



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 20 April 2010

Session 3

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EQUAL OPPORTUNITIES COMMITTEE

7th Meeting 2010, Session 3

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Marlyn Glen (North East Scotland) (Lab)

COMMITTEE MEMBERS

*Malcolm Chisholm (Edinburgh North and Leith) (Lab)

Willie Coffey (Kilmarnock and Loudoun) (SNP)

*Bill Kidd (Glasgow) (SNP)

Christina McKelvie (Central Scotland) (SNP)

*Hugh O'Donnell (Central Scotland) (LD)

*Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE SUBSTITUTES

Rhoda Grant (Highlands and Islands) (Lab)

Mary Scanlon (Highlands and Islands) (Con)

Margaret Smith (Edinburgh West) (LD)

*Shirley-Anne Somerville (Lothians) (SNP)

*attended

THE FOLLOWING GAVE EVIDENCE:

Pat Armstrong (Association of Chief Officers of Scottish Voluntary Organisations)

Paul Barton (NHS Health Scotland)

Jon Harris (Convention of Scottish Local Authorities)

Colin Mair (Improvement Service)

Claire Monaghan (Society of Local Authority Chief Executives and Senior Managers)

Liz Rowlett (Scottish Disability Equality Forum)

CLERK TO THE COMMITTEE

David McLaren

LOCATION

Committee Room 6

Scottish Parliament

Equal Opportunities Committee

Tuesday 20 April 2010

[The Convener *opened the meeting at 10:00*]

Decisions on Taking Business in Private

The Convener (Margaret Mitchell): Good morning and welcome to the seventh meeting in 2010 of the Equal Opportunities Committee. I remind all those present, including members, that mobile phones and BlackBerrys should be switched off, as they interfere with the sound system even if they are switched to silent. We have apologies from Christina McKelvie and we are pleased to welcome Shirley-Anne Somerville as her substitute. We also have apologies from Willie Coffey.

I welcome David McLaren, who has been appointed to the Equal Opportunities Committee as senior clerk on a permanent basis. David joins us from the Local Government and Communities Committee. We are delighted to have you, David. I also wish to record our thanks to Jim Johnston, who stepped into the breach on a temporary basis.

Item 1 is a decision on whether to take in private item 4, which is consideration of a summary of the evidence received on the committee's scrutiny of the Mental Health (Care and Treatment) (Scotland) Act 2003. Are members agreed to take item 4 in private?

Members indicated agreement.

The Convener: Item 2 is a decision on whether to take in private item 5. The committee is also asked to decide whether its consideration of the main themes arising from the evidence heard on the Scottish Government's budget strategy 2011-12, and a draft report on the strategy, should be taken in private at future meetings. Are members agreed to take that business in private?

Members indicated agreement.

Budget Strategy 2011-12

The Convener: Item 3 is an evidence session on the committee's brief inquiry into how we ensure that the provision of public services aimed at equality groups is adequately maintained during a period of tightening public expenditure. We are in round-table format. While this is a less formal approach than normal, this is still a public meeting and a transcript of the meeting will be produced.

I welcome the witnesses to the committee and invite everyone to introduce themselves. I am the convener of the Equal Opportunities Committee.

Hugh O'Donnell (Central Scotland) (LD): I am a member of the committee.

Pat Armstrong (Association of Chief Officers of Scottish Voluntary Organisations): I am chief executive of the Association of Chief Officers of Scottish Voluntary Organisations.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I am a member of the committee.

Jon Harris (Convention of Scottish Local Authorities): I am from the Convention of Scottish Local Authorities.

Elaine Smith (Coatbridge and Chryston) (Lab): I am the gender reporter on the committee.

Colin Mair (Improvement Service): I am chief executive of the local government Improvement Service.

Bill Kidd (Glasgow) (SNP): I am the disability reporter on the committee.

Paul Barton (NHS Health Scotland): I am head of equalities development with NHS Health Scotland.

Liz Rowlett (Scottish Disability Equality Forum): I am from the Scottish Disability Equality Forum.

Shirley-Anne Somerville (Lothians) (SNP): I am a substitute member of the committee.

Claire Monaghan (Society of Local Authority Chief Executives and Senior Managers): I hold the portfolio that has equalities in it for SOLACE.

The Convener: Thank you all for that. I am sorry; I almost forgot my right-hand person, Marilyn Glen.

Marlyn Glen (North East Scotland) (Lab): I am deputy convener, and never overlooked. I am also race reporter on the committee.

The Convener: We shall open by looking at some of the evidence that we took at our previous meeting.

Ann Henderson from the Scottish Trades Union Council told the committee:

"The STUC questions the prevailing presumption that public expenditure cuts on the scale that is suggested are the only way to deal with the current economic situation."

She continued:

"Reduction of public spending on such a scale is not inevitable."

We also heard evidence from Angela O'Hagan of the Scottish women's budget group, who said:

"A 12 per cent cut across the public sector is not necessarily the only way to address some of the wider economic difficulties."—[*Official Report, Equal Opportunities Committee*, 23 March 2010; c 1559-60.]

Do the witnesses agree with that evidence? If not, what is their assessment of the outlook? Who would like to start?

Colin Mair: The projection of 12 per cent was always said, certainly within local government, to be a planning assumption. In other words, it was not a prediction of reality. Clearly, it will be highly politically influenced, both at Westminster and within the Scottish Parliament itself. If it is not 12 per cent, one has to assume that the balance of rebalancing the budget would focus on taxation. That would apply at United Kingdom level. However, in Scotland the council tax, for example, is frozen at present, and the cumulative cost of that this year is roughly equivalent to the cost of free personal care for older people. It costs a substantial sum of money to freeze a tax rather than raise it in line with inflation and demand pressures. There would certainly be the implication of a more active fiscal stance in Scotland than we have had, perhaps.

Clearly, in the longer term it would be for the Parliament to choose how it used the powers that may come to it under the implementation of the Calman report in terms of the ability directly to raise finance for services.

With regard to the 12 per cent, all other things being equal, it was assumed that 25 per cent of budget rebalancing at UK level would be fiscal and the rest would be to do with public service reductions. We can alter that by taking a more active stance with the taxes that we have in Scotland, but they are very small scale against the downward pressures from the UK.

Claire Monaghan: It is right to recognise that there are choices about how the budget is brought into alignment. Any authority that was not using a planning assumption of around 12 per cent upwards over the next three to four years would be irresponsible because that is what all the messaging is about. Local authorities are having to plan on that basis. If they do not and simply wait

to see what happens, they will struggle to be ready to respond accordingly.

The sorts of choices that Colin Mair identified are very real but they are, by and large, political choices that need to be made by this Parliament and by the UK Parliament. Part of the issue for all of us in our planning is that we have a series of elections coming up: the general election in the UK, and then the Scottish Parliament election. We have no choice but to take that planning assumption and work on it. Part of the difficulty is that we do not even know whether the figure will be 12 per cent. It could be more than that. We see predictions ranging quite considerably at present.

The Convener: Is there general agreement that 12 per cent is a reasonable starting point?

Jon Harris: Yes, I think that that is true. When you look at the figures that we are talking about, there is no one solution. It is pretty obvious that we are not going to deliver the economies through efficiencies or shared services. We are going to have to look at prioritisation. One of the areas or themes that we are looking to prioritise is early intervention and prevention. We hope to come out of the situation stronger than we went in. Rather than leaving it and applying no logic to how we respond, we must have that logic and a clear plan.

We are running out of time. To make some of these changes we must be ready by the summer or, failing that, early autumn. We must have a plan by then.

The Convener: Is your message that, rather than seeing this as a threat, we have an opportunity to re-evaluate how services are delivered and, perhaps, to look at a better way of doing things?

Jon Harris: I do not know whether it was an American president who said, "Never lose the benefit of a crisis."

The Convener: Absolutely. Can I press some of the others on Angela O'Hagan's point that the 12 per cent cut in the public sector—if we assume that that is more or less what we are looking at—

"is not necessarily the only way to address some of the wider economic difficulties"?—[*Official Report, Equal Opportunities Committee*, 23 March 2010; c 1560.]

Does Paul Barton have any view on that, from a national health service perspective?

Paul Barton: At NHS Health Scotland, we take our lead from Government and the budget cuts will be decided by Government. Part of our role is to support boards in improving health and tackling health inequalities. As part of that, we see improving and sustaining health as an efficient way to support health boards to support the health of the population. We believe that our national

support to health boards is an efficient way to help boards to deliver services. That is how we contribute to efficiency.

The Convener: Liz Rowlett's submission was very much on this line.

Liz Rowlett: I think that this is about how priorities are set. At present, we see many councils making short-term cuts to services. That will impact on health services later, in terms of stress, isolation and ill health. It is a matter of who determines the priorities. We cannot let short-termism reinforce inequalities. The Government has set out its strategy in support of equalities groups, yet we are talking about cuts across the board. Some local authorities do not consider equality issues at all.

Angela O'Hagan had quite a lot to say about equality impact assessments, which should be seen as a planning tool but which have not been well used. As she said, it is all very well doing them after the event but we should see more of their use in active planning. There is also the issue of providing services for groups, yet we have no idea who the groups are. There has been a complete lack of data gathering, and local authorities are setting budgets without paying due regard to the populations that they service. That is another issue for us.

I fully accept the need to do things differently. I am part of the independent living movement in Scotland, which now talks more about co-production and shared services. There is a question mark over the remit and possible role of the voluntary sector in that regard.

The Convener: There is a great deal in there that we hope to tease out in our questioning.

Claire Monaghan: I will pick up on a couple of points, particularly the view that some authorities are not prioritising equalities. The move to the single outcome agreement approach, with the recognition of the national performance framework and the emphasis that equalities has been given in it, introduces a dynamic that makes it quite difficult to isolate, specifically, how authorities are responding. I do not think that there is an authority in Scotland that would not see equalities as an important issue to which it is committed. The only differences are in how that is expressed in the approaches that authorities are taking. The fact that they are all committed to the national objectives and the SOAs, and that equalities are woven right through those, is testament to the fact that authorities are taking that agenda seriously. The debate is about the detail of how that is expressed in budget setting and approaches to policy.

The Convener: Many of the submissions refer to the problem of a lack of data and a poor

evidence base. Are you confident that data gathering is going on in each local authority?

Claire Monaghan: No. I think that we would put our hands up and reflect on what is written in the submissions. We know that the data are a real problem in this area, but that is because this is a moving feast. We are moving rapidly from one public sector world into another. Capturing data through that process is extremely difficult and needs to be addressed. However, that does not mean that data gathering is not happening. The fact that there are no data to demonstrate something does not mean that that does not feature in local government chambers.

The Convener: The question is how we can know how effectively something is happening without the data.

Jon Harris: In some ways, the context has changed dramatically in relation to how we do equality impact assessments. For example, we are much more focused on user benefit outcomes. All the key policy frameworks that we look at require a collaborative approach to be taken across the public sector, and in particular with the third sector and the private sector. We should not be doing equality impact assessment work in isolation from one another. I have presented to the committee a case study of older people's services, and everyone has a contribution to make in that regard. The only way to handle that is to do an equality impact assessment on that basis.

Funding will be challenging, whatever figure we take. One thing is probably different from what we experienced in the past: if we spend more money on one issue, we have to be able to demonstrate how we will spend less money on another. Not only do we have to equality impact assess the positives of what we want to do, but we must assess the impact elsewhere. The dynamic and the environment are quite different and we have not really experienced them yet—we are still in the early stages.

We have raised the issue with the equality unit in the Scottish Government. We have said that we do not have the required capacity, and we need to get it quickly. We are using the study on older people's services to try to test how we can do things better. We have modelled it, but we have not done the equality impact assessment.

10:15

The Convener: Thanks for that. This is a good time for Malcolm Chisholm to ask his question.

Malcolm Chisholm: I thank the witnesses for their written evidence, which I found very interesting and useful. The committee and the witnesses see several reasons for spending on

equalities issues. In the first instance, I will home in on what the positive economic benefits might be. We can probably demonstrate that there are such benefits, which may help to preserve and safeguard equalities spending in the eyes of people who are a bit sceptical about that spending.

The regulatory impact assessment of the United Kingdom Equality Bill said that the bill could produce a net benefit over the next 10 years of up to £635 million, although it gave a wide range of figures and said that the bill could well cost money in the first couple of years, which might be worrying in view of the immediate pressure on budgets. Apart from all the other reasons for wanting to spend on equalities, what do you think are the positive economic benefits of such spending? Pat Armstrong referred to the issue in her paper.

Pat Armstrong: One of the interesting things for me is that, in terms of encouraging people back into education, training and employment, and the economic benefits of helping people to overcome barriers to economic activity, the challenge is around not being short-termist or just ticking boxes and saying, "Yes, we got these people in," but ensuring that the support is there for their continued involvement in and access to education, training and employment. Just ticking boxes is relatively simple, but people's involvement may be sustained only for a week or two if the underpinning support is not there.

The Convener: That is helpful. Does anyone else want to add to that? I think that there is an economic argument here, rather than just looking at equalities on their own.

Colin Mair: I have a couple of observations. First, it is clear that equalities groups and their consumption of services will become a bigger part of Scotland's gross domestic product across the next period, particularly with regard to older people. There is a catastrophic way of talking about older people's services as if they were a drain on GDP rather than part of it. Given the population structure in Scotland and the population projections for the future, we can become world class and internationally respected in certain areas, and can exploit our resources.

For example, Claire Monaghan is from South Ayrshire, which has five of the most historic golf courses in the world within a short distance of one another. A large number of older Americans are very enthusiastic about those golf courses and have at least been trundled over them at some point in their lives. If we can begin to stitch together the idea that services for older people are not just a drain and a burden but have positive export potential in terms of tourism and so on, we

will begin to think about them in a much more constructive, rather than passive, way.

Secondly, given the demographic trends, the likelihood is that certain services will grow. Presently, the public sector in Scotland employs more than 23 per cent of the total labour force, so it makes a massive contribution to consumption and to people's ability to participate economically in society. Again, to an extent, we need to look at public expenditure as a positive economic stimulus as opposed to being merely a drag on something else that we rarely bother specifying. In both those senses, we miss a trick if we engage with the trends as if they indicate impending doom. Instead, we should recognise that our economy will evolve and restructure itself around the needs of equalities groups, because that is the direction in which our population is going. We now need to engage much more constructively in exploiting that potential not just nationally but internationally.

The Convener: So it is about looking at the positive potential of the grey pound, if you like.

Colin Mair: The grey pound, the pink pound—the you-name-it pound.

Jon Harris: There is strong evidence that the less inequality there is between the highest paid and the lowest paid, the stronger the economy will be and the less likely it is that there will be ill health and reoffending. There is a connection there. The Equality Trust has created a body of evidence in that regard that I think is well worth looking at.

Malcolm Chisholm: I like the reference to Richard Wilkinson and Kate Pickett in Pat Armstrong's paper, which backs up the point that Jon Harris made.

I want to pick up a point that is made in sections 8 and 9 of Colin Mair's paper, which adds a different and important dimension. As Jon Harris said, it is right that equality impact assessments should focus on user benefit. However, I think that Colin Mair is suggesting that there could be a tension between user benefit and the interests of staff, who, in care services, might be overwhelmingly female. I will pick out a couple of sentences from Colin's submission and invite him to say a bit more about them, because the issue is important. Paragraph 9 states:

"the statutory equality duties do not necessarily sit comfortably with other statutory duties under procurement law and best value legislation."

However, before that the paper says:

"We would particularly note also that procurement by the public sector is subject to the equalities duty".

I invite Colin Mair to speak briefly about that. The point is really that some councils that are under pressure might well argue that, in the interests of

the equalities groups, they will have to save money on procurement and pay their staff less, although the overwhelming majority might well be women. That will obviously have economic implications. I think that that will increasingly become an issue as councils try to cope with difficult budgets.

Colin Mair: Indeed. The issue has already been raised by colleagues in the third sector. To some extent, the conditions that councils will expect their partners in service provision to impose on staff are conditions that they are not imposing on their own staff. The areas that are perhaps of most concern are those in which there has recently been substantial adjustment because of single status and equal pay in councils. That adjustment was based on councils' internal benchmarking of different categories of workers with different skills mixes.

The problem in some areas—particularly cleaning, catering and care—is that there is also quite a dynamic private sector, where wage levels are very much lower than those that prevail in councils. If contestability was the order of the day, in many cases, those areas would be exposed to the risk of being transferred out, which would have a long-term impact on pay and conditions.

There is a tension between how we get the maximum for equalities groups such as older people by making the money go as far as we can and protecting staff in those areas, many of whom are from particular equalities groups, from substantial erosion of their pay and conditions.

Given that people will be balancing a range of legal duties in the areas of competition law, procurement and so on, what is the sense of how that balance should be struck? Are certain commitments superordinate and others subordinate and, if so, on what basis is that decided? I would certainly find it useful to get the view of the Equality and Human Rights Commission and the Government on that. If we get this wrong across the next period, we could do substantial damage to equalities, not intentionally but consequentially.

Liz Rowlett: There are lots of issues there. I was going to say that the EHRC has provided guidance on budgeting. It would be interesting to know whether public bodies have taken cognisance of that in reaching their budgetary decisions. It focuses on the duty to promote participation in public life for disabled people, so by cutting back on transport services and some of the things that are easy to get rid of, public bodies would be failing in their duty. The legal requirement is still there; it does not dissipate because we have budgetary constraints.

To return to Colin Mair's point about the voluntary sector, there have been cases of voluntary organisations being forced to compete against one another on cost to provide care services, irrespective of service quality. That pushes organisations into a situation in which they cannot reasonably provide a proper service for the recipients or the staff.

I was at the Scottish Association for Mental Health forum yesterday, at which I heard that the association has successful services that are an investment in getting people with mental health problems back into work, but it now faces two major cuts in service. The cost of those people not entering the workplace will be picked up by the Department for Work and Pensions, health services or their families. Making cuts now and picking up the tab in the future is not a good way to proceed.

Colin Mair talked about terms and conditions. In the care industry, terms and conditions are not always good. We should take the opportunity to invest in training and wages for people who are in the care service so that they have a proper profession. At present, we have mainly women producing a good service on poor terms and conditions.

I have had a good crack, so I will just make a final point. The EHRC is conducting research into a methodology for a cost benefit analysis of independent living. That research will attempt to work out a methodology to demonstrate how investment in services for disabled people enables them to get back into the job market or to undertake voluntary activities, which are sometimes dismissed as not as important as wage earning. The research is about how disabled people can make a contribution to the economy. Work has been done on that in the States, in either Michigan or Massachusetts—I cannot remember which. A cost benefit analysis was carried out purely in relation to the wage earning potential of the people who had been invested in. It turned out that there was a benefit.

The Convener: That is helpful.

Paul Barton: I agree with Claire Monaghan about data on economic benefits being thin on the ground. I agree with Jon Harris about the mechanisms by which discrimination leads to poorer life chances. Those are well known. That means that we have good reason to believe that spending on equalities issues will lead to better life chances and, as part of that, economic benefit for individuals and society. The UK Government's equalities review from a few years ago lays that out clearly.

Health is one of the facilitators that people require to be economically active. It is therefore

important that health spending in relation to equality groups is appropriate to ensure that everyone has an opportunity to contribute economically and is therefore kept out of the cycles that Liz Rowlett talked about. People can fall out of being economically active because of ill health and then become a burden on other parts of public spending.

To drill down and think about specific service efficiencies that might come about, the provision of translation, interpreting and communication support services is essential to ensure patient safety. Those services are crucial and are a key equalities issue, particularly for the race and disability groups. However, to make the provision better, we need to spend money on it. We need to do what Malcolm Chisholm said is perhaps a little scary, which is to spend money up front now to reap benefit later in efficiencies. NHS Health Scotland works in partnership with health boards to try to deliver efficiencies, for example, in translation, interpreting and communication support.

Jon Harris: That is an example of a potential shared service. Why do we do that 32 times? Translation can certainly be done in one location and the efficiency savings can be reinvested.

The Convener: We will come on to that, but let us pursue the nitty-gritty a little more.

10:30

Elaine Smith: I want to look at the equality duty in a bit more detail. As most people know, the Equality Bill completed its passage through the UK Parliament on 6 April 2010. The Equality Act 2010 introduces a new integrated duty and extends it to other strands. In its written submission, the Scottish women's budget group stated:

"Public authorities are undoubtedly facing considerable pressures, but they cannot be absolved from their legal responsibilities, nor from the wider benefits of supporting individuals and promoting equality."

The EHRC expressed concern that decisions that are made by public authorities are having

"a disproportionate effect on particular groups of people".

Like Ann Henderson and Angela O'Hagan, I do not accept that budgets have to be squeezed. Colin Mair mentioned the council tax freeze in his opening statement and there is also research on the issue, for example by the tax justice network and the Public and Commercial Services Union, which estimates that some £70 billion is lost every year through tax evasion and a further £25 billion is lost through avoidance by big business and wealthy individuals. I believe that there are other ways of tackling the deficit.

However, if we consider the issues in the context of tightening public expenditure, and given the concerns that have been outlined by the groups that I mentioned and by people around the table today, how will the extension of the equality duty on public bodies to include age, sexual orientation and religion be achieved, both in terms of the general equality duty and in terms of Scotland-specific duties?

Colin Mair: There are two issues, both of which I am sure will come out in the committee's final report. The first is whether we regard what we do around equalities groups as always incurring a specific cost and as conferring benefits only on those groups. Some of the new provisions are about not casually disregarding people, and implementation does not necessarily imply a major financial commitment. The provisions on people's religious orientations are about not being casual, neglectful or derogatory in the way in which we deal with people. Much of that work is about eliminating casual discrimination from workplaces. It is a culture change thing as much as it involves introducing new services. Indeed, the culture that would mean that people's religious or sexual orientations were not treated derogatorily is also the kind of culture that would enable all our children to thrive better in education.

Not only do I believe that there are not necessarily specific new costs involved, but if we had the culture of learning that we want in Scotland, cases of religious discrimination or the denigration of people's sexual orientation would not arise to anything like the same extent. In that sense, the question is not "Do I now need a budget for this?" but how we can manage services within a council, a health board or wherever in ways that discourage the cultures that we have sometimes had and the impacts that they have had on some of our citizens.

The second issue is about embedding. My sense is that people regard equality impact assessment, which we discussed earlier, as an add-on to a pile of stuff that they have got to do anyway. Our preference, on behalf of local government, is for equalities requirements to be embedded into how we assess our services, so that we cannot assess a service as adequate or good if it has not been equality proofed. Without boring the committee, there is almost a Rumsfeld point to be made here, because we need to get the known unknowns surfaced—the data issues and so on. One way of doing that is to make it an aspect of the self-assessment and the external scrutiny that we require. The more we are systematic about what we require, the more chance there is that we will collect and collate the data effectively.

In some ways, the issue is where we situate equalities work. My view is that we should not situate it as yet another damn thing that we have to do. It is fundamental to how organisations go about their business and we should build it into how we assess all our services and how we assess ourselves corporately.

We have done some work recently with the Equality and Human Rights Commission on how to build equalities work into the self-assessments that councils are required to do. We work with 22 councils on a self-assessment framework called the public service improvement framework and have now built in a clause that makes it impossible for a council to get a positive score in assessing its service if it cannot provide evidence. Just now, councils are struggling, so they cannot get positive scores, but at least it shows them where they lack evidence and raises the issue of why they do not have it in those areas.

As you know, Audit Scotland has been working on risk and assurance plans for each council in Scotland. I know from discussions with it that the extent to which a council is able to evidence and manage equalities will be part of determining how much external scrutiny is required of that council.

There are bits here that push us towards embedding equalities as we go forward. I take the point that we will face financial pressures across the next period, but much of what comes through the Equality Act 2010 is about imagination in how an organisation and its services are run. It reinforces Paul Barton's point that a lot of what one does will then also prove to be remarkably financially efficient. It is grotesquely inefficient that 40 per cent of our spend on older people is emergency admissions, quite apart from being a complete denial of their rights. In a way, if we can get out of both simultaneously, we get a win-win situation.

The Convener: Embedding is fundamental, but is it not a question of winning the hearts and minds of the public sector employees who will tick the box so that they see the benefit?

Claire Monaghan: Absolutely. I appreciate the tension that Elaine Smith describes of the fiscal squeeze combining with a new legislative duty. Those two things do not usually sit comfortably alongside one another, but I completely endorse what Colin Mair said. First, we need to move away from the perception that equalities somehow equals additional expenditure, because it does not always. Encapsulated in that term is a great range of different groups to which we have to be responsive.

In my authority, we are taking the 2010 act as an opportunity to do what you describe: to win the hearts and minds. We are taking all our

politicians—our elected members—and our staff through the process of developing our single equalities scheme and raising awareness so that it is completely mainstreamed in the expectations—

The Convener: I will stop you there. How are you doing that? It seems to me that there can be a lot of jargon in equal opportunities and, unless you get, for example, a case study that suddenly makes it make sense, it is difficult to get to the heart of the issue.

Claire Monaghan: Part of the induction for all new staff includes an equality component. They are trained on what the new equality provisions are and what that means for them day to day. We have also revamped the pro formas for all our committee papers so that shortly they will have an equality impact section. That will mean that every policy or decision that goes before a committee has been assessed for its potential equality impact. As well as bringing our elected members up to speed on what the single equality scheme requires, we give them specific examples, such as illustrations of local work on tackling violence against women.

It is not possible to tackle the issue on one front alone. We are seizing the opportunity of the act to raise awareness and embed equalities culture on a number of different fronts.

The Convener: I worry a little bit about the equality impact being assessed at every stage. We used to have that in committee reports. Marlyn Glen will remember from our days on the Justice 1 Committee that every report said at the end that it had been equality proofed. However, I do not think that it had been, because we had not really considered whether there were any fairness issues, which is basically what we are talking about.

Claire Monaghan: Absolutely. Part of our training is about what policies need full impact assessment and what needs to have been put through a filter that asks whether the policy is likely to have a disproportionate effect on any particular group and, in the eventuality that it is, whether that is justifiable. However, we would expect major policies to be fully impact assessed.

The Convener: And that you would go a little bit further to consider the consequences and how it could be an added drain and cost.

Claire Monaghan: Absolutely. This is a complex matrix, and it is difficult to take one part of it and put it under the microscope sensibly. However, we need to go through that process to ensure that we do not slip back in the progress that we have made on equalities.

Bill Kidd: Colin Mair talked about ensuring that mainstreaming is not just an add-on to decision

making, but an integral part of it. We received a submission from the Scottish Disability Equality Forum; it is concerned that some public bodies will state that mainstreaming has taken place, which gives them the excuse not to implement their equalities duties. In part, that has something to do with the fact that the

“expertise ... does not always exist in the public sector”

to deliver that implementation. Is the expertise being increased? We sit and talk about the issue, but is it possible to deliver on it when public bodies might not have the people to ensure that it happens?

Claire Monaghan: That is a real issue. The area is complex and, as we have already said, equalities spans so many considerations that it would be very challenging for local authorities, particularly smaller ones such as mine, to replicate that level of expertise. Our approach is that the three Ayrshire authorities combine to hold equality forums across all three councils so that there is a shared space in which expertise can be developed and nurtured. I use that as an example of developing a shared approach, but it would not make sense for us all to become experts in every area. By pooling our resources, we can be satisfied that we have access as required and that we are moving forward collectively.

Our community planning partnerships have equalities dimensions. Again, it is about trying to prevent each public sector body from looking at the issue in isolation and not seeing the collective effect. When so much change is happening in the public sector, it is important not to lose sight of the need to build up that expertise.

Jon Harris: In my experience, when we had different legislation for different equalities groups, the definition of equalities was slightly different. The process was very bureaucratic and, more often than not, it was not considered strategically and it was set apart from best value.

Early on, when we introduced the best-value duty, we included recognition of equalities and sustainability, but those aspects were never really mainstreamed and pulled together. Best value 2 is potentially fully integrated, so when we are considering policy issues, improvements and so on, equalities is part of that process. To me, that is such a win. As long as we keep the pressure on, we will do a hell of a lot better than we have done in the past.

Elaine Smith: I think that the points that I wanted to raise have been covered, but I have one small issue on equality impact assessments. I was concerned about the earlier comment about equality impact assessments meaning increased spending, so where can cuts be made? That is not what the assessments are about; they are about

ensuring that we are aware of the impacts of whatever policies are being introduced and where the spending lies. It is not about holding one over the other.

10:45

Colin Mair: I absolutely endorse Elaine Smith's point that equality impact assessments are about how we extract the maximum out of the existing resource base rather than necessarily about how we add to that.

On Bill Kidd's question, perhaps the more fundamental point, as Claire Monaghan mentioned, is that councils work in partnership with other councils and with their community planning partners. Given their scale, community planning partnerships have quite big resources and quite a lot of skills and expertise.

As Liz Rowlett referred to, co-production also provides us with expertise. If equalities groups are active participants in equality impact assessments, a whole lot of expertise is brought to the table that would otherwise need to be bought in. To some extent, our stance of seeing equalities groups as active partners—I still worry that we sometimes talk about equalities as if it was about monitoring people like units of stuff that need to be got right—could altogether balance out those issues about expertise. Often, people who face an issue will instantly see a possibility or opportunity that people such as myself would struggle over for years without ever capturing. Liz Rowlett makes a fundamental point that co-production allows us to move up a step and achieve far better value from how we do things and the resources that follow from that.

The Convener: I will let Paul Barton respond, before we consider some practical examples of collaborative working.

Paul Barton: Briefly, I just want to agree with Colin Mair's previous point that culture change is crucial to meeting the equality duties in the longer term. I also agree that scrutiny is crucial to that. NHS Quality Improvement Scotland is the body that currently scrutinises equality and diversity aspects within the health service. With the change from NHS QIS to the new health care scrutiny body, I presume that the new body will take over that role as well.

For a number of years now, health boards have considered all aspects of equality in their equality impact assessments so we have already set a benchmark in supporting boards on that. In thinking about financial decisions, NHS Greater Glasgow and Clyde has drafted an equality rapid impact assessment tool that is now required to accompany any financial decisions that are made by the board. That is another tick, as an equality

impact assessment is being used specifically in financial decisions.

The Convener: Can you perhaps give a practical example of what you have just said that shows how the scrutiny body or equality impact assessment has affected the financial decision at the end of the process? We do not have a written submission from you, so it would be useful if you could give a practical example.

Paul Barton: I apologise for that, but I would need to return to Greater Glasgow and Clyde NHS Board to ask about that specific example. Perhaps I could provide a written submission on that later.

The Convener: In a way, that is my point. Unless something instantly comes to mind that makes sense of all those things that you have just mentioned, I wonder just how effectively those concerns are being conveyed and really sold to the workforce.

Hugh O'Donnell will move us on to the issue of collaborative working.

Hugh O'Donnell: Before doing that, I want to pick up on a particularly telling point that Liz Rowlett made about the easy hits in dealing with budgets. We need to be realistic. Although we talk about partnership working and collaborative working among local authorities and the voluntary sector, ultimately the budget holders in local authority departments will look to achieve the targets that they are set. The unforeseen consequences of delivering on those targets can present the biggest challenges of service delivery, often for the voluntary sector. Although the voluntary sector as a whole might be at the table, as soon as there needs to be bidding or tendering for a service, we are immediately into a competitive situation. The voluntary groups are at a disadvantage in that competition, because local authorities can take things off the books and thereby apparently achieve a level of competitiveness. We need to be clear that such budgetary considerations are taken account of in the impact on front-line service delivery.

However, my principal question is on collaborative and co-operative working, which we hear so much about. Our local authorities took various years just to get their departments to do that. In light of Sir John Arbuthnott's report on co-operation in Clyde valley, how successful have other local authorities been in doing that?

I have a supplementary question to add to that. Some local authorities have adopted a strategy towards leisure services in particular, whereby they have effectively hived them out of local authority control. How much of an impact does a collaborative process of that sort, with the potential creation of what might be called trusts, have on the democratic accountability of those processes?

The Convener: I am sure that there are lots of examples.

Colin Mair: There are good examples of collaboration from throughout Scotland. Tayside is an interesting example involving health approaches being integrated among the three partner councils in Tayside NHS Board. Much of the work is positively targeted, including on how to prevent negative outcomes for equalities groups rather than simply mopping up after negative outcomes have occurred.

In Edinburgh there is a re-enablement approach involving older people's services, which is a formal partnership between Lothian NHS Board and the city council. That demonstrates that if the outcome and people's right to that outcome is respected, public money can be used in a much better, more cost-effective way that improves the equalities framework.

Hugh O'Donnell raises issues around arm's-length services and accountability. It is worth noting that, if a council continues to provide money to third parties, it is the authority's duty, under best value, to ensure that that third party is entirely accountable back to it for the spending of that public money.

Leisure is one area in which equalities issues have risen historically. Those issues have been substantially addressed, but it is the duty of a council with a leisure trust to ensure that that trust comes under its performance targets and that it is meeting the requirements of equalities groups. The council remains the core financier of the leisure trust—it provides the vast bulk of the trust's budget.

If I provide £2 million or £3 million a year to a leisure trust, I am the client, and I say what I wish the leisure trust to deliver on my behalf with that £3 million. It is down to me as the client—the council—to target the money accordingly. I remain accountable for determining whether the needs of equalities groups on leisure are being taken account of properly.

Some complexity is created, but I think we will see through BV2 that the view from the external scrutiny bodies is that having an arm's-length organisation in no sense excuses a council from any duty, including its duties of accountability for public money.

The Convener: Perhaps you would like to comment on that point, Claire, as it is pretty germane to what you do on a daily basis.

Claire Monaghan: As an authority, we do not have a trust model. I completely agree with what Colin Mair has said, however: the two things are not incompatible. The question of how authorities set up and approach their arrangements is what

determines whether democratic accountability is negated in any way. There is no reason, in practice, why that should be the case. The structure that is adopted will determine the outcome.

Hugh O'Donnell asked about collaborative and co-operative working. Local government is littered with examples. Much of it is tied up with moves around single outcome agreements, which are still in their relative infancy. The recent Scottish index of multiple deprivation identified some areas of our authority, South Ayrshire, that are declining in relative terms. We have brought together all the partners and representatives of the local community to ask how to address that collectively—which is almost moving into a co-production model. Rather than each agency responding individually, partners come together and the people who are most affected are asked what will make a difference in helping them to get out of deprivation.

That is perhaps an extreme example involving economic inequalities, which we are trying to address. The feedback from the community that has come out of that process is that it is all well and good for the local authority to paint our closes and give us a bit of fresh green grass, but unless it addresses the fundamental problem, which is that a good number of us do not have jobs to go to, a sustainable solution will not be provided that allows people to come out of that situation in the longer term.

Following on from that, the community planning partnership is considering a model whereby we could create some sort of enterprise company that would employ local people to do the regeneration work such as painting the closes that would upgrade the area. Finding that model of empowerment and working collaboratively with the partners will take us forward. That is an example of a situation in which engaging directly with the people in an area of economic inequality can start to turn the situation round.

There are many examples of cases in which collaborative working is starting to reap dividends. I am sure that Jon Harris and Colin Mair will have others. I do not pretend that the process is easy.

Jon Harris: As someone who has been involved in shared services for some time, I know that it takes time to get to something viable. An issue that we are raising is that when we have something that is proven, as with the recruitment portal or Scotland Excel, we could roll that out across the public sector. In other words, there are initiatives that could be delivered in a relatively short period of time. There will be examples in health that the rest of the public sector could benefit from.

Paul Barton: I will give a few quick examples. Anticipatory care work involves giving health checks to people who are at risk of a particular disease such as coronary vascular disease. In Clackmannanshire, there is a programme that is delivering such work across the health, local authority and third sectors in true partnership. NHS Forth Valley, in conjunction with partners in the fire brigade and other parts of the public sector, has developed a database of people from equalities groups, with whom it is working to train and build capacity to do what Colin Mair mentioned, which is to participate in co-production and equality impact assessment work.

Jon Harris highlighted the issue of translation, interpreting and communication support services. That is another area in which some national work could be done, which could perhaps be driven by the equality unit, to look at how local authorities and the health service could work together to make the most efficient use of that spend.

Liz Rowlett: A rosy picture has been painted of public bodies working together, but there needs to be a bit of honesty about budgets because one body will make the investment and another will benefit from it later on. Sometimes people are unwilling to lay down that investment.

On working together, we have single shared assessments, which involve different areas of social work and health working together to determine services for disabled people. Quite often, that does not happen in the way that it should do. The committee should not believe the picture of rosiness that has been painted, because we are not quite there yet.

We need a lot more honesty about who will make the decisions about who will make those investments. It was interesting listening to what Paul Barton said, because I used to work for a healthy living centre that did all that years ago. We were well ahead of our time, but when it came to the crunch, our organisation lost the money and the health board protected itself, carried on and reinvented the wheel. There are issues around voluntary sector participation.

The Convener: Liz Rowlett makes a good point. I throw into the pot the issue of respite care, which is a clear example of an area in which local government and the health service should be working together, as there is no doubt about the benefits. Colin Mair might like to comment on that.

Colin Mair: I was going to astonish Liz by being honest for a moment. A lot of what is being described positively by us is still a fragile flower, to which, frankly, we could take a lawnmower in the next two years if we get this badly enough wrong. If people define their core business—those are the buzzwords now; everybody needs to consider their

core business—in narrow agency terms, we will knacker a lot of really good stuff that is embryonic or developing. People face the challenge of holding their nerve and not defining projects such as that which Liz Rowlett said lost its money as not core business, which means that money is taken from them to protect some alleged core.

11:00

As for respite, we have been moving towards giving people much more self-direction—in discussion with their families, carers and so on—over what they want. Some people welcome traditional respite models, but others do not. A bigger focus on co-production, empowerment and allowing the end user to drive the budget in the way that they want will give us a much better sense of what works and what does not. Respite is important but, on the shape of it, I return to my point about older people's tourism. If my mother can have a holiday and I can have a break simultaneously, that has a win-win dimension, whereas respite always seems to have a certain connotation. We should allow people with learning disabilities, people with disabilities and older people much more say in how respite happens and the shape that people wish it to have, so that it enriches the life of the disabled person or the older person and is not merely a break for the carer.

The Convener: We know that respite comes in many forms and that the third sector certainly has a role to play in it.

Does Pat Armstrong have a comment in relation to disability from her experience?

Pat Armstrong: I have a wider point. The third sector comes into its own in co-production and reaching the groups that are harder to reach, which many third sector organisations reach. The third sector has much expertise and energy and provides ways to reach people who would not otherwise be reached.

As for leadership in the third sector, much consideration has been given to an agency approach, which has been discussed in the public sector. In the past, third sector organisations have looked to work with their client groups and preserve their own organisations. Now, people understand much more that they must think about the greater good and what is best for the client group. If that means that three organisations that previously competed for the same money should now work together, people understand that that is the way in which we must go.

Leadership challenges are involved in deciding when to compete to provide a better service and when to collaborate to do that. A challenge for

leaders in the sector is the point along the line at which to collaborate rather than compete.

The Convener: Would it help if, rather than looking to the third sector to provide services, we recognised the huge intelligence that it can contribute to local authorities' or other public bodies' policy? If we take nothing else from today's session, perhaps we should note that.

Pat Armstrong: The sector's intelligence, creativity and advocacy could be used much more, which would allow the voices of people on the ground to be heard.

Hugh O'Donnell: I was interested in Colin Mair's rather rosy picture of co-production, which is not necessarily borne out by examples of opportunities for independent living throughout local authorities, which primarily hold the budgets and decide what happens. I take on board what he says but, as Liz Rowlett said, the reality can differ substantially.

We have raised several issues. I will ask about moving forward the equalities agenda in relation to co-operative working. What other barriers that hinder joint working throughout the voluntary sector exist and might be at least partly broken down? You have all touched on barriers. Has anything not been mentioned?

The Convener: I hope that Colin Mair will continue to be very honest in answering those questions.

Colin Mair: The convener raised the issue of partnership. The question for me is whether we see the voluntary sector as partners. What was said about intelligence, creativity and insight is important. Sometimes, there is an attempt by an organisation to mop up and monopolise claims to clients' intelligence and insight, to strengthen its position in a competitive care market. We must be careful not to equate the third sector unduly with the client—that is often, but not always, the case.

I hope that I did not sound rosy about co-production. My slightly more cynical hypothesis is that we will move much more sharply in the direction of co-production than we have done because it will start to make the biggest financial sense that it has ever made. For example, giving someone a direct payment can allow a member of their family not to do their job but to work with and support them as the best carer for them, and that often brings additional resources to the table, and not what could have been brought through the public purse if conventional procurement had been used. If the aim is to stretch a limited resource to its maximum extent, that can be done through co-production.

I argue for co-production on efficiency grounds—to get the best use of resources—as

much as on equalities grounds. I argue for it on equalities grounds, but what we can do for equalities is often the most efficient solution that is available to us to get the maximum out of the available resources. I think that we will see more co-production. Service users and members of equalities groups are now much better organised and more articulate about it, so there will be demand. It will make a lot of sense in the forthcoming period to engage with that and get more out of it.

Claire Monaghan: I endorse that. I do not think that there are specific barriers to joint working, other than that it is hard to do. It is easy to talk about joint working and it is easy to get people around the table, but delivering it operationally requires honesty and maturity in relationships, and that takes time to establish. Joint working is challenging to maintain against a backdrop of budget concerns. The strength and maturity of all the players in the equation determines the outcome.

The issue of democratic accountability was raised earlier, and it needs to be taken into account, because the people who are accountable for service delivery will need to ensure that they have the right line of sight on all the steps to delivery decisions. In partnership working we have not quite bottomed out how to reconcile accountability in governance. In considering barriers we must think about that potential issue.

The Convener: Jon Harris is COSLA's strategic director. The question seems to be right up his street. How are you tackling barriers?

Jon Harris: I was involved in early thinking about single outcome agreements as a more collaborative approach. In 2002, we had a lot of individual outcome agreements, but nothing joined up. I am pleased that the culture change has been so significant since we started to put things into practice. Instead of having 330 priorities for local government, people are focusing on what they are delivering for their community.

I fully support having a legal responsibility to deliver equalities outcomes. That will change the context so that people will not just do things in processes, but will consider whether things deliver on the ground. This is the first time that we will have seen that shift with the new equalities legislation.

The Convener: So whom do we need to talk to? Who are the key players in local authorities who need to deliver and get things right?

Jon Harris: At one level, we work with the 32 local authority leaders. All the policy frameworks that we have supported have gone through those leaders and to the 32 chief executives. We will not deliver unless there is leadership. From the

Parliament's perspective, people will be looking for leadership on how we will respond to issues. There is a leadership issue. However, we have significantly shifted the culture over a relatively short period of time. People are much more willing to work together in authorities and across the public sector. That is certainly the case with respect to CPPs and engagement with the third sector and the private sector in designing services. I am not saying that we are there yet, but at least a third of CPPs are making a difference. Another group has not really got off the starting blocks, but we can only work on that.

Marlyn Glen: We have been getting a rosy picture and a positive message, but we still have a hard message to get across, which is why this committee is considering the budget. We must get over the message that equalities is core business. There are many people around the table. This is not a new issue—we have had decades of struggle to make the point that equalities is the most important thing. I will stick with the positive message that we are getting, but we must carry that forward to high-level budget decisions. That is basically what we want to do.

My question concerns innovation and technology. It is good news all round that it might be possible to deliver services in better ways that do not involve spending more money. The committee is interested in innovation in service delivery for equalities groups. We are seeking examples of innovation and sharing of best practice. What roles do your organisations already play in that area? What more can be done? How can using new technology improve the situation for equalities groups?

The Convener: Perhaps there is more scope for that in the health service.

Paul Barton: Sure. I will start with the example of translation, interpreting and communication support services. Currently, if you want someone to interpret into British Sign Language, you need an interpreter to turn up and be present physically. There could be opportunities to use portable devices or webcam solutions, to allow remote BSL interpreting. That would reduce the costs of such interpreting to the service provider and ensure that there was a guarantee of always being able to provide the service to people who turn up needing that kind of additional support. The role of technology in that area needs to be explored. We are doing that with some health boards at the moment and we have responded to some parliamentary questions on that basis.

Another example, again from NHS Forth Valley, about which I have been told relates to home monitoring and whether people who are frail, have dementia and so on have the correct communication equipment in their home to enable

them to press a button to call services when there is an emergency and to ensure that they keep their appointments and so on. On disability issues, texting people who are hearing impaired is an efficient way of ensuring that everyone knows exactly when their appointments are and is able to keep them.

Claire Monaghan: As well as providing texting and new technology in the homes of people who require services, we are addressing the other side of the equation and ensuring that staff who deal with equalities groups have that technology, to increase efficiency. It is also part of our work to embed equalities right down with our young people. When a new pupil in a wheelchair arrived at one school, it was observed early on that the children did not really know how to deal with the situation. With just a bit of support from educational staff, they initiated a project in which, effectively, they became mentors for people with any sort of issue. It started with disability but, over a period of time, it spread out to address children with any particular needs. It started in one primary school and they have now become advocates and mentors in other primary schools. This is not confined to technology: it is about innovation across the board, so that you help people to produce the solutions themselves.

11:15

When we look at the way that technology is being used in local government services, we should maximise the sharing of intelligence across Scotland, because some of the best innovations—which are being forced through by necessity—are in rural areas. We are not translating those innovations as quickly or as rapidly as we should into other contexts. Technology is being used across the board. If we confine the question to equalities groups, there is a danger that we start to have a divisive debate about the use of technology. The issue is about ensuring that technology is used to maximum effect across the piece in local government services.

The Convener: Again, from a strategy point of view, how do we disseminate best practice?

Jon Harris: To return to the point about monitoring elderly people at home, technology can be used to monitor whether someone has fallen or whether they have left the building. That is significant, particularly when you consider that a third of the money is spent on unplanned missions to hospital and that a huge proportion of those involve people who have fallen.

I know that Glasgow's care services have given everyone BlackBerrys so that they can be informed as they work, so that they do not have to go back to the organisation to be given information

and can therefore respond a lot quicker. We did not have such devices in the past, but now that we have them we need to think about how we develop their use in different settings. I mention such technology in relation to older people, but it could be used in other settings.

Colin Mair: I reinforce Claire Monaghan's point that the issue is, to some extent, about looking for the equalities opportunities in investments that one would be making anyway. On behalf of the 32 councils, we have developed a programme called customer first, which is, in essence, about having a single record for each customer of a council and a partnership, so that we can see what the person is getting from whom, when and so on. They can also see their own record and adjust it. If something happens to them, they can notify the first point of contact and it will go round the system and notify everyone. The programme already supports the national concessionary travel scheme, Young Scot and a variety of other things, and in principle it could support a whole range of self-service provision and self-management.

People in equalities groups are adept at accessing private and third-sector resources in ways that they have not been able to use in relation to public sector resources. We could make use of that to provide lots of aids and adaptations simply by self-referral or by self-service. That could also allow us to do what Amazon does when you look at one book and it says, "If you're interested in that, you'll probably be interested in this." Last week, I had the bizarre experience of looking at a work of Old Testament eschatology and being told as a consequence that I would like pornography. That was a bizarre assumption on Amazon's part, but there you go. We could do something similar so that, if someone was getting two benefits, we could identify the third and fourth that they would logically get and provide them with far better support.

Customer first was not set up specifically with equalities groups in mind, but the trick is to mine it and push it so that you get all the equalities opportunities that you can out of it and also proof it against discriminating against certain people because of its online character and so on. People will still want to access the services in completely different ways.

On your question about how we share good practice, we were set up by the 32 councils more or less to do that, and we have what we call online communities of practice. People from throughout Scotland can interact with each other virtually and support each other on issues. We now have 109 such communities working across a whole range of services. However, what we have not done, which is interesting in the context of the discussion, is let the service user in, so to some

extent we are circulating a view of good practice that is entirely from the producer's point of view and not necessarily from the consumer's point of view. This discussion has made me feel, again, that the technology is very accessible, but we have restricted its use in ways that do not allow the access that we would like. If nothing else, I will take away from this meeting the idea that we are underutilising something that we could much enrich from an equalities point of view if we had people challenging the system.

Marlyn Glen: Do you mean across all the authorities in Scotland in which you work?

Colin Mair: Yes, absolutely. They all have access to that system.

Marlyn Glen: I am interested in how good practice is shared, which is exactly what we want. There can be isolated incidences that nobody knows about apart from the people round about.

Colin Mair: Would it be useful to furnish you with some material on that?

The Convener: Yes, it would. You are almost saying that it is demand led, once the information goes out.

Colin Mair: Yes.

Hugh O'Donnell: I have a quick question on the technology side. How can we ensure that the technology is made accessible to all the equalities groups but not at a prohibitive cost? I am thinking of alert systems. Local authorities have occasionally been known coincidentally to match the cost of the provision of an alert system with any increase in attendance allowance or disability living allowance. How can we ensure that there is such provision in an era of budgetary constraint in which local authorities are looking to maximise their income?

Colin Mair: We are developing technologies—I am thinking of some of the telecare, telemedicine-type technologies—that it makes sense to give people access to, because, frankly, it is cost-effective from the point of view of the broad impact on the budget over time. We can achieve a virtuous circle if we think it through carefully. We may not have got there yet, and I absolutely take your point that there will be some opportunistic charge increases—there always are—but with tighter self-assessment and external monitoring of the impact of decisions on equalities groups, the challenge process will remain important in ensuring that we do not lapse into opportunistically ratcheting up budgets.

Pat Armstrong: I just want to throw in a little health check. There are a huge number of examples of good practice in the use of technology, but we should always be aware of the danger that the most isolated people could

become even more isolated because of it. They might miss out on face-to-face contact with the only person whom they see in a day. Now, because their meals are delivered to go straight into the microwave, they might not see or speak to anyone for days, and people might not pick up on the fact that they are becoming more frail. Although I am a great believer in technology, we should always remember that face-to-face interaction is important to the most isolated people.

The Convener: There was an example of good practice in that sense in the voluntary sector in Edinburgh, but I do not remember whose written submission it was in. Was it in Liz Rowlett's? It might have been in someone else's.

Pat Armstrong: I cited the example of a befriending scheme under a different question.

The Convener: The befriending scheme—was it yours?

Pat Armstrong: It was a befriending scheme whereby someone sat with people at lunch time while they had their meal.

The Convener: So there was contact with those elderly people, which could help their mental state a lot.

Paul Barton: I make the brief comment that, to support the use of technology, in particular, we need good profiling of our clients on an equality basis.

Liz Rowlett: I agree with most of what has been said. There are huge opportunities through the provision of information technology. I know people who use online translation and interpreting services, both for remote note taking and for remote BSL. We look forward to seeing that in doctors' surgeries and hospitals in the near future. The Government has delivered other services such as e-planning and NHS 24. The e-planning system gives the population more of a chance to get involved in local planning matters and to see their way through the planning process. That is a good thing, as disabled people have struggled to get that kind of information.

On the downside again—sorry—we have seen local authorities take advantage of new technology to do things such as online recruitment, which is good and effective, but that excludes people who do not have access to internet technology because they do not have the financial resources, because they live in a remote area or because they do not have the literacy skills. The problem with the delivery of information across Government is that it just does not take into account every delivery mechanism—audio, BSL, easy read, easier to read, plain English and so on—that people might need. People are still being

excluded, and if you provide everything through IT you will simply reinforce some people's isolation.

At the end of last year, a cross-party group on digital participation was formed. I do not know whether it has met yet, but it was supposed to be looking at some of the fiscal difficulties of installing broadband in remote areas and the problems of people who are excluded simply because of where they live. We have not yet talked about the rural dimension to some of the issues that we have been discussing, and we should not get carried away in a rush of enthusiasm without realising that people will be missed out.

On the other hand, a smoking cessation programme using text messages has been greatly effective with young people, so there are clear benefits. Also, technology's ability to provide services in an anonymised way is particularly useful for people who are worried about stigma, such as people from disability groups or from the lesbian, gay, bisexual or transgender group, who might not otherwise come forward.

Again and again, however, we have come across lack of data gathering, performance monitoring and evaluation, and it is that kind of back-office stuff that public bodies can really share, collaborate on and make best use of.

The Convener: The Parliament is well aware that one of the dangers of being totally gung-ho with new technology is that certain groups might inadvertently be excluded. For example, we debated whether public sector notices should continue to be published in local newspapers or be available only online. I am pleased to say that the former option won out, because the other route would have been very detrimental to a huge section of the public.

Shirley-Anne Somerville: I want to take everyone back to the third sector, which we have already touched on. We have heard a lot of evidence about the sector as a partner and various organisations in the sector sometimes having to compete with each other. However, the economic recession has not only affected local government budgets but led to challenges as a result of the private sector cutting the money that it donates through, say, grants. What are the financial pressures that the third sector is under at the moment and what might be the impact on the delivery of services to equality groups?

Pat Armstrong: You are right that the sector is facing a lot of funding and finance challenges from many different angles. Although we have seen a lot of innovation in dealing with those challenges, we still have a long way to go. We certainly expect things to get tougher over the next year or so, and there will be more competition. However, the leaders with whom we work in the sector have a

great understanding of the situation and are already starting to consider how they might approach it.

With regard to equalities, groups across the board are going to have to consider the issue. It is not unusual for voluntary organisations to have to pull together 23 different pots of money, and in the past it could have been argued that some of the services that they were providing through or for local authorities had been subsidised from other grants or public collections. That kind of approach is going to be less acceptable. I guess that the real challenge for organisations will be to ensure that in the services that they deliver there is full cost recovery and that they deliver the best quality of service while at the same time reducing budgets.

11:30

Liz Rowlett: I agree. We in the voluntary sector are facing a double whammy, because the Lloyds TSB Foundation for Scotland made a major contribution to it. In addition, many voluntary organisations are encouraged to make themselves self-funding and to generate income, which many of them do by selling training to local authorities. Of course, in the coming climate, the training and consultancy budget is likely to be cut, too.

The other point is that voluntary sector groups lose money and come and go, but the need always exists—we are fulfilling a need—so whatever happens, other groups will replace the groups that disappear. There is a kind of short-term view, but if equalities work is important it has to be sustained. We all have a responsibility for that.

Organisations such as mine—the intermediaries—face a bit of a double whammy, too. We are not direct service providers in the way that somebody who provides a service to women and children is, so it is difficult to negotiate with 32 different local authorities, which are already cutting back on their direct service providers, and to explain that our value lies in providing the capacity building and training to support the grass-roots organisations. All sorts of things are going on in the voluntary sector that have left us extremely vulnerable. At the same time, we need to promote the view that we provide quality, user-led services that meet people's needs.

The Convener: Colin, are you confident that there is enough dialogue going on with Liz Rowlett, for example, on how to maintain sustainability?

Colin Mair: There is a difficulty for organisations of the sort that Liz Rowlett leads in that they are capacity-building organisations that operate throughout Scotland, and the local authority might wonder what benefits they really confer on the

Western Isles, the Highlands or Argyll and Bute, for example. They might think that most national organisations end up focused largely on central Scotland, rather than elsewhere, and ask why they are paying for them.

In some ways, the dialogue is confused and is perhaps not helped by terms such as “third sector”, which includes major professional not-for-profit trading organisations. I was on the board of one that had an annual turnover of £70 million; it is not a voluntary organisation in the cuddly local sense, but a highly professional organisation. It earned its income almost exclusively by winning contracts with local authorities and operating successfully and effectively. It used some of the income to do policy and development work, but its crux was that it was a large-scale not-for-profit business. We used very few volunteers, because we were highly regulated and at the cutting edge—we were running a highly professionalised organisation. The third sector also includes truly voluntary organisations and much more local and sometimes more spontaneous community organisations. The answer to the question depends on what you are talking about, because councils interact with the different groups in the third sector in completely different ways.

There are also the intermediaries, which Liz Rowlett mentioned. A wide range of dialogues are taking place. One issue is about whether we need to provide grant funding to volunteer-driven community organisations in each area in Scotland. Equalities groups might get an awful lot out of the work that such organisations do, such as by providing routine social contact for older people.

Claire Monaghan: Colin Mair has already said much of what I was going to say. The phrase “voluntary sector” covers a wide spectrum of organisations. One of the tests that I always apply is to ask whether we would need, if an organisation no longer existed, to recreate it in a different form in order to deliver the same service. For a great raft of what the voluntary sector provides, the answer to that question is definitely yes. I acknowledge that the voluntary sector has experienced a double whammy, because a lot of the private sector trust income that was available previously has dried up. The challenge for us as we move into difficult financial situations is to acknowledge that and to offer whatever protection and flexibility we can in awarding contracts sensibly. My view is that if we somehow switched the voluntary sector off temporarily, we would recreate it. It plays a very valuable role, particularly around advocacy and the hard-to-reach group that Pat Armstrong described.

Shirley-Anne Somerville: I want to turn round the question and think from a local authority perspective about how decisions are being made.

There are pressures on local government to ensure that funding of the third sector continues, but difficult decisions have to be made. How are they being made? Are councils or other public bodies going for an across-the-board percentage cut in services, or do they have a no-new-bids policy that protects existing services but does not open the doors to others, regardless of whether they might perform better, or be more deserving of funding, than bodies that have received grants for decades? How are the decisions being made on the ground?

Colin Mair: There is a mixture of the devices that Shirley-Anne Somerville describes. Councils use the language of partnership, and one thing that organisations might do with their partners—as, for example, Marks and Spencer would do with its partners—is to say that they are taking a 2 per cent hit and to ask their partners to join them in the misery. At least half a dozen councils are exploring that approach. That is one way of doing it. A second is for councils to review fundamentally whether they still get value from certain patterns of expenditure. That would be painful for local politicians. Often, well-established local organisations do not necessarily make a lot of sense any longer, but they have always historically got money out of the council. Ending that funding can be politically contentious in saving small sums of money.

Procurement has got harder. If anything, there is an issue about how we get out of simply forcing more and more reprocurement, which costs a huge amount of money not only to voluntary organisations, but to councils. That is not necessarily the most productive approach. We need to consider whether we can get into longer-term relationships that deliver value over time.

The approach will be a combination of reprioritisation and trying to operate a smaller number of longer-term partnerships that deliver benefits. I expect that, in the next two or three years, procurement attitudes will harden up in certain areas and there will be a real attempt to drive value through procurement and competition.

Bill Kidd: My question is about the impact of demographic trends on delivery of services for equalities groups. According to the General Register Office for Scotland, the projection is that in 25 years, 84 per cent more people will be over the age of 75. We can equivocate a bit on that, because through inward migration there has been an increase in the number of younger people of child-bearing and family age. However, the office is fairly sure that we will have more older people—possibly a significant number more. Generally, such people are in receipt of services, many of which are seen as equalities services. How far do most equalities service delivery managers project?

I do not think that many of them project 25 years. What measures could be put in place to tackle the longer-term problems? Could we save money in the longer term by spending more now?

The Convener: Does strategic planning cross Jon Harris's desk in COSLA?

Jon Harris: We are coming to the close of a monitoring exercise that has considered what money and what demand on services there will be. We just want to get a feel for what the gap is and how we might manage it, whether through efficiencies or shared services. We will complete that relatively soon, but my guess is that we will still have to consider fundamental issues about how we deliver services, particularly services that we know will become more expensive because of demographic changes. For example, by 2031, there will be 83 per cent more 75-year-olds. We have to rethink and take a longer-term perspective.

That raises really difficult political questions about how we do that, one of which has been mentioned in the documentation: Do we go for universal or targeted services? Politically, that is a really difficult issue to address, but it will have to be addressed because, although technology can help us in some ways, it will not help us to deliver across the board.

The issue for me is that, not for the first time, the public sector has not had that discussion, and older people have not been involved in the process, which would help us to find a way forward. We will not be able to put in place a system within 12 months or two years; it will take up to three spending reviews to get it right. We will have to manage the situation as we go along, but we need leadership to decide on the direction of travel.

We will have to look at services for older people and at children's services, primarily because of the size of the budget. That must be scrutinised and we must ask whether we are getting the required delivery and better outcomes for children from the available resources. I go back to the point that, if the public sector works together and focuses outcomes on the individual, we have more chance of creating better services and being able to save money.

The Convener: If we focus on outcomes, rather than go straight to the argument for targeted or universal provision, should not we be looking at early intervention, and raising again the question of respite care for unpaid carers so that they can carry on doing a job that saves the public sector vast amounts of money? Should not we examine such matters now to see where the third sector, or voluntary sector, could play a part?

Jon Harris: That is totally right and it is one reason why, in the next SOA iteration, we will focus on early intervention and prevention as the key theme. At the moment, we respond to crisis: whether that is about offending behaviour or illness, it is very expensive, so we want to shift the focus. The point is again that that will not be done in one or two spending reviews because we will have to start shifting money and to undertake resource transfer. As we deliver more at the front end, if we are not going to get any more money—

The Convener: You are talking about "shifting money", but Pat Armstrong's point is that the dialogue needs to take place and the third sector needs to be in at the beginning of the policy.

Jon Harris: Yes, and—as I said—we encourage the third sector to be fully involved in community planning, developing SOAs and designing services.

Colin Mair: The crux in terms of older people is that around 40 per cent of all our current spending on health and social care for people over 65 is spent on emergency admissions to hospital. We cannot have that and then say that we do not have a range of potentials within that financial envelope to do better; of course we do. Ultimately, that practice means throwing money at a negative outcome once it has occurred.

My next point is about reading trends. Currently, only 40 per cent of the 85-plus age group receive any services that you and I are not receiving from public authorities: they have their bins collected, their roads swept and so on. They might not receive health or care services at all in any given year. Also, the average older person is looked after by another older person. That is disproportionate, and the convener is absolutely right that how we support that is fundamental.

There is a danger of our taking trends and translating them into current demand patterns, but those patterns exist because of skewed use of current resources. We do not wish to project that five, 10 or 50 years. We can reconfigure those trends.

Claire Monaghan: We started this round-table discussion by asking whether cuts are the only option. They are not: another tactic would be to reduce demand for services. The move towards early intervention and prevention is about taking a trajectory such that, over the piece, we reduce demand for services and the need for crisis intervention. However, we cannot simply flick a switch to make that happen; rather, we are pulling a long lever that is linked to a set of other levers. Part of the challenge of our dialogue today is that we are taking one part of the jigsaw and putting it under the microscope whereas it is actually connected to lots of other bits as well.

11:45

The Convener: Who should take the lead?

Claire Monaghan: In my view, all leaders in the public sector and the third sector—and, indeed, community organisations—need to take up this dialogue.

The Convener: With respect, if everyone is to take the lead, will no one end up taking the lead?

Claire Monaghan: The fact that the committee is having this debate is a sign of leadership. As people commented earlier, leadership on equalities at political level and at chief executive level also plays a part. However, it has also been clear from today's discussion that such progress cannot happen unless it involves the third sector and the service users. You are right that we cannot just say blandly that leadership is expected of everybody, because leadership needs to be differentiated according to the roles and contributions that each partner should be making.

Hugh O'Donnell: As I recall, we have had 32 local authorities since the regional councils were abolished in 1996. Why has it taken this financial crisis to bring people to a consensus on the fact that early intervention and joint working are the most effective ways to take things forward?

The Convener: Would anyone like to hazard a guess on that?

Colin Mair: Sometimes, a lot of money makes you stupid. To some extent, when the budget is growing at 4 per cent per annum, there is less pressure to think hard about how to do things.

However, for all that the national performance framework is not a completed work, the outcomes focus of that framework has been crucial in forcing people to ask questions about why we are performing a particular activity, what the activity is supposed to achieve and for whom it is supposed to achieve that. A much greater emphasis on the results rather than merely on the service that is being delivered has opened people up a good deal. They now recognise that they cannot simply do things on their own and, furthermore, that they cannot do outcomes to people but must work with them to try to achieve those outcomes.

In the past two years, there has been a major shift in culture and in perception, with people asking questions and challenging each other. There is much more about showing the results of activity and saying which human being has actually benefited and how that has happened. That forces people to give much harder consideration to partnership issues and to prevention. Why throw money at people once something bad has happened to them if we could have stopped it happening in the first place? The

change is due to a combination of a financial pressure and of an outcomes focus.

Malcolm Chisholm: Colin Mair's answer on why progress has taken so long is really interesting. I found his written submission interesting in general, but the point that it makes about emergency admissions is especially interesting in this context. I also found interesting the whole of Jon Harris's written submission, which deals with reshaping older people's services. However, when I was reading that paper, it struck me that I had read it all before because it reminded me of Professor David Kerr's report from about five years ago. The central message of Professor Kerr's report was that we should care for older people through continuous integrated care in the community rather than through crisis emergency admissions. An important question to ask is why that has not happened, particularly given the fact that emergency admissions to hospitals are still increasing. The theory is all right—we need it because of the pressing demographics—but that shift has not happened, for whatever reasons. We need to understand why that is the case if we are to achieve that shift in the future.

My second thought on the age equality strand is that there will be an incredible tension over the next few years, given that the demographics are pointing us towards spending ever more money—which is less and less available—on older people, while the wider understanding of how we deal with society's problems is pointing us towards more early intervention at the beginning of life. I do not know how we will resolve that dilemma. I guess that we need to find different ways of providing older people's services because, for the good of society as a whole and in particular for the good of the future of society, we cannot spend an ever-higher proportion of declining budgets on older people. That might sound a bit harsh—it might be misquoted out of context against me—but there is a problem. How do we solve it?

Paul Barton: I was just going to mention the shifting in the balance of care that came out of the Kerr report. There is still a lot of work to be done to find efficiencies and to ensure that people are cared for in their own homes. That is also what people want, rather than be admitted to hospital in an emergency setting.

What measures could be put in place now? Anticipatory care work such as getting people in for health checks when they turn 40 will help us to tackle long-term conditions and health problems that are expensive for the health service and very important for the individuals, so that we can ensure that they have much longer, happier and healthier lives. They benefit as much as the

services do through not having such problems in later life.

Claire Monaghan: I agree completely with Hugh O'Donnell that this should not have taken so long. In general, the public sector and related organisations were groping towards collaborative working and shared services—they were talking about them but not operationalising them. In that regard, the funding issues have been helpful in accelerating the pace of travel and in finally crystallising the idea that we must work differently because the current trend is simply unsustainable. I agree that it should not have taken so long, but it has done so because it has been very hard to change.

Today's discussion has crystallised some of the real tensions and difficulties that exist in making progress. Every decision that is made will have an impact on a particular organisation or sector. We are trying to strike the right balance. The current financial crisis will accelerate progress towards that. If we come back here in five years, we will be in a very different situation from that in which we find ourselves now, in which we have progressed only a little bit from where we were five years ago.

The Convener: Bill, are you content?

Bill Kidd: Yes. I emphasise the fact that the socioeconomic duty is now also part of equalities and that the voluntary services normally deal with people who are at the bottom of the economic scale—not always, but mostly. It is extremely important that we address the poverty issue. If we do that, it will raise a lot of people out of the situation in which they need many of the equalities services.

The Convener: Okay. Does Jon Harris want the last word on that?

Jon Harris: It goes back to culture. When we developed the idea of a community planning partnership, that was the right idea; however, we are only now telling the community planning partnership that it is going to be held jointly accountable for what it delivers. There has been a shift in focus to outcomes and we are telling people that each of them will be held to account against the same performance framework. Rather than everyone having to respond to their own individual framework, they must demonstrate that they are working together and bringing their budgets and expertise together.

The Convener: That completes our questioning. In closing, I ask everyone around the table whether they want to make any final points.

Hugh O'Donnell: No. I simply thank our witnesses for their time and attendance. This has been an interesting session that has, in many

cases, confirmed my own prejudices, which is always gratifying.

Pat Armstrong: I throw in a positive note on the final discussion. A lot of studies have shown that people are staying healthier and more active for longer, and there are huge opportunities to continue that through active citizenship.

Malcolm Chisholm: I echo Pat Armstrong's point. We must promote older people's health and recognise the great contribution that they make. The debate about older people was particularly interesting, and it is perhaps a shame that it came last. I have found the whole session—the written submissions as well the oral evidence—useful and interesting.

Jon Harris: This should not be the single opportunity we have to discuss these issues. The big issue in the climate that we are coming into is leadership. That leadership will have to come from the Parliament, local government and the Scottish Government. This conversation is not complete. Some of the issues that we are dealing with are really difficult, so we need some sort of consensus or mechanism to ensure that what we are doing is sustainable over time.

Elaine Smith: We need to recognise that properly funded public services are vital in reducing inequality in society. We have had a good discussion and I thank the participants for their interesting contributions.

Colin Mair: I have most enjoyed it, so thank you for the invitation. My final point is that much of this cannot be done by local government and the health service, however well joined up they are. There is an issue here about people who come to grief due to absence of family, neighbourliness and so on. Earlier I talked about the 40 per cent emergency admissions to hospital. The reasons for the admissions are often horribly banal, such as accidents while changing a light bulb, having a poor diet or being much more exposed to the risks of influenza in winter. At one level, the issue is tragically simple, and throwing professional state services at it is not the answer. There is an issue here about mobilising community capacity. My positive note on the discussion is that during the snow event earlier this year, I noticed that that community capacity was mobilised for the first time; I must say shamefacedly that I engaged in it myself. There is perhaps something to build on there, alongside this agenda. You will bring about equality when you have a community that wants to treat people equally and to support them to be equal.

Bill Kidd: We have had many good round-table discussions during my time on the committee, and this has been one of the most coherent, interesting and useful in the long term. As Jon Harris said, it

points in the direction of an issue that is not just here for the day, but is something that everyone has a duty to build on. I thank the witnesses for their contributions.

Paul Barton: I agree with Colin Mair that attitude and culture are key. We need to continue to help change that. I agree with Jon Harris and Malcolm Chisholm that this is the start of a debate; the debate will continue, particularly on older people. I welcome the invitation to contribute to that debate.

Liz Rowlett: It has been a really good discussion, so thank you for the opportunity to come along. My final point is that in the midst of all the election fever, we should not forget the debate on the public sector duty. I hope that the committee will take the opportunity to have a good look at what is proposed.

Shirley-Anne Somerville: I agree that it has been a useful discussion. We have seen a number of useful case studies; as always, the challenge is how we mainstream them. If the economic crisis brings about that mainstreaming more quickly, at least some small positive will have come out of the pain that everyone is going through.

Claire Monaghan: We will make progress on this agenda only if everyone continues to look forward constructively and engage with one another coherently. Today's session has been helpful in bringing together some of the partners in that. I hope that today's debate is not a one-off exercise and that we have an opportunity to build on the work that we have done here. I echo Marlyn Glen that we are getting there, although it is a moving target. However, the Equality Act 2010 gives us an opportunity to inject further vigour into our efforts to take this agenda forward.

Marlyn Glen: I will do my best to take a positive message out of this meeting but the committee has a huge job to do to impart the issues that we have been discussing not just to the Finance Committee and the finance minister but to all the budget decision makers throughout the country. We shall continue to work on it.

The Convener: I thank you all very much for your participation. We had a slightly extended round-table session because, due to the air travel problems, the Irish Human Rights Commission was unable to give evidence. I am delighted to say that a negative turned into a big positive, because the session has been worth while. We have discussed leadership problems, practical examples of things that can be done better, how equalities can be at the core of policy decisions and how the voluntary sector should be involved in that. I hope that today's discussion has provided the little bit of the leadership that we need to focus hearts and minds at a time when we could be

looking at problems in the budget. However, I hope that the financial scrutiny unit and others will agree that there are opportunities to make decisions about the budget that will lead to better equality outcomes, and that local government and other public organisations see the value in making those decisions and prioritising these issues. Thank you.

12:00

Meeting continued in private until 12:20.

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