen as an organisation's core business but, when put together, they form quite a resource. The issue is collaboration. In some parts of Scotland, it is difficult to engage with the local enterprise companies, because assisting people with disabilities into employment might not be one of their priorities. In other parts of the country, good work is done with the health service. When we started work on the issue, there was no consistency and the system was fragmented, which is why we needed to change it. We have come to terms with that and have begun to change the system, but my frustration is that it has taken an awful long time to come together.

Michael Evans: I work for Dundee City Council, Perth and Kinross Council and Angus Council. We have been working in the area for about 14 years and have built up many contacts and a lot of experience. However, in my experience of working for all those years with what is arguably 10 per cent of the local authorities and therefore 10 per cent of the population, we have never worked with Scottish Enterprise. We have done a lot of work with Jobcentre Plus and have had many good partnerships with the national health service and social work departments. Jobcentre Plus works with us if a contract is in place. However, although many local authorities have really good services, they might not be sent people from Jobcentre Plus if no contract is in place. If Jobcentre Plus has a contract with another service provider, it has to send people with disabilities to it to fulfil the contract, even though social work departments or other local authority departments have good services. That muddies the waters a little.

A question was asked earlier about how we advertise our services. If an authority's services are overstretched and full, it might not want to advertise them. What is the point of encouraging people to access a service if, when they come, we say, "Sorry, mate, but there's a two-year waiting list"?

Marilyn Livingstone: It is interesting that you have not worked in any way with the local enterprise companies.

Michael Evans: To be honest, we have never needed to work with the local enterprise companies or to access their contracts, because we do not deliver training; we help people into work.

Jon Harris: We can work on employability on one level, but we are trying to reach a situation in which, as part of the process of taking someone from where they are into a sustained job, we can deal with the employability issues as well as a range of other issues, including housing and drugs issues. How we pull together all that work will, perhaps, be the key theme that emerges from the employability framework. It is easy to talk about, but it is the most difficult thing to achieve. If we bring together and focus all the agencies and funding streams, so that they are not separate entities, we can be much more client centred. However, all the agencies must regard that as part of their business.

Marilyn Livingstone: Disabled people have told us that that is what they would like to happen. They want barriers to be removed and they want a client-centred approach that meets their needs rather than an approach that fits them into the boxes that are available. I am encouraged by Jon Harris's remarks.

Michael Evans: If we are to remove the barriers, we must first know what they are. That is an issue that the committee can consider. People do not always know what they mean when they talk about removing barriers.

Issues to do with housing and education can be and are resolved in-house by local authorities. Because much work is developed and funded in-house, nobody outside the authority knows about it. I am a council officer and service provider, but I have never been asked about the employability framework and I have never seen a document about it. The framework might be rolling on, but who is inputting into it?

The Convener: In the past, we have been impressed by the good work that goes on in Dundee City Council and North Lanarkshire Council. Has Jon Harris had discussions about the services that those local authorities provide?

Jon Harris: The Executive is leading on the employability framework and it has used a number of focus groups, but I do not know precisely who has been consulted. I know that the Executive used various networks, but it might not have picked up on everything that is going on. When the framework is published, the committee will have to judge how far it goes, but I understand that the work that has been presented to ministers represents a huge step in the right direction.

Marilyn Livingstone: I think that the Enterprise and Culture Committee has been dealing with the employability framework in the Parliament.

Many people have told us that it is easier to get into further and higher education than it is to get into work. They feel as if they are stuck in a revolving door. How do local authorities engage with employers to facilitate the employment of disabled people?

Michael Evans: The approach to contacting employers is fragmented. Most local authority supported employment services are delivered by social services, and I should say in fairness to social services that training on dealing with employers is never given.

Most local authorities operate a four or five-stage process to help disabled people to move from inactivity to employment. First, there must be engagement. Secondly, there is profiling and assessment. The third and fourth stages involve work and negotiation with employers, and the final stage is the provision of support on and off the job. In general, stages 3 and 4 are alien to people who work in social work, who are used to working with client groups. A person who has worked in a day centre for years will be good at engaging with clients and their families, identifying clients' wishes and assessing people's vocational profiles. However, they might not be prepared for putting on a suit and chapping at the door of the chief executive of Marks and Spencer or a big industry, which can be a daunting experience. The success of the approach can depend on the personality of the social worker or the employer. The success of local authorities' engagement with employers probably ranges from nought out of 10 to nine or 10 out of 10.

We must also consider the competencies within local authorities. What can we offer employers? What can a local authority officer offer a business? I do not mean to be unpolitically correct, but if a local authority has a pile of only long-term unemployed disabled people, from an employer's point of view the proposition is not particularly attractive.

We must build a base within local authorities so that we can give out more information. We must help employers with the Disability Discrimination Act 1995 and with local government programmes, as nobody is helping employers with those. That would be a good way to build up links with employers, but there is very little training within local authorities to tell people who work in day centres about government programmes that employers could use. If service providers do not know about the programmes, they cannot tell employers about them. People mean well and are trying hard, but generally speaking they need an awful lot of help.

Alex Davidson: Mike Evans is bang on in what he says. Our experience is that social workers are expected to find jobs for people, but they are not trained to do that. Our role is social work and the provision of social care. Finding jobs for people is a different task, which puts a strain on what we are doing. We are also charged with finding the resources to do it. I have probably got £300,000—perhaps almost £500,000—in supported employment initiatives, but I am not sure that it is in the right pocket. It might be better if the money were in Mike Evans's pocket, so that he could do the job search for us rather than, as he says, have a social worker chapping on a managing director's door to look for a job for someone, which is not an efficient approach. I have always been concerned that when someone is disabled that equals social work which equals asking what next, as opposed to that equalling a job. Being disabled should not equal a day service or a care assessment unless the person needs it. The route to finding a job has traditionally been through a care assessment. That is not how most of us get jobs. We must examine the process.

As Mike Evans said, we must count things better. In my local authority, last week I watched trainees from our supported employment project get 300 Scottish vocational qualification certificates. However, I am sure that when I go back next year most of those users will be back getting another 300 certificates. There needs to be a sharp focus on moving people out of supported employment and into real employment. We count certain things for "The same as you?" returns and in social work we tried to benchmark our success in moving people into employment, but we could not. As Mike Evans said, we count everything from somebody who has a voluntary placement to someone who has a full-time job in a hospital. It is necessary to get better and sharper at that and to use the people who do the job best, which is not people in social work.

I will give an example from my own council. The head of the special school sat at a meeting and said, "I have a great relationship. I get most pupils jobs because I talk to Jeannie in community resources and get people jobs in the gardens and whatever else." I asked, "But what happens if you and Jeannie leave? There is no system in place. There is no way of knowing where responsibilities lie." The challenge is to establish who is responsible. Jobcentre Plus should do the work rather than local authorities. Jobcentre Plus, along with the local enterprise companies, should be our allies in this work. We should establish the demands in the market. In South Lanarkshire, like most of Scotland, there is a shortage in the construction industry trades. A third of all the jobs available in South Lanarkshire are in social care and hospitality. Why are we not targeting those sectors? It is important to make those links. We must get appropriate leads and not leave it to a social work manager to be the job-search man, as that is silly.

Michael Evans: Alex Davidson is correct. In almost all local authorities responsibility for supported employment lies with social work. The only exceptions that I am aware of in the UK are in Dundee, Angus, and Perth and Kinross, where responsibility lies with the personnel departments. My council receives many visitors from all over the place. One of the first points that is made to us is that it is unusual that we deal with the matter in personnel. My answer is always that as we deal with employment contracts, human resource managers, work experience placements and terms and conditions of employment, is it not odd that the role is located in social work?

However, it probably does not matter where responsibility for supported employment is located. There are advantages in social work having responsibility, because a lot of its clients do not want to engage with Jobcentre Plus. What is important is that if supported employment is located in personnel it works with social work, or if it is located in social work there are people with the personnel skills to make it happen. It does not matter where it is located as long as the job is done to a good standard.

12:00

Alex Davidson: We have put someone from social work into personnel to try to crack that, which is a step in the right direction.

Jon Harris: Different people have different skills, and the challenge is to bring them together. Some voluntary sector people are really good at supporting people through the process, which is why we need to look at the full picture. The capacity for that will be different in different parts of Scotland, but we need to bring people together. The DWP's work in West Lothian and Paisley is good; we need to apply it more consistently across the country. I do not think that there is a problem with the fact that different people bring different skills; the issue is how they work together to deal with a particular client. That must not be done on a short-term basis only.

The other issue is that different people will add something at different stages in the process, and the process takes some time. It is not just about getting the people into the job; it is about getting them to stay in the job. Different agencies will come in at different stages in the process. In Tayside, Michael Evans might see personnel taking a lead; in other places, it might be the local enterprise company; in some places, it will be the DWP. However, we need a collaborative approach.

Marilyn Livingstone: Leading on from that, I want to talk about HR. The committee has heard in evidence that the bureaucratic nature of public sector recruitment can be a barrier to disabled people accessing employment. What can local authorities do in that regard?

Michael Evans: The problem is not the bureaucratic procedure but the law. The Local Government and Housing Act 1989 says that local authorities must recruit on merit. Disabled people have to compete, and they find it hard to compete because, by definition, they have not been in work. It is difficult for a person who has not worked for a long time—if at all—to compete with somebody who has just left a job.

Prior to the introduction of the DDA, local authorities and bigger employers had a quota system, whereby officially they had to recruit 3 per cent of their workforce from registered disabled people. That gave a local authority the opportunity to phone up one of Alex Davidson's teams and say, "I've got a job coming up. Have you got a guy with a disability? We can employ him." When the Disabled Persons (Employment) Act 1944 was repealed on the introduction of the Disability Discrimination Act 1995, local authorities were unable to override recruiting on merit. An authority's personnel department might phone Alex Davidson and say, "We've got a post coming up that is well suited to people with disabilities," and Alex might send two or three candidates forward, but those candidates would have to go into the melting pot with nine or 10—maybe 20 to 40—other people who did not have disabilities and who had up-to-date experience.

I am not trying to stick up for local authorities—well, I am a bit—but their hands are tied a little bit by the law. It is not about bureaucracy; it is about the law. Local authorities could be castigated if they started to recruit disabled people without opening up the process to everybody else. It can be a grey area, as some local authorities create posts—they get some budget and say, "This would suit a person from the day centre." The trouble is that when a post is created—or carved up, as we say in the trade—it might not be sustainable because the budget might not exist the following year. The skill is in getting somebody into an established post; they will then be in it every year because the money is available. That issue can be addressed only by re-examining the legislation.

Alex Davidson: There is still stigma and discrimination in and around all our systems. There is plenty of evidence for that. We have the double tick symbol, but as I argue in my own authority, the double tick equals somebody with a wheelchair but it does not equal somebody with a learning disability or a mental health problem. We have particular issues with how we assist people with mental health problems to get back into work and to stay in work. We know from our own work that the biggest cause of absenteeism in and around our services is stress, which is usually caused by the jobs that we do. The big issue is how we address that properly. That is why it is important that we stick with campaigns such as see me and ensure that we use the available resources to argue with employers in the public and private sectors that they should consider the matter. Just because somebody has had a mental health problem in the past does not mean that they will not work in future.

The Convener: I will leave it at that. We still have a lot to get through, so I ask my colleagues to keep their questions as brief as possible. Short answers would also be great.

John Swinburne: How do local authorities ensure that the leisure services for which they are responsible are as accessible as possible to the wide range of disabled people who wish to access them?

Rodney Stone: We have to cater for different disabilities—physical disabilities, sensory impairments, learning difficulties—and adapting facilities and providing services to meet such different needs is a challenge. We need to understand what will be attractive to disabled people. There are also considerable resource implications, such as the cost of adapting facilities and the challenges of recruiting and training staff. In general, councils try to be proactive in what they do rather than wait to be asked to do something and then try to deal with requests.

Apart from addressing the challenge of adapting facilities and services to meet disabled people's needs, we have to overcome perceptual problems. Many disabled people lack the confidence to take part in leisure activities, so encouraging them to do so requires a strong, proactive approach and good marketing. Throughout Scotland, there are examples of good practice in trying to do that. For example, nine councils now employ disabled sports officers and VOCAL has a good working relationship with Scottish Disability Sport to try to promote good practice. Equipment suppliers have taken more and more account of disabled people's needs and they have listened to what we and disabled people have to say about how best to meet them. There are good examples of working across service boundaries within local authorities—in particular, working with social work colleagues, which we do quite a bit of in my authority, on schemes such as artsability and acting up.

A lot is done to embed good practice in mainstream work. Several councils are working actively with disabled people's organisations to promote good practice. I know of good work in Glasgow, where the equalities team provides about 90 opportunities a week for disabled people and works with disabled people's organisations to ensure that the activities are appropriate and that staff are properly trained to deal with people's needs. About two years ago, Highland Council carried out a survey of disabled people to ask them what they wanted. With their consent, the council kept their names on a database and it now advises them of the opportunities that come up for them. There are examples of good practice in trying to deal with issues proactively.

John Swinburne: How do you work with VisitScotland and the tourist attractions for which you are responsible to ensure a positive visitor experience for disabled people?

Rodney Stone: VisitScotland tries to promote Scotland as a whole, so we do not work a great deal with it to promote particular attractions. Even the area tourist boards tend to promote their areas generally rather than work with local authorities to deal with issues that are specific to certain facilities. However, VisitScotland has a good awards scheme for visitor attractions in order to promote good practice; one of its criteria is premises' suitability for disabled people.

Jon Harris: I will emphasise another dimension. One of my concerns is that the problem is not so much the disabled people as the other service users. There is still plenty of evidence that there is a negative attitude to sharing leisure facilities. As a society, we need to address that. There is to be another survey of people's perceptions of discrimination in Scotland; that issue will be included. It is important to get things right. I am not sure that there is always a welcoming environment for people who use services, which impacts on whether they have a positive experience.

Alex Davidson: It is important that we recognise that health improvement and well-being are partly to do with sport and leisure. We know that, for people who suffer from depression, physical activity is as good as taking pills. We need to recognise the cross-cutting nature of the well-being agenda and we need proactively to use sport and leisure to help people, including people who have lifelong conditions. For example, the stroke network that we established in South Lanarkshire now offers six weeks of physiotherapy, which is provided by the health service, followed by six weeks of access to sport services. That promotes the idea that one can use sport to get better. It needs to happen early enough—right at the start, when someone has had a stroke—because we know that that is when it counts. We are beginning to recognise the cross-cutting nature of well-being and health improvement and the huge impact that such resources can have.

John Swinburne: The committee has heard from the RNIB that different local authorities have different practices of charging for talking books. How can local authorities work to increase free provision of talking books, especially given that other library services are provided free?

Rodney Stone: There is a statutory requirement on local authorities to provide books free, although other materials can be charged for. The question that councils have to consider is whether they are discriminating against disabled people by charging for talking books. Quite a few authorities do not charge for them; I suspect that more authorities will have to come into line with the new legislation and I suspect that the reason why some councils charge for talking books is that there is quite a high cost involved in obtaining them. Budgets for media funds, which we used to call book funds, are shrinking and councils are trying to generate income to plough back into purchasing of materials.

Alex Davidson: From a social work perspective, we must also recognise that the world has changed. We now have internet radio that gets just-in-time news to people, which is available every day. The RNIB is promoting the service. It is an alternative way of doing what a talking book does, but instead of getting the information four days late, people can get it right away. We should consider new and better ways to do things. A person can go into Waterstone's and buy as many talking books as they like—that is the world that we live in—but the just-in-time media resource is now available in Scotland via the first internet radio in Europe.

John Swinburne: The committee heard in evidence that local authorities have various schemes for charging disabled people and their carers for access to leisure services. Should there be a national charging scheme and minimum standards of service provision to ensure equality of access throughout Scotland?

Rodney Stone: Councils have discretion to set their own charges, so there are probably 32 different sets of charges. Most councils offer concessions but they vary, with some disabled people paying 50 per cent of the standard rate and others being entitled to use services free of charge. Also, there are inconsistencies in how carers are treated. Councils often forget that many disabled people have carers who need also to be in attendance. That might be due to an oversight rather than to a decision that carers should not be admitted free of charge. There might be an issue about promoting good practice and encouraging councils to be more consistent and equitable in how they treat disabled people and their carers.

Jon Harris: Such areas will be high priorities in the application of the new duties in relation to equalities impact assessment. We have to consider the resource implications of having a national scheme. I judge that some existing practice will not stand up to the application of the new duties.

12:15

Marilyn Livingstone: The committee heard in oral evidence that the cost of providing support staff, especially staff to work with people who have greater individual requirements or complex needs, is prohibitive and might prevent local authorities from providing services. Is that your experience? If so, what can be done to overcome the problem?

Alex Davidson: I have previously cited the example of the costs of providing care for people who have learning disabilities. The cost of providing an individual package for a service user in his or her home is £70,000 a year and the cost of providing such a package for a person who has complex needs would be £100,000-plus. The cost of meeting the care needs of some people in Scotland who have complex and challenging behaviour is £250,000 a year. Such costs could wipe out the community care budgets of smaller local authorities.

How we meet the cost is a real problem. We are all trying to find other means of providing support, such as through the supporting people money. We have done well in dragging more money into Scotland pro rata compared with England, but the national review of the independent living fund is worrying. I suppose that budget demand, which will be an increasing pressure, has to be addressed. Huge costs are involved in providing care and support; £70,000 is the norm for providing care for a person who has a disability.

Margaret Orr: There is a link with children's services. The vast majority of children and young people who require additional support within either local authority-managed or purchased provision will have lifelong needs, which means that we have to try to develop levels of independence, as appropriate, at an earlier stage. That has to be considered nationally and at local authority level. There might be a general decline in the population, but there is no decline in the number of premature babies and young people who are surviving way beyond their predicted lifespan and who have an entitlement to support packages. That, coupled with the transparency that we have around rights, means that it will be increasingly difficult for local authorities to manage needs. The budget pressures in adult services are being reflected in the pressures in children's services. It is not unusual for a school-age child to attract £180,000 to £200,000 a year for supported purchase provision in certain establishments.

Jon Harris: In gathering evidence for this meeting, I came across the example of a school in North Lanarkshire that has children with behavioural and mental health problems. The support from Careers Scotland is standard. Some £33,000 per pupil over six months is being made available just to prepare them for the jobs market.

Marilyn Livingstone: Should we make any recommendations in relation to that?

Alex Davidson: COSLA and the ADSW have been lobbying Parliament about the level of resources, and sustainability is an issue. The programme of hospital closures has transferred huge costs into the care market in Scotland, with which local authorities have struggled. The transitions money for young people entering adulthood in South Lanarkshire is approximately £1 million a year, which the council does not get. In my most recent discussion with Glasgow City Council, I learned that the sum for Glasgow is £1.5 million. Those are huge costs for the needs of young people entering adulthood, never mind the subtleties of getting them into employment. Employment helps, because it means that some of the care costs are removed and people's benefit position is improved. The issue is big money for us year on year. As Margaret Orr said, we face those pressures against the backdrop that people have much clearer expectations of what they want for their sons and daughters.

The Convener: Disabled people have told us that they do not want to have to make bookings days in advance to guarantee access to service provision. What can local authorities do to allow disabled people to be more spontaneous when they make decisions about leisure activities and so on?

Rodney Stone: There are some activities that disabled people can take part in without having to book in advance, but there might be situations in which the nature of the disability and the nature of the activity require that advance warning be given. For example, if someone who had a hearing impairment wanted to go on a museum tour, they might want to check in advance whether they could be catered for, and the museum might have to arrange for someone who had training in British Sign Language to be there.

The Convener: The committee heard evidence from the Minister for Tourism, Culture and Sport about cultural entitlements. How do you think they will work in practice?

Rodney Stone: We do not yet know what the Executive will decide in terms of what people should be entitled to and who should be entitled to it. I understand that the Executive is about to set up a working group that will examine cultural entitlements, and I know that VOCAL—in its submission to the Cultural Commission—and COSLA have promoted the idea of cultural entitlements. Behind that thinking is the idea that giving certain people an entitlement sometimes forces providers to do a bit more. If there were an entitlement for disabled people for access to cultural or leisure opportunities, providers would have to ensure that they were adequately catered for. It will be next year before we have a better idea of just what the entitlement should be and what the practicalities will be of meeting those entitlements. However, the existence of an entitlement does not guarantee that it will be taken advantage of. As I said, there are issues in respect of disabled people lacking the confidence to take part in activities, which means that we might have to market the entitlement to ensure that people take up the opportunity.

Jon Harris: I was looking forward to hearing Rodney Stone's answer to that question.

The entitlement idea was supposed to give people a voice so that they could influence what was happening. The committee needs to consider diversity and what it means for disabled people—I do not think that that has been worked through; we are in the process of setting up a working group to do that, which is probably not moving as quickly as we want it to. It is a good idea, but a lot of work needs to be done to see what entitlement will look like in practice.

Frances Curran: I have a question for Jon Harris and Alex Davidson on the support that people need so that they can participate in leisure facilities. Many of my constituents are banging on my door because the supporting people fund has been cut. The part of the support package that has been cut is the bit that goes toward leisure. What is actually happening? How does such a cut affect the rights that we are talking about today? I know what you are going to say, but I stress that we are dealing with two different realities: the service that we want to provide and the service that is provided on the ground.

Jon Harris: Obviously, the decision to cut the supporting people funding presented us with challenges. We had problems with that and we still have concerns about it. If one area is cut, there will be knock-on effects on individuals and on other services, which will have to step in to deal with the situation.

Alex Davidson: As often as not, the supporting people funding is used for only one part of a care package. You might find that as many as five funding streams go into one package. Some of the direct payments that I have examined with colleagues across Scotland have that complexity. A cut in one area can impact on the rest.

I would not put my hand on my heart, but I do not think that cuts in my area have been so deep as to require that we remove services. We have worked hard with providers to ensure that we can maintain the level of service; the council that I represent would always take that approach. We would look for other ways of providing the service or for other moneys to support it, which is a challenge for us all the time. It is about one bit of money going and another coming, so we have to try to manage the process. It would be disappointing if, as Frances Curran suggests, a cut in the supporting people fund was to lead to the disappearance of a service that makes people's lives fuller, or if that cut was to make people more housebound; we know that that will probably result in greater costs downstream. I do not have an answer to the question. We live all the time with the reality that I have described in relation to the costs of care. The local government settlement in social work this year is not as large as I might have liked it to be, which raises particular resourcing issues for us.

Frances Curran: I will not name the council to which I was referring, but a number of disabled people will definitely exercise their rights.

My next question is about careers advice. What guidance do local authorities provide to schools on the provision of careers advice to disabled people? What training and support are available for teachers and support staff who provide careers advice to disabled people?

Margaret Orr: There are two streams of activity, in partnership with Careers Scotland and the determined to succeed programme. There is a rich history of working with the special needs sector, and a variety of opportunities and advice are given to schools. In Glasgow, there are some very proactive careers advice and work experience opportunities, which I am sure are replicated across the country. This issue is linked to my earlier comments about preparing people for the workplace and making them equally competitive with others.

The bigger challenge lies in mainstream schools, as a consequence of the inclusion agenda. That is not a criticism of the inclusion agenda—it is just a reality. We are still in discussion with Careers Scotland about how it might support teachers' aspirations for young people, as well as young people themselves, and about matching young people with opportunities so that we can ensure equity of support. Careers Scotland is finding that there is, in colleges and other organisations, increasing willingness to work with young people as they move towards employability.

Speaking with my special needs hat on, I think that we should offer concrete experiences and realistic advice that matches young people's aspirations and abilities. We should be realistic with them about their career interests, competences and skills, as we would be with any aspiring young person. We spoke earlier about the tension that arises from wanting to take inclusionist approaches while wanting to employ the people who can do the job best. That is a real challenge. Increasingly, through Careers Scotland and the determined to succeed programme, colleagues across the range need to be honest about that when it comes to the school curriculum, and to involve young people in the process.

I have seen many examples of young people who might have been thought to be unable to do something doing excellent jobs in work experience. That approach is different from the school-based experience. The answer lies in ensuring that there is good general advice and that work experience is matched to young people's high expectations, whether or not those are supported. It is an evolving world, and the changes that have occurred in Careers Scotland have forced us to refresh the way in which we support schools. Across the board, the inclusion agenda has required us to reappraise how we focus services in careers, health and other areas. It is a challenge, but we need to find ways of addressing it. Partnership with young people is critical. It is no longer just about giving advice—there must also be negotiation.

Frances Curran: We heard, particularly when we met higher education students round the committee table, about previous assessments at school not being carried through to further and higher education, which meant that students had to pay to be re-assessed so that they could get the money, resources and facilities to which they were entitled at university. Dyslexia was highlighted in that context. What can be done to resolve the problem of how information is passed from schools to further and higher education?

12:30

Margaret Orr: What you describe does happen. I hope that the new additional support for learning process and the intermediate assessment framework will ensure that the passport moves cleanly between schools and colleges. However, the fracturing that Frances Curran describes occurs throughout the system. There is also an issue around professional trust in terms of the person who is next in line for taking on responsibility for each young person's education. That is a challenge across the board, but it is bigger because of the school-college divide. The key issue is shared responsibility. However, I am sure that there will be clear evidence across the country of colleges working in partnership with schools and social work departments. There is a much greater openness and sharing of information about the young people.

Dyslexia is certainly an interesting issue. From primary school right through, people will always pay for private assessments for dyslexia. There is occasional professional dubiety about whether a young person has dyslexia. Children might present certain difficulties with reading and writing skills, but I believe that the issue is how the provider addresses that as opposed to seeking a clinical diagnosis of dyslexia or whatever. The challenge is to ensure that, whether or not the presenting difficulty is dyslexia, the young person's additional support needs or learning potential—or whatever we want to call it—are well known by the receiving provider. That is about liaison between the school and the college.

The Convener: That has not always been the case.

Marlyn Glen: That is right. Liaison between schools and colleges is possibly better locally. The problem is when pupils go as students to university and they need some sort of written assessment to prove to the university that they require support for their additional learning needs. I just want to pull the issue out a bit by means of an example. If a learning support teacher says that a child is dyslexic and needs special arrangements to be made for her higher exams, that will be accepted. However, her need for special arrangements will not be accepted when she goes to university; she must have something else. There is a huge difficulty in that.

Margaret Orr: We are comfortable about discussions with the colleges, but I think that we maintain a distance from the universities. I am not sure whether that it is driven by the school-age provision or by the universities. However, there is real challenge for the universities to become more comfortable with the need to accept previous assessments. As the young person goes further in higher education, the more matters become more complicated than, for example, the vexed question of whether a scribe or a reader is required. I accept that there is a challenge to be addressed locally and nationally.

Frances Curran: How do local authorities work to ensure that disabled people get the support—for example, personal care or transport—that they need to attend college or university? That has come up several times in evidence.

Margaret Orr: Again, interesting tensions are developing about who the lead agency should be for that. The view of education departments is that, if we say that a young person's additional support needs are better met in a college setting while they still come within school-age provision, the responsibility for providing the additional care should lie with the school. There are two reasons for that. First, the disabled young person should not be passed on to somebody else if they have a high degree of need for intimate care or physical management. That should be a continuity factor. It is not enough to say that there is a team of people waiting in the college or wherever. That is a duty and a responsibility for the school.

Equally, the young person could transfer on a longer term, full-time basis to college, so there is a training issue for colleges, which must ensure that they have appropriate staff. That has certainly been one of the focuses of our discussions with colleges. One of the implications of the Education (Additional Support for Learning Needs) (Scotland) Act 2004 will be that we must reappraise at the age of 16 whether school is still the best place for a young person's educational needs to be met, or whether they should move on permanently to adult services. That will be an interesting challenge to monitor as we go through. Currently, if a young person is on a school's roll, the school and the local authority should be responsible for providing additionality. However, there is also a need for colleges to develop further their own skills and capacity in that area.

Marlyn Glen: Can you summarise the role that local authorities play in supporting disabled people in the transition from school to further or higher education?

Margaret Orr: Approaches range from fair to good. Some local authorities are very supportive of individuals but in other areas there is not the same commitment. We must guard against casual relationships between schools and colleges, particularly in relation to young people with disabilities. There is a big challenge to do with planning and ensuring that people have a shared responsibility to meet a young person's educational needs, to which we can best rise by using illustrative examples in partnership.

All local authorities must consider their functions in relation to the ASL legislation and their partnership role with local further education colleges. Work is in process and there are pockets of good activity, but it is difficult to provide a systematic overview, especially given that some young people are educated in one authority area but resident in another, which presents an interesting challenge. There must be additionality of resourcing to ensure that communication takes place. There is a great will to rise to the challenge—nobody suggests that it should not be done—but the target remains to be achieved.

Marlyn Glen: What do the witnesses think of the suggestion that was made to the committee that a local authority officer should have key responsibility for careers advice and transition support to disabled people?

Margaret Orr: My view on that is similar to my view on the one-stop shop. We have a careers service and we must strike a balance: do we insist that disabled people go through only one portal, or should the entire careers service be inclusionist and able to address the needs of disabled people? The suggestion would not get my vote. It would be better to have mainstreamed services that were much more alert to the needs of disabled people.

We have touched on differential need, but if the approach that has been suggested was taken would every young wheelchair user or autistic person have to use a separate service, even though they might not need to do so? The careers service should intrinsically include opportunities for disabled people to access what they need.

Marlyn Glen: I suppose that we are talking about people's expectations and trying to strike a balance between an ideal and what is available on the ground.

Margaret Orr: Many disabled young people have advocates, particularly if they have a co-ordinated support plan under the 2004 act, as do many young people with complex needs. Advocacy operates almost as a one-door approach for such young people and is potentially more important for them than is a service per se.

Alex Davidson: There are different models in Scotland. South Lanarkshire Council's social work department has dedicated a worker to transition, because I thought that our approach lacked sharpness. We also invested in independent advocacy for people with complex needs through the profound and multiple impairment service.

Support arrangements for people in college vary across Scotland. I am not convinced that the "Partnership Matters" document helps us, because it dodges the responsibility setting. It is all very well to say, "We have a partnership locally", but where will the money come from? If social work is left to resource such work, the focus is taken away from personalisation and people's choices about their education as opposed to their social care. We need to resource the approach better.

We front load some colleges. I deal with six FE colleges and I put money into some of them to provide support. The approach works reasonably well, but frankly I have never been convinced that that is our role. I deal with colleges in Glasgow and North Lanarkshire, so there are cross-boundary issues. The area is fraught with difficulty and a clearer line on where responsibility lies for education and training would help us.

Margaret Orr: I support Alex Davidson's view in relation to young people of the statutory school leaving age. My comments were more to do with the legal responsibilities of education departments.

Marlyn Glen: I will come back to "Partnership Matters".

The committee heard concerns from students and college staff that colleges are at risk of becoming the new day centres. How do you work with colleges to ensure that programmes are put in place that will develop young people and offer them proper outcomes?

Alex Davidson: I have been known to refer to some colleges as day centres. To be frank, that is the impression that is formed from visiting them. We must put that in context. We have been examining how we provide personal plans against the backdrop that colleges are geared up to provide group solutions. In a sense, the driver is the way in which colleges are funded. College tutors need a minimum of eight people for their purposes. Occasionally, we are forced into putting square pegs in round holes.

I mentioned students who do college courses again and again. One answer to that is more focused planning on their needs, so that they are not forced into that cycle. They need to do something that reflects their personal growth and development needs, enables them to move towards independence when that is possible and reflects more rigorously their aspirations to employment.

We all need to grow the services that we deliver, to be frank. As I said, we also need a clearer aspiration for how we place responsibilities, because I am not sure whether a social worker is the best person to devise an educational package for somebody. People elsewhere in the system are better placed to do that. We need clarity about where responsibility lies and the money to back that and make it work for people. Direct payments that give people much more choice about advocacy and support to make choices for themselves are one way round some of the difficulties.

Michael Evans: Many local authorities that deliver employment services are concerned about the long time that young people are at college and what they are doing there. In the past fortnight, I have met nine young people who were leaving a local college. On average, each had been there for four to five years. Most of them had work experience, but that started only three months ago and was not to lead to a formal vocational qualification. That reinforced the concern that young people—especially people with learning disabilities—are spending an awful lot of time at college.

The Convener: Were they all doing the same course?

Michael Evans: They were all on the same course.

Marlyn Glen: What you say is obviously a big concern.

How are local authorities working to implement "Lifelong Partners"? How effective is that policy?

Alex Davidson: I have not been particularly close to the policy, which involves education services more. However, it fits with much of the work that we do with further education colleges—people in social work do not just stand aside. Further education colleges are important players in our game: they bring resources and different practices to the table. Much of our supported employment training activity is based around college support as much as local authority support.

Such partnership documents help. We work with six FE colleges across the piece. We have tried to get them all round the table to draw on their strengths. They are different and bring different activities to the table, and they are stronger than us on some areas of practice. That is about modelling. As a manager of adult services, I can say that what affects us at transitions is being able to give a shape to what the future looks like for young people. That involves saying what the options are for young people who are coming through school with a much clearer focus on what they might do and what will enable them to grow rather than just to stay as they are and fall into the trap of being someone who is in a day centre for ever.

12:45

Margaret Orr: The "Lifelong Partners" document provided a useful framework that reinforced some current practice and gave pointers towards good practice. The solutions will be found locally. Alex Davidson is negotiating with six FE colleges, as will the education department. Glasgow has slightly more colleges. The colleges are developing differentials not in expertise, but in the fact that they are comfortable with different ranges of working and offer different courses. That is a positive way forward.

Some grey areas still lie in relation to children who should still be at school but who are at college. To some extent, they are an attractive proposition to colleges but, at the same time—a comment was made about colleges being day centres—we are sometimes challenged by adult college students who say that they did not know that they would be sharing a classroom with young people. We talk about keeping young people in discrete groups, but sometimes that filter does not occur.

That area, which is quite challenging, requires on-going monitoring. If a college is better suited to meet the learning needs of a young person of 14, 15 or 16, perhaps that will be addressed as the curriculum for excellence develops and as schools have greater power to be more flexible in the curriculum models that they use. Many young people engage well with college because there is a different ethos there and people show a different attitude towards them, whether or not they are disabled. Young people mature at different rates and they need different ways of supporting themselves.

I do not think that "Lifelong Partners" has provided any surprises, but it is a helpful framework and illustrates some good practice across the country. It is about the transition that we are all looking for, and we are all trying to find our feet around how we provide that continuum.

Marlyn Glen: How are local authorities working to implement "Partnership Matters"? What are your thoughts on the effectiveness of that policy? Have you already started that, Alex?

Alex Davidson: To rehearse what I have said, I am not sure that it helps us much. I do not think that it locates responsibilities well, and the budget issue—who will pay for it—remains for us.

Much of what is in the document reflects current practice. It is about the joining up that we have done around the colleges—what they are doing, what we can do together and the needs that I bring from the people whom I work with in the local authority. It is about where that fits around the bigger issues from "The same as you?" and the Mental Health (Care and Treatment) (Scotland) Act 2003. For me, the challenges around "Partnership Matters" are redesign and how we can move away from traditional services in big day centres that warehouse people instead of allowing them to get a life.

The work that we have done has been about refining the college courses and drawing together the colleges in partnership to do stuff around training for employment, supported employment and so on. In a way, that reflects where we are. We need to take the next step, which is to ask whether we can make that sharper, more focused and better for us all in order to have a sense of where we are going.

The Convener: Thank you very much. We have asked lots of questions and I am aware that we have had you sitting there since 10 o'clock. Is there anything that we have missed but which you feel should be included in a report that deals with removing the barriers that disabled people in Scotland face around education and lifelong learning, work and employment? Is there anything that we have not asked?

Jon Harris: Not that you have not asked. A lot of getting this right is about better collaborative working across the professions and institutions. The legislation is designed in terms of each sector, and there is still an issue about measuring performance. We look at sharing priorities, accountability and performance more than we did. The Local Government in Scotland Act 2003 places requirements on community planning partnerships to report at a collaborative level. That has perhaps not had as much attention as other aspects.

Alex Davidson: I make a plea that the focus be not on disability, but on ability. It should be about looking at people's strengths rather than their disability. We can all have disabilities: that is the thinking behind the Adults with Incapacity (Scotland) Act 2000. People are not necessarily unable to make decisions all the time, but there might be certain areas of their life in which they cannot. That ethos—that focus on ability—will help to drive the change that we need in some services.

Michael Evans: Many complicated and practical solutions are available to deliver better quality employment services for people with disabilities. Local authorities should be at the heart of that.

The Convener: Thank you very much for your evidence. It has been a good and useful session.

Meeting closed at 12:49.

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

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

The deadline for corrections to this edition is:

Tuesday 6 June 2006

PRICES AND SUBSCRIPTION RATES

OFFICIAL REPORT daily editions

Single copies: £5.00
Meetings of the Parliament annual subscriptions: £350.00

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

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75
Annual subscriptions: £150.00

Standing orders will be accepted at Document Supply.

Published in Edinburgh by Astron and available from:

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

Blackwell's Bookshops:
243-244 High Holborn
London WC 1 7DZ
Tel 020 7831 9501

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

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

Telephone orders and inquiries
0131 622 8283 or
0131 622 8258

Fax orders
0131 557 8149

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

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

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

sp.info@scottish.parliament.uk

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers

Printed in Scotland by Astron