



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EDUCATION AND CULTURE COMMITTEE

Tuesday 24 September 2013

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EDUCATION AND CULTURE COMMITTEE

24th Meeting 2013, Session 4

CONVENER

*Stewart Maxwell (West Scotland) (SNP)

DEPUTY CONVENER

*Neil Bibby (West Scotland) (Lab)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)

*Clare Adamson (Central Scotland) (SNP)

*Jayne Baxter (Mid Scotland and Fife) (Lab)

*Colin Beattie (Midlothian North and Musselburgh) (SNP)

*Joan McAlpine (South Scotland) (SNP)

*Liam McArthur (Orkney Islands) (LD)

*Liz Smith (Mid Scotland and Fife) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Bill Alexander (Highland Council)

May Barker (Clacks Kinship Carers)

Professor Jim Gallacher (Glasgow Caledonian University)

Alison Gillies (Child Poverty Action Group)

Kate Higgins (Children 1st)

Gordon Maloney (National Union of Students Scotland)

Shirley Sephton (Unison Scotland)

Anne Swartz (Scottish Kinship Care Alliance)

Ken Wimbor (Educational Institute of Scotland)

CLERK TO THE COMMITTEE

Terry Shevlin

LOCATION

Committee Room 6

Scottish Parliament

Education and Culture Committee

Tuesday 24 September 2013

[The Convener opened the meeting at 10:00]

Children and Young People (Scotland) Bill: Stage 1

The Convener (Stewart Maxwell): Good morning, everybody, and welcome to the 24th meeting in 2013 of the Education and Culture Committee. I remind all who are present that electronic devices, in particular mobile phones, should be switched off at all times because they interfere with the sound system, and we would prefer that that did not happen.

Our first item is continued evidence taking on the Children and Young People (Scotland) Bill. The theme for our first panel of witnesses is kinship care. I welcome to the meeting May Barker from Clacks kinship carers; Alison Gillies from the Child Poverty Action Group in Scotland; Kate Higgins from Children 1st; and Anne Swartz from the Scottish kinship care alliance. Good morning to you all.

Before the rest of the committee ask questions, I want to start with a general background question. Perhaps you can all give brief answers, if you do not mind, as we have quite a lot on the agenda and we want to get through as much as possible. Can you all give us, from the point of view of organisations and individuals, a potted history of what has happened and what has changed for kinship carers over the past 10 years—since devolution, in effect? It is clear that the issue has come up a number of times in Parliament and in society in general, and that there have been a number of changes.

Anne Swartz (Scottish Kinship Care Alliance): There has been kinship care for a long time, but there have been many changes in kinship care legislation in the past 10 years, particularly since 2007. The Scottish kinship care alliance was formed partly to look at those issues.

The Convener: What have the changes been?

Anne Swartz: In 2007, a policy was put in place to the effect that all children in kinship care would be treated equally with children in foster care. That was changed in 2008, so that only looked-after children in kinship care would be provided for.

The Convener: Is that the only change that you are aware of?

Anne Swartz: No. Can I pass the question along to someone else?

The Convener: Okay.

Kate Higgins (Children 1st): Anne is absolutely right to identify a big shift in 2007, when kinship care was recognised in its own right as an appropriate arrangement for children who cannot live at home with their parents. The movement towards that recognition began when a reference group was set up to look at the needs of both kinship carers and foster carers. It emerged from that group that kinship carers have distinct needs.

In 2007 the Government entered into the concordat with local government and, as Anne pointed out, one of the commitments that it made was to pay an allowance for kinship carers and to place responsibility on local authorities to meet the needs of kinship carers. When local authorities translated that into action they decided to apply it only to families with looked-after children.

When the Government and Parliament wanted to formalise kinship care for the first time in legislation, a question arose about what can be put in regulations or set down in law. It was necessary to have a mechanism that identified the children whom we are talking about; the mechanism used looked-after status. At the time, everybody supported that mechanism because those were the children with the greatest needs and we needed to make sure that they were assessed when placed in kinship care and that some kind of rules applied to how those children and families were treated.

Every action, however, creates a reaction, and we have discovered that while there are almost 4,000 children formally looked after in kinship care, the estimates suggest that at least another 15,000 or 16,000 are in informal kinship care. It is probably a conservative estimate. They might be in families who are known to social workers and local authorities but in which the children do not require looked-after status. Also, kinship carers argue that they know of families who should get support but do not, simply because local authorities want to manage resources. Often, too, families keep themselves below the radar because they do not want what they see as interference by local authorities.

There has been a lot of change and a lot of movement since 2007. Alison Gillies can tell you of some changes on the financial side, and the action, reaction and consequences.

Alison Gillies (Child Poverty Action Group): My area of expertise is financial allowances—in particular, the thorny issue of the interaction between the financial allowances and the United Kingdom benefits system. As we have heard already, there have been significant changes since

2007 and the concordat agreement. The initial agreement, which was to pay kinship carers of looked-after children at a rate equivalent to that for foster carers, has not become a reality, but all local authorities have shifted to a position where they are making payments of some sort to kinship carers of looked-after children. Quite a few local authorities are also making payments at some level to kinship carers of non-looked-after children.

I will focus briefly for the moment on two issues that are affecting looked-after children. There is wide variation in levels of payment across the 32 local authorities, from very low payments of around £50 a week up to payments that are equivalent to fostering allowances. There is also variation in the legal powers that local authorities use to make payments. You may think that does not matter, but it affects the ability of families to claim child or family-related welfare benefits. I will speak briefly about that for the moment.

The Convener: We will come back to that point in some detail later.

Alison Gillies: Good. Suffice it to say that it was obvious from the outset—or it ought to have been—that there would likely be a very complex interaction with the UK benefits system. That is one of the reasons why it is so good that some forward planning is being done in relation to changes. Although local authorities have, in many instances, stepped up to the mark and have made payments to kinship carers of looked-after children, the kinship carers are not necessarily gaining fully from that payment because of the interaction with the benefits system. That results in a complex picture across the country, in which, in some extreme cases, kinship carers would be unable to accept a payment from the local authority because it would simply not be worth their while to do so; there would be no net gain.

Other local authorities might be paying what look like quite considerable kinship care allowances, but the kinship carer's net gain is not the whole of that payment because of the interaction with the benefits system. That is a development since 2007.

May Barker (Clacks Kinship Carers): My area of expertise is in being a kinship carer. I have learned everything the hard way, down at the pit face, as it were. I have been involved in this only since 2010. Like a lot of other people out there, I did not even know what kinship care was. It was a phrase that I had heard, but I had not thought any more about it.

Clackmannanshire kinship carers became heavily involved in what is going on because we got a sum of money that was then cut. We also found that councils were all paying different amounts when we had thought that the same

amount would be being paid all over Scotland and it would not be at the discretion of councils.

The Convener: We will come to details as we go through the evidence. I just want a general feel for what has changed over the years. There has been a lot of work done in this area.

Kate Higgins: It was a bit remiss of me not to say that as well as the legislative journey and the concordat, the Scottish Government picked up on other recommendations from the reference group and funded Mentor UK to work with kinship carers to produce a guide to kinship care. The guide is pretty useful and all of us disseminate it to kinship carers. The Scottish Government also funded Children 1st to run a national service to provide advice and support to kinship carers.

The initial investment in 2007 also resulted in local authorities putting in place more support generally. There was a lot of inconsistency in how that was done, but generally there was an increase in support at local authority level—certainly in the first years. However, a lot of that is being cut back. A good example is East Lothian Council, which had a really good set-up to support kinship carers, but which has in the past 12 months gone down to one part-time worker.

All of what has been done has helped to support kinship carers to support themselves. There are an awful lot more groups, some of which are quite informal—little loose groups—and some of which are quite formal. As Anne Swartz pointed out, that has given rise to the formation of the kinship care alliance. So, there is peer support, and formal national and local support.

May Barker: Could I also say—

The Convener: I am sorry, May. I am going to stop you there because I want to get on to the questioning. I know that members are keen to go through a lot of the detail. It would not be reasonable for it just to be an exchange between the panel and me. I am sure that the other members of the committee would object quite strongly. Liam, do you have a supplementary question?

Liam McArthur (Orkney Islands) (LD): Yes. I want to follow up on the explanation of the chronology from Kate Higgins and Alison Gillies. With the concordat, there was quite a wide basis of coverage. Subsequently, drilling down on where need was greatest, looked-after children in kinship care were, in a sense, seen as the priority. You can understand the reason for that.

Can you shed any light on why the concordat was framed as it was? Was there discussion about the resource implications of such an open-ended commitment, or was there a misunderstanding or an inadequate assessment of how wide the net

would have to be cast in order to honour that commitment?

10:15

Alison Gillies: I might hand over to Kate Higgins on that. My understanding—I could be wrong and other people might know better than I do—was that the concordat contained a commitment to kinship carers of looked-after children. Prior to that, there was a wider discussion about where resources should be targeted. Looking from the outside in at what the logic might have been, I think, as Kate Higgins has said, that it related to the idea that the commitment would focus support on the children who are most in need of support. Whether that is borne out in reality is another matter, and Kate Higgins might have more to say about that.

Anne Swartz: A lot of the problems arose when the legislation was changed to separate looked-after children in kinship care from non-looked-after children in kinship care. We had formal and informal kinship care, but there are two levels of informal care. Some informal care is based on residence orders and some is based on no orders whatever, which is where the water starts to get muddled because we then have looked-after children and non-looked-after children. All the children have comparable needs, whether or not they have looked-after status, but the way in which the bill has been written means that a lot of children with looked-after status will be moved over to non-looked-after status, so even more of their support will disappear. We need to look at those issues.

The Convener: I am sure that we will discuss much of that as we go through our questions.

Joan McAlpine (South Scotland) (SNP): My question is on the point that Anne Swartz just made about kinship care. In your written submission and in your comments, you have raised some questions about the proposed kinship care order. However, I understand that it will not be a new order, as the initial proposal was, but will now be an adaptation of the existing section 11 order. Your written submission suggests that the kinship care order will last only three years, but a section 11 order—which is what, in effect, the new kinship care order will be—lasts indefinitely. Would you care to respond to that?

Anne Swartz: Yes—a section 11 order lasts indefinitely. The point about the new kinship care order lasting for three and a half years is that the support will, at the end of that time, cease for the children in kinship care.

The Convener: Can I just clarify something? Let us be clear about what we are discussing. I do not want us to confuse all the different orders. The

support that is in place, in terms of the specific point about the order, is transitional support.

Anne Swartz: Yes, it is transitional support. However, we get the impression that, at the end of the three and a half years, when that transitional phase is over, there will not be anything in place. Because of the way in which the new order has been written, looked-after status will move further towards non-looked-after status. At the end of the three and a half years, there will be more children with non-looked-after status than with looked-after status, yet their needs are comparable.

Joan McAlpine: That is not how, in your opening statements, you described the direction of travel in policy on kinship carers in Scotland. You seemed to say that, although there are problems, the direction of travel has since 2007 been towards more support for kinship carers. I would be surprised if that suddenly went into reverse, which is what you seem to be describing now.

Anne Swartz: Our general feeling is that that is the direction in which provision is going, given all the disparity in local authorities. One local authority does one thing, while another does something else. There is no consistency out there: we need consistency.

Joan McAlpine: What kind of consistency are you looking for? Should kinship carers get exactly the same support as foster carers?

Anne Swartz: Absolutely not. We are not and would never purport to be foster carers. We are kinship carers, and the children are kinship children. However, both foster children and kinship children can in certain circumstances be on the same legal order. Foster carers receive a higher level of support, in comparison with kinship carers and their children, who receive negligible support from some authorities. That is where we see a lot of disparity, and that is the situation that we are seeking to rectify.

Joan McAlpine: Someone observed in their opening remarks that quite a number of kinship carers prefer not to have any involvement from the authorities. If a kinship carer wants financial support, can they reasonably ask for it without being assessed in the same way that a foster carer receiving such support might have been? After all, that might not be what everyone wants.

Anne Swartz: That support is not available at the moment. I accept that not everyone might want it but things should be written in such a way as to make that support open to people without their having to jump through a lot of hoops with the local authority to get access to the services that children need. In order to get such services, a child needs looked-after status; if they do not have that, those services are very difficult to obtain.

Kate Higgins: Having made the remarks that Joan McAlpine referred to, I should perhaps provide some explanation. In the two and a half years we have been running the national service—and indeed for many years before that—Children 1st has had a relationship with kinship or family-based carers to support children who cannot live at home. We have had lots of engagement with kinship carers and their families. I believe that we have shared most of that information with the committee, although there might be one piece on the financial review that we have not shared with you.

According to the most recent survey, most kinship carers—I think that the figure was 60 per cent—support the idea of a kinship care order. When we explored with kinship carers their status and their feelings about how they are being supported, two issues emerged. First, the way in which the Government established the looked-after regulations turned looked-after status into almost a gateway to support and assistance. Such an approach has not been helpful because it effectively encourages more children to enter formal care settings; after all, looked-after status means state-based care. The aspirations of most kinship carers is to get the support that their children need to get a better start in life and have ordinary childhoods, and the support that they themselves need to function as normal families. Looked-after status does not help to meet those aspirations because it means that the authorities are constantly engaging in the carer's life and their children's lives. We know of cases in which families have fought really hard on this issue; the child in question is quite clearly no longer at risk of significant harm and therefore does not need to be continually looked at or looked after. On the other hand, because support comes with looked-after status, some families have fought against its removal. It is not healthy to have children being unnecessarily subject to state intervention, and the kinship care order is partly an attempt to provide support in a different way that does not create such artificial barriers.

The second issue that emerged was about the recognition of kinship care in its own right as a legitimate arrangement for children who can no longer stay at home. It has always been seen as kind of like looked-after status or foster care or as a step into—but not quite—formal care.

I hope that we would all recognise family-based care as a legitimate and appropriate way forward for children who cannot live at home with their parents any more. Children 1st aspires—as we all should—to view kinship care in its own right. We must ensure that the legislation around it covers as many bases—formal and informal—as possible. The legislation should enable children to be moved from being looked after to a more

permanent setting. That would provide the stability that kinship care families want, while enabling those families that currently stay below the radar because they do not want people coming into their lives to get a kinship care order through the courts, which will provide some stability and permanence in their own and their children's lives.

We found that the additional support needs legislation and framework, which should be working for all those children who are looked after and in kinship care, and the children who have what Anne Swartz described as “comparable needs” in the form of learning support needs, are not providing the necessary support.

If the framework was working more effectively, some of the issues that have come out of our engagement, such as children not getting help and support and families not feeling properly supported, would go away, because education would rightly provide support and make use of the legislative framework to support children's learning needs.

Joan McAlpine: From what you and previous witnesses have said about the confusion and lack of parity throughout the country, it seems that the kinship care order might provide the clarity that has been lacking.

Alison Gillies: It appears from the bill's accompanying documents that there is a desire to shift the direction of travel slightly away from applying looked-after status where it is not absolutely necessary, which would be a correct use of the least-intervention principle. I will not reiterate what Kate Higgins has just said, but we are left with a problem. One of the bill's objectives is to provide better support for kinship carers, but it is a bit difficult to see how that will work as things stand because there is no clear message about the support that will be attached to the new kinship care order.

I realise that it is a thorny and difficult issue, but it is difficult for us to find our way through and answer questions such as “How is this going to be better?” and “Will it be better than the existing situation?” without having some more clarity.

My fear—which is probably echoed by other organisations and individuals—is that we may end up with a situation that, by and large, replicates the current situation, in which there is a huge disparity in the treatment of kinship carers in different local authorities throughout Scotland. I am very focused on the issue of financial support—I realise that that is not the be-all and end-all, but it is my area—and there is certainly no indication at present that there will be any obligation on local authorities to provide a minimum level of financial support.

We are already in that situation with regard to looked-after children in kinship care: there is a commitment, but no legal obligation or minimum payment. We can see what has happened with that with the huge variation throughout the country in how kinship carers of looked-after children are treated. It is difficult to see how that will not be replicated unless there is a shift. That is a major concern, not least in terms of equality for kinship carers in different local authorities throughout Scotland.

Joan McAlpine: I understand what you are saying. The situation is patchy at the moment and you are concerned that it could remain so. However, I also understand that there is more cover in Scotland than there is south of the border.

10:30

Alison Gillies: I am not an expert on the situation south of the border, but I have looked at it in some detail.

I am sorry—I just leapt in there; is that okay?

Joan McAlpine: That is fine.

Alison Gillies: As I understand the situation south of the border, a kinship carer of a looked-after child is assessed as a foster carer. There are legal differences between Scotland and England—and, I assume, Wales. As a result of some hard-fought cases, case law has established that in England and Wales such people are paid a fostering allowance that is equivalent to the allowance paid to an unrelated foster carer. The position of kinship carers of looked-after children south of the border is better and more clear cut. That is the situation if we are comparing those two groups.

From research into the English and Welsh context, I know that kinship carers of children who are not looked after, such as people who have a residence order or a special guardian's order—which does not exist in Scotland—are struggling. Local authorities have discretion over whether to pay what is called a residence allowance or a special guardian's allowance. There are lessons to be learned from that.

Liam McArthur: Alison Gillies has been talking about uncertainty, but is that a reflection of what is not in the bill but will come about through regulation? We cannot have a bill that is laden down, with every i dotted and t crossed, but are some of your concerns about issues that might be better dealt with and clarified by the bill rather than detailed regulation?

Alison Gillies: There are lots of concerns and, as I say, I am very focused on the finance issues. My concern is about whether secondary legislation will put local authorities under a legal obligation to

financially support kinship carers who have a kinship care order. Given current indications, I would be surprised if that was the intention, although I guess that it would be possible. If local authorities are not legally obliged in that way, there is likely to be a postcode lottery.

Liam McArthur: Presumably, we do not need to detail that financial support, but it would help if the policy intent was made clearer in the bill.

Alison Gillies: If we are working out how things might look, what the implications might be and whether what is proposed is likely to be better than what we have at the moment, a bit more detail would be helpful.

Liam McArthur: Anne Swartz wants to make a point.

The Convener: Please be brief; we have a lot of questions.

Anne Swartz: We cannot compare English and Welsh services to Scottish services because they are all entirely different. I have looked into the situation quite a lot. They struggle as much as we do with the inconsistencies.

The local authority will have the discretion to decide how the new kinship care order is written, what support will be available and whether someone can access a kinship care order. On the legal side of obtaining the kinship care order, it will be left to the individual to get that and to pay. There are a lot of inconsistencies throughout—

The Convener: Sorry to interrupt again, but this is very confusing. My understanding is that if somebody gets a kinship care order—in other words, an amended section 11 order—we move from a situation in which local authority support is discretionary to one in which the local authority is required to provide support. However, you just said the opposite.

Anne Swartz: Yes. I have asked to have that point clarified. Will somebody who has a residence order just now be automatically granted a kinship care order and get access to support? Some of those who have section 11 residence orders get no support at all. Will they automatically obtain the support that goes with the new kinship care order, or will they have to be assessed? If they must be assessed, how will that be done so that they get support?

The Convener: My understanding is that there is a requirement, so I am still slightly confused. Does Kate Higgins want to say something?

Kate Higgins: Yes. I will try to pick up on both points. The position is not clear yet, but it will be addressed in secondary legislation. The only assurance that can be given is that the Scottish Government is engaging with all the organisations

and with kinship carers themselves on what the secondary legislation should look like.

The suggestion of the start-up grant came from kinship carers telling us that it is difficult to find support for clothes and so on for children when they arrive in their family. The idea of the start-up grant is a sign that everybody is listening; the grant is an example of the support that carers would be expected to get.

We have concerns, because we know how things are interpreted by local authorities. We have seen huge disparities between authorities with regard to the local allowance, for example. We are concerned that local authorities might pick and choose from a menu of support, if you like, creating another layer of inconsistency for families, which is what everybody wants to avoid.

This is not just about support through the kinship care order. There has been a lot of debate about the appropriateness of the term “counselling services” in section 62 and whether it describes the provision’s intention. However, the provision is entirely based on what kinship carers have told us, and what the Government has found, about the need for a mechanism that enables early intervention when a placement, particularly a kinship care placement, is at risk of breaking down. We know that there is concern on the local authority and professional sides about where the provision has come from, what it is intended to do and its resource implications. However, we make a huge plea to keep the provision in the bill. It might not be kept where it is in the bill or be termed “counselling services”, but it is an absolutely vital provision if we are to take further the idea of early intervention in families where a child is at risk, instead of waiting for a crisis point to be reached.

Neil Bibby (West Scotland) (Lab): In relation to kinship care orders, a £500 start-up grant and some transitional support for three years have been mentioned. However, as we have heard, some councils give kinship carers weekly amounts on an on-going basis. Presumably kinship carers get that support because they need it on an on-going basis in order to keep their children. Without that on-going weekly support, would kinship carers be able to look after their children? If transitional payments were to end after three years, is it the case that kinship care orders would not be beneficial for some kinship carers?

Anne Swartz: It is not just about financial support. In the research that I have done, I have found that there can be stability for two, three or four years for a child but then the situation destabilises, for whatever reason. If children are not on any sort of legal order or under social work support, whether they can get back into the system for access to services and support through

the new kinship care order, which should be possible at any time down the road for those children, will be left to local authority discretion. We need to look at the wording.

The Convener: I am sorry for my confusion, but how would that work if it was automatic? Surely it has to be discretionary. I cannot see how there could be an automatic right. Surely somebody has to be assessed at that stage. We cannot have a system where those who might want to be in receipt of support just decide that they will get it.

Anne Swartz: What I am saying is that the discretion to assess children will be at the local authority level. That is the case at the moment and it causes a lot of difficulties in a lot of local authorities, so we need to look at tightening things up in some way. I do not know how, but we have to do that.

May Barker: As a kinship carer, I definitely could not manage without some form of financial help. I am on a state pension and I just would not have the money to look after the teenage girl that I have and bring her up in the way that other children are brought up so that she can join in and be the same as everybody else. That is what we are looking for.

However, it is not just about money, because we also need psychological services, and we want respite for both children and adults—if one goes, the other gets respite. At the beginning, especially when we were fighting head to head and toe to toe, I would have been glad to have a weekend. It has quietened down a bit now, but it was not quiet at the beginning. She did not like rules. There have to be rules, but she had not had any. I would have been glad of even an afternoon away. It is not just money that is involved, but I could not have managed without some form of financial help.

The Convener: I ask Kate Higgins to be brief because I want to move on.

Kate Higgins: It would be helpful to seek clarity from the Scottish Government on the matter. Our understanding is that the allowance that goes with the kinship care order is temporary transitional support for three years. That will not prevent those children who are still looked after from receiving a kinship care allowance through the looked-after regulations, nor will it prevent local authorities from continuing—as most of them do, and it has not been the most helpful thing that they have done—to make payments and give support through section 50 of the Children Act 1975 and section 22 of the Children (Scotland) Act 1995.

We find overwhelmingly that kinship carers believe that there should be no differences—that every kinship care family, both formal and informal, should get an allowance and that they

should all get the same amount. They would prefer to see a national allowance. It is unfortunate that the financial review has not caught up quickly enough to allow us to address some of those issues in the bill, put them to rest and take things forward. It is almost the elephant in the room, in that it gets in the way of everything else. It is inequitable that we have local authorities paying different amounts. That is not what kinship carers want, and they recognise that. They want everybody to receive the same amount, and we should listen to that.

The Convener: Thank you.

Clare Adamson (Central Scotland) (SNP): Many of the points that I was going to raise have been covered, but I have a question that is particularly for Kate Higgins.

Kate, you mentioned that the additional support needs framework does not work as well as it should. Getting it right for every child is key to the provisions in the bill. Will the passing of the bill and the implementation of GIRFEC address some of those problems?

10:45

Kate Higgins: I would like to think so. How people will get access to the kinship care order and the support allowance is key. Under the bill, it will be if someone is a qualifying person and if the child is eligible. We advocate that an eligible child should be identified under the definition of wellbeing in the bill, as that would put all children on a level playing field, which is the direction of travel for when services should kick in to support children. That means that there should be access where a child's wellbeing might be compromised or need to be promoted or invested in in respect of the SHANARRI indicators—safe, healthy, active, nurtured, achieving, respected, responsible and included. That would enable GIRFEC to apply.

There are wider issues about the relationship between GIRFEC and additional support needs, and how both frameworks come together. I am not sure that those issues have been fully resolved, but I know that, where councils are implementing GIRFEC very well, they have got over that—the committee might hear about that from Highland Council. We should try to learn from that and put the lessons into practice.

What May Barker said about the kind of support that she would have welcomed in her family is there in evidence. Anne Swartz had the same issues. There is evidence about what families are looking for from engagement: they are looking for help from health services and schools.

In 2011, we did a session on additional support needs in our regional forums. A number of kinship

carers had never heard before that they had the right to go to their local school and ask for their child's learning support needs to be assessed, nor that the authorities in education rather than in social work should provide support for their children.

The approach is not currently working. GIRFEC should help. It helps where things are done well in the country and it is an aspiration, but we need to make it work better for families, particularly kinship care families.

Liz Smith (Mid Scotland and Fife) (Con): I want to turn attention to the situation in which a child moves from looked-after kinship care to a non-looked-after situation. Mrs Swartz, the Scottish kinship care alliance said clearly in its evidence:

"Support should last longer than three years if it is to encourage permanence and respond to the needs of the child."

Could you provide us with clear-cut evidence on why that support should be extended? Where is the evidence that would help the committee to understand why support should be beyond three years?

Anne Swartz: It is quite difficult to get clear-cut evidence, but from speaking to members of the Scottish kinship care alliance, it has become quite clear that, as I said earlier, there are cases in which support must remain in place because there is instability. The children's needs are comparable with those of children who go into foster care. They can have foetal alcohol syndrome and issues with withdrawal from drugs. They have all the issues and more compared with children who go into foster care and, ultimately, they could have gone into foster care at great cost to the Government.

However, it is not all about money. We need access for those children and, to obtain that access, there needs to be looked-after status; otherwise, it is extremely difficult to get that at the local level. That is why we want to see support continuing throughout the child's life.

Liz Smith: Are you saying that there is more urgency about financial support beyond three years or about psychological or social support?

Anne Swartz: I think that they are both equal. Many kinship carers have had to give up their employment. There is such inconsistency in local authorities. Many carers have used all their savings and are told to go to the Department for Work and Pensions when their savings run out, even though the children are on the official looked-after register.

Liz Smith: I would like to ask Mrs Gillies a question. From the points that you have made, it

seems that your expertise is very much in the financial area. The committee wants to get to grips with the facts that prove the case that all four of you have stated, which is that we have not quite got things right. Where is the best factual, statistical evidence to prove the case that you are making?

Alison Gillies: I refer the committee to the “Kinship Care: Fostering effective family and friends placements” research by Farmer and Moyers in 2008, which I referred to in my written evidence. That indicated—I do not think that this will be very surprising—that financial security and some enhanced financial support improve the stability of kinship care arrangements and the eventual outcomes for children.

There is a dearth of longitudinal and comparative studies in this area but the indications from that research—which, as I have said, are not surprising—are that increasing financial support in addition to other support increases the likelihood of kinship care arrangements succeeding for the child.

One question that we all have to ask ourselves is: why are kinship care arrangements different? Why—to put in bluntly—do they need extra support? A lot of information in that respect has already been given this morning, but I think that there are a number of reasons. First of all, statistically speaking, kinship carers are likely to be poorer than the general population and, indeed, official foster carers. They are also likely to be caring for children at a time in their lives when they might not have been expecting to do so. I am not the expert in this area but I also think that a lot of kinship carers will have had to give up employment or might not be at a stage in their lives when they are able to contemplate employment to boost their income. For all of those reasons—and given the particular needs and experiences of at least a good proportion of the children in kinship care arrangements—additional financial and other support are likely to be necessary. The research that I mentioned is interesting and useful in pointing us in that direction.

Liz Smith: You have rightly indicated that different local authorities have very different rates; indeed, I believe that you mentioned 17, which means that 15 are not doing very much at all. Is it clear-cut in your mind or is there general satisfaction that the outcomes are very much better in the authorities that are paying higher rates?

Anne Swartz: We can bash this issue around all we like but at the end of the day no one really knows the true figures for kinship care. The financial memorandum to the bill bandies around a lot of figures; it says, for example, that there are X

number of kinship carers, so the provisions will cost Y. As far as I am aware, no research has been carried out on the number of kinship carers out there. The same thing happened in 2007, when it was announced that children in kinship care would get between £119 and £198 per week. As has been pointed out, a lot of people were not aware that they were kinship carers; indeed, I was one of those people. I was not aware that what I was doing was called kinship care. I was—and still am—raising three of my grandchildren. They all had looked-after status but the local authority chose to ignore that. It is not just me; there are hundreds of people in the same position and if we do not get this right this time we will see, as we saw in 2007, thousands more people coming out as kinship carers and, again, the finance will not be there to cover it. It is a pity that the two things have not been put together.

Liz Smith: With respect, however, we—and, indeed, the Government in putting together the financial memorandum—have to take a view on the amount of money that needs to be made available to address the issue. To make a sensible decision, we must ensure that evidence lies behind all of this and that we can prove that, by spending the money, we are making things better. Where should the committee be steered to ensure that we can get the best possible knowledge and evidence to allow us to come to an informed opinion?

Alison Gillies: In a slightly promoting-of-CPAG way, I refer you to our recent report entitled “The cost of a child in 2013”. I will leave it so that you have the references and so on. Obviously, that report does not relate specifically to kinship care but it does relate to the cost of bringing up a child. I am sure that the committee has that information at its disposal anyway but it might be useful to have in the background to thoughts on this.

Kate Higgins: Echoing what Alison Gillies just said, I believe that there is a dearth of longitudinal research on the outcomes for children in kinship care. The evidence is what we already know. If it is good enough for our own children to grow up in family-based care—if it gives them the best chance of a better start in life—it is good enough for kinship care children.

There is also what we know about the outcomes for children who grow up in residential care. The committee has done an inquiry into the educational attainment of looked-after children. One of your findings was that there has not been so much progress as for those children looked after at home. Partly that is about where the resources have been invested; it is two sides of the same coin.

There are families here telling you that they are not getting enough support. We know, from our

engagement, that the additional support needs framework is not working well for them. The committee has found that there has not been a significant improvement for looked-after children. There is your chain, in effect—it is one of the impacts of poverty.

On the inquiry into taking children into care, another issue was about acting early enough. These children are compromised by a poor start in life, in their earliest years, and by the impact of poverty. There is loads of evidence on the impact of poverty on children. We know what will happen if all that we are doing, as a state, is taking children out of one deprived situation—I mean deprived in a range of ways; not just income related—and placing them into another care arrangement in which they are still not getting any more money. We are not being fair to those children and giving them the best start in life and we know the consequences of that.

We are increasingly hearing from local authorities about the cost of kinship care and about how it is becoming unaffordable. This goes back to the issue of preventative spending. We know that the cost of kinship care placements is tiny compared with the cost of residential care or even foster care placements. We have to get local authorities to recognise the value of kinship care. We know that times are tough and budgets are constrained but kinship care arrangements save all of us a lot of money in the long term. They should not be done on the cheap. These children have the same rights as other children to grow up not in poverty.

The Convener: We are rapidly running out of time and we still have to address a number of issues. I want to clarify something in the policy memorandum. When Anne Swartz was speaking earlier about the transitional arrangements, I got the impression that those would last three years and then finish.

Anne Swartz: Yes. That was our understanding.

The Convener: That was what I thought you said. Paragraph 122 on page 29 of the policy memorandum says:

“Secondary legislation may specify that an authority must explain to a carer what support will be provided before they commit to an order, and for how long. As the intention of the kinship care order is to promote strong families, the assumption would be that support would last no longer than three years in most circumstances.”

That does not sound like an automatic cut-off. Would you agree?

Anne Swartz: The fact that it

“would last no longer than three years in most circumstances”

would say to me that at the end of three years, in the majority of circumstances, it would cease to function.

The Convener: Yes, but it says “most circumstances” so it is not automatic.

Anne Swartz: No, it is not automatic.

The Convener: That is the question that I asked you. Secondly, the sentence before that says that the local authority

“must explain ... what support will be provided before they commit to an order, and for how long.”

Clearly, the information must be available before the process is agreed upon.

Anne Swartz: Yes, but in the majority of kinship circumstances, you get the knock at the door at 2 or 3 o'clock in the morning, with someone saying, “If you don't take these children they'll go to foster care.”

The Convener: Sorry, Anne—we are talking about transitional arrangements, not the 2 or 3 o'clock in the morning stuff.

Anne Swartz: Right—okay.

The Convener: Do you agree that the cut-off is not the cliff face that you seemed to be describing earlier?

Anne Swartz: How much of a duty to explain the support will be placed on local authorities?

11:00

The Convener: The policy memorandum's wording seems to be different from what you were saying. I just wanted to clarify—because it is an important point—whether the three-year cut-off is absolute or not. Those are two different circumstances, and we have to be clear about that. The issue is complicated and important, and we all need clarity—as Liz Smith said earlier—on exactly what is happening.

I am keen for us to move on. Colin Beattie will go next.

Colin Beattie (Midlothian North and Musselburgh) (SNP): The panel members have highlighted the fact that there is a considerable discrepancy between different local authorities in the type of support that kinship carers are given.

Will the bill do anything to improve that consistency? [*Interruption.*]

The Convener: Hold on for a second, Colin—whoever has their phone on should switch it off, please.

Colin Beattie: Do the panel members think that the bill will do anything to improve consistency between the 32 local councils?

Alison Gillies: Not as it stands. I may be wrong about this, but at present the bill implies that the subsequent secondary legislation will give local authorities an obligation without specifying levels of support. My understanding, from the information that is currently available, is that, in all likelihood, there will be a great deal of discretion at local authority level.

Under the system to date, local authorities have committed to assisting approved kinship carers, but there is huge discretion at a local level in how that assistance is delivered. Given what we know about how that has panned out in the past five years, my fear is that a similar pattern of differences between local authorities might develop.

My next comment might not relate precisely to your question, but I hope that it is useful information.

One area in which the bill might assist, if we are comparing the current situation with the proposed kinship care order, is in the interaction with the benefits system.

At present, the heart of the issue is a child's looked-after status, which, in conjunction with the payments from the local authority for accommodation and/or maintenance, is problematic in relation to benefits and tax credits. That leads a number of kinship carers of looked-after children into a situation in which they are not able to claim all—or some—of the family-related benefits. The system therefore creates a great deal of complication and confusion at the moment.

If the new kinship care order comes into being, and those children no longer have looked-after status, a lot of the complexity of the interaction with the benefits system will disappear. That is a positive, but the question remains as to what local authorities will do with that new power. There might still be huge variation between local authorities, but there is unlikely to be the same complexity in that regard.

That said, my final point on the issue is that for kinship carers of looked-after children, which will obviously be quite a large group of people, all of that complexity will still exist and, in fact, is likely to become even more problematic with the advent of universal credit. However, that is probably enough about that for the moment.

Colin Beattie: The Government's review of kinship care allowances is expected to finish towards the end of the year. What are the panel's expectations in that respect?

Kate Higgins: I would just repeat what I said earlier about kinship carers' aspirations. They want every kinship care family, no matter their status, to get a national allowance paid at the

same amount and equity and parity across all families. That would not stop local authorities looking at particular needs and—going back to your previous question and picking up on Clare Adamson's point—I think that we would have more consistency if there were greater alignment with GIRFEC and if we had a more child-centred approach based on individual children's needs. Although everything would be an individualised package from the menu of options, that would mean that how things are assessed and applied would be more consistent.

There is something else that we would like and which could be done in this bill. As we uncovered from our engagement with kinship carers, some local authorities that pay a kinship care allowance deduct the value of child benefit from it, which means that families do not receive the full value of their allowance and are actually being means-tested on what until very recent times was one of the few remaining universal benefits. We would like legislation to prevent such behaviour, because it is simply not fair. We do not do that to families who, for example, qualify for free school meals or clothing grant vouchers, so why do we do it to kinship care families? Removing such options and anomalies would help the situation.

Colin Beattie: Given the bill's provisions and hopefully the progress that is being made, is Clacks kinship carers reconsidering the need for its petition?

May Barker: We cannot reconsider that until the bill has come to fruition. We will have to discuss the matter. Given that the legislation is still going through the Parliament, we cannot take such a decision at the moment.

Colin Beattie: If the bill went through, would that influence your decision about pressing on with the petition? I am just curious to know.

May Barker: I can speak only for me, because I am the only one you can ask. Until I go back and put the question to the committee, I cannot give you an honest answer. All I can say is that we would consider the matter.

George Adam (Paisley) (SNP): My questions are about the benefits system, which I know has already been raised this morning. In fact, Alison Gillies almost answered all my questions in the first five minutes of the session.

Alison Gillies: Oh, good.

George Adam: I am going to ask my questions anyway.

Alison Gillies: That is fine. There is a lot more I can say about the subject, unfortunately.

George Adam: I agree with not only Alison Gillies but Anne Swartz and May Barker that this is

not just about money but about other kinds of support. As a constituency MSP, I constantly get families like Anne's and May's coming to me, and I know that for kinship carers the benefits system is a financial minefield. Obviously, the system itself is Westminster-based but, if we were starting from day 1, with a clean sheet of paper and any other cliché I might fling in, what would be the best way forward for kinship carers in Scotland?

Alison Gillies: Are you talking about kinship carers of looked-after children?

George Adam: I am talking about kinship carers in general. How would you make things easier for them?

Alison Gillies: I will need to separate the two kinds of carers. Are we assuming that the current UK benefits system is still in place in your day 1 scenario?

George Adam: For the time being.

Alison Gillies: If we still have that and if—there are a lot of ifs and buts—we all accept for the moment anyway that kinship carers of looked-after children need and ought to get some additional financial support from the local authority, a way of working would be for the local authority to make the additional payment in a way that means the payment is not for accommodation or maintenance. That would circumvent some of the existing difficulties.

By way of a very brief explanation, my opinion is that the rules in the benefits system that are problematic to kinship carers are ones that are intended primarily to prevent, for example, anybody getting benefits for a child in foster care or in a residential unit—a child who is in the ordinary sense looked after and accommodated by the local authority. The rules are all about double funding.

Unfortunately, in certain circumstances kinship carers are caught by those rules. A way for kinship carers not to be caught by those rules is therefore for additional financial support from the local authority to be for needs that are additional to accommodation and maintenance. That is a way round the problem, but it is not a fundamental solution to the problem—a solution would lie elsewhere in the benefits system.

There are not such huge difficulties in the benefits system for kinship carers of non-looked-after children. My understanding from anecdotal evidence is that the complexities for those kinship carers mainly relate to issues such as delays in getting benefits sorted out. Problems might arise when there are competing claims for benefits—if, for example, the child's parent still receives child benefit and child tax credit—but those are administrative difficulties rather than a

fundamental issue of not being entitled. For kinship carers of non-looked-after children—even those who receive some kind of allowance from the local authority, as some do—the difficulties in relation to the benefits system are therefore not so great and are more easily overcome.

The remaining issue, which a lot of people—including me—focused on at the outset of the concordat when we were thinking about the whole issue, is whether a payment from a local authority counts as income in respect of means-tested benefits. However, that is not an issue any more. All the payments that are available to local authorities to make to kinship carers, under either section 50 of the 1975 act, section 22 of the 1995 act or regulation 33 of the Looked After Children (Scotland) Regulations 2009, are disregarded as income in relation to means-tested benefits and tax credits. That is therefore not really an issue.

The issue is that, for some kinship carers of looked-after children, the very fact of looked-after status combined with a payment that relates to accommodation or maintenance come together to disentitle entirely the kinship carer from, in particular, child tax credit, which is a significant source of income if they are on a low income.

Do my comments help at all?

George Adam: Yes. Would anyone else like to comment?

Kate Higgins: Sorry, what was your question?

Alison Gillies: It was just asking us to rethink the whole benefits system.

George Adam: Yes, if it was day 1 and you had the opportunity to reshape the benefits system, how would you make it work for kinship carers?

The Convener: In 140 characters or less. *[Laughter.]*

Alison Gillies: Currently, the answer is that the payment should not be for accommodation or maintenance. However, I would just add that there is a problem under universal credit.

Universal credit is slightly receding into the distance at the moment, but, as things stand, the universal credit regulations will be very problematic because they say that someone will not receive universal credit for a child if the child is looked after by the local authority. There are some exceptions to that: for example, if a child is looked after but living with their parents or someone who has parental responsibility for them. As I understand it from my reading of the universal credit regulations, a kinship carer of a looked-after child would not be able to get the child element of universal credit, regardless of any payment from the local authority. It does not matter if the local authority is paying nothing; that rule will have an

impact. We hope that that approach might shift before universal credit comes into being for most people.

11:15

George Adam: The Children and Young People (Scotland) Bill comes from the Scottish Government, and there has been a change in the definition in Scotland since 2007 such that kinship carers are accepted. Could it therefore be argued that, if we had more powers over welfare in the Parliament, we would have the opportunity to make the difference for the individuals here, too?

Anne Swartz: The proposed kinship care order directs that the majority of kinship carers will end up receiving support from the Department for Work and Pensions for the children. I reiterate the point about the comparable needs of these children and those of foster children. Foster carers are not directed towards the DWP to provide support for these children, so why should kinship care families be sent in that direction?

The new kinship order directs them there and the majority will receive benefits from the DWP. I do not want to be too political but, if Scotland does become independent, would it then expect the UK Government to support Scottish children financially and otherwise? I do not think that that is the right approach.

George Adam: I do not think that would be the case.

The Convener: We know that that would not be the case. They would be two separate countries, so I do not quite see how that fits. To be frank, we have gone off on a tangent.

Anne Swartz: Yes, I know I was being a bit political.

The Convener: It was not all your fault, Anne.

Anne Swartz: I could not resist it. I am sorry.

The Convener: Let us stick to the bill in question. Kate, you may speak very briefly. Other people want to come in.

Kate Higgins: I want to make three quick points that focus on the here and now.

First, as part of our financial review engagement with kinship carers, we were surprised to find out how few of them receive the benefits to which they are entitled. There is a point about income maximisation when people become kinship carers and making sure that they can access everything to which they are entitled. We tried to do some work on that before the bedroom tax came in, to promote income maximisation to members and local authorities, particularly around council tax benefit and housing benefit.

The second point is that we have wrongly assumed, like everybody else, that because an awful lot of the kinship carers are grandparents they are therefore pensioners. Our engagement underscored the fact that they are not all pensioners and that many are of working age. As is evidenced by May and Anne, the carers are youthful and not necessarily of pensionable age. We need to be alert to the impact of welfare reform. We were successful when we worked together to get some degree of exemption for kinship carers from the bedroom tax.

Finally, we have raised the point at the Welfare Reform Committee that, because some of the powers have been passed on to Scotland, there is an opportunity to examine whether passported benefits, such as free school meals, clothing grants and access to leisure, work for all of the groups for which they should work. These are all things that kinship carers have told us would be of benefit to them: they would help them out and give additional support and income. We would encourage the Welfare Reform Committee—and the Government, when it makes new rules for these benefits—to consider whether kinship carers can benefit from them.

The Convener: Clare Adamson may ask a very brief question and get a very brief response.

Clare Adamson: Let us have complete clarity. From what has been said, I understand that for non-looked-after children there is no problem with the DWP and that—universal credit aside—for looked-after children it is the working practice of the local authority that can solve the problem.

Anne Swartz: It is a bit more complex than that.

The Convener: I do not want to open the whole debate up again but, frankly, it seems that reclassifying the way in which support is paid will not solve the problem entirely. We found exactly the same problem in discussing the bedroom tax.

Alison Gillies: You are right about the situation of kinship carers of non-looked-after children. There are no difficult or complex rules within the benefits system that impact on those people; the issues are more administrative.

The other issue is much trickier. All that I would say—finally and, I hope, briefly—is that the rules that exist within the benefits system currently say that, if there is a combination of a looked-after child and a payment from the local authority in respect of accommodation and/or maintenance, that is a problem. What local authorities might or might not do is beyond what I want to comment on, but that is the situation with the benefits system.

Clare Adamson: Do all local authorities pay in that way? Have some changed their practice?

Alison Gillies: Probably the majority pay under a power in section 50 of the Children Act 1975, which relates specifically to maintenance. By definition, the payment is for maintenance because that is what section 50 of that act says that it is for. I understand that only two or three local authorities use the power under regulation 33 of the Looked After Children (Scotland) Regulations 2009, which causes particular problems in relation to the benefits system. A group of about six or seven local authorities, I think, use the power in section 22 of the Children (Scotland) Act 1995. However, as you will be aware, that is a very broad power, and payment under that power can be for a number of different things. That is the current situation as I understand it.

The Convener: I will bring in Neil Bibby, but I must clarify something first. Following what you have just said, if all local authorities that are paying under the difficult areas—under section 50 of the 1975 act and section 22 of the 1995 act—

Alison Gillies: It is under regulation 33 of the 2009 regulations. Those are the difficult payments.

The Convener: Sorry, I meant under regulation 33. If they suddenly shifted to paying in a way that is less difficult, would the DWP not spot that and deal with it, as it does?

Alison Gillies: If a local authority pays under section 50 of the 1975 act, the payment is, by definition, for maintenance—that is what it says it is for. However, I understand your point. If the local authority paid under section 22 of the 1995 act and said that the payment was for something else, would it be accepted that it was for something else? You would probably have to ask somebody else that question. At the moment, some local authorities are making payments under section 22 of the 1995 act and are specifically categorising those payments as not for accommodation or maintenance but for additional needs that are separate from those things.

The Convener: Okay. Thank you for that.

Neil Bibby: In terms of transitional support, what benefits would those who have achieved the kinship care order, which has been modelled at £70 a week, be automatically entitled to? The financial memorandum to the bill states:

“Support will only be provided if it is not automatically provided elsewhere through universal services in Scotland or across the UK (including through the UK benefits system).”

Is it conceivable that the whole £70 would be paid by the UK benefits system?

Alison Gillies: I can answer in terms of the amount of money, but I do not know what the

intention is regarding payment by local authorities for anything in addition.

If someone had little or no income and they were dependent on state benefits, they would ordinarily get around £83 per week for one child. That is a combination of child benefit, which is £20.30 for the oldest child, and child tax credit. That amount could rise by up to another approximately £80 if, for example, the child has a severe disability.

Ordinarily, therefore, the money that is specifically related to the child via child benefit and child tax credit amounts to around £83 per week. Under the proposed new system, if the local authority made a payment in addition to that and it was using a current power such as that under section 50 or section 22, the additional payment would be disregarded as income for the purposes of claiming child tax credit; child benefit is not means tested.

Your other question is really about whether the local authority would therefore not make the payment, and I cannot answer that. I do not think that any of us can.

The Convener: Liam McArthur is next.

Liam McArthur: I think this question is for Kate Higgins specifically.

Kate, you were talking earlier about the appearance of a potential threat that the counselling aspects of the bill might be lost. We have heard no evidence to that effect, but clearly there are inconsistencies in the framing of the bill, which mentions counselling, while the policy memorandum extends to family group counselling and family mediation, which is a broader definition of counselling. The bill also leaves eligibility to future regulation, but the policy and financial memoranda link it to kinship carers. The policy memorandum says that counselling

“can be used to promote the role of a kinship carer.”

How can the bill’s wording be improved to get better consistency of language and to help understanding of what is meant by the provisions?

Kate Higgins: The concern is centred on the word “counselling” because our understanding is that it has quite a specific definition and connotations for practice. The aspirations of the provisions are absolutely legitimate.

Counselling has been identified as desirable in relation to kinship care because, as Anne Swartz said, placements can be very last minute when it is simply no longer safe for a child to stay in their family. People are regularly phoned up out of the blue and asked to take a child that night. Our experience, as standard-bearers for activities such as the family group conference, is that when we

bring families together to plan for when a child is at risk of going into care the families tend to reach family-based settlements that are also sustainable. We are doing some research in that area to look at the longer term outcomes of such settlements.

Some of our concern is motivated by that experience, but it is also a matter of early intervention and the kind of support that either enables a child to go into a sustainable, non-formal care setting or prevents them from moving into a care setting. We are therefore looking for wording around early intervention or family support services.

What comes through in the secondary legislation will be key. My understanding is that the Scottish Government has highlighted family group conferencing and family mediation in the policy memorandum, but it would not prevent parent programmes or anything that would help kinship carers and others who are providing informal care, such as foster carers or others, or helping children to stay with their parents from moving that step forward.

11:30

Liam McArthur: Given what you say about the precise definition of counselling and what you say about the understanding of what might come through in secondary legislation, are you comfortable with the way in which the bill is phrased, sitting alongside the policy memorandum, or are there things that we should be looking to firm up that might help with the secondary legislation process?

Kate Higgins: There are two things that we would like. First, we would like “counselling services” to be changed to another name. Everybody has a different view on what it should be, but we all talk to each other in the voluntary sector and there have been discussions on the matter. We would be happy to go away and produce some options that we think better describe the intention. Apart from the reference to “counselling services”, the sections that we are discussing are okay because they legitimately give effect to the intention.

The other thing that would be helpful is to move the provisions from where they sit in the bill and make them part of the GIRFEC parts because they should be seen as relating to that. In effect, they are about early intervention: they almost enshrine in the law a duty to act early rather than wait until a child is moving into care, and they absolutely fit with the GIRFEC intentions. It would give greater clarity as to why the provisions have been included in the bill if they were moved into the GIRFEC parts rather than left sitting where they are at the moment.

Liam McArthur: The financial memorandum mentions costs of between £2 million and £6 million. That money could be spread quite thinly. Should we pursue the intentions with the Scottish Government, whether or not counselling is broadened out beyond kinship care? Are there specific priorities as far as you are concerned, given where conferencing or mediation can deliver the most effective results?

Kate Higgins: The most obvious starting point would be when kinship care is being considered. We should encourage local authorities to plan more effectively for those arrangements. That would support kinship carers because, rather than their being landed with something that they were not expecting, everybody would have time to become involved. Crucial to that is the child-centred approach whereby the child or young person, if they are able to express a view, can give their views on what should happen.

We would argue that the starting point should be kinship care, but the provisions should be worded in such a way that they do not prevent the approach from being used in other circumstances. For example, family group conferences have been used successfully in arranging safe contact, and also where there has been a breakdown in contact and residence between parents. Family mediation works similarly—where there has been a breakdown in contact with grandparents, for example. It can be used in a variety of ways to get families round the table and encourage them to take responsibility for decisions about what is in the best interests of children.

We will go back and have a look at the wording, and we will perhaps make a recommendation to the Government. We have provided some costings given our knowledge of the costs of family group conferences and how to do them, and we think that the estimate is fairly accurate in so far as it applies to kinship care.

The Convener: I thank the panel of witnesses for their evidence. We spent a lot more time than we originally scheduled, but kinship care is an important and complicated issue and area of the bill, so I hope that you do not mind that we took some extra time this morning to discuss it.

I say to members that, given the difficulty that we had in getting clarity on some of the questions, it might be worth our while—I throw out this suggestion—to write to the Scottish Government and ask it a number of the questions now. In that way, we will have clarity on them before we get the minister in for questioning, rather than go through the whole scenario again. Do members agree to that approach?

Members indicated agreement.

The Convener: We will do that. Thank you.

I suspend the meeting briefly while we change panels.

11:34

Meeting suspended.

11:39

On resuming—

The Convener: I welcome to the committee Bill Alexander, director of health and social care with Highland Council, which was of course the national pathfinder for the implementation of getting it right for every child. The council's experience of that is obviously relevant to our scrutiny of the bill. We will go straight to questions, and will start with Liam McArthur.

Liam McArthur: Good morning, Mr Alexander. Highland Council's experience will obviously be helpful for our understanding of the bill's implications and any refinements that it needs.

The decrease in the number of referrals in Highland to the children's reporter seems a positive indicator, but I understand that the number of hearings, proofs, child protection orders and so on has not decreased. That suggests that the financial savings realised through your application of GIRFEC have perhaps not been particularly significant. Is that a fair reflection of your experience?

Bill Alexander (Highland Council): Good morning to you, Mr McArthur, and to everyone. I am very pleased to be here.

Financial savings are a complex issue. The bottom line is that our policy has been not to take financial savings out of children's services because of the implementation of getting it right for every child, but that does not mean that we could not have done so. We reinvested the money in early intervention and preventative services. For example, the case loads of social workers have been significantly reduced. We could have reduced the number of social workers, but we did not. We invested in front-line workers who can undertake preventative work. We are about to invest in additional health visitors.

We believe that such investment not only makes good professional sense because it means better outcomes for children and families, but is the long game in terms of financial savings. The number of child protection registrations and looked-after children is already going down, so there will be savings from there being fewer children with higher-level needs.

Liam McArthur: The figures that I have in front of me indicate that the number of child protection registrations in Highland was 125 in 2007 and 111

in 2012, which is a small reduction. In 2008, the number of registrations was down to 60, and in 2009 the number was 69, but it nudged back up towards three figures in subsequent years. Is there any detail around why that pattern occurred?

Bill Alexander: Our numbers were generally 100 to 150 over the years preceding GIRFEC, but post-GIRFEC implementation they have been between 75 or 80 and 100. They have dropped to quite a low number. There is nothing precise about how many children we have on the register, because a lot of children might be a good thing and a few children might be a good thing. When the figure bounces around, that poses questions about services. The figure sometimes bounces around in Highland because of inward migration, large families or other particular issues that are relevant to Highland.

The drop in numbers around the time of GIRFEC implementation was about confidence in the system. The key issue is not the number of children on the register, but confidence in the system. Hundreds and thousands of people work around children's services and hundreds and thousands of people can press a red button for child protection services. We would be pretty foolish to ignore someone pressing that red button; we take that seriously and err on the side of caution. If that means that we apply a child protection registration label, we do that. Clearly, though, that is not sensible in the long run, because we could not have every child in an authority on the child protection register—that would be nonsense. We must focus on the children who we believe are at greatest risk of significant harm. If the numbers come down, that suggests that there is more confidence in the system and that we are getting things right. I think that that is what we have achieved.

Liam McArthur: You said that there was a move towards having additional health visitors in due course. One of the questions around a pilot area is whether additional resources have been put in to trial particular approaches. Did you have to put in additional resources in Highland because of what you were planning to do? If so, does that teach us anything that could apply to the Scotland-wide roll-out of GIRFEC? The issue of resources has come up in relation to specific aspects, so the experience of Highland is crucial for understanding how that might play out.

Bill Alexander: It is a critical issue. There are two sets of issues around resources: the resources in the system that we need to sustain the model and the resources that we need to support a complex process of change. Are you asking about both of those?

Liam McArthur: Yes.

11:45

Bill Alexander: As Stewart Maxwell said, Highland Council was the Scottish pathfinder in the process of change. There was some other pathfinder activity, such as the domestic abuse pilots that were associated with the introduction of multi-agency risk assessment conferences, but Highland Council took a whole-system approach that included police, social care, education, health, the third sector and families. The Scottish Government funded professionals in all those areas, so we had a teacher, a social worker, a health visitor and a representative from the third sector, and they considered what the implementation of GIRFEC meant for all those professions.

Integrated working is not about some big homogenous blob, but about the joins between the different professional groups, and we had to get it right for each of those groups. Each of the professionals, apart from some people who were seconded to the Scottish Government during that period, was located within the Highland area.

That activity enabled the development of the GIRFEC components, as well as national guidance and training materials that other authorities could use. It allowed us to network with a range of authorities up and down the country, and we held road shows and all sorts of events.

In the period from 2006-07, the Scottish Government invested between £150,000 and £250,000 a year in those posts. Over the programme's entire duration, up to 2010, approximately £640,000 was invested. That was the cost for the national pathfinder, and I am often asked how much of that each new authority would need to replicate. A lot of it would not need to be replicated, because much of the basic work has been done. However, authorities would have to go through some of the processes, because Inverness is not Glasgow, Dundee or Angus, and authorities must consider their own circumstances and context.

When GIRFEC began and we got the list of components from the Scottish Government, the named person requirement did not feature. It was developed through practice and experience, and discussions with families and professionals.

Other people do not need to do that work, because we have done it, but they still need to do some work. Critically, an authority would need an implementation plan and a training model, and would need to develop new guidance that reflects its own practice. That said, authorities already have a training programme and have to produce guidance for whatever practice model they have, so some of those costs already exist. However, there would be some additional funding to support

that change, and my understanding is that it is being made available for that purpose.

Liam McArthur: The implementation of GIRFEC was, as I understand it, not finalised through the pathfinder process until around 2010, but some of the earlier improvements—in child protection registrations, for example—were being ascribed to that process prior to it being fully bedded in. What level of confidence do you have in making the link between the embedding of GIRFEC and the delivery of some of those outcomes?

Bill Alexander: Improvements in outcomes take time. Even now, it is fairly premature to look at the outcomes, but we are starting to see green shoots and various process changes. We are also seeing some changes in the number of children who use alcohol and who self-report as using drugs or smoking, and in the number of exclusions from school and so on, but some of the outcomes will take time.

The University of Edinburgh undertook a helpful evaluation that saw us through the implementation process. We had three different implementation plans, and I am happy to talk about that. The first two were not effective, but the third one was. It started in the city of Inverness, which is a contained area, and involved newborns. We started assessing newborns using the assessment framework that contained the named person and child's plan requirements. We extended that assessment to the early years and then to school-age children, and subsequently to children with high-level needs who were already in the system.

We had a manageable group that we could look at and which was different from other areas in the Highlands. The University of Edinburgh evaluation focused on children in Inverness, and the researchers could look at the data because we had begun to implement that assessment in 2008.

Liam McArthur: Some of the outcomes for care leavers look much the same as they did in 2008. Presumably you would argue that those who fall into the final group that you mentioned are part of a strategy to deliver longer-term objectives.

Bill Alexander: I think so. Our looked-after children numbers went up at the same rate as those in most of the rest of the country until around 18 to 20 months ago. The first group whose numbers started to come down significantly were children who were looked after at home. Initially, that worried me because I thought, "No, that's early intervention. Those numbers shouldn't be going down." I had many arguments with colleagues and practitioners in the children's hearings system about why that was happening, and they convinced me that it was because the children's hearings system was confident that a

plan was in place, there were partnerships with families, and we did not require compulsory measures. It was therefore sensible that that was where the first impact was.

The next impact was on accommodated children, because they are already at the top of the system. They already have high-level needs, and things cannot be turned around overnight. Those numbers are now starting to drop significantly, and that is different from the situation in much of the rest of Scotland.

The approach has still not impacted on the number of children in specialist placements outwith the authority. I think that that will take longer.

Those are all early signs of the approach working. We continue to see the numbers coming down. I think that the number of children who are on supervision at home will shortly be under 100. That is astonishing for an authority the size of Highland Council, which used to have 600 looked-after children. The number of persistent young offenders and the number of offence referrals are dropping dramatically. We have around a third fewer offence referrals every year. The numbers continue to drop at that rate. I do not know for how long they will drop—I believe that they will plateau at some point—but that is the rate at which they are dropping now.

The Convener: The number of children who are accommodated is dropping. Where do they go? How are they classified now?

Bill Alexander: Three things are happening. First, some children are moving into permanence more quickly. That might be through kinship care arrangements, which the committee has just discussed.

Secondly, some children are returning home more successfully. My colleagues tell me—this is relevant to the report that the committee published this week—that when children become accommodated in Highland, that is because they need to be accommodated and they do not bounce back and forth, so we do not have the effect that you identified in your report. It is appalling that children bounce back and forth and it has happened in Scotland for many years.

Thirdly, fewer children need to become accommodated for the first time.

All three streams cannot be turned around overnight, but they are now being turned around. Fewer children are being accommodated, more children are moving into permanence, and more children are returning home successfully.

The Convener: That sounds pretty good, given the report that the committee published yesterday.

Bill Alexander: I did not come here to tell the committee about an untested product; I am here to tell you about our practice model. We are not perfect, we do not get everything right, and we still make mistakes. We are not complacent, and we are working to try to make sense of what is happening while we do the day job. This might sound a bit selfish, but, frankly, we are more interested in doing the day job than in explaining, evaluating and making sense of what is happening for everyone else. However, everyone in Highland passionately believes that the approach works and that it makes more sense.

As I said in my submission, I do not get complaints from people about the approach working; I get complaints only about its not working. We are not complacent.

The Convener: I am sure that you are not. Obviously, we are keen to understand whether the approach works and why it works. You said that children are returning home successfully. Where is the evidence for that? Where is the evidence that children are not simply going back to circumstances that are the same or similar to those that they were in before? The evidence from other parts of the country that we have received during our inquiry is that they are doing that.

Bill Alexander: We do not have children yo-yoing in and out of care, as you identified in your report. We are much clearer that, when children become accommodated, that is because it is the appropriate step to take and other options are either not available or there is a good reason why we should not do those things. It might be that we have attempted certain interventions that have not been successful, so the person becomes accommodated, but things are much clearer and people are much firmer. Our social work case loads now are much firmer and social workers are not wrestling with a whole range of cases, some of which, frankly, used to be inappropriate. They are able to concentrate on critical work with the most vulnerable.

Clare Adamson: Mr Alexander, GIRFEC will not be in the statute book until the bill goes through, so the situation in which you have been piloting it is anomalous. I would like to ask specifically about information sharing and whether Highland experienced any difficulties using the current legislation to share information and whether, given your experience, you feel that sections 26 and 27 in the bill on information sharing are required.

Bill Alexander: I have watched the webcasts and seen some of the detailed discussion of particular terminology. I will perhaps not get into that, but will try to answer your question from the point of view of a practitioner. As I understand it, what is proposed in the bill is what the Information

Commissioner's Office regards as best practice and I suggest that that is what we do.

As a practitioner, I will emphasise two points. First, people have always both shared information and had concerns about sharing information. In the old days, that led to information not being shared when it should have been. It also led to a scatter-gun approach, because when people thought that they should pass something on they were totally unclear about who they should pass it to, so it was often passed on, not only to every agency but also within each agency to a range of different people. When I started in my post as a head of children's services, 12 years ago, I would get an email every day about someone who had a concern about a child. That is totally inappropriate. It reflects a blockage in the system. Someone does not know where to go and therefore sprays the gun so wide that the message even goes to senior managers who do not know the first thing about that particular situation. That is entirely inappropriate.

The other thing that would happen was a referral to the children's hearings system. Someone had a concern and thought that that was how to proceed—that if you had a concern you made a referral to the children's hearings system. That would be posted and, with due respect to the children's reporter, it would sit in the children's reporter's inbox for a few days, perhaps even a couple of weeks. The children's reporter would get around to looking at it and if there was some merit in it, would probably consider that they should ask for reports. They would write a letter to a range of different agencies, appropriate or not, and in the process of asking for the report, someone who should have that information might work out that there was a concern there and take it a bit further. That is how we used to share information. We now do it directly through named persons and lead professionals.

The lead professional issue is very relevant and if there is an opportunity to talk about it I would like to do so.

I suggest that we have actually done what the bill proposes. Why then does it need to be in legislation? Well, it is not happening elsewhere, is it? GIRFEC was published in 2006. It works. It is evaluated. Yet here we are in 2013 and children in Scotland are still not safe and their wellbeing is not being protected because it is not a fundamental entitlement that children and families can expect in Scotland. If the only way to get it done so that all children get that entitlement is to put it into legislation—even though we have done it without legislation—I accept that we need the legislation.

Clare Adamson: Was the pilot able to look at the wellbeing concern as well as child protection in

terms of implementation at this stage? Have you any insight to give us on that question?

Bill Alexander: We do not use the word threshold in Highland but I guess that you mean the word threshold.

Clare Adamson: It is obvious that the bill brings in that idea of wellbeing as well as child protection. Was wellbeing included in your training for the information hearings?

Bill Alexander: We have great respect for the phrase child protection, but it suggests an awful black line—either you are on this side or that side. That is not the real world. A child is not on one or the other side of that black line. Children live in families and communities, they have a range of circumstances, a range of protective factors and a range of risk factors, and you have to look at the whole picture. If you wait until you believe that someone is on the cusp of crossing that black line it will be very difficult to address some of the risk factors in the child's life.

12:00

That said, you do not share information unless you need to and, unless that information is about significant harm, you should never share it without the consent of the family and, depending on the age, the child or young person. There has to be a point to it; you do not rush around sharing information just for the sake of it. Mostly, you will share it because, with the family's agreement—and indeed often at their request—you are seeking support, help or advice from another agency. Occasionally, you will need to share it because you need to take radical measures to protect a child and, in such circumstances, you do not stop to ask for consent. You simply have to take that serious action.

The whole information-sharing process has to be built on, first, the reasons for sharing that information and, secondly, the consent model, to ensure that you are doing all this in partnership with the family, except where there is risk of significant harm.

Liz Smith: Many people think that Highland's success is down not only to ensuring that the local authority's different departments work pretty seamlessly, but to the very good culture in the local authority. Indeed, that is perhaps one of the reasons why you have not required legislation in this area. Do you think that other local authorities have not performed so well because they have not had the same culture?

Bill Alexander: I take it that you want me to stay friends with my colleagues up and down the country.

It is a very good question. You are absolutely right to suggest that the implementation of a practice model cannot be untangled from the relationships between services, leadership in different services and how front-line practitioners already get on and collaborate. Coming back to an earlier question on outcomes, I think that a number of factors, not just the practice model, should be taken into account but the model itself is about the front-line delivery of a joined-up service. This is not just about the culture in the leadership of agencies but about people getting together on the front line, and the fact is that people in deprived communities or on remote islands in Highland are used to getting together, collaborating and getting on with things.

As for the question why this has not happened elsewhere in Scotland, the answer is that such an approach is difficult and requires a certain amount of political bottle. Indeed, the committee has called—in the report that it published this week—for leadership from Government. What we did in Highland required political bottle by NHS Highland and Highland Council, in particular, to decide to go down this road. It is easy just to go in every day, do things as they have always been done, cross your fingers and hope that it will all be all right; it is very difficult to develop a new practice model, and we had political support in doing that.

Northern Constabulary was a major player, too. We had a very effective relationship with the constabulary's chief constables, who also had the bottle and passionately believed in improving outcomes for children and families. In addition, we have a very active third sector and good engagement with children and families. We had a number of things in our favour, but those things might not exist everywhere else. In any case, it is not for me to sit and analyse the situation in other parts of Scotland.

Colin Beattie: The committee has previously taken evidence on the single child's plan and, indeed, concerns about the sheer volume of assessments, plans and so on that are already in place and how the plan will bring all those together. I am greatly interested in hearing about your success in bringing together those things in the Highlands. Have you encountered any difficulties in achieving that or has the process been relatively easy? Where do the other plans sit in relation to that central plan?

Bill Alexander: There are no other plans—there is only one. However, it is a really great question.

When in 1980 I started work in a busy children's unit in Glasgow, I did not understand why the more complex a child's life was the more plans they had. The child could have a looked-after plan; if they were on the child protection register, they

could have a child protection plan; if they had a disability, they often had a respite plan; and they also had an education plan and a health plan. That was at the very least; the more complicated their life was, the more different plans they had.

Moreover, there were different processes around those plans. We would meet to look at a looked-after child plan one week, and the next week, we might meet to look at the child protection plan, potentially with a different group of people, some of whom would not know what had been decided at the previous week's meeting. The process was complicated, and was very difficult to manage.

We had to change all that and move away from it. We talk about the single plan, but the single process is critical. There were half a dozen different processes to go through, including the education review, the health review, the learning disability review, the looked-after review, and the child protection review. We had to consolidate all those processes into a single process.

We have a plan, and I have the format for it in front of me. We spent a lot of time getting to version 1 of the plan, although it was not easy. We ran it for a year, after which we decided that we wanted to modify the plan and reduce its size. Version 2 went live about six months ago.

Stopping the processes was much more difficult. I remember going to a meeting with teachers in Wick and saying, "Single plan, single process"; they said, "That's fine, but why have I got all these other meetings in my diary?" I told them that it was because they put them there and they should take them out. They should not have them. As well as introducing the new, we have to get rid of the old. I could not take those meetings out of those teachers' diaries, but they had permission to stop it. That was very difficult.

The committee will probably come on to the co-ordinated support plan, so I will talk about that now. The advice that we got at the start was that we could include the co-ordinated support plan in the single plan. There are only some elements in the statutory guidance that are absolutely critical to the plan. Version 1 of the plan had that and a co-ordinated support plan was embedded in the plan. The plan is now modular and there is a page for the individualised education plan. If children also need the co-ordinated support plan, the additional demographic detail is in there. It works; it is fine.

I have talked to families and colleagues up and down Scotland, so I know that people still struggle with the requirements of the legislation on additional support for learning. There are worries that when it comes to tribunals, there will be difficulties and conflict. That might be right,

because it looks as though we currently have two sets of legislation.

I also know that parents want to be reassured. Before we rolled out getting it right for every child, there were 250 children in Highland with education plans. There are now 1,200, so there are 1,200 plans whereas there were 250 of the old model, including the CSPs. We now have 1,200, although we believe that we should have 1,500. Some children in Highland schools are still getting additional support for their learning without having a plan. That should not be happening, but we are up to about 70 per cent and we want to get to 100 per cent. That is 1,200 plans in the new version as opposed to 250 old-world education plans.

Colin Beattie: You have certainly picked up on my next question. What about the looked-after child plan?

Bill Alexander: That is in the plan. The plan for a looked-after child will be a complex document that is prepared by a lead professional, who will be a social worker. If a child needs a little bit of additional support in school, the plan will be thin, proportionate, and prepared by the named person in the school. The format will be the same.

When a child is assessed for the first time by a health visitor, they get a single assessment, which goes with them and is built up throughout their life. We never move away from the three sides of the my world triangle. Every practitioner uses the same assessment framework. Some practitioners are specialists. A psychologist or psychiatrist will do additional specialist assessment, but every child has a core assessment.

Colin Beattie: You have achieved all this without the need for legislation. Do you think that the bill would benefit from anything further to ensure or to encourage integration of the different plans, or is that covered already?

Bill Alexander: A couple of things that are in the bill around getting it right for every child are not entirely helpful. We have not managed to make assigning a named person after school-leaving age work, nor are we convinced that that is desirable.

We suggested a couple of elements that should be in the bill. One of those is the assessment framework, but I do not think that that needs to be statutory. The second element is the lead professional. The named person is absolutely critical, but the named person does not deal with the more complex and vulnerable children; that has to be a lead professional.

Under the GIRFEC guidance, the named person would support early interventions but as soon as more than one agency got involved the co-ordinating role would move to a lead professional.

Moreover, with more complex needs such as those of children who are looked after, children with significant health needs or children on the child protection register, a lead professional would always be involved.

We contract with a number of third sector partners to deliver the lead professional role for us. Going back to an earlier point, I should say that we use Barnardo's for our throughcare services because the approach just does not work with a social worker. After all, some social workers still wear suits and ties as lead professionals for a 17 or 18-year-old who has just left care. It is much better to leave such work to a third sector agency.

We have been told that it is more difficult to draft a lead professional provision because the role is multi-agency and more complex, and that the named person role is more important. I agree entirely, but if we are legislating for the child's plan why can we not legislate for the lead professional who prepares the more complex child's plans? As for any challenges that might emerge, one of our two or three particular challenges is the threshold at which the named person becomes a lead professional.

Let me talk you through this: a school headteacher who is also a named person can call on a social work resource and the social work manager cannot say no to that request. However, if, after that social work resource goes in, it turns out that the situation is more difficult, more complex or worse than had been thought and will take a bit more work, that responsibility might need to be passed to a social worker. We have various mechanisms in place to deal with that transfer point and to check, say, that the headteacher is not getting involved in stuff that is not really their business and which actually goes far beyond what you would expect that person to handle. If the lead professional is not legislated for, we will also need to ensure that the named person does not stay involved for too long.

Colin Beattie: I am interested in hearing more about what you said did not work with regard to the named person. I am trying to remember what you said, but I believe that it had to do with older children or older young people.

The Convener: I think that Mr Alexander mentioned young people post-school.

Bill Alexander: I do not understand how my daughter, who is 17 and doing performing arts in Manchester, could have a named person; she will not need or want one. There are young people who are in the system, and we have proportionate ways of managing them through it. For example, someone with an activity agreement has an activity co-ordinator and a looked-after child who has left care has a lead professional through

Barnardo's as well as a multi-agency plan. I do not know why a named person would be needed for most children who have left school and, as I have said, I do not think that they would want one. Indeed, I think that Ken Norrie made similar comments to the committee.

Colin Beattie: Would a certain proportion of young people benefit from having a named person for a longer period?

Bill Alexander: Yes.

Colin Beattie: Do you identify them?

Bill Alexander: We endeavour to. Some young people who leave school still need additional support. Many of them will continue to have social workers—they will pass from a children's social worker to an adult social worker—while others might be supported in youth work, which is increasingly focusing on vulnerable groups as well as universal services. We have a process in which youth workers support certain groups of young people in certain communities. A range of young people should still need that kind of support post-school, but I am not sure whether it is a workable universal solution.

Jayne Baxter (Mid Scotland and Fife) (Lab): Thank you for your submission and, in particular, for the comments on the named person role. I found them very simply written and easy to understand, and they informed my understanding of the issue.

If the named person is, say, a health visitor with a heavy case load, the headteacher of a large school—or a council official during the school holidays—will they really be able to know the family in question well? Will those resource implications weaken the role?

Bill Alexander: This comes back to Mr McArthur's second question, which was on the resource issue for sustaining the model and which I did not get round to answering.

There are perhaps two bits to this question. First of all, we would all like more resources and there are always people who will take any opportunity to say, "Let's get more resources." We all do that; indeed, I do it every opportunity I get. However, that should not stop us doing things that are right anyway. We do not ask for resources for GIRFEC—we just do it with the resources that we have. At the same time, we are also trying to recycle resources and turn them into preventative resources. We can invest all the money in the children with high-level needs—and we should—but investing in those children will not prevent more children from having those high-level needs. Therefore, we should always invest in more.

12:15

Being the named person is the day job. It is what the health visitor does when she carries out her assessments and it is what the school does when it undertakes its examinations, assessments and reports home—they are being the named person. That is the role. It is what the school does when a teacher picks up the phone to a social worker and says, "Can we talk this through?" That is being the named person—it is the day job. You would not say that schools should not do that. Highland schools and Scottish schools have always done that.

A second issue is whether we have enough health visitors and the right staff in our schools. Highland Council believes that we should have more health visitors. It has had responsibility for health visiting since April last year, and I was delighted when one of its early decisions, on the back of the earliest collaborative work, was to invest an additional £2 million in those services. That is important, as it will enhance what we can do in our services for children. It is not about the named person; it is just that we think that it is a valuable service that will make a significant difference.

I do not accept the argument that it is somehow possible to get by without a structured practice model, with lots of meetings, with half a dozen different plans and without knowing what the person in the next office, never mind the next service, is doing with the same child, and that that is somehow more resource effective than having a structured model in which there is clarity about who has responsibility and about where information goes, as well as a single plan, and in which, if a meeting is needed—frankly, we took half the meetings out of people's diaries—it takes place once and is not repeated the next week with another bunch of people. How anyone can argue the advantages of the ad hoc and chaotic system over the structured and rational system, in terms of resource allocation, I do not know.

I will always argue for more resources. My job is to use the resources that I have as effectively and efficiently as I can, and that is what the practice model gives me. I heard one contributor say that in Highland we have reduced management times in schools. Yes, we have and that is regrettable, but we do GIRFEC. We do GIRFEC although we have less management time in schools, and thank God we do. If we were still doing things the way we used to, we might have gone under.

Jayne Baxter: There will be times when a named person picks up on concerns that are critical of parents. How have parents in Highland reacted when a named person has collated or passed on information that has questioned parents' actions or capacities?

Bill Alexander: Some courageous conversations are now happening that probably did not use to happen, and that has been challenging for teachers. Unless that concern was about possible significant harm, teachers would always want to discuss that with the family. It is particularly difficult in smaller communities where people know each other, but teachers know that that is their job and they know that it works. It is also very helpful for them in doing their job.

A previous minister, Adam Ingram, asked to come out to schools because he really did not believe that the teachers would welcome the named person policy and he wanted to meet some of them. I took him round a few schools, and he asked, "How are you coping with all the information that you're now getting, and how are you coping with having to talk to the families about these issues?" The teachers looked at him and said, "Don't be crazy. It's much easier to know than not to know." It is much easier to understand what is going on and be able to respond to it than either not to be able to respond or to respond by doing the same thing.

One thing that transformed the situation overnight for teachers was the introduction of the police concern forms. Teachers in Highland, like teachers elsewhere in Scotland, often tell me that things happen on a Monday morning that are out of control and cannot be predicted because the children have been at home, back in the communities, over the weekend. Wednesdays, Thursdays and Fridays are pretty predictable, but on Monday they have to pick up whatever has gone on in the family or the community at the weekend. We have had suicide attempts, serious violence and all sorts of things go on, and the teachers have had to work in ignorance of what has happened.

The school now knows on the Monday whether there has been a significant situation for a family over the weekend and whether the child has had a traumatic experience. It can then decide whether it is something that it should discuss with the family, whether it can be left or whether it is a significant harm issue on the basis of something else that it knows and it should be passed on. The school is much happier having that information and being able to make that judgment.

Jayne Baxter: Do you think that acting as a named person and being a point of contact is having an influence on and changing the day jobs of people who have that role? The bill requires named persons to support, advise and help children and families. That is more than just being a point of contact.

Bill Alexander: Teachers, health visitors and midwives tell me that it does not change what they do but it changes how they are regarded. That

goes back to how the role developed. We had the child's plan, the lead professional and the super-social worker, but teachers and health visitors said, "Actually, it is us who know children and families, talk to the parents and deal with the basic issues. What do you call us?" Families said, "We don't want a social worker, with due respect to social workers. We want to go in and talk about this with the teacher who teaches our child in school. What do we call them?" The phrase "named person" came up. The other thing that teachers said was, "If we say something to a social worker, we want it to be valued. We're passing it on because we have a relationship with the family, we've discussed it with them and we believe it's important."

Having the named person role has not changed what people do, but they feel that it has empowered them. I have often used the example of a pre-school child—I will try to say this without mentioning any personal circumstances—whose behaviour was challenging. The parents were distraught and distressed and they were doing the phoning round of every agency saying, "My child's not bad. Something else is going on. Please listen." The behaviour continued, but when they spoke to the health visitor, that person felt empowered to draw on specialist clinicians—people senior to her—and say, "There's something here. I believe there's a different issue." A hearing impairment was diagnosed and it was addressed. The child does not have bad behaviour any more. That was the power of the named person.

Jayne Baxter: Thank you.

Neil Bibby: To sum up, what do councils need to do other than to follow the letter of the legislation in implementing GIRFEC? What else is required from local authorities to ensure that GIRFEC works and that we do get it right for every child?

Bill Alexander: There are other things that we need to crack. With due respect to all my colleagues, there are still some who prefer to work much more autonomously, sometimes including specialist clinicians such as paediatricians and psychiatrists. We do not yet have the full family round the child. We need to persevere with that. General practitioners would never be named persons, but we need to do more work to ensure that they fully understand what it is all about and can use the practice model to the greatest benefit of the child and family.

Going back to the information sharing issue, I think that our greatest failure as authorities, agencies and—I have to say—the Scottish Government over the past 10 years has been our failure to achieve electronic information sharing. Because I have access to an electronic social work system, from my desk I can look at the plan

of any child on the child protection register, but a colleague in a different discipline who might need to know what is happening with that child today cannot do that. They will have a copy of the latest plan, but someone will have had to go to the computer, print it out, staple it, put it into an envelope, take it to a post office and post it, and the person cannot be quite sure that the plan that they have in their drawer is the latest one. That is unsafe and we really have to address it. We all tweet and Facebook and watch football on our phones, so I do not understand why we cannot do that.

There is still much to be done. The key components in getting it right are in the bill. I would have liked to have seen the lead professional there, as that is critical. I think that Scotland is now using the assessment framework, but it is important that we all use it. Scotland has something that works and we should be proud of it, and the bill will take us forward significantly.

The Convener: Thank you for that explanation of what is happening in Highland and the pathfinder project that you have been involved in.

I suspend the meeting briefly while we change panels.

12:24

Meeting suspended.

12:27

On resuming—

Draft Budget Scrutiny 2014-15

The Convener: Our second agenda item is evidence on the Scottish Government's 2014-15 draft budget. The committee has agreed to focus its scrutiny on the Scottish Government's youth employability commitments, on their funding and on how the policy focus on younger learners is impacting on lifelong learning.

Before I go straight to questions, I apologise to the witnesses for the delay in starting this evidence session because of the rather long earlier evidence session. I hope that you do not mind. As you will have seen, we had to take some very detailed and important evidence on the Children and Young People (Scotland) Bill.

Liam McArthur: Good afternoon. There has been a focus on trying to address employability issues, in particular youth unemployment. We have seen in a recent Audit Scotland report some of the implications of that for older and adult learners. Professor Gallacher referred to that in written evidence. What do you regard as being the current trade-offs and impact of the policy on employability generally among older and adult learners?

Professor Jim Gallacher (Glasgow Caledonian University): Before I start, convener, I point out for the record that although I am here in my capacity as an independent academic, I am also a member of the board of the City of Glasgow College.

I thank Liam McArthur for his question. An important role for colleges over the years has been to provide a wide range of education opportunities for the post-school population up to older learners.

I do not think that the greater emphasis on providing places for young people is having a huge impact on actual student numbers. As you know, there are complex ways of measuring student numbers, including looking at the number of enrolments, the number of full-time equivalents and the number of weighted student units of measurement. You get different answers depending on which measurement you look at.

12:30

An important point is that there has been a steady move away from part-time provision to a greater emphasis on full-time provision. That has had a significant impact because, traditionally, many older learners were part-time learners. In the college sector there has, over quite a long period, been a move towards greater emphasis on full-

time provision. That is associated with a decline in student numbers because, as colleges place more emphasis on having full-time students, they will have fewer actual students. In higher education, that has also been a significant feature, as HE has increasingly moved away from part-time provision. In my written submission, I quote evidence that shows that the number of part-time HNCs has declined very significantly over quite a long period. Increasingly, a lot of HN provision is for full-time HNDs and full-time HNCs.

Therefore, the role of the colleges in providing part-time work-related education has changed significantly. That is an issue that we should really try to address, as I say in my submission. In that respect, modern apprenticeships are also important, given that a lot of emphasis has been placed on the development of advanced apprenticeships, although in some respects not an awful lot is happening in that area. We have a complex situation in which a number of different factors are driving change in the college sector. However, we should consider the underlying question about how we try to ensure that there is good-quality, part-time provision—as well as full-time provision—for the wider age range.

Liam McArthur: Your written submission suggests that the number of part-time HNC courses has declined from around 14,800 back in 2001-02 to 5,380 in 2011-12. Obviously, there will be a variety of reasons for that—the reasons why people take up part-time courses go well beyond employability—but is there potentially a weakness in our overall employability strategy in having too dramatic a shift away from part-time provision, particularly given the needs, as we have heard in previous budget processes, of female learners and older learners? Is that an accurate representation?

Professor Gallacher: Certainly, the college sector as a whole should be very cognisant of those figures. Significant questions should be asked about how we can ensure that there is more high-quality part-time work-based provision than there is at present, and we should look at ways of addressing that trend. As you said, those figures are but part of the overall picture, although they are significant.

Liam McArthur: The focus on full-time course provision has been a clearly stated objective of the Scottish Government. What latitude is there for individual colleges or colleges within regions to take a view about provision that would allow them to address potential weaknesses—for example, a shortfall of part-time provision?

Professor Gallacher: That relates to the point that I made in the final section of my written submission, to which you have drawn attention. We need to consider the range of qualifications that we currently provide and whether that range

provides the most appropriate courses for the needs of the Scottish economy at the present time.

We have, for a variety of reasons, seen the kind of changes to which I have pointed. We need to ask how we will begin to address those issues and encourage the college sector. That will involve co-operation with the Scottish Qualifications Authority and employers. Obviously, I have looked at this subject in greater detail, but just recently I happened to hear a piece on the radio about the strength of the German economy. The comment was made that a major strength of the German economy is the number of relatively small employers who place a lot of emphasis on apprenticeship training. We do not have enough of that. We must build up a wide set of links involving colleges, employers and a range of agencies such as the SQA and Skills Development Scotland.

The Convener: I am conscious of time. I do not want to inhibit questions or answers, but we really have to try to be as snappy as possible. Joan, do you have a quick supplementary?

Joan McAlpine: I have a very quick one. Professor Gallacher's submission helpfully examines the age profiles of students in colleges from 2009-10 to 2011-12. As you rightly say, the 16 to 24-year-old age group profile goes up. What is interesting is that the 25-59 group—the lifelong learners—stays exactly the same and the only group that has experienced a significant fall is the 60 and over group, which is people of retirement age. Given that the cake is only so big—the Scottish Government is living off a fixed grant—if you had to set priorities, would you say that it is probably correct that the priority is to maintain training for people of employment age? We do not want to cut back on anything, but do you agree that if we have to cut back on something, courses for people who are retired might have to go?

Professor Gallacher: As you suggest, we face difficult choices in everything. It is important to bear in mind the role of the colleges in providing a wide range of education opportunities. In that respect, the colleges have been extremely good at providing opportunities for adult learners to come back into the system. The 25-59 age group has remained relatively stable, which is good. In my paper I quote the number of enrolments; if you were to look at the number of full-time equivalents, you would see a rather different picture in which young people are a much higher percentage of FTEs—the picture turns round.

There has not been a marked decline in the 25-59 age group, no matter how one looks at it, which is very good. At a time of significant change in the economy, although trying to provide opportunities for young people is a priority, it is important that we do not lose sight of the fact that adult students

can return to education and gain opportunities. In the past, colleges have in that respect been particularly important for women returners; that is the way in which many have got back into the system. On one level, it is good that there does not seem to have been a marked decline.

We should remember that the impact of the changes in the budget will continue to be significant for some time because of the projected savings that are associated with regionalisation; there will be continuing staff cuts within the college sector. In that situation, we have to be conscious and ensure that we do not significantly skew the role of the colleges.

Liz Smith: I have one very quick question. Your evidence mentions the reclassification of colleges and the implications for their reserves. What discussions have you had with the Scottish Government and the Scottish Further and Higher Education Funding Council between 2010 and now, and what stage you are at?

Professor Gallacher: Do you mean with regard to the Office for National Statistics, in particular?

Liz Smith: Yes, because the matter was flagged up in 2010 and it will happen next year.

Professor Gallacher: Obviously the issue is not just for me, but for the whole college sector; I have colleagues in the college sector that are much more involved. The crucial thing now—I have referred to it—is the implications for college reserves. Many colleges have significant reserves and continue to generate significant surplus income at the end of each year. The crucial question will be about how those reserves can be safeguarded.

You will be aware that the current plan is that arm's-length trusts will be established into which existing reserves and new additional income will be transferred. One of the issues for the colleges is the fact that they will lose control of the trusts; once an independent trust is established, it is an independent trust. The extent to which the colleges will continue to control their reserves could become a significant question to which we do not know the answer.

Joan McAlpine: I would like the panel to comment on the flexibility of the different employability initiatives and any difficulties that have occurred as a result of employability and training being split between the UK and Scottish Governments.

The Convener: Would Ken Wimbor like to respond to that question?

Ken Wimbor (Educational Institute of Scotland): First, we have only just had our second meeting with Sir Ian Wood, who is looking at improved employment prospects for our young

people. You will be aware that his interim report makes particular recommendations about the role of further education in that process.

The second part of his report, which he is moving on to now, will examine the relationship with employers and how we encourage employers to offer apprenticeships and to link with colleges and schools in order to deliver improvement. That is the particular area in which the complexity that has been referred to comes up. It is no accident that Sir Ian has made recommendations about further education at this stage, but is having to take longer to look at how to encourage employers to be part of the process and how to encourage uptake of modern apprenticeships, in particular.

Shirley Sephton (Unison Scotland): I work in a college as well as being the vice-chair of the Unison FE committee. I believe that you are asking people to start monitoring students' progress once they have left college and gone on to employment. With the funding cuts that we have had, it is difficult for colleges to do that. We do get monetary funding from SDS to monitor how students progress after they leave, but if you are asking colleges to do that in the normal financial environment, I do not believe that we have the necessary support staff.

There is very little interaction between colleges and small employers. We work closely with the people who have contracts for power lines and for green energy projects such as wind turbines, but smaller employers do not have time to work with us and help us with educating students in the way that employers wish.

12:45

Gordon Maloney (National Union of Students Scotland): I am reluctant to pre-empt the Wood report. Ken Wimbor made a point about how we encourage apprenticeships. We are interested in the quality of apprenticeships, to which no equivalent of a quality-assurance process is applied. It is important for us to look at that, and we do not need to wait for the Wood commission's report to do that.

Professor Gallacher: I echo, in some measure, what Ken Wimbor said. The Wood commission is providing us with a valuable opportunity to address such questions. Some extremely important issues emerged in the interim report. To go back to my response to Mr McArthur's questions, we in Scotland need to think much more carefully about how we address vocational education and training issues.

In my submission, I referred to the opportunities that are associated with the senior phase of the curriculum for excellence, which are noted in Sir Ian Wood's interim report. Big opportunities are

available, but we must focus on such questions for the future.

Clare Adamson: The panel might be aware that the committee has done work on the educational attainment of and outcomes for looked-after children. Does the current range of employability initiatives adequately address concerns about reaching harder-to-reach groups in society—those who were previously described as NEETS, or not in education, employment or training?

Ken Wimbor: I echo to an extent what I said about the Wood commission. One outcome of the difficult financial position that FE has been in is that school-college partnership programmes, which have been on the go for a considerable time, have diminished. I hesitate to mention his name again, but Wood indicates in his interim report that he wants school-college partnerships to be reinvigorated. That relates directly to the youngsters whom you refer to and would improve the service that could be provided for that group.

Professor Gallacher: As the committee is probably aware, the funding council has focused in recent years on the issue. Continuing recognition of and support for such work is important.

Gordon Maloney: One issue is the support during education that is available to care leavers. Funding is available for higher education students who have left care, but we know anecdotally that take-up is much below even the abysmally low number of care leavers who make it into higher education.

Increasing take-up is a particular challenge. Questions arise about stigma and about institutions' understanding of the challenges that care leavers face with accommodation, for example, such as where they go in the summer holiday or the Christmas break. A lot of work has still to be done on that. The issue is important and it is right to focus on it.

Shirley Sephton: Another problem for such students relates to the merged colleges. We will stop running certain courses at certain locations, so some students will have to travel an awful long way for the course that they want to take. We have problems with young men who face a fear of violence when they travel away from their communities. Some young people lack the confidence to take up education; if it is provided in their communities, they might take it up, but if we ask them to travel 20 or 30 miles to another community, they might not do that.

Another issue is tiredness. We are asking some children to travel up to 75 miles, so they might get up at 5.30 in the morning and not get home until 8 at night. That is difficult for any young person, but especially for a looked-after young person. They cannot cope with that sort of thing and they have

not experienced it in their lives previously. We need to start teaching those people in their communities. We need to make courses available to them within their own little communities, because otherwise we will deprive them of further education.

Clare Adamson: Are not a number of initiatives already in place in which colleges provide outreach services in communities?

Shirley Sephton: Yes, but those are being cut. I work at the college in Stranraer, which is a remote college, and we had another resource at Newton Stewart, but the campus there has been cut. There are initiatives, but we no longer have the funding to be able to provide the outreach services that we used to provide. The situation is becoming more and more difficult.

Professor Gallacher: There is a good point here. I do not think that regionalisation in itself is the problem, but community-based provision is a soft area. I have done quite a lot of research on the role of community-based education in the college sector, which is extremely important in providing opportunities, but it is a soft area, and when colleges look for cuts, there is a danger that that is how they will see community-based education.

Colin Beattie: Skills Development Scotland is responsible for a range of initiatives, including employability initiatives, and its funding comes from SFC budget allocations. How successful has SDS been at delivering college-based employability initiatives?

Shirley Sephton: The get ready for work initiative worked quite well. However, SDS has stopped that and is moving on to a new type of funding. Obviously, that has only just started, so we cannot say how well it will work. With get ready for work, young people went into something like an apprenticeship—they worked in companies, and there was very little work in the college. The college provided employability skills such as CV writing, but the young people also had the experience of going into the workplace. I believe that the new funding is more college based, and I am not too sure how that will work—only time will tell with that. However, some of the SDS funding works very well.

Colin Beattie: Some of it?

Shirley Sephton: Yes. Colleges also do a good job. Given the budget cuts, perhaps the money would be more wisely spent in further education colleges.

Professor Gallacher: Obviously, that is a big question. The crucial issues go back to something that we have said several times already and are to do with how we move forward on vocational

education and training. We have already made several references to the report that Sir Ian Wood's commission is producing. We have to consider how, in future, we get the various organisations—SDS, the colleges and the other significant stakeholders—to work together to provide a better-quality vocationally based education. Until now, quite a lot of it has not been sufficiently good and there has not been sufficient joined-up thinking. There is a real need to look critically at that question.

Neil Bibby: If 1,200 staff have already left colleges, how can the regionalisation agenda make the expected savings of £50 million each year? Can the further education sector absorb further teaching number losses? What will the impact be on teaching numbers in the coming years?

Ken Wimbor: On the regionalisation agenda, we support the principle of moving towards a more coherent strategic overview of the delivery of further education as opposed to the atomised system that we had through incorporation. It is unfortunate that that process of change, which is under way at the moment, coincides with a period of significant cutback in resource. That is a key issue. The 1,200 to 1,300 staff who have gone are split roughly evenly between teaching staff and support staff. It goes across the board.

There is an assumption that the savings that will come from rationalisation in 2015 or, perhaps, 2016 are not the ones that we are talking about because they are being imposed from the centre. There is also an assumption that any savings that come from rationalisation will, in some way, leave the service. It is important that, if savings come from the restructuring of FE throughout the country, they should be reinvested in the service to deliver what we hope the Wood report will recommend. If we do not do that, we are missing a trick on the delivery of vocational education, particularly at a time when the economy is supposed to be on the up.

Professor Gallacher: As Ken Wimbor said, there is quite a lot of scope for constructive restructuring of the college sector. We have a college sector that was developed many years ago for a different era and there is a real opportunity for significant restructuring, to make the colleges much more focused and to address questions such as those that we are talking about.

However, as I said in my submission, one of the dangers that we must bear in mind is the fact that many of the savings involve staff reductions, and if voluntary severance schemes are implemented we must be careful about how that is done and about their impact. There is a real danger that we could lose key staff in key areas and significantly weaken the college structure in the process.

A careful set of questions must be asked about how, in seeking to implement rationalisation, we maintain the key roles that we expect the colleges to have and to get better at doing. That relates to some of the earlier questions about some of the impact on the wider community and the adult community. There is a danger that the colleges could become skewed—we have already talked about the role of community-based provision.

On the one hand, there are very positive opportunities associated with regionalisation and rationalisation, but we must also acknowledge that there are potentially significant costs and dangers. Those should be kept firmly in view when we consider the impact.

Neil Bibby: There has been a reduction in the number of staff. The number of full-time equivalent students may have stayed the same, but there has been a reduction in head count. What will be the long-term general and economic impact of there being fewer staff and students in further education?

Shirley Sephton: It is having a huge impact. I do not know whether you have read some of the recent press reports. Coatbridge College already has a £430,000 shortfall in its childcare budget and other colleges report that they are unable to cope with the demand for bursaries and childcare. Because of the cuts, there are reduced staff numbers, so staff are unable to cope with all the demands on them.

One college reports that it has completed only 25 per cent of its applications this year. It does not believe that it will have them completed by the end of October—that is nine weeks into term. We have students who have no money. The councils are not providing students' rent money because they believe that students will get bursaries for that. These students have no money to pay the rent and they face being evicted. They have no money for food. Front-line staff see the effect on the students. It stresses and upsets the staff, who know that they cannot cope with the workload.

There is another college that has 2,000 emails waiting to be answered, many of them about funding. In many cases, hardship grants are being withheld because colleges do not believe that there will be enough money for bursaries and for childcare and they want to save the discretionary funds in case they need to top up the funding for bursaries and childcare. It is a bit of a mess at the minute.

13:00

The Convener: I am conscious of the time and I want to make sure that everybody gets a chance to answer. Some members want to ask questions.

Gordon, did you want to add anything to that point, or has it been covered?

Gordon Maloney: I think that that covers it. Obviously, there are big challenges in terms of regionalisation, which, as Ken Wimbor said, we support in principle. It is unfortunate that it is happening at a time of tight budgets. As Shirley Sephton said, we have heard lots of stories of students' applications not being processed in time for them to receive their Student Awards Agency for Scotland loans. It is not clear whether that is due to the reorganisation of the colleges and processes not being put in place. We suspect that it is a capacity issue and that many of the staff who have left are not just teaching staff but administrative staff. They are people who perform crucial roles.

One of the big challenges is that the money that we put into colleges is in a sense wasted if the student support is not available and the students have to leave the course before it finishes, or cannot continue their studies. It appears that that may be the case in some situations.

George Adam: I would like to talk about some of the positive aspects of colleges. It is my nature—I cannot help myself.

Last year, most of the organisations in the sector welcomed the announcement that there would be £521.7 million for 2014 and £526 million for 2015-16. Colleges Scotland in particular said that that was the resource that it needed to continue with the work in hand. The Government is focused on young people to ensure that they have a future and use colleges in that way. Surely that is a good thing. We do not want to return to the past, like the dark days of Thatcherism, when there was a lost generation. The Government policy to push that forward is a positive move. The Scottish Government provided funding for 116,000 full-time equivalent places in 2011-12 but ended up with 119,448 full-time equivalents. Surely that is all good news and a move in the right direction.

The Convener: I am very conscious of time. I apologise for asking for very short answers.

Professor Gallacher: Yes, there are very useful things there. On the question of education provision for young people, one of the crucial questions is what kind of education they get. This goes back to my earlier point that we must make sure that we have the right qualification structure in place. It is not enough just to bring people into college. We have to ensure that when they are in the college they get a high-quality educational experience. That is a crucial question on which we should all focus very carefully.

Gordon Maloney: I broadly agree. There are clearly good opportunities available and it would be a shame if other factors meant that those

opportunities were not available to students and young people. The point about student support is important. It would be a huge shame if, for the sake of the relatively small sums of money that would give them adequate student support, students were pushed into payday lenders or into commercial debt, or were pushed out of their studies entirely and were not able to take up those opportunities.

Shirley Sephton: The Government has increased the weighted SUMs targets this year for all colleges. In order to meet them, the colleges are increasing class sizes. I do not believe that that gives the child a better education. I recently talked to a lecturer who had been in the college for many years. She used to teach one class for 27 hours a week; that class is now being taught for 15 hours a week with one hour of self-study. There is no way that the colleges can give children the education and qualifications that they used to get with such a reduced number of hours. The only way that we can teach the numbers that we are being asked to teach, with the weighted SUMs targets, is by not delivering as good an education. That is not down to the lecturer; the lecturers are trying as much as they can. It is not down to the support staff, who are trying to support them. It is because we do not have the resources to teach those children as we should.

Ken Wimbor: Unlike George Adam, I am a born pessimist—I am seldom disappointed.

The Convener: You will balance each other up, Ken.

Ken Wimbor: I want to make a point about funding in FE. The 2013-14 and 2014-15 budgets are an improvement on what went before but, to put it in context, the sector has lost £30 million since 2011. That is just under a 6 per cent cut in money terms, which does not take inflation into account. Bearing in mind restructuring and the desire to grab hold of any signs of recovery, particularly any signs of increased employment in the economy, FE has an important role, which will not be fulfilled with the kind of financial regime that it is facing at the moment.

The Convener: Thank you all very much. I apologise yet again for the rather squeezed time that we had today. When I was busy apologising at the start for the squeezed time and the lateness of the start, I forget to mention your names. I thank very much Professor Jim Gallacher; Ken Wimbor, from the Educational Institute of Scotland; Shirley Sephton, from Unison; and Gordon Maloney, from the National Union of Students Scotland.

Meeting closed at 13:07.

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