

MEETING OF THE PARLIAMENT

Wednesday 3 October 2007

Session 3

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Scottish Parliament

Wednesday 3 October 2007

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

Time for Reflection

The Presiding Officer (Alex Fergusson): Good afternoon. Our time for reflection leader is the Rev Valerie Ott from Gatehouse of Fleet parish church. I also welcome, from Deaf Action, Nigel Ashbrook, who will be signing alongside the Rev Valerie Ott, and Roseanne Butler-Stoney, who will be signing in the public gallery, as part of learn to sign week.

The Rev Valerie Ott (Gatehouse of Fleet Parish Church): It is a great pleasure for me to have been asked to come up from my parish of Gatehouse of Fleet, in bonnie Gallowa', to lead you in your time for reflection.

Until I moved to Gatehouse just over five and a half years ago, I had spent all my life amidst the hustle and bustle of urban landscapes. But in Gatehouse I discovered another world. It happened one afternoon during our first week in the manse, when I got fed up with unpacking the cardboard boxes that the removal men had stacked in the middle of our living room, and decided instead to set off to explore my new surroundings.

It was a glorious, sunny spring day. I wandered up the single-track road from the manse and soon found myself climbing a stile of old stone slabs over a moss-covered wall and taking a path that wound up the hillside. I followed the rugged track through a landscape of bracken and gorse, over the gnarled roots of old trees that had probably been there long before our manse was built. The path twisted over the hills, ever further from the village, and I suddenly became aware that I could see and hear no sign of human habitation. Stretching into the distance as far as the eye could see were green, rolling hills, rising here and there to the summits of bare granite crags. Stopping to listen, I could hear the song of the birds, the distant bleating of sheep, and the occasional rustling of a rabbit or a mouse in the undergrowth. There was no rumble of traffic, no human voice to mar my sense of wilderness and isolation.

In that moment I became aware, in a way I had never been in the town, of the awesomeness and majesty of the world that God has made. In that moment I realised why the psalmists of the Old Testament so often found their greatest inspiration in the glories of God's creation. They, too, had

stood apart from the hurly-burly of daily life and taken the opportunity to reflect on the great universe that God spread before them in all its majestic power and beauty.

And there came into my mind a couple of lines penned by the Scottish-American poet Robert W Service:

"Have you tuned your soul to silence?
Heard the text that nature renders?"

Nature's text reminds us that, in our self-absorption and our concentration on the demands pressed so insistently upon us from every side, we can lose sight of the world that God has given us and ignore the landscape of creation in which he has placed us all.

So it is my prayer for all of you, in your busy lives here in Edinburgh, that you will indeed find the time to tune your soul to silence and hear the text that nature renders. And may God bless you in the work you do.

Business Motion

14:34

The Presiding Officer (Alex Fergusson): The next item of business is consideration of motion S3M-597, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau. The motion sets out a revision to the business programme that suspends part of rule 10.6.5 of standing orders, to allow up to 15 minutes to debate motion S3M-587 later today.

Motion moved,

That the Parliament agrees that, for the purpose of allowing up to 15 minutes to debate motion S3M-587 on Wednesday 3 October 2007, the second and third sentences of Rule 10.6.5 of Standing Orders be suspended.—[Bruce Crawford.]

Motion agreed to.

Crerar Review

The Presiding Officer (Alex Fergusson): The next item of business is a debate on motion S3M-589, in the name of John Swinney, on the Crerar review.

14:35

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Last week, Professor Lorne Crerar published “The Crerar Review: The report of the independent review of regulation, audit, inspection and complaints handling of public services in Scotland”. I thank Professor Crerar for his extensive and valuable contribution to the wider debate on improving public services and their scrutiny. His assessment of the regulatory environment in Scotland has been significant and comprehensive and provides Parliament with a strong base from which to consider future arrangements.

I also place on the record this Government’s appreciation for the fact that the previous Administration—in particular, Tom McCabe—commissioned the review. The previous Administration’s actions were a recognition of the need to address the issue, and the Government both welcomes the initiative and wishes to provide continuity in the period that lies ahead.

Some recommendations in Professor Crerar’s report are properly the Government’s responsibility to address. Equally, the Government takes the view that some recommendations with regard to the role of commissioners and ombudsmen are properly the responsibility of Parliament. As it is important for Parliament to be fully involved not so much in the scrutiny of public services, which is the Government’s responsibility, but in dealing with wider matters such as the work of the ombudsmen, we are anxious to ensure that we facilitate the Parliament’s consideration of those issues so that it can reach its own conclusions.

The Government’s aim today is to provide an opportunity for Parliament to express its initial views on the Crerar review and to consider how we should take it forward. The Government believes that we must achieve wide consensus on how to proceed to ensure that we establish an audit, regulation and inspection regime that commands wide confidence.

Professor Crerar has set out a radical and ambitious agenda for us. To take it forward, we need positive commitment not just from Government, but from Parliament, to ensure that real improvements can be made in the system of regulation, inspection and scrutiny.

I ask the Parliament to join me in welcoming the report's broad principles and vision and to consider carefully and collectively Professor Crerar's detailed recommendations. As I have indicated, I am keen to seek more engagement with Parliament—ideally through the Scottish Parliamentary Corporate Body—on the recommendations that particularly affect it before bringing further proposals to its attention.

Professor Crerar has set out for the first time public service definitions for complaints handling and external scrutiny. He records that scrutiny is the role of a range of inspectorates, commissions, ombudsmen and agencies that audit or inspect the performance of public sector bodies or that monitor performance against regulations. He has examined the present systems and made recommendations for improvements.

My response to the report will concentrate on two significant issues: first, the need for a more simplified and proportionate approach to scrutiny; and, secondly, the importance of embedding a culture of continuous improvement in the whole of the public sector and putting the onus of improvement on service providers themselves.

In his review, Professor Crerar records widespread agreement that Scotland's scrutiny and complaints systems are too complex, too costly and burdensome on public bodies, which has affected their ability to make improvements and has distracted those that primarily deliver high-quality public services from that role. The system has also introduced unnecessary complexity for service users. Indeed, I am particularly concerned that users often find it difficult to navigate the infrastructure of public scrutiny to secure the answers that they are looking for. The burden is felt by a wide range of stakeholders, not only those who provide services.

Professor Crerar identified particular burdens and overlaps in the activities of local government. Many authorities submitted information to the Crerar review in which they claimed that inspections were unco-ordinated and absorbed formidable resources. I have heard directly from one local authority, which pointed out how many inspections are due to be conducted at or around the same time—in its case about 14 different forms of scrutiny in addition to a best-value audit. In its submission, that council states:

"we have no fear of audit and inspection, it is simply a plea to save us from drowning in the sea of bureaucracy that threatens to engulf us all."

I suspect that that sentiment is widely shared in Parliament.

Professor Crerar is clear that external scrutiny is important, but he concludes that it is not always used to scrutinise the right issues. The report

highlights the significant growth in scrutiny since devolution, and points out that it has grown in a piecemeal fashion.

If we are honest, we must admit that we have all at some stage been behind putting in place more scrutiny and checking—often for the best of reasons and sometimes in difficult circumstances. However, have we really thought through the best way of applying such scrutiny? Have we thought about the longer-term costs of setting up new bodies? Have we really sought to get to the underlying weaknesses behind those services that are not delivered to best effect before setting up another level of scrutiny? Those are some of the questions that we must reflect on as we aim to simplify the structure of scrutiny.

Professor Crerar suggests that the growth of scrutiny needs to be controlled and that the present systems would benefit from strategic co-ordination for the future. We agree with that conclusion. Professor Crerar also points out that not enough has been done to assess the impact of scrutiny and not enough is known about its costs and benefits. The Government intends to undertake work on that as a matter of priority. As the review found, assessing impacts is difficult. Although it can never be a pure science, we need to measure impacts better to guide any changes to the scrutiny landscape.

A key area in which Professor Crerar's report calls for radical improvement is complaints handling. He calls for a standardised and more straightforward complaints process for all public services, to ensure that there is a quicker and clearer route for the public to have their complaints heard and that there is more use of complaint outcomes to drive improvement in services. I welcome that in principle, and it is an area that Parliament has a particular responsibility to develop.

Robert Brown (Glasgow) (LD): Many complaints processes, judging from my experience of them, are very bureaucratic. Does the cabinet secretary accept that one of the objects of this exercise should be to avoid bureaucratisation of the complaints process and instead to put in place something simpler, speedier and more straightforward than is sometimes presently the case?

John Swinney: Mr Brown makes a fair point. In my experience, certainly from a constituency perspective, people can be worn down by the bureaucracy that is involved in pursuing concerns about public services. That is one of the issues that we must consider carefully in developing our approach.

Professor Crerar believes that his recommendations would lead to a simplified and

more transparent scrutiny landscape for public services, with a more proportionate and better co-ordinated approach. That chimes very much with the key principles of this Government—to streamline our public services and to devolve responsibility to a more local level. Referring again to Mr Brown's remark, if many complaints could be sorted out at local level, they would undoubtedly be resolved in a more straightforward and efficient fashion for the members of the public concerned.

Professor Crerar is not recommending that scrutiny should itself be put under threat. That is one of the key points in the debate. Care must be taken not to undermine the important work undertaken by the various inspectorates that act on behalf of Parliament or the Government. The Government will not play fast and loose with the need for continuing independent scrutiny. We realise that existing scrutiny bodies often have important additional roles, such as to encourage improvement. As we manage the transition that is envisaged under the Crerar report, we must be mindful of ensuring that effective scrutiny remains in place, while moving to a simplified, more ordered approach to scrutiny issues. Parliament has to debate and consider that fundamental point, and to seek agreement on the pace at which we can undertake that transformation.

I accept that in recent years many organisations have taken steps to apply scrutiny more proportionately and to take better account of the views of service users. We need to build on that. However, we must recognise that there is no coherent picture about the level of scrutiny that relates to how people are best served by infrastructure.

The recommendations made by Professor Crerar on continuous improvement are based on the principle that responsibility for providing assurance about services and for identifying areas for improvement should primarily rest with the service providers. It must be right that we embed that approach into the culture of service delivery in our schools, hospitals, police forces and other areas of public service. We must encourage a culture of continuous improvement in the way in which services are delivered.

A reduced level of scrutiny and a more proportionate application of it could free up delivery organisations to focus further on improving their front-line services. However, that will require improvements in performance management arrangements to ensure that they are robust enough to reassure users, the public and elected members. In the Government's view, we have the basis of such improved arrangements in the best-value regime, and local authorities have a statutory duty to operate in that climate. However, the culture of continuous improvement is

not in evidence across the board and we see the review as an opportunity to extend it. The Accounts Commission is reviewing best-value audits for local government and will consider that approach alongside the Crerar review. I am sympathetic to the idea of best value acting as a trigger for a proportionate level of scrutiny.

Parliament today has an opportunity to reflect on a substantial contribution to our debate that will assist us to reassure the public about the quality of their public services, simplify the landscape and ensure that we make the approach to a review of the public services a great deal more straightforward. I am grateful for the encouraging support that was given to that agenda by the previous Administration, as demonstrated by its action in establishing the review, and for the general welcome that the motion has received.

I move,

That the Parliament welcomes the Crerar review work commissioned by the previous administration; notes the broad principles and vision of a simplified scrutiny landscape, with a proportionate, co-ordinated and risk-based approach, as set out in the Independent Review of Regulation, Audit, Inspection and Complaints Handling of Public Services in Scotland; thanks Professor Crerar and his team for their work; commits to joint working with the Scottish Government over the relevant recommendations, and calls on the Scottish Government to carefully consider the review before returning to the Parliament with further proposals to take forward the conclusions of the report.

14:47

Andy Kerr (East Kilbride) (Lab): I, too, want to place on the record our thanks to Lorne Crerar and the team for the much valued piece of work that they have produced.

We all recognise that the public and the public bodies who seek to serve us deserve better from the systems that currently operate around scrutiny. As Mr Swinney said, the previous Government recognised that, and I place on record our thanks to Tom McCabe for setting up the review and ensuring that action was taken to place service users and the organisations that we seek to support at the heart of the scrutiny agenda.

I welcome the terms of the motion, which we gladly support. The review document recognises some simple and obvious issues around scrutiny and some of the challenges that we face in dealing with those issues. The obvious points relate to the financial cost of scrutiny, the fact that there are too many bodies, the burden that scrutiny places on organisations, and the extent to which it diverts attention from front-line services. However, I also agree with Professor Crerar's view that the answer is not that simple, which Mr Swinney recognised.

I have experience—albeit from many years ago—of being an auditee who was scrutinised by

external bodies and of being an auditor. We need to recognise that the point of scrutiny is to improve and develop services. However, as Professor Crerar makes clear, it is the fundamental responsibility of the bodies themselves to do that, with scrutiny acting as a support mechanism.

Scrutiny gives us things that we need as politicians and service users. It gives us assurances around service delivery, it supports change and, indeed, it makes change happen, which is an important point. It protects people and ensures that they are safe, it develops and improves standards, it improves quality and it deals with complaints, and the public benefit from that process.

As Mr Swinney said, many new bodies have been formed, but they were formed in an environment in which that seemed to be the appropriate, correct response at the time. In the circumstances, that was the right thing to do, and the decisions were made because Parliament and others saw concerns that were reflected through scrutiny. Further, as services have become more complex and as the interrelationships have changed, the task of scrutiny has become all the more difficult.

We need to act—and I support many of the principles that are contained in the report—but I underline the point that we should not take action at the cost of the scrutiny role that we play, which is important to service users.

Scrutiny bodies have made a great contribution in the past. For example, I think of the nervous twitters around school staffrooms in the run-up to an inspection by Her Majesty's Inspectorate of Education. Those teachers know that it is a big event for them and that they are there to be scrutinised. They know that the inspection report will end up in the hands of parents, the local community and local newspapers. The scrutiny role is one that we value absolutely and, in my view, HMIE does a good job. Another example is the social work services inspectorate report on events in Dumfries and Galloway. Serious issues came to the inspectorate and subsequently to the Parliament, where resolutions and assurances were sought. Scrutiny has an extremely important role.

Many of the scrutiny bodies arose from particular concerns at particular times. It would be a mistake to lose some of the much-valued lessons of the past through a worthy desire to reduce burdens and costs. We should be supportive and proceed with vigour, but also with caution and consideration of how we look after the interests of users and service providers alike.

I have experience of the astonishing number of audit visits that take place from a variety of bodies.

The visits are sometimes simultaneous, with inspectors from different agencies falling over one another. The questions, ways of responding and formats are slightly different, but nonetheless the same information is often required by many bodies. The apparent lack of information sharing and co-ordination in relation to housing and other important public services is only too clear in local government. We have an opportunity, and I hope that we take it.

I acknowledge Mr Swinney's points about the role for Government, which were appropriate, and about the fundamental role for Parliament. I place on record our support for the five key principles of independence, public focus, proportionality, transparency and accountability. Those are laudable principles that will guide us through the process of making the changes that we all seek, using the report as the vehicle. It is critical that we recognise the leadership role of Government and the Parliament. We have a responsibility to take a step back at times of media speculation and interest and public concern to consider how we can improve future scrutiny. It will be a significant challenge for us to let events happen and stand back a wee bit. I look forward to revisiting that debate when the Government perhaps reacts to events and proposes additional layers of scrutiny. I hope that the framework that the Crerar report provides will allow us to be sensible and logical and to ensure that any additional scrutiny is appropriate.

We should not lose the theme and thread that run through the Crerar report that public bodies are responsible for the delivery of services—responsibility for their performance rests with them—and that through scrutiny we seek to support them. I am attracted to the self-assessment process that is outlined in the report. A great deal more can be done on that way of working, which would provide a consequential reduction in scrutiny by external bodies.

The report highlights that, as we develop and analyse policy, we must develop cost benefit measures of what scrutiny delivers for us. I am attracted to the proposal of having scrutiny bodies report back to Parliament with a cost benefit analysis of their intervention and scrutiny role and what difference they have made. I strongly support the proposal for what the report describes as a cyclical inspection of the scrutiny programme. The Cabinet should ensure that we carry out regular examination of the regulatory and scrutiny framework that we operate so that we continue to follow the themes of the Crerar report in our delivery.

The report mentions the establishment of a single national scrutiny body. That is a pretty challenging place to head for and I am not sure

that I would sign up to that at present. We need to reduce the number of scrutiny bodies and we need better interrelationships and information sharing, but the suggestion of having only one body is pretty adventurous. However, let us see what happens and proceed with vigour and at the same time caution. My concerns about a single body are to do with the dilution of skills, focus and expertise—we need to be cautious about that. I have some knowledge and understanding of government, and I feel that we might spawn a greater and bigger single body that is as costly as all the previous bodies but which has one sign above the door. I am not saying that we should rule out a single body, but we should give the proposal the appropriate consideration.

At the heart of the debate lies a shared agenda on public services—on making services personal to individuals, recognising the increasing complexity of services and focusing on outcomes rather than process. That presents a challenge to the scrutiny bodies.

The report refers to best value and best-value audits. In the pre-1997 days, I was involved in developing that very approach to public services, and I am glad that the approach has gained weight. We have gained experience of best-value reports over the years, and we have learned how to use them in a better and more proportionate manner. We must challenge organisations that deserve to be challenged for underperformance, so that we can create the benchmark that allows us to make comparisons, but we must also tell organisations when they are doing pretty well. We have to recognise the places where we can reduce the burden of scrutiny, so that we can move to the places where scrutiny is needed. The best-value approach allows us to find a performance baseline.

We have to ask how we present scrutiny reports and how the public can engage with them. There are welcome initiatives to do with the use of websites, plain English and short guides and short summary reports. Such things will be extremely useful.

There is one issue on which I have some concerns and on which my views may differ from those in the review. The review's recommendation on complaints will actually be a retrograde step. We lead the United Kingdom in the way in which the Scottish Public Services Ombudsman takes out second-stage local resolution. The report contains the idea that we should give scrutiny bodies a role in the complaints procedure. However, in the health system, we have simplified the process, and that simplification is now moving into higher and further education. If the public cannot get a problem solved locally, they go straight to the ombudsman. There they will find a

degree of independence, specialisation, expertise and experience. I would be concerned if we went backwards and had a second-stage scrutiny body or had the organisation itself performing the scrutiny. The public would be concerned if scrutiny was not independent, if there was no response, or if different systems operated across the country.

In health, we changed the system effectively. Individual complaints to do with deep vein thrombosis and eating disorders came to the health service, but the response of the ombudsman led to systemic changes throughout the health service, which improved service delivery. I am therefore concerned that the review's recommendation is a retrograde step. However, let us wait and see how matters develop over the next wee while.

It is interesting to note that part of the role of the Healthcare Commission down south is being removed—its role in the second stage of the complaints process will be removed because it is seen as a barrier to progress and the satisfactory resolution of complaints.

The public deserves better and there are appropriate ways of securing that. I support the Government on this particular issue, on which we look forward to engaging with it. I end by saying that if public organisations say sorry when it is the right time to do so, the number of complaints might reduce.

The Presiding Officer: Members should be aware that we have a minute or two in hand, otherwise I might have been slightly stricter in the time that I have allowed to members. I call Derek Brownlee, who has six minutes or so.

14:57

Derek Brownlee (South of Scotland) (Con): Thank you, Presiding Officer. I will try to stick to six minutes.

I suspect that this will be one of those debates that will achieve very little press coverage. Nevertheless, the issue is actually quite important, given the impact that it will have on the public over time. "The Crerar Review" mentions very few organisations that will not touch our lives at some stage. The report is detailed and thorough, and it deserves detailed and thorough consideration.

As John Swinney has said, the previous Administration deserves credit for commissioning the review.

George Foulkes (Lothians) (Lab): Mr Brownlee has made a very important point. We should not allow it to flit away without dwelling on it. This is a topic that affects all our constituents, and yet the press gallery is empty of journalists—

Members: No—there's one.

George Foulkes: Sorry. He is always there—one dedicated soul. I look forward to reading about the debate tomorrow.

The topic affects all our constituents, yet some trivia that the press pick up in the lobby will be what gets on the front page. Is that not a condemnation of our media and an illustration of their current priorities?

Derek Brownlee: I would not dare condemn the media. Clearly, they are all watching on television.

I thought that George Foulkes was going to suggest that what was worthy of attention was that I had simultaneously praised the Scottish National Party, the Liberal Democrats and the Labour Party. I can assure members that this may well be the very last time that that happens during this parliamentary session.

The Government's general approach of being reflective is the right approach. Government, Parliament and the organisations that contributed to the review need time to reflect on the consequences of the proposals in the document. I also very much welcome what has been said about the importance of continuous improvement in public services—words that I am sure came from Mr Mather's pen at some point.

As we consider the subject of regulation in general, it is worth reflecting on the fact that regulation in the public sector exists for a very different reason from the reason for the existence of regulations that affect the private sector. Business regulation should exist to ensure free and fair competition; to ensure that the fundamental rules between consumer and business are adhered to; and to ensure that the pursuit of profit does not come at the expense of public safety or other public policy matters.

However, customers are free to walk away from most businesses; that freedom often does not exist for public service users. For that reason, there is a need for an additional level of regulation—a different kind of regulation—than exists for the private sector. When we talk about regulation, it is important that we understand its importance as a tool to aid people who use services. The users of public services do not always have the freedom to do what they do when they are using services in the private sector and value for themselves the appropriate benefits of cost, speed of treatment and quality. In many sectors, that freedom simply does not exist. Whether it should is a matter for a different debate, but we should be clear about why regulation exists in the public sector.

There is a balance to be struck. Regulation should be proportionate, focused and targeted,

regardless of which sector it applies to. In general terms, it is right that the burden of regulation and red tape should be reduced. Some of the red tape has come from the target culture that has been fashionable in recent times. For example, the previous Government set a target of increasing the number of cultural successes by 3 per cent. Once such a target is set, there will be a desire to monitor it and to track it, and woe betide anyone who tries to get in the way of target monitoring by getting on with their job. We need to be clear that part of the burden of regulation comes from that target culture.

Targets are not always bad, but if, rather than selecting hundreds of meaningless targets, we selected a small number, their impact on delivering public services would be greater and the burden of monitoring them would be smaller. If we combine that approach with a different model of delivering public services, we may find a more effective and less bureaucratic culture throughout the public sector.

As Andy Kerr mentioned, some detailed points in the review perhaps merit further consideration. I shall mention some of them in passing. The report is clear about the one in, one out approach. It says:

A 'one in one out' approach has been adopted for business regulation in order to control the overall regulatory volume and we believe something similar should be applied to external scrutiny in the public sector immediately."

Of course, as the cabinet secretary told us last week, that approach has not been adopted for the private sector, because it was simplistic.

John Swinney: More thoughtful.

Derek Brownlee: The cabinet secretary says, "More thoughtful." Whether or not Professor Crerar is being simplistic in his approach, his recommendation perhaps gives the Government an opportunity to rethink its approach to private sector regulation.

In relation to the recommendations on complaints, and on the role of the Scottish Public Sector Ombudsman in particular, a note of caution has to be struck. There is a certain logic in some of the Crerar recommendations, but it is not obvious whether the Scottish Public Sector Ombudsman, as currently constituted, is handling its existing remit to the satisfaction of the public. Unless and until we can be clear that the SPSO is handling its current tasks appropriately, we should be wary of extending its role.

Andy Kerr mentioned the idea of a single body, and I, too, remain to be convinced that that of itself is desirable. The key point is not so much whether a single body does the auditing as what the impact is on the body that is being audited. It is perhaps more important that we have a more sensible,

more proportionate approach to auditing than simply having one large, bureaucratic body that undertakes all the auditing.

A great deal in the Crerar report is worthy of serious consideration, and the Government is right to reflect on its recommendations. However—Andy Kerr touched on this point, too—to hold to the idea that simply adopting the principles in the review will mean that somehow bad things will not happen in public services, or that politicians, the press or anyone else will not jump up to say that something must be done, is to live in cloud cuckoo land. I wish that there were a whole host of brave politicians and brave journalists who are ready to say that, in some cases, something does not need to be done, or that the system works but things just go wrong. It is not realistic to expect any review—however well considered or worthy its principles—to move us beyond the natural human tendency to demand that something be done and the tendency of Governments to demand the public's support for actions that they take.

The Conservatives are content to support the Government's motion and we look forward to seeing whatever proposals the Government makes to implement the review's recommendations in due course.

15:05

Tavish Scott (Shetland) (LD): "The Crerar Review" is a weighty but welcome tome. I looked up the author's curriculum vitae on the internet and discovered that he is not only an eminent professional in his field but heavily involved in rugby. Members who are rugby fans may have noticed that, in the Samoa v England world cup game the other week, when the Samoa forward Brian Lima took out the English fly half Johnny Wilkinson and was cited by the citing officer for the game, the complaint was upheld by the judicial officer, Professor Lorne Crerar. That made me conclude that Professor Crerar is not only tough on regulation but pretty tough on ill discipline on the rugby field. However, I will not get into whether the tackle was fair because I suspect that that is a matter for a different debate.

The report is indeed welcome. I thank John Swinney for recognising the roles in the previous Administration of Tom McCabe and George Lyon, who commissioned it. However, John Swinney was a little unfair to himself—indeed, to every parliamentarian—because some of the bodies that the Crerar report identifies were not created by this Parliament but were set up before it came into being. It is important to reflect on the number of bodies that this Parliament has established and the number established under the previous constitutional arrangements.

One of the statements that I found particularly important to the report's expression of the basis for its principled position on scrutiny and regulation is that

"relationships to the Parliament are still evolving."

We should reflect on that. The Parliament is still a new institution with a new democratic scrutiny role. If we have got some things wrong—which we demonstrably have, judging by the recommendations at which Crerar arrives—this is a good time to reflect on the nature and age of our parliamentary democracy.

Like the minister, Andy Kerr and Derek Brownlee, I picked up on the following sentence from Professor Crerar's foreword:

"many of the current external scrutiny arrangements are a result of assurance being required about particular public services at a particular point in time".

That is code—beautifully written and elegant code—for: "When politicians have a rammy about something, especially in really difficult circumstances, the first thing that they call for is more regulation, more scrutiny and someone to be held to account." I share Derek Brownlee's view that it is easy to write from an outside perspective about the need for change—of course, it is right to do that—and whether such reactions are too common in the Government and the Parliament without considering the reality of politics at a local and national level. This Parliament and the Westminster Parliament are by no means the only places where such things happen; they are a strong feature of local government as well. As Derek Brownlee rightly pointed out, we must reflect on the need for politicians to be much more considered in their view. I hope that that will happen, but I will not hold my breath.

John Swinney: I readily accept the scenario that Tavish Scott paints. It is a fair assessment of where many of us have been at different stages, although—who knows?—perhaps our perspectives change with experience. However, is what he says not an argument for ensuring that, when we undertake scrutiny of public bodies, it is exacting? Is it also not an argument for making certain that public bodies understand that, by ensuring that they have the highest level of performance, they contribute to ensuring that we do not face a general clamour for action as a consequence of service provision falling to an unacceptable level?

Tavish Scott: I accept the minister's analysis of what should happen. However—like Mr Kerr, I will give some thoughts as a former minister—I counter that, even when a service can be delivered to an extremely exacting level, it sometimes does not measure up to what the press or the Opposition demand. I am not making a

political remark but observing what I was sometimes subjected to myself when I was a minister.

The other side of the argument, on which I am sure that Mr Swinney reflects both as a parliamentarian and as a citizen of our country, is that there must be room for risk taking in the design of public services. The difficulty with risk taking is that it can lead to mistakes being made and circumstances arising that do not follow the book, the regulation or the system that has been devised by a learned civil servant or local official. I ask ministers to be aware of the strong desire that the system should allow imaginative solutions to be found.

Professor Crerar says in his conclusion that

“there is a need for a revised model of accountability where independence from Ministers is balanced by responsibility to the Parliament.”

I presume that that means that ministers must let go. Mr Swinney was good enough to acknowledge that point, but it is still a brave minister who lets go. I do not mean that in a political sense; it does not matter what the Administration is.

I share the concerns of Mr Kerr and Mr Brownlee about a single national scrutiny body. I am not convinced that that is realistic or desirable at this stage, given the example that Mr Kerr gave of school inspectors. The Anderson high school in Lerwick was inspected last week—that is one tough experience. I am not convinced that we can have one body that inspects both schools and prisons and is accountable in the same way for both. I am sure that Mr Swinney will reflect on that.

I cannot be the only constituency member who is a bit concerned about the SPSO's delivery. Andy Kerr made this point much more elegantly than I am doing, but I am not convinced that the stage in the process that gives people a leg up into another level of scrutiny should be lost.

I hope that the minister will reflect on the points that I have made. The Liberal Democrats support the motion.

15:12

Ian McKee (Lothians) (SNP): I join the minister and others in welcoming this landmark review by Professor Crerar and his colleagues. In recent years, the regulatory and supervisory landscape has become increasingly cluttered. The well-intentioned desire to protect the public interest has led to the establishment of a variety of institutions, all of which were set up either to scrutinise the functions of public bodies or to handle complaints about them. I acknowledge those good intentions, but, so often, the outcome is simply more expensive bureaucracy and red tape, with little or

no obvious benefit to society. Indeed, when opportunity cost, in terms of money and human resources, is taken into account, there are examples of where such arrangements are counterproductive, in that they render the organisation that is being scrutinised less effective than it would be if it was free to concentrate entirely on its core function. That is because so many scrutinising bodies were set up in response to a perceived need at the time, without reference to other bodies already in existence. Organisations subsequently face pressure in trying to satisfy the requirements of more than one institution that are attempting to monitor their activities.

It is impossible to cover every aspect of this comprehensive review in a short speech, so I intend to concentrate on the way in which complaints about our public services are handled.

Professor Crerar and his colleagues have concluded that the current arrangements are overly complex for service users and the public. As an example, they cite a situation in which an individual who wishes to make a complaint about the provision of care for her elderly mother could have that complaint investigated via five separate complaints procedures. That seems unfair on the public. How can ordinary citizens who are already burdened with understandable worries work their way through such a maze? It is also unfair on the organisation or institution that is the subject of the complaint. Not only does it have to spend time and energy in dealing with several different complaint mechanisms but, on occasion, the persistence of the complainant means that it has to deal with them all at once. Often, each complaint-handling organisation is unaware that others are involved.

Crerar is right to call for a cull of some of the more than 20 external scrutiny bodies that handle complaints—but this is not just a matter of reducing numbers. In Crerar's example of a complaint about the care of an elderly relative, the complainant might still want to complain to the nursing home in which the alleged incident took place, to the professional body representing the doctor or nurse who was involved, to the organisation that was responsible for running the home and, often, to the procurator fiscal, if they feel that a criminal offence has taken place—and we are back to taking complaints to four out of the five institutions. It is difficult to understand how one organisation could tackle all those tasks—some of the professional bodies are not even based in Scotland.

In a former career, I was involved in several complaint investigations that were extremely time consuming and costly. Some of the investigations placed a burden on the complainant because they took years to complete—people cannot happily get on with their lives until such a procedure has run

its course. The delay can mean that, even when the procedure is completed, justice is not seen to be done, because the passage of time can blur recollections and lead to a degree of bitterness that is impossible to remedy.

It has become obvious that, in case after case, the taking of remedial action by the organisation that is the subject of the complaint could have resolved the situation early on. If concern and proper attention are shown to a complaint at the beginning, followed by an explanation, an apology and a promise to put things right or prevent others from having to go through a similar experience—whichever of those responses is appropriate—that can do a lot to abort a complaint in the early stages and avoid later trauma.

Sometimes, that does not happen because of inadequate internal complaint-handling procedures. The first person to receive the complaint may be a junior member of staff who does not have the training to know how to handle the situation, or there may be a culture of blame in the organisation that leads staff to be frightened of passing on a complaint lest it adversely affects them. All those who work in an organisation may fear consequent legal action so much that they refuse to deal with a complainant openly and honestly, but instead fall back on evasion and instant denial.

In my experience, few complainants want to use a complaint as a way of receiving compensation, but the likelihood of subsequent legal action increases if the complaint is not handled in a satisfactory manner. Let us simplify the way in which the actions of organisations are scrutinised, but let us also call on the organisations to develop procedures and train their staff so that external scrutiny and complaints procedures need to be used much less frequently.

15:18

Elaine Murray (Dumfries) (Lab): The Crerar review seems to have engendered a significant outbreak of consensus, not only in the chamber, but among outside commentators. Unison stated that

“the recommendations around streamlining processes are welcome”

and it welcomed

“the move to more self-assessment by providers.”

The Scottish Commission for the Regulation of Care agreed that

“the scrutiny landscape in Scotland was more complex than it needed to be”

and that the

“key recommendations...should result in a process which is

easier to understand, reduces duplication and avoids unnecessary bureaucracy whilst providing the assurance of quality that service users...expect.”

Audit Scotland was

“encouraged that the report acknowledges the important part that audit can play in supporting democratic scrutiny”

and the Convention of Scottish Local Authorities agreed in particular with

“the need to reduce the burden of external scrutiny whilst at the same time making the scrutiny process more relevant to service users.”

There seems to be general agreement that scrutiny needs to be focused, appropriate, proportionate and service user centred. The review noted, however, that service scrutiny costs money and that the growth in scrutiny has been accompanied by a growth in the cost of scrutiny, which potentially diverts resources from front-line service delivery. It is therefore important that scrutiny be proportionate and that the cost and benefit of external scrutiny be accurately assessed.

Mr Swinney, Mr Mather and Mr Brownlee were all members of the previous session's Finance Committee, which conducted an inquiry into accountability and governance, particularly in relation to commissioners and ombudsmen, and reported to Parliament just over a year ago. Part of the inquiry's remit was to examine the growth in the number of independent regulatory and investigatory bodies, the associated growth in the funds that have been allocated since devolution, and the adequacy of the processes for setting and scrutinising the annual budgets of such bodies. The committee's work was done very much in parallel with the Crerar review. We found that the bodies had increased piecemeal through separate pieces of legislation—as Mr Scott said, not just legislation from the Scottish Parliament—in response to particular situations and pressures.

Mr Swinney, Mr Kerr, Mr Scott and Mr Brownlee all mentioned the tendency for people to think, “Something must be done” when difficulties arise. An example, which is mentioned in chapter 9 of the of the Crerar report, is the Office of the Scottish Charity Regulator. Those of us who were here in the first session of Parliament will remember that there was not much disagreement about the establishment of OSCR. There was certainly little disagreement in the voluntary and charitable sector that something needed to be done to restore public confidence in it. However, the Crerar report states:

“It is questionable whether organisations such as OSCR would have been established if the criteria in our proposed new system had been in place.”

The previous Finance Committee's report states that

"The Committee remains unclear as to how Non-Ministerial Departments such as OSCR are effectively financially monitored as neither the Executive nor the Parliament is designated with a leading role in scrutinising expenditure."

It could well be argued that, in our desire to do something about the charitable sector, we passed legislation that was not in all respects adequate.

I agree with Mr Scott that Parliament was, during its first four years, a less mature organisation than it is now, but there are pressures on politicians, particularly when there is a great deal of press attention on particular issues or scandals. Mr Foulkes was right, although there now seems to be nobody in the press gallery.

Christine Grahame (South of Scotland) (SNP): Elaine Murray might like to know that Lord Foulkes has also left the chamber.

Elaine Murray: Unfortunately, I do not have eyes in the back of my head, so I was unable to see that.

When there are pressures on politicians, we tend to react by acting, while perhaps reflecting on the consequences only later.

Professor Crerar also considered accountability and governance, which is covered in chapter 5 of his report. He notes that

"There is no consistent approach to setting up scrutiny bodies and it is not clear why organisations undertaking similar roles have been given different governance arrangements."

He also notes that

"The complexity of organisational structures is a constraint on a strategic approach to developing and delivering an appropriate scrutiny regime across public services."

The Crerar review identified some 43 scrutiny bodies. Rather worryingly, seven new ones were introduced during the mapping exercise. As Mr Scott said, many of those pre-dated the Scottish Parliament, but some 34 of the original 36—before the other seven crept on to the scene—report to Parliament in some way.

The previous Finance Committee took evidence from the care commission. When asked about sheltered housing as an example, the care commission's chief executive, Jackie Roberts, listed the organisations that have roles in inspection of sheltered housing: Communities Scotland, the care commission, environmental health officers, the Health and Safety Executive, and possibly the Social Work Inspection Agency. The committee stated that

"Bodies with similar roles and responsibilities should be amalgamated wherever possible"

and that the pooling of resources should be considered. It also stated that

"direct remit overlaps should be dealt with by removing responsibility from one of the bodies"

and that

"Where bodies do not have direct overlaps but their roles interrelate ... memoranda of understanding"

should be agreed between the organisations.

Professor Crerar's suggestions are more detailed and go a lot further than the previous Finance Committee's recommendations, but are probably heading in much the same direction.

The Cabinet Secretary for Finance and Sustainable Growth mentioned engagement with Parliament and discussions with the SPCB: I would like to hear more on how that could be progressed. The cabinet secretary will recall that the previous session's Finance Committee's legacy paper suggested that some of the matters could be taken forward in a committee bill. That has not been discussed further by the Finance Committee, but it might be an issue for the cabinet secretary to consider.

John Swinney: The sense of my remarks to Parliament today is that some issues, such as the ones that Elaine Murray raises, are the property of Parliament rather than of Government, but obviously the Government would be prepared to give whatever support is required to a mechanism that would allow such reform to take place, if Parliament judged that that was the direction that it wished to take.

The Deputy Presiding Officer (Trish Godman): Dr Murray should draw her speech to a close.

Elaine Murray: I am running out of time, so I suppose that I should not have taken the intervention, but it is an important matter that both the Finance Committee and the Government—depending on the will of Parliament—may wish to take further in due course. That said, there is the small matter of the spending review and the draft budget to keep the Finance Committee occupied before Christmas, but thereafter there may be opportunities to discuss the issue further.

15:25

Christine Grahame (South of Scotland) (SNP): I do not want to hear anybody else talking about "decluttering the landscape". I am sorry, Mr McKee, but if we are to declutter any landscape it will be my back garden. Let us get rid of the jargon so that people can follow the debate.

I will make another superficial remark, on something that annoys me about the document. Why are the important bits bright pink? I can hardly read it. I do not know why we persist in producing bright pink shiny documents.

As members have said, we inherited many scrutiny bodies and we have added more and

more. I am not blaming anybody for that—we should not have a blame culture. As members have also said, we have to be seen to be doing something. When a problem arises, we introduce legislation to set up a commission and a panel here or a board there to examine the issue. Elaine Murray rightly said that that has been done piecemeal and that we have not taken into account interaction and overlapping. It is the usual old thing—this is not jargon; it is a truth of life: it is the law of unintended consequences, which we constantly encounter.

Tavish Scott was right to say that we are a young Parliament. We have grown up a lot in the Parliament—individually and collectively. Given that Scotland has a population of only 4 million people, it is not impossible to trim and to make our scrutiny more focused. Indeed, thanks to the Finance Committee, the committees are trying to do that in their budget examination. We are trying to co-ordinate our approach to aspects of the budget so that we can get to grips with it. We are aware that, even as parliamentarians, it is extremely difficult for us to scrutinise where the money is and where it is going, which is what should really matter.

I shall pick one or two points out of this bright pink document. Paragraph 9.6 is extremely interesting. It is about Her Majesty's Inspectorate of Education joint inspections, and integrated inspections that are carried out by the Social Work Inspection Agency. I note that the report states that they should "reviewed/evaluated immediately". That is an area where we may be duplicating efforts.

The same goes for regulation. Paragraph 9.9 interestingly states:

"The implications for the two main public service regulators, Communities Scotland and the Care Commission, would be that their registration functions would continue but there would be a more proportionate approach to checking ongoing compliance and a relaxation of the frequency of inspections."

Again, Crerar wants to shift the emphasis away from quantity to quality.

I found paragraph 9.10 astonishing, because we have just completed the Charities and Trustee Investment (Scotland) Act 2005. That paragraph says that

"It is questionable whether organisations such as OSCR would have been established if the criteria in our proposed new system had been in place."

Those are pretty strong words and they deserve examination.

Paragraph 9.12, on accessibility of reports, is terribly important—it takes us back to jargon. It recommends that scrutiny bodies should develop "common reporting language". I want to know what

such bodies are talking about; I do not want to have to refer to a glossary. There will be a prize at the end for anybody who can explain to me the jargon in the Crerar report.

The complaints procedure is important and would be a difficult area for the Scottish Public Services Ombudsman to take over entirely. However, it is worth exploring some of the recommendations in the report, such as

"a standardised system for complaints handling".

The report also recommends that

"the remit of the SPSO should be expanded"

but that other things be taken out of its portfolio. I do not know whether that would work, but it is worth examining. Not recommended in the report is that greater powers be given to the public services ombudsman, which I would like to have seen.

Many people go through the system and get a ruling at the end of the process. Then, there is nothing. It is like a dud firework—nothing happens of any worth to the complainant. I would like the process to be given real teeth.

I will make my final point, because I want to be brief. There will be a free meal for the person who can give the wittiest or most accurate interpretation of a phrase in paragraph 10.11(b) of the report, which is on governance. Members should note what I am saying, as I do not often offer free meals. The paragraph states:

"The Scottish Government and the Parliament should work with scrutiny organisations and service providers to develop impact measures for scrutiny, against which scrutiny organisations should report to Ministers and the Parliament."

I say to Andy Kerr that there will be a meal on me to the person who gives on the back of a postcard the wittiest or most accurate interpretation that I can understand of the phrase

"to develop impact measures for scrutiny".

15:31

Ken Macintosh (Eastwood) (Lab): What an offer from Christine Grahame.

I begin, as nearly all members have, by welcoming the publication of the Crerar report and the work of Professor Crerar and his colleagues. At today's Education, Lifelong Learning and Culture Committee meeting, we discussed good governance in further education with Howard McKenzie of the Association of Scotland's Colleges. What was said at the meeting was interesting. He pointed out that colleges such as his are subject to up to 73 different forms of scrutiny in a year, and that he often feels like dedicating a room in his building to auditors

because there is rarely a day on which an auditor is not in the building. There is good governance in further education, but some of us might have questions about the effectiveness of all that scrutiny.

I broadly welcome the Crerar report—specifically the chapter that recommends a common system for complaints handling, to which I will return later. However, I want to focus on one issue. There is overlap and clutter, to use a word that the SNP Government has used—I say that to Christine Grahame—but there are also gaps. There are areas in which there is still little regulation, poor scrutiny and poor complaints handling.

One such area affects older people in Scotland who live in retirement complexes. For members who have not come across such complexes in their casework, residents share common services in most of them, including some kind of alarm system and a warden service. Owners of retirement homes would benefit from an ombudsman service. Many residents in such complexes are effectively bullied by their—often very respectable—managing companies. At first glance, the complaints may seem to be relatively minor. I will give a recent example, which I heard about this summer. A cleaner who was formerly employed by the residents of a local complex in my constituency at a cost of £400 to £500 a year was re-employed by the managing company on a staff basis at £7,000 a year. Another example has been brought to my attention more than once: flats are sold or rented to individuals or couples who do not comply with the deed of conditions, usually in that they are too young.

Members may be aware of a good recent report that was produced by the Scottish Consumer Council, entitled “Consumer Experiences of Property Management Services: A Case Study”. The survey did not specifically consider owners in retirement complexes, but its findings identified similar problems to theirs. It stated:

“There was a high level of dissatisfaction with communication, costs and timescales for repairs”

and that

“Over half of the survey respondents indicated that they had complained about the service they received. Eighty-six per cent of those who had complained reported being dissatisfied with the response.”

That report also stated:

“Consumers of private sector property management services had the highest rate of complaints, with 62% lodging complaints.”

That is interesting. The report said that owners using private sector property management services reported noticeably

“higher levels of complaints than those tied to the RSL service”,

which is interesting, because registered social landlords are covered—they have a complaints mechanism.

We have tried before to address the issue, most notably when we considered the Title Conditions (Scotland) Bill. The Title Conditions (Scotland) Act 2003 extended more powers to the home owners in question, but at least 50 per cent of all home owners in a complex are required to agree on the need for action, and the power is the power to sack the management.

Most residents do not wish to make a fuss; they will in the first place have moved into the complex because they wanted a quiet life. Members may wish to note that the average age of the owners of the complex in my area is 85. It is therefore difficult to imagine the residents of such complexes being able to take on the management companies.

It is also important to understand the relationship between the home owners and the management companies. The management companies are often represented in the person of the warden. Some elderly residents have said to me—and, I am sure, to other members—that they do not complain because they want somebody to answer when they pull the emergency cord.

I strongly believe that we need action to reinforce the rights of those older home owners. That could take a number of forms. It is a difficult area, because it is on the cusp between public services and private property rights, but we have just legislated to introduce a similar complaints service in the legal profession. We could extend the powers of the public services ombudsman. In Scotland, that ombudsman already has powers to cover some of the services or duties that are performed by housing associations and registered social landlords. Some of the services that are provided could also be included in the remit of the care commission although, as I am talking mostly about property rights rather than about care services, I am not convinced that that is the way forward.

The Scottish Consumer Council report into property management services recommended an accreditation scheme—something that was suggested by the housing improvement task force back in 2000. More important, the report concluded that any such scheme must provide an external—that is, independent—source of redress for consumers.

One of the most interesting and strongest parts of the Crerar report is the section on handling of complaints. I am particularly taken with the suggestion that a standard methodology and process should be applied across all areas. I plead that, as we act on the report, as a Parliament and

through the Executive, the needs of our most vulnerable and elderly citizens are not forgotten. I strongly recommend that, as we move to rationalise regulatory regimes and complaints handling systems, we extend the protections that they offer to older home owners in retirement complexes.

15:37

Keith Brown (Ochil) (SNP): As the cabinet secretary said in welcoming the report from Professor Crerar, the report is an excellent and informed starting point. That is how I understand the report—as a starting point. Professor Crerar has done some of the heavy lifting, so to speak, in his collation and analysis of the extent and scale of scrutiny and complaints handling in the public sector. However, I want gently to disturb the consensus that is building by saying that I do not think that the report goes far enough in what it proposes. I hope that, in considering Professor Crerar's recommendations, Parliament and ministers will think radically. Although it may not be possible, eventually, to act as radically as we might, we should start by thinking radically about the possible solutions. We should also be prepared not to give in to special pleading from various bodies and organisations.

If anybody wants a countervailing view to the points that are made in the report, they should read the submission from Keir Bloomer, the former chief executive of Clackmannanshire Council. I say that with some bias because for years he and I railed against the increasing weight of public scrutiny on local government. He makes some compelling points. In respect of auditing, councils are different from other bodies because they have their own democratic mandate. I think that, increasingly, that is not being recognised by, for example, Audit Scotland, which is progressively going beyond public performance reporting and is involving itself in policy matters and democratic scrutiny matters, which are not within the remit that it was first given.

As well as being audited by Audit Scotland, every council must pay for external auditors, who are very expensive, and have its own internal audit section. I will give members an idea of the costs of all that. The smallest council in mainland Scotland, Clackmannanshire Council, in 2002-03 spent £171,000 on auditing by Audit Scotland. By 2005-06, that figure had increased by 35 per cent to £231,000. Audit Scotland is always good at telling councils to be more efficient, but it increases its fee annually, which local authorities have no choice but to pay. On top of that, there are fees for external and internal auditors.

On the sheer weight of scrutiny, Keir Bloomer says:

"The regime is widely perceived as punitive and has instilled a fear of taking calculated risks, thus reinforcing the innate conservatism of the public sector."

That is true and apparent to most people who work in local authorities. As I said, Audit Scotland has gone beyond public performance reporting.

An important point is that scrutiny of public bodies should lie with Parliament, so there is a question about the extent to which public performance reporting bodies are encroaching on Parliament's role. That is something for Parliament to think about. Perhaps it would be best if it was not a lawyer that considered that issue. I hate to suggest it, but it may be best if a political scientist or someone like that were to examine the balance between democratic and public performance scrutiny.

I am trying not to use the word "cluttered" about complaints handling, but it is extremely cluttered in the public sector. As Professor Crerar makes clear, it is confusing to the people whom the systems are meant to serve and, as Christine Grahame pointed out, people often feel at the end of the process that it has not served them well. That is partly because when each of the bodies were set up, what they could look at was tightly constrained: for example, the Scottish Public Services Ombudsman—I share the concerns of Tavish Scott and others about it—can only consider maladministration, but the public does not realise that and thinks that the body has a far wider remit, which is why people can become frustrated.

The Scottish Public Services Ombudsman started off fairly well with the good intention of drawing in more areas, such as health, but it has lost its way. I have worked with the Scottish Public Services Ombudsman's office for the past 10 years and it is not operating as people envisaged it would.

As I said, the public sector is under a huge burden. I have a final quotation from Keir Bloomer.

"Public service organisations are overwhelmed by the numerous and disparate exercises they are subject to. There is little evidence of co-ordination or joined-up working between the distinct scrutiny bodies demonstrated by discrete exercises occurring simultaneously or concurrently, including the recent audit of Housing"—

in Clackmannanshire Council—

"which coincided with the Best Value & Community Planning audit and a visit by Her Majesty's Inspectorate of Education (HMIE) with the Community Learning audit. A number of these separate exercises also replicate the work of others. For example, reviews of Psychological Services, Child Protection, Children's Services".

Clackmannanshire Council serves about 48,000 people. We are a country of 5 million people—I do not think that a country of our size should have the weight of scrutiny and audit on its public sector

that we have. That is why this is the time to be radical. We could make real savings, although that should not be the first priority, which must be rationalisation that is understood and proportionate—another word that comes up time and again in the Crerar report.

Although some members have argued against it, we should have a single agency in mind when the issue is being considered and we should only consider as exceptions agencies that can prove that there is a good reason why they should not be part of the single agency. The savings in backroom staffing and other costs could be huge, and the agency could be much more understandable to the public that it is meant to serve.

15:42

Jackson Carlaw (West of Scotland) (Con): I express my regrets at having missed the cabinet secretary's opening speech and part of Andy Kerr's speech. Enjoying the Conservative party conference in Blackpool as I was, it goes without saying that I am elated to have returned early to contribute to the debate.

Only last week, in a characteristically dynamic contribution, Charlie Gordon advised the Conservatives that we were set for an imminent electoral drubbing—that from a man who, just a few short months ago, had confidently predicted that his party and not the Scottish National Party would form the next Scottish Government. When it comes to predicting election outcomes, Mr Gordon might care to reflect that Labour fools rush in where we Tory angels fear to tread.

The far-reaching findings of the Crerar report illustrate what can unfold when politicians, however well meaning they are, try to micromanage every aspect of our lives. The words that are used to describe the outcome of such meddling will always be the same—complicated, burdensome, complex, inefficient, expensive and wasteful. I could go on but I am sure that members get the picture.

Professor Crerar was asked to evaluate the system of external scrutiny that the previous Executive had built up during its eight years in power but which had, as Tavish Scott fairly stated, existed far longer than the lifetime of the Scottish Parliament. How did Professor Crerar sum it up? Why, he did so with the adjectives that I reeled off a moment ago. Given that that was always going to be the potential outcome of the report, the previous Administration deserves to be applauded for having been prepared to set forward Professor Crerar with the report that he has completed.

It is little wonder that Professor Crerar paints a depressing picture. As he points out, since

devolution we have seen the creation of 11 new scrutiny bodies with many of the organisations established beforehand seeing their responsibilities increased, and the cost to the taxpayer of all this direct scrutiny increasing by more than half during the past four years alone—from £60 million to more than £90 million. In 2005-06, direct costs that were racked up by Audit Scotland, the care commission, and HMIE increased by 20 per cent, 35 per cent and 95 per cent respectively.

Another point that has not been mentioned so far, but which I find striking, is the extent to which the bureaucratic edifice of regulation has drained experienced people from front-line public services. The natural place from which to recruit experienced people into the regulatory bodies is among people who were previously doing the job. I have often been struck by the number of people whom I meet—including friends—who have worked in public services and have then gone on to accept jobs in the regulatory authorities, often at higher remuneration, to regulate the people who do the job that they previously did. It is a shame and it is regrettable that people with talent who work on the ground and in proper front-line services are being lost to the regulatory bodies. The career path for people in public service should not be to aspire to go into the regulatory body.

However, I suppose that it would be worse if the regulatory bodies—as is sometimes the case—were full of people who had no experience of the industry that they are set to regulate. Where that happens, the people in those industries resent the fact that the regulators do not seem to know much about the job, or seem unsympathetic to it. That is also a concern.

Those who hope for tax increases because they imagine that such a policy will put more police on our streets, more health workers in our hospitals and more teachers in our schools would do well to reflect on the Crerar report. If one takes into account the fact that the figures in the report relate only to one isolated area of our public sector, one can understand how difficult it is to exaggerate the amount of money that can be wasted when it is put into the hands of politicians who embrace public expenditure as an end in itself.

As Derek Brownlee and Elaine Murray pointed out, the regulatory bodies sometimes seem to have been constituted to regulate a fear, inspired by a single incident, that a general public service will fail. Part of the practice of all Governments has been to say that they will increase duplication, bureaucracy and waste by, among other things, providing for a burgeoning external scrutiny industry. External scrutiny has often been used as a way to counter risk through a series of knee-jerk reactions that have been thrown together. External

scrutiny has then often become an obstacle to those who seek to deliver public services.

Andy Kerr: I could mention the cones hotline as an example of that, but that would be too unkind. I agree that we need to ensure that the scrutiny environment is as minimal as possible, but Jackson Carlaw is in danger of not rebalancing the debate properly. Is he saying that we should have no scrutiny at all?

Jackson Carlaw: No, I am not saying that. I did not seek to apportion blame to any political party or to a particular previous Administration; I said that Governments have too often responded by saying that something needs to be done—which will still often be difficult to resist in the face of difficult situations—so the obvious thing to do is to set up a regulatory body. We need to be circumspect about doing so because such bodies drain people away from the front-line services that they are supposed to regulate and can become an obstacle to the provision of those services. I accept that we need a mechanism for regulating bodies, but it must be done sensibly.

As I have noted previously, the SNP is in an enviable position. It has no record in Government to defend, so it has a window of opportunity in which to act. We support many of Crerar's recommendations and we hope that the SNP will have the political will to take advantage of the emerging shared view by implementing them as fully as possible.

The Crerar report concludes by stating:

"Ministers and the Parliament will need to 'let go'."

Crerar is right, but that principle should apply not simply to external scrutiny. The Scottish Government would do well to use it as a maxim across the board and release us all from the endless interference from politicians who think that they know best.

I urge the Cabinet Secretary for Finance and Sustainable Growth and his colleagues to fight against any instincts to preserve what is there. They should be bold—as Christine Grahame trenchantly suggested—and learn the lessons from all the mistakes of predecessors. Let go, and give Scotland's public servants the opportunity to serve Scotland's public.

15:49

Stuart McMillan (West of Scotland) (SNP): This important debate will ultimately, I am sure, lead to an improved complaints service being offered to everyone in Scotland.

The report contains some sensible recommendations. First, it recommends that the number of tsars should be cut—we currently have

more than 40—and that we should have one complaints body instead. A second excellent recommendation is that the complaints handling system should be standardised, which would lead to consistency across all sectors and make the system easier for the population to use. That recommendation would lead to greater efficiencies and less duplication and could have an agreed and transparent timeframe. A similar point was considered by the Justice Committee yesterday, when we took evidence from the Scottish Police Services Authority.

Those two recommendations would greatly assist the public in their quest for improved public services and a reliable and robust complaints system, and would improve belief in our public services. The quid pro quo, however, is that even greater powers would be given to the SPSO. I am sure that many members, both past and present, have taken up cases on behalf of constituents—there is a great deal of uncertainty among the public about the SPSO and its effectiveness. Many people might wonder whether it is worth bothering to complain, bearing in mind the percentage of complaints that are upheld: 1.16 per cent in 2003-04; 0.58 per cent in 2004-05; 3.13 per cent in 2005-06; and 8 per cent in 2006-07. I for one do not believe that those figures represent a true account of legitimate complaints throughout Scotland; neither do I believe that 100 per cent of complaints are valid. However, the poor figures to date beg the question whether it would be wise to give the SPSO even more powers and responsibility.

Any external scrutiny must be guided by the five key principles of independence, public focus, proportionality, transparency and accountability. Without them, the scrutiny will not be worth the paper it is written on.

The Crerar review has one main recommendation that sets alarm bells ringing for me:

"the specific role of investigating front-line service failure should be devolved to service providers and scrutiny bodies".

Let us use Inverclyde Council as an example. Only two years ago, Audit Scotland produced two reports that slated the running of that council and noted its poor leadership, lack of direction and poor service delivery. The report was a wake-up call to the Parliament and to Westminster, which had allowed the mismanagement of the authority to go on for many years without calling it to heel. The poor souls who lived in Inverclyde—I am one of them—knew that the council was a mess and a shambles, but nobody would listen. Thankfully, Audit Scotland forced action.

I am delighted to say that the new corporate management team is turning the council around,

and it deserves every credit for doing so. I might not always agree with its decisions, but at least I recognise that the team is working tremendously hard and that shoots of optimism are returning.

Let us imagine that Inverclyde—or any other authority—was in a mess and we gave it the power to investigate itself. If it did not know the direction in which it should be going and it was falling apart, the last thing that we should do would be to give it more powers. That would be failing on all five key principles. The actions taken to revive Inverclyde's fortunes appear to have been the correct ones, and they did not include giving those who failed more powers.

I am sure that one of the reasons why the Inverclyde situation came to a head was the school reorganisation proposals that members of the previous council put on the table. They created a mess of tremendous proportions that led to allegations of social re-engineering and keeping apart less well-off and wealthier families. I am convinced that that was the final straw for many people. Many and varied complaints were sent to Inverclyde Council and the SPSO, yet the SPSO refused to meet the complainants or to respond to aspects of the final report, which backed up Inverclyde Council.

I have spoken to members from different parts of the country and discovered that there is a significant lack of public confidence in the SPSO, so giving the SPSO more powers is not the correct way forward. Before there is any increase in the powers of the SPSO, fundamental questions that I would like to be answered include: whether the SPSO should accept undated documents; whether it should meet complainants; why so many people are deeply unhappy with the way in which the SPSO has investigated complaints; and whether the SPSO should consider best value when considering complaints about public services.

I welcome the Crerar review, which is a useful starting point for further consultation and for improving the complaints procedure in Scotland. However, I caution against giving the SPSO more powers. I also caution against giving service providers a self-regulatory role. Good service providers would deal with the role with great efficiency, but less successful ones could, in theory, use it to hide their failings. One has only to consider the annual number of audit reports about Scottish public bodies that emanated from Westminster pre-devolution to see how easy it was for such bodies to hide failings. Audit Scotland has ensured that public bodies in Scotland are more accountable to the public purse, which is to be welcomed.

It is imperative not only that we consider the problems that might lie ahead if we gave the SPSO greater powers, but that we ask who would

keep watch over it. If the SPSO is to be empowered in this way, we must have assurances that the organisation will be changed and improved and that we will not have the same problems that so many people have experienced. Indeed, Andy Kerr and Derek Brownlee have already alluded to that.

Today's motion leaves the debate open. The chamber will revisit the issue, and I am sure that many members will welcome the debates that we have on it. We must grasp this chance to improve complaints procedures in Scotland, because by improving them we will also improve the perception of public bodies, as the population will have greater confidence that they are being listened to.

15:55

Claire Baker (Mid Scotland and Fife) (Lab): I am pleased to speak on this issue, as I have first-hand experience of it and know it well. Although much of today's debate and the media coverage have focused on red tape and public services, I want to highlight the effect of red tape on third sector organisations, from social enterprises to community groups and everything in between.

For a number of years before entering Parliament, I worked in the voluntary sector and was in constant contact with the full range of voluntary organisations, from large national social care providers right down to community groups staffed by volunteers, and from long-standing organisations with decades of experience to brand new start-up organisations. Despite the fact that they were vastly different in many respects, all the organisations agreed that, next to funding, red tape was their biggest issue. As a result, I was pleased when Tom McCabe announced the Crerar review, and I know that many in the sector have been eagerly awaiting its conclusions.

Red tape is not just about pounds and pence or the X amount of money that is lost to overcomplicated bureaucracy. Reducing red tape will allow organisations to make a difference and improve the quality of life for everyone in Scotland. For voluntary organisations, unnecessary red tape does not just cost money; it constrains front-line activities and reduces the sector's positive impact. The tight resources situation within which voluntary organisations have to work makes it more difficult for them to manage red tape and almost impossible for them to absorb its impact. The more time that a voluntary organisation has to spend on administration, the less time that it has to focus on its service users, who, after all, are what really matters.

Moreover, we should not forget that voluntary organisations often work with the most vulnerable

in society. Indeed, in providing child care services, social care services, victim support services, housing services or services for older people, they now work at the forefront of our communities, tackling in some way almost all of Scotland's major challenges. As a result, unnecessary red tape is impacting heavily on the most vulnerable in our society.

Voluntary organisations have welcomed the report. For example, SCVO has said:

"There is obviously a place for sensible regulation and checks but what we constantly see are groups being crippled by a merry-go-round of form filling.

Scotland needs a system of light-touch regulation where appropriate and the bureaucratic burden should be lifted from the"

voluntary sector. Indeed, I know of one organisation that at one stage last year had been inspected or audited on 11 separate occasions by 11 different regulators, each of whom demanded the same or very similar information. Each time a regulator came calling, the organisation's staff were diverted from the activities that the body was set up to carry out.

Obviously, a certain amount of red tape and regulations is required. Much of the administration that public services and voluntary organisations face is necessary and, indeed, many regulations seek to ensure that organisations are run well and efficiently. In that regard, we need think only of the Charities and Trustee Investment (Scotland) Act 2005, for which the sector actively campaigned.

That said, it was as clear to the previous Executive as it is clear to this Scottish Government that there is a better way of organising regulation to ensure that the proper and correct elements of administration are kept and the needless and unnecessary elements are rationalised—in other words, so that the bathwater is thrown out, but the baby is kept. In that respect, I warmly welcome many of the report's recommendations.

However, the report's publication gives the Parliament an opportunity to do even more. For the voluntary sector, red tape extends beyond those parts that deliver services and beyond the 43 regulators identified in the report. Community Care Providers Scotland has welcomed the report, recognising that many of Crerar's proposals will make a significant difference to voluntary organisations that provide public services. In looking to the future, CCPS identified a missing link in the form of the large amount of quasi-regulation that funding authorities conduct. The organisation highlighted the fact that

"Councils in particular duplicate a lot of the processes that scrutiny bodies already undertake and they too should be included in any new system for reducing red tape."

Voluntary organisations face an additional layer of bureaucracy stemming from the monitoring and

evaluation burden that comes with receiving grant funding, whether it comes from public or independent sources.

The Crerar report gives the Scottish Government a chance to consider reducing the amount of red tape, not just for public service organisations but for organisations that deliver public benefit elsewhere, including sports clubs and village halls. Such organisations might not necessarily deliver public services, but they do deliver public benefit. Unnecessary red tape must be reduced for those organisations.

We should allow funders and regulators to share necessary information on organisations further to streamline monitoring and evaluation structures. We could also operate a lead regulator model, whereby certain regulators and funders would be trusted to carry out monitoring and evaluation that would be of advantage to others.

The Crerar report was instigated by a Labour minister and has been welcomed by an SNP one, so it gives me great hope for cross-party working. I call on the Scottish Government to seize this opportunity to empower social enterprises, voluntary organisations and community groups to do what they were created to do and make a positive difference to people throughout Scotland.

16:01

Andrew Welsh (Angus) (SNP): The Crerar review sets out to concentrate minds on how to cut bureaucracy, free up resources, increase the focus of public services on the experience of the user and achieve a

"substantial reduction in the burden experienced by providers",

as well as address an unnecessarily "overcrowded landscape".

Professor Crerar wisely warns us about oversimplicity in our approach to reforming the current ad hoc system, with its "cluttered landscape", as there are no obvious benefits in such an approach for service users or the public, especially in complaints handling. We should heed that warning.

The professor's stated goals were substantially to reduce the burden experienced by providers, to make clearer the costs and benefits associated with external scrutiny, to have a greater degree of self-assessment in public organisations, and to have a greater focus on practical benefits for both the public and service providers. In other words, what are we scrutinising and why are we scrutinising it? Is that scrutiny cost effective in time, money and other resources? Can the public and those organisations that are scrutinised see and feel the benefits of the scrutiny system?

The report is a douche of common sense directed at a complex situation. It takes us right to the heart of good government. That is particularly true of the recommendations about self-assessment procedures and eliminating duplication through greater collaboration between scrutiny organisations. The issue is all about ensuring that public money and resources are used properly by the public organisations that receive them.

There is an obvious danger, however, in Professor Crerar's ultimate goal of having one single national scrutiny board. "Yes, Minister" warns us not to create a department of administrative affairs. There is no point replacing overproliferation with overcentralisation. A single national scrutiny body must not be allowed to embody overcentralisation. Effectiveness and efficiency are the keys to progress in any reform, therefore a single ultimate scrutiny organisation would have to be clear about its own checks and balances when co-ordinating or directly controlling reforms, as well as when dealing with the independence and responsibilities of the bodies that are scrutinised. I say again: there is no point replacing overproliferation with overcentralisation.

I commend to Parliament the work of Audit Scotland, which has combined thorough investigation, analysis and recommendations with the spreading of good practice, sound finance and good governance, while respecting the integrity of the organisations that are scrutinised. Audit Scotland has achieved that by working with organisations to promote greater efficiency and effectiveness in the use of public resources. I have seen at first hand the positive benefits of that pioneering and successful work, which provides immediate and longer-term benefits for the public, whom we all serve. The external scrutiny principles of public focus, accountability, independence, transparency and proportionality are to be welcomed, and are evident in the work of Audit Scotland and our Parliament's Audit Committee.

The Crerar report's conclusion about the clutter, duplication and unsustainability of the present proliferation of scrutiny bodies is right. It is a useful starting point from which to produce a practical, simplified, accountable and efficient scrutiny system that is designed to work with our public authorities on value for money, economy, effectiveness and efficiency, and to provide democratic accountability to the public. The report provides a starting point for reform within the wider system of modern Scottish government. Professor Crerar and his colleagues have given us all much food for thought and, I hope, positive action.

16:06

Robert Brown (Glasgow) (LD): This has been a good debate that has shown the Parliament at its best. The Crerar group was set up by the previous Scottish Executive to do an important job. Although I do not necessarily agree with all the report's conclusions, I say that the job has been done magnificently. At this point, I should say that Professor Lorne Crerar is a partner in my former legal firm. I hope that no one detects a note of special interest in my words.

The report has, rightly, not gone down the route of recommending specific changes in areas in which detailed subject knowledge undoubtedly is required. Instead, it has concentrated on laying down the principles and the direction of travel. We need an element of perspective in that regard, as we can see from paragraph 6.23, which states that, in Scotland,

"for every £100 spent on public services, 18p is spent on scrutiny. This compares with around 0.20% in England."

I think that by "0.20%" it means 20p. In any case, there is a comparison of sorts to be made.

The report relates to public services not only in the direct sense; it also relates to the voluntary sector, in which, as Claire Baker said, different issues arise and we can see clearly the loss of any resource that has to go into administration to service the scrutiny requirements.

The first and overriding principle is that the primary responsibility for improving services lies with the provider organisations. That point has been made by a number of people. It is better to get something right to start with than to improve it after scrutiny. External scrutiny can, however, be a catalyst for improvement. Although Jackson Carlaw went a bit too far in criticising that aspect, we must ensure that external scrutiny is carried out with regard to the five principles of independence, public focus, proportionality—which is particularly important—transparency and accountability.

There lies behind the report a recognition that we should all have at the front of our minds the fact that we are responsible for public money and that every pound that is taken out of the pocket of the citizen must be justified and full value obtained for it. Accordingly, the first question has to be, is scrutiny necessary? The second question must be, does it add value? Sometimes, we answer the first question by deciding that there is a problem to be remedied—whether it is to do with conditions in care homes, underperforming schools, overcrowded houses in multiple occupancy or whatever—without identifying whether more scrutiny is part of the solution. We have to answer both questions.

It is easy to let one's mind work in grooves. When I was a minister, my eyes were opened when I visited Denmark to find out more about its education system. I discovered to my amazement that the Danes had no equivalent of HMIE. In fact, they had no school inspection system at all. School inspectors are so much a part of our set-up that it had not occurred to me that it was possible to get by without them. As it happens, I think that HMIE carries out a useful function that adds value to the education system. Indeed, it demonstrates in its work much of what Professor Crerar is looking for. In that regard, I should point out that the Danes had a little bit of a national crisis when they discovered that they had a problem with people who were not in education, employment or training, and an underperformance challenge that no one had picked up on.

One endemic problem is that two or more organisations often have an inspection duty. Lorne Crerar is entirely right to conclude that, in such situations, only one body should be responsible and accountable for inspection, although it may need to bring in or borrow expertise to examine secondary aspects. A good example of that is Abbeyfield Society for Scotland homes, which may be examined by Communities Scotland, the care commission and a variety of local authority inspectors—inspectorates come into the equation, too—on matters such as health and safety and food hygiene. It is reasonably clear that that is disproportionate, burdensome and potentially wasteful.

Another important issue is the frequency of inspections. As Andy Kerr and other members know, some work has been done to reduce the frequency of inspection of, for example, early years establishments. However, we can go a good deal further by using the Crerar principles as the litmus test.

Like other members, I am not convinced by the suggestion that the process should culminate in a single national scrutiny body. It is proper to identify good practice, standards and methodology but, for example, HMIE has long-established expertise that would not benefit from being subsumed into a single body. I was interested in Andrew Welsh's comments on that. One could say the same about the Social Work Inspection Agency and the care commission, which are younger organisations but which are developing expertise.

We should by all means share backroom services and avoid duplication, but we should not go down to the level of the lowest common denominator. A good parallel is that the suggestion is a bit like saying that we should amalgamate the police, fire and ambulance services into one organisation, because they are

all emergency services. That makes my point strongly.

By the same token, like others, I am not convinced that the SPSO should become the big complaints oversight body, nor that it should lose its individual complaints role.

As I touched on in my intervention on the cabinet secretary, the key issue is to make internal complaints handling more user-friendly. On behalf of a constituent, I recently appealed to a council social work complaints panel—I had not heard of the panel before I became involved with it. I have no complaints about the hearing, but the preparation was extraordinarily bureaucratic, with witness lists and productions as if the hearing were a full court case. I am a solicitor by profession, and I doubt whether somebody without legal skills could have worked through the system without being put off. It must be possible to devise a process for effective, speedy and informal conciliation of complaints. As various members have said, the earlier that complaints are dealt with, the more satisfactory is the outcome. We must also acknowledge that, as has been pointed out, not every complaint is justified and not every complaint has to go through to the ultimate level, following all the courses of action.

The Crerar report has much to commend it. It needs careful study—we should not be hasty, because we must take the correct action on its main themes. Equally, we should not to be seduced by apparently attractive remedies that would tidy up the structure but lose expertise and added value in the process. We need to consider the issues carefully and cautiously, but without losing track of the report's main themes, which lay the groundwork and set the direction in which we should go. I am happy to support the motion.

16:13

Gavin Brown (Lothians) (Con): I, too, welcome the chance to debate the Crerar review. I reiterate what my colleagues Derek Brownlee and Jackson Carlaw said in commending the previous Administration for commissioning the report and the current Administration for giving us the chance to debate it. The review sheds light on the fairly complex web of scrutiny bodies throughout Scotland and neatly describes the situation as "scrutiny creep"—in the eight years since devolution, we have had 11 completely new bodies and, in the past three years, costs have increased by about 55 per cent to more than £92 million. Now is probably as good a time as any to take stock.

I agree that scrutiny is important—there is no debate about that. Our public services need to be well managed, safe and fit for purpose. Derek

Brownlee added the point that, with public services, unlike with the private sector, the public cannot just walk away. It is important to have scrutiny, but we argue that balance is the key factor that we must seek to achieve in future. As I think Elaine Murray said, the scrutiny process ultimately diverts resources away from the front-line delivery of public services and, as Jackson Carlaw said, it also diverts people away from that.

The indirect costs of scrutiny have not been talked about much. We can measure the direct costs in many ways, but the indirect costs are much harder to measure and may be far greater: a press article last week said that a recent social work inspection for Glasgow City Council cost the equivalent of £155,000 in staff time—for just one social work inspection.

As we have heard, there has been an outbreak of consensus today: the Conservative party supports the motion; the SNP, which is obviously the driver behind the motion, wants the system to be simplified and proportionate; Labour wants to proceed with vigour and caution; and the Liberal Democrats quite rightly support the motion too. I am pretty sure that the consensus in the chamber will not last past tomorrow morning, when we will have a slightly more contentious motion to debate.

We endorse the report of the Crerar review, with just a couple of caveats. We like very much the idea of the five guiding principles—accountability, proportionality, transparency, independence and public focus. As we have heard, some of the bodies that have been set up would not have been set up if those principles had been applied. One of the benefits of all the parties agreeing on the principles is that when events occur—as they inevitably will—we will have a very clear set of principles by which to decide what to do. Perhaps some of the mistakes of the past will not be made in the future.

We like the idea of there being more public involvement, because the ultimate beneficiary of scrutiny ought to be the service user and the general public. We also commend the idea of slightly more power shifting from the Government to the Parliament and to the committees, so that we all have a chance to look at reports and so that it is more difficult for any reports or any information to be hidden.

One idea that has not come up but which the Conservatives also favour is some form of sunset clause being used for the regulatory body or programme that is being set up. A response might be right at the time but, within a year or two, it might be inappropriate. Whichever programme is set up must continue to make public services safer and fit for purpose. A sunset clause could help with that.

We have already heard that there should be more amalgamation where appropriate and that there should be no new organisations. We also agree with various miscellaneous points that have been made. We all agree that simpler language should be used and we might all agree with the idea of an internet portal so that different bodies can see what other bodies are doing.

We have two reservations, which have been outlined already. The idea of a single body for scrutiny has been mentioned many times. On the basis of our research, we do not consider that appropriate; we do not think that one monolithic structure for scrutiny—a super-regulator with 43 departments—would be a good idea.

Christine Grahame: I do not think that the recommendation was for a single body for scrutiny; I think that scrutiny would be done elsewhere—in-house, for example. I understood that the idea was that the framework and the methods of regulating would be in a standard form. However, the idea could be debated more fully than is possible in this rather short debate.

Gavin Brown: If my postcard is successful, we can perhaps discuss that point over dinner. In fairness to the report, it has only five lines on the point. I understood from those lines that one overall, overarching review body is proposed, but there may be other interpretations. We would certainly oppose there being one such body, and I question whether the review team really want such a body. The suggestion seemed to appear from nowhere as suggestion number 40 out of 40 in relation to scrutiny.

Members have spoken about the SPSO and asked whether it is the right way to proceed. We would like the next step to be a review of the 43 bodies—preferably not by a 44th quango, but by the Government. We would like a moratorium on the setting up of any new scrutiny bodies and an end—culturally and in practice—to the tick-box mentality that has crept up on us over the past eight years.

16:19

Tom McCabe (Hamilton South) (Lab): Regulating and scrutinising our public services is a vital part of ensuring that our citizens are served, reassured and have access to recourse if and when they believe that a service is failing to meet their needs. As I think has been recognised, since 1999 the Parliament and indeed our Government have increased the level of regulation and scrutiny. The Parliament has expressed its wish for new commissioners and new bodies, and the Executive has almost always obliged—and, indeed, added in a few of its own. None of that was done with ill intent, but if we disproportionately

regulate and scrutinise, we disproportionately consume precious public sector resources that should be targeted at the provision of public services. When we apply resources to scrutiny bodies poorly, there is a consequence.

Our local government colleagues have told us for some time that up to 40 per cent of professional officer time can be occupied preparing for yet another inspection or request for information. Often, the different inspectors ask different questions about things that are broadly the same. That is a vicious circle that demotivates and demoralises public sector staff. If we can achieve the proportionality that the Crerar report seeks, we can unleash the enthusiasm and commitment that undoubtedly exist among the vast majority of public sector workers.

It was against that background that we commissioned the Crerar report. While the challenges that Professor Crerar has laid down for the Government and the Parliament will excite few, if any, tabloid editors, they can make a considerable contribution to the delivery and development of public services in Scotland. The Government is right to use this debate to test the Parliament's enthusiasm for reform. If the Government is prepared to be bold about adopting the recommendations in the report, it will need the active and objective participation of Parliament, working in the interests of the service user and not simply looking for ways to score political points.

I very much agree with Professor Crerar's recommendation that all reviews should assess the scope for amalgamating bodies with common interests. One body may well be a step too far, but surely a reduction would go a long way to reduce the amount of professional officer time that is consumed in preparing for multiple inspections.

Professor Crerar further recommends that a cost-benefit analysis should be a routine element in the consideration of the use of external scrutiny. Critically, he thinks that the Government and the Parliament should work with scrutiny organisations and service providers to develop impact measures. Questions about what an impact measure is have been asked. For me, it is simply a practical outcome and an attempt to be clear about the achievements of particular scrutinies. In the past, such clarity has too often been lacking. It is against those measures that bodies should report to ministers and Parliament. Since I have answered Christine Grahame's question, I automatically disqualify myself from entering a postcard.

Other members have commented on various aspects of the report—it would be a waste of time to repeat those comments. I want to use my remaining time to talk about complaint handling. Professor Crerar recommends a rationalised and

simplified—and perhaps even a standard—approach to complaint handling in the public sector, and one that builds on the rationalisation of the ombudsman's function. I fully accept that we will need to be sure that the operation of that office is correct before we can go as far as saying that everything should be handed over to the ombudsman's function. That said, I doubt whether anyone in the chamber regards complaining in the public sector as straightforward or even rewarding.

In my experience as a constituency MSP, I have often felt dismayed at the difficulties people experience when, for example, they try to complain about our health service. It is by no means an even contest when someone decides that the treatment that a loved one has received during a long and painful episode was unsatisfactory. That long episode can leave relatives drained; as they encounter an increasingly bureaucratic closing of ranks, they often give up.

Whether in the health service, local government or any other public service, there is, in large measure, an uneven contest for the service user. It is abundantly clear to me that we need to make it much more straightforward for the public to complain, or simply to record their experiences with a reasonable degree of confidence that they may prevent the same thing from happening to someone else. A standardised public sector complaints system with a single point of entry could become the service users' advocate and even up that all-too-often uneven contest.

As politicians, we spend an awful lot of time trying to build a participatory democracy. If Professor Crerar's model helps us to build the public's confidence that their views will be heard and heeded, he does us a considerable service. The report presents us with an opportunity to apply our resources more wisely and, at the same time, build a confidence among our service users that, despite our best efforts, is all too often lacking. To do that, we may on occasion have to think the unthinkable. Sometimes we will need to be brave enough to deconstruct things that we have already put in place. Both those steps will be easier if we realise that, by promoting the user's interest first and foremost, we also enhance the provider's long-term interests.

The Deputy Presiding Officer (Alasdair Morgan): I call Bruce Crawford to wind up the debate. Minister, you can have 17 minutes.

16:26

The Minister for Parliamentary Business (Bruce Crawford): I am sure that everyone will be delighted to hear that. I have absolutely no chance of winning anything with a postcard if I have to go on for that long.

I am sure that everyone agrees that the debate has been worth while. There have been some considered and detailed speeches from around the chamber, and I thank all members who have contributed. As the Cabinet Secretary for Finance and Sustainable Development said, the Scottish Government has welcomed the aspirations in the Crerar report. They are in line with our call for simplifying and rationalising the public service landscape and increasing local and public involvement in public service delivery.

As everyone has recognised, the report is important. Its recommendations are wide ranging. Evidence and views have been taken from service providers, scrutiny bodies, service users and public representatives as well as experts and academics. It is agreed across the chamber that the report presents a real opportunity for the Parliament and the Government to work closely together on developing a framework for better and more proportionate external scrutiny.

Professor Crerar believes that his recommendations would lead to a reduction in the number of scrutiny organisations and a radical increase in the sharing of information and co-ordination between bodies. I do not think that any members disagree with those recommendations and the overall perspective that he has set down. He has also set out a framework for external assessment that he believes should focus on the needs of the people who use the services that are under scrutiny and should drive improvement while ensuring the efficient and effective use of public money.

From the debate, I sense that there is a consensus that members want a future scrutiny process to be based much more on self-assessment and best value. As Robert Brown said, let us get it right first time, rather than try to deal with complaints later. A number of speakers picked up on that general theme.

Professor Crerar also set out a longer-term aspiration—I underline the word aspiration—to move towards one national scrutiny body, one audit body and one complaints handling body for the whole public sector and that those three bodies could eventually handle the scrutiny and complaints functions of a number of stand-alone bodies that currently operate in Scotland. I listened to the concern that was expressed about that. Individual members from different political parties have rightly asked us to hold on a minute. I will reflect on what Andy Kerr said in that regard, which was, in effect, that we should not throw the baby out with the bath water. In trying to get more simplified systems, we might lose what is good and effective and is working. There was consensus on that point throughout the chamber.

Andy Kerr also said that the issue is complex, which Professor Crerar acknowledged in the

foreword to his report:

“I thought the problems were obvious – there are too many scrutiny bodies; they cost too much; they create needless burden and divert resources away from delivering services. Surely it was just a case of removing some of the organisations? Having spent a year examining the problems, I’ve reached the conclusion that the answer is not that simple.”

Tom McCabe showed his depth of understanding of the matters under discussion and let us know his feelings about complaint handling, which is often an uneven contest. Members’ reaction to his speech shows that there is a lot of support for his view on that. I put on record our thanks to Tom McCabe for kicking off the review, which is proving to be very useful.

John Swinney said in his opening speech that we need to be careful as we move to the aspirational goal set out by Professor Crerar of having one complaint-handling body. We cannot play hard and fast with important existing scrutiny organisations.

Andy Kerr: I thank the member for giving way; I know that there are time constraints.

I refer to Mr McMillan’s comments on the SPSO. He said that only 2 per cent of the complaints that were considered were upheld. The detail of what the SPSO does shows that 2 per cent of complaints were fully upheld, 6 per cent were partially upheld and 9 per cent were not upheld—the difference between the number of complaints that were upheld and the number that were not upheld is only 1 per cent. A large number of complaints were deemed to be coming into the system too early. In other words, local resolution procedures had not been followed adequately. I just seek—dare I say it—to rebalance the view that Mr McMillan expressed about the small number of complaints that are upheld. In health, 15 per cent of complaints were either upheld or partially upheld and 16 per cent were rejected. Again, a whole swath of complaints that came into the system too early were referred back for further work to be done locally. That puts the situation with complaints in context more adequately.

I support the SPSO becoming the complaint-handling organisation. That idea requires further investigation. I remain concerned that having any secondary body—an intermediary body or a scrutiny body—taking up the complaints role would reduce capacity.

In health, we provided that health boards must respond locally within a fixed period of time, otherwise the complaint goes to the ombudsman. I believe that that system is working. An ombudsman’s report falling on the desk of a health board chief executive carries significant weight and leads to improvement and reconfiguration of service delivery to ensure that ways to meet patients’ needs are looked for.

Bruce Crawford: I thank Andy Kerr for that useful short intervention to help get us through this debate. He makes an important point about the effectiveness of the SPSO. A number of members, such as Christine Grahame and Stuart McMillan, raised the issue, but approached it from a different perspective. It is clear that, whatever one's perspective, the role of the ombudsman will require to be revisited.

Andy Kerr made the important and poignant point that if organisations could sometimes just say sorry, that would deal with a lot of the problems that exist and would offer redress. People want to ensure that the issue that they have raised has been understood and that the organisation involved has got to the heart of the matter.

Christine Grahame: I am mindful that time is short. Does the minister see a role for mediation procedures? The point about organisations saying sorry has been made. We know that mediation is not arbitration and that it is not meant to produce a decision; it is where parties get together and resolve the matter. If we had mediation at an early stage, fewer people might go through the maze of complaint handling.

Bruce Crawford: That relates to some of the points Robert Brown raised. If we get it right at the beginning—mediation can play a role in that—we might not end up with some of the difficult outcomes. Regarding the roles that we are constructing for different scrutiny bodies, we need to be careful that we recognise the role of elected members. Elected members can play a very important role—particularly in the complaints process—in ensuring that individual members of the public are able to find redress for their grievance, so that they do not always need to go to a scrutiny individual or a scrutiny body.

Robert Brown: Might the minister accept that many people do not want to make a complaint—they just want their issue to be dealt with? People quite often say that they do not want to make a complaint, they just want things sorted. We have somehow to reflect that reality—taking into account Christine Grahame's point—in how we do these things in the so-called complaints handling process.

Bruce Crawford: It is difficult to disagree with that—it comes back to what Tom McCabe said about the unfair competition that sometimes exists between bureaucratic organisations that are not trying very hard to give an individual some redress, and the lack of resources that that individual might have. If organisations were prepared to take the more sensible approach, we might not end up with some of the difficult results that we have in complaints.

Derek Brownlee reflected on the fact that the Government, the Parliament and organisations need time to reflect on the Crerar review, to examine its findings properly and to come back with some substantial conclusions. He talked about how the culture of targets can create more bureaucracy. Members will have found that interesting. We need to be more realistic about what the Crerar review can deliver, because humans and organisations tend to get things wrong no matter what safeguards we build in, and no matter what scrutiny exists.

Tavish Scott rightly reflected on the fact that many of the scrutiny bodies that exist were already part of the architecture of Scotland—I apologise to Christine Grahame, for that is even more jargon—before the Parliament came into being. We should not chastise ourselves—as hard as we might—for some of the earlier decisions that were made. The Parliament is still young and we recognise that there is still room for improvement in this young organisation.

Tavish Scott, Derek Brownlee and Elaine Murray said that there is a need for politicians to be more considered in reacting to events when there is a clamour for change—rather than following the “something must be done” agenda. That is a reasonable thing for people to reflect on. I hope that any Government in the future will be able to take a more considered approach rather than jump in to fill the gap.

Elaine Murray also raised the issue of OSCR, and made a reasonable point about whether the creation of that body would have been deemed appropriate if we had taken a more considered approach and reflected on it. I was taken with the contribution by Ian McKee, which was deeply felt and came from his deep experience of working in the public sector. It was a considered contribution, and members were taken by his views on how we might deal with future complaints.

Keith Brown thought that we are not being radical enough. He said that we should go further and that we do not need to give in to the interest bodies that will no doubt try to close ranks. To be radical at the beginning is probably a good starting point—Professor Crerar has been radical, from his perspective. I wish that it was always as easy as that to come to the right result.

Tavish Scott: I am grateful to the minister for giving way, given that he still has five minutes and that this must be the longest ministerial wind-up speech so far this session. Will he compare Keith Brown's interesting perspective on Audit Scotland with Andrew Welsh's equally interesting perspective on the use of Audit Scotland? That was an interesting juxtaposition and I am sure that the minister will want to reflect on it.

Bruce Crawford: I certainly do not want to get between the two of them—I have seen them both

in action before. I will leave them to reflect on the issues they have raised.

Andrew Welsh: I well understand the point that my colleague made. Local government has often complained, "In the past, we used to cut the grass. Now, all we seem to do is measure it." However, local government is dealt with through the Accounts Commission. My reference to the Audit Committee was to Audit Scotland's general work. I commend working with authorities.

Bruce Crawford: Perhaps one way forward in dealing with local government and other issues is the best-value regime. I remember being involved when that regime was piloted in Perth and Kinross in the 1990s. At the time, there was some scepticism about whether it would be effective, but it is proving to be a good way forward for everyone. If everyone accepts the cultural changes, it might not be so difficult to deal with the issues that we are discussing today.

Jackson Carlaw made the point that the staff of regulatory bodies often come from the organisations that they regulate. In effect, the poachers become the gamekeepers. That is a fair point and we should reflect on it when we consider the way in which we deal with the organisations in the future.

We heard considered speeches from Kenneth Macintosh, Stuart McMillan, Claire Baker and Andrew Welsh. This has been an effective debate. Professor Crerar's recommendations are clear and members from all parties mentioned his views on the need to cut red tape, keep costs down and ensure that we get the money to front-line public services. We had discussions about improvements in the providers' performance management systems and the need for a more strategic and coherent approach. I certainly found that valuable and I am sure that the cabinet secretary did as well.

The Crerar report took about 15 months to prepare. It covers a lot of ground and sets out a broad direction of travel. It clearly acknowledges that further detailed work needs to be done. It would be inappropriate to go into too much specific detail today, but the Government will take on board the comments that have been made in the debate. I thank members for their valuable contributions.

Provision of School Lunches (Disapplication of the Requirement to Charge) (Scotland) Order 2007 (Draft)

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-587, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, on the draft Provision of School Lunches (Disapplication of the Requirement to Charge) (Scotland) Order 2007.

Motion moved,

That the Parliament agrees that the draft Provision of School Lunches (Disapplication of the Requirement to Charge) (Scotland) Order 2007 be approved.—[*Bruce Crawford.*]

The Deputy Presiding Officer: I call on Adam Ingram to speak to the motion.

16:42

The Minister for Children and Early Years (Adam Ingram): Thank you, Presiding Officer. I had anticipated winding up the debate, but I will do as instructed.

Research that was published last week shows that Scotland is second only to America in levels of obesity in the population. That poses a serious threat to the health of our nation, which is why we have made tackling the problem a high priority, particularly early in life. Many factors contribute to obesity, including diet, exercise, culture and environment, and they must all be taken into account in the prevention and treatment of the problem.

The Parliament is aware that, last week, I set out new standards for food and drink in schools, which will build on the hungry for success initiative. The new regulations go further than that initiative and will remove unhealthy food and drinks from vending machines as well as improving the standard of school lunches. However, we want to do more, as a matter of urgency, to improve our children's diet.

Poor diet is a serious problem that needs to be addressed now. That is why we want to conduct a trial of free nutritious school lunches for all primary 1 to primary 3 children in five local authority areas. We want to establish whether the provision of free healthy school lunches to that age group will help to bring about a shift towards healthy eating habits and social behaviour both at home and in school.

As I told the Education, Lifelong Learning and Culture Committee last week, we do not expect immediate and specific health benefits to be demonstrated during the trial. There is already

plenty of evidence that a healthier diet leads to long-term health benefits. Rather, the trial will enable us to detect emerging trends in changes in attitudes and behaviours by pupils and parents in relation to school meals and healthy eating.

Ken Macintosh (Eastwood) (Lab): Is the minister aware of the very successful school holiday meals programme and the reported difficulties that local authorities, such as East Renfrewshire Council, have in funding such programmes? Rather than trial the school meals programme, which is a manifesto commitment, why not fund the proven school holiday meal entitlements in areas such as East Renfrewshire?

Adam Ingram: I commend East Renfrewshire Council for the work that it has done, but I do not believe that it is an either/or situation.

Many people outside Parliament are looking forward to the outcomes of the trial. The Child Poverty Action Group, the Association of Head Teachers and Deputies in Scotland, the Poverty Alliance, Save the Children, the Church of Scotland, One Parent Families Scotland, the Scottish Churches social inclusion network and Children in Scotland are among the many groups that support the trial.

I listened to the concerns that were raised at last week's meeting of the Education, Lifelong Learning and Culture Committee that we had prejudged the will of Parliament by asking the local authorities involved to be ready to launch the trial after the October break, but we have not prejudged Parliament's decision. The local authorities involved were well aware that Parliament would ultimately decide whether the trial would go ahead. They have made appropriate plans, including informing parents, so that the trial can begin after the October break if—and only if—Parliament approves the draft order. If Parliament votes against the motion, the local authorities will be stood down.

We will learn lessons from the concerns that were raised by members about the local authorities informing families about the trial before Parliament had debated the draft order, but I hope that Parliament will pardon us, as the committee did last week, for our enthusiasm to take action to improve the diet of our children and will approve the draft order. That will allow us to proceed.

16:47

Rhona Brankin (Midlothian) (Lab): I shall comment on the Executive's pilot for free school meals in primary 1 to primary 3 in five local authority areas. The minister is aware that several organisations such as Barnardo's Scotland, Children in Scotland and the Aberlour Child Care Trust have expressed concern that the pilot does

not address child poverty. That concern was also raised by Labour committee members, among others. In his evidence, the minister denied that there was a link between obesity and deprivation and referred to a survey by the Food Standards Agency to support his view. The same report states:

"Generally, those on low income were less likely to eat wholemeal bread and vegetables. They tended to drink more soft drinks (not diet drinks) and eat more processed meats, whole milk and sugar."

That does not sound like a denial of a link between obesity and deprivation.

I draw the minister's attention to a report from ISD Scotland, released on 25 September, to which Executive members contributed. The report states that it is estimated that

"around a fifth of cases of obesity in Scotland can be attributed to deprivation."

Does the minister accept that there is a link between deprivation and obesity?

Under pressure from Labour committee members, the minister said that he intended to extend entitlement better to target child poverty. He said that

"the way to extend it would be to move to maximum working tax credit, which was in the Labour Party manifesto, I think. It is our intention to move down that road."—[*Official Report, Education, Lifelong Learning and Culture Committee*, 26 September 2007; c 119.]

Will the minister confirm that he is adopting the Labour Party manifesto? If he is, I welcome the Government's new-found commitment to tackling child poverty.

16:49

Elizabeth Smith (Mid Scotland and Fife) (Con): I think that parliamentary colleagues are aware of the remarks that I have made recently in the Education, Lifelong Learning and Culture Committee and the chamber. I share the cross-party view that the problem of unhealthy eating among our schoolchildren is extremely important, and that it must be a major priority in this parliamentary session.

I have listened to compelling evidence that reflects the extent of the problem and to the opinions of groups that are best placed to understand what must be done. I have also listened to the Government's proposals, and was minded to support the pilot scheme, which will test the effects of offering free school meals in five council areas, because it seemed to me to have a great deal of merit. I was persuaded that it might play an important role in the development of future policy.

Given the Government's statements on the issue, I expected, as a member of the Education, Lifelong Learning and Culture Committee, that I would have the opportunity to hear a bit more about the merits or otherwise not only of what has been proposed, but of other proposals that may lead to more healthy eating. As we all know, there are conflicting views—perhaps reinforced by this morning's report on a similar issue that was issued as a result of an Office for Standards in Education pilot—about how best to tackle the problem. Therefore, I was concerned and frustrated to find that the Government had already sanctioned the pilot prior to any full discussion in the committee or the Parliament and that it had given the go-ahead for Scottish Borders Council to issue letters—dated 28 August—to tell parents that free school meals would be available for their children from October until next March. As a result, the committee was redundant and the judgment of MSPs was compromised.

I hope that members agree that that is not the most democratic way of operating or—more important—the best way to ensure that there is public trust. I repeat my likely support for the pilot, but want to put on record once more, as I did at the Education, Lifelong Learning and Culture Committee on 26 September, that there must be correct procedures by which the Government allows Parliament to debate important policies.

16:52

Hugh O'Donnell (Central Scotland) (LD): I am a little disappointed by the time that has been allocated for the debate, given the critical nature of the subject matter. Major issues are involved. There is no doubt that radical attention must be paid to the issue of obesity, but Liberal Democrats are not convinced that offering universal free school meals is the way forward.

In that context, I have several questions for the minister. Why is there no sensible baseline for measuring the extent to which the pilot is effective in addressing health issues? Why is there no measure of the likely wastage through disposals after the uptake of meals? Rather than the rather simplistic and crude urban-rural method that seems to have been adopted, why was the pilot scheme not targeted on known areas of multiple deprivation? Finally, it is implicit in the SNP's approach that it plans to roll out the pilot if the evidence supports doing so. What consideration has the minister given to the cost of doing that?

The Liberal Democrats are content to support the motion, but the way in which the pilot has been cobbled together and seemingly rushed through—that has been referred to—is not a democratic way in which to proceed. Members and the public at large have not welcomed the approach that has

been taken. The approach gives the public no confidence in the Administration's ability to act in a democratic way.

16:54

Nigel Don (North East Scotland) (SNP): Many people have waited for what has been proposed for quite a time, and promoters of previous school meals bills—professionals and politicians—will be delighted that we seem to be making progress.

There is background to consider. An extensive evaluation has been carried out very professionally in Hull, which I think confirmed that the uptake of school meals will increase. If members wish to hear about that, a half-day conference in Dundee next Tuesday will deal with it; I thought that I would plug that conference in the short space of time that is available to me. What has been proposed is part of the Government's overall programme to improve the life chances of our youngsters. In particular, the stigma of means testing for school meals will be removed. There is an opportunity to improve the quality of children's diets, and the motion should be welcomed on all sides.

16:55

Karen Whitefield (Airdrie and Shotts) (Lab): I am grateful for the opportunity to speak in this short debate, although I regret that it is necessary. As we have heard, at its meetings on 19 and 26 September, the Education, Lifelong Learning and Culture Committee considered subordinate legislation to enable the Scottish Government to conduct its school meals pilot scheme. It is not my intention to revisit the issues that were considered by the committee in its scrutiny of this policy initiative. I wish to raise the concerns of the majority of committee members that the Scottish Government has acted presumptuously by instructing the local authorities that are involved in the pilot scheme to send letters to the parents of children in primary 1 to primary 3 advising them of their children's entitlement to a free school lunch.

Although it is absolutely right and proper that Scottish Government officials have liaised with the local authorities that are involved in the pilot scheme, we must remember that the timetable for implementation has been set by the Government and that, in establishing the timetable, parliamentary scrutiny of the proposal should have been factored in. It is, therefore, unacceptable that anyone was advised of a new entitlement before Parliament had had an opportunity to consider the policy. I am concerned that the actions of the Government in relation to this order were disrespectful to both the committee, which I convene, and the Parliament as a whole.

When the new Government took office, it stressed to the Parliament and the people of Scotland that it was committed to working in partnership with Scotland's people and her Parliament. Unfortunately, the Government's actions in its handling of the school meals pilot scheme have not matched the pledge that was made by Alex Salmond in this chamber that his Government would

"respect and include the Parliament in the governance of Scotland over the next four years"

and that it would

"appeal for support across the chamber policy by policy."—
[*Official Report*, 16 May 2007; c 36.]

Unfortunately, those words do not match the experiences of the Education, Lifelong Learning and Culture Committee and the Parliament to date.

I hope that the minister and the new Administration will reflect carefully on the points that have been made in the debate. I hope that they will remember the vital work of the Parliament's committees and their role in ensuring proper scrutiny of legislation. I also hope that they will listen to Parliament, giving us the space and respect that we require to debate and consider Scotland's legislation properly. It is vital that the Government assures Parliament that it will never act in this way again.

Aileen Campbell (South of Scotland) (SNP): On a point of clarification, Presiding Officer. Karen Whitefield mentioned that—

The Presiding Officer (Alex Fergusson): That is not a point of order. Please sit down.

Aileen Campbell: Well, she spoke—

The Presiding Officer: Please sit down.

16:58

Margo MacDonald (Lothians) (Ind): Parliament knows that I am a stickler for the rules and regulations of the chamber. Therefore, I hope that the minister will take it in good part when I say that it was not exactly sensible or diplomatic to conduct business in this way. Having said that, I doubt that any member will vote against a measure that will definitely test the nutritional road that we should be on with regard to future Scots.

Let me cut to the chase and ask the minister a question that I would have asked had we been able to have a full debate on the matter in the chamber. Has he thought of extending the parameters of the pilot scheme to include the supermarkets and shops where the children's parents buy their food? Although a pilot scheme for school meals is well intentioned and will provide excellent research material, it would be

sensible to try to rope in the real villains of the piece—the people who make a huge profit out of selling bad food—and get them on board. I wonder whether that has been attempted. Could it be attempted in any of the local authority areas that have been selected for the pilot scheme?

Having said that, I wish the pilot scheme all the best.

The Presiding Officer: I offer the minister a brief opportunity to wind up, if he would like to do so. Minister, you can have two minutes at the maximum.

17:00

Adam Ingram: I will pick up on a couple of Rhona Brankin's points. We have adopted a universal approach for several reasons, the first of which is that we cannot change the culture or the population's eating habits by targeting resources on a few people; we have to take a universal approach. Poor diet and childhood obesity are not unique to poorer families. Rhona Brankin quoted selectively from the Food Standards Agency, but its report indicated that, overall, the types of food that are eaten by people on low incomes are quite similar to those that are eaten by the general population.

Secondly, it was a bit rich for Rhona Brankin to boast about Labour's commitment to extend eligibility when, in the previous session of Parliament, it failed to accept Fiona Hyslop's amendment to the Schools (Health Promotion and Nutrition) (Scotland) Bill on that very issue. Once again, the Scottish National Party is ahead of the Labour game.

I understand the concerns of Elizabeth Smith, Karen Whitefield and Margo MacDonald and acknowledge that it would have been better to hold back the local authorities from issuing their letter until after the committee meeting last week.

Karen Gillon (Clydesdale) (Lab): Will the minister take an intervention?

The Presiding Officer: He does not have time.

Adam Ingram: I assure Parliament that no disrespect or presumption was intended. I would therefore be grateful if Parliament could support this very welcome measure.

Business Motion

17:02

The Presiding Officer (Alex Fergusson): The next item of business is consideration of business motion S3M-598, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 24 October 2007

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Ministerial Statement: First Minister's Visit to the United States
followed by Ministerial Statement: Waiting Times
followed by Scottish Government Debate: Agriculture
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 25 October 2007

9.15 am Parliamentary Bureau Motions
followed by Scottish Conservative and Unionist Party Business
 11.40 am General Question Time
 12 noon First Minister's Question Time
 2.15 pm Themed Question Time—
 Rural Affairs and the Environment;
 Health and Wellbeing
 2.55 pm Scottish Government Debate: Alcohol
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 31 October 2007

2.30 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Scottish Government Business
followed by Business Motion
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 1 November 2007

9.15 am Parliamentary Bureau Motions
followed by Scottish Government Business

11.40 am

General Question Time

12 noon

First Minister's Question Time

2.15 pm

Themed Question Time—
 Justice and Law Officers;
 Finance and Sustainable Growth

2.55 pm

Scottish Government Business

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

followed by
Crawford.]

Members' Business.—[Bruce

Motion agreed to.

Parliamentary Bureau Motions

17:02

The Presiding Officer (Alex Fergusson): The next item of business is consideration of two Parliamentary Bureau motions. I ask Bruce Crawford to move motions S3M-599 and S3M-600, on approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the draft Licensing (Mandatory Conditions) (Scotland) Regulations 2007 be approved.

That the Parliament agrees that the draft Housing Grants (Assessment of Contributions) (Scotland) Amendment Regulations 2007 be approved.—[*Bruce Crawford.*]

The Presiding Officer: The next item of business is consideration of five Parliamentary Bureau motions. I ask Bruce Crawford to move motion S3M-608, on membership of a committee, and motions S3M-601 to S3M-604, on substitution on committees.

Motions moved,

That the Parliament agrees that George Foulkes be appointed to replace Trish Godman as a member of the Audit Committee.

That the Parliament agrees that Elizabeth Smith be appointed as the Scottish Conservative and Unionist Party substitute on the Standards, Procedures and Public Appointments Committee.

That the Parliament agrees that Trish Godman be appointed as the Scottish Labour Party substitute on the Standards, Procedures and Public Appointments Committee.

That the Parliament agrees that Alison McInnes be appointed as the Scottish Liberal Democrat substitute on the Standards, Procedures and Public Appointments Committee.

That the Parliament agrees that Alasdair Morgan be appointed as the Scottish National Party substitute on the Standards, Procedures and Public Appointments Committee.—[*Bruce Crawford.*]

The Presiding Officer: Questions on the motions will be put at decision time.

Presiding Officer's Ruling

17:03

The Presiding Officer (Alex Fergusson): I undertook last week to come back to the chamber in response to a point of order that was raised by Margo MacDonald about resolutions of the Parliament. Having now clarified the point that she was making, I confirm that a majority decision in favour of a motion or an amended motion results in a resolution of the Parliament. In relation to the specific resolution to which she referred, I have said previously that where a resolution of the Parliament has implications for the Government, it becomes a matter for the Government to decide how to respond.

Decision Time

17:04

The Presiding Officer (Alex Fergusson): There are four questions to be put as a result of today's business. The first question is, that motion S3M-589, in the name of John Swinney, on the Crerar review, be agreed to.

Motion agreed to.

That the Parliament welcomes the Crerar review work commissioned by the previous administration; notes the broad principles and vision of a simplified scrutiny landscape, with a proportionate, co-ordinated and risk-based approach, as set out in the Independent Review of Regulation, Audit, Inspection and Complaints Handling of Public Services in Scotland; thanks Professor Crerar and his team for their work; commits to joint working with the Scottish Government over the relevant recommendations, and calls on the Scottish Government to carefully consider the review before returning to the Parliament with further proposals to take forward the conclusions of the report.

The Presiding Officer: The second question is, that motion S3M-587, in the name of Bruce Crawford, on the draft Provision of School Lunches (Disapplication of the Requirement to Charge) (Scotland) Order 2007, be agreed to.

Motion agreed to.

That the Parliament agrees that the draft Provision of School Lunches (Disapplication of the Requirement to Charge) (Scotland) Order 2007 be approved.

The Presiding Officer: I propose to ask a single question on motions S3M-599 and S3M-600, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, on approval of Scottish statutory instruments. If any member objects to a single question being put, they should say so now.

There being no objection, the third question is, that motions S3M-599 and S3M-600, on approval of SSIs, be agreed to.

Motions agreed to.

That the Parliament agrees that the draft Licensing (Mandatory Conditions) (Scotland) Regulations 2007 be approved.

That the Parliament agrees that the draft Housing Grants (Assessment of Contributions) (Scotland) Amendment Regulations 2007 be approved.

The Presiding Officer: I propose to ask a single question on motion S3M-608, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, on membership of a committee, and motions S3M-601 to S3M-604, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, on substitution on committees. If any member objects to a single question being put, they should say so now.

There being no objection, the fourth question is, that motion S3M-608, on membership of a committee, and motions S3M-601 to S3M-604 inclusive, on substitution on committees, be agreed to.

Motions agreed to.

That the Parliament agrees that George Foulkes be appointed to replace Trish Godman as a member of the Audit Committee.

That the Parliament agrees that Elizabeth Smith be appointed as the Scottish Conservative and Unionist Party substitute on the Standards, Procedures and Public Appointments Committee.

That the Parliament agrees that Trish Godman be appointed as the Scottish Labour Party substitute on the Standards, Procedures and Public Appointments Committee.

That the Parliament agrees that Alison McInnes be appointed as the Scottish Liberal Democrat substitute on the Standards, Procedures and Public Appointments Committee.

That the Parliament agrees that Alasdair Morgan be appointed as the Scottish National Party substitute on the Standards, Procedures and Public Appointments Committee.

National Deaf Children's Society Change Your World Consultation

The Deputy Presiding Officer (Alasdair Morgan): The final item of business is a members' business debate on motion S3M-465, in the name of Cathie Craigie, on the National Deaf Children's Society's change your world consultation. The debate will be concluded without any question being put.

Motion debated,

That the Parliament congratulates the National Deaf Children's Society (NDCS) on its groundbreaking Change Your World consultation exercise, which represents the first ever discussion with young deaf and hearing-impaired people in Scotland and the United Kingdom about the issues and challenges which affect them; believes that deafness and other hearing impairments should not be a barrier for children in achieving their true potential; acknowledges the work of the NDCS in representing the interests of all deaf children and young people from birth until they reach independence; welcomes this opportunity to engage with young deaf Scots, and considers that as many young people as possible in Cumbernauld and Kilsyth and across Scotland with a hearing impairment should be encouraged to get involved and make their voice heard.

17:06

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I am pleased to have the opportunity to debate the motion tonight. I thank all members who have signed the motion and all those who will take part in the debate.

It is appropriate that we debate the motion during learn to sign week, especially today when we have had the pleasure of meeting people from Donaldson's College, Deaf Action, the Royal National Institute for Deaf People and the National Deaf Children's Society. I am aware that many members took time to meet the representatives and staff of those groups this afternoon, when members were also given the opportunity to learn a few words of British Sign Language. To say that members were all fingers and thumbs when they tried to sign would be an understatement, but many of us at least tried. Our visitors were grateful for that and for the opportunity to meet us to tell us about the importance of BSL. If our visitors have to report on us, they will be right to report "Must keep practising" or perhaps even "Could do better".

A number of visitors in the gallery this evening have an interest in the issue because they have supported young deaf people for many years. The National Deaf Children's Society, which encouraged and supported me in lodging the motion, has supported deaf youngsters and their families for 60-odd years. The society was originally set up in London—in someone's kitchen—by a group of parents who wanted to

support their deaf children. Those parents knew that more could be done to help their sons and daughters achieve their full potential. Thankfully, the ambitions that those parents had for their children back in 1944 have continued through subsequent generations of parents. Some 60 years on, and a few name changes later, the National Deaf Children's Society is one of the main arms of support for the families of deaf children in Scotland.

The motion highlights the society's change your world consultation exercise, which is the first ever discussion with young deaf and hearing-impaired people in Scotland and, indeed, in the United Kingdom. The consultation is about the issues and challenges that affect young deaf people. The society is to be congratulated on taking on the task of seeking to engage directly with all young deaf people and their families. I am sure that the deaf community will respond. I know that we as politicians look forward to seeing the outcomes of the consultation.

The motion also highlights the barriers that stand in the way of young deaf people reaching their full educational potential, so let me take the few minutes remaining to highlight that issue. "Could do better" is the phrase that I used earlier to describe members' attempts at signing. I think that we could do a lot better in supporting young deaf people.

Since 1999 I have led a number of members' business debates on subjects relating to deafness and support for deaf people—sign language interpreters, linguistic access and the achievements of deaf pupils in Scotland project. During that time we have made progress in a number of areas. I note, for example, the introduction of neonatal screening for every baby born in Scotland; the audiology review and the improvements that are anticipated following the acceptance of its recommendations; and the introduction of the graduate diploma course at Heriot-Watt University to train new BSL interpreters. All those measures are taking us in the right direction. However, in my opinion, we are not moving quickly enough and could do better.

The education service has the most significant role in determining the life chances of any child; the situation is no different for a deaf or hearing-impaired child. The achievements of deaf pupils in Scotland project, which the Scottish Executive funded between 2000 and 2005, was based in the department of educational studies at Moray House school of education in Edinburgh. The aim of the project, which was headed by Mary Brennan, was to gather detailed information on deaf pupils and their achievements. All of us who knew Mary know that she was a wonderful woman who gave 100 per cent commitment to trying to improve the life

chances of deaf children. Sadly, she died prematurely, but she was driven by her desire to help deaf children. Her goal was to have a long-term database that could be used to influence, change and improve educational policy on delivering for deaf children.

The findings of the achievements of deaf pupils in Scotland project gave substance to the anecdotal evidence that deaf children tend to underachieve, despite the fact that there is no inherent reason that their achievements should not be comparable to those of their hearing peers. Data that were published recently in England confirm that fact. Only one in three deaf children gets five or more good GCSEs, compared with more than half of hearing children. There is no evidence that the situation is different in Scotland.

Only this week, I heard about the case of a young deaf boy in primary 7, who for the past six years has had the services of a communication support worker for four days a week. Sadly, because of resource implications, that provision has been cut to one day a week, in his most important year of primary school—not because he does not need the support or because he has not been thriving with it but because of competing demands in the school, where a primary 1 pupil now needs the support of a communication support worker. Without that support, the young boy will find it difficult to deal with the work that he must do in his last year of primary school and will be greatly disadvantaged.

On Thursday 13 September, Adam Ingram, the Minister for Children and Early Years, said in the Parliament:

“We will continue to act decisively, underpinned by our guiding principles of ensuring that every child gets off to the best start in life and, above all, focusing on the individual needs of the child and the learner and providing support to meet them.”—[*Official Report*, 13 September 2007; c 1683.]

I know that the Minister for Communities and Sport and every other member in the chamber endorse that statement, to which all of us can sign up. However, the achievements of deaf pupils in Scotland project was stopped in 2005 because the Scottish Executive intended to gather information through the Scottish exchange of educational data programme. The project collected detailed data that allowed teachers of the deaf and parents properly to assess a child's achievements and collectively to assess the needs and achievements of pupils in Scotland and the policy change that was required to meet the needs of the deaf community. Since 2005 I have seen no data produced by the Scottish Executive. I ask the minister—who, I am sure, expects this kind of request in a members' business debate—to ensure that the data are made available to Parliament and the public as soon as possible.

The NDCS, on behalf of deaf children and their families, asks for no special treatment. It simply wants those children to have the same opportunities as every hearing child.

17:15

Nigel Don (North East Scotland) (SNP): I congratulate Cathie Craigie on securing yet another debate on behalf of the deaf community. She has a history of doing so, and I am glad to support her on this occasion.

We all recognise that education is vital to the Government's plans. I do not want to take on the minister's role, but I point out that measures such as reducing class sizes and providing free, nutritious meals for youngsters in primary 1 to primary 3, which we have just debated, are all about improving the life chances of people in our communities by acting very early on in their lives. I hope that reducing class sizes will make it easier for teachers to pick up any issues that children might have, including deafness. We have to keep everything moving in that direction.

The consultation is greatly to be commended, as it is enormously important to find out what deaf children think. I hope that parents and teachers will also be consulted, because they will bring other issues to the debate.

I have received an e-mail from Scotland's Commissioner for Children and Young People, Kathleen Marshall, in which she welcomes the debate, expresses her support for our attempts to highlight the consultation and wishes it well.

I pass on apologies from Sandra White, who, as Cathie Craigie will acknowledge, has been a stalwart supporter of these issues. She has another engagement this evening. I also apologise to those who organised the sign language demonstration. It was in my diary, but I am afraid that Parliament does not always work the way that it is supposed to and I simply never made it.

Anne McGuire MP, the parliamentary under-secretary with responsibility for disabled people, said:

“The Government's aim is that by 2025 disabled people should have full opportunities and choices to improve their quality of life, and be respected and included as equal members of society.”

Of course, in this context, we are talking about deafness as a disability. The minister went on to say:

“We can only realise that vision if we listen to the aspirations and voices of young disabled people—including people with hearing impairments—as they represent the future.”

We cannot legislate away hearing disability—or, indeed, any other disability. Instead, we must

recognise that we will improve the life chances of these youngsters and give them opportunities only by minimising the impact of their disability on their education. As a result, any approach that we take cannot be based on protocols of legislation or on telling people what to do. Instead, we must ensure that youngsters are put in an environment in which—in this case—their deafness problem does not limit their abilities and opportunities.

Indeed, we must do everything that we can to allow these youngsters to develop as fully as they can, because only by doing so will we eliminate discrimination in later life. I am afraid that, unless they enter the job market as able as they can be to contribute, it will be inevitable that they will meet discrimination later on.

I welcome the debate and I hope that the minister will take the matter forward. I am sure that the Government will pay very close attention to the findings of the change your world consultation and I hope that it will do its best to meet the aspirations that the consultation reveals.

17:19

Mary Scanlon (Highlands and Islands) (Con):

I, too, thank Cathie Craigie for securing the debate on the issues and challenges surrounding young deaf and hearing-impaired people. The briefing from the National Deaf Children's Society was very helpful in providing information. It states that services for deaf children have not been placed at the top of the agenda in the Scottish Parliament. In response to that, I point out that there are MSPs, such as Cathie Craigie, who since 1999 have maintained an interest in the issue and have ensured that it is at least on the agenda. With more than 1,000 deaf children living in Scotland, and given the Parliament's commitment to reducing inequalities, I commend the consultation, and I have supported the motion.

MSPs past and present have been critical of consultation exercises. In general, people are unaware of consultations; those who are consulted are not those who are affected; and the conclusions and recommendations are often—allegedly—written before the exercise starts. In this case, however, there is a recognition that barriers exist and that we must understand more about the difficulties that young deaf people face in their daily lives. The consultation exercise is all about asking deaf children to tell us about the difficulties and obstacles that hinder them in achieving their potential. It cannot be better than that.

The results of the consultation will inform the strategic priorities of the National Deaf Children's Society. The question remains how much its conclusions and recommendations will influence

the Government's policy developments for deaf children. I hope that the minister will take the opportunity, in winding up the debate, to outline the steps that he will take to work with the National Deaf Children's Society and the proposals that he will make to include the NDCS's recommendations in Government policy.

I hope that, as we seek to improve services for young deaf Scots, a comparison will be made between children who attend specialist schools for the deaf and children who attend other schools. Schools such as Donaldson's here in Edinburgh have an excellent reputation. I hope that out of the consultation exercise will come an action plan to ensure that deaf children from throughout Scotland, particularly in my area of the Highlands and Islands and in other remote and rural areas, gain the right to the full language, communication and access support that they need to communicate in the most appropriate way for them.

It is a matter of concern that schools such as Donaldson's operate below their capacity, given the specialists who are based there. They provide educational audiology, physiology, speech and language therapy, physiotherapy and occupational therapy. I hope that the new Donaldson's, which is due to open in January in Linlithgow with an increased capacity of 120 places, will be fully utilised.

It is concerning that information is available on the educational attainment of deaf children in England, but not in Scotland. It would be helpful to measure the academic achievements of deaf children in order to make a comparison and to determine where investment should be focused in future.

I was surprised to hear that there is no co-ordinated early years framework for deaf children in Scotland. I hope that the minister will take the opportunity to address that.

It would be positive if we could ensure that all families receive the support and advice that they need in order to communicate effectively with their children. The National Deaf Children's Society states that it depends on the good will of audiologists to pass on its details to the families of deaf children. Surely there is a better way—through the education system—to get that information to all families in Scotland, even in the most remote and rural areas.

I look forward to the results of the consultation and to the information that is produced being fed into the priorities of local and national Government.

17:24

Robin Harper (Lothians) (Green): I congratulate Cathie Craigie on securing this debate and I pay tribute to the huge amount of work that she has done on the matter over the years. I welcome a debate on the change your world consultation. Having worked alongside children and young people on a number of issues for many years, I recognise the value of listening to their opinions and hearing about their interests and their priorities. As adults, it is our duty to ensure that all children's rights are properly respected.

At this point, I apologise because I will have to leave the debate early, but for good reason: I am supposed to be with the cross-party group on children and young people to listen to three young children with disabilities and learning difficulties who are giving evidence. I thank the Deputy Presiding Officer for allowing me to speak earlier than I would otherwise have done, so that I can contribute to this debate.

Nigel Don mentioned Kathleen Marshall, whose statement, which was issued before the debate, states:

"The United Nations Convention on the Rights of the Child says that all young people have the right to express their views freely in all matters affecting them and to have those views given due weight. It is the adult world's responsibility to identify the barriers to free expression of views and to remove them."

There are currently only about 50 practising interpreters in Scotland. It is vital that we raise the status of BSL, as well as the number of trained interpreters. I apologise for not being at the BSL event today because I was at a conference, although two of my staff attended it.

We should be aiming to reach the point at which a deaf person can access an interpreter for their doctor's appointment or whatever, as well as having BSL interpretation for our debates in Parliament.

In relation to the NDCS consultation, I am sure that everyone involved with deafness will be delighted that such concerted efforts are being made to consult young deaf people so accessibly. The other day, an experienced person who works with deaf children told me that their experience of seeking the views of deaf children illustrated that the challenge is complex because young deaf people have, as a group, rarely been asked for their thoughts and opinions. Furthermore, communication differences can often get in the way and act as a considerable deterrent to the young person truly having their say. Needless to say, seeking their views is very much the first step. To convince young deaf people that we have taken their views on board and have genuinely

responded to them will be the next challenge for us all.

I would like to mention family support. The NDCS briefing tells us about the lack of balanced information and positive support for families who have deaf children. An e-mail, from a parent of a deaf child, that I was passed reads:

"My child's Deafness has been denied by the experts from day one, most of his early years had been spent being passed from one specialist to another ... I speak only from my own experiences and know that other parents have had much better ones, but it is fair to say that by the time he was 4 years old, I was at an all time low, my head was full of conflicting advice and the support that I was getting was minimal."

I hope that the minister will take on board the need to provide positive support to families with deaf children and to help promote the work of the NDCS. I also hope that the society's consultation is a huge success—I am sure that it will be—and that it shakes things up in order to help young deaf people change their world in a way that properly recognises their needs and potential.

I will close by saying thank you in BSL.

17:29

The Minister for Communities and Sport (Stewart Maxwell): I am pleased to have this opportunity to draw the debate to a close and, as other members have done, I congratulate Cathie Craigie on securing the debate and the NDCS on its groundbreaking consultation exercise, aptly named change your world, in which young deaf and hearing-impaired people from across Scotland will, I hope, take part. I look forward to finding out more about the issues that have been raised.

We have had a good debate this afternoon. As other members have said, we all share the belief that deafness should not be a barrier to children achieving their full potential. As other members have done, I welcome the campaign's principles and its emphasis on encouraging deaf young people to get involved and to ensure that their voices are heard. The Government is committed to working closely with people and communities throughout Scotland to achieve change and to make improvements to their lives.

We recognise that it is particularly important to engage with people who may be marginalised—in this case by youth and deafness—which is why we are funding a policy and engagement post in the Scottish Council on Deafness to help improve the dialogue between deaf people and the Government. We are already seeing the impact of that work.

I also commend the National Deaf Children's Society for the support that it provides to families with deaf children throughout Scotland. I will

highlight some of the ways in which the NDCS is making a particular contribution to our work. I am pleased that the NDCS is one of the 14 organisations that participate in the multiple and complex needs initiative, through which the NDCS has received funding to develop a project that involves working with Scottish Asian families who have deaf children. The project is designed to help counter the multiple disadvantages that we know black and minority ethnic disabled people and their families often face.

The NDCS is a valued member of the Government's British Sign Language and linguistic access working group, which is working with us to improve linguistic access for people who are born deaf or who acquire hearing loss. The group is developing a long-term strategy, and access to education for deaf children is a key area of its work. As part of that work, we have recently commissioned a scoping study of access for deaf children and young people and their pathway through school and further and higher education. The Scottish sensory centre and the NDCS are jointly undertaking the study on our behalf and the results will help to inform the work of the BSL and linguistic access working group. Those results will, I am sure, be reflected in the group's strategy document, which I look forward to having early next year.

As members will be aware, this week is learn to sign week. I commend the work that the Scottish Deaf Association is undertaking to raise awareness of the barriers and discrimination that deaf people face and to improve linguistic access for deaf people through the no need to shout ... just learn to sign! campaign. As an employer, the Scottish Government is delighted to support the initiative and is offering BSL taster sessions for staff, which are provided by the Scottish Deaf Association. We will also encourage staff to look beyond the taster sessions and to undertake longer courses. I hope that the initiative will make a lasting contribution to the Government and its staff. I thank Donaldson's College and the NDCS for coming to Parliament today to offer BSL taster sessions to members. I am sure that members will join me in wishing Donaldson's College well as it prepares to move to its new premises in Linlithgow in January, as Mary Scanlon mentioned.

In opening the debate, Cathie Craigie asked about the statistics and data on achievement—or the lack of data, which might be a better way of putting it. I do not have the figures to hand and I am not aware in detail of the information that she discussed. The best thing for me to do is to go away and find out that information, after which I will write to her as soon as I can to give it to her.

Cathie Craigie: I thank the minister. I was getting a wee bit bothered in my chair wondering

whether he was going to address that, although I accept that he does not carry the information about in his back pocket. I will be happy to meet him later to discuss the issue.

Stewart Maxwell: I will write to Cathie Craigie. When she receives the letter, that might be a good opportunity for us to meet if that is appropriate. I am happy to make that offer.

Cathie Craigie talked about the audiology review, which was wide ranging and made many recommendations. On the back of that review, funding for audiology services and related services was increased.

Nigel Don, like Robin Harper, stated that he had missed the signing taster today. Unfortunately, I missed it, too—I knew it was on, but my diary did not allow me to attend. Nigel Don made a thoughtful speech that covered a lot of ground. He mentioned a UK Government report on disability, but that particular report contains no recommendations for the Scottish Government, as it dealt only with reserved matters. I say that in case members thought that it had direct implications for the Government in Scotland.

It is unfortunate that Robin Harper has had to leave because he made a crucial point when he mentioned the importance of BSL in daily life. We often forget that BSL can make a huge difference not only in offering access to the particularly difficult parts of life, but in offering access to the normal day-to-day parts of life. That goes not only for young people but for all people who are deaf or hearing impaired.

Mary Scanlon asked a very direct question on what the Government will do for deaf people. The Government is committed to improving linguistic access for deaf and hard-of-hearing people—I am sure that we would all agree that we should do that. As we consider our priorities over the coming period, we will continue to work closely with the key organisations that are active in deafness. We will do that through our BSL and linguistic access working group. Although the group covers all forms of deafness and hearing loss, an important part of our work will be in ensuring that deaf sign language users are able to access services and to participate in daily and public life as active citizens. I hope that we would all agree on the importance of that, too.

We will continue to work to reduce the exclusion that deaf people face. For example, we will raise awareness of BSL and encourage its uptake. We are considering ways of increasing the number of registered interpreters in Scotland. Our commitment to working in partnership will help to ensure that we take the right approach and that our work continues to be shaped directly by the views of deaf people and their organisations. I

hope that the NDCS campaign, which was launched this week and which is the subject of this debate, will feed directly into the process.

Meeting closed at 17:36.

I reiterate my thanks to NDCS and to all the other organisations that work with deaf and hard-of-hearing children across Scotland. Our ultimate aim is to ensure that deaf and hard-of-hearing people have the same opportunities as others to maximise their potential in daily and public life. I look forward to working with the deaf community in pursuit of that aim.

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