

EDUCATION COMMITTEE

Wednesday 26 May 2004

Session 2

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EDUCATION COMMITTEE

15th Meeting 2004, Session 2

CONVENER

*Robert Brown (Glasgow) (LD)

DEPUTY CONVENER

*Lord James Douglas-Hamilton (Lothians) (Con)

COMMITTEE MEMBERS

*Ms Wendy Alexander (Paisley North) (Lab)

*Rhona Brankin (Midlothian) (Lab)

*Ms Rosemary Byrne (South of Scotland) (SSP)

*Fiona Hyslop (Lothians) (SNP)

*Mr Adam Ingram (South of Scotland) (SNP)

*Mr Kenneth Macintosh (Eastwood) (Lab)

*Dr Elaine Murray (Dumfries) (Lab)

COMMITTEE SUBSTITUTES

Brian Adam (Aberdeen North) (SNP)

Richard Baker (North East Scotland) (Lab)

Rosie Kane (Glasgow) (SSP)

Bill Aitken (Glasgow) (Con)

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

David Mundell (South of Scotland) (Con)

THE FOLLOWING GAVE EVIDENCE:

Valerie Corbett (Aberlour Child Care Trust)

Claire Houghton (Scottish Women's Aid)

Ruth Kennedy (North Ayrshire Women's Aid)

Romy Langeland (Aberlour Child Care Trust)

Peter Peacock (Minister for Education and Young People)

Catherine Rainey (Scottish Executive Education Department)

Catriona Rioch (Aberlour Child Care Trust)

Euan Robson (Deputy Minister for Education and Young People)

CLERK TO THE COMMITTEE

Martin Verity

SENIOR ASSISTANT CLERK

Mark Roberts

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 3

Committee Room 2

Scottish Parliament

Education Committee

Wednesday 26 May 2004

[THE CONVENER *opened the meeting at 11:02*]

Child Protection Inquiry

The Convener (Robert Brown): Welcome to the Education Committee. We are in public session, so I ask everyone to ensure that their mobile phones and pagers are switched off—I would ask you to do so even if we were not in public session.

The committee continues to hear evidence for our child protection inquiry, so I welcome our first panel of witnesses this morning, who are from the Aberlour Child Care Trust. Romy Langeland—I hope that I pronounced that correctly—is the chief executive, Valerie Corbett is assistant director and Catriona Rioch is the project manager of the national parenting development project. I invite Romy Langeland to kick off with a few words of wisdom.

Romy Langeland (Aberlour Child Care Trust): Thank you for giving us the opportunity to talk to the committee. I will outline the three areas that we would like to discuss with the committee.

First, we want to talk about the voluntary organisations that provide services for children and their families and about how we can ensure that those organisations are networked into their local child protection committees so that they can contribute effectively to the protection of children. There is a tendency to concentrate on the referral and investigation stages of child protection work, but much of the intervention and support for children that happens later is carried out by large or small voluntary organisations throughout the country. It is important that such organisations be linked into the process and that they understand what local committees are trying to achieve. I also underline the importance of children being able to ask for help and to access themselves the support that they need.

Secondly, we want to talk about parenting. We are one year into a new project called the national parenting development project, which Catriona Rioch manages and which is funded by youth crime prevention funding. The project has initiated a wide range of work with parents and with local authorities and other organisations and we want to talk a little about what we have learned.

Thirdly, Valerie Corbett will talk about our many years of experience in working with parents who

misuse drugs and alcohol. There is an awful lot of public concern about that and in our experience there is no quick fix. Complex, long-term and person-intensive work is required. Often, because substance misuse happens in a wider context of deprivation, there are many other issues for those who are involved.

The Convener: I was struck by the fact that in your written submission you place a lot of stress on

“Making sure that the voices of children are clearly heard and that children’s rights are respected”.

You mention on-going research in that area. What is the extent of that research? Issues about what works and what does not work, what the targets and risks are, and so on, are important. Any guidance that you can give us from the chalkface would be helpful.

Romy Langeland: Not much research is going on in Britain. We carried out a small piece of research in one area of Glasgow. Valerie Corbett will tell you a little about that.

Valerie Corbett (Aberlour Child Care Trust): We carried out work with children and their families in which there was significant drug and alcohol use, to try to establish what it felt like for children to live in such families. Over a period of 12 to 18 months we did community development work that involved members of the community. We established that for children and young people over 12—it was difficult to talk to very young children—many of the problems that they experience as they grow up are compounded by the problem of having parents who use drugs and alcohol. For example, the parent might not be there for them in the way that a parent who did not use drugs and alcohol would be. Nevertheless, the parent is there for them some of the time and there is often a dilemma for young people about how to seek what they want when they need it without damaging their families. It was difficult for the young people to step aside from their experiences of intervention by social work agencies and social care agencies in general. They often felt that such agencies did not listen to them because the focus would shift back on to the parent when the agencies became involved.

That research and our work in general has clearly demonstrated that until we start to provide children with services that address their needs as children and young people and not solely their needs in respect of their being in drug and alcohol-using families, we will continue to compound their anxieties and reinforce their view that no one listens to them.

The Convener: That strikes me as being an interesting and innovative perspective on the matter. We often consider what is done to children rather than what children want.

Will you tell us more about the national parenting development project, which Romy Langeland mentioned? What are you doing and what are the project's objectives?

Catriona Rioch (Aberlour Child Care Trust):

As Romy Langeland said, we have been awarded youth crime prevention funding from the Scottish Executive for a four-year project, which will involve three years of direct work. The project is based in Edinburgh, but has a national remit.

There are four arms to the project. We help the Aberlour Child Care Trust and other agencies and local authorities to develop parenting programmes for parents of children aged from six to 16 who are, or who are at risk of, offending. I stress that many children who are at risk of offending are also at risk in terms of care and protection. We work alongside other organisations to facilitate development of their training programmes. We also offer training on working with parents to a variety of agencies and to Aberlour staff.

We are involved in dissemination of information about parenting and we have a resource library. A number of agencies can access us for information and advice on how to develop parenting work. A research element is built into the project over the three years during which it will run. The University of Stirling is assisting us in setting up the self-evaluation system and in doing independent research. Hopefully, at the end of three years we will have a clearer steer on which parenting programmes and interventions are most effective for which people.

The Convener: That broad outline of the project is very helpful. It is clear that Aberlour Child Care Trust has throughout its existence gained considerable experience, in different areas, of the issues with which we are dealing.

You are aware of the child protection programme. Having seen the work that the Executive has done on the children's charter and so on, which indicates where the programme is going, what do you think are the key areas that need to be addressed in years 2 or 3? Do you have a view on the speed of the programme? Are there issues that are not being considered at the moment, but on which the programme should concentrate? Your views on those questions would be of considerable interest to the committee.

Romy Langeland: The work that is in train is the important work. I refer to work on standards, the children's charter and the training of social workers. In our view, social workers need professional assessment and intervention skills to work with very vulnerable families. In five years, there will be a new input of social workers, which is important.

In the next couple of years, we need to have more input into intervention strategies. The answer is not just to conduct investigations. First, we need to consider prevention and what we can do at the primary level to ensure that we identify vulnerable children and give them unstigmatised help, perhaps in a school setting. Secondly, after children have been assessed as being at high risk, we must decide what we can do for them. How do we manage secondary prevention and help them to grow and develop as children, so that they are not labelled simply as being in a child protection situation? That needs to be spelled out in the next two years.

Fiona Hyslop (Lothians) (SNP): Thank you for your submission, which is very helpful and illustrates front-line experience of the issues that we have been considering. In particular, I want to explore your comments about children who have parents who misuse drugs and alcohol. From your submission, I detect that there is a concern that in many respects the policy, framework, standards and recommendations are top down—they are about how agencies assess risk and the steps that they need to take, rather than about what the intervention is. Can you develop that point?

You refer to research from the US. We have heard that there are concerns about the fact that one child in 50 is born to drug-misusing parents. That figure does not include parents who have alcohol misuse problems. You say that it does not follow automatically that someone who uses drugs is a bad parent. Can you say more about your experience of that?

Valerie Corbett: Our experience of working with parental drug use is that once we address the drug problem we start to see the issues of child care and parenting. We cannot be clear at the beginning of the process that a person will become a good or effective parent. We need to spend a huge amount of time examining the complex issues with which the family is engaged. We must spend as much or more time considering issues of deprivation and lack of opportunity and we must examine the parenting that the parents experienced and place that alongside the child's experience of being parented in its environment and with extended family members, because there are intergenerational issues.

11:15

There are two elements, the first of which is the needs of children generally. The needs of children in whose families there is a significant drug or alcohol problem are greater, in as much as there is a lack of consistency. It is not that such children are always at significant risk; the matter is about the deficits that a life of drug use creates for the child as well as about what it creates for the

parent. The other issue for us is risk, which is as much about the parents' ability to protect the child as it is about their circumstances or situational factors. The things that come up regularly with all the families with which we are working are incidences of domestic abuse and sexual abuse, poor housing and the fact that such people have had numerous tenancies. I am not denying that their behaviour has at times led to their being excluded from the good housing stock, but what tends to happen is that even once they start to make changes to get themselves out of their drug-using lifestyle, the barriers that they have faced still exist because we do not focus on the change that is good for the child.

When we remove a child from such a situation, we put them into environments in which they start to be nurtured again. The parent needs support to maintain that. Withdrawal of that support and letting the parent go back to where they were leaves the child more vulnerable. All our systems still focus on addressing the needs of the parents or on their making changes. We acknowledge that risk exists for a huge number of children and I do not deny that drugs and alcohol can impact significantly by increasing some of those risks, but drugs and alcohol per se do not necessarily lead to significant risk of harm; it is everything else that goes with them.

Fiona Hyslop: That is very helpful. You have separated risk from protection and intervention. Support must be more comprehensive than to cover just drug misuse.

Recommendation 12 of "It's everyone's job to make sure I'm alright" relates to the traditional view that the issue is just risk, rather than the other aspects that you talked about. You say in your submission that you are concerned that there needs to be more clarity, that there are different approaches to the registration of children and that there is confusion and inconsistency in relation to alcohol users. How do you think that recommendation 12 can be improved? Can something be done to make it more real for those who work at the front line?

Valerie Corbett: Our starting point is to say that the existence and extent of the use of drugs and alcohol has to be assessed. However, all the other factors have to run alongside that. I would not start with drugs and alcohol; I would start with everything and consider each factor separately. I worry that if we shift the focus of workers towards assuming that drug and alcohol use is the risk factor, that is what they will work on. They might think that as long as they manage that, they are protecting the child. That narrows workers' focus.

The reality is that workers generally are pressured and have heavy case loads; there are huge numbers of vacancies throughout Scotland.

Drug and alcohol use is something for workers to pin their work on. They then register children, because by registering them they identify the risk factor and have then to manage the risk. If they are managing only drug and alcohol use, they are at risk of not considering deprivation, levels of domestic abuse, the economics of the family or the opportunities that exist for the family. They thereby perpetuate the notion that drug and alcohol use is the significant issue. The worker puts someone on a prescription, their drug and alcohol use reduces and the worker withdraws because they have dealt with the drug and alcohol problem. However, all the other problems are left.

Fiona Hyslop: Is there a danger that it is almost an insurance policy for social workers to say that if drugs and alcohol are involved, there is a full child protection case, but if there is a rationing of resources other children do not get the attention that they deserve?

Valerie Corbett: That is what I am anxious about. It is my experience that children are placed on registers because the parents' drug and alcohol use is seen as being significant. Other children are at risk from significant harm from domestic abuse and poor housing or parenting, but drug and alcohol use gets the attention. In our experience, social work agencies try to deal with people whom they deem to be bad parents because they use drugs and alcohol, rather than try to deal with how to protect the children and keep them safe.

Fiona Hyslop: The inquiry on drugs misuse and deprived communities that was carried out by the Social Inclusion, Housing and Voluntary Sector Committee in the previous parliamentary session might be a useful cross-reference.

I want to ask about the relationship with the voluntary sector, but perhaps members have other questions before we move on to a different topic.

Ms Rosemary Byrne (South of Scotland) (SSP): Valerie Corbett's evidence has been revealing. I want to pursue a couple of issues.

Given that drug or alcohol problems are generally accompanied by chaotic lifestyles, they obviously have an impact on children, so I can see why there is a focus on such problems. For example, non-attendance at school might be an issue. If children live in an environment in which they go into houses where people are injecting, they could be extremely vulnerable, especially if they are very young. I can understand the need for focus on such issues.

I am interested in your comments about what happens when someone who has been given a prescription for methadone withdraws. I am concerned about that and think that we need to focus on that, but we also need to encompass all the other issues that you highlighted. Is that message getting through?

There also needs to be a focus on improving the parenting skills of people who are on scripts to ensure that their children have a level life. That can take a long time because people can be on scripts for years. They can also come off and go back on medication. Given those facts, it is important that we do not divert effort from the drug and alcohol problem.

The Convener: You must ask a question, Rosemary.

Ms Byrne: My question is whether we are getting the message across that drug and alcohol problems are just as important as domestic violence and other problems. I would be concerned if we were diminishing the importance of drug and alcohol problems so that we could concentrate on other issues.

Valerie Corbett: The danger is that we put across a simplistic message that drugs and alcohol use is the problem that should be addressed and that other issues might be addressed only after that. What I am saying is that drugs and alcohol abuse are rarely the only symptom and, in the families that we work with, our experience is that drug and alcohol use is predominantly a symptom rather than a cause. The children may experience a lifestyle that is chaotic, but although there is a clear need to ensure that they are not exposed to unsafe situations, there are other issues on which we need to engage in our work with such families.

Such parents need to become as aware of the impact of their parenting on their child as they are of the impact of their drug and alcohol use. Some parents use drugs in a way that might be described as safe, but their lifestyle could still be chaotic because they are moving from place to place. What makes the child's life chaotic may not be so much that mummy is injecting in some back alley at two o'clock in the morning as that the child has moved three times in three months and is at their second school, which he or she is not attending.

Rhona Brankin (Midlothian) (Lab): It is difficult for the committee to identify the key research that indicates the levels of risk to children. You have highlighted the need to consider the child's needs holistically. As we know, research was recently carried out in Glasgow about the risks when a child's parents have problems of alcohol and substance abuse. Can you cite any major recent research that backs up what you say about risks to children?

Valerie Corbett: I cannot cite research that is specifically from the United Kingdom. A big issue is that we have insufficient research in the UK on what is effective in reducing risks when we work with parents who have drugs and alcohol problems.

However, we have a huge history of work on children and on child development. We have some important research on the resilience of children and how they manage and survive in families. Resilience is just as relevant to children who live in families with drugs and alcohol problems as it is to children who live in situations of domestic abuse or of extreme poverty.

The available research that I would draw on happens to be American, which means that it must be contextualised because there are many cultural differences; the American system works differently with regard to drugs and alcohol. However, that research focuses on what happens when, as happens with our sure start programme, additional resources for children are put into families early on.

Significant research was done in Philadelphia, where there was a high degree of intervention at home to help families reach the point at which they could ensure that the child could get to school, that they could get access to the medical provisions that they needed, and that they could get support for the child at school. However, once the child was eight years old, the intervention stopped. The research evidence suggested that, during the period in which there was a high degree of intervention, families were making progress and children felt safer. However, by the age of 11, there was no difference between the children who had gone through that process until the age of eight and those who had not. The message of the research seems to be that it is not good enough to target all the intervention at one point in a child's life and that there must be a longer-term process that is about engaging families in order to enable them to access services when they need them. In relation to families in which there is a drug or alcohol problem, that point often comes when the parents are lapsing. It is important that people in that situation are not simply told, "You've lapsed badly—we'll give you medical treatment, then you'll be okay again." The issue is about enabling families to engage with services as a family.

The American research also talks about parenting in relation to methadone-maintained mothers. That is extremely important research because we have nothing in the UK that tells us about that. In terms of methadone maintenance, we know little about emotional deficits for children, on which that research produced information. Children's emotional needs must be met. The research showed that all the other factors in the women's lives were as important as their methadone maintenance. I would like research to be done on what happens in families in which there is long-term methadone maintenance, particularly families that are getting methadone maintenance but no other support.

We need to determine what we are doing that is effective and what we are doing that is not effective. We also need to emphasise the notion that working with children and families is as likely to mean working with issues of drugs and alcohol as is working with adults. I have, through my recent work with local authorities, noticed that where local authorities have shifted more towards children and families, they have been able to embrace the shifts that we are trying to make to identify discrete resources for children. The local authorities that are still very adult focused and which still fund projects for adult services struggle to justify the use of that money for discrete services for children.

Rhona Brankin: I will ask about training later but I note at this point that what you are saying ties in with the need for training for people who are working with adults with drug abuse issues. Your response was useful and fascinating, but I asked my question because we have had a bit of difficulty in identifying the scale of the risk that is associated with drug and substance misuse. We want to be able to keep the issue in perspective and I note that you are telling us that many complex factors are involved in the situation along with the fact of drug and substance abuse. However, it would be useful to find out what research you can cite to back up what you are saying to us.

Valerie Corbett: I have brought with me a copy of the Govan report, "Keeping it Quiet: Children and Families in Greater Govan Affected by Parental Drug Use", which I can leave with the committee. It talks about the impact on children of drug use in the family. It is not researched in an academic way, but it tells us about what is important for children and the ways in which they feel that they are at risk. As I said, I could also provide the committee with evidence from research in the United States.

More significant is the extent to which we say that the risk is greater when drug and alcohol abuse is involved than when it is not involved. Is the risk 20 per cent greater? That would be a crude measure. Part of that issue relates to any general risk assessment, which involves considering families' histories and inherent behaviours. Parental alcohol abuse or significant social drinking in a family is as significant a factor as is having a parent who is a drug user. If the network of a family had no history of drug and alcohol use, that would reduce the risk, because that would provide a network that could add to children's resilience. We can determine the extent to which drugs and alcohol in a family will have an impact on a child. We must examine a family's drug history and the way in which drugs and alcohol are used and embedded in a family's culture.

11:30

The Convener: We received papers from the Scottish Executive on some of those issues.

Mr Kenneth Macintosh (Eastwood) (Lab): I will follow up on the same subject. Your comments chime with much of what the committee feels. We are all aware that funds are available for drug and alcohol services that are not available for children's services.

I suppose that you can give only your opinion, but how commonly held are your views among the professions that deal with the subject? How many people would agree that we need to move away from a medical model or an adult-focused model? Does a vehicle to develop such best practice exist, or are you in a little bunker and arguing a view to which nobody listens?

Valerie Corbett: People listen more than they did a few years ago. Views are mixed. We cannot get away from our own professional value base and practice. Good evidence from drug and alcohol services supports the fact that an abstinence model can be effective. Good evidence supports the idea that a maintenance model can be effective. Good evidence also supports the idea that a reduction model can be effective. In implementation and in practice, we must become good at embracing all those models and fitting those interventions to meet families' needs and to address children's needs.

Some local authorities are clear about the fact that drugs are part of a much bigger issue but, sometimes, they must make drugs the issue to fit with funding. Many practitioners also say daily that in some cases they thought that the problem was drugs and alcohol but that, when they became involved, they were overwhelmed because so much more was involved.

At another level, researchers can—legitimately, because they have conducted the research—find evidence to support the idea that we should not leave children at significant risk. If they conducted other research, they would also be able to describe the difficulties when we remove children from families. We do not have a system that looks after children well after we remove them. That ignores the child and the child's best interests.

In the Govan report, children said strongly, "Whatever I say about my family and whatever you as professionals think, it is my family and I love my parents. I want them to change and to support me. I know that they are not doing that, but I haven't given up." We must hold on to that. Children should not be expected to give up on their families.

Catriona Rioch: In my experience, local authorities also take the view that the challenge is

to engage with such parents. We have not yet pulled together our research from the national parenting development project, but the results from the early days are that parents who misuse substances lap up the services that we give them. I am struck by the high degree of motivation of some of those parents. For them, the project is the first time that they have been offered structured support and education on parenting. On help with parenting, they feel that there are no universal services for them. When they are approached to take part in such activities, they feel targeted and stigmatised. It is very early days for us, but already I would say that we need to consider universal provision as the base on which to build any targeted provision.

Fiona Hyslop: I want to move on to discuss your comments on child protection committees and the general management of the system. In your submission, you say that the voluntary agencies that deal with the provision of support to children in need

“are not well represented on the Committees.”

Will you expand on that and comment on the current operation of the child protection committees? What are they doing well and what are they doing not so well? What should they be doing in the future?

Romy Langeland: Child protection committees are variable creatures. There are far more of them in Scotland than there were 10 years ago, because of reorganisation. That process was unhelpful, in that it led to splintering. For the sake of the police, the committees in the Strathclyde force area have come together to produce guidance to cover that whole area, but the situation is still splintered. The committees have faced the difficulty of trying to provide an integrated child protection service across non-coterminous authorities, such as health, the police and social work.

The things that the committees do best are to do with training. Their effectiveness depends on what commitment the agencies involved have to coming to the meetings. In Glasgow, for example, senior people from each of the agencies will turn up, because child protection is seen as a big issue but, in other areas, much more junior staff come along, who do not have the clout to commit their agency to what is required. In such cases, there is a real risk of the committee being a talking shop that lacks real clout.

In the best of all worlds, a child protection committee integrates effectively departmental concerns and policies, undertakes multidisciplinary training and produces procedures. In a sense, the procedures have tended to be the central issue.

The difficulty that the committees face with voluntary organisations is that within an area there

can be dozens—even hundreds—of voluntary organisations, both large and small. How can the committees represent their needs? On some committees, there is an issue about confidentiality. If the committee is to discuss matters in relation to which statutory agencies are key, some organisations wonder whether it is safe to have someone from an outside agency at the meeting. I am not sure whether that problem has been overcome in all committees; I hope that it has.

If one person attends the meeting on behalf of the voluntary organisations, an important issue is whether they are someone who runs services related to child protection in the area and who comes from one of the large national voluntary agencies or whether they are someone from a small local agency. In either case, how can that one person resource the process of letting the other organisations know what is happening?

As we have said, we think that the answer is to create some kind of forum for voluntary organisations. Child protection is a serious enough issue nationally for us to resource that. In many cases, children's services planning partners have set up forums. A forum for voluntary organisations could perform the same function—it could be a place where small and large organisations can come together to talk about the issues and their needs as regards training, access to procedural briefings and other support. The person on the child protection committee would have to have some kind of resource, such as money for postage stamps or someone to send out an e-mail, so that everyone would know what was happening.

Fiona Hyslop: That is very practical.

Ms Byrne: Valerie Corbett has already touched on early intervention, but I ask her to outline the way in which the trust contributes to early intervention or preventive work.

Valerie Corbett: Catriona Rioch can say more about our work on drugs and alcohol—I will be more general. Our outreach services were developed with early intervention in mind. We try to engage with families in which drugs and alcohol have an impact on the parenting and the child. We provide practical services and perhaps visit families more often than the statutory services do. We work on practical routines such as getting the child to school, making sure that there is food in the cupboard and checking what the child has eaten that day. We aim to develop skills as well as to address some of the underlying issues.

Unfortunately, we often get pulled into working with the much higher-risk families. That takes us back to the issue of what our services for children and families embrace. Because of the anxiety about high-risk families, we often have to deal with such families and cannot carry out the preventive

work that we want to do. Referrals are regularly made to us when families are at the end of the process. When social workers are thinking of having a child looked after and accommodated, they want us to endorse that view. We carry out a parenting assessment, put together a framework and endorse the view that enough is enough. Alternatively, the child may be at such risk that we are pulled into the child protection process, which means that we spend exceptional amounts of time in child protection conferences. We provide a service, but we also become involved with child protection conferences.

We aim to provide three or four inputs a week to families, but in some cases that becomes two because the rest of the time is taken up with case conferencing or reports to the panels or the children's reporter. The difficulty is that there is no clarity about what is meant by preventive work. We say that we must try to get in earlier, but we are overwhelmed by the huge numbers and we end up being sidetracked and managing the high-risk cases.

Ms Byrne: When you get in early enough and work through the problems, are there benefits? If so, will you outline them?

Valerie Corbett: We have been considering what changes come about for children and parents as a result of one of our projects in Dundee. We have established that the change for the child is in the relationship with their parents—the child has more consistency and routine and he or she becomes a child again. The change for the parent is that they feel that they are a parent again and that they own the label. Parents can also address their housing issues. We have a new futures worker in our Edinburgh project, which has allowed parents to access learning or training and, in some cases, employment. That has had a significant impact for parents and children.

We also see changes in the incidence of physical chastisement, in the way in which parents engage with their children and in the relationships between parents and the agencies that work with them, particularly schools, which is important for children's interests. One difficulty for many parents is that whenever they walk into a room they assume that everyone is thinking badly of them. Parents can learn to put that aside so that when they walk into a school they do so as a parent and because they have an interest in what happens to their child. That is a significant change for parents.

Ms Byrne: Do you have a view about the wider provision of early-intervention services? You touched on that, but perhaps you could expand on it a little. Early intervention is crucial, but you mentioned concerns that the focus is on emergency or dangerous situations.

11:45

Catriona Rioch: As part of our project, we are trying to help local authorities to consider how they can develop a strategy on parenting work. Offering services from the preventive end right through to the targeted hard risk is a real challenge. The research on parenting work, in this country and particularly in the US, acknowledges that different risk factors are salient at different stages in children's development. Support not only needs to start early but, as Valerie Corbett touched on, has to be sustained as children grow older. To be truly effective, action that reduces risk and enhances protection in children's lives has to be reinforced over time and in different settings.

The challenge lies in linking the child protection recommendations to other major current policies. Parenting crosses so many disciplines and social policies that it is a struggle for agencies to produce a coherent strategy around it that addresses matters such as early intervention. A challenge for the child protection committees, which you were asking about, is how they link with social policies and strategies to do with parenting, youth crime, new community schools and so on.

There is a need for universal provision. Our experience so far is that, although quite a lot of provision is available through education and through schools, it has not been joined up with the other services or with development services in other areas. That is a challenge.

Ms Byrne: Do you think that we will meet that challenge? Is there enough awareness to make everyone feel that they should work towards that as part of the on-going review?

Catriona Rioch: In the field of parenting, I do not think that there is enough awareness. The message that we are getting loud and clear from professionals is that we need advice, support, training and national co-ordination.

Ms Byrne: That has been very helpful.

Lord James Douglas-Hamilton (Lothians) (Con): On the concerns about unsuitable people working with children, we have had evidence from Disclosure Scotland that the timescale for getting the correct information through has shortened. However, we have heard other evidence to the effect that it is currently taking about 12 weeks to get the information through. What is your experience?

Valerie Corbett: In my experience, the waiting time has increased. About 12 to 18 months ago, when I was looking to recruit, I would get disclosures back within two to three weeks, which was ideal. Now, that takes a minimum of 12 weeks.

Lord James Douglas-Hamilton: It is taking 12 weeks?

Valerie Corbett: It is at the moment. When we contacted Disclosure Scotland a couple of weeks ago asking about the average time, that is what it told us. The difficulty for us as an agency is that we can lose staff. When we seek to appoint somebody and they have to wait three months to take up the post, that means that we are carrying a vacancy and reducing our capacity to provide services over that period.

Lord James Douglas-Hamilton: Could it mean that people are being taken on without being properly checked?

Valerie Corbett: Not in our experience. Our experience is very clear—

Lord James Douglas-Hamilton: That you lose people.

Valerie Corbett: Yes. We have said—although only in exceptional circumstances—that people can work for us as long as they have no contact with children.

Lord James Douglas-Hamilton: If you had to recommend an ideal timescale for being thorough, but without undue delay, what would you think appropriate?

Valerie Corbett: It should be possible to do something within two to three weeks. The issue is about asking the right questions, the co-operation that is needed between areas and the speedy provision of information.

Lord James Douglas-Hamilton: Would it be fair to say that it should certainly be done within three weeks?

Valerie Corbett: I see no reason why not.

The Convener: Disclosure Scotland has averred that it takes, on average, 16 days for an error-free application. Does that fit with your experience?

Valerie Corbett: That is not our experience. I would say that that was our initial experience in the earliest days. I was overwhelmed by that and I thought that it was wonderful.

Lord James Douglas-Hamilton: Is there any short-term action that you feel could be taken to alleviate the problems caused by a shortage of social workers?

Romy Langeland: How long is a piece of string? All sorts of routes are being taken and there are lots of ways of breaking down the task into manageable and supervisable parts. In fact, many of our project staff—and this will be true across the voluntary sector—are not qualified social workers. Increasingly, in the early-years and

residential sectors, they are people who have a Scottish vocational qualification. We are all seeking to meet registration requirements in relation to that and it is a good baseline for a whole lot of things. It would be nice to achieve a position in which entrants had a higher national certificate or SVQ before they started, but that is not possible.

Lord James Douglas-Hamilton: In the long term, would the situation be considerably helped if there were a full complement of social workers?

Romy Langeland: I am optimistic about the situation in five years' time. It looks as though the campaign has been successful in making people interested in being social workers. In the interim, all that we can do is provide good, solid in-service support and supervision.

Dr Elaine Murray (Dumfries) (Lab): You comment in your submission on the need for a review of the funding mechanism and on the suggestion that money coming from the local authorities to the voluntary sector is perhaps not the best way of funding that sector. You also indicate that you believe that further money for child protection training will be needed, possibly as a national resource. We have also heard evidence that specific funding from the Executive sometimes tends to focus on other areas, such as youth justice, to the detriment of initiatives such as early intervention. Do you agree with that view? Do you have further views on the resourcing of early-intervention work?

Romy Langeland: The funding for what would cover the area of child protection is diverse and it is not particularly helpful that, within social work services, there will be funding for criminal justice services, for community care and for children and family services. For example, a woman who is misusing drugs could be on a probation order and available for criminal justice funding, but she could also be experiencing all kinds of family difficulties and be in need of child support. However, the funding for drugs services comes from community care funding. The lack of integration between the three major funding streams is a big issue.

The services that Valerie Corbett is managing, which are rehabilitation units and outreach services for women and their families, are funded mainly by adult community care funding. The difficulty is that, for the price of one place for a mother and her children in one of our rehab units—when we want to keep the family together—we could probably place three single adults in three separate rehab units. The cost of keeping the family together is falling on the community care funding stream and, in a sense, there is a perverse incentive in that. There needs to be better integration of funding streams so that the money for working with families and children,

particularly in relation to drugs and alcohol, comes to children and families.

That issue has been flagged up and the drug action teams have helped to integrate the funding streams. Child protection committees do not really have any clout in telling people how to spend their money and the agencies involved have made it clear that they do not want them to have that clout. However, the reality is that the budget determines what happens and joint commissioning is still not common enough in relation to services for children.

Rhona Brankin: In your submission, you make various points about training, one of which is that you feel that your experience puts you in a good position to provide training. However, there is also an issue about finance. You believe that there should be a national, modular child protection training programme. I would be interested to hear about that. I understand that it will be compulsory for all social workers to undertake that programme. I would be interested to hear your views on whether it should be compulsory for teachers to do it, too. Will you expand on what you think the key training issues are?

Valerie Corbett: I will pick up on the issue around compulsory training for social workers and whether that should be the case for others. The difficulty that we keep coming back to is interagency working—that is what inquiries tell us constantly. The issue is that agencies fail to work collectively and in the total interests of children. I applaud the decision to increase the available moneys for child protection training, but leaving that funding within a single agency, when we have talked about the fact that it is everybody's responsibility to ensure that children are safe, is something that I find difficult and rather contradictory.

Part of the difficulty is that we do not have the confidence in our interagency work force to allow for early intervention. Agencies often wait until there is a crisis, which is then singularly placed at the door of social work agencies and the statutory sector. We can continue to press for other agencies to have considerable training in child protection, but they need a confident and broad understanding not only of child protection but of safe caring. That means keeping children safe and at the heart of people's work so that, for example, a teacher would understand what it means if a child comes into school and is not concentrating or is a bit hungry.

Such a case need not necessarily be referred to a social worker, who might say, "Well, join the queue. I am just out to check on a child who has been thrown down a flight of stairs." That is a crude example, but it shows the reality and the practicality of what is happening in a system that

struggles to deal with the huge complexity caused by years of, not necessarily under-resourcing, but constant fragmenting of funding, training and the delivery of services.

Romy Langeland: There is a much broader need for training. An obvious example is that people who work with adults with a mental health difficulty might see children who are at risk. Currently, there is no requirement for pre-service or in-service training on child protection. People are likely to get training on child protection if they work with children and families, but the training is not being done broadly enough. There must be a requirement for at least a basic briefing for everybody who works with children.

Mr Adam Ingram (South of Scotland) (SNP): Is there one route forward? You referred in your written submission to what happens in England and Wales. It seems that a comprehensive network of family centres in deprived areas has been established there, which is important because of the inequalities of provision in certain areas and the need to provide a platform for voluntary agencies to go about their business. Would such provision be part of a solution to the type of fragmentation that you are talking about in funding and the delivery of services? If so, could you please explain that to us?

12:00

Romy Langeland: You are absolutely right. We need to provide a platform of provision for children who might be vulnerable. If we could do that without stigmatising such children, that would be the best way ahead. The schools have a role to play. The good new community schools are doing a great job of nurturing as well as educating, but not all such schools are doing that. We must be much more systematic about ensuring that teachers and everybody else in the education system recognise need.

Partly because of local government reorganisation and much departmental shuffling, many family centres in Scotland have been lost over the past few years. Those centres provided a means of ensuring that parents could go somewhere with their children and learn parenting skills. However, people who work in those centres will tell you that, ironically, it is often the mothers who get the most pleasure from the play dough. That tells you something about their own experiences.

I absolutely agree that future policies should consider good, solid, family-centre provision at local level for families who are at risk—and I am talking not only about high risk but about borderline risk. Some family centres have traditionally been referral based—they would take

child protection referrals. However, being able to deal with a broader range of cases would be really helpful. The family centres would work in conjunction with the schools. All work should be followed through and not regarded as a one-off.

Mr Ingram: Would that sort of structure allow children, of their own volition, to use services? Your submission highlights the need for children to have their own route to services, without having to go with adults.

Valerie Corbett: That would be the ideal, especially when there are drug and alcohol problems. At the moment, the parent must be identified as having drug or alcohol problems, rather than the child being identified as having difficulties in living in the family. In our Glasgow projects, we intend to do what our submission suggests. Such ideas have not been tried out yet, so there is no evidence base. However, we are revamping our services in Glasgow—which will take some time—and our aim is to access both the parent and the child, but to say to the parent, “If you don’t want to get involved, we can still provide a service for your child.” We will work with the child depending on their needs and on what they feel is important.

In our outreach services, we have found that parents have been coerced into the services—they have been told, “It’s the end of the line and you’re going.” Those parents may then have stepped back, not wanting to engage fully. However, because we can provide a discrete service for the children, that has brought the parents back in. We have concentrated on providing a service for the children.

Romy Langeland: A brilliant model is the after-school club. Whether it is attached to the school, the family centre or somewhere else, it is somewhere for children to go. They do not have to say what the issue is, but they can get a whole lot of compensatory experience.

The Convener: In your evidence, and that of others, we have heard that the system is struggling because of the gap in the recruitment of social workers but that, in five years’ time, it will all be different. In the short term, however, there seems to be a chasm. That problem may not be easily resolvable. I appreciate that linked assessments, improved standards and so on will gradually bear fruit, but I wonder whether we are putting too much emphasis on assessing children and not enough emphasis on doing something about their problems. You have experience at the coalface: how should we be dealing with the short to middle-term gap in the recruitment of professionals in this line of work, and what should our short-term objectives be?

Valerie Corbett: Retention of staff is the major issue at the moment. The marketplace is fierce for

those who want to retain staff. That is especially true in work related to drug and alcohol problems, because there are so few people with both an understanding of working with children and an understanding of working with families in which there are drug and alcohol problems.

We have to consider what happens to people who are working flat out but do not have adequate supervision and training. We need more resourcing for staff who are in post. We want to recruit more staff, but what are we doing for staff who are already in post? The personal development of staff varies tremendously across organisations. Their scope to develop staff is dependent on the moneys in their training budgets. The current notion is that training is a luxury but, for the type of work that we are asking staff to do, taking time out to reflect is a way of improving their skills and their understanding of what they are doing. Retention is very much about giving something to staff who are in post.

One issue is incentives and how to compete with them. From our point of view as a voluntary agency, that creates difficulties. There is huge difficulty in trying to match some of the salaries that are being offered to entice people into services. A big issue is how far local authorities wish to go to pay us to pay staff adequately. In some senses we are the poor relation. They are saying, “While we are looking to give more to our staff group, we don’t expect you to give more to your staff group.” That gets us into difficult situations.

The Convener: Perhaps you need to say, “We’ve got holistic expertise that needs to be drawn in, and some of the training should be done by people with our experience as well as by local authority people.”

Valerie Corbett: That is exactly right. There are interagency issues. We can work much more collectively. We are in a competitive environment as, with the best will in the world, funding creates an element of competition. However, voluntary organisations have to come together to ask, “What are we doing? How can we stop duplicating work? How do we take forward things that need to be taken forward, hold our staff together and provide services in a way that is empowering for us all and uses all our skills and knowledge?” There has to be a shift from the commissioning notion to the partnership notion, and that has to happen fairly quickly. Also, local authorities should be encouraged through the way in which they are funded to realise that it is not about grabbing money but about working at a strategic level alongside all the organisations that can help to deliver services to families.

The Convener: Thank you. This has been a useful session. We are grateful for your input this

morning. If on reflection you think that there is anything that you want to tell us about, please feel free to contact us.

I welcome our second panel, which is Claire Houghton, national children's rights worker for Scottish Women's Aid, and Ruth Kennedy, young people's support worker from North Ayrshire Women's Aid. To start, Claire will give us her words of wisdom.

Claire Houghton (Scottish Women's Aid): I am delighted to have the opportunity to speak with the committee today. As you said, I am the national children's rights worker for Scottish Women's Aid, so I work at the national office. We are hoping to give you national and local perspectives today, as Ruth Kennedy works in North Ayrshire.

The committee will be interested in the two elements of my post. The first element involves promoting the participation of children and young people who are experiencing domestic abuse in policy and practice developments nationally and locally. For example, I co-ordinated the messages from young people for the child protection review and I recently undertook research with 57 children and young people on service provision throughout Scotland. That was specifically about refuge, but they talked about much more than that. I know that many members have supported the listen louder campaign over the past couple of years. One campaign was for support and the other expressed the importance of peer support, being able to talk about abuse and abuse no longer being a taboo subject.

My second role is to co-ordinate policy for children and young people who are experiencing domestic abuse. I am sure that the committee will be interested in crossovers. I am the member who represents children on the national group to address violence against women and I was on the advisory group for the child protection review. I am now co-chair of the Scottish Executive working group that brings together many of the players—the Scottish Executive child protection reform team, the national group to address violence against women and the children's services branch, as well as children's reporters and the Convention of Scottish Local Authorities. I would be delighted to speak further on that matter.

The main points that we would like to discuss are recognising the urgent need to improve distinct services for children and young people who are experiencing domestic abuse, the link between women protection and child protection in the child protection review, making alliances and supporting the non-abusing parent. We would also like to discuss ensuring that the perpetrator of domestic abuse is targeted and named.

Ruth Kennedy will briefly discuss early intervention and exciting things that we are currently trying to do in only a few areas rather than throughout Scotland.

Ruth Kennedy (North Ayrshire Women's Aid): I work as a children's outreach worker on a pioneering project that is now four years old. We offer one-to-one support for children and young people who are experiencing or have experienced domestic abuse but who have never been in refuge and never will come into refuge. The one-to-one support has developed into facilitating group peer support for young women who are aged between 15 and 19. That is an exciting project for them to develop themselves.

In North Ayrshire, we are fortunate to have six full-time children's workers and one part-time children's worker, which allows us to work as a team. That means that we have full-time children's workers in each refuge and a follow-on worker who supports the children and young people once they move on from refuge. Soon, we will have three children's outreach workers who support children and young people who do not come into refuge.

In addition to our direct work with children, we have a training and development worker who provides multi-agency training. That worker is coming to the end of providing training to every council worker in North Ayrshire.

The Convener: Thank you.

I will start off with a general question that echoes what I have previously asked. Are there key areas that are being missed or not stressed enough and that need to be addressed in years 2 and 3 of the three-year child protection programme?

Claire Houghton: The first thing, which links into short-term and long-term issues, is the need to address the funding issues for direct and distinct support services for children and young people across the board, which Aberlour Child Care Trust has already mentioned, and to recognise the cost-saving measures that there could be. One of my colleagues in the Scottish Children's Reporter Association recently spoke about children being in need, but not necessarily in need of child protection if we get the support services in place straight away. In that context, we need to consider a strategy for support services for children and young people.

Cross-links between many policy areas have been mentioned. I would like us to consider that women protection is child protection in many cases, as stated in the child protection review. That crosses over to many new developments, including changes in family law and issues to do with contact with abusive fathers. We should link those two policy developments.

You have already touched on the subject of good practice on tackling domestic abuse for all agencies, including voluntary and statutory agencies and those involved in the legal process, such as the judiciary. We have a lot of evidence from children and young people to inform all those developments.

12:15

Fiona Hyslop: I understand that you attended the previous evidence session, when we discussed the children of parents who misuse drugs and alcohol. By what routes can children get support? What is the trigger? Your experience is that the trigger is domestic abuse, and the matter is passed on. What is your experience of key agencies working with children at risk? Is the parental need in fact the trigger? What happens to children thereafter? Does it depend on the parents? Is there a way in which the children whom you come across do not have to rely on the fact of the parent having been a victim of abuse in order for them to get support?

Ruth Kennedy: Traditionally, it has been the woman who has accessed the service to get support for herself and, subsequently, for the children. As the outreach work develops, we find that mothers are accessing the service in order to gain support for their children. As a consequence, they receive support themselves. In addition, some groups run drop-in services, which children and young people can access directly themselves. The broad spectrum is covered in that way.

Fiona Hyslop: What is your current experience with regard to drug and alcohol misuse? Is there a danger that it becomes just the latest area of concern, in the same way that domestic abuse and problems with children have been treated in the past? Is it almost as if the labels are the key to the service, as opposed to the needs of the children?

Claire Houghton: We have worked closely with voluntary and statutory agencies. As we have stated before, the children and young people and women whom we are trying to support might fit into different categories. For example, many women with substance misuse problems use our services. We have been developing services jointly with others to address several concerns in that area.

There is a high correlation between women using substances and women experiencing domestic abuse. Various studies have been carried out, about which we can give the committee information, on numbers of women who are on programmes and who experience domestic abuse. Our view on this is similar to that of the Aberlour Child Care Trust: we need to examine

the cause of the problems, which is domestic abuse.

My concern is that the perpetrator of domestic abuse often becomes missing from the equation, because of the concentration on the mother's ability to parent, particularly if there are substance misuse difficulties involved. We should be trying to keep the non-abusing members of the family together and to address the woman's support needs. We have had a problem in that regard, as refuge provision was traditionally shared. That view of refuge provision in Scotland is the one that is in everybody's mind.

In fact, the Scottish Executive has recently agreed recommendations that shared refuge should be phased out entirely and replaced by two kinds of accommodation. One is called core and cluster, which is family flats with communal areas, which enable mutual support, with children in different rooms. That could help many women. Dispersed flats have also been developed. There are 55 of them now, with another 15 pending. We can work jointly with other agencies to support women and children with complex needs. There are many issues around substance misuse, and we need to deal with support in a more appropriate way, working together.

I will return to your question about adult-led services.

The Convener: Before you do, could you tell us what "shared refuge" is in this context?

Claire Houghton: It is different in different areas. Traditionally, it has meant a family having to share one or two rooms within a house in which there would be other families. Usually, there would be some communal areas but, depending on the location, those might be either quite expansive or quite small. The point is that people now have the privacy and security of their own flat within the shared accommodation. That has drawn on good practice and on the views of women and children from the research that has been carried out. Although that is very positive, we still have a long way to go. The £10 million that has been allocated to the refuge development programme has allowed us to set up 24 new-style cluster refuges with another 11 pending. However, we still have 61 shared refuges.

We cannot publicise these services nationally, because they are not available to women and children in every local authority area. However, we could publicise locally and across the local authority areas that are involved that women and children can now choose from different types of accommodation and that they can receive support wherever they live.

That said, outreach support services for children are available in only six areas. In Scotland, there

have been 72,000 requests for help from women and another almost 10,000 calls to the helpline. Given that 5,800 of those women have sought refuge and only 1,661 managed to get those spaces with their children, it is clear that many children and young people whom we know about are not being supported—and that is before we take into account the children and young people we could access directly whom we know nothing about. That is my major concern at the moment.

Fiona Hyslop: And what about adult-led services?

Claire Houghton: As the statistics emphasise, outreach support is available in most areas to the women who need it. Although that support might not be good enough and although it is not a 24-hour service in all areas, most women receive one-to-one support, are able to return to a place whenever they want to, and can choose to access refuge accommodation. Women can also call the helpline.

On the other hand, most children and young people do not have the opportunity to access services directly. As a result, in North and South Ayrshire, there is huge demand for the outreach support worker and a lot of referrals are made. I should point out that many other groups offer the service. For example, when the refuges in Perthshire were shut for refurbishment, an astonishing number of teenagers, especially teenage boys, rang up the temporary outreach service. We are concerned that we are not tapping that unmet need. Although the majority of services provided by the six groups that receive direct funding are adult led, many groups are offering an outreach support service for children without receiving any extra funding for doing so.

Fiona Hyslop: In your submission, you mention the implementation of the child protection reform programme and criticise the fact that

"The advisory group has only one voluntary sector member".

You also think that it would be helpful if the group included members who represented areas such as domestic abuse, chronic neglect and drug and alcohol misuse. Are you talking about the child protection reform team steering group or the national group to address violence against women?

Claire Houghton: I was talking about the child protection reform team steering group. During the child protection review, an advisory group of statutory and voluntary sector members met every month. However, despite the fact that the members of the child protection review team and the advisory group found the meetings productive, that approach has been lost in the new system. Although there is a steering group whose

members include Romy Langeland and Bob Ovens of the Association of Chief Police Officers in Scotland—whose remit covers domestic abuse—the input from the voluntary sector has been lost.

Fiona Hyslop: So the review's early stages had an enthusiasm and momentum that it would have been worth keeping up.

Claire Houghton: Although the advisory group meetings generated an enormous amount of paperwork, they were consistently well attended by the statutory and voluntary sector members. We had huge debates and arguments, but the group was very motivated and had a lot of influence on the child protection review. Many of the members of the advisory group would have liked to continue their involvement and take the matter forward. However, that approach has been lost.

Ruth Kennedy: The local child protection committee in our area includes one representative from a voluntary agency, although we are also involved with the sub-groups. As a result, there is voluntary sector involvement at a local level, which is great. Moreover, the child protection committee is rolling out the real roles and responsibilities training and we are delivering the domestic abuse training on training day. The child protection co-ordinator in North Ayrshire very much supports the involvement of voluntary agencies in these matters.

Rhona Brankin: Will you expand on the link between domestic abuse and child protection? For example, you talked about a teenage boy phoning up, and it would be useful to hear about that. Also, is enough joined-up work happening to link the national strategy to address domestic abuse and child protection work, given that different departments are involved?

Claire Houghton: On the link between domestic abuse and child protection, a useful place to start is the link between domestic abuse and child abuse. In Scotland, we have moved forward; the child protection review recognised that domestic abuse involves emotional abuse of children and that there are links with the physical, sexual and mental abuse of children. The most recent overview of the literature that I have seen shows that 30 to 60 per cent of children whose mothers experience domestic abuse will be physically abused.

A lot of work and research have been done to consider the best and safest approach for women and children and a lot of work has been done on direct services. That work warns against regarding children and young people as being immediately in need of child protection. That does not mean that a proportion of children will not need child

protection and compulsory measures, but the work considers taking a more holistic approach to supporting non-abusing members of the family and tackling the perpetrator's abuse.

Rhona Brankin: May I interrupt you? There is automatic referral at the moment, is there not?

Claire Houghton: That is a good question. As you know, the review warned against automatic referral and called it unhelpful. ACPOS invited us to a meeting to discuss that, and we debated the matter at length. At present, there is a debate with children's reporters about what is best practice. Not all forces have automatic referral, but all forces are reviewing their practice in relation to automatic reporting to the children's reporter when a child is present at a domestic abuse incident. We await an imminent meeting that will bring together children's reporters, social workers, police officers and us to consider what is best practice.

In some forces, there is automatic referral to the reporters, but we are told that in most cases there is no further action. There are also problems with the detail of reporting, but I will not go into detail on that unless you ask about it. The reporters say that the number of referrals has increased dramatically but they do not regard most of those children as being in need of compulsory measures. Therefore, they do not regard automatic referral as the most helpful way forward. The major concern is that women will think that the police will immediately report them to social work and so will split up the family. That is often not the case, but I am afraid that that is how women and children see the situation. In such cases, women will not report abuse to the police, so there is a fine balance to be struck between domestic abuse and child protection.

The thinking behind automatic referral was reports of child deaths. It was introduced to try to stop children falling through the net; it was born not out of poor practice but out of major concern. The question is: what happens next? In the majority of cases, not a lot will happen. We need to talk about what should be best practice. In Wales, a women's safety unit receives all referrals and statutory and voluntary agencies make decisions about who is best placed to follow them up. For example, if the woman is already seeing a health visitor, they might follow it up—as we all know, domestic abuse increases during pregnancy. That approach is regarded as far less intrusive and dangerous for the woman than a social worker following up the referral. Needs are considered in relation to individual families—to me, that is one of the major priorities for the child protection reform programme and the national group to address violence against women. At the moment, we are not increasing the level of

protection and we risk further abuse of some women and children.

The Convener: To summarise that, domestic abuse is a trigger factor that we cannot ignore, but we need more sophisticated ways to assess it. To avoid the risk of non-reporting, the provisions should probably be non-statutory.

12:30

Ruth Kennedy: If a case that has been automatically referred to the children's hearings system is carried on and there are proceedings, more often than not, the father is present at those proceedings. That puts the child and the mother at severe risk and defeats the objective of the proceedings, which is to protect the child. Because domestic abuse is all about control, fear and power, there is no way that the child will speak up with the father present in the room. The child might not speak up in the children's hearing anyway, but if the father or another abuser is present, the child will be even more unlikely to speak up.

If we are to continue with automatic referrals, we must complete the circle by injecting support for the child and the mother. Strong multi-agency working is needed to ensure that, in domestic abuse cases, agencies work with Women's Aid to put in place support for the children—such as outreach workers, if that would be pertinent—and the mothers. We need to have a whole circle. If child protection is to progress as proposed, we must provide the full package, so that the child gets not only protection, but support.

The Convener: There may be issues for the children's hearings system in that answer, but that is for another day.

Rhona Brankin: I asked a question about how your work links with the strategy on domestic abuse.

Claire Houghton: There has definitely been progress, even since we made our written submission to the committee. As I said, I represent children and young people on the national group to address violence against women, but we also have a member—Bob Ovens—who represents the police interest in domestic abuse and child protection. Recently, the links in those fields have been much stronger, but the child protection reform programme and team need to link even more with the national group. The latest development is the strategy group that is considering the strategy for children's and young people's services, which has brought members of the child protection reform team together with the children's services team. The head of better-integrated children's services and I are co-chairs

of that strategy group, which gives us a chance to link our work far more meaningfully.

There are still gaps. There is a training strategy, a prevention strategy and the national strategy to address domestic abuse, which have all been produced by the national group to address violence against women, but they are not well enough integrated into the child protection reform programme, so we need to make further links. Also, issues of great concern that were raised in the child protection review—for example, the three elements that children's services tackle: woman protection, child protection and father abuse—are not linked into Executive reforms such as the family law reforms on contact and residence.

The latest development in family law is that unmarried fathers are to get the same parental rights and responsibilities as married fathers. Inequitable as the system is—we would not argue against unmarried fathers having equal rights—unmarried fathers having a right to contact will cause great problems for unmarried women who are abused. We feel that the push towards shared parenting in society, which is reflected in sheriffs' approach, is detrimental to women and children who experience domestic abuse, because in the vast majority of cases, contact is awarded to abusive fathers. We are concerned that the father's responsibility to safeguard the health and welfare of his child is being given a lower priority than his right to contact.

At the moment, unmarried women are in a safer position for a number of reasons, one of which is that the onus is on the unmarried father to go to court for contact, which often gives the woman a breathing space of safety and support. If unmarried fathers will usually be granted contact, the position will be the same as for married fathers.

The Convener: I do not want to go too far down that line; that is perhaps for another day. Those are important issues, but they are not central to what we are talking about.

Fiona Hyslop: I think that there is a reference to the subject in the report.

Claire Houghton: The main point about the child protection reform programme is that, in children's services, women's protection is child protection, and that and abuse by the father need to be addressed across the board in any changes to services or family law. Change in that respect is imminent.

Ms Byrne: Do you have a general view on the wider provision of early intervention services throughout Scotland? Is further action from the Scottish Executive or other bodies needed to strengthen those services?

Ruth Kennedy: I will give you an example of current good practice in early intervention. In North Ayrshire, we take a 360° approach to prevention and intervention. We have compiled training packs for teachers and community workers to use in working with young people. They are age-specific and tackle a range of issues pertaining to domestic abuse. In addition, we provide the multi-agency training in which teachers participate, which means that teachers are aware of outreach provision and support for children and young people. We are addressing prevention at grass-roots level and are encouraging children, teaching them about self-respect and equality and making them aware of domestic abuse in case they want to identify themselves as experiencing it. Research is about to come out from a secondary school in South Ayrshire in which one third of children said that they had experienced domestic abuse. That highlights the fact that it is crucial that there is prevention and intervention training in schools.

The outreach one-to-one support that we offer children and young people is provided in schools. The reason for that is that it allows the support to continue should mum return to the abusive partner or start another relationship that eventually becomes abusive. It means that the children and young people get continual support, regardless of mum's situation. Obviously, there are some cases in which that is not possible and we have to consider the safety of the child, but intervention and support are there for children in the household in which domestic abuse is occurring, so that they are then empowered. There was an example of a mum who returned to the abusive partner and we continued to work with the children and young people in the family. The abuse did not get to a stage at which it was a child protection issue, but it got to a stage at which the children were no longer prepared to accept it, and through the support that they received from their outreach worker they were aware of their rights and put themselves into voluntary care until mum could offer support. It is a question of empowering the children to know their rights and, in addition, always working with mum. We must take an holistic approach that offers separate support for young people but which encompasses work with mum.

Ms Byrne: Do you envisage the projects being taken on board and being expanded throughout the country?

Claire Houghton: The strategy group that I talked about earlier is considering a two-pronged approach to developing services. All the agencies around the table agreed that outreach support would overtake refuge support in terms of the number of children and young people whom we support. They supported recommendations for a national funding stream to develop the service

while taking into account local children's services planners. They are pleased that enhancing services to children who experience domestic abuse has been named as a national priority for children's services planners. The group is working to give planners guidance on outreach and early intervention, which is due out in June. We are looking for outreach and early intervention services to be funded nationally as a lever and to be integrated into children's services. We are hopeful, because funding is being considered, and we await the outcome of discussions and the spending review. Early intervention is now being seen as a priority.

Ms Byrne: That was helpful. Thank you.

Lord James Douglas-Hamilton: I have two questions. The first relates to Disclosure Scotland and the timescales involved when somebody needs to be checked out to ensure that they are suitable to work with children. We have heard evidence that, in recent months, it has taken up to 12 weeks to get a reply. Disclosure Scotland says that the timescale has improved enormously, but will you tell us what your experience is?

Claire Houghton: I will hand over to Ruth Kennedy, who has recruited recently and can give up-to-date information.

Ruth Kennedy: We are going through the CRVS route with Disclosure Scotland, which stands for the central register for voluntary agencies in Scotland. Unfortunately, there has been a delay in setting up the process because policies that we sent to Disclosure Scotland were lost. However, we have been led to believe that the process will take six to eight weeks.

Lord James Douglas-Hamilton: So it takes six to eight weeks.

Ruth Kennedy: We are still setting up the process at the moment because there was a delay of several months. However, Disclosure Scotland has said that it will take six to eight weeks.

Lord James Douglas-Hamilton: We heard evidence from Disclosure Scotland that it had got the time down to 16 days.

Claire Houghton: That has certainly not been the case for the majority of local groups.

Lord James Douglas-Hamilton: What would be an ideal period for you? Would three weeks be fair?

Claire Houghton: Yes. Most new recruits must give a month's notice in their current employment, so it is important that the process is completed within that time.

Lord James Douglas-Hamilton: Does the delay have the effect that the best people may go off to other jobs or that the wrong people may be employed?

Ruth Kennedy: The delay in the vetting process has meant that we have had to hold off new workers from having contact with children and young people or with vulnerable women.

Lord James Douglas-Hamilton: So posts are not filled until you have the information.

Ruth Kennedy: That is correct. One problem that we have found with Disclosure Scotland's vetting process is that schedule 1 offences are not highlighted in it. I do not know whether that has been changed, but the issue has been raised through our multi-agency forum and was to be passed on to Disclosure Scotland. If a person has perpetrated a schedule 1 offence, because that does not involve a criminal conviction and goes through the children's panel, it will not show up in the Disclosure Scotland vetting.

Lord James Douglas-Hamilton: Are you certain about that?

Ruth Kennedy: It certainly was the case a year ago.

Lord James Douglas-Hamilton: Could you give us a note about that important piece of evidence? I suspected that that was the case and you have given confirmation.

Ruth Kennedy: As of a year ago, that was the case.

Lord James Douglas-Hamilton: It would be helpful to have a note of the chapter and verse because we should follow up that matter.

How is your organisation involved with other agencies in child protection issues? Could co-ordination or information sharing between agencies be improved in any way?

Ruth Kennedy: At a local level, we are considering the development of a sub-group of the child protection committee to address domestic abuse. The group will address information sharing, automatic reporting and contact issues. If the group goes ahead, it will be a good and effective forum for multi-agency working.

I have found that working with other agencies is super. We have a good and effective multi-agency forum, whose work trickles down through multi-agency training so that, right across the board—across social workers, police female and child workers, housing workers and teachers—everyone is willing to participate in the protection of children.

Claire Houghton: Nationally, that is not the case. The fact that there are seven children's support workers in the North Ayrshire group means that they can be active partners in multi-agency domestic abuse forums, children's services forums and child protection committees, which need to be brought together. Unfortunately,

in half of our groups there is just one part-time children's support worker. The fact that we must balance directly supporting women and children with being part of committees or forums means that we are not all working together for the sake of the children, because people cannot spare perhaps one of their two or three days. Improvements can be made, but North Ayrshire is an example of best practice.

Dr Murray: Your submission states:

"It is crucial that agencies ... take on board the views of children and young people in the production of agency specific standards based on the framework."

You also express

"reservations that the focus on 'messages for all' took us little further than the UN rights perspective".

You have some concerns about the whole exercise being a token exercise and believe that taking on board the views of children and young people should be seen as crucial to the reform programme. Will you expand on how agencies can do that in producing agency-specific standards?

12:45

Claire Houghton: Many children and young people who experience domestic abuse and who are in contact with Scottish Women's Aid gave views, both in the part of the review on messages from young people and in the consultation on the children's charter, and we support what has been produced on that. However, in all those interviews and focus groups with children, there were lots of views about specific services. For example, there was criticism of the lack of continuity of support and of sentencing. Children were very well aware of the link all the way through, so we heard comments such as, "I've been through the children's hearings and I've been to court, only to end up seeing my father there laughing and getting a £650 fine for 11 charges against myself and my mum." I will not say too much about the link to contact, but some children said, "I'm still awarded contact and I can't get away from him."

There were also views on police practice, both positive and negative, which were illuminating. One example cited was of the police and social workers coming out to an incident and being incredibly positive in listening to the young man—a teenage boy—and his mother and in putting safety measures in place straightaway. In that case, social workers were involved in the security measures and offered positive support, but the young man said that he still had to tell his story eight times. Those children and young people made a lot of agency-specific points, and I want their views to be used. The children's charter is very general and, although it is the basis for progress—and I do not want to criticise its ethos—

we could go a lot further in asking children what is happening on the ground and changing our practice accordingly.

I am afraid that I have forgotten the second element of your question.

Dr Murray: I wanted to know how you take on board the views of children, but I think that you have covered that. Each agency has to consider its specific involvement with young people. It is not something that can be done across the board.

Claire Houghton: We have begun the process and we have had the two child protection consultations and the refuge consultation with children and young people across Scotland, which was very interesting with regard to teenagers who felt left out of services. Issues concerning black and minority ethnic children and young people, including rehousing problems and racism as well as domestic abuse, have also come to light. I feel that we need to do more research in constant consultation with children and young people on best practice for all our agencies. That is certainly what we will be looking at next.

Dr Murray: Are there any key issues that you think the reform team should be taking into account to ensure that that happens?

Claire Houghton: The key issues in the consultation are specific issues that are very real to children. One of the criticisms from the police, from us and from others was about the lack of engagement with the judiciary and solicitors on many issues, including domestic abuse. We need to ensure that all aspects of the issue are brought together and I think that we should look at prevalence studies. There are small pockets of studies, and we should examine innovative ways of finding out what is happening to children and young people. Prevention work on all issues with children and young people in schools, to challenge their attitudes, to inform them and to give them a language to say what is going on in their lives, will give us a bigger picture of what children and young people are experiencing in Scotland.

I would certainly like the pilot on domestic abuse to be rolled out. I was shocked to learn that a third of children in one school, once given the language to name it, said that they had experienced abuse. We cannot extrapolate that, but I would like that kind of exercise to be rolled out throughout Scotland so that we can tackle the issues that children think are most important.

Mr Macintosh: You mentioned the lack of engagement with the judiciary. I understand your comments about lack of engagement with the criminal justice system, but how do you envisage greater engagement with the judiciary coming about?

Claire Houghton: Steps are being taken by domestic abuse forums and by Scottish Women's Aid, so my comment is not a blanket criticism of the amount of engagement. We have a sheriff on the national group to address violence against women who is very understanding and committed to listening to children's views in the process. There are also sheriffs leading on domestic abuse in courts in Glasgow. However, the child protection reform programme as a whole should be engaging with the process for the child all the way through. That has not gone right through to police practice and the criminal justice system as a whole. We could engage more through the reform team, and progress is being made by the multi-agency groups coming together. However, the majority of multi-agency domestic abuse forums—but not the Glasgow one—are not engaging with sheriffs. Solicitors also have a major role to play in advising and representing women and children.

Some progress is being made, but not throughout Scotland. The multi-agency groups should see the child all the way through the process, with sentencing and police practice being part of the whole programme, but I do not see that happening in the child protection reform programme.

Mr Macintosh: So you would prefer there to be an educational engagement with the judiciary, with the Procurator Fiscal Service being more closely involved.

Ruth Kennedy: There is a sheriff—I think that it is Iona MacDonald—who works in Kilmarnock who has been superb because, as a rule, she sees children in her chambers. Personally, I think that that practice should be rolled out across Scotland. I know that guidelines, information and reviews on child witnesses are coming out at the moment. It would make sense—especially from a child's point of view of how they are supported through the experience—if the standard practice was that they did not have to go to court and that contact, when required, would be through closed-circuit television or that, if they were called up to speak to the sheriff, that would be in chambers, where the wigs and the cloaks are off. That would make the process far more child friendly.

That takes us back to the need for a child-centred approach. The process must be child led rather than adult led. If it were, as well as there being better support for children, we might end up getting better evidence from them.

Claire Houghton: A couple of the domestic abuse forums are engaging with procurators fiscal, and there are good crossovers with child protection committees, the police and procurators fiscal. However, the majority of domestic abuse forums are not engaging in that way. Again, that is a gap that we need to address. We need to bring

all the relevant people together as a child goes through the system, but I do not think that that is happening locally or nationally.

Mr Ingram: I have a couple of specific questions about the experience of your organisation. The first concerns child protection committees and the second concerns training. Leaving aside what is happening in North Ayrshire, which seems to be a good model, we are getting the feeling that the voluntary sector is not as involved with child protection committees as it ought to be. Is that your experience? How would you like child protection committees to develop in local areas?

Claire Houghton: Yes is the answer. That is our experience. When I found out for the child protection review team how many Women's Aid groups were actively involved in the child protection committees, I found that just two groups had a member on the child protection committees. Although all the members of the committees felt that that was useful, especially because the effect of domestic abuse on children is an emerging issue about which there needs to be lots of discussion, it is rare for there to be that kind of engagement.

In Fife, a voluntary sector child protection committee, which the Scottish Executive has advocated, is running alongside the child protection committee. Again, that is seen as beneficial. The point is that the voluntary and statutory sectors are working together for child protection. The most productive way forward is when they are represented on the same committee.

One of the issues that has been mentioned and which is being considered by the reform team is the fact that one voluntary sector organisation cannot represent everybody. If we are considering specific issues that cause problems, we should consider having more than one representative and should try to incorporate both voluntary and statutory sectors. Obviously, the idea of sub-groups is a good one that should be developed. There should also be much stronger links between the multi-agency domestic abuse forums and the child protection committees.

What was your second question?

Mr Ingram: My second question was on training. Ruth Kennedy mentioned that she was engaged in multi-disciplinary training on child protection issues relating to domestic abuse. Do you feel that the voluntary sector is involved enough in that type of training? Is it being funded properly? What could or should the Scottish Executive do to try to encourage that?

Ruth Kennedy: I will quickly give the background to how we became involved in delivery of the roles and responsibilities training.

That resulted from the participation of the training sub-group in the pilot day. Participants' evaluation forms asked why Women's Aid was not involved in domestic abuse input. We will be making such input—7 June is the next day for that. I do not think that the idea of having a representative of a voluntary agency on the training day had even been considered. That is quite a rarity. I do not think that voluntary agencies are involved nearly enough. Anne Stafford's research identifies Women's Aid as the lead agency for domestic abuse. With specific issues such as domestic abuse and substance abuse, it is necessary to have a lead agency that has the expertise and knowledge to deliver the training.

Claire Houghton: Anne Stafford's research provides a national perspective. Her recent report, which has not been published because it forms part of the work of the working group, is called "Mapping Services for Children and Young People Experiencing Domestic Abuse in Scotland". Two posts have been funded specifically to train everyone who works with children and young people, and there are four local authority posts that have the same remit. In addition, Women's Aid has six trainers. The fact that those 12 workers are trying to do the domestic abuse training throughout Scotland shows that there is a huge funding problem. Margaret Curran has put £700,000 into the national training strategy, which has enabled the national office of Scottish Women's Aid to have one more external training worker, for example.

Although there is a problem in getting agencies involved in the first place, our major problem now is the demand for training. The majority of the 40 Women's Aid groups throughout Scotland provide training but, if they do not have a specially funded training worker, that takes away from the direct support service. Trying to balance that is a huge problem. We need more training workers who are focused specifically on children and young people. Funding is a huge issue. For children and young people, there are even fewer training workers than there are outreach support workers. Training is a burgeoning area. The fact that demand is going up is partly to do with the child protection review.

The Convener: That is quite a good point at which to draw proceedings to a close. I thank you for your attendance this morning; the session has been useful. If there is anything that, on reflection, you want to let us know about, please feel free to write to us. We are finishing our inquiry quite soon.

Claire Houghton: We will certainly address your points.

The Convener: I suspend the meeting until 2 o'clock. For the avoidance of doubt, I point out that we will reconvene in committee room 2.

12:58

Meeting suspended.

14:06

On resuming—

School Closures

The Convener: I welcome everyone to the Education Committee meeting, which is now resuming in public. I remind everyone to ensure that their mobile phones are turned off.

We have two items to discuss this afternoon: school closures and the child protection inquiry. The Minister for Education and Young People will be in the hot seat on both matters. We will begin with item 2, on school closures. I welcome the minister, Peter Peacock, and Colin Reeves and Graeme Stuart from the schools division of the Scottish Executive Education Department. I also welcome David Mundell MSP to the committee; he is interested in this item.

Minister, would you like to make some introductory comments?

The Minister for Education and Young People (Peter Peacock): Yes. I would like to set the context and then I will be happy to answer any questions that committee members have on the matter.

It is useful to have this opportunity to set out the Executive's thinking on school closures. The convener will understand that I am unable to comment on current, specific local issues because some of them may come across my desk in due course, so I could not prejudice that. Subject to that consideration, I am more than happy to pick up any questions that are asked.

School closure proposals are seldom welcomed by local school communities. That is true of rural and urban areas. I know from my own experience the controversy that such proposals generate and I expect that they always will generate controversy. It would be very odd if parents did not fight for their local school if they saw that it was under threat in some way. It would be no testament to the school if parents did not put up some sort of fight for what they believe to be valuable and important. It would be odd if we did not always expect controversy around any school closure.

I speak with a degree of experience. When I was a local councillor in the Highlands I was involved in a number of school closure proposals over the years, including in my own electoral ward. I have also considered the issues as the Minister for Education and Young People and in my time as the deputy minister. The decisions involved are always—I stress always—difficult, not only for the communities, but for the elected members and officials involved. The only reason that I make that

point is to emphasise that nobody lightly sets off down the road of closing schools because that raises serious issues that require serious consideration.

As the convener knows, councils have stewardship of education services at the local level. That carries with it many responsibilities, including that of responding to the changing landscape against which education must be provided—a landscape that includes school buildings. Among other duties, local authorities have a statutory duty to secure the

“adequate and efficient provision of school education”

in their areas. That requires authorities to look at the issues from a different perspective from those of parents and local communities. An authority's responsibilities are for the whole of its area, whereas the focus of parents is, quite understandably, on their local school at a particular point in time. An authority's responsibilities extend for a long period, and it requires to take a long view, over generations, covering more than just the current school population. An authority must keep its school provision under review. Buildings age and become unsatisfactory. How education is delivered evolves, which puts different requirements on building space. Population settlements and patterns change. Where once there might have been a young population in a particular community, the age profile might have changed over time, reflecting a more mature group of citizens than in the past. In other areas, an authority might have to provide new buildings, because of new housing developments and a growing population. As we know, that is the case in some parts of Scotland. Young people in those areas will require new space for education.

All those circumstances require that the possibility of change in school provision must be considered in local areas from time to time. When considering that change, an authority needs to take many factors into consideration. That requires clarity about the objectives that the authority is pursuing and their relative importance; about the range of potential options that are open to a council at any given time; about the costs and benefits of any proposals in educational, financial and other terms; about the advantages and disadvantages of each option; and about how the options measure up against the council's overall objectives.

For a number of years, there have been well-established and extensive statutory requirements on local authorities to consult affected parents and school boards and, through that, to draw the wider community into the consultation process. Authorities must have regard to the representations that they receive before they

reach any decisions. I expect local authorities to make their case for any school closures, and to make it clearly and openly. The more open, the better for all concerned, as that means that the process is transparent. That is the responsibility of a democratically elected local council: it must listen to communities and account for decisions locally to its electorate.

The outcome of consultation might be decisions that are unpalatable to particular communities. Government—local and national—is ultimately about making choices and deciding priorities, and that is not always an easy task, whether it is at local or national level. There is lots of evidence to suggest that the arrangements that we have in place are dynamic, that they work and that they bring about decisions that have been influenced by the representations that councils receive.

Most recently, to refer to a case that I know has been a preoccupation of the committee, Midlothian Council has considered responses to the consultation that has taken place in its area. It has shifted its position in the light of that consultation and, as a result, new options have either been decided upon or are the subject of further consultation. That is an indication that, painful, time consuming and disruptive as it might be, the system can cope with local views and adapt, adjust and be flexible to those views and to circumstances.

There is plenty of evidence of such approaches being taken or shifts being made up and down the country, following representations made to councils within the statutory framework for consultation. It is all about balancing local views with a council's statutory duties to secure the

"adequate and efficient provision of school education",

while weighing up the advantages and disadvantages of various options, dropping or adjusting proposals or, on occasion, proceeding as originally planned.

I believe that those detailed issues are best and rightly dealt with at the local level, working within the broad legislative framework that has been created for consultation. It ensures that those who are likely to be affected by proposals are consulted and get a chance to have their say. The emphasis must always be on a rigorous testing of the proposals for change, weighing up a range of factors on the way and taking into account the local situation and the representations that have been received before decisions are arrived at.

I believe that the Executive can do more to set out its expectations of the process that local authorities should follow and the factors that they need to weigh up. My officials are currently preparing some draft material for me to consider, and I plan to write to local authorities on those issues in September this year.

The Convener: Thank you, that is useful.

Members have a number of papers, including a letter from the Minister for Environment and Rural Development, whose views we also sought, and correspondence from the Executive.

There are not too many rural schools in Glasgow, so I ask my colleagues to lead on questions—although I attended a small local school.

14:15

Rhona Brankin: I am happy to hear that the Executive is considering new guidelines for local authorities. Such guidelines would be helpful. I will not talk about specific cases, but a clearer position from the Executive would help local authorities and parents to understand the ground rules.

I am interested in three areas. First, parents argue that although documents such as "Rural Scotland: A New Approach" talk about the importance of sustainable rural communities, there is a lack of read-across from rural development policy to education policy.

Secondly, a lot of statistics are flying around, but do you have information on the number of rural school closures, for example pre and post-devolution?

Thirdly, many local authorities are considering their school estates with a view to further investment. I welcome the Scottish Executive's additional investment in education, but there is a danger that local authorities might consider their estates purely from a best-value point of view. It is important that there should be, again, a read-across into the Auditor General for Scotland's office and the Accounts Commission about the meaning of best value for sustainable rural communities.

Peter Peacock: Gosh, there was a lot in there. I will try and answer your points in the order in which you raised them.

You observed that local proposals need to be clear. It is clear to me that when local authorities embark on a debate about potential school closures, they know that there will be an impact on the feelings of people in the community—on their sense of place and how their community works—as well as an impact on individual children, to which parents will rightly pay attention. It is colossally important that local authorities are confident of the grounds for their proposals. They should be able to set out with great clarity precisely what it is that they seek to do, the range of options, the long-term considerations and the short-term effects—I could go on. The work that officials are currently drafting is about exemplifying and opening up the range of considerations about

which we would expect there to be clarity. I agree that there must be clarity, so that the public can judge the proposals. They might not agree with the proposals—they will seldom agree with them—but councils are often working towards longer-term horizons and people will be able to see what councils intend.

I link that point to your final point on school estate planning. You alluded to the fact that these are times of unprecedented investment in Scottish school education. Some £2,000 million of capital spending will go into schools during the next decade, principally because we inherited a legacy of appalling schools and we need to do something about that. We need to secure better accommodation that can be maintained in the long term. If we are to have an investment strategy on such a scale we must take a long-term view and consider, for example, the population projections for areas. We must factor in the substantial falls in school rolls in parts of Scotland, to which I have alluded in the Parliament. Such falls are not happening everywhere; I know that school rolls are rising significantly in places in Fiona Hyslop's and Rhona Brankin's constituencies, so that must also be factored in. That is why more issues about school closures are surfacing.

You ask whether school closures are just about a drive for cost efficiency. They are not, but cost efficiency is an issue. Empty buildings still require heating and taxes on them still need to be paid. Capital might be spent maintaining buildings that are not fully occupied rather than on the new buildings that are required. All those things need to be taken into account. However, the big change since devolution is that we are investing thousands of millions of pounds in school buildings. The financial pressures are less than they were pre-devolution because of that investment. Rather than considering just whether we have an efficient school estate with schools that are in the right places for the long term, people ought to consider the educational dimension, which is the principal issue. What is the right shape for a school? What facilities does a modern school need? To what extent must school buildings be more adaptable than they were in the past in order to cope with changing population factors? How do we accommodate the modern curriculum? All those factors require to be at the forefront of our thinking because we are making so much more cash available.

A good point was made about rural sustainability and rural development. Partly because of the recent public debate on these matters, I am now more focused than I was on how we make a more effective connection between those issues. The material that I want to send to local authorities will better reflect the need to take into account our wider policies on rural development and

sustainability. However, I do not want to mislead the committee or the wider public by suggesting that rural Scotland will be covered in aspic. It would be quite wrong to pretend that nothing will ever change.

We have seen an example of what I am talking about in Midlothian during the course of the last week. Although Midlothian Council initially proposed that youngsters be moved from, I think, four rural schools into what those rural populations regarded as a much more urban setting, it is now proposed that a new rural school be created. That will mean that those pupils will not need to go to an urban school. My point is that it is entirely possible to aggregate rural schools to provide better facilities and longer-term sustainability in the face of changing population patterns, but to do that at a rural level. Arguably, amalgamating two rural schools into one rural school can contribute significantly to sustaining rural populations.

All those factors need to be taken into account in considering the long-term strategy, but the need for consistency between our policy approaches can be taken as read. From my point of view, we need to do more work on that issue and I will explicitly address it in the material that I send to local authorities.

On schools data, Parliament officials have provided members with a paper—ED/S2/04/15/3—that contains several sets of statistics for school closures pre and post-devolution. The number of primary school closures was also set out in my answer to a parliamentary question from Christine Grahame at the end of April.

The committee's paper is interesting. I do not seek to make a party-political point—it just happens to be that way—but the rate of school closures was four times higher during the last two years of the previous Conservative Administration than it was during the first two years after Labour came to power in 1997. Since then, the pattern of primary school closures has moved around: 32 closures in 1995-96; 21 in 1996-97; only nine in 1998-99; more in the following year and 13, 14 and then 18 in subsequent years. The figures have moved around, but there has nonetheless been a pattern of school closures. Some of those schools closed because they had no pupils and several school closures were actually amalgamations of schools that meant that one school remained in a rural community that had previously had two or three. Therefore, although figures at that level can be slightly misleading, there is nonetheless a lot of statistical data about the pattern of change that has taken place.

Fiona Hyslop: Given that part of our duty is to call the Executive to account, I want to mention that Peter Peacock was Deputy Minister for

Children and Education in 2000, when the first concerns about rural school closures were raised with the Education, Culture and Sport Committee of the previous Parliament. Concern was expressed that COSLA had been meant to produce new guidance. COSLA had also asked the Executive to introduce legislation on rural school closures. In a letter to the former Education, Culture and Sport Committee in March 2003—just before the last parliamentary elections—the Executive made it clear that the rural schools guidance and the school estate strategy were tied together. I appreciate that you want to produce new guidance now, but why on earth has it taken four years for the guidance and the initial suggestion of legislation to come to fruition?

Peter Peacock: Notwithstanding what has happened, the important matter is that I have made it clear that I want to make progress and that we will issue material in September. I do not want to dwell on the past.

Fiona Hyslop: We need to know why that delay happened.

Peter Peacock: It happened for a variety of reasons. COSLA made a good attempt and produced draft guidance that it circulated among its members, but it could not obtain agreement, so it dropped the guidance. At that point, COSLA suggested that we might want to consider legislative change. We subsequently discussed that with COSLA, but the organisation has not said specifically what the legislative change might be. We looked into that, but it did not have mileage that altered the situation. In the intervening period, the minister responsible for education changed three times. The important matter is that, whatever happened in the past, I say that something will be published by September. You can hold me to account on that, as I am sure that you will.

Fiona Hyslop: Not just COSLA, but parents, communities and the Parliament have an interest in the consultation. I am interested in what you envisage that the guidelines will cover. We can note the recent numbers of school closures relative to school openings. In just Glasgow, Edinburgh, Midlothian and the Borders, the scale of change in the next year or two will dwarf the figures in our papers. Some closures result from mergers and some relate to catchment areas. That is understandable, but the scale of change will be considerable. The concern is that no strategic overview is being taken of where that will leave us nationally. We must manage population decline, but in large areas, including parts of the Lothians, highly populated schools are being closed. Does that represent good value for money? Is that strategic? Rhona Brankin talked about sustainability. Will the new guidelines cover

sustainability to ensure that communities have vibrant schools? That does not apply only to rural areas. Urban areas also require schools to be at the heart of communities for sustainability. It is important for that to go into the guidelines.

Peter Peacock: I will try to tie up the education guidance that we issue with wider sustainability issues, but I do not want to mislead people into thinking that nothing will ever change. Rural communities are dynamic and things change.

As for managing population decline, it is clear in my mind—and I hope that the guidance will reflect it—that a local authority would be pretty unwise to embark on shutting a school as the first action of change in a vibrant rural community that is strong and has the range of services. That closure might result in other changes. If school closures led the process of fundamental change in rural communities, I would be a bit concerned. However, that is not the pattern.

In practice, school closures tend to follow what has happened in other settings. By the time that an authority gets round to considering the school, the chances are that the post office, the local shop and a range of services such as the church and the village hall have gone. All those changes have taken place in rural Scotland in the past century and a half. Schools tend to follow rather than lead that pattern. I will suggest that the information that we send to local authorities about the issues that they should consider should take account of such matters, so that school closures do not lead managed decline. However, there would be a case for schools to follow patterns of earlier decline.

You asked whether a national strategy for managing the school estate exists. It does, in the sense that we tell local authorities to think seriously about the long-term planning of their estate. That is a consequence of the extra investment that we are making. We need that investment to be well targeted and to ensure that it provides sustainable schools in future. In that context, there is a national view. However, it would clearly be quite wrong of me, sitting in Edinburgh, to take a national view of very local situations in places such as Midlothian and the Borders. It is much better for those matters to be decided at local level, where people have local representation and an understanding of how their communities work. I can never expect to have such an understanding of every part of Scotland. I am very much in favour of action being taken at local level, but within a national framework.

14:30

The further information to local authorities that we will issue in September will seek to provide clear parameters and to indicate what

considerations should be taken into account. You asked what those considerations might be. In the past I have referred to the test of proportionate advantage that Brian Wilson talked about. The speech in which he did that—which the committee has seen—indicates some of the factors. I will not suggest that there is a single balance sheet and that everything goes on one side or the other. There is a range of factors that must be considered and weighed up. Those include the statutory requirement to provide “adequate and efficient” education into the future. There are two tests that local authorities need to consider—adequacy and efficiency of provision. They must also think clearly about the educational advantage or disadvantage of the young people concerned. Would there be advantage in adjusting a school’s organisation if that provided the opportunity for more social interaction and brought together small groups of children, which would not otherwise happen? How does that strengthen our ability to deliver the curriculum, especially in smaller secondary schools? What stimulation might be achieved by having a slightly aggregated school, rather than very small schools? How effective is group working in classes in schools of a certain size? When thinking about what the educational advantages or disadvantages might be, we must consider all those factors.

Equally, we must address issues such as distance—which Lord James Douglas-Hamilton has raised—and travel time. Are we asking people to travel a reasonable distance to alternative provision, or is the travel time unreasonable? The younger schoolchildren are, the more difficult the issue becomes. We must take a sensitive view of that.

We must also ask about the current community use of the school facility, beyond its use as a school. Is it actively used by the whole community for a range of activities? What would be the impact on those wider activities of closing the building? Will the rural school whose closure is proposed be replaced by an urban school? In a wider rural community, does that provide the right kind of choice for parents? Is the school whose closure is proposed being amalgamated with another rural school, so that it can have a more sustainable future? What is the impact of a school closure on the wider sustainable rural community, economic development policies for the area and future housing growth?

A whole pile of issues must be included in the equation. We need to ask about not only the revenue savings of closing a school, but the revenue costs of providing additional transport. What are the capital savings and costs involved? After considering all those factors, we must reach a balanced, sensitive local judgment on the basis not just of the factors, but of the view that is taken

of them by the population that is being consulted. Decisions are best taken at local level to ensure such sensitivity. We need to open up a range of issues and to make it clear that we want them to be considered fully.

Fiona Hyslop: Brian Wilson’s very strong speech of 1998 is reflected in the tone of your comments, but not in practice or in people’s experience. You seem to be suggesting that there should be a presumption against the closure of rural schools. No one is saying that no rural school should close—there can be many arguments for closing a school. However, is your starting point a presumption against the closure of rural schools, followed by consideration of all the other factors to which you have referred?

Peter Peacock: Two points arise from what you say. I forgot to address your first question about the number of proposed closures. There is a big difference between the potential numbers that appear early in a consultation process and what happens at the end of the day. I cite the recent example of Dumfries and Galloway, which includes Elaine Murray’s constituency. As I recall, initially around 30 schools were considered for change, amalgamation and potential closure, but the number has ended up as four. Although one might start out with a set of propositions, open them up to the population and explain why one is thinking about certain things, the outcomes could be very different. One cannot discount the fact that, although populations in Scotland are principally in decline, they are on the move. Local authorities have to take account of that.

I am not attracted to a presumption against closure, nor am I attracted to a presumption in favour. If one starts with a presumption against closure, what does that actually mean? Does it mean that one will never consider a closure proposal? It does not mean that—even Fiona Hyslop has said that. Does it mean that, although there is a presumption against closure, we will consider such proposals? Does it mean that we will never close a school? It does not mean that either.

The situation in England is different from the one in Wales and therefore it has different guidance, which guides a committee that is not part of the local authority. That guidance refers to a presumption against the closure of rural schools, but in almost the next sentence it states that that does not mean that rural schools should not close. The guidance goes on to state that there should be a good case for closure and that is what I am saying—one has to ensure that there is a clear case for closure.

It is not wise to presume against or in favour of something, but it is wise to make clear the circumstances that need to be weighed in the

balance and then allow decisions to be taken at local level in the light of propositions and consultation. That means that there is a test or high hurdle and people need to consider those matters seriously, because they are very serious matters. The best way to proceed is to illuminate to people what the factors are, to make it clear to parents that those factors are being weighed up and then to expect councillors to be accountable for decisions that are taken locally.

The Convener: For the avoidance of doubt, is the high hurdle to which you referred reflected in the status of the information that will go to councils? What will that information be? Will it be contained in an advice note, a speech such as Brian Wilson's, guidance with some statutory effect or in primary or subordinate legislation?

Peter Peacock: I am still considering the matter. I am not proposing legislative change; the legislative framework provides an adequate basis on which to proceed. It is a question of how one works within that framework. I am relaxed about the nature of the information. My intentions will be very clear and I am happy to return to speak to the committee to advise you what the status of that information will be.

I will not go to the effort of providing such important information in the expectation that local authorities will ignore it. I will judge any cases that are referred to me against the criteria that I will set out. If a local authority has not made a good case against those criteria or has not at least sought to argue the case with those criteria in mind, that would weigh heavily on my mind when I came to consider individual proposals. That approach will extend across the system, but I need to take further advice on the status of the information.

Lord James Douglas-Hamilton: When Brian Wilson made his statement on 21 March 1998, he set out his test of proportionate advantage, which asked the question:

"Do the educational and financial gains deriving from a closure stand up to scrutiny and do they outweigh the negative effects—on that rural community and the children and their families—which that closure will have?"

Does the minister accept that, in practice, the test of proportionate advantage does not protect rural schools as strongly as the national presumption against closure of rural schools that applies in England? The Prime Minister supports the presumption against closure, which has meant that far fewer rural schools are closed in England than in Scotland. When the minister revises the guidance, if he makes a decision in principle against having such a presumption, will he at the very least introduce much stronger guidance to protect small, fragile, rural communities that are under threat of having the heart ripped out of them unless he takes a stronger stance?

Peter Peacock: I hope that I have made it clear that I do not seek to invent a presumption against closure—that would be the wrong route to take. I seek to make clear the range of tests that a local authority should apply to itself and the factors that it should weigh up in balancing the arguments before it comes to a decision. I believe that that is a better way of proceeding. If that means that the test is tough, that is because there has to be a clear case for proceeding with closure. Does that mean that no school will ever close? No, it does not mean that; it means that some schools will close. Indeed, you were a minister with responsibility for education, Lord James, and I have cited some of the figures over which the Conservatives presided. You did not go for a presumption against closure, and nor will I. I am going to make it clear that there is a range of factors that must be considered. Rural sustainability is one of those factors.

You talk about the heart being ripped out of rural communities. I understand that point, but must say that it is an emotive one. To counter it, I point out that I have seen many examples of situations in which small, sustainable and modern rural schools with good facilities have been built and have helped to sustain rural communities. The community that any one of those schools serves is obviously wider than those that were served by the schools that it replaced, but nonetheless such a school can be strong. We need to recognise the fact that the patterns of population of our rural communities constantly change. Will there be a pattern of strong rural schools in Scotland in the future? Yes. I firmly believe that that is a necessary part of our national life and that the methods that I am describing will help to ensure that that happens.

Lord James Douglas-Hamilton: Is the minister aware that the Scottish Office report of 1996, "Managing Change in Small Primary Schools", recommended that consideration be given to establishing a national small schools network to encourage developments, overcome feelings of isolation and gain economies of scale from available resources? Will he read that document before he issues guidance in case any thoughts in it prove to be of benefit to him?

The minister's figures tell us that the proportion of pupils who enter higher education is higher in rural areas than it is in urban areas. Is that not an indication that small rural schools are serving Scotland well?

Peter Peacock: We have some extremely good small rural schools that serve Scotland well. However, on my travels over the years I have met many people who have told me that a small rural school with a poor teacher can produce utterly disastrous results. Thankfully, there are very few of those.

There is no panacea. Everything in the small rural school garden is not always rosy. Do those schools perform less well than others, however? No, they do not. They perform extremely well and make a big contribution.

I would be happy to read the document that you mention. I am aware of it and can say that one of the things that came out of the thinking behind it—for which I pay tribute to my predecessors—is that there are now networks of smaller schools that share management resources, head teachers and so on. That model is currently being piloted in parts of the Highlands and has been piloted in other parts of Scotland in the past.

Although cost is not the dominant factor in this situation, it is a factor that must be taken into account. One of the ways of mitigating the costs of maintaining small schools—there is no doubt that the unit costs are higher—is to implement joint-management arrangements of the sort that I mentioned. That opens up opportunities for rural schools to share facilities, conduct joint music classes, organise joint football teams and so on. Local authorities ought to be exploring all the options and possibilities that are available.

Ms Byrne: Some of what you are saying is heartening. However, I am concerned about the fact that local authorities do not seem to be examining the criteria that we are talking about today. In many cases, the national framework seems to be working against rural schools, in the sense that the new building projects are PPPs. That means that people cannot get the funds to refurbish schools in rural communities but they can get funding to join up with other small schools to make a bigger school. I would like the minister to comment on that.

Has any research been done to compare the results that are being delivered by the newly created superschools with the results that were delivered by smaller schools? I am talking specifically about secondary schools, but I also have in mind the impact that moving into larger settings can have on children from small primary schools.

The statistics that Lord James gave are very interesting. I do not think that we do enough research in Scotland and I would like to know whether the minister has any plans to look into these issues.

Peter Peacock: Rosemary Byrne touches on an area that has always interested me—the relative scale of schools and the results that their pupils attain. When I was Deputy Minister for Children and Education, one of the first things I did was to speak to Her Majesty's Inspectorate of Education on this issue, to find out whether there was evidence that smaller schools produced better

results than bigger schools. I felt, intuitively, that smaller schools would produce better results. However, there is no evidence at all that they do. The pattern is mixed. In the secondary sector, some of our bigger secondary schools have by far the best results, but some of our very small secondary schools also have very good results. Good performance is not connected to scale; it is connected to other factors such as leadership, organisation and the skill of the teachers. At the time, I was slightly surprised by the evidence, but that was what I was told and it still holds true today. You will find excellent large schools and you will find excellent small schools. We cannot conclude that one is better than the other.

14:45

Rosemary Byrne also asked about PPP. We are financing schools via PPP and more cash is now available because we use that route. However, the principles and the decision making remain the same. PPP does not, of itself, drive any changes; it is the availability of new investment from whatever source that drives changes. Some local authorities are financing some schools using PPPs but, at the same time, they are using new freedoms in prudential borrowing and relaxed capital expenditure rules to finance other schools. Consideration of changes to the pattern of schools is not affected by that. The key issue is not the way in which the money is raised; the key issue is that there is more investment generally.

Ms Byrne: Is it not the case that the building companies that take on PPP projects are not keen to take on smaller projects and that local authorities are therefore forced to pool resources? That concern has been raised across the country—particularly in the Borders.

Peter Peacock: I do not think that that is fair criticism. In the Highlands, there is a brand-new PPP secondary school in Ardnamurchan. It is the first time that the area has had a secondary school. Previously, kids went to Lochaber High School and stayed in hostels, but a decision was taken to have a small school in Ardnamurchan. In the first round of PPP in the Highlands, a new school was also built in Drumnadrochit and a couple of new primary schools were built in very rural settings.

We have to remember that much bigger forces than PPP are at work. It is a fact that the population is declining very rapidly in certain parts of Scotland. That has an impact on the viability of individual schools. In the Borders, the school population has declined to such an extent that the local authority recently took the view that some schools were no longer educationally viable. That view had nothing to do with finance. The prime consideration was educational viability.

Ms Byrne: Many schools in the Borders—

The Convener: I am sorry, Rosemary. I want to take other contributions because we need to give everyone a chance.

Ms Byrne: I will just finish on this point. Many schools in the Borders are on the list of proposed closures because of the state of the buildings, not because of the size of the rolls. We have to consider what happened in the past that led to the present state of the buildings.

Peter Peacock: I have been in that situation. It is undoubtedly true that, if a school is 150 years old, has outlived its useful life and is crumbling around you, a decision will have to be made whether to invest in that school or to replace it—although I should say that many of our 150-year-old schools are in a better condition than some of our 1960s and 1970s schools. Because of the pattern of schools in rural Scotland, which was largely laid down in the 1860s, it may be that schools are located within three miles of each other, and they may not be in a great condition. In such situations, do we offer parents the option of sending their children three or four miles away to a brand new school that we are going to invest in? That could lead to proposals similar to the ones that Rosemary Byrne touched on. It is entirely legitimate for a local authority to tell people that it has to make a big investment and to offer those people the chance to be part of that new investment—which would still be in a rural community but which would offer much better services. However, we should remember that the lists that we see at the outset of a set of proposals seldom survive intact to the end, so we should not judge everything by what is first proposed.

Dr Murray: The first part of my question probably requires just a yes or no answer. In March 1998, Brian Wilson indicated that he was considering amending the criteria under which closure proposals were referred—at that time, they would have been referred to the Secretary of State for Scotland, but nowadays, such proposals would be referred to you. When you talk about new criteria, are you referring to the new criteria for local authorities to use in assessing whether schools should be closed, or is there a possibility that the criteria under which closure proposals are referred will change?

Peter Peacock: That is not in my mind at all.

Dr Murray: You may be aware that we have had a response from Ross Finnie, to whom we wrote in connection with the rural development issues. He suggests that, in addition to formal public consultation, the community planning approach should be used when considering possible school closures. How can you ensure that that approach is taken? You referred to the Dumfries and

Galloway experience. In Dumfries and Galloway, the council commissioned a consultants' report, which was drawn up purely on the basis of how far away schools were from one other and how old the buildings were. There was barely any reference to a community planning approach or to the needs of the community. That is probably one of the reasons why the whole process was so protracted. However, in the long term, the process was unsuccessful in terms of changing the school estate. Do you have any idea how local authorities can be more strongly pressured into using a community planning approach from the beginning of the exercise, rather than simply taking a consultant-led approach?

Peter Peacock: There are two distinct parts to that question. We have clear statutory obligations in relation to school closure proposals. Local authorities are obliged under statute to publish their proposals and to go out to consultation and so on. I am not seeking to change that process. Whatever happens in community planning, local authorities would still be required to maintain and operate those statutory procedures. The question is what local authorities do prior to that. How do they arrive at conclusions about how to manage their school estate? How do those conclusions interact with other interests in the community and so on? To be perfectly honest, I have not thought deeply about how we would approach that. Those are exactly the kind of questions that I want to draw out of the advice that I will get from officials. The Executive has legislated for community planning and we are clear that we want to use it as a process at the local level to try better to plan the delivery of all public services.

Part of the thinking about modern schools is about integrated community schools, which offer not only a school service, but an integrated package of services around the needs of children and, potentially, wider family groups. It is in that context that we must establish some reference to the community planning process, which precedes the process that we are discussing but nonetheless is something that we would want to consider. You ask how we would compel local authorities to consider the community planning process. I would have thought that in the information that we send out we would want to set out for them good practice in community planning and what the expectations are. Local authorities are under a statutory duty in relation to community planning; in fact, they are the lead authorities for that work. I would have thought that local authorities would connect the issues pretty adequately at the local level. What we need to do more of is illustrate what we mean by involving community planning partners in thinking in that way, ensuring that that thinking takes account of the wider community interests that exist in any particular area.

David Mundell (South of Scotland) (Con): I have been most interested in what you have had to say. It will be important to clarify the status of the guidance that you produce. You must understand that parents and communities often feel trapped between the Scottish Executive and the local authority in that, while it is indicated in one forum that the proposals are being driven by Executive policies, if the issue is raised in Parliament the Executive's response would generally be that these are local decisions. Do you therefore accept the need to clarify in the guidance who is doing what, where the specific policies come from and who is accountable for the ultimate decisions?

Peter Peacock: Perhaps I should have picked up that issue in relation to something that I think that Elaine Murray asked about. I am clear that part of the information that we issue is as much for parents as it is for local authorities. In fact, we have been thinking about how we can make it very clear—much clearer than at present—where particular responsibilities lie and what the relationships are between the different roles that must be performed. That the documentation that is ultimately produced should help to clarify such matters is very much in my mind.

We should be clear. We are now providing substantial additional resources to local authorities and, in return, we are asking them to be clear about their long-term planning strategies. However, particular decisions in communities about the pattern of their schools are for local authorities to take and we do not seek to force things to happen or to interfere in any particular way in the processes that they adopt. Such judgments are best made at the local level by local authorities to suit the patterns, aspirations and attributes of their communities.

David Mundell: I want to follow up on an answer that I think that you gave to Rosemary Byrne. In a scenario in which parents are offered a new school to replace two schools that are in what might be perceived to be bad repair, do you think that they should be entitled to say that they do not wish to go down that route and that they would prefer to proceed with the arrangements that are in place, although that school might not be the school of the future or—

Peter Peacock: Parents are entitled to argue exactly what they want to argue in the process. I have made it clear that, in my experience, I have seen only one group of communities willingly sign up to a school closure because they reckoned that the alternative was better. That seldom happens. As I have said, it would be odd if parents did not fight for what they thought was a good local school. Parents must exercise their own judgments about what they say.

That said, at the end of the day, local authorities must reach decisions on such matters, and they have wider responsibilities not only to the group of parents in question but to the whole, wider community over a prolonged period. They must ensure that there is adequate provision for the community into the future and that involves tough decision making. I am under no illusions about that and nor should anyone else be. We cannot avoid such decision making—it has been necessary in education for more than the last half of the previous century and will continue to be necessary for some time to come as our populations move and change. However, parents can argue what they want to argue and local authorities will and should have regard to what parents say before decisions are reached.

David Mundell: You alluded to the fact that a number of local authorities—such as Dumfries and Galloway Council in particular—have moved from taking the entire school estate into a PPP package to taking part of it into such a package. In the longer term, how do you envisage that a PPP-type funding arrangement will be possible in relation to a network of rural schools that are not included in the larger packages? Does the fact that they are out now, as far as PPP being a source of funding is concerned, mean that they will be out for all time to come?

Peter Peacock: I cannot say that they will be out for all time. Equally, I cannot say that there will be a further tranche of PPPs. You will be aware that we are in the midst of internal spending review discussions for the next expenditure period. One issue among the many that will be weighed up as part of the review is how we should continue our investment strategy for schools. PPP projects have generated huge new investment in Scottish schools and lots of good things are happening throughout Scotland. Beyond that, other investment programmes are being released, through prudential borrowing regimes and relaxing capital rules, and more capital funding is being brought into local authorities. Therefore, aside from PPPs, further clear routes are open for school investments.

How we will sustain the next generation of school investments has yet to be decided, but it is clear that we must continue the momentum. A significant part of our school estate is now being updated by PPPs. Around a third of our estate was always very good and a third of our estate is not quite so good, but is not yet grossly inadequate. We must plan for that generation of investments into the future and consideration of how we should do so is part of the Executive's long-term thinking.

The Convener: I am conscious of the time, but I think that Rhona Brankin has one more point to make.

15:00

Rhona Brankin: Minister, you talked about the fact that when large schools are compared with smaller schools, there are no clear patterns of differences in attainment levels. However, you would accept that evidence from your own statistics office shows that attainment in rural schools is higher than it is in urban schools. You would also accept that it is often more expensive to provide services in rural areas. Therefore, when local authorities have to consider issues in the round, it should be accepted that it costs more per head to educate children in a rural area than it does in an urban area.

Peter Peacock: On your first point, it would be wrong of me to suggest that any one study at any given time conclusively proves that one form of Scottish education is always better than another. You are right that there are statistics—you and I have discussed them—that demonstrate exactly what you said. However, there are also other ways of looking at the situation. I can compare very good big secondary schools with very good small secondary schools. I can also compare very good big primary schools with very good small primary schools. From my point of view, we have a rich tapestry or network of very good schools in Scotland. Rural schools produce excellent results in that context.

On your point about things being more expensive in rural areas, the unit costs of service delivery are much more expensive in such areas, but that is precisely why we give more grant aid for that. By doing so, we reflect the fact that education is more expensive in rural Scotland and that the patterns of spending there are significantly higher per head than the average for the rest of Scotland. There are also higher spending patterns—for different reasons—in some of our urban deprived communities, so we give more revenue for that. In addition, in terms of capital expenditure, the capital spend per head in rural Scotland is significantly higher than it is in urban Scotland. Therefore, those extra costs are accounted for in our distribution of grants.

The Convener: Thank you. That concludes our consideration of the issue for today. We will put the issue on the agenda of a future meeting—probably the one on 9 June—to consider the implications of the minister's evidence.

Child Protection Inquiry

15:03

The Convener: We move on to our next item. We are tight for time today. We are taking further evidence on the child protection inquiry. I will not re-welcome the minister, but he has with him this time Euan Robson, the Deputy Minister for Education and Young People; Colin MacLean from the Scottish Executive Education Department's children and young people's group; Maureen Verrall, who is the head of the Education Department's children and families division; and Catherine Rainey, who is also from that division. We have heard much evidence on child protection, minister, so it might be helpful to dispense with an opening statement.

Peter Peacock: You will be relieved to know that I have not prepared an opening statement, but I do want to make a couple of points.

Of all the things that I must do in my job, I do not think that I have come across anything that is more important than sorting out the child protection issue. I have recently had to read about some pretty awful, deeply shocking things and I am strongly motivated to ensure that we make a difference in child protection practice. It is a serious issue for us all to encounter. I believe that we have put in place a comprehensive reform programme that will take us substantially down the road of sorting out child protection over the next period.

Members are aware of some of the detail and I will happily go over it, but suffice it to say that, with our partners, we are developing clear ways forward and trying to improve significantly standards and training, and the recruitment of social workers. We are also trying to ensure better engagement between the relevant agencies and trying to get chief constables and chief executives of health boards and local authorities to work better together and so on. Much has been done and there is still much to do, but I believe that we are fleshing out a comprehensive programme.

The Convener: For the committee's guidance, how are you placed for time this afternoon? There was an indication that you were pressed.

Peter Peacock: My private secretary will look menacing if we are running out of time. From my point of view, I do not think that you should worry too much about time.

The Convener: Okay. We are anxious to give as much time to the matter as is needed.

You are right to say that we have heard a lot of evidence about the developing programme, and there is broad satisfaction in the committee about

the programme's direction. Nevertheless, there are a number of concerns about it, not least about its speed. Will you update us on where you are with the recruitment of social workers, which is central to the delivery of the programme?

Peter Peacock: I will ask Euan Robson to answer that, because he is dealing specifically with those issues.

The Deputy Minister for Education and Young People (Euan Robson): We have established the fast-track scheme, which will bring 550 graduates into the profession in the next five years. The scheme enables graduates to qualify as social workers in 16 to 23 months—that is the length of their training, but that does not mean for a moment that the training is less intense. I spoke to some of them recently and they said that they had no holidays and were working at the weekend, so it is an intensive programme.

We also operate the care in Scotland campaign—some members might have heard the adverts on the radio—which highlights the importance and value of a career in social work. I do not have with me the most recent recruitment figures from the campaign, but it attracts interest in the profession and it has brought forward quite a number of people for training. We are also looking at other areas. The Scottish institute for excellence in social work education is working up a new honours degree course in social work, and we think that it will eventually bring some 500 social workers into the profession each year.

The Convener: Is that a different 500?

Euan Robson: Yes. In effect, we have never had more social workers. I heard Fiona Hyslop mention that in a recent debate, and it is absolutely true. The most recent figure that we have is from December 2003, when there were 4,118 social workers; we should get an update fairly soon. In 1997, there were 3,314 social workers, so we are much further ahead, although the number of vacancies remains stubbornly high at about 590 or 600. Recent figures showed some drop in the number of vacancies, but it will take a while to develop things and to establish the fast-track scheme. I think that some 90 graduates entered the work force in the first year and another 90 will do so soon, in addition to the standard recruitment. We must continue to work on that, but we have seen some important changes in the trends recently.

An area that is probably of interest to the committee is the number of vacancies that relate specifically to children and families. We are trying to tackle that with an incentive scheme that offers £9,000 over two years to newly qualified graduates who go into areas that have significant shortages. I will not go on at length, but we have

also made specific investment in training—I can give details of that if the committee is interested.

We have spent a considerable amount of time on work force issues. I chair the national work force group, which is examining the whole range of the profession to see what else we can do and, in particular, how we can advance training and continuing professional development. It is fair to say that some of the issues have lain dormant for a number of years and in the past 12 months, in particular, we have had to pick up the pace and make sure that the profession is properly equipped for the challenges ahead.

The Convener: Can I press you on the figures, to make sure that I have understood the position? Are you saying that an additional 90 graduates have come in, or that 90 have come in in each of the past two years?

Euan Robson: On the fast-track scheme, yes.

The Convener: Is that on top of the normal recruitment?

Euan Robson: Yes.

The Convener: How many leave the profession each year?

Euan Robson: I do not have that figure to hand, but I can write to you with the precise details.

The Convener: My point is, are we gaining overall?

Euan Robson: Yes, we are.

The Convener: Is the fast-track scheme gradually pushing us up, or are we being sapped at the other end?

Euan Robson: As you tilt the pipe the water flows out one end and comes in the other. Yes, we are gaining. Inevitably we lose some from the profession through retirement. The figures that I gave you are for those entering the profession, without those leaving. The latest vacancy figures that I saw suggest that they have come down slightly, but I can send you the details of how many leave the profession each year.

The Convener: Clearly, the position over time is going to improve as the trends improve, but there will continue to be a shortfall, and it will be apparent in the Glasgows of the world, where the problems are the greatest. There will be considerable risks if we do not have enough staff in place to do what is necessary. Can other things be done to increase the throughput of fast-trackers or to fill the gaps in the short term? The fear is that at best you push to get assessments done, but then you cannot do anything by way of early interventions and so on. We are feeding a system that is not having as much effect as it should on the result at the end of the day. Those are the short-term concerns.

Euan Robson: Several things are happening. You mentioned Glasgow, which is in the very early stages of a new way of working. As I understand it, Glasgow City Council has recruited people to do paperwork, releasing key front-line staff to work in the field. That involves going some distance up the supervision-management chain. The changes were made just two or three months ago and we will carefully examine Glasgow's experience. I have received some enthusiastic messages and some less enthusiastic messages, but it is far too early to say. Equally, the City of Edinburgh Council is considering a different organisational structure, which may yield results.

There is a great deal of talent in the voluntary sector. We have developed initiatives to invest in training, so that people who are in the voluntary sector and who would like to be social workers can enhance their skills and move into social work. In effect, we would like cross-fertilisation between the voluntary part of the social care sector and the formal local authority social work structure, so that people can move in and out and up a career ladder, for want of a better phrase. For example, we have put £9 million into training over the next three years, which local authorities can draw on. We invested £2 million in a post-graduate course in leadership, because it is important to invest in leadership in the profession in the next few years. We have also invested £3 million over the next three years in voluntary sector training, with another £600,000 directed into child protection issues. The aim of that investment has been not only to upskill, but to enable movement between the two parts of what one might call the social care sector, so that professional practice benefits.

The Convener: We might come back to some of that.

Dr Murray: In "Protecting Children and Young People: The Charter", which was issued recently, the Scottish Executive pledges to

"Work with agencies and existing helplines to provide a 24-hour national child protection service: by 2005."

What does that mean? Is it a helpline, or does it involve some sort of information sharing along the lines of lists of people who should not be allowed to work with children? What exactly does that mean? There is some confusion about whether it refers simply to a helpline and whether that will be any different from helplines that are already available. Are you offering more substantial information sharing?

15:15

Peter Peacock: It is not the latter, but the former—it is a helpline. I will go into the matter in more detail. One issue that was highlighted in the original child protection review was the

fragmentation of available helplines for people to contact. There was a desire to do something much more comprehensive and to offer a service that would provide all-Scotland coverage and increased hours of coverage. As members know, ChildLine has just been expanded. We also have ParentLine Scotland, individual social work department stand-by numbers, police help numbers and NHS 24. There is a range of ways in which people may seek to make contact in relation to child protection issues, but there is no single, clearly identifiable line that is available 24 hours a day. We want to provide a number that is clearly understood.

Many of the existing helplines are about counselling, support, information and advice. They are not necessarily about triggering action in relation to a particular child protection case. We want the new helpline to be about not only providing information, but triggering action. If a worried neighbour, grandparent or child phones the number, sitting behind it will be all the procedures for triggering action by the agencies involved. People will not have to phone the police to trigger police action or social work to trigger social work action. The aim is that action should be taken in a much more co-ordinated way.

As soon as we get into this territory, we must tackle a huge number of interagency protocols and technological issues in order to move forward. That is happening at the moment. A lot of work is being done to sort out the problems and to create a helpline with the sort of action trigger behind it that is important.

Dr Murray: Thank you for clarifying how you see the helpline as being different.

A number of the organisations that gave us evidence believed that the lack of a national database needs to be addressed and that information about children at risk should be shared or accessible throughout the country. Do you agree that provision of what you call a 24-hour national child protection service should include a national database, which would make information accessible to anyone who was concerned?

Peter Peacock: You are right to say that having a single national helpline that triggers action implies that information is shared between agencies and that there are shared databases, which we hope will be achievable. I was trying to hint at that. Such an approach would allow us to trigger action in a co-ordinated, effective way and ensure that people are notified across the system. Substantial work is being done on progressing shared assessment and information sharing. The issue is enormously complex and we have much more work to do on it. However, you are logically correct in principle. Behind the helpline, all the support mechanisms must be in place to ensure

that it works effectively. My officials may be able to give you more detail of the specifics of what is being done.

Dr Murray: Some organisations that gave us evidence believed that there was a need for clear guidance on the Data Protection Act 1998, which is often used as an excuse for one agency's failure to inform others. In future guidance, will you specifically address the confusion that exists about what organisations are allowed to tell one another under the 1998 act?

Peter Peacock: Absolutely. This is one of the issues that we need to pin down. We have drafted substantial legal advice for all the agencies' legal advisers, who will advise policymakers and professionals in local authorities, the health service, the police service and so on. That advice is being finalised at the moment. We intend to make it clear in the back-up advice and guidance that we will issue that information must be shared in the interests of any child. The detailed legal advice will be sent out shortly after a more truncated version is issued as a letter to local authorities setting out that data sharing must occur when it is in the interests of protecting a child. People should not hide behind the Data Protection Act 1998. Extensive advice is being prepared as we speak. We hope that it will be issued very soon.

Ms Wendy Alexander (Paisley North) (Lab): Recommendation 15 of "It's everyone's job to make sure I'm alright" said:

"In order to meet the shortcomings identified in this report, developing linked computer-based information systems should include a single integrated assessment, planning and review report framework for children in need ... Arrangements should be made for appropriate access to information by agencies in other areas".

That was the information technology recommendation. When your officials came to speak to us about what action was being taken on the report, they said that they had set up an assessment working group, which was being led by Norma Baldwin. We asked Norma Baldwin to report to us on progress on information sharing. She told us that her report, which is due in November 2004, would identify the components of such systems and the resources that would be needed. It is proposed that that process will be followed by a programme of consultation and the production of an implementation plan.

Do you think that the authors of recommendation 15 envisaged that, after two years, we would have been able only to specify the resources that were needed, that we would not have completed the consultation and that there would be no timetable for implementing the recommendation? I am looking for a degree of ministerial urgency. Our anxiety was aggravated

by the fact that the charter on the national standards that was published last month contained no mention of that important work, in spite of what recommendation 15 said. I hope that we will at least get a ministerial steer on when the consultation will be completed and on whether there is any sense of when we might be able to see through the recommendation—even if that is five years hence.

Peter Peacock: I will come back to you on the specific dates but, as you will be aware, dealing with big technological projects is always more time-consuming than one imagines that it might be. You asked for a ministerial steer. I am clear that the issue has got to be resolved. Recently, I had a discussion with senior local authority figures in social work. They made it clear that they wanted to be instructed on when to go ahead with such systems and how quickly to do that. I fully intend to provide such instruction. We need to sort out the IT aspect, because it is fundamental to enabling the whole system to work in the interests of children. I will come back to you on the specific dates, because I do not have them to hand.

Ms Alexander: I am grateful for that, because there has been unanimous testimony that the only body that can impose a national pattern is the Executive. We must wait for the report in November, but it would be useful to get a sense of whether there will be a quick consultation after that; even just an outline of the timescale would be helpful.

Peter Peacock: I am very clear that the matter has to be sorted out.

Fiona Hyslop: I want to ask about multidisciplinary inspections and the recommendations on them. We have heard from witnesses that there is a need for the framework to be implemented and established as quickly as possible. However, the letter from Her Majesty's Inspectorate of Education said that the aim was to pilot work by the end of the year, to begin inspections during 2005 and to complete the initial programme of inspections within three to four years of the start of the programme. By that time, a whole seven years will have passed since the initial recommendation was made in "It's everyone's job to make sure I'm alright". How satisfied are you with the situation? Is there a process for speeding up implementation?

Peter Peacock: When I came to the job of Minister for Education and Young People and got sight of our progress on various matters, I was concerned that the original plan was that we would not start inspections until the end of the three-year period. I wanted that to be changed and we have done that—we have brought the programme forward by a year. We will pilot things at the back end of this year. We are well on the way to

establishing all that. Graham Donaldson, who is the chief inspector of education, has been put in charge of doing that. He is pulling together with the other inspectorates and quality agencies within health, the police, social work and so on to ensure that we have a genuinely multi-agency approach.

The fact that we have now developed the framework for standards gives us part of the basis for inspection, because it sets out the behaviour and standards that are expected, which we did not have six months ago; we got that only recently. The components are in place to begin inspection. The inspectors are obviously anxious to get the process right. They want to ensure that they are rigorous about what they explore, what evidence they will have to look for in certain situations and how they will go about doing inspections. There is a lot of thinking and work to be done on that. We must have a credible inspection process. That is why all that work is being done. The pilots will be starting around the end of the year. Then some work will have to be done to refine all that before the whole system rolls out. We know from our inspection of local education authorities that the work involved will be substantial, and that each inspection will take a substantial period. There are 32 local authorities, so there are 32 basic units of inspection—although, geographically, health board and police activity happen at a higher organisational level. Inevitably, it will take some time to get through the entire inspection process.

In relation to the design of the system, the inspectors will be considering the extent to which they can anticipate where risks lie, how priorities will be identified and which bits of inspection will be done first. A whole range of things has to be sorted out, although the work is now well under way. I am confident that we will have made progress by the end of this year and that we will end up with a comprehensive system.

Fiona Hyslop: How will you monitor children's services and protection services in the meantime? What is the date by which you think the new programme will be in place? Your officials said that there was no volition to legislate in this area. Given your recent comments on the Borders case and on inspection in the area of social work in general, are you reviewing the situation with a view to introducing legislation on social work inspections, which would affect child protection and the recommendations that have already been made?

Peter Peacock: If we think that there is a need to legislate, then we will legislate. We are not going to let anything get in our way on this issue. We think that we can achieve our aims and do what we need to do by administrative means, but I will not rule out the possibility of legislation if that is what we ultimately conclude is necessary. The

fact that we have got Graham Donaldson to do what he is doing, pulling together the inspectorates, creating the framework and starting the pilots, demonstrates what we can achieve without new statutory powers. However, if we think that new powers are necessary, we will undoubtedly take them.

What we have discovered recently about breakdowns in systems is deeply worrying. Therefore, we must have mechanisms for monitoring things as we move forward. We have sought a statement of assurance from local authority chief executives, chief constables and health board chief executives, individually and collectively, that they have reviewed all their current child protection systems and that they are satisfied that they are working adequately or, in the cases in which they are not working adequately, that they have clear action plans and timescales for getting them sorted out. Those statements of assurance are due in towards the end of the month. We will then have a much clearer picture about the state of the systems in place, and of what still requires to be done.

As a consequence of recent cases, council chief executives, social work directors, chief constables and health board chief executives are taking a much closer interest in all this. Perhaps that was the wrong way of putting it—they are taking a much keener interest in these issues than at any time in the past. They are focused on the need to bring about improvement. They are asking questions about how things are being done in their own organisations, and they are considering how they can improve quality improvement mechanisms.

One of the reasons for the child protection summit held earlier this year was to get every council chief executive and leader, every health board chief executive and every chief constable into the one room at the one time and to make it clear what the expectations were and what work they would have to undertake to check their systems. People are signed up to doing that.

The framework for standards and the children's charter give clear reference points for the kinds of questions that organisations must ask themselves to establish whether they have the right frameworks, procedures and protocols in place. That contributes to a new set of views about how to manage child protection. With all those measures, the whole system is tightening up and improving. We need to ensure that inspection constantly applies rigour to that, through double-checking, investigating situations in great depth and providing a commentary on where improvements have to be made.

Things are happening as we speak. Euan Robson has mentioned improvements to training

input and things that have been happening to do with registration, child protection and training at the Scottish Social Services Council. A range of things are now happening that are strengthening provision and therefore limiting the opportunity for things to go wrong in future, but we still have a long way to go.

15:30

The Convener: Some of the evidence that we heard this morning indicated that people at the top of the hierarchy do not always involve themselves as much as they should. That is just a comment. I presume that you cannot—

Peter Peacock: There is a point to consider there. Part of our analysis of what has been wrong with child protection committees, which are right at the centre of what we are considering, is that people at the top have not been taking sufficient interest or have been devolving responsibility too far down the organisation. We have had a series of discussions with chief executives of organisations about how to get a much higher level of interest in child protection committees. If the chief executive of the organisation is not at the table with the chief constable and the chief executive of the health board, whoever is there must be a senior person with complete delegated authority to deal with the issues that arise. The chief executives are pretty well signed up to that. We are going to flesh all that out into a protocol—which is probably not the right way to describe it—and consult on it over the summer so that we tighten things up as we move through into the autumn. If we do not get the individuals at the top of the organisations signed up to that, the changes that we want down the line simply will not occur.

The Convener: My observation was simply that the evidence that we are getting shows that that is not always happening at the moment, but where it is happening, it works well.

Lord James Douglas-Hamilton: I want to ask about Disclosure Scotland. We heard evidence from a number of sources that it was taking up to 12 weeks to get the necessary information through. Disclosure Scotland submitted evidence to the effect that, although there were long timescales, it has now reduced them to about 16 days. We heard this morning that that was certainly not everyone's experience and that recently the timescales have been much longer than 16 days, with the attendant risk that the best person for the job might not be employed, because the long timescales mean that the person concerned will not be able to remain unemployed for long enough in order to get the job. Could the ministers kindly consider the evidence that we have taken and possibly consider issuing guidance on the matter? It is important that the

correct information on the suitability of applicants comes through as quickly as is practicable.

Peter Peacock: I will certainly consider the evidence that has been led today and ensure that what we understand to be the case is in fact the case. I am happy to give you that undertaking. I understand that in the recent past the number of staff at Disclosure Scotland has doubled to try to address some of those issues. I am told that response times are now down to two to three weeks, which is the point that you are questioning. I am happy to consider that. We will continue to monitor the situation and ensure that we have the capacity in the organisation for it to gear up to take care of the changes that are coming in. Getting the information through is important and we must ensure that we get it right. Inevitably, it takes time to get started and to settle down, but we are in a much better position now than a short while ago. I will be happy to review the situation in the light of the comments that you have received.

The Convener: I want to pursue that. I was astonished to discover from Disclosure Scotland's letter that no fewer than 120 additional staff had been employed there to produce what we are hearing from various sources is not working. There is a clear contrast between the 16 days mentioned in the letter of 11 May and the evidence that we heard from witnesses this morning. We heard from YouthLink Scotland at a private meeting that we held last night that the delay of eight weeks that we had heard about has increased to 12 weeks. There is clearly a discrepancy there. Are we creating something of a monster, with huge staff numbers, which is costing us a lot of money but is not working? My final point is that there is also an issue around double disclosures: information on individuals has to be disclosed several times over for different organisations. Is it worth considering in detail whether some of that can be cut out without losing anything significant?

Peter Peacock: I will look into the issue that you raise in your first point. My advice is clear that information is now being turned around in two to three weeks. It is entirely conceivable that, while that is the timescale that Disclosure Scotland is achieving for applications that are made now, some applications may still be working their way through the system.

The Convener: That is not what we have been told—we have been told that people have been informed that there will be delays with applications that have been lodged recently.

Peter Peacock: I am grateful for that information. I will check out the matter and ensure that what I have been advised is the case. We will consider what action may be necessary.

Euan Robson has looked into double disclosures and we are prepared to give more thought to how we can avoid them. Nowadays, people are employed in different settings, particularly those who are in child care. We need to tease out the issues with Disclosure Scotland. We are aware of the issue and we are happy to consider it.

I trust that we are not creating a monster. There is a dilemma: for obvious reasons, we need to process applications quickly and get people into the work force, but we also need to ensure that they are the right people. We must have the necessary resources to do that. In an organisation of any type, that kind of growth in staff numbers inevitably takes time to bed down. We will have to work through the settling-down process and continue to make improvements. We are clear that we need applications to be processed quickly for reasons that we all understand.

Rhona Brankin: My daughter has had to go through Disclosure Scotland three times in the past few years.

Euan Robson: There have been a number of examples of that happening and I have had discussions with officials about the matter. We need to be clear that people's time is not being wasted. Repeated filling in of forms brings the process into disrepute. We are due to hear fairly shortly what has happened—I will happily send the information to the committee in one form or another, if members wish. It is sometimes difficult to be clear about where requirements have come from. If simplification is necessary, I am sure that it is not beyond the wit of either Disclosure Scotland or the Scottish Executive to streamline the process.

The Convener: The issue is not just about timescales; it is also about the administrative work that is involved for voluntary groups.

Mr Macintosh: There is a helpful paper from the Scottish Parent Teacher Council that highlights not only the fact that the system is in danger of becoming a bureaucratic box-ticking exercise, but that it does not address the risk element. The fundamental reasons for setting up Disclosure Scotland are perhaps being lost. The system is not fulfilling the task that it was designed to carry out. People who do not need to be checked are having unnecessary checks, which slows down the process of checking the people who do need to be checked. Some checks do not even properly assess risk because they do not decide whether a person is fit to work with children, but simply look at criminal convictions. Given what I have heard in my constituency, the paper sums up well the range of problems that face Disclosure Scotland.

Peter Peacock: I am happy to consider all those issues, but I am anxious not to leave members

with the impression that every check has been invalid in some way because I do not believe that that has been the case. I am sure that there are ways in which we can adjust, fine tune, refine and streamline, but nonetheless the fundamental point is about ensuring that the right people get through and the wrong people do not. I am sure that that happens for the most part in the cases with which Disclosure Scotland deals. If we can refine the system, I am more than happy to consider that, but let us not leave people with the impression that lots of people have sneaked through the system. I do not believe that that is the case.

Mr Macintosh: That is not the suggestion at all. In fact, the opposite is the case—people are getting the impression that nobody can get through the system.

Mr Ingram: I want to broach the thorny subject of resources. COSLA has told us that many councils spend more than their grant-aided expenditure allocation on children's services. Unison has suggested that the issue of resources was not addressed sufficiently in driving forward the recommendations of "It's everyone's job to make sure I'm alright". We heard this morning from practitioners in the voluntary agencies who think that some councils have not struck the right balance between adult services and children and family services. They report difficulties in getting agencies to pool resources. There does not seem to be much progress on joint commissioning of children's services. Can you give us an update on progress on general issues about resources?

Peter Peacock: The points that you raise are not all resource questions. For example, joint commissioning is not just about resources; it is about the willingness of organisations.

A lot of work is going on and there is much closer contact between agencies, partly because we have worked to bring leaders together to ensure that key agencies work together more effectively. However, more work needs to be done to move things forward. That is one of the reasons why we established the changing children's services fund, which is substantial. As I recall, some £70 million is in the fund in the current year. Over a number of years that order of cash will go into the system to help to bring about some of the changes that are needed in relation to commissioning services and to strengthening services for children and young people throughout the system.

Undoubtedly more remains to be done. We must firmly keep in mind the purpose of our three-year reform programme, which is to drive forward change in a situation that we regard as unsatisfactory. We must make progress on that agenda and members must not assume that we are in any way complacent; indeed, quite the

opposite, which is why we have put in place the change programme.

Undoubtedly, local authorities spend more of their GAE allocation on children's services, but that means that they spend less on other services. I think that local authorities have made the right decision and I commend them for the priority that they have given to children's services. Adam Ingram will be aware from his past Finance Committee work and his wider experience that GAE is not a spending target, but simply one component in our calculation of the overall grant to local authorities. It is for local authorities to decide how to spend that and I think that they are making the right decisions. In turn, in recent years we have been floating up GAE and resources into local authorities to a significant extent. As Euan Robson indicated, we will have more social workers than we have ever had and we are training more people—we are making money available for all that.

If there are questions about inadequate resources for the child protection programme, I want to address them, because we need to sort out the system and get it right. However, it is striking that when we have examined cases in which the system fell down, we have found that that did not happen because resources were inadequate, but because people who were attached to cases made the wrong judgments, or did not check up on information before they made a judgment, or did not sufficiently share information with other agencies and so on. It would be wrong to think that more resources are the only answer to improving child protection, because the fundamental point is that we get the systems—the attitudes, the information sharing, the interagency work, the risk assessments and so on—right. Resources are needed and we try to back up the system wherever we can. I do not think that the change programme will be impeded by a lack of resources for inspection and other such matters; we will put in the cash to ensure that it is not.

Mr Ingram: May I pick you up on what you said about the changing children's services fund—the change programme? Witnesses from the Association of Directors of Social Work told the committee that they were concerned that such initiatives might have a negative impact on core services. They argued that because they must recruit staff for such initiatives, front-line staff can be drawn away from child protection and they said that the initiatives do not necessarily target the most vulnerable children. That frustrates the best use of social work services. Will you respond to that criticism?

Peter Peacock: It is novel—although it is becoming less novel—to be criticised for spending

too much money and launching too many initiatives, although I would rather be criticised for that than for not spending enough. I will look into the point more seriously, but the last thing that I want to do is to make funds available that divert attention away from what is at the top of our agenda. I would want a bit more evidence that that is what is happening, because, apart from anything else, it is others who bid for resources from the changing children's services fund for what they want to do. If they were bidding for things that are not in line with our priorities, I would be a bit surprised and would want to examine that. However, in the spirit in which you raised the matter, I will take it away and ask those who made the points to provide further evidence about what precisely they are getting at.

It is a feature of Government that, when we provide ring-fenced funds for a specific purpose, we sometimes create too hard a boundary between the application of those funds and other funds. I am happy to consider how funds are allocated and whether there are ways in which we can allow local authorities to make more sense of them at the local level. We are considering that in relation to our national priorities action fund in the education budget. The fund is fragmented, and we are trying to remove the barriers between funding streams to make the joining up of funding more effective at a local level. If we can modify anything in regard to our changing children's services fund, I am more than happy to consider that.

15:45

Mr Ingram: The Association of Directors of Social Work suggested that some of the most experienced staff are applying for the new jobs and getting out of the front line and the stresses and strains that they face there.

Peter Peacock: I am not sure that that is an argument for cutting off the supply of money.

Mr Ingram: No, but it is an argument for considering how you apply the policy. The ADSW also argued that, with the focus being on antisocial behaviour and youth crime, there may also be a danger that some resources might be drawn away from early intervention, which it considers to be the key to reducing antisocial behaviour in the long run. Will you comment on that criticism as well, minister?

Peter Peacock: The Executive has made it clear that we need to tackle firmly certain aspects of antisocial behaviour. That is why the Antisocial Behaviour etc (Scotland) Bill is going through the Parliament. There is a financial memorandum attached to that bill and we are producing extra resources to cover the additional costs of implementing the bill. Part of our collective thinking

is about how we address more resources to the front end and to early intervention to try to reduce the number of people who work their way through to committing antisocial behaviour, but that does not mean that we should not also address that behaviour. The resources that are being made available for that do not detract at all from our child protection work.

The Convener: There was a suggestion that the voluntary sector groups had to move the money about because their programmes had to fit the priorities for the youth justice moneys at the expense of core programmes that might be more successful. It is the usual voluntary sector problem with different pots of money.

Rhona Brankin: A lot of the discussion has been on procedures and processes and on ensuring that risk is minimised and that, if risk is identified, it is dealt with. I will move the discussion on to prevention, minister. We heard powerful evidence from the Aberlour Child Care Trust about parenting projects, for example. How can you, as the minister with responsibility for children and young people, ensure that that responsibility reaches into different policy areas—for example, policy on parents who misuse drugs and alcohol—and that different funding streams converge strategically?

Peter Peacock: We are clear about that. Just last night and the night before, Euan Robson and I were in meetings with representatives of the children's hearings system that were about that system but in which we raised issues about parenting, partly in relation to child protection. It has been interesting to find out from the meetings that from a child's point of view there is a need to address the behaviour of parents. That could relate to a pile of things, such as drugs offending, alcohol or poor parenting by not setting parameters for the children.

There is nothing in our minds that prevents us, as young people—[*Laughter.*] I meant to say young people's ministers. It was worth a try. The evidence belies it, I know.

There is nothing preventing our thinking about those things, because it is the impact of the parents' behaviour on the children that is important, rather than simply focusing on the child alone. There is a Cabinet sub-committee that looks at children's services. Without giving away too many Government secrets, I can tell the committee that one of the things that has been discussed recently is the role of parents from the child's perspective and whether the Executive needs a more coherent view of the role of parents in our society, just as we have about other dimensions of our life, so that we can support children more effectively. There are no blockages and no impediments in Government when it comes to thinking about those things.

Rhona Brankin: It seems that there is beginning to be an evidence base about the importance of parenting and the development of parenting skills, and new community schools and initiatives such as sure start offer opportunities to develop those skills. Is there enough of an evidence base to start rolling out those programmes more widely across Scotland and to embed them more in mainstream provision?

Peter Peacock: A lot of thinking is going on about that, because it is increasingly clear that the impacts on parents are profound in relation to the situations that children find themselves in. That comes up in a range of dimensions, including school settings. Last night, at a public meeting, we were talking about that and a teacher mentioned the need to intervene early, at the nursery school stage, when parenting skills are often being observed consistently at the earliest point at which the state is regularly in touch with a young person. Rather than talking about parenting orders in relation to potential children's hearings, the teachers were talking about how many more voluntary schemes could be made available in the community before people got to that stage.

Those things are all being considered, and we are thinking about how we can roll out opportunities for people to opt into such schemes or advise them that it might be helpful to attach themselves to schemes to improve their parenting skills. There is a lot of evidence that such initiatives can be very successful. We are acutely conscious of that and want to make progress in that policy area.

The Convener: I think that the implication of the child-centred approach was that, if you looked at things from the child's point of view, it was not a matter simply of sorting out a parent's drug problem, but of following through with parenting skills and other things that are linked to that. It was not just a matter of abandoning support once the drug problem had been temporarily resolved, because all the other problems remained in the child's background. We heard powerful evidence this morning about that, which I recommend that you read.

Peter Peacock: One of the great things about the voluntary sector in Scotland, and particularly about children's charities such as the Aberlour Child Care Trust—Barnardo's is another good example—is that they do not worry at all about institutional or organisational boundaries. They do the right thing by the people. They have enormous capacity, not just in relation to child protection issues but increasingly in relation to school behaviour issues, to provide packages of support for a family's entire existence. Very often, such a package is focused on the child's interests initially, but it can reach much wider than that. People who

work in voluntary organisations have the great advantage of not being worried about being social workers, policemen or—

The Convener: We must ensure that that expertise drives the public sector agendas as well. That is the point.

Peter Peacock: We can benefit hugely from those insights.

Ms Byrne: We have touched on statements of assurance, and you mentioned getting them by the end of May. Are any of them in already?

Peter Peacock: I would need to ask my officials. I think that some statements are beginning to come in.

Catherine Rainey (Scottish Executive Education Department): We have had several.

Peter Peacock: People have until the end of the month to submit them.

Ms Byrne: What action is open to you if you have any concerns about the progress that is being made?

Peter Peacock: Once I have had the chance to assess responses and once officials have advised me on what they are seeing, if I think that there are any inadequacies I have the capacity to speak to the organisations involved and encourage them to focus their minds a bit more clearly on what needs to be done. In some aspects of what we do, inspection processes are currently in existence, so we can ask to look at things if we are seriously worried. However, the evidence that I have got from speaking to chief officials in health boards, local authorities and police forces shows that they are taking the matter very seriously. I expect them to do a thorough job. The exercise will not show immediately that everything in the garden is rosy; what we need to be assured about is that people have plans of action to sort things out.

Mr Macintosh: My question follows on from Rhona Brankin's questions about tackling risk and blame. I am not sure how we are progressing on recommendations 6 and 12 of "It's everyone's job to make sure I'm alright". We heard evidence that we need not just to assess risk, but to manage risk and minimise it. It was put to us forcefully by witnesses that we could not—and should not—remove children who are potentially at risk from their families. It was also put to us that it is those who are working most closely with families to support them who tend to get the blame when things go wrong. Despite the fact that they are not necessarily responsible for the abuse, they are the ones who get the blame because of the culture in which they operate.

Peter Peacock: Are you talking about social workers?

Mr Macintosh: Yes; social workers and case workers. The families tend to be responsible for the abuse, but the social workers who are trying to support them get the blame when something goes wrong. What steps are being taken to improve training and to help social workers to manage and minimise risk?

Recommendation 6 concerns the child fatality reviews. Can you bring us up to date on progress in that area? It has been pointed out that we need to focus on learning constructive lessons rather than on apportioning blame. The deputy convener made a point about Disclosure Scotland, which was set up to minimise risk—that is its *raison d'être*—but perhaps there is a need to look at some of the concerns and to take a more sophisticated approach to minimising risk rather than an approach that could be bureaucratic.

Peter Peacock: Some of the issues that you raise are matters of professional judgment; they concern how someone assesses a risk and decides whether to intervene. In a sense, the social worker's key skill lies in making a comprehensive assessment of a family's circumstances, making judgments about the risk and then deciding whether they need to intervene or—if they do not—what other measures, checks and balances they might put in place. That is fundamental to the social worker's task and is, therefore, fundamental to how we train social workers and what we do to enhance their skills for continuing professional development, and so on.

One of the benefits of the job that I do is that I am able to compare and contrast social work with education and the support systems that we put in place for teachers with those that exist for social workers. Frankly, social workers do not have the support apparatus around them that teachers have. That is partly because of the profession's age: it has not been in existence for anything like the same length of time as the teaching profession. However, some of the recent innovations that we have made in teaching—for example, some of the things that we are doing on continuing professional development—can be read across to social work. We are considering whether a parallel concept to the chartered teacher concept could be applied in social work.

The convener spoke about the need to keep people at the front line. I suspect that we have a system within social work that is similar to that which existed in education in the past, whereby people are promoted and key skills are taken out of the front line just when they are needed to make difficult judgments. Understandably, people accept such promotions for economic reasons. Perhaps we need to rethink that. We want to consider that point within a wider look at social work.

I was in Australia and New Zealand recently and looked into child protection issues there. I knew

that, in both countries, there had been significant incidents that were similar to those that we have had in this country. I was fascinated to discover what the authorities in Australia and New Zealand are doing. In New Zealand, I found a particular view about how risk assessment is managed, and I brought back some paperwork about that and about how better frameworks can be created around social workers, who have almost absolute discretion at present. Are there things that we need to do to help to minimise the risks to them from the judgments that they make by creating clearer risk assessment parameters around them? We do not have an answer to that question at this stage. A huge amount of work needs to be done around that.

As I said in Parliament recently—I know that others subscribe to this view—we tend to hear about social workers only when one of their judgments goes wrong. Given the number of interventions that take place—some will be happening right now, as we speak—and given that we never hear anything about most of them because they go perfectly well, I can understand completely why social workers feel beleaguered. We need to do more to support them in the job that they do. We are doing a lot on risk assessment, but we need to do more. However, others will have the professional skill and insights on those issues that I do not possess.

I will need to come back to you on the specifics of the child fatality review. However, having been in Australia and New Zealand, I know that in both those countries notification of every child death is given automatically to the children's commissioner, who can conduct a child death inquiry where appropriate. Having heard about that experience, I do not necessarily suggest that we should do the same in Scotland but, given that we tend to go into inquiry after inquiry after every child fatality and demand inspections and so on, perhaps we should start thinking more deeply about how to deal with the issue more coherently. I will come back to you on the specifics of the follow-up to the recommendations, but I want to do some further thinking following on from the insights that I gained as a result of my recent trip.

16:00

The Convener: We were keen to receive the minister's input today, so I thank him for his useful contribution. That constitutes the final evidence-taking session of our child protection inquiry.

Before we come to the final agenda item, let me mention that we may be able to escape having a meeting next week. Rather than having a second session to consider our draft report on the School Education (Ministerial Powers and Independent Schools) (Scotland) Bill, we may be able to wrap

up that work in one meeting. On that basis, are members agreed that we can avoid next week's meeting?

Members indicated agreement.

The Convener: The final agenda item, which we should complete fairly quickly, is consideration of the child protection inquiry's emerging themes. The clerks need a bit of guidance on what issues members thought were important. We will not have a debate today, although we can have one later. Perhaps James Douglas-Hamilton will kick off.

Lord James Douglas-Hamilton: We need to address, first, whether guidance should be issued to Disclosure Scotland; secondly, whether there is a sufficient number of social workers with the necessary training; thirdly, whether there should be guidance on information sharing and data protection; fourthly, the need for good risk assessment and the criteria for obtaining it; fifthly, the importance of multidisciplinary inspections; sixthly, the significance of early intervention; seventhly, whether a comprehensive approach should be adopted for dealing with children whose background circumstances include domestic abuse and drug misuse—

The Convener: Linked to that is the risk assessment on domestic abuse that goes to the children's reporter.

Lord James Douglas-Hamilton: I think that YouthLink Scotland mentioned that.

Eighthly, as stated in the Children (Scotland) Act 1995, the interests of the child should always be paramount.

The Convener: That point is in accordance with the evidence that we heard this morning.

Fiona Hyslop: We should stick to making specific comments on the progress against each recommendation in "It's everyone's job to make sure I'm alright". Our job is to hold the Executive to account on whether it is implementing the report fully and speedily. That should be at the core of our report, but some general themes could link into that. The child-centred approach is an issue to which people returned again and again; perhaps we could make a useful contribution on that.

Rhona Brankin: I echo that. We should say that the minister with responsibility for children and young people must lead in that area. As we heard in evidence, the interests of the child rather than just the interests of parents should drive policy across different departments and initiatives.

Ms Byrne: Perhaps we could focus on family centres and how widespread they are becoming; that relates to what we heard this morning. I agree with all the points that members have made. We

must not forget about drug and alcohol abuse and domestic violence, among all the other matters, because they are a key aspect. Today's witnesses talked about parenting and about pilot schemes in North and South Ayrshire. We could ask how those schemes will be rolled out.

Dr Murray: Like Lord James Douglas-Hamilton, I wrote important points on a piece of paper. I do not think that my notes are terribly different. I have picked up several themes on which we could focus: information sharing; funding; risk assessment; general assessment; basic child protection training; pathways into social work; representation of the voluntary sector on, and the engagement of senior members of staff in, child protection committees; Disclosure Scotland; whether research in the UK about what is effective is insufficient; putting the young person and the child at the centre; how children's views are sought; and continuity of support for families. We have taken evidence on many matters, but we should structure our report around the recommendations in "It's everyone's job to make sure I'm alright". I will give the clerks my piece of paper.

Mr Macintosh: There is not much to add to the comments that have been made. We could comment on virtually every recommendation. Substantial or very good progress has been made on some recommendations.

Disclosure Scotland came up again and again. I am conscious that we did not ask Disclosure Scotland to appear before us.

The Convener: We wrote to the organisation and received a response.

Mr Macintosh: We received a letter, but it related to only one point. We must be careful what we say about Disclosure Scotland. It would be unfair to the organisation to repeat all the criticisms and all the worries. Perhaps we will need to flag that up for further action.

The Convener: We will say that the minister should look into Disclosure Scotland, as that is where ultimate responsibility lies. Duplication, timescales and the truth of what the problem is should be considered. That will be the approach.

Mr Macintosh: I am conscious that we have heard a lot from one side of the story, but that we have not given the organisation a chance to respond.

The Convener: I accept that.

Mr Macintosh: Otherwise, I echo the point about the fact that there are 17 recommendations.

The Convener: I hope that the clerks can sensibly fit around the recommendations many of the observations that have been made. We have had a paper on emerging themes before.

Ms Alexander: The gap is greatest in relation to the information-sharing recommendation. We could have one or two quotations from the evidence that we have heard about why information sharing is necessary and why only the Executive can pursue it, and from the paper that we received from Norma Baldwin about her timetable, to identify what might be needed. We should look for a specific ministerial commitment on the number of years that it will take to implement that recommendation. The truth is that to make that happen, a different skill set from that which is available will be required in the Executive. We should flesh out recommendation 15 only, because that is the recommendation on which the gap between the intention and achievement so far is greatest.

Rhona Brankin: My comments follow from what various members, including me, have said. The accent has been on processes and procedures, but we should say something about preventive work and the evidence that we have received on that. Perhaps we could flag up this morning's interesting evidence about automatic referrals.

The Convener: I echo some of what has been said. The evidence this morning was important and interesting, as it showed that the child-centred approach results in a different approach in practice to following through not just drug issues, but the accompanying mishmash of matters.

A timescale gap exists. Many good things are happening, but what happens in the meantime to fill gaps and to ensure that we are as protective as we can be? That relates to the use of staff, more early intervention and other matters. There is an underlying issue of how much we put into the assessment system, and into doing something about it; at the end of the day, that is what this is about.

Elaine Murray talked about research. Long-term research is important; it was noticeable that there were many matters on which only US evidence was available. We need to include something on that. Children 1st raised the issue of the national child protection helpline; we should consider how that fits into what the minister said today. There are various views on that. There is an issue about inexperienced staff, and whether the training is right yet. Money has been going into training, so there is movement there. A specific point that I picked up was the limited availability of police medical examiners; that raises an issue if criminal proceedings or similar such investigations have to take place. That arose from one of the papers that we received—I think that it was from the Association of Chief Police Officers in Scotland.

The Association of Head Teachers in Scotland made a point about the need for a succinct, readily accessible chronology of events on all files, as

happens on general practitioner reports, so that a file can be linked across. Glasgow City Council made an interesting point about its procedure for a significant case review sub-group. If lots of cases are coming through, there is a need to prioritise; the issue is how we identify the cases that present a risk and in which there are things that we must prevent from happening.

Finally, there is an issue that I do not think was mentioned in the evidence. A letter that we received from the Fostering Network described the need for 650 more fosterers. Without the resources, we are getting into inappropriate placements and so on. There are a number of issues there.

Rhona Brankin: Another issue that you touched on but which the committee has not really discussed much, unless I have missed it, is how information on vulnerable children is shared and where that fits into the record-keeping system in schools for example, where co-ordinated support plans are opened. At the moment, when children are looked after, a care plan is drawn up. How does that fit in with existing systems in schools? How is such information flagged up to the person in the school who needs to know it? There is also the issue about need to know.

It has been said that there will be specific child protection training for all social workers, but I feel that there needs to be child protection training for teachers as well. There is also the issue of how the voluntary sector engages with all this. We heard evidence this morning about how the voluntary sector could be involved in delivering training, and about the difficulties that the voluntary sector has had in releasing people to become involved in that.

The Convener: That was a strong point about the potential.

Rhona Brankin: In a sense, it is about using the capacity that exists in the voluntary sector.

The Convener: That was all useful and, as a wash-up, it was quite quick. We will not have a meeting next week, but we will have one on 9 June. The draft of the report will come to us on 16 June. I thank everyone for their attendance at a long but useful session.

Meeting closed at 16:13.

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