

# **MEETING OF THE PARLIAMENT**

Wednesday 14 February 2001  
(*Afternoon*)

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## Scottish Parliament

*Wednesday 14 February 2001*

*(Afternoon)*

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

### Time for Reflection

**The Presiding Officer (Sir David Steel):** To lead our time for reflection we welcome Rev Elizabeth Wardlaw, minister of Hermitage United Free Church in Leith.

**Councillor Rev Elizabeth J Wardlaw (Minister of Hermitage United Free Church, Leith):** When I received Sir David's invitation to lead time for reflection on 14 February, I thought, "St Valentine's day? Well, the theme must be love."

As I got down to preparation, I thought, "Love? Among politicians? When debating is often a game of scoring points and winning the argument and sometimes leads to shouting matches?"—though never here. "Oh dear me! Where is the love?"

There are our constituents, too. They can be difficult, awkward, demanding and time-consuming—they are never pleased. Where is the love?

Then there is the constant volume and pressure of work, the people to see, to phone and to write to, the meetings to attend, surgeries to hold, visits to make, meetings to address, family to look after and so on. Where is the love?

Well, there is the love and the loyalty of family and friends who put up with us, make us a meal, smile and help us in their own kindly way. There are also the letters of thanks that we receive, the improvements for which we have fought for years and which at last are accepted—the motion is passed and even the Opposition shares the joy. That keeps us going.

Throughout the ages, literature has had much to teach us about love. For our meditation on love, the Bible contains a great deal to help and inspire us.

Here are just two passages. In the first, Paul writes in his first letter to the Corinthians, chapter 13, verse 1 and verses 4 to 7:

"I may be able to speak the languages of men and even of angels, but if I have no love, my speech is no more than a noisy gong or a clanging bell.

Love is patient and kind; it is not jealous, or conceited or proud; love is not ill-mannered or selfish or irritable; love

does not keep a record of wrongs; love is not happy with evil, but is happy with the truth; love never gives up; and its faith, hope and patience never fail."

The second passage is from the first letter of John, chapter 4, verses 7 to 12:

"Dear friends, let us love one another, because love comes from God. Whoever loves is a child of God and knows God. Whoever does not love does not know God, for God is love. And God showed his love for us by sending his only Son into the world, so that we might have life through him. This is what love is: it is not that we have loved God, but that he loved us and sent his Son to be the means by which our sins are forgiven.

Dear friends, if this is how God loved us, then we should love one another. No one has ever seen God, but if we love one another, God lives in union with us, and his love is made perfect in us."

Let our prayer be:

Thank you God for your love of each one of us. Help us to share that love with all whom we meet .

We pray through Jesus Christ our Saviour.

Amen.

## Teaching Profession

**The Presiding Officer (Sir David Steel):** We now have a statement by Mr Jack McConnell on the teaching profession for the 21<sup>st</sup> century. The minister will take questions at the end of his statement, so there should be no interventions during it.

14:35

**The Minister for Education, Europe and External Affairs (Mr Jack McConnell):** I have not spent many Valentine's days in the past 20 years with either Mike Russell or Brian Monteith, but I am grateful for the opportunity to report to Parliament on the agreement that the Executive has reached on a pay and conditions package for teachers that will bring stability to Scottish education for the first time in a generation.

On 10 January, I reported to Parliament on the progress that we were making in finalising the agreement. On 12 January the implementation group, which we established to take forward the discussion on the recommendations from the McCrone report, endorsed the final agreement. That endorsement was from the employers, the teacher organisations and the Scottish Executive. Those bodies were equal partners, bringing together their expertise and experience to realise a shared commitment to addressing the problems of the past and building a new approach.

I am pleased to inform the Parliament that the agreement has been endorsed by more than 80 per cent of Scotland's teachers. That is an historic achievement—an agreement that has been put together through discussion, agreed by consensus and endorsed through the democratic process.

In the agreement we have recognised and rewarded each teacher for the professional skills that they bring to the classroom and to the school. We have won a contractual commitment to an additional 35 hours each year from every teacher to develop those skills and the knowledge required to keep pace with the demands made of them throughout their teaching career.

We have created a new opportunity, based on the achievement of additional qualifications, for classroom teachers to make progress in their careers by staying in the classroom and applying their skills to the educational achievement of Scotland's children.

We have introduced a guaranteed training place for every teacher leaving college—offering the practical experience of the classroom combined with the continued development of professional skills—with teacher-led mentoring support and a

salary that recognises the value that we place on the commitment made to a teaching career.

We have put in place the resources to bring additional professional support staff into our schools to relieve teachers of the burden of bureaucracy and give them back the time to teach.

We have created a new system of local negotiation and discussion, which recognises the legitimate role of local authorities as the managers of education and the responsibility of leadership that we expect in our senior teachers.

Those achievements have built on the recommendations of the McCrone report. I take the opportunity to express my gratitude to Professor McCrone, and his colleagues on the committee, for such a far-sighted report. We have been able to build on its recommendations and take them forward to a new stage.

In return for the significant changes in teachers' conditions, we have agreed new salary levels which, over three years, will provide an average increase of 21.5 per cent for every teacher. The new salary levels build in the increase that McCrone said was necessary to achieve comparability with other professionals. They also include the increase for each of the three years, which would otherwise have been the subject of debate—and possibly dispute—in the annual negotiations. In doing that we have ended the feast or famine approach to teachers' pay that has marred recent years, and we have secured a period of genuine stability in our classrooms. That stability will allow teachers to concentrate on the job that they do well. We need that stability to allow our young people to learn and grow.

We said at the outset that we needed to achieve an agreement that would mark significant change in the culture of education and the daily atmosphere in our classrooms. We needed change in a culture and an atmosphere which, for a generation, has been characterised by suspicion, mistrust and entrenchment. The Executive promised that it would make every effort, put in all the time and commit all the energy necessary to achieve that change. With the agreement, we have delivered on that promise.

Ministers promised that if we could secure the necessary level of change, we would commit the necessary resources. We said that we would fund the additional costs that arose from implementing the final agreement. The Executive made a commitment that local authorities would not be asked to do any more than they already do in supporting school education. We have delivered on that promise.

Ministers made a commitment to reach an agreement that would put the teacher at the centre of education and the pupil at the heart of teaching.

We have delivered on that commitment.

We made a commitment to real learning in our schools which every parent, every teacher and every pupil knows is won through the hard work of teacher and student. That critical relationship opens the doors of learning to all our children and gives them entry to a world of achievement, growth and ambition.

Opening the doors of learning is the single most important means by which we can end injustice and exclusion. Securing the agreement represents a major step forward in meeting the commitment to social justice that lies at the heart of the Executive's commitment to the prosperity of Scotland.

We have completed that part of our task. The agreement that we have secured offers us a unique opportunity to redress the damage of the past, to recognise and reward teachers for their professional skills, and to build relationships now and for the future that restore stability and excellence to our schools. However, the opportunity presented to us must be seized by all those involved: the local authority employers, the teacher organisations and the Parliament.

My commitment goes beyond securing the agreement. I will now host a series of bilateral meetings with those involved to agree with them the practical steps that we must take to bring the value of the agreement into every classroom in the country.

Ministers have committed significant time and resources to supporting the creation of a quality-based system of professional development for teachers. With the deputy minister, Nicol Stephen, I will drive that work forward through the national strategy committee that brings together the experience and expertise of teachers, private and public sector employers, the General Teaching Council for Scotland, management academics and practitioners from other non-teaching professions.

The Executive has already agreed to work with the Convention of Scottish Local Authorities and the teacher organisations to conduct an audit of bureaucracy, which will be based in the school and seen through the eyes of the teacher. Today I am pleased to announce that my department will take another significant step to reduce the bureaucratic and administrative burdens that teachers face. We will set up a gatekeeper unit to co-ordinate all our administrative and information requests to local authorities and schools and eliminate unnecessary demands and duplication. That practical step will make good my commitment that the system should support learning in our schools, instead of having a relationship where our schools are expected to support the system. That is not the end of the process; it is only a beginning.

Through the agreement we have the opportunity to secure modernisation for school education. We must seize that opportunity.

The agreement includes a clear timetable for implementation and identifies a list of key tasks. I will set out some of the early action that we are taking to ensure that the timetable is delivered. I will now move to set up formally the new tripartite negotiating machinery for teachers. By the end of February, I will announce a date for the inaugural meeting and for the formal winding-up of the Scottish Joint Negotiating Committee. The new local negotiating machinery will be in place by April 2002.

The new negotiating body will be charged with a number of critical tasks, including ensuring that arrangements are in place to secure the start of the new, simplified career structure for teachers by August 2002. The new probation arrangements will come into play at the same time.

At the heart of the agreement is our recognition of the critical role of the teaching profession, which is based on high standards of skill and from which we rightly expect high standards of achievement. We have committed the necessary resources to value and reward the profession. We will also secure a national standard of competency that recognises quality in the profession, addresses the problems of those who are not able to meet the profession's standards, and offers the guarantee that parents—and pupils—deserve on the quality of education that they expect from our schools. We will have completed that task by the end of March and, with our partners in the new national negotiating body, we will work on its implementation from April.

We have agreed to undertake a review of initial teacher education, which I intend to implement in two stages. The first stage will be an analysis of the short-term action that can be taken. The second stage will be a more fundamental review to ensure that initial teacher education meets the needs of teachers now and in future. Work on the first stage is already under way and I expect to receive an action plan by the end of the summer.

We are committed to recruiting significant numbers of new teachers in the coming years. I have instructed new work on publicity for teacher recruitment that takes account of students' and returners' perceptions of the profession. Based on that work, the Executive will launch a new recruitment campaign in April.

I have established a task force on handling discipline, which will report in June, and a review group to consider ways of improving devolved school management which will report in May. Those specific proposals for progressing some of the agenda for action that arises from the

agreement are only examples. There is a huge agenda ahead of us—nothing less than the reinvigoration of Scottish school education.

The agreement marks a turning point: a turning away from division and conflict towards constructive partnerships, a turning away from insecurity and resistance towards a positive approach to change and a turning away from short-term initiatives to a strategic approach that builds the future.

In conclusion, I congratulate Scotland's teachers and local councils on their support for the agreement. It is the best opportunity that we have had in a generation to secure a world-class future for Scotland's schools. That prize was worth fighting for and will enhance opportunity for generations to come. Together, I am sure that we can achieve that future.

**Michael Russell (South of Scotland) (SNP):** I welcome the minister's statement. The SNP agrees with substantial parts of it, and welcomes the fact that over 80 per cent of the teachers have endorsed the agreement. That is immensely encouraging.

Taking the Valentine's day theme further, this should have been a day on which we could have recited the rhyme, "Roses are red, violets are blue; Jack loves the teachers and they love him too." Unfortunately, it is not. I ask Mr McConnell to say whether he will distance himself from the front page of *The Scotsman* today, which says:

"McConnell: bad teachers have to go".

By substituting the name with Wilson, Liddell or Galbraith, that headline would have read the same over the past two years. In his statement, the minister said that he is seeking a change

"in a culture and an atmosphere which, for a generation, has been characterised by suspicion, mistrust and entrenchment."

I am sure that he wants that change, and I wonder how the approach reported by *The Scotsman* contributes to it.

The SNP welcomes the reduction of bureaucracy, but does the minister believe that increasing bureaucracy will achieve that? There are three reviews, a couple of studies and a gatekeeper unit in his statement. Would it not be better to reduce bureaucracy by reducing the burden on schools and young people of assessment, targeting and the publication of league tables? Those are matters that we will have the chance to debate tomorrow. For most classroom teachers, the reduction of that burden would make a huge contribution to the reduction of bureaucracy.

**Mr McConnell:** There are two questions there.

It would be wrong to try to create a new culture in Scottish education by proceeding with actions that did not involve people with expertise coming together to agree the way in which we should implement the agreement. The reviews and studies that I mentioned were agreed by all the parties in the implementation group and they are the right way forward. It is correct for us to consider initial teacher education and the way forward on professional development. We should proceed in partnership in all areas—the Scottish Qualifications Authority, for example—not just with teachers, but with parents, pupils, academics and others who have experience in the field of academic teaching qualifications. That would be a good way forward, and it is already working in practice.

I look forward to debating those mystery league tables and issues of assessment and targeting with Mr Russell tomorrow morning. I hope that his comments today will not lead to an overly negative debate tomorrow, as there is much that we can debate positively. I stress that we are absolutely committed to reducing the burden of bureaucracy in Scotland's classrooms. It will happen. The bureaucracy audit will make it happen in the schools and the gatekeeper unit will make it happen in the education department.

It is clear from the interview in the organ that carries the headline to which Mr Russell refers that I am not interested in vendettas against individual teachers or groups of teachers. The vast majority of Scotland's teachers are doing an excellent job. Many of those who are finding it hard to cope could cope much better with help and support and the sort of professional development that the agreement puts in place.

There may be some teachers who cannot cope in the longer term. They should be helped out of the classroom. There should be no vendettas, but there should be clear professional standards. Such standards exist in every other profession and they will now exist in teaching. That is good for Scotland's pupils.

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** I thank the minister for making the text of his statement available in advance. Before I knock back his amorous advances, let me congratulate Labour's fourth education minister in three years on achieving what his predecessors failed to do—establishing a satisfactory deal on pay and conditions for teachers.

I welcome the improvements in teachers' pay. As the minister knows, the Conservative party believed that the negotiating machinery was failing Scotland's teachers and, consequently, Scotland's pupils. We wished that to be changed. I welcome the action to reduce bureaucracy and I welcome the task force on discipline.



I could welcome many other aspects of the statement but, before I succumb to the minister's overtures, I must ask him some questions that concern us all. First, will any of the funding for the pay deal come from the excellence fund? That fund was set up to help with literacy and numeracy in some of the most disadvantaged schools. If it is to be robbed, does that not mean that there will be less early intervention and less help for those who need it? Where is the social justice in that?

Secondly, the minister talked about chartered teacher status. It appears from the settlement that there will be no assessment for that status—teachers will simply have to attend professional development courses. Can the minister offer some reassurances on assessment? He talked about a national standard of competence, but is that not what registration with the General Teaching Council should be about? Would not the proposed chartered teacher status be a chance to provide for real assessment and thus enhance professionalism? If good teachers receive the same pay as bad teachers, where is the social justice for our pupils and our competent teachers?

On the new negotiating machinery, can the minister tell me how his tripartite system will work if Glasgow City Council, South Lanarkshire Council and other local authorities are no longer members of the Convention of Scottish Local Authorities? Taxpayers in those areas will be unrepresented. Where is the social justice in that?

**Mr McConnell:** The final point is a matter for the Convention of Scottish Local Authorities, but the other points are important.

No money will be taken from the excellence fund to pay for increases in teachers' pay. We have produced a pay and conditions agreement. The conditions include improvement in professional development, in teacher education and in the number of support staff in schools. The excellence fund will continue to be used for those purposes. There will be no transfer of resources away from those key priorities into teachers' pay. The Executive has made additional resources available for teachers' pay and we stand by that commitment.

I welcome Mr Monteith's conversion to the need to target resources at those who require a better start in life. Clearly, the consensus that we are building in Scottish education is wide-reaching. I say to him, however, that I am not interested in a system that pays good teachers well and bad teachers badly. That is not the purpose of what we seek to achieve. Neither do we want the annual development work to be done only with those who have chartered teacher status. The systems that will operate through the agreement will operate for all Scotland's teachers—primary, secondary and special needs—all of whom are equal in value and

to all of whom the expectations in the agreement apply equally. Every teacher should be paid on the same scale. If teachers cannot cope, the solution is not to cut their wages, but to help them through retraining or to find them another place in the world.

**Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** I, too, welcome the statement and congratulate Jack McConnell and Nicol Stephen on bringing it to the chamber today. I thank them for personal reasons because, when the review was announced, I had a rush of blood to the head and said that, if an agreement could not be reached with the teachers, I was getting out of the Scottish Parliament fast. I am delighted that I can stay.

I welcome the tone of the statement and, like Brian Monteith, I welcome many of the details. Above all, I welcome the teachers' vote. Without carrying the teachers with us, the package could not work. That is what was wrong with the millennium review. It was a dead duck, because people did not know where it was coming from.

I want to make two points. First, the settlement is not an instant, quick-fix solution. Even within the three years for implementation, much consultation and work require to be done at national, local authority and school levels. Suspicion, mistrust and resentment do not disappear overnight. Issues include negotiations about the way in which the 35-hour week is organised, sensitivities about job sizing and a change of culture to move to collaborative working. Above all, the importance of making the training—

**Michael Russell:** This is a speech. Where is the question?

**Ian Jenkins:** Right. I want to ensure that the quality of training and the professional development courses are of the correct standard.

Secondly, the agreement must not to be a one-off solution. I remember the Main and Houghton reports, after which good awards were secured, but things were left to wither on the vine.

**Michael Russell:** Come on!

**Ian Jenkins:** McCrone must signal an on-going—

**The Presiding Officer:** Order. Just a minute please, Mr Jenkins. Mr Russell is anxious to hear a question; I share his enthusiasm.

**Ian Jenkins:** I am asking whether the minister agrees that McCrone should signal an on-going process of engagement with teachers—not just for this year and next year—and a process of partnership, in which conditions of service continue to be reviewed and salaries are maintained at an appropriate level.

**Mr Lloyd Quinan (West of Scotland) (SNP):** Answer that.

**Mr McConnell:** I may need a while. I welcome many of Mr Jenkins's comments. I endorse what he says about the fact that much work remains to be done. This is not over—it is simply the beginning of a new era in Scottish education. We want to ensure that the professional development that is in place for every teacher in Scotland, and the training that is in place for those who wish to join the profession and rebuild their skills inside the profession or who want to return into the profession, are of a sufficiently high quality.

We also want to ensure—through the tripartite negotiating machinery and through the involvement of those who hold the purse-strings and those who negotiated in the past—that we end the feast-and-famine approach to teachers' pay and conditions. I think that we can achieve that, but we will need good will and hard work to do so.

**The Presiding Officer:** I remind members that the party spokesmen are allowed to comment on the statement. The same applies to the Education, Culture and Sport Committee convener, whom I now call.

**Karen Gillon (Clydesdale) (Lab):** I welcome the minister's statement and thank him for keeping me—on behalf of the Education, Culture and Sport Committee—informed of developments.

I particularly welcome the review of initial teacher training. That issue has been raised frequently with the committee during all its visits; the part of the McCrone settlement that deals with it is very welcome. I ask the minister to keep the committee informed of developments in that area in particular and to let us have sight of the action plan when it becomes available.

I welcome the additional classroom support. That has started to pay dividends for some of the most vulnerable pupils. The support provided to staff is most important. Any move to enhance it is therefore welcome.

I welcome the minister's comments on teachers who are not performing as well as they could be and what he said about the support that will be given to them, either for staying in the classroom or, if necessary, in leaving the classroom. We must expect and demand the best for our children, which involves the teaching staff who work with them. We expect the best of all other professions; teachers should be no different. That is a small but important part of the package.

Can the minister clarify the position on the financial package? Will he assure us that there will be no additional financial burden on local authorities, particularly in years 3 and 4 of the

settlement? There is concern among some authorities that that might be the case.

**Mr McConnell:** Since the McCrone report was published, we have made it clear in writing that the local authorities will not be expected to make any contribution from their budgets beyond what they would normally have been expected to make. We have stood by that commitment and believe that it can work in practice.

We will certainly keep the Education, Culture and Sport Committee informed of developments. The development of support staff in secondary schools is important, although we have to treat it with sensitivity and get it right. There is no doubt that support staff are making a real difference in Scotland's primary schools. They can also make a difference in secondary schools, although, given the nature of the timetable, the arrangements there are slightly more complicated. We are committed to the development of support staff in secondary schools in due course. I hope that we will have the committee's support for that.

**Dennis Canavan (Falkirk West):** On the subject of today's headline in *The Scotsman* about sacking teachers, will the minister promise not to follow the bad example of David Blunkett and Nellie Liddell, who seem to go out of their way to provoke teachers by threatening them with the sack?

In view of the importance of school sport, which has never really recovered from the teachers' dispute that the Tories provoked in the 1980s, will the minister encourage local education authorities and schools to implement the McCrone proposals in such a way that teachers are given incentives to spend time on school sports and other important activities that contribute to the wider life of the school?

**Mr McConnell:** I am certainly keen that school sport—both sport on the curriculum and the extra-curricular activities that are so important in Scotland's best schools in a wide range of communities—should be extended. I hope that the agreement, along with our other policies, will not only give us a framework for improving extra-curricular activities, but create the environment in which teachers participate enthusiastically, with or without incentives.

I again make two things clear. I am not interested in a campaign to sack teachers across Scotland. That would be nonsense and we should avoid such a culture. I am also not interested in letting down any pupils across Scotland. We need to get the balance right between setting professional standards—and helping teachers to reach those standards—and ensuring that there is appropriate intervention to secure the education of any pupils who are affected by the quality of

teaching. I will seek to achieve the right balance in my actions and in future headlines.

**Bill Butler (Glasgow Anniesland) (Lab):** I whole-heartedly welcome the minister's statement and the result of the ballot of my trade union colleagues—it is good news for Scotland's teachers, pupils and education generally.

Will the minister confirm that the new chartered teacher grade will keep more experienced teachers in the classroom, which is always a plus, and that, because the grade is attained by qualification, it will end the fear of patronage by authority or head teacher?

**Mr McConnell:** The chartered teacher grade will have authority because it is attained by qualification. That partly addresses the point that Mr Monteith made. It is important that there is consistency in the new grade across Scotland and that people should achieve something in reaching it. It is also important that the agreement has been reached through consensus, on the basis of the large majority in the ballot.

I hope that the creation of the chartered teacher grade will allow teachers who are excellent in the classroom and want to stay there to help pupils and other teachers—who may be younger or may be struggling to cope—to do so. Such teachers can achieve the chartered teacher status and perhaps be more successful than they would be under the regime of promoted posts and senior teachers, which has not worked well over the past 15 years.

**Irene McGugan (North-East Scotland) (SNP):** The significant number of teachers that will be recruited in the next few years and the review of initial teacher education have been mentioned. I will ask about two groups of teachers. First, given that mainstreaming is costly, will the minister confirm that there is capacity in the funding package not only for the recruitment of additional teachers of children with special educational needs, but for the training needs of such teachers? Secondly, will the specific training and professional development that are required in Roman Catholic schools be accommodated meaningfully in the proposals?

**Mr McConnell:** I am sure that the additional teachers whom we will require as a result of the agreement can be accommodated by the funding package accompanying the agreement. The exact details of how that package will deliver and what teachers will be required in what areas will be a process of national and local negotiation through the new negotiating committees. The partnership that has developed in recent months will deliver the rational approach for which I think Irene McGugan is calling. I am sure that that partnership will succeed when the local negotiating

committees and the national framework are put in place.

**Bristow Muldoon (Livingston) (Lab):** I warmly welcome the overwhelming endorsement given by the teachers to the pay deal—I suspect that my welcome is warmer than that of Mike Russell. I congratulate all the parties involved in negotiating the deal: the Executive, the trade unions and the local authorities.

The minister said that a new recruitment campaign will be launched in April. Is he confident that that campaign and the associated pay deal will address some of the staff shortages that have existed in key disciplines?

**Mr McConnell:** I do not want to be over-confident or to underestimate the challenges that we face, particularly in certain subject areas. We must be honest about those challenges. However, the package will be valuable in attracting new students and others into the profession over the months ahead, not just because of the resources but because of the value that it puts on the profession. The recruitment campaign that is to be launched in April will be carefully designed to attract the sort of people who, 20 years ago, would have considered teaching as a profession but who, in the past decade, were put off by the culture that developed during the past 20 years.

**David Mundell (South of Scotland) (Con):** Following on from that response, will the minister address concerns about the possible lack of flexibility in the package? In particular, there may be insufficient flexibility to attract teachers into those subject areas, such as mathematics, where shortages have been identified or into certain geographic areas. For example, it is becoming difficult to attract teachers to Stranraer in my South of Scotland region. Is the minister certain that the package is flexible enough, in comparison with the system of golden hellos that is to be introduced in England?

**Mr McConnell:** We will see the benefits of devolution both in Westminster and in Scotland as education policies develop north and south of the border and as we tailor them to meet the needs of the systems in England and Scotland. That is a good thing.

Some aspects of our agreement on teachers' pay and conditions will appear to be more generous than the English agreement. However, some aspects of the English agreement are more generous than the Scottish agreement, such as those that rightly target the parts of the profession that require support in recruitment and retention of staff. That is a good thing, but we must continue to develop Scottish solutions for the Scottish system.

The package includes some flexibility, but it is a package of national conditions of service, which is

the right way ahead for Scotland, given the size of the country and the system that is in place. I hope that the package will work in practice.

**Robin Harper (Lothians) (Green):** Like Bill Butler, I welcome the 80 per cent approval for the package that was given by the Educational Institute of Scotland.

Does the minister agree that the new pay deal for teachers may prove to be a considerable attraction for people who are employed as lecturers in our colleges and universities?

**Mr McConnell:** It might, but those people would have to register with the General Teaching Council for Scotland before they could enjoy the benefits of the new package.

**Mr John McAllion (Dundee East) (Lab):** As an ex-teacher—I was once the only teacher in my school on strike for higher wages—I warmly welcome the 21 per cent increase that the minister announced. For too long, teachers have been undervalued in Scottish society.

I hear and welcome the minister's comment that there will be no vendettas against teachers. Will he advise the chamber exactly what mechanisms will be put in place to prevent the use of national standards of competence to witch-hunt out of their jobs teachers whose faces do not fit or whose ideas may lead them to clash with those in authority directly above them?

**Mr McConnell:** As I said in my statement, the exact mechanisms will be discussed over the weeks leading to 31 March. During that period, we will secure and deliver a new system through the new negotiating machinery. That is the right and proper way of developing that system.

I would certainly insist that the new system for teachers should include the same sort of appeals mechanism that exists for other public sector employees. However, the details of that system should be thrashed out in the negotiations and discussions rather than in the chamber.

I am pleased to hear that John McAllion did not start his one-man protests in the new century. I hope that his past protest was more successful than some of his more recent efforts.

**Donald Gorrie (Central Scotland) (LD):** The minister's commitment to co-operating with teachers is welcome and contrasts with the attitude of some previous regimes, which have seen the teachers as a sort of malign force somehow to be kept in line.

Will the minister develop his co-operation with the teachers by discussing with the teacher unions and the councils the possibility of enabling teachers in promoted positions to change to unpromoted positions? Teachers could perhaps

work part time but continue in the classroom without loss of pension rights, for example. As they reach the end of their careers, many teachers would like to continue teaching for a while, but they do not like the stress. They could, however, make a very good contribution in the classroom if things were adjusted so that they were able to make such a contribution.

**Mr McConnell:** John McAllion on one side of me and Donald Gorrie on the other is a Scottish Parliament double whammy.

I am pleased to confirm that the agreement includes a winding-down scheme, which will allow teachers who are nearing the end of their careers to continue to contribute in their schools. Perhaps those teachers could help younger teachers and others with classroom management as well as ensure that pupils have the benefits of their expertise and knowledge. Such a scheme is right and proper.

I have never been comfortable with a system in which teachers either had to stay on—sometimes struggle on—in the classroom in their later years or take early retirement, which is costly to the public purse. The agreement is a good way forward on that issue and I am pleased to see the agreement in place.

**Mrs Margaret Ewing (Moray) (SNP):** As the minister, Dennis Canavan and I share the distinction of having worked as teachers for the same local authority, perhaps I should declare an interest.

I welcome the general thrust of the minister's statement and believe that the security of teachers and the recognition of their professionalism are paramount. May I therefore ask the minister to ensure that, in recognising the importance of teachers' professionalism, we will have no repeat of last year's Scottish Qualifications Authority fiasco, which certainly undermined the confidence of the teaching profession? If we want to ensure that we have professional team working, teachers must be given reassurances now, as part of this package.

**Mr McConnell:** That reassurance is important for teachers. I think that Mrs Ewing is aware of the hard work that is being done in many areas. I am grateful for the fact that, as we try to ensure the successful completion of this year's diet of exams and to secure again the reputation of Scotland's exam system, that work is almost always cross-party. That is important for teachers; it is also important for pupils and parents. I stress that the agreement, which has been endorsed by Scotland's teachers and local authorities, is good for teachers and professionals in the classroom, but even better for the pupils and parents of Scotland. It is a chance for a fresh start; it is a real

turning point. I hope that the Parliament can today see a way forward that will be good for the generations to come.

**Maureen Macmillan (Highlands and Islands) (Lab):** I was interested in what the minister said about attracting mature entrants to the teaching profession. That is difficult in the Highlands and Islands, where we do not have any teacher training colleges and mature entrants tend to have family commitments that make it difficult for them to leave home for teacher training. Will the minister examine how teacher training can be delivered by distance learning, perhaps through the University of the Highlands and Islands?

**Mr McConnell:** That is exactly the sort of issue that our review can look into. Following Mrs Macmillan's question, I will be happy to ensure that it does so.

## Community Care

**The Presiding Officer (Sir David Steel):** The next item of business is a debate on motion S1M-1639, in the name of Margaret Smith, on behalf of the Health and Community Care Committee, on the committee's inquiry into the delivery of community care in Scotland, and an amendment to the motion.

15:14

**Mrs Margaret Smith (Edinburgh West) (LD):** I am pleased—as convener of the Health and Community Care Committee—to lead on this debate on our report into community care. At various points during the past year, the Parliament has discussed the report as we have undertaken our inquiry. I will obviously speak in support of the motion in my name.

The committee's report has already had quite an impact inside and outside the Parliament. I believe that it has played its part in delivering improvement and change in an important policy area that we all care about.

Even after the Executive rejected the arguments for free personal care last autumn, the issue did not go away. In no small measure that was because, after a year's work and after taking evidence from all the main stakeholders, politicians of all parties unanimously signed up to the committee's report and to the implementation of free personal care. Some of us who began that investigation were at that time convinced in our hearts that the implementation of the Sutherland report was fair, good and right. It became clear over the months of investigation that it was also the best thing to do to deliver a better service. That came through in the evidence from all the stakeholders.

As well as effecting change, the work of the committee has been appreciated by people throughout Scotland. The Confederation of Scotland's Elderly wrote to me recently. They said:

"We write to record our thanks and that of all Scotland's elderly for your excellent report, which recommends the implementation in full of the Sutherland Report on long-term care for the elderly. It vividly reflects the virtues engraved on the mace - compassion, wisdom, justice and integrity - the action of this committee shines like a beacon."

I have told my mother to stop writing to me at work.

I assure members that that was written not by my mother, but by pensioners who reflect the views of pensioners throughout Scotland. Many others—pensioners, dementia sufferers, professionals and carers—have written to me

since the committee published its report and following the debates on the issue in the Parliament.

The committee worked in partnership and as a team and, as the leader of that team, I have a number of people to thank. They include the former deputy convener of the Health and Community Care Committee, who is now the Deputy Minister for Health and Community Care, Malcolm Chisholm; the committee clerks, who are Jennifer Smart, Irene Fleming and Joanna Hardy; our Scottish Parliament information centre research staff, who are Murray McVicar, Morag Brown and Murray Earle; and our two advisers, who are Professor Alison Petch and Dr Gordon Marnoch. It is most important that I thank the people from the organisations who gave evidence to the committee and those who shared their experiences with us as we visited community care projects and facilities, carers and service users throughout Scotland. Their testimonies filled us with the enthusiasm and determination that we needed to carry on with our work. Their evidence led us to call for free personal care, across the parties and unanimously, and to make recommendations that I believe will lead to better community care services. I would also like to thank Sir Stewart Sutherland personally and on behalf of the committee for the support that he has given me and the committee over the past months.

Finally, I thank my committee colleagues. What can I say about them? What am I allowed to say about them? They represent the spectrum of political backgrounds in the Parliament, not only across parties but also—from time to time—within their parties. Just as organisations' evidence was overwhelming in pointing to the need for free personal care, so the unanimity among colleagues from different political persuasions was powerful in its own way. The committee's members worked hard and well; they set aside their differences—as well as their recesses. They rolled up their sleeves, delved into a complex and emotive issue and did so with intelligence, good humour and integrity. It has been a privilege to work alongside them. Having embarrassed the committee members suitably, even those who have managed to escape from the committee, I will move on to the substantive issues.

It is unfortunate that the Executive felt the need to lodge an amendment to my motion. [MEMBERS: "Hear, hear."] The wording of the motion was given unanimous support at the committee last week and the report was unanimous. The amendment is unfortunate and unnecessary—but I believe that it is no more than that and that it should not deflect the Parliament from the course of action that it has set itself. The amendment allows us to focus on, yet again, only the single issue of free personal care. That is a shame. If the

Executive has substantive problems with any of the report's recommendations, I look forward to hearing them. It would have been helpful to have had any such problems outlined in the amendment. The amendment is also unfortunate because there is now a high degree of genuine cross-party unanimity on the issue.

The Sutherland commission's report was about more than personal care, and the Health and Community Care Committee's report is about more than the Sutherland report. I make no apologies for being one of those who, over the past year, has talked endlessly—so unlike me—about free personal care.

I make no apology for believing the evidence that we heard from the professionals, the service users and the carers. I make no apology for seeing the events of the past few weeks as good news for Scotland's elderly and for Scotland's Parliament.

I hope that today's debate will focus on some of the other strands in the community care web—believe us, it is a tangled web. Several key themes emerged during the year that we spent taking evidence; those are reflected in our report. The vast majority of the Sutherland recommendations have been accepted and are being acted on by the Executive. I would like to welcome the commitments that were made in October and again last month by Scottish ministers. In October, Susan Deacon announced substantial extra funding for community care—funding that will rise to £100 million in 2003-04. She announced that joint working—joint managing and resourcing of community care services—would be in place by 2002. She also announced measures to improve the availability of respite, aids and adaptations and additional home care and rapid response packages. All those announcements were welcomed by the committee and by members in the chamber.

In January, those announcements were followed by further commitments to joint and holistic needs assessments—as outlined in the chief nursing officer's report—and the introduction of proposals to implement free personal care for all. The Executive has set up the care development group and will consider the means with which to implement change. The time for talking is over and, as the motion says, now is the time for action.

The events of the past few months and the work of the committee and the Executive have taken us part of the way along a journey towards free personal care and, beyond that, to greater dignity for our pensioners and others. Over the next few months, the development group, the Health and Community Care Committee and the Scottish Parliament will finish the job of implementing free personal care and will complete the community

care jigsaw. Members should make no mistake—one way or another the job will be completed. The development group will produce conclusions in August to form part of a bill on long-term care. That bill will be scrutinised by the Health and Community Care Committee as well as by every member in this chamber—in which there is a majority in favour of free long-term care. If we do anything other than implement free personal care, the people of Scotland will never trust us again and they will be right in that.

It is clear to all of us who considered the issue that several key difficulties lie between us and our goal. There is a great deal of work to be done. Sutherland did not have all the answers and neither do we. As a committee, we decided unanimously against putting a timetable on our final recommendations, partly because when work has been completed on what needs to be done and how it needs to be done, we will be in a much better position to grasp when it can and must be done.

The excellent news is that, despite the amendment, the Parliament is moving forward together down that path. There is a high degree of unanimity and central to that is the belief of the Parliament that the service user is at the heart of every change in the community care system. Our report states that our

“concern has been to put the individual and their needs at the heart of the Inquiry and to explore how structures, resources and services can best be structured to respond to these needs.”

The Scottish Health Boards Network told us that

“There is still a tendency to fit people into services rather than fitting services around people.”—[*Official Report, Health and Community Care Committee*, 6 September 2000; c 1138.]

We want a system in which people are not only given fair and equitable access to quality services irrespective of where in Scotland they live, but where we can gauge the level of unmet need, from aids and adaptations to respite care. We welcome the news that the care development group will examine current service provision and identify gaps and duplications. It cannot be right that people pay different amounts for the same services in different parts of Scotland. We welcome the fact that the Executive is working with the Convention of Scottish Local Authorities to investigate such an unfair example of postcode prescribing. We also welcome the fact that the Executive will take reserved powers to issue guidance on charging for councils if necessary. Services should be supplied on the basis of need, rather than on the basis of a person's address.

The committee discovered a general view that service delivery throughout the country is distinctly patchy. That led us to call for a more systematic

national approach. We felt strongly that there is a real need for systematic change in Scotland's community care services to assist in the fair distribution of services and in their financial planning. We highlighted the needs in the areas of prevention and convalescence: the work that is done in rapid response teams to avoid hospital admission or intensive home care packages following discharge. Members were able to see such schemes around Scotland.

Those comments echo the proposals that were outlined by the Executive in October. We must remember that all the work—in the committee, the joint future group and the Executive—was being carried out at the same time. We have all been moving towards an end point, but we are taking slightly different approaches to reach the same end.

We need a work force that is properly trained. We also need services that are based on the individual. We appreciate that that will depend upon the good will and skills of our community care work force, but we believe that they will continue to rise to the challenge. We are keen to see social work service provision available round the clock, and a more holistic approach to assessment and care. We welcome the development of the role of generic care workers, who combine home and health care tasks. We are keen to see greater multidisciplinary training for all sectors of the work force. We recognise that our proposals involve the need for work force planning. Multidisciplinary team working is a fact of life, and the sooner members of staff are trained in that and take that training as a matter of course, the better for future services.

The Health and Community Care Committee also feels that there is a need for greater funding of community care in future, so we welcome the announcements on extra funding that were made in October and January by the Minister for Health and Community Care. Several submissions highlighted the fact that local authorities were failing to spend up to grant-aided expenditure on care of the elderly and community care services, with children's services being a particular drain on social work budgets.

While evidence suggested that the total sum that was being spent on community care was inadequate, it also highlighted the lack of a systematic method of calculating community care expenditure. Horrifyingly, current systems not only fail to record what is being spent on community care, but they fail to record what should be spent. The Executive's commitment to the introduction of best-value criteria should be welcomed as a step in the right direction in examining current deployment of resources. It has said that it will introduce legislation that will facilitate single

funding streams. Generally speaking, we are looking to build a new community care service in which every service is based on best-value evidence and best practice. That view is shared by the joint future group.

We felt that resource transfers lacked accountability and were a continuing source of mistrust across professional boundaries, and that further work should be done on quantifiable targets. We also highlighted some of the difficulties that face the voluntary sector in community care.

It is clear that a great deal of work must be done to break through the community care funding fog, and to allow professionals to work together in a more integrated way. Against a background of a funding imbalance between community and institutional care, we would like to see a further shift of people into the community, and to see the total funds that will result from the closure of long-stay beds being released for community care services, with joint agreements agreed prior to closure. There should be a full audit of the remaining capital resources that will be released through hospital closure. There is a need for greater funding clarity.

That is a major area for further work if we are to deliver the best use of Scotland's community care pounds. The Health and Community Care Committee calls for a full audit of funding needs and available resources, which would allow the production of a national financial framework for community care services. I am pleased that the Executive's response to the committee's report agrees that that is the way forward. The delivery of community care services should be a national priority, and the Executive should signal that through the production of a national service framework for community care services, which should be monitored annually.

Ultimately, financial accountability, national standards and quality services are delivered locally and it is necessary for us to look at local organisations. The Health and Community Care Committee feels that there should be local freedom to decide on the best means of care delivery. However, we set that against a clear belief that a single body should be responsible for budget holding and the planning and commissioning of community care services, as opposed to the current situation in which health boards, local authorities and primary care trusts are all involved. The evidence that was given to us was not clear-cut on which of those organisations should be the single body or, indeed, whether there should be a joint board. We are aware that the Executive has been working on this issue. We want a single point of entry to the service for users and their families and we want staff to be

encouraged to work together by systems, organisations, funding and training.

We hope that the needs of citizens who require community care services will be met in a way that gives them dignity and a good quality of life. Our report touches on the importance of appropriate housing and planning, as well as on social and health care.

We were reminded often by the evidence that we took that we were working on behalf of thousands of Scots who cannot speak for themselves. Some are elderly, some are disabled, some suffer from dementia, and some care for loved ones in terrible situations, but all of them rely on community care services. We speak for them—our committee has listened to their voices. I believe that we have produced on their behalf a piece of work that will change their lives for the better and give our elderly a brighter and fairer future.

I commend the report to the Parliament, and I sincerely hope that colleagues on all sides of the chamber will support it.

I move,

That the Parliament notes, and calls upon the Scottish Executive to act upon, the recommendations contained within the 16th Report 2000 by the Health and Community Care Committee, *Inquiry into the Delivery of Community Care in Scotland* (SP Paper 219).

15:30

**The Deputy Minister for Health and Community Care (Malcolm Chisholm):** Susan Deacon regrets that she cannot be present today; she is attending a meeting with UK ministers in London to discuss CJD-related issues. I am sure that all members recognise the importance of that.

In the community care debate on 16 November 2000, I said that I looked forward to the Health and Community Care Committee's conclusions. I also said that I was sure that not only would those conclusions contribute to our thinking about policy, but that they would intensify our determination to drive forward change with urgency and focus. I have not been disappointed and I congratulate the committee on its report. I welcome the themes that are highlighted and the direction of travel that is mapped out. I hope that we can go forward together to accelerate the progress that must and will take place.

The report is not just about community care resourcing, standards, organisation and service delivery in general—it has specific reference to older people and to mental health. I am pleased to reaffirm that older people are a top priority for the Executive, and to restate that mental health is one of the top three clinical priorities of the NHS in Scotland. Both matters are certainly at the top of



my agenda for the coming months.

The report talks about three aspects of resources: first, the overall amount; secondly, the balance and distribution of resources; and thirdly, the bringing together of resources in a single funding stream.

We agree that, as the report states:

"There is an imbalance in the proportion of funds directed to support people in their own homes as compared to residential or nursing home care."

That is why the heart of the three-year investment package that Susan Deacon announced on 5 October 2000—which will rise to £100 million a year in 2003-04—was a massive expansion of care for people in their own homes, including intensive home care, rapid response teams and more short breaks. That is why she also announced £5 million for this financial year for additional equipment and adaptations, on top of the £19 million extra this financial year to deal with delayed discharges, which the committee highlighted.

The announcement that was made on 5 October meets the demand for above-inflation increases in community care funding and more than meets the concerns of the Convention of Scottish Local Authorities about what it described to the Health and Community Care Committee as a £20 million under-resourcing of community care. However, the extra resources are not the end of the story. On 24 January, Susan Deacon announced that additional resources for long-term care would be a top priority for the Administration.

All those measures require the co-operation of local government. The new resources are being given on the basis of local government's delivery of agreed outputs. I agree with what Margaret Smith said about local government. In the new Scotland, local government cannot turn its back on the clearly stated priorities of the Scottish Parliament.

On the third aspect of resources, to which I referred a moment ago, I welcome the committee's recommendation that

"Mechanisms should be created to ensure that single funding streams and delegated responsibility are put in place in all areas."

Our response makes it clear that

"The Executive will shortly be consulting on legislation which will facilitate single funding streams and will allow us to ensure that all areas adopt this practice. We propose to bring forward this legislation as quickly as possible in the form of a Long Term Care Bill."

Other recommendations about single assessments, joint equipment stores and strategic care management are related to that central proposition. We welcome those recommendations

and will ensure that they are acted on.

The care development group will advance some resource and service issues. I am sure that members of the Health and Community Care Committee will welcome the fact that their adviser, Professor Alison Petch, is a member of that group.

Without reading out the care development group's whole remit, I remind members that we shall examine existing service provision to identify gaps, deficiencies and duplication that might need to be addressed. We shall examine the current deployment of resources from all funding streams for the care of older people and make any recommendations for change that are thought to be necessary.

Centrally, we shall draw up proposals for the implementation of free personal care for all, along with an analysis of the costs and implications of doing that. As Margaret Smith's speech made clear, that was a central recommendation of the Health and Community Care Committee's report. I quote the two key sentences from the report:

"Clearly the decision to make personal care available free of charge means money is no longer there to be spent on other aspects of community care. However, the Committee received strong indications that this is an important issue of principle for the people of Scotland."

That encapsulates perfectly that free personal care is right in principle, but that it does have an opportunity cost.

**Mr Duncan Hamilton (Highlands and Islands) (SNP):** The minister omitted to mention the part of the remit that says that part of the role of the care development group would be to provide a clear definition of what is meant by personal care. Will the minister tell us what is unclear about the definition in Sutherland and whether he supports that definition?

**Malcolm Chisholm:** We need to translate the principle of Sutherland—which we accept—into an applicable, understandable and doable system of charging and non-charging. That relates also to the part of the care development group's remit on working with the chief nursing officer's group to develop a person-centred, holistic, needs assessment process. We accept the principle of free personal care—the definition in Sutherland is broadly right, but we must translate it into a clear assessment tool so that we can have a system of charging and non-charging. Sir Stewart Sutherland recognised that as much as we do.

My reference to a system of charging and non-charging relates to the fact that housing and living costs are paid for even under the Sutherland recommendations. That takes me to the committee's recommendation that steps should be taken to ensure uniformity throughout Scotland on charging for the provision of support services. As

we indicated on 5 October, we support the initiative by COSLA to develop guidance on charging policies to deal with inconsistency and—crucially—we shall take a reserved power in the proposed long-term care bill to ensure that progress is made.

There are several other aspects in the report that I cannot deal with in detail, but in my remaining two minutes I want to refer to several other important areas. First, the Health and Community Care Committee

“wishes to ensure greater consistency in the quality of services.”

Its report acknowledges the central role in that regard that will be played by the Scottish commission for the regulation of care, which will be set up through legislation when the Regulation of Care (Scotland) Bill completes its progress in the summer.

The Health and Community Care Committee also states that we should always be “informed by evidence based best practice”.

Members will know that we accepted the recommendation of the joint future group that we should improve the collection and dissemination of good practice. I take this opportunity to thank the members of the joint future group for all the work that the group has done. Members will know that there is considerable overlap between the recommendations of the joint future group’s report and the recommendations of the Health and Community Care Committee.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** On that point, I understand that the Executive objects to the motion that is before us and has lodged an amendment simply on the grounds that the committee should not call for action. However, the Executive—as the minister has pointed out—is already acting on the recommendations. I do not follow that logic. Will the minister explain it?

**Malcolm Chisholm:** Mike Rumbles should appreciate that the normal purpose of a motion on a committee report is that the Parliament notes it. This is the first time that the Executive has welcomed a committee report in an amendment. I hope that Mike Rumbles and others acknowledge the positive response that I have given to the Health and Community Care Committee’s report.

Members should step back from the report and think in general about how legislation is made. If they think that every last detailed recommendation should be adopted as policy by the Executive, they are taking an untenable position. I more or less support the whole report, but we are being asked to implement every last detail.

**Nicola Sturgeon (Glasgow) (SNP):** If we are to follow the logic of the minister’s argument, will he tell us which aspects of the report’s recommendations he does not agree with and does not intend to implement?

**Malcolm Chisholm:** That is very much in the detail. For example, I could point to recommendation 44, which concerns the involvement of social work in the training of GPs in their post-graduation year. I am told that that would be difficult, given existing time restraints. That illustrates a detail. An Executive cannot be bound by every last detail of a committee’s report. It is perhaps important that I should have dealt with interventions. No doubt, I will come back to them. I wanted to say something about mental health but, as my time is up, I shall perhaps do so in my winding-up speech.

I move amendment S1M-1639.1, to leave out from “, and calls upon” to end and insert:

“and welcomes the recommendations contained within the 16th Report 2000 by the Health and Community Care Committee, *Inquiry into the Delivery of Community Care in Scotland* (SP Paper 219) and further notes the announcement made by the Executive on 25 January 2001 and the establishment of the Care Development Group regarding the care for older people.”

15:40

**Nicola Sturgeon (Glasgow) (SNP):** I start by welcoming the Health and Community Care Committee’s report. As someone who joined the committee at a very late stage of this piece of work, I pay tribute to all the members of the committee, including my colleagues Kay Ullrich and Duncan Hamilton, who are both so committed to the report that they have come out of health retirement to speak in today’s debate. It is also appropriate to thank the committee’s support staff—the clerks, the advisers and the research staff—without whom no work of this nature would be possible. It is important that the Parliament recognises their work.

The Health and Community Care Committee has placed a comprehensive report before the Parliament. It is a report that has been tremendously well received by a range of groups and individuals across Scotland, and it is generally recognised that the report’s recommendations, if implemented, will greatly improve the delivery of community care in Scotland, guarantee the dignity of people in their later years and vastly improve the experience of service users and their carers.

It is also appropriate to acknowledge that the world has moved on quite significantly since the report was published. That is because the Executive has already moved to implement a great deal of what it contains. Statements on 5 October 2000 and 24 January 2001 and the Executive’s

response to the report of the joint future group have all acted to move those issues forward. The Executive deserves credit for the fact that so much of what we are discussing today is already work in progress.

I do not have time to talk in detail about all the report's recommendations. The convener of the Health and Community Care Committee has already touched on many of those recommendations, including those relating to resources and financial planning, work force planning and training for staff. I associate myself with Margaret Smith's comments on all those areas. They are all extremely important recommendations, which I hope will be fully implemented by the Executive.

In the relatively short time available, I would like to highlight and make special mention of just a couple of the report's recommendations. First, I want to comment on the recommendations that relate to joint working and joint resourcing. Although I joined the committee at a very late stage of the report, I have read carefully through the evidence presented to the committee. What strikes me about that evidence, among other things, is that time and again the committee heard how the fragmentation of service delivery and budgets at local level, the lack of co-ordination and the disputes between health boards and local authorities detracted from the quality of care provided to individuals and, too often, led to situations in which vulnerable individuals fell through gaps in the system. I know that the Executive has already committed itself to taking action on that area, but it is important to emphasise that action is urgently required. I was glad to hear Malcolm Chisholm assuring us again that the long-term care bill will be introduced as soon as possible.

The second area that I want to touch is the quality of care provided to older people. I make particular reference to the report's recommendation that calls for the commission for the regulation of care to be funded adequately to do its job properly. If there was ever any doubt—and I do not think that there was—about the importance of establishing a commission for the regulation of care to regulate and inspect the quality of care that people receive, it would surely have been dispelled by reports in last weekend's press that a fifth of elderly people in care are not being fed properly. That revelation certainly horrified me and I am sure that it horrified everyone else in the Parliament.

The funding of the proposed commission for the regulation of care is an issue that is exercising the Health and Community Care Committee in its consideration of the Regulation of Care (Scotland) Bill. The proposal to make the commission self-

funding by 2004-05, which would inevitably lead to an increase in registration fees for service providers and users, is causing a great deal of worry. I hope that the Executive will give further consideration to that issue—the minister may want to touch on that in his summing-up.

I turn now to the Executive's amendment, which causes me some considerable concern. I understand that the Executive's rationale in lodging the amendment is that committee motions are normally take-note motions while Margaret Smith's motion on behalf of the Health and Community Care Committee goes further. Let me make two preliminary points on that argument. First, it should be for committees to determine the terms of their own motions. Secondly, it sets a bad precedent in the Parliament that committees should never call upon the Executive to act on the recommendations that are contained in committee reports.

However, what really concerns me is that the Executive amendment appears to go much further than simply seeking to turn the motion into a take-note motion. Instead, the amendment seems to take us back headlong into the debate on personal care that dominated all our thinking only two weeks ago. The minister talked about issues such as training. The fact is that the terms of his amendment single out the personal care recommendation. He cannot get away from that fact.

If the Executive is committed—as Henry McLeish says and as Malcolm Chisholm has repeated in the chamber today—to the provision of free personal care for all, why is there so much reluctance to allow the parliamentary majority in favour of that to be expressed in a vote on an unambiguous motion? Why not vote for a motion that calls on the Executive to do what the First Minister says it is committed to doing anyway: providing personal care free to all on the basis of assessed need?

The Executive must accept that in lodging the amendment, it raises the suspicion that there is a difference between the committee's recommendation—free personal care for all as proposed by Sutherland—and the Executive's position. If we add to that the fact that Susan Deacon has, yet again, passed up an opportunity to state for the record that she is committed in principle to the implementation in full of Sutherland, we can all be forgiven for having some doubts in our minds today.

The amendment leaves open the possibility that the Executive will bring forward proposals on free personal care—which, let us remember, is all that the statement on 25 January committed it to doing—but that those proposals will in some way fall short of the full implementation of Sutherland,

for example, by changing the Sutherland definition of personal care. That may not be what the First Minister envisages but, reading the amendment, it seems to be the intention of Susan Deacon and Malcolm Chisholm to leave themselves a get-out in respect of fully implementing the Sutherland report.

**Malcolm Chisholm:** I am genuinely mystified. I will try for the next hour to understand the basis of that argument. When I was asked whether I had any reservations about details of the Health and Community Care Committee report, I signally said nothing whatever about personal care. Let me also correct Nicola Sturgeon. We have not said that we want a take-note motion; we have lodged an amendment that says that we note and welcome the report, which goes further than any Executive response to a committee report has ever gone.

**Nicola Sturgeon:** Welcoming it might be better than noting it, but it is still not quite as good as acting on it. The minister said that when he talked about things in the report with which he did not agree, he concentrated on things like training. The fact is that the amendment focuses on the personal care recommendation.

**Malcolm Chisholm** *rose*—

**Nicola Sturgeon:** It talks about the emergency statement on 25 January, which dealt solely with personal care. The amendment again raises the possibility that the Executive's position on personal care might differ from the position of the Health and Community Care Committee.

**Malcolm Chisholm:** Will the member give way?

**Nicola Sturgeon:** Not just now, as I am summing up.

The motion gives the Parliament the opportunity yet again to vote for what we all say we believe in. If the Executive means what the First Minister says it does and what Malcolm Chisholm has said again today, I cannot for the life of me understand why it has any difficulty in voting for the motion as it stands. I hope that people in the chamber will vote for the unamended motion and do what Margaret Smith described as speaking for those who cannot speak for themselves. The report will, if implemented, improve lives. For that reason, we should embrace it unreservedly.

15:50

**Mary Scanlon (Highlands and Islands) (Con):** I thank Margaret Smith for proposing the Health and Community Care Committee report so competently. I also commend all the members and staff involved.

I have a distinct feeling of *déjà vu* about this debate. This Parliament once again has the

opportunity to vote for free personal care as defined by Sutherland. It is the strength of the committee structure in this Parliament that we worked in partnership and put care in the community before party politics in reaching conclusions and producing recommendations in our report.

I again put on record my respect for Margaret Jamieson and Duncan Hamilton, as we worked together on our visit to the Western Isles. People were probably surprised that we were able to work together positively and put health first rather than knocking political spots off each other.

Against that background, I consider the Executive's response and its amendment today to be disrespectful to the cross-party Health and Community Care Committee and divisive in the workings of this Parliament. People in Scotland have a right to expect us to put their health first. They will not thank the Executive for its wrecking amendment to the unanimous, cross-party consent on this issue.

**Malcolm Chisholm** *rose*—

**Mary Scanlon:** I am just getting started.

Apart from the ill-judged amendment, which only adds to the confusion over personal care for the elderly, I also find the Executive's responses to our recommendations insulting, especially those related to the joint future group. The Minister for Health and Community Care had to set up her own group—chaired by the then Deputy Minister for Health and Community Care, Iain Gray—to reach its own recommendations. That group ran parallel to the Health and Community Care Committee report and allowed the Minister for Health and Community Care to overshadow and fudge the committee's recommendations.

The committee's motion only

"calls upon the Scottish Executive to act upon, the recommendations contained within the 16th Report 2000".

I hope that all the elderly in Scotland are listening today, because the Executive could not even do that. Anyone in Scotland who thinks that the Scottish Executive is committed to free personal care for the elderly has been seriously misled; the Executive cannot even agree that it should be called upon to act upon the report recommendations.

The only commitment that we have received in this Parliament is a commitment to the provision of free care to include those dementia sufferers with the greatest need and the establishment of a development group on long-term care, which will consider a new system of assessment and criteria. As things stand, the elderly in Scotland will not receive one ounce more of free personal care than anywhere else in the United Kingdom.

**Malcolm Chisholm:** Surely Mary Scanlon realises that the Executive's amendment has nothing to do with free personal care. As I said in my speech, all the amendment does is point out that the motion is asking us to implement every detail of 45 recommendations. Our response to the Health and Community Care Committee report is more positive than any other Executive response to a report in the history of this Parliament.

**Mary Scanlon:** If that is the case, perhaps Malcolm Chisholm will clarify that point when he sums up.

Why does the Executive have to refer to the care development group, which was set up to define personal care, and why, as Nicola Sturgeon said, does it have to refer to the debate on 25 January, which was all about that definition. If the Executive has nothing to hide, why does Malcolm Chisholm not come clean and say honestly what its commitment to community care is?

**Malcolm Chisholm** *rose—*

**Mary Scanlon:** I want to move on.

When Stewart Sutherland was asked by Malcolm Chisholm in the Health and Community Care Committee whether he envisaged any difficulties in implementing the definition of personal care, Sutherland replied:

"If I were in charge of the money, and had a mean mind, I would say that expenditure could be reduced by defining down personal care, and eliminating certain things."

In response to Malcolm Chisholm, Sir Stewart went on to say:

"The haggling that will go on will be over how personal care is defined."—[*Official Report, Health and Community Care Committee*, 31 May 2000; c 961.]

How right he was, because that is the position in which we find ourselves.

When the committee discussed personal care, it was always the issue of personal care according to Sutherland, as it was the only definition that members knew. It was not the haggled-down, narrowed definition that Susan Deacon might give us in nine months' time. When the First Minister replied in relation to this issue, he said:

"If it quacks like a duck and waddles like a duck—it's a duck."

If we must relate personal care to ducks, will the minister assure us that we are talking about the Sutherland duck, not the Deacon duck? Furthermore, I ask him to stop ducking this very serious issue. Although Jim Wallace might consider that to be a very silly semantic point, it represents the life and soul of dignity and respect in old age. That said, I welcome the Executive's commitment on our recommendations 10 and 25

which relate to a single funding stream and budget-holding body.

I want to raise the issue of bedblocking that both Kay Ullrich and I have mentioned so many times in the past two years. Last week, 18 of the 24 female patients in the medical assessment ward of the Royal Victoria hospital in Dundee were waiting to be placed in residential wards and in home care, which means that 75 per cent of the beds in the ward were blocked, with the patients receiving inappropriate care. That is why we are so passionate about this issue, and why we will keep raising it over the Parliament's next two years.

I also seek further assurances on our 13<sup>th</sup> recommendation. The committee found that it was difficult to audit-trail the community care pound, and I ask the minister for a simpler and more transparent guide to the funding of community care services. The Conservatives support the Health and Community Care Committee's motion. I am very sorry that the Executive found it necessary to lodge its despicable amendment, which we will not support.

15:58

**Des McNulty (Clydebank and Milngavie) (Lab):** The central issue of this debate is not just the Health and Community Care Committee's report, which is important and which has, along with the Sutherland report, made a major contribution. The vital issue is actually what is being done for elderly people. The statements on 5 October and 24 January represent a very considerable shift towards many of the committee report's recommendations, particularly on intensive home care, and on the introduction of respite care and increased aids and adaptations for elderly people.

When I dealt with older people's needs in local government, it was very often the small things such as respite care and the need for an aid or adaptation that proved vital for elderly people as they made their lives more bearable. Very considerable steps have been and will be made in that direction. Elderly people will receive their share of both the additional £2.4 billion that the NHS will receive and the £1.6 billion that is being invested in local government. Such changes are important.

I listened with some interest to Mary Scanlon's comments. I know that the Conservatives in this Parliament believe in a year zero approach; however, many people in Scotland have long memories about what happened to health and local government services in their 18 years in power. Many of the people who bore the impact of those policies—

**Ben Wallace (North-East Scotland) (Con):** Will the member give way?

**Des McNulty:** No, I am short of time.

Many of the people who bore the impact of those policies were elderly people—our pensioners, who were neglected and disadvantaged by what was done. The fact that we are going to spend money and make resources available for elderly people is important. That fact is in this document and is at the forefront of the Executive's philosophy.

A vital dimension of that policy, which is mentioned throughout the report, is the effective management of those resources. The issue of care for elderly people is not only about cost constraints, but about finding more effective and challenging ways of dealing with people's needs. It is not just a case of professional inputs; there must also be proper inputs from the clients and patients whose needs are being met. Importantly, there must also be inputs from carers. Their comments are among the most striking in this report.

Carers and users of services are saying that services could be better provided within the resources that are available. It is important that the philosophy that is brought forward is one of shared responsibility, shared objectives and common working between the different agencies. Moving from a dual funding stream to a single funding stream will wipe out some of the perverse incentives that exist.

Every member who has spoken so far has talked of the importance of personal care. The introduction of free personal care is an important step forward. However, it is vital to ensure that that progress is sustainable. There is no point in introducing a principle that cannot be funded or properly adhered to. We owe it to elderly people to ensure that whatever is done gives them confidence that their needs are going to be met.

When I read the Sutherland report and some of the answers that were given by Stewart Sutherland to the committee, I have considerable reservations about some of the funding calculations that he has made. I think that what is being proposed will cost a lot more than £110 million. I am therefore grateful that Malcolm Chisholm, together with his colleagues, will consider the way in which the Sutherland proposals can be implemented—the nuts and bolts of the matter. Elderly people want to know the answers to those kinds of questions. If they are to get anything more than a pig in a poke, we should address such questions instead of the kind of trite nonsense that we have heard from the Opposition.

16:02

**Kay Ullrich (West of Scotland) (SNP):** This report is a good example of the important work that is being undertaken by the committees in the Parliament. In addition to taking written submissions and oral evidence, we went out, as Mary Scanlon said, in small cross-party groups. We visited nine different areas to witness at first hand the work that is being done on the ground in delivering community care services. Those visits to the coalface allowed us to see for ourselves not only the problems that are being encountered, but the many examples of good practice and innovation that are employed by workers at all levels and in all disciplines. Unfortunately, I have time to highlight only a few areas of concern that have arisen from our investigations.

The issue of the inconsistencies in resource transfer was raised by several witnesses. In its submission, the Association of Directors of Social Work noted its concern over the variation throughout Scotland in levels of the transfer of resources from health boards to local authorities. Evidence showed variations from as little as £5,000 per long-stay bed closed to the more realistic sum of £23,000 per bed closed. On a visit to a local authority in Ayrshire, Margaret Jamieson and I discovered that, in one case, resource transfer still had not taken place months after the total closure of a long-stay hospital, leaving a cash-strapped local authority to pick up the funding while negotiations dragged on.

Resource transfer should not be used as a financial mechanism, as it encourages division and acrimony among people who should be working together in the interests of service delivery. For the immediate future, mechanisms must be put in place to ensure transparency and rid our local authorities and health boards of the climate of suspicion and the us-versus-them attitude that currently exists.

**Dr Richard Simpson (Ochil) (Lab):** Will the member give way?

**Kay Ullrich:** I do not have time.

I will end with the issues that were paramount in all the submissions and, indeed, in all the visits. The first is the desire that the Sutherland report be implemented in full. We can only hope, given the minister's absence, that she has changed her position from that given in response to the Health and Community Care Committee's report. Quite frankly, that response fell far short of providing non-means-tested personal care.

The other area of great concern is the lack of appropriate funding to Scottish local authorities. There was evidence about that lack in submission after submission. The ADSW and numerous local authorities admitted that many cash-strapped

authorities are forced to divert the indicative funding for community care into other areas of social services.

Will the Executive now acknowledge that community care is grossly underfunded? Will it stop answering questions by saying that it is up to each local authority to determine its spending allocations? Will the Executive accept that, as it passes the buck, some of the most vulnerable people in the country are in the midst of it all: the frail elderly, those suffering from mental illness and with learning difficulties, not to mention Scotland's vast army of carers, who save the country no less than £3.4 billion each year.

Lastly, in the light of Lord Hardie's judgment in the case of *McGregor v South Lanarkshire*, which is no longer sub judice, will the minister state what steps have been taken to ensure that Scotland's local authorities now have sufficient funding to fulfil their obligations—clarified by Lord Hardie's judgment—to immediately place in long-term residential or nursing home care all those who have been assessed as requiring such care?

I commend the report to Parliament and urge members to support it.

16:07

**Alex Fergusson (South of Scotland) (Con):**

The contents of this excellent report show quite categorically that the well-being of our citizens and the health of our nation can come before party politics or in-built dogma. I commend the committee on the depth of the report, on the consensus achieved in drawing up the report and on making community care a priority for the Scottish Parliament. The public perception is that the report is purely about Sutherland, as has been stated, and it is perfectly easy to understand why.

Last year, at the height of the fuel crisis, I had the privilege of addressing more than 1,000 pensioners who had struggled to get to Edinburgh and had marched to their rallying point at the National Gallery. I said to them that the full implementation of Sutherland had less to do with health and care than it had to do with dignity, and that dignity was not an issue over which any pensioner should have to demonstrate. I congratulate the committee on its recommendation that the dignity of care of the elderly be restored. Sadly, I remain unconvinced of the Executive's resolve to implement that section of the committee's report. That feeling is only strengthened by the nature of the amendment that the Executive has chosen to lodge.

As others have said, however, the report is not purely about Sutherland. I have particular sympathy for the recommendation that the budgets for health and for social services should

be amalgamated into a single budget. That single budget, if properly administered, would provide clear accountability, remove artificial distinctions between health and social work and ensure that the services work in a unified way to provide what is best for the patient at the time it is required. Ensuring such a unified service as opposed to the fragmented and disjointed one that exists all too often today would speed up both assessment and service provision as well as ending disputes over which agency pays for different aspects of the patient's treatment. In other words, that should provide a better service at a better value. It would also excise the practice of bedblocking, which has resulted in some 3,000 patients being kept in NHS beds when they should be in community care. That is double the number that there was three years ago and takes up almost 8 per cent of the average number of available staff beds in our hospitals. Bedblocking is ludicrously expensive and any initiative to end it should be grasped with both hands.

As a member of the Rural Development Committee, I am particularly pleased that the report pays considerable attention to the mentally ill, the disabled and those with learning difficulties because, in rural Scotland, those people face even greater problems than do their peers in urban areas. I am particularly concerned about such situations as one in Dumfries and Galloway that was recently brought to my attention. There, residential facilities are being closed and patients are being placed into often unsuitable housing in surrounding communities.

Although I understand the intentions behind such moves, I am not convinced that the policy has been properly thought through. Residential facilities have previously been a training ground for people's eventual return to the community, with appropriate support. The worst-affected patients remain in the residence, which becomes their home and, in a sense, their family. To close that home without putting the savings back into increased support services seems to be utter folly. We are surely past the days when financial savings come before patients' interests. If policy is properly thought out, the two can go together. All that is required is a little joined-up thinking. The committee's report encourages just that.

Still on Dumfries and Galloway, I cannot miss the opportunity of mentioning the consequences of that council's policy of externalising its care homes. Within two years, that policy led to a 68 per cent decrease in the number of patients referred to private nursing homes—from 186 in 1999 to only 60 last year. It has affected costs in the externalised homes, which enjoy a guaranteed 100 per cent occupancy rate and about £420 per patient per week, as opposed to approximately £260 per patient per week in a private home. In

short, it has led to discrimination against private care homes. I believe that the minister needs to ask serious questions to get to the bottom of that inequality.

The Executive must not think that this debate on the Health and Community Care Committee's excellent report is the end. I hope that it is only the beginning, and that the Parliament will take every opportunity to ensure that the Executive puts into practice the committee's recommendations.

16:11

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I had not intended to speak in this debate until I saw the Executive's amendment. It is an inept, crass amendment. In my view, it is more about control freakery than free personal care. It is inept because it has allowed some people—as has already been demonstrated in this debate—to throw doubt on the Executive's commitment to implement the Sutherland recommendations. I have no doubt about the Executive's commitment to implement free personal care for the elderly and I am sure that nobody on the Executive benches has any doubt about that either.

**Malcolm Chisholm:** I am having genuine difficulty following the course of this argument. Does Mike Rumbles accept that the Health and Community Care Committee's report has 45 recommendations and that the motion asks us to carry out and implement—in detail—every one of them? It has nothing to do with free personal care for the elderly.

**Mr Rumbles:** If you would let me get more than a few seconds into my speech, minister, I will answer that point exactly.

The committee's motion reads:

"That the Parliament notes, and calls upon the Scottish Executive to act upon, the recommendations"

of the committee's report. It most certainly does not call for implementation of every recommendation—it says "act upon".

The point that I made when I intervened on you earlier, minister, is that you, or rather the Executive—this is the stupidity of it—is already acting on the recommendations of the committee's report. The amendment is crass and stupid: it only gives succour to the people who want to stir things up and say that the Executive is not interested in full implementation of Sutherland, or wants to squirm out of its commitment.

This is a parliamentary issue and I am taking issue with the Executive. Malcolm—the minister—said in his speech that he hopes we can go forward together. I have never known a way of going forward together that involves saying that

the committee's recommendations cannot be acted upon.

**Nicola Sturgeon rose—**

**Mr Rumbles:** I have only another minute.

The effect of the amendment is to say that the committees can do all their good work—and a tremendous amount of good work went into the report; it is terrific; it is marvellous; and the Executive is already implementing much of its recommendations—but, oh no, do not let the committees dare suggest to Parliament that the Parliament requests the Executive to act on anything. The committees can go and lodge take-note motions—that is fine—but the Executive is saying, "Don't you dare overstep the mark."

As far as I am concerned, this is a parliamentary issue about the importance of the committees and their freedom to make up their own minds about what they think is important to put before the Parliament.

When I saw the amendment, I wanted to make this speech. I have absolutely no intention of supporting the Executive's amendment in this afternoon's vote and I wanted to put on record my reasons for that.

**The Deputy Presiding Officer (Patricia Ferguson):** I remind members that speeches should be addressed through the chair.

16:15

**Irene Oldfather (Cunninghame South) (Lab):** I am a little disappointed by the way the debate is going. I put on record the fact that I, like Mary Scanlon, enjoyed working on the report in the committee. I believe that the committee is right to be proud of it.

There is not enough time today to discuss the detail of the report, so I will address two matters: supporting elderly people at home and the need for joint working. The committee rightly addressed joint working as it tackles problems in the system and identifies difficulties in such areas as the nutritional needs of the elderly.

Much of the debate and much attention over the past few weeks has focused on the personal care element of the report. It must be remembered that free personal care will not only benefit those in residential accommodation but, along with the other home care support packages that have been announced recently, allow more elderly people to stay in their own homes.

Kay Ullrich spoke about her visits to the coalface. One reason I am passionate about the principle of free personal care, which I am glad the committee and the minister support, is the case of my constituents, Mary and James, who have been



married for more than 60 years. Mary is an 85-year-old who is wheelchair bound because of arthritis and James is her 87-year-old carer. Unfortunately, over the past few years, James has had bouts of poor health, which have resulted in eight admissions to hospital, most recently for pneumonia. Despite all the policies that are in place—rapid response teams, augmented care, budgets for aids and adaptations—at no time have Mary and James been able to obtain assistance to support them at home. Therefore, the report is one of the most important documents that the Parliament has produced and I am proud of the committee's work.

I believe that we have won the argument today. I am delighted that the First Minister has set up the implementation group to examine how to introduce free personal care. In many cases, free personal care will prevent admission to residential care and keep old people in their own homes.

Another important and related matter, which concerned me greatly in the committee's evidence-gathering sessions, is the nutritional needs of the elderly. A great deal of press attention has been given to that subject recently. Committee members will recall that we regularly returned to it during the questioning of witnesses. We cannot underestimate its importance.

The report rightly says that community care is wider than our traditional perception of health and social care. As well as caring for elderly people, we have a responsibility to keep them healthy. A well-balanced diet is no less important for elderly people than it is for the rest of us, yet health promotion is seldom aimed at the elderly.

A problem is that no agency seems to accept responsibility for addressing the nutritional needs of the elderly. We need to get together to ensure that joint working is implemented. The committee was keen to highlight the lack of co-ordination in the delivery of services in areas such as the nutritional needs of the elderly. The committee recognised that good food and a healthy diet are a long-term investment in keeping our old folk healthy and that they help to prevent admissions to hospital and residential care.

I am very pleased to have played a part in producing the committee's report.

**The Deputy Presiding Officer:** There are three members who wish to speak. If all three restrict their speeches to about three minutes, I will be able to accommodate them all.

16:19

**Mr Duncan Hamilton (Highlands and Islands) (SNP):** Thank you, Presiding Officer, even if I have only three minutes.

I welcome the report. I welcome its tone and the background to it, which was consensual and cross-party. The report is reassuring as it shows that committee reports are intended not simply to flag up issues but to call on the Executive to do something, as Mike Rumbles rightly said. The report is specific and I think that most of its specific proposals will receive support from all parties.

As I have such a short time, I will address the central issue of personal care. I do so not because I want to gripe or be down on the Executive, but because there is agreement in all other areas. I genuinely believe that the minister has an opportunity today to end the debate once and for all.

As the minister will remember from his time as a member of the Health and Community Care Committee, almost all of the 100 or so submissions the committee received agreed on one issue: the implementation of free personal care. Everyone, including the Opposition parties, accepts that the development group is going to develop proposals to implement free personal care. The definition of personal care is key: what do we mean by free personal care and what do we mean by personal care?

I intervened during the minister's speech to ask him why part of the development group's remit is

"To provide a clear definition of what is meant by personal care".

I also asked the minister what was unclear about the existing definition, but he did not answer that point. I ask him again: what is unclear about the specific definition in chapter 6, page 68 of the Sutherland report? With which part of that definition does he disagree? Will any part of the Sutherland definition disappear from that of the development group?

Mike Rumbles said that the minister's prevarication gives the Opposition the opportunity to stir up the debate again. If the minister stands up today and tells us that, as an absolute baseline, each of the components on page 68 of the Sutherland report will be contained in the development group's definition of personal care, and if he gives us a commitment that he will not support anything less than the definition proposed by Sutherland, I in turn will give Mike Rumbles a firm commitment that I will not raise the issue again in the Parliament.

We could end the debate this afternoon, if the minister would give that commitment. If he does not give that commitment—neither he nor his boss has done so thus far—what does he expect other members to do? As the debate means everything to every party and every member, does he expect us to take it on a whim that the Executive will

deliver? If he will not give that commitment, it would be entirely irresponsible of the Opposition parties not to continue to press him.

John Swinney asked Henry McLeish to end the argument during First Minister's question time. Perhaps the First Minister did not wish to do so amid the uproar of the theatre that First Minister's question time has become, but in the quiet calm of a cross-party consensual debate on health, the minister could end the argument and I urge him to take the opportunity of doing so when he sums up the debate.

The Health and Community Care Committee produced a good report and the chamber supports the minister for some of the Executive's attempts to implement some of the report's proposals. I emphasise in particular the proposals on organisational change and on a single funding body. Members of the committee will recall the exceptionally good evidence that we received from a Northern Irish body that made the point that pooled budgets, joined-up thinking and transparency are the way to go. We agree on those proposals and I ask the minister to remove the sole remaining point of disagreement when he sums up.

16:23

**Rhoda Grant (Highlands and Islands) (Lab):** I welcome the Health and Community Care Committee's report.

In my speech, I will concentrate on rural areas. Everyone knows that the provision of institutional care is expensive—it costs a lot of money to build a building and thus it is not possible to build care homes in many of the sparsely populated areas in the Highlands and Islands. Many couples who have been married for 40 or 50 years have to be parted so that one of them can go into care because the other cannot look after them any more. Friends are moved out their communities and are no longer able to keep in touch.

The people of Ullapool may have thought themselves quite lucky when Westminster Health Care decided to build a nursing home there. The home was beautiful and many elderly people thought, "That's where I'll go when I need care. It will keep me close to my family and friends."

Unfortunately, the nursing home that people in Ullapool quite rightly perceive as their own is now under threat. They have tried to get help from different agencies, such as the health service and local councils, to get funding or to examine other uses for the home, which is not anywhere close to full—it caters for only a small number of people—but they have had difficulty getting help and many people cannot quite understand why agencies are not able to work together. It is difficult enough

when we are dealing with a community-owned venture, but the difficulties are greater when we are dealing with a private venture.

People in Ullapool look to the south and to the facilities that are available in Lochcarron. They are amazed by the Howard Doris Centre, which has nursing beds, care beds, general practitioner beds and convalescent beds, and which provides day care and respite care as well as housing and sheltered housing services. The people of Ullapool wonder how such a facility could be developed. The answer is that the people of Lochcarron were lucky—they had a trust fund and were able to use that money to draw down money from health boards and local government. It seems that the only way communities can get the care they need is by having their own money. The people in Ullapool do not have their own money. We need to tackle those issues.

Rural areas are unable to sustain a separate nursing home, a separate care home and a GP-led centre with GP beds. Everything has to be put together. Many agencies have looked at other ways of dealing with rural areas and problems. The Church of Scotland, for example, has travelling respite for dementia carers. People set up in a village hall, provide a nurse to look after dementia sufferers and give carers a day, or less than a day, off. That gives carers a chance to shop or get some sleep.

Crossroads is under stress: it has more requests for help than it can cope with.

**The Deputy Presiding Officer:** Will the member wind up?

**Rhoda Grant:** We need to look at different ways of helping people in rural areas. I could say a lot more, but I will finish on that note and let the final speaker in.

**The Deputy Presiding Officer:** Thank you for your consideration.

16:26

**Christine Grahame (South of Scotland) (SNP):** I thank Rhoda Grant.

I want to focus on the urgency with which the minister should act on this quality report. He should not proceed with his amendment.

Everyone would endorse the right of every older person to remain in his or her own home in the community for as long as is practicable and for as long as he or she so chooses. There is, however, a difficulty in the circumstances that prevail in the real world. Incontrovertible evidence of that lies in the simple example of home helps. The number of home helps in the Borders alone dropped by 260 between 1997 and 1999. In Scotland as a whole,

the fall was some 9,000 during that period. Who on earth is looking after older people in their homes? Who gets their messages and cleans for them? All that is part of preventive care.

In Scotland as a whole, there are some extra health visitors, but not many—and because they are tending to more clients, they are seeing each client less often than before. There were fewer than 300 additional district nurses for Scotland in 1997 to 1999. They, too, have more clients and less time.

I could not contribute to this debate without mentioning day care centres, which are crucial to maintaining people in the community. They offer preventive care. They allow people respite while a partner with, for example, dementia is taken into the day care centre two or three days a week. Most of those centres are run on a voluntary basis and have to scramble around for funding. There are 585 of them in Scotland, providing nearly 19,000 places. I know that, in 2002, the Scottish commission for the regulation of care will assume responsibility for regulation and inspection of the centres, but will the Executive provide funding to accompany that regulation?

In a debate in this chamber in November last year, Mary Scanlon made the point—with which I agree—that 10,000 elderly people had been assessed for aid and adaptations and 10,000 were awaiting assessment. No finance was available. A total of £5 million of expenditure has been announced, but what kind of dent has that money made in those figures? Those figures represent real people. We want to keep them in the community, but we do not have the services they need. If we add to all that the removal of lighting services, tucking in and sleepover cover, we get a pretty grim world in which to be elderly and frail.

Around 3,000 Scots die each year from cold-related illnesses—a figure that compares very badly with our Nordic neighbours—and a total of 70,000 live in severe poverty. We now have a report, resulting from the national nutritional audit, that tells us that 29 per cent of people in long-term care are undernourished. That is proof, if proof were needed, that there is no place like home. However, that home requires real support and funding. The report clearly underlines that. A rich nation such as Scotland should be ashamed of those statistics.

Stamped all over the committee's report—and the national nutritional audit report—are three words: "For urgent attention". That is why the Executive should act on the committee's report, and not simply take note.

16:29

**Donald Gorrie (Central Scotland) (LD):** I have

a high regard for Malcolm Chisholm. In the unlikely event of my ever being asked to form a multi-party administration, he would certainly be in it. Therefore, any criticism that I may make now is not personal.

To the high command who are skulking in their rooms watching the television coverage of this debate, I say that it is the intention of the Liberal Democrat group—apart from the two members who have indicated otherwise—to support, through gritted teeth, the amendment. [MEMBERS: "Why?"] Sometimes in politics, the bigger the mess one's side has made of it, the more important it is to rally round. [Interruption.]

**The Deputy Presiding Officer:** Order.

**Donald Gorrie:** Having said that, we must learn from the way things have been conducted. It is extraordinary that there seem to be—allegedly—different doctrines as to whether a motion lodged by a committee just has to say "take note of" or is allowed to say anything else. There is evidently some sort of code that, like the highway code, people do not actually read and so do not know about. That should be clarified—the sooner the Parliament gets a grip on that, the better.

**Mary Scanlon:** I suggest to Donald Gorrie that when in a hole and digging and digging it is better not to continue digging but to go into reverse and do something positive for the elderly in Scotland.

**Donald Gorrie:** The intention is to do something positive for the elderly in Scotland. The sad thing is that we all agree on that yet we have got ourselves into a ridiculous muddle via a piffling amendment. First, we must clarify the rules of the Parliament to make it quite clear what committees can and should not do. The doctrine that no committee can ever ask the Executive to do something is not something I subscribe to.

Secondly, there must be some intelligence and common sense in the powers up there that organise our destiny. Whether business managers, ministers, civil servants or whoever—I do not know who they are as I do not operate at that exalted level—somebody is up there organising our affairs and consistently making an absolute muddle of everything. The unerring and consistent skill with which our lords and masters kick the ball into our own goal is quite frightening. It is about time they got a grip.

**Mr Hamilton:** Since the member has just outlined his disagreement with the principle and the detail of the Executive amendment but said that he will vote for it, perhaps he will tell us why.

**Donald Gorrie:** Because the Liberal-Democrat position was agreed at a meeting at which I was not present and I go by the rule of playing for the team, even if they have got it wrong. That is the

short answer. The longer answer is that we have made a mess of it this time and we must take this opportunity to get things right next time.

Despite what Malcolm Chisholm says, it would have been possible for the Executive to accept the motion and for Malcolm or whoever was speaking to say that there are some things the Executive is still looking into, and paragraph whatever about training we do not accept, and so on. I can go to church and sign up to the 10 commandments but say that I reserve the right to retain my envy of other people who have a decent head of hair. That does not mean I have to reject the whole bloody thing—if you will pardon the expression.

The performance of our team has been deplorable. It has removed the possibility of a more consensual debate and of talking more about things other than free personal care, such as care at home; housing adaptations; the absence of clarity about what is spent and should be spent—the finances are a muddle; the importance of a single point of control of budgets; the fact that there are too many short-term projects; the fact that morale is very low because nobody controls the money; the fact that there is a bias to the institutional sector; the fact that there is trouble in the voluntary sector; the fact that there are not enough day care centres—all of which are covered in the committee report.

The more we all go out into the real world and discover that the world as described in official Government reports does not exist, the better. The real world is quite different. This fiasco should lead to our having a better grip on things in the future. If the situation remains as it is, there will be very serious consequences.

16:34

**Ben Wallace (North-East Scotland) (Con):** When I was in the Guards, when challenged by visitors about our tendency to iron and polish everything, we used to have a saying: “bull baffles brains”. Over the past year, the Executive has clearly applied that saying to the committee recommendations and the Sutherland report by amending, twisting words, leaking and confusing all who venture along the path of Sutherland. The Executive hopes that it will be left alone and that people will get bored with the subject. We will not get bored with it and we will continue to fight and stand by our position, as have the other parties—except our friends the Liberal Democrats.

**Mrs Smith:** Hem.

**Ben Wallace:** Apart from Margaret Smith, of course, who has always stood by her principle on the matter, which is something for which she should be rewarded.

Do members remember the new First Minister's exclusive interview in *The Sunday Times* just after he came to office? Or Malcolm Chisholm's words in the committee? Some of them have been quoted today. We have been reminded of the fears about bickering over personal care. All those concerns have been justified.

We have had enough Executive rhetoric. Today, we are debating a motion that a committee report be acted upon. The report is clear. It is a cross-party report without minority additions, but for some reason the Executive has lodged an amendment—it could not resist it.

**Dr Simpson:** Will the member give way?

**Ben Wallace:** No.

I wonder which member of the Executive could not resist lodging the amendment. Perhaps it was Iain Gray—I am glad to see that he has come back to his seat—who has argued vociferously against Sutherland and free personal care on the point of principle that it would help only well-off pensioners. He stuck to that, although he might be part of an Executive that is promising—but has not yet carried out—a U-turn on that very principle. Perhaps it was Nora Radcliffe, who spoke on personal care in September and said that we should wait for Westminster before we act.

**Nora Radcliffe (Gordon) (LD)** *indicated disagreement.*

**Ben Wallace:** Nora Radcliffe is shaking her head. Perhaps she has changed her mind. Does she disagree with me? I can quote her on waiting for Westminster.

Des McNulty refutes the financial position. Not one organisation has sent me or represented to the committee a refutation of the financial position of Sutherland—nor has the Executive. One would have thought that the Executive, which is very good at briefing, spinning and letting things out, would have let it be known immediately if it had evidence to refute the financial position. It has had months and months to do so.

Des McNulty probably does not recognise the effect of the second Griffiths report, which allowed the extension of the provider-purchaser role in community care. That is the position that his Executive maintains.

Mike Rumbles's question was why did the Executive need to lodge its amendment. Having read through the Executive's response to the committee report, it seems that there is a clear reason. Out of 45 recommendations, the Executive disagrees with two. One is UK reserved, so I think we can let it off with that. It objects to the recommendation on GP training, although it seems to disagree on the ground of difficulty. The recommendation with which the Executive really

disagrees, though, is the Sutherland definition of personal care. That is the key.

The Executive's response to the committee's recommendations showed that there is not one difficult position in which it is in conflict with us. Duncan Hamilton is right to say that the committee will monitor progress. The key question is whether the minister and the Scottish Executive agree with the definition of personal care as set out on page 68 of the Sutherland report. It is a yes or no question. That is all it takes.

When I joined the Parliament, people said that Donald Gorrie is a man of principle—a good man who always speaks up. What an excuse Donald Gorrie gave: “If I’m in a hole I’ll keep digging because perhaps I will come out in Australia.” With that attitude, perhaps Donald Gorrie should carry on until he reaches Australia. We are not answerable to the people up there in the higher echelons—we are answerable to the electorate. We are answerable to the people who deserve and demand proper care for the elderly. When Donald Gorrie votes a certain way today because of the group rules and the decision made in a meeting that he did not attend, he should think about that. I can tell him that we will remind the people who demand the care that the elderly deserve that it was Donald Gorrie who decided it because he was not in a committee room on a certain day. I have lost any respect that I ever had for the position that he sometimes maintains.

Today, we are discussing a report that is unambiguous; it is a cross-party report that makes good recommendations. I would have been proud to support it, as would the whole Parliament, had it not been dirtied by an Executive that is not straight with the truth. I hope today that members of all parties will read the report and act on it—and then we will be able to move on to other priorities.

16:40

**Shona Robison (North-East Scotland) (SNP):**

What a fine mess the Executive has got itself into this afternoon. It is the equivalent of causing a fight in an empty room. It is remarkable. As Margaret Smith and others have rightly said, it is unfortunate that the Executive has found it necessary to seek to amend the motion.

I am not sure whether the Deputy Minister for Health and Community Care found Donald Gorrie's speech helpful. From his facial expression, I think that he probably did not. Most of us found it astonishing when Donald Gorrie said that it was important to win the vote because his side had made a mess of things and that members of the coalition parties needed to rally round to bail out the minister. That was a damning indictment of the relationship between the parties in the

coalition. What did it say about the Scottish Parliament's principles of openness and transparency? Where is the openness and transparency in that, and where are the principles? What Donald Gorrie said was absolutely shocking; it is disappointing that it came from someone who usually makes eloquent speeches in the Parliament.

In many ways, the words “act upon” are the most important in the motion. We have done the talking and now it is time for action. We want the minister to tell us how and when he will implement all the committee's recommendations—many fine recommendations from a fine report—such as that we should have adequate resources. Although the Executive has provided additional resources, which I welcome, we have a long way to go. We must make sure that money is spent where it is supposed to be spent. A single funding stream should be established to make the best use of those resources—Kay Ullrich's point about resource transfer was well made.

We must ensure that GAE is spent on the elderly and not plundered for other areas. We must ensure that essential services, such as home help services, are adequately funded to meet need. The 30,000 home help hours that have been lost, which I have mentioned on a number of occasions, are a resource that must be restored. I hope that the minister will indicate that that will be done.

I am pleased that the recommendation to deal with inconsistent charging policies will be acted upon. Better co-ordination between agencies is equally important. Improved service quality will be advanced in great strides by the Regulation of Care (Scotland) Bill, which will establish the Scottish commission for the regulation of care and end the nightmare of malnourished elderly people in our care homes, as highlighted in the weekend's press. I share Nicola Sturgeon's concern about fees. I hope that the minister will address that issue.

The Health and Community Care Committee report clearly recommends free personal care. If the Executive did not want to raise doubts about its commitment to personal care, it should not have lodged such an inept, crass and stupid amendment, as Mike Rumbles described it. The minister tried to argue that it was an attempt to welcome the report, but he could just as easily have done that by ending the amendment before “and further notes”, because what is further noted is the announcement on 25 January that proposals on personal care would be produced.

The wording in the amendment reopens the debate on what the Executive is committed to. If the minister did not want that to happen, he should not have lodged such a badly worded amendment,

so he must take responsibility for the tone of the debate. The report contains many good recommendations and I was looking forward to a positive debate, because we all assumed that the matter was closed. The minister is the one who has chosen to reopen it today, so he should take responsibility.

At this morning's Health and Community Care Committee meeting, the minister refused to provide a definition of personal care or to endorse the definition provided by Sutherland. His refusal to do so adds weight to my previous remarks.

The Executive's history on the subject of free personal care, the minister's reluctance to define personal care this morning and in today's debate, and the Executive's amendment to the motion mean that the minister can hardly blame members for being more than a little sceptical and concerned about the Executive's commitment to implement free personal care for all of Scotland's elderly.

16:46

**Malcolm Chisholm:** I would like to deal with some of the substantive issues of the report that I did not have time to cover in my opening speech. I hope that I will have time to do so and to respond to several of the points that have been made about the service issues that the report raises.

Before I do so, however, I am afraid that I will have to address the issue of motions and amendments. My usual calm unflappability has been sorely tested by some of the words that have been flying around the chamber this afternoon. Without criticising my colleagues, I could probably claim to have made the most positive Executive response ever to a committee report. I made it clear at several points in my speech that, of course, the Executive is acting upon the vast majority of the recommendations—in some cases because we have arrived at the same conclusions, albeit by a different route. However, it is absolutely clear that we cannot act upon every recommendation in detail, in this case or in general. Whatever Mike Rumbles says, that is what the wording of the amendment means.

**Nicola Sturgeon** *rose*—

**Malcolm Chisholm:** I will take an intervention in a minute.

An issue of principle is involved. No one has supported the committee system of the Parliament more than I have. I am committed to the partnership between committees and the Executive that was embodied in the founding principles of the Parliament. However, calling for every recommendation of a report to be acted on in detail is not part of such a partnership approach

and does not reflect the spirit of partnership. That is not the way to make legislation in the Parliament.

**Ben Wallace** *rose*—

**Mr Rumbles** *rose*—

**Nicola Sturgeon** *rose*—

**Malcolm Chisholm:** I object to the fact that speakers have misrepresented that reasonable procedural point time and again.

**Mrs Smith:** Will the minister take an intervention?

**The Deputy Presiding Officer:** Order. Members must please sit down.

**Malcolm Chisholm:** The debate has been turned into one that is solely about personal care, which I never said was the reason for my amendment.

**Nicola Sturgeon:** The minister is being somewhat disingenuous. If he simply wanted to substitute "welcomes" for "act upon" to give himself room for manoeuvre on minor details, why did the amendment not stop before the words "and further notes"? In the words after "and further notes", the minister singles out personal care. He raises the suspicion that there is some difference between the Executive's position on personal care and the position in the committee's report. If that is not the case, why are the final lines of the amendment necessary? That is the issue that the minister has created and has been unprepared to address this afternoon.

**Malcolm Chisholm:** I would have thought that Nicola Sturgeon knew that the care development group will not only make proposals for the implementation of free personal care, but consider many other important issues, some of which I referred to. I am genuinely amazed at how any member can object to the work that the care development group will do and to its being referred to in an amendment. I fail to understand the basis of the arguments that have been made and I do not want to spend any more time on the issue.

**Mr Rumbles:** Will the minister take an intervention?

**Malcolm Chisholm:** I want to move on to the substantive issues. If I have time, I will take an intervention, but I will not give up time that should be for talking about mental health and services for the elderly to pursue the dancing on the head of a pin that we have seen this afternoon.

I remind the chamber that the report deals with community care in general, services for the elderly, and—very important—mental health services. It is appropriate that we pay attention to that. The report recommends that there should be

12-monthly reports on the mental health framework. For the first time, there will be an annual report—which will soon be on the web—from the mental health and well-being support group, which has been monitoring the implementation of the framework. The report also recommends that there should be mental health crisis services in each area. I remind members that we discussed the development of crisis services in “Our National Health: A plan for action, a plan for change”. According to the framework, there ought to be a mental health crisis service in each area. However, there is sometimes dispute about the nature of that service, which is why it is crucial to involve the users of services in the definition of crisis services.

Another recommendation concerns the need to ensure the development of equitable access to information services and to individual and collective advocacy. I refer again to the health plan, in particular chapter 5, which is on involving people. Because of earlier discussions, I do not have time to quote from it, but it contains considerable detail about how we intend to proceed with the plan in general terms to give patients and users a stronger voice and to involve people and communities in the design and delivery of health services. In particular, it outlines how we will develop the agenda of more patient and user information and the obligation on all health boards to ensure that there are integrated and independent advocacy services.

We share Mary Scanlon’s concerns about delayed discharges, which is why the attack on delayed discharges has been a key priority for local authorities and health boards during the winter—that will continue. Kay Ullrich made a related point about money to deal with people who are waiting to go into more appropriate accommodation. “Appropriate” is the key word for community care. We agree with the Health and Community Care Committee that we especially want more home care; however, in some cases, we also need more residential care. That is a call on resources—in the care development group, we will consider all the calls on resources for elderly people. During the debates on community care, I have consistently said that, while we want to develop free personal care, we have to consider all the other service developments simultaneously. That is precisely what the care development group will do—for some unaccountable reason, members have a problem with the reference to that in the amendment.

Nicola Sturgeon referred to the recent report on nutrition for the elderly. We were very concerned by the findings of that report and, as a matter of urgency, we are acting on those findings. Page 28 of “Our National Health: A plan for action, a plan for change” details the specific action that we are

taking to address that problem. I refer to recent work by the chief nursing officer, who has gone round every health board area in Scotland to address the issue. In addition to that, the Clinical Standards Board for Scotland will monitor nutrition as a core care standard. The Scottish Health Advisory Service will pay particular attention to nutrition in its inspections. Last but not least, the commission for the regulation of care will be responsible for the first inspection against national standards of nutrition and other crucial aspects of care standards.

I am sorry that I had to spend so much time on the procedural point at the beginning, but I conclude by reminding Duncan Hamilton of what I said in response to his question. Of course we accept in principle the Sutherland view of personal care. Indeed, in certain details we may be able to go beyond it—perhaps, for example, sitting with or assisting dementia sufferers should be included in the definition. The key point is that we accept the principle, although we have to work on some of the details. However, as I said to Duncan Hamilton, the more fundamental challenge is to translate the principle of Sutherland into an applicable, understandable and doable system of charging and non-charging—that is precisely what we will do, along with achieving other objectives that we have outlined. I hope that members welcome the care development group.

I am sure that the members of the Health and Community Care Committee will especially welcome the fact that their adviser, Professor Alison Petch, will be on the group.

16:54

**Margaret Jamieson (Kilmarnock and Loudoun) (Lab):** In winding up the debate, I place on record the Health and Community Care Committee’s grateful thanks to Jennifer Smart and her team of clerks who service the committee. I also thank the Parliament’s research staff and the advisers on the 16<sup>th</sup> report of the committee, Professor Alison Petch and Dr Gordon Marnoch, for assisting the committee during the 10 long months of the inquiry. Without them, I doubt that we would have been able to produce such a professional report.

Assistance was also provided by many others in many different ways and from unusual quarters. I am glad that Alasdair Morrison, the Deputy Minister for Enterprise and Lifelong Learning and Gaelic, is in the chamber. He certainly ensured that the visit to the Western Isles that Mary Scanlon, Duncan Hamilton and I undertook went without difficulty. I certainly hope that Alasdair’s political progression—or that of Duncan and Mary—is not affected by the fact that we were all in the same boat. Indeed, we were certainly in a

very small boat on one occasion, when we went from Barra to South Uist. I may have used some unparliamentary language, because I was terrified.

**Kay Ullrich:** I was not fortunate enough to be on that trip to the Western Isles and I do not suppose that Margaret Jamieson is going to tell us exactly what happened between her, Mary Scanlon and Duncan Hamilton. Can she assure us, however, that the girls were at least gentle with him?

**Margaret Jamieson:** Many things can be said about me, but we certainly ensured that Duncan was kept in his rightful place.

On behalf of Duncan Hamilton and Mary Scanlon, I record our grateful thanks to Alasdair Morrison, the Western Isles Health Board and Western Isles Council for their hospitality. It would be remiss of me not to mention that wonderful night out in Stornoway courtesy of Runrig. Mary Scanlon is absolutely wonderful at obtaining free tickets and I thank her very much.

I also thank each and every member of the Health and Community Care Committee for the work that they undertook in questioning the many individuals and groups that provided evidence to the committee. If they had not undertaken that background work, we would not have been able to produce such a report. We are also indebted to the many witnesses who shared with the committee their experiences, some of which were of a very personal nature. It would not have been possible to provide such a detailed report without them and I thank them again.

It is no accident that the committee report takes the view that flexible, person-centred services should be available 24 hours a day, seven days a week and 52 weeks of the year to those who require the services of the care work force.

Reference has been made in today's debate to a significant number of evidenced-based good practices found throughout Scotland. Please forgive me if I refer to those practices again. They include devolved joint budgets, rapid response teams, augmented care services, integrated care services, care and repair schemes, aids and adaptations, and joint funding of posts. That is not an exhaustive list, but an example of the commitment to moving forward on a voluntary basis.

Much can be achieved for service users across Scotland. Like many members of the committee and those who have contributed to today's debate, I welcome the committee's extensive report and I commend it to the Parliament.

## Business Motion

**The Presiding Officer (Sir David Steel):** For the next item of business, I ask Tavish Scott to move on behalf of the Parliamentary Bureau business motion S1M-1659, which proposes a change in the business for tomorrow. Any member wishing to speak against the motion should indicate now that they would like to speak.

16:59

**The Deputy Minister for Parliament (Tavish Scott):** In moving this motion, I intimate that the Education, Culture and Sport Committee did not have an opportunity to discuss the Sewel motion on the Culture and Recreation Bill. The committee will deal with it on 27 February and it will be put to the chamber to be formally moved on 1 March. A slot has been programmed, which will be shown in tomorrow's business motion. The change to business tomorrow morning is to allow for the motion of no confidence to be taken between 9.30 am and 10.30 am.

I move,

That the Parliament agrees the following revisions to the Business Motion agreed on 8 February 2001—

Thursday 15 February 2001

(a) delete

9.30 am                      Scottish National Party Debate on Education

and insert

9.30 am                      Debate on Motion of No Confidence

followed by                Scottish National Party Debate on Education

and (b) after

3.30 pm                      Executive Debate on Children's Services

delete

followed by                Executive Motion on the Culture and Recreation Bill—UK Legislation

*Motion agreed to.*

## Parliamentary Bureau Motion

*Motion moved,*

That the Parliament agrees the following designation of Lead Committee—

The Justice 2 Committee to consider the European Communities (Matrimonial Jurisdiction and Judgments) (Scotland) Regulations 2001 (SSI 2001/36) and the draft Civil Defence (Scotland) Order 2001.—[*Tavish Scott.*]



## Decision Time

17:00

**The Presiding Officer (Sir David Steel):** There are three questions to put to the chamber.

The first question is, that amendment S1M-1639.1, in the name of Malcolm Chisholm, which seeks to amend motion S1M-1639, in the name of Margaret Smith, on the Health and Community Care Committee report on community care, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 MacKay, Angus (Edinburgh South) (Lab)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)

Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Adam, Brian (North-East Scotland) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Davidson, Mr David (North-East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Mundell, David (South of Scotland) (Con)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Russell, Michael (South of Scotland) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wilson, Andrew (Central Scotland) (SNP)  
 Young, John (West of Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 60, Against 49, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** The second question is, that motion S1M-1639, in the name of Margaret

Smith, on the Health and Community Care Committee report on community care, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**FOR**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Etrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 MacKay, Angus (Edinburgh South) (Lab)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)

Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Davidson, Mr David (North-East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 McGregor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Mundell, David (South of Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Young, John (West of Scotland) (Con)

**ABSTENTIONS**

Campbell, Colin (West of Scotland) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Russell, Michael (South of Scotland) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)

**The Presiding Officer:** The result of the division is: For 62, Against 17, Abstentions 31.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament notes and welcomes the recommendations contained within the 16th Report 2000 by the Health and Community Care Committee, *Inquiry into the Delivery of Community Care in Scotland* (SP Paper 219) and further notes the announcement made by the Executive on 25 January 2001 and the establishment of the Care Development Group regarding the care for older people.

**The Presiding Officer:** The third question is, that motion S1M-1660, in the name of Tom

McCabe, on the designation of lead committees, be agreed to.

*Motion agreed to.*

That the Parliament agrees the following designation of Lead Committee—

The Justice 2 Committee to consider the European Communities (Matrimonial Jurisdiction and Judgments) (Scotland) Regulations 2001 (SSI 2001/36) and the draft Civil Defence (Scotland) Order 2001.

## Debt Advice and Awareness

**The Presiding Officer (Sir David Steel):** We come now to members' business. I ask members who are leaving to do so quietly and quickly, so that we can proceed with an important debate on motion S1M-1569, in the name of Fiona Hyslop, on debt advice and debt awareness day. I invite members who want to take part in the debate to press their request-to-speak buttons now.

*Motion debated,*

That the Parliament notes with concern the alarmingly high levels of consumer debt in Lothian; notes that this is indicative of the situation across all of Scotland; recognises the invaluable work of Scotland's Citizens Advice Bureaux (CAB) in dealing with over 34,000 new cases of consumer debt in Scotland last year; gives backing to the CAB Services Debt Awareness Day on 14 February 2001 warning of the scale and danger of consumer debt; condemns the irresponsible marketing techniques that entice people to borrow beyond their means, especially those on low incomes, and calls upon the Scottish Executive to invest in independent advice agencies which are at the front-line in tackling debt and poverty issues in Scotland.

17:03

**Fiona Hyslop (Lothians) (SNP):** I have been asked why we are holding a debate on a topic as depressing as debt on St Valentine's day. Perhaps it is reflective of the dour thrawnness of Scots. However, as the manager of the citizens advice bureau in Livingston told me, debt and money worries have broken many a relationship. The work of advice agencies in helping people to deal with their debt issues can often save pressured relationships in the process. Indeed, I understand that one of the stories surrounding St Valentine—whether it is true I am not sure—is that he gave money to three sisters who, for some reason, were deemed too poor to get married: credit for love.

On a more serious note, I am pleased to have been given the opportunity to raise these issues in a members' business debate. Since lodging the motion, I, like other members, have been contacted by a number of organisations, who have expressed their approval that we are dealing with the subject directly.

I want to talk about the state of debt in the Lothians and in Scotland. Citizens Advice Scotland estimates that, in the Lothians alone, it deals with at least £10 million of personal consumer debt. The Advice Shop in Bathgate estimates that its clients have £3 million in different kinds of debt. The debt case load is increasing. Penicuik CAB tells me that it has dealt with 58 per cent more multiple debt cases. Since 1979, total unsecured consumer credit in the UK has increased elevenfold.

Debt is caused by several factors. Poverty is a prime cause, as is easy access to expensive credit and personal problems caused by relationship breakdown, pregnancy or death, which can make a bad debt situation spiral out of control. There is also a generation issue. Older people worry mercilessly about going into debt and will not eat or heat their homes so that they do not do so. The younger generation are armed to the hilt with store charge cards and, in some cases, build up £20,000 to £30,000 of unsecured consumer debt in their early 20s, while staying at home with their parents.

On poverty, one of the issues of concern is the operation of the social fund, which is meant to be a safety net for the poorest in our society, but operates to exclude the very poorest in our society who cannot afford to repay the loan and are therefore refused. When we judge ourselves on social justice, we should ask what this policy does for the poorest, most marginalised in our society.

We owe an enormous debt to Citizens Advice Scotland, which is organising this debt awareness day. It has 57 member citizens advice bureaux, which deliver the service through 130 service points. Last year, one in 11 Scots used their local CAB. Each CAB is an independent charity and must raise its own funding, most of which comes from local authorities. They have 1,800 volunteer advisers, which make up 90 per cent of the Scottish CAB service. We express our thanks for their service. It is interesting that 77 per cent of all Department of Social Security forms and packs refer clients to their local CAB for general advice—they are part and parcel of the public service.

I will mention several issues that are of concern. We must consider the impact that water charges will have on debt. Bill Scott, the director of Lothian Anti-Poverty Alliance, stated in yesterday's *Edinburgh Evening News*:

"The poor are finding it increasingly hard to pay and, worse, because water charges are combined with council tax bills, thousands of families faced with the stark choice of feeding the children or paying the bill then default on both. The increase in water charges, as well as ruining people's lives, is also ruining local authorities' ability to collect local taxes and thus pay for vital services . . . For many, large increases in water charges may be the straw that breaks the camel's back."

That is another reason why this debate on debt is pertinent.

I will also raise concern about irresponsible marketing techniques. In this day and age, money is sold aggressively and mercilessly: from flyers through the letterbox to adverts in the paper and satellite entertainment adverts. Although consumer credit is reserved to Westminster, if we are serious about tackling debt and poverty we must tackle the extortion that takes place, in the

name of legitimate lending, by disreputable lenders.

As a nationalist, I would argue for those powers to be under the control of this Parliament. The main point is that whoever has those powers must take action. I hope that Margaret Curran, in her speech, will take the opportunity to report—as we do not often get the opportunity to hear about the outcomes of the joint ministerial committee on poverty—on debt issues and on the operation of the social fund, which I mentioned earlier.

Most debtors have multiple debts to several creditors. The City of Edinburgh Council's money advice team found that 71 per cent of people seeking help with mounting debt owed money to five creditors or more. Concerns have constantly been raised with me about the recent increase in debt management companies, some of which charge between 15 and 25 per cent interest in fees for taking on consolidated loans. If someone is on a good salary, it may make sense for them to have someone manage their debt, but if they are on a poverty income, that is an excessive charge. We must ensure that people know that free independent advice is available.

Let us turn to solutions. The bottom line is that we must tackle poverty by increasing the incomes of the poorest in our country. The powers to do that are not as yet available to this Parliament. We must work in whatever way we can and make representations to London that the consumer credit legislation must be addressed; lending at an interest rate of 400 per cent must not be acceptable. In addition, something is needed to fill the gap between ability to make payments and bankruptcy.

We must provide advice services when people need them. Many CABs are only open on certain days. I understand that the average number of hours that a CAB is open has reduced from 25 hours to 24 hours a week in the past year. Debt advice must be seen as part of the Government's broader social inclusion strategy. The answer lies in providing independent advice agencies with a stable and secure financial framework which would allow them to concentrate on providing their core services effectively and to continue the types of innovative schemes such as the Edinburgh in-court advice project that I hope will be expanded to other courts.

We must ensure that people are aware that they can access free independent money advice before they get locked into expensive loan consolidation deals. While welcoming the national debt line phone service, we should agree that it complements rather than replaces a face-to-face service. Face-to-face counselling is often required as it gives the individual personal support. I have received representations from advice workers that

they could counsel 50 per cent of cases initially through telephone, but not the 70 per cent that it has been suggested that the national debt line would deal with. Perhaps the minister could address that issue in her response.

We must ensure that, wherever possible, there is common practice among creditors and that credit unions are encouraged, supported and developed to provide a community-based, low-cost access to credit to cut out the loan sharks and other legitimate but predatory lenders. Our message today must be to seek advice early—the value of early advice as a preventive measure should not be ignored.

Scotland is a place where we do not like speaking about money, whether it is about what we earn—unless it is a tabloid discussing MSPs' salaries—or what we owe in debt terms. Today, by having this debt debate, the Scottish Parliament is itself facing up to one of Scotland's most serious problems and identifying some solutions.

**The Deputy Presiding Officer (Mr George Reid):** Thirteen members have indicated that they wish to speak in this debate. I have spoken to the minister and she is prepared to stay on until 5 minutes to 6. I will take a motion without notice to that effect.

*Motion moved,*

That the debate be extended by up to 30 minutes.—[*Dr Winnie Ewing.*]

*Motion agreed to.*

17:12

**Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab):** I congratulate Fiona Hyslop on securing this debate, which centres on an issue on which we all want to see some action. I commend to members the booklet "Debt on our Doorstep" that has been circulated today by the Scottish Churches Parliamentary Office. This very good report provides a lot of detail about the real difficulties that people face when they are caught in the spiral of debt and suggests some very positive ways forward.

I will spend a few minutes talking about the role of the credit union movement in this matter. I hold an ideological view that credit unions do not just provide a source of debt relief for poor people and a legitimate way of organising financial services; they have made all the difference for many people without high incomes as they survive and manage their debt.

At a community level, credit unions not only give people an opportunity to borrow money to pay off debts that have been set at a higher level, for example, but allow them to link into the notion of saving. That is vital, as it allows people on low

incomes to manage their debt and save at the same time. "Debt on our Doorstep" includes the story of a woman who opted to use the credit union. Some of the £10 that she put into the union each week paid off her loan, while some of it was saved. She said:

"By the time Christmas came round again, I'd paid off the loan and had £125 set up".

The £15 she made each week through using the credit union instead of loan sharks or other companies made a huge difference and allowed her to use the £125 she saved to do something positive for her family.

However, it is not just loan sharks who rip people off as far as debt is concerned. Anyone on a low income finds it difficult to get access even to more respected financial institutions. People with a reasonable salary can go on to the internet and change their credit card to a company that will give 0 per cent interest for six months. However, anyone without an MSP's salary or a credit reference should try getting that.

We must also address the issue of fuel poverty. Why should people on perfectly reasonable salaries who can afford to pay by direct debit and monthly instalments be able to access greater savings on their electricity and gas when people on low incomes have no option but to pay weekly? As a wee experiment, I went on to the internet and found that, according to the utility companies, I could save £103 a year if I transferred from one company to another.

To somebody on a low income, £2 a week would make all the difference. However, that option is not open to them unless they have some money to pay up front. There are many issues that we could address as social inclusion issues, and I am sure that the minister will suggest some ways forward and tell us what has been done to date on this subject.

I finish by reminding members that this issue affects all our constituents, although it is often hidden because people fear being singled out. We should therefore support all efforts to access advice and information, whether over the telephone or through contacting citizens advice bureaux or other organisations.

17:16

**David Mundell (South of Scotland) (Con):** I pay tribute to the hundreds—probably thousands—of people throughout Scotland who have acted as volunteers in the citizens advice service and other informal or formal agencies that assist people who are in debt. It is of great credit to Fiona Hyslop that she has secured this debate on a serious subject that affects many of our constituents.

Members have touched on several issues already. Some other matters relate to reserved powers. We cannot proceed further without mentioning the benefits system and the advice and support that people need when they are claiming benefits. Before I was a member of the Parliament, I did not understand the complexity or difficulty that many people face when they are trying to claim benefits or get direct benefit advice. Some members might think that someone has only to go down to the benefits office and ask whether they are entitled to disability living allowance to be given that information. However, the system does not work like that. The person must fill in and send away numerous forms, and the process may take two months. They might have to phone or otherwise contact their MSP or MP. It is an involved process, and we need to do something about it.

The UK Government ran a campaign of adverts in which Thora Hird appeared in a cafe, telling people about the various benefits to which they could be entitled. However, there is much evidence to show that that campaign was not significantly successful. We need to think again on the matter. Elderly women constitute one of the biggest groups in our society who do not take up benefits. Especially in rural communities, it has not traditionally been the women's role to deal with the household finances, and when they are left on their own they think that claiming benefits is wrong and have difficulty with it. We must tackle that.

We must also consider issues such as funeral expenses, which Fiona Hyslop mentioned. In Carlisle recently, at a seminar on funerals, people were asked to consider the issues of saying to their families that they did not want £5,000 funerals that would place their families in debt for the rest of their lives, and planning what sort of funerals they wanted so that their families would not have to go through the process of making difficult financial decisions when they were most vulnerable. Such initiatives encourage people to think ahead about such matters.

We should provide support where it is needed—for example, in a hospital environment. I recently met people who had suffered mental health difficulties, who found that accessing advice and support in the hospital environment could be quite difficult. We must take help and support to people where they are, encourage them to be open about being in debt and prepare them to confront difficult issues such as funerals. There is much that we can do, and I hope that this debate will contribute to that.

17:19

**Euan Robson (Roxburgh and Berwickshire) (LD):** I warmly congratulate Fiona Hyslop on

securing this debate and offer my firm support to the CAB service's debt awareness day. I extend my thanks to all those who work in the CAB service—both professionals and volunteers—in my constituency, especially Maureen Bennett and her colleagues at the Roxburgh CAB and her other colleagues at the eastern Borders CAB.

Roxburgh CAB has told me that debt is endemic throughout Scotland. Indeed, during last year, it dealt with 2,340 consumer debt cases, which made up 32.5 per cent of all inquiries. The definition of consumer debt did not even include housing and tax debts. In other words, virtually half the work of that bureau alone related to debt. Roxburgh CAB considers debt to be "a major social problem" in my area.

What is the way forward? Members have mentioned some of it: there is to be a change in the attitude of lenders and a change in the attitude of creditors, whose first response, far too often, is to tell people to pay up in full rather than to offer payment plans.

It is also perfectly clear that an obligation to assist people to maximise their benefits must be placed on the DSS. There is currently no such obligation. Claimants turn up with their claims, make their claims and are not told whether they could claim more, even if they could. It is important that that attitude is changed at source. Changing it may require Westminster to act—I am not sure—but it is essential that something is done about that situation.

We should also facilitate direct deductions from benefit to pay for specific types of bills, if the individual so wishes. The DSS 519 fuel direct scheme was particularly successful in coping with fuel debt problems, but it operated only if the consumer was happy to accept the facility that was offered.

A number of sea changes are required and it is important that this debate has highlighted them.

We have opportunities to enhance payment facilities. The Post Office tells me that more than 90 per cent of the Scottish population lives within 1 mile of a post office. I have not been able to verify that, but I am sure that it is true. If it is, the Post Office must offer major opportunities for making payment facilities available. There is a connection between coping with levels of debt and repayments and boosting the income of a number of rural sub-post offices. That will need some investment by central Government.

The Executive must consider the scheme that is being proposed by Scottish Borders Council for assisting with escalating water bills and which involves developing a rebate scheme linking the charge to housing benefit. I will write to the minister about that soon.

It is high time that targeted investment was made in the CABx and in Money Advice Scotland and other advice agencies. I do not mean that staff or big grants should be provided, but some equipment, software and training would make a considerable difference to a number of the local bureaux.

17:23

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** I do not think that the complexity of the work that is carried out by citizens advice bureaux in relation to clients who have debt problems is widely appreciated. The problems are not easy to resolve and it is often difficult to get at the facts accurately. I join other members, notably Fiona Hyslop, who initiated today's debate, in paying tribute to all the CABx and credit unions. I am sure that all members would want to encourage credit unions and promote their activities as the most effective, the cheapest and perhaps the friendliest way of obtaining credit, especially for those who have least resources. In my constituency there are credit unions that do an excellent job.

I spent about a decade as a solicitor specialising in insolvency law, acting purely for the debtor. Typically, I would be consulted a week or so before someone was due to be evicted. Usually, I was contacted by a female—I notice that all the Labour MSPs here tonight, bar one, are females—who had been left to take on the responsibility of trying to resolve the financial difficulties that were once perhaps the responsibility of a male in the family.

The circumstances of many of the people who came to my office were absolutely dire. The misery that debt causes is, I know, appreciated by all those who are involved in trying to help people with their plights. It is quite moving for them to have someone in their office who is breaking down in front of them, and whose life has been ruined by debt.

It is up to us to find practical ways to resolve such situations, and I will make some suggestions. Bankruptcy legislation must be reformed and liberalised. The stigma of bankruptcy, although justified when it comes to rogues, is not justified in most cases. The stipulated three-year period must be shortened, and the termination of warrant sales should come now, not in two years' time. I am aware that 500 or 600 warrant sales will go ahead because of the unfortunate decision that was taken on the timing of the provisions of the Abolition of Poindings and Warrant Sales (Scotland) Act 2001.

The main problem is the attitude to enforcement procedures of those who are responsible for the

credit policy of banks and building societies. The loss of local bank managers, at least in my experience, has brought with it the loss of flexibility and understanding. In some cases, the ability to reach a sensible decision has also been lost.

It is not in our remit to tell banks or building societies what to do, but, during my 10 years of experience, I often had to complain to an almost unbelievable extent. As members can perhaps imagine, I do not find the activity of complaining a difficult experience. However, those complaints often had to be made to the governor of the Bank of Scotland, to try to prevent the eviction of someone who was able to pay their mortgage and whose arrears were modest and plainly affordable. I had to complain to the governor to stop the eviction going ahead because nobody else could understand the problem. That is because all the bank managers have gone into some twilight zone; they have disappeared and been replaced by clerks—it is not their fault—computers and letters generated at 25 quid a throw. That all penalises the poor. All that must go; all that must change.

It is no coincidence that I see no bank managers up in the public gallery. I suspect that lots of people from CABx and money advice centres are there. Where are all the bank managers today? Will they listen to or read this debate? I think that they should, and I hope that Margaret Curran, when she gives us her pearls of wisdom at the end of the debate, will join me in urging the well-heeled fat cats who are running our banks to take heed of this debate.

17:27

**Bristow Muldoon (Livingston) (Lab):** I am not at all surprised that Fergus Ewing does not find any difficulty in complaining. That is one of the things that many of us have noticed about him.

**Mrs Margaret Ewing (Moray) (SNP):** Oh, come on.

**Bristow Muldoon:** Is Margaret agreeing or disagreeing with me?

I welcome Fiona Hyslop's initiation of this debate. As is the case for many MPs and MSPs, several of my constituency cases are associated with questions of debt, whether that is consumer debt or debt associated with public agencies. It is an important issue, which this Parliament should be dealing with.

I join other members in paying tribute to the role played by citizens advice bureaux throughout Scotland, both in dealing with individual cases and in launching debt awareness day.

I agree with Fiona Hyslop that we need to deal with some of the punitive levels of interest that are

charged. That chimes well with Cathy Jamieson's point about the fact that it is often the people who are least able to afford finance or energy who are paying the highest cost. The Parliament, in partnership with our colleagues down south, should be working to address that.

Tackling poverty must be central to how we address the problem of debt. I hope that the minister will address the ways in which the Scottish Executive is working with the UK Government to consider the impact of debt on many of the poorest members of our society.

One issue that has not been discussed much this evening is the local authorities' role in tackling debt management issues. West Lothian Council has a good record in that area, and has a highly regarded advice shop. Local authorities are often involved as the creditors in cases involving housing debt and council tax debt. They can play an important role in referring people who are in such debt to providers of appropriate advice, whether to CABx or to the council's advice shops.

In West Lothian, in addition to the work of the CAB, the local authority advice shop dealt with more than 3,000 requests for advice on money or benefits, more than half of which related to consumer debt. The advice shop reports some of the problems that Fergus Ewing described in trying to persuade creditors to reach agreements, even in cases where people can afford to make repayments and the proposals are sensible. The local authority has a crucial role to play in taking a proactive approach to debt. It should provide not only a debt service but a full benefits service.

I hope that the minister will note my concern about the increasing number of benefit applications that are rejected initially but are successful on appeal. That issue should be raised with the Department of Social Security.

In summary—I know that many other members wish to speak—the problems of debt that have been discussed today are issues that the Parliament should deal with. We should not solve them on our own, but should do so with our colleagues at Westminster and in local authorities, and with organisations such as CABs.

17:31

**Tommy Sheridan (Glasgow) (SSP):** I join other members in paying tribute to Fiona Hyslop for securing this important debate.

I had the great pleasure of working in the improving debt recovery working group with many people who were at the front line of dealing with debt problems—people from Citizens Advice Scotland, Money Advice Scotland, the law centres, the Church of Scotland, and the various anti-

poverty groups throughout Scotland. The most important aspect of that group's work was its attempt to humanise debt recovery—to improve it and make it more compassionate and understanding than it is. I recommend that group's report to all members, regardless of their political hue.

The report identified why people in Scotland get into debt; no rocket science is required to answer that question. The main reason is inadequacy of income, whether as a result of low benefits or low pay. The second major reason is changes in circumstances; for example, because of illness, marital breakdown, loss of job, or moving from unemployment to employment. The third reason that the report identified was the availability of credit, often from unscrupulous organisations and individuals who are willing and able to give credit without explaining the fine detail, which leads to many people getting into serious debt.

The difficulty that we face in tackling this issue is that many relevant policy areas are reserved. The Parliament may not have the power to address some of the fundamental problems, but there are three points to which I would like the minister to respond. First, there is the operation of the social fund in Scotland, which I realise is a reserved matter. It is unacceptable that the number of refusals of applications for loans from the social fund should have risen from 11,000 in 1999-2000 to 362,000 in 2000-01. Something is wrong with the operation of the social fund. I ask the Executive to carry out an appraisal of the operation of the social fund in Scotland and to examine how the new regulations affect those who are desperate for social fund loans.

I also ask the Executive to examine the idea that Glasgow City Council submitted to the recent Scottish Affairs Committee inquiry into poverty in Scotland: that the working families tax credit should be disregarded for the calculation of housing benefit and council tax benefit for those who move from unemployment to employment. The problem is often that the clawback from the income of families who are in that situation is as high as 85p in the pound, which means that it is uneconomical for people who live on very low incomes to get jobs.

Thirdly, I would like the minister to consider carrying out a proper appraisal of the adequacy of benefit in Scotland. There has never been a proper appraisal. Even the levels of benefit that were recommended by Beveridge were never adhered to. We have crept along with a system that has often been totally inadequate to meet living costs. I ask the minister to conduct a full appraisal of benefits that are meaningful in relation to living costs.

**The Deputy Presiding Officer:** Despite the fact



that the amount of time for the debate has been extended, I might, if speeches are not under three minutes, be unable to call all the members who wish to speak.

17:35

**Mr Duncan Hamilton (Highlands and Islands) (SNP):** I welcome the debate and I congratulate all the members who have made thoughtful contributions to it. I express some concern for Fergus Ewing's bank manager—no one would take on that job enthusiastically.

When I learned about the debate, I got in touch with the various CABx in the Highlands and Islands. It became apparent that debt is not simply an urban problem, but ... a rural problem.

I wish to raise three issues—the three minutes that you gave me, Presiding Officer, are quite adequate. First, we must understand the additional barriers that exist in rural areas—the Highlands and Islands in particular—for those who seek to use the services of the CABx. I refer not only to transport barriers, but to the physical barriers that prevent people from getting to the CABx.

I received a submission from Ross and Cromarty CAB, which demonstrates that the additional costs in rural areas have a particular impact. The submission said that

"if funding levels do not rise to meet the costs of maintaining our services, we will be forced to close two satellite bureaux at Dingwall and Tain and one outreach at Gairloch."

The level of service that is provided by that CAB will undoubtedly deteriorate.

My second point relates to multiple debt, which Fiona Hyslop mentioned. Shetland CAB gave some interesting evidence on multiple debt in rural communities. Debts that people owe to credit card and catalogue companies, local authorities and finance companies are intertwined and multiple debt means inevitably that somebody who wants to sort out their problems must make multiple visits to the local CAB, because such debt cannot be resolved in one visit. Therefore, the particularly rural problems of transport and other physical barriers come back into play.

The third issue goes to the heart of the service that can be offered in our rural communities. Recruiting and training volunteers is harder and more expensive in rural areas because of the costs of transport: high fuel prices and so on. Home visits play an important role and are essential to people who live in the region that I represent. I ask the Executive to reconsider giving additional funding and attention to rural CAB services. It would be much appreciated.

Given the nature of debt awareness day, it is not

surprising that a report that was passed today to the policy committee of Highland Council states:

"Inevitably, local agencies may have to cut their hours, the number of local offices and even outreach clinics".

I suggest that, today of all days, we must make a resolution that that cannot and must not happen.

17:38

**Donald Gorrie (Central Scotland) (LD):** I will try not to traverse the ground that has been covered so excellently by Fiona Hyslop and other speakers. Instead, I will make a few positive suggestions.

The Executive should encourage the banks—by speaking to higher-level people than poor, abused branch managers—to lend money to local organisations that in turn lend money to people. Local people know who are the chancers and who are the good bets and that would be a good, cheap mechanism through which loans could be made. If the banks lent money to such organisations, the loans would be good loans and the banks would get a lot back. It would be helpful if the Executive could explain to the banks that they would earn a lot of brownie points by doing that.

We should make it as easy as possible for our poorer communities to set up co-operatives and other small groups, which would help people to start working and to earn a bit of money. The rules are quite difficult and there is a great temptation to stray outwith them. We could make it easier for small, local co-operatives to enable people to make money locally.

The Executive must fund CABx more adequately. I am sure that all members visit CABx—I try to visit all the CABx in central Scotland—that could do more outreach work to help people. In the end, debt repayment arrangements take time to organise. There must be enough time to have a one-to-one discussion to talk the debtor through their situation and sort out their problems.

Volunteers do a splendid job, but they need more resources. That would mean more paid staff to train more volunteers. There should be a significant contribution from the communities budget to help citizens advice bureaux throughout the country.

My final point is that it is alleged that we are responsible for some of the problems, in that the Scottish Government, backed by the Parliament, has asked councils to improve their community charge collection rates. It is alleged that many councils respond simply by calling in the sheriff officers more quickly. Sheriff officers do not wish to know about a composition until they have done

a poinding, because they get £65 for a poinding. After that, there may be a composition. The current system, however, means that neither the council nor the sheriff officers will be interested in sorting the problem out through repayment of £5 a week, or whatever the rate is. Our well-intentioned pressure on councils causes the problem—we should think about that.

17:41

**Richard Lochhead (North-East Scotland) (SNP):** I, too, congratulate Fiona Hyslop on securing a timely and important debate.

The purpose of the debate is to highlight the problems that debt causes for society and to pay tribute to citizens advice bureaux the length and breadth of Scotland. In particular, I want to pay tribute to the citizens advice bureau in Aberdeen and the Banff and Buchan bureau, which is based in Peterhead. Both bureaux are both extremely busy and I have had a working relationship with each in recent years.

Two weeks ago, I met representatives of the Aberdeen citizens advice bureau. They told me that the number of clients that they had met in connection with debt in the past two years had doubled. The trend is very much upwards. Fifteen per cent of all their new inquiries related to consumer debt and 60 per cent of all repeat inquiries related to consumer debt. The manager of the Aberdeen bureau tells me that consumer debt is now a major social problem in Aberdeen.

Many people think of Aberdeen and the surrounding area as affluent. However, statistics highlight the fact that debt can affect people from all social backgrounds and of all incomes. The region has areas of social deprivation and people on low incomes. Those people are hit especially hard by the problem. The cost of living in Aberdeen is particularly high and property costs are high. Most people who work in the city travel to work from outwith the city. There is no public transport so they must use their cars. People must sometimes put fuel on their credit cards, because the alternative is not to get to work.

Many people also think that there is lots of cash around the area because of the oil industry. However, because that industry offers fixed-term or short-term contracts, people often get into debt over five years, only to find that they are out of a job in a matter of months, but still have bills to pay.

In the Aberdeen bureau, the staff of 60 are rushed off their feet. They are trying to get more volunteers—which speaks volumes about the situation in the area. The bureau deals with virtually all the north-east, apart from Banff and Buchan. There is no bureau between Montrose and Aberdeen. The whole of south Aberdeenshire

and parts of Angus have no access to a bureau. As Duncan Hamilton said, that highlights the difficulties that face rural communities. People either have to spend money to get to a bureau for a face-to-face meeting, or the bureaux themselves have to find the money.

Because of local government cuts, it is often difficult to have outreach clinics in rural communities. The Scottish Executive must address that. If a debt line is set up, more work will be created for the bureaux. They want to help people who live in outlying areas, but if more phone calls come in, they will need more resources.

I want to touch briefly on three areas in which we can help. First, we must get into communities and give resources to the bureaux and other agencies so that they can give advice in rural communities and urban areas. Let us help community organisations such as credit unions to get off the ground. Secondly, the Parliament must use its powers to change the laws in relation to rogue moneylenders and consumer credit. We must remember what happened with Landmark Home Furnishing Ltd and the number of people who had to save up cash for deposits, but then lost it with no comeback.

Thirdly, we must get rid of some daft policies. Water charges are a prime example. Low-income families have been hit especially hard by increased water charges—up to 300 per cent in some cases—in the past few years. *The Press and Journal* today mentions that many families are being hit hard and suffering from increased debt because of high water charges in the north and north-east of Scotland.

17:44

**Robin Harper (Lothians) (Green):** I add my congratulations to Fiona Hyslop on bringing this issue to the attention of the Parliament. The three points that I will address have been addressed, but I would like to add my voice to them.

Fergus Ewing made a point about mortgage repossession. I was also involved in such a case; I had to go very high up in the bank, and a long way away, before I found help. There was a great deal of sensitivity and understanding at that level, but I had to go a long way for it.

Not so long ago, many of us were at St Columba by the Castle Episcopal Church, where we heard presentations from two people whose lives were ruined by debt. The Executive must address itself to creating a culture of credit unions as the best way to seek help. Most of us borrow for luxuries but, as Tommy Sheridan said, it is appalling that some people must borrow for necessities.

Like Fiona Hyslop, Richard Lochhead and Duncan Hamilton, I have been approached by Edinburgh CAB about its problems with its funding—there is not enough of it nor is there security of funding. Those problems must be addressed.

17:46

**Cathie Craigie (Cumbernauld and Kilsyth (Lab)):** I thank Fiona Hyslop for bringing this important issue to the chamber for discussion. I know that time is short, so I will not repeat what others have said about the causes of debt. I hope that today's debate will focus minds on the problems that come when people find themselves in debt. I hope also that we can highlight the fact that help is available and that by seeking early help and advice, there is a road out of debt.

Today was designated by CAS as debt awareness day. I hope that the media will highlight the services that CABx provide. The romantics among us—Fiona Hyslop must be one—will know that it is St Valentine's day, a day for lovers. In trying to link the two themes I am reminded of the saying, "when there's no enough money coming in the door, love flies oot the windae". I remember people saying that when I was younger. While the romantics were looking for the postie and waiting for good news from a secret admirer this morning, many people, as they do every day of the week, dreaded hearing something fall on the mat because they knew that it would be a reminder or a red bill. I am sure that members understand the pressures that such a worry brings to individuals' and families' lives.

I, too, would like to thank the volunteers and workers in CABx throughout the country who deal with such problems and help to make life easier for people. I welcome to the gallery Elspeth Wilson and Ian Eadie from the Cumbernauld and Kilsyth CAB. They head a team of 20 volunteers who dealt with between 6,000 and 7,000 people in the bureau last year. Consumer debt is by far their biggest problem. In the past 10 months they dealt with around £3 million of consumer debt in that small area.

I admire the work that CABx do. Somebody must fight for the rights of people who are in debt; somebody must fight their corner to ensure that practical and professional help is given. I urge the Deputy Minister for Social Justice to work with colleagues at Westminster, because debt does not stop at borders. I also ask her to work to promote debt advice centres and ensure that every community has access to free and impartial advice.

**The Deputy Presiding Officer:** I regret that Alex Neil and Kenny Gibson, who stayed for the

debate, have been beaten by the clock.

17:49

**The Deputy Minister for Social Justice (Ms Margaret Curran):** I am disappointed that we did not get to hear Alex Neil and Kenny Gibson. I think that the level of debate we have had this afternoon is a credit to the Parliament, as is the commitment to resolving the issue that has been demonstrated by every member who spoke.

I would like to add my congratulations to those that have already been extended to Fiona Hyslop on choosing to highlight debt awareness day in this manner and on securing the debate. It is particularly significant that we are holding the debate on Valentine's day and is an important reminder of the serious problems that we face. The Executive shares the concerns expressed about the increasing level of consumer debt and the need for action to be taken to protect and inform consumers.

I, too, applaud the work undertaken by citizens advice bureaux. If members will permit me to speak about my constituency, I can tell them that I know how highly valued are the services provided by the local bureau. Front-line agencies are uniquely placed to respond to the needs of local residents and their communities. In Easterhouse, I have seen the significant contributions made by volunteers. I recognise the points that were made about the problems in rural areas, but in urban Glasgow voluntary groups play a key role and that should be supported.

It is not just CABx that make a contribution—all independent and local authority advice providers play an important role in achieving social justice. In Easterhouse, the money advice project estimates that it secures £1.5 million a year in benefit claims. I take the points that have been made about the need for benefit uptake. I hope to come back to that later. If members bear with me, I will attempt to answer the points that have been raised.

We know conclusively that high-quality, impartial information and advice is critical if people are to be able to take charge of their own financial circumstances—to know their rights and entitlements and be able to secure them. Agencies such as the National Association of Citizens Advice Bureaux also play an important role negotiating on behalf of their clients and providing advocacy and representative support. Several members have mentioned that.

Tackling debt is a key element of our social justice agenda. Indebtedness has increased throughout society and is a major issue for many people living in Scotland today. For people on a low income the problem is particularly acute. Their

debt is not usually a result of profligate spending on store cards, but because they are poor and unexpected crises can throw their precarious finances into chaos.

The choices available to those excluded from mainstream provision are limited and, as Cathy Jamieson pointed out, often expensive. It is not acceptable that those who have the least money with which to pay often have to pay the most. For those reasons, financial inclusion has been one of the strands of our empowering communities agenda. Over the last 18 months, the Executive has been working in partnership with a wide range of organisations to improve the financial services available to people on low incomes.

Money matters, but learning to manage money and being able to access suitable financial products is also important. The package of measures that we have been developing will not only help prevent people getting into debt in the first place but enable those who find themselves in financial difficulties to resolve those situations more quickly. We are working with the credit union movement to develop a national strategy for Scotland. Several members spoke of the significance of that. The strategy will address the development needs of credit unions, help the movement grow and increase access to low-cost credit and the other valuable services provided by strong credit unions. Credit unions can provide an increased source of low-cost credit as an alternative to the high-cost home credit providers.

I take Fergus Ewing's points about banking. I would be delighted to concede that Fergus is a more effective complainer than I am, although I am not sure whether that is a title that he desires. We have encouraged the Scottish banks to make basic bank accounts available. That will allow everyone to choose to benefit from the advantages that a bank account offers, such as attracting lower fuel tariffs by paying bills by direct debit, without being in danger of going overdrawn and attracting bank charges. We must be assertive with the banks and the credit industry when it comes to their social responsibilities.

**Alex Neil (Central Scotland) (SNP):** As part of the reforms that the minister and her colleagues are considering introducing, will she consider the possibility of addressing the issue of summary warrants? She will remember the evidence from the DSS that, even when it is in the wrong, it sends a letter out of the blue demanding £500, £600 or £700 within a fortnight. That drives people into debt and causes a great deal of fear. Will the minister consider making it a statutory obligation that when utilities, banks and public sector agencies notify people of debt, they must notify them of the advice services available? Such agencies should have a statutory duty to reach a

repayment schedule.

**Ms Curran:** Alex Neil will know that the working group that is examining alternatives to pointings and warrant sales is doing quite a bit. We have heard interesting evidence, which we are still considering. I am sure that the issue that Alex Neil mentioned will be raised in that group. We have to minimise factors that make the experiences of low-income families more difficult, and a range of issues are being looked at in that context.

We are exploring with the insurance industry, the Convention of Scottish Local Authorities and the Scottish Federation of Housing Associations how low-cost insurance products with rent schemes can be made more widely available. I am sure that many members are aware that issues such as insurance can be crippling to people and the lack of insurance can cause enormous difficulties in communities, so that is an important aspect.

We also need to find new and alternative means of delivering and providing access to financial products that are suited to the needs of those on low incomes, but we recognise the importance of quality independent money advice and information if people are to be able to take control of their financial circumstances.

**Mr Kenneth Gibson (Glasgow) (SNP):** Will the minister give way?

**Ms Curran:** We are running out of time.

**The Deputy Presiding Officer:** I am thinking of your next engagement, minister. Very briefly, Mr Gibson.

**Mr Gibson:** I thank the Presiding Officer and minister, given that I could not participate in the debate. Does the Executive intend to ensure that there is a sound financial framework for Citizens Advice Scotland and similar agencies to enable them to continue with their work in future?

**Ms Curran:** I am about to address the points that were raised on that issue and to clarify how we are proceeding. I am late for another commitment, so I ask Kenny Gibson to bear with me and I will cover his point in my speech.

Our plans for a Scottish telephone debt line are being advanced by a small team led by the Executive, involving Money Advice Scotland, Citizens Advice Scotland and other money advice providers, local authorities and the credit industry. Fiona Hyslop made the point that the debt line would be unable to cope with 70 per cent of cases. That figure is a pilot figure. We have been told that that is the proper level, but the pilot scheme will assess whether it is correct, so we may come back to Fiona on that point.

Our aim is to make free quality money advice

available to everyone in Scotland, wherever they live and whatever their income, regardless of whether they have the means to repay their debts. The debt line will build on current provision, but will make debt advice more widely available and more easily accessible. Recent research shows that of 152 advice outlets, only four were open at the weekend and only 42 provided any services during the evening.

It is important to stress that the telephone debt line will build on existing face-to-face provision and will not be a substitute for it. We are aware of the importance of such services and that they will always have a critical role to play, but we also need to look at new ways of delivering advice and information. However, we know, as many people have observed, that the existing provision cannot meet the demand, and that demand is growing.

We are concerned about the increasing role that is being played by fee chargers, who sometimes move in to fill the gap. Not only are people who cannot afford it paying for services that they should be able to get free, but concerns have been expressed about the accuracy of the advice provided. The funding of local advice provision is the responsibility of local authorities. They are best placed to judge competing demands, and therefore best placed to determine what assistance might be appropriate for individual citizens advice bureaux. That is very much within the framework of local democracy. This Parliament has made it clear on many occasions that there should be appropriate funding for local authorities to make their decisions, and this is part of that.

However, we are keen to ensure that local authorities recognise the importance that the Executive attaches to the provision of advice as part of the social justice agenda, so we have discussed with the Convention of Scottish Local Authorities the possibility of issuing guidance. Resources are finite, as we all know, but we recognise that demand is high and growing, and we need to find ways of making the resources that are available go further and of pulling in new resources. For example, the telephone debt line will be financed by the creditors themselves.

We need to look at different models of delivery. New technology offers opportunities that should be seized. We are aware that CAS is already using the internet to provide advice, and we applaud its efforts in looking at new ways of delivery, its innovative work in the Highlands and Islands using e-mail, and its feasibility study into the provision of advice over the telephone. We are exploring how we can build on that work in piloting the telephone debt line. We are also looking at how the Executive can enhance and support the infrastructure of the sector, such as training needs, the development of standards and research

requirements. We have already announced that we will fund research into the quality of the money advice that is available in Scotland. That research will provide the data that we need to inform future policy development and the allocation of resources by identifying where the improvements are needed in the delivery of money advice services.

Of course, the provision of money and debt advice cuts across other agendas. The working group that I referred to earlier has heard a raft of evidence about important services, and I hope that it will come to the Parliament with recommendations. It is clear that early access to debt advice would prevent those who are too poor to repay their debts getting to the stage of having legal action taken against them. I am sure that that is an imperative that we all share.

The work currently being undertaken to develop a community legal service in Scotland offers the Executive the opportunity to take a strategic overview of advice provision that places the client at the centre of the system. We want to see a strong social justice element run through that work. We have set up broad-based groups to consider how to develop community legal services in Scotland and how to improve Scottish citizens' access to quality information advice and assistance about problems involving the law in all aspects right across the country. The group that involves CAS will report to the Deputy First Minister in October.

The Executive is working in partnership not only in Scotland. I am sure that a number of members are interested in the fact that we are involved in the work that is being undertaken by the Department of Trade and Industry to improve the lending practices of credit providers and the transparency of information provided to consumers.

The Executive has encouraged the DTI to involve Scottish advice providers in the discussions of its indebtedness task force, which aims to establish a dialogue to develop practical solutions for responsible lending and borrowing. We need to improve the transparency of information provided to consumers before and when signing a credit agreement and, again, that has been flagged up.

A key proposal is the adoption of core principles of lending practice, including the examination of applicants' overall borrowing and their ability to repay. We look forward to seeing the report of the task force's conclusions and recommendations. We will report on that later in the spring, and I am sure that the Parliament will return to that issue.

Several questions about reserved matters have been flagged up. I recognise members' commitment to pursuing those issues. The joint

ministerial committee on poverty is a common platform on which the Executive can raise issues. We intend to put debt on that committee's agenda. We are working in partnership with our colleagues at Westminster and in local authorities to ensure that we pick up many of the issues that have been raised about benefits and other matters.

The focus of the Executive's work on financial inclusion has been to increase the choice of financial services to meet the needs of people on low incomes. Too many Scots in disadvantaged communities—who are often those with the greatest need—do not have the access to financial services that the rest of us enjoy, and are worse off as a result.

If we are to tackle financial exclusion and deliver social justice, the need for creative solutions is pressing. I am pleased that we have begun that work in the past 18 months. I look forward to the establishment of partnership arrangements throughout the United Kingdom to progress that work.

**The Deputy Presiding Officer:** Thank you for staying on, minister—you are now late. That concludes the debate on debt advice.

*Meeting closed at 18:02.*

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